



SCREENING DECISION REPORT NIRB FILE No.: 24VN054

NPC File No.: 150574

February 7, 2025

Following the Nunavut Impact Review Board's (NIRB or Board) assessment of all materials provided, the NIRB is recommending that a review of Fisheries and Oceans Canada's (DFO or the Proponent) "Sarvarjuaq Marine Protected Area by Ministerial Order" initiative is not required pursuant to Article 12, Section 12.4.4(a) of the *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada (Nunavut Agreement)* and s. 92(1)(a) of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*).

Subject to the Proponent's compliance with the terms and conditions set out below, issued in accordance with s. 92(2)(a) of *NuPPAA*, the NIRB is of the view that the initiative is not likely to cause significant public concerns, and it is unlikely to result in significant adverse environmental and social impacts. The NIRB therefore recommends that the responsible Minister accepts this Screening Decision Report.

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The primary objectives of the NIRB are set out in Article 12, Section 12.2.5 of the *Nunavut Agreement* and are confirmed by Section 23 of the *NuPPAA*:

In carrying out its functions, the primary objectives of NIRB shall be at all times to protect and promote the existing and future well-being of the residents and communities of the Nunavut Settlement Area, and to protect the ecosystemic integrity of the Nunavut Settlement Area. NIRB shall take into account the well-being of the residents of Canada outside the Nunavut Settlement Area.

The Board conducted the screening of the project proposal as “*an initiative whose purpose is to establish or abolish a park or a conservation area, in whole or in part inside the designated area*” under the provisions of ss. 174-183 of the *NuPPAA*. As set out in s. 2(1) of the *NuPPAA*, “conservation areas” include ...*(e) a marine protected area designated under paragraph 35(3)(a) of the Oceans Act*. While the Sarvarjuaq Marine Protected Area has yet to be designated by Ministerial Order under the *Oceans Act*, the Proponent published Notice that the Minister of Fisheries and Oceans proposes to make an *Order Designating the Sarvarjuaq Marine Protected Area* under subsection 35.1(2) of the *Oceans Act*.¹ As publication of this notice is preliminary to the possible establishment of a marine protected area under regulations as set out in s. 35(3)(a), the Board has assessed the “Sarvarjuaq Marine Protected Area by Ministerial Order” initiative as a Ministerial “initiative” subject to the Board’s screening.

As set out in s. 182 of the *NuPPAA*, when the Board is screening such an initiative, the Board is directed to apply the general screening requirements established under the *NuPPAA* but is entitled under s. 182(f) to conduct the screening “*in the manner that it considers appropriate to the nature of the initiative.*” In addition, when the Board is conducting its screening of the initiative, as noted in s. 183 of the *NuPPAA*, the Board “*may consider, and rely on, any information collected, or study or analysis carried out, in respect of the initiative by any department or agency so as to ensure efficiency and avoid duplication*”.

In general, the purpose of the Board’s screening of projects/initiatives is provided for under Article 12, Section 12.4.1 of the *Nunavut Agreement* and s. 88 of the *NuPPAA* which states:

The purpose of screening a project is to determine whether the project has the potential to result in significant ecosystemic or socio-economic impacts and, accordingly, whether it requires a review by the Board...

To determine whether a review of a project/initiative is required, the NIRB is guided by the considerations as set out under Article 12, Section 12.4.2(a) and (b) of the *Nunavut Agreement* and s. 89(1) of *NuPPAA* which states:

¹ See Canada Gazette, Part I, Volume 158, Number 51: Order Designating the Sarvarjuaq Marine Protected Area (<https://www.gazette.gc.ca/rp-pr/p1/2024/2024-12-21/html/reg10-eng.html>).

The Board must be guided by the following considerations when it is called on to determine, on the completion of a screening, whether a review of the project is required:

- (a) a review is required if, in the Board's opinion,
 - i. the project may have significant adverse ecosystemic or socio-economic impacts or significant adverse impacts on wildlife habitat or Inuit harvest activities,
 - ii. the project will cause significant public concern, or
 - iii. the project involves technological innovations, the effects of which are unknown; and
- (b) a review is not required if, in the Board's opinion,
 - i. the project is unlikely to cause significant public concern, and
 - ii. its adverse ecosystemic and socioeconomic impacts are unlikely to be significant, or are highly predictable and can be adequately mitigated by known technologies.

It is noted that under Article 12, Section 12.4.2(c) and s. 89(2) of the *NuPPAA* provides that the considerations set out in s.89(1)(a) prevail over the considerations set out in s. 89(1)(b) of the *NuPPAA*.

As set out under Article 12, Section 12.4.4 of the *Nunavut Agreement* and s. 92(1) of the *NuPPAA*, upon conclusion of the screening process, the Board must provide its written report to the Minister. The contents of the NIRB's report are specified under *NuPPAA*:

The Board must submit a written report to the responsible Minister containing a description of the project that specifies its scope and indicating that:

- (a) a review of the project is not required;
- (b) a review of the project is required; or
- (c) the project should be modified or abandoned.

Where the NIRB determines that a project/initiative may be carried out/implemented without a review, the NIRB has the discretion to recommend specific terms and conditions to be attached to any approval of the project proposal pursuant to paragraph 92(2)(a) of *NuPPAA* as follows:

In its report, the Board may also

- (a) recommend specific terms and conditions to apply in respect of a project that it determines may be carried out without a review.

PROJECT REFERRAL

On November 15, 2024, the NIRB received a referral to screen Fisheries and Oceans Canada's "Sarvarjuaq Marine Protected Area by Ministerial Order" initiative (Sarvarjuaq MPA, project proposal or initiative) from the Nunavut Planning Commission (Commission), with an accompanying positive conformity determination with the North Baffin Regional Land Use Plan.

On December 12, 2024, the NIRB received the complete application and commenced screening the initiative under file number **24VN054**.

PROJECT OVERVIEW & THE NIRB ASSESSMENT PROCESS

1. Screening Process Timelines

The following key stages were completed for the screening process:

Date	Stage
November 15, 2024	Receipt of project proposal and positive conformity determination (North Baffin Regional Land Use Plan) from the Commission pursuant to s. 176 of the <i>NuPPAA</i> .
November 18, 2024	Request to complete public registry online and provide information pursuant to ss. 144(1) of the <i>NuPPAA</i>
December 12, 2024	Receipt of online application from Proponent
December 12, 2024	Scoping pursuant to ss. 86(1) of the <i>NuPPAA</i>
January 6, 2025	Public engagement and comment request in English, Inuktitut, and French
January 24, 2025	Ministerial extension requested from the Minister of Fisheries, Oceans and the Canadian Coast Guard
January 27, 2025	Receipt of public comments
January 30, 2024	The Proponent provided with an opportunity to address comments/concerns raised by public
February 3, 2025	The Proponent responded to comments/concerns raised by public
February 7, 2025	Issuance of Screening Decision Report

2. Project Scope

All documents received and pertaining to this project proposal can be accessed from the NIRB's online public registry at www.nirb.ca/project/126016.

The proposed Sarvarjuaq Marine Protected Area (Sarvarjuaq MPA) is a marine area in the North Water (Sarvarjuaq²) proposed to be designated as a marine protected area under the *Oceans Act*, 1996, c. 31 (*Oceans Act*). The Sarvarjuaq MPA is located at the entrance to Smith Sound, extending north in Nares Strait into Kane Basin and south into northern Baffin Bay. The Sarvarjuaq MPA (see Figure 1) is approximately 73,737 square kilometres (28,470 square miles) with a portion that falls within the Nunavut Settlement (NSA). The outer portion of the MPA extends further to the southeast and runs along the boundary of Canada's Exclusive Economic Zone.

In 2011 Sarvarjuaq was designated as an Ecologically and Biologically Significant Area (EBSA)³ and in 2017 the North Water was evaluated as unique and was identified as a possible candidate

² Meaning "a place that never freezes", a Qikiqtaaluk name for North Water. Also known as Pikialasorsuaq in Kalaallisut, meaning "great upwelling" in the West Greenlandic language.

³ North Water is recognized internationally as an important and vulnerable marine area for its recurring polynyas in Canada's Eastern Arctic biogeographic region, designated by Fisheries and Oceans Canada in its 2011 and 2015 publications as referenced in the [Project Description, available on the NIRB's public registry](#) (Doc ID No.352376).

for designation as a World Heritage Site based on the UN Organization for Education, Science Culture and Communication's (UNESCO) criteria. In 2019 the Federal Government released a joint statement with Canadian Inuit leaders that committed to working in partnership with the Governments of Denmark and Greenland to advance sustainable marine management and environmental protection for the North Water region.

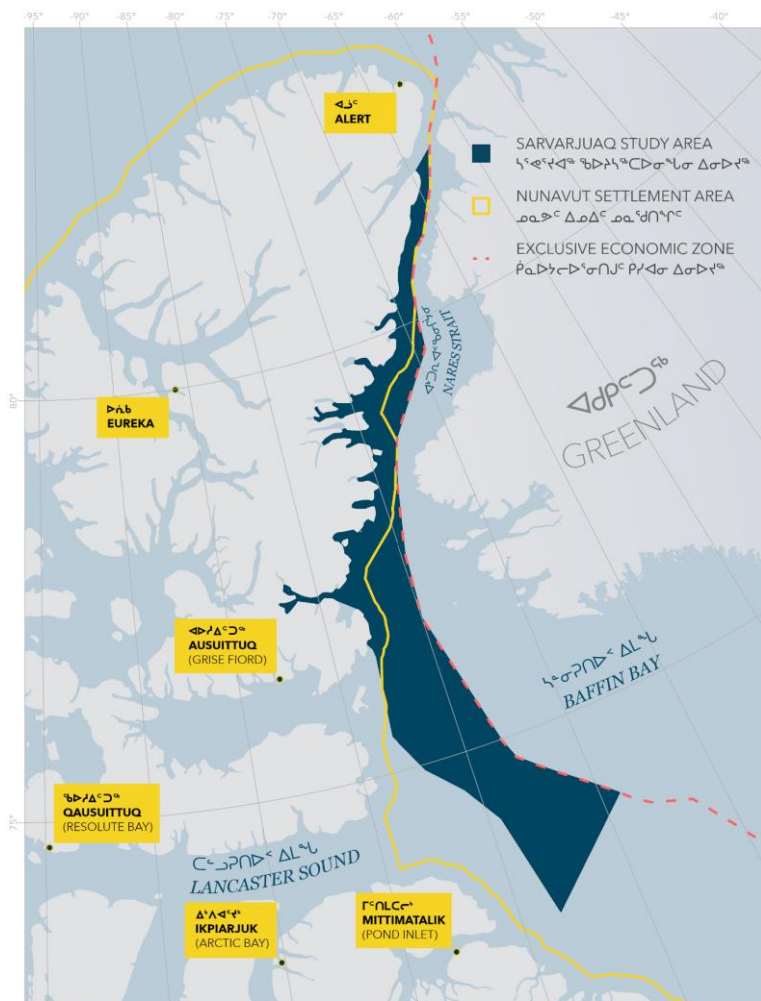


Figure 1 map of the proposed Sarvarjuaq Marine Protected Area

The stated objective of the initiative is to limit use of the Sarvarjuaq MPA to “freeze the footprint” for the next 5 years to allow for the development of long-term protection measures for the marine environment, reflecting Inuit leadership and applicable agreements.

The proposed Ministerial Order would generally prohibit carrying out works or undertaking activities in the Sarvarjuaq MPA for up to 5 years, starting July 2025, with some exceptions including:

- Inuit activities provided for under any Agreement or Act;

- Lawful activities that have occurred or were authorized to occur in the 12 months before the order comes into force, or as identified in the classes of allowed activities in the Minister's Order;^{4,5}
- Research activities consistent with the conservation objectives of the Sarvarjuaq MPA; and,
- Activities carried out for purposes of public safety, national defence, national security, law enforcement or in emergency situations.

3. Inclusion or Exclusion to Scoping List

The geographic scope of the proposed Sarvarjuaq MPA extends beyond the Nunavut Settlement Area and Outer Land Fast Ice Zone, following the Canadian boundary with Greenland in international waters. While the Board is tasked with assessing the full scope of the project as proposed,⁶ the geographic scope of the Board's jurisdiction remains the Nunavut Settlement Area and Outer Land Fast Ice Zone as defined under the *Nunavut Agreement* and prescribed in Article 12, Section 12.12.2. Accordingly, the Board's decision will be focused on recommendations related to the Nunavut Settlement Area.

The Ministerial Order would not make Fisheries and Oceans Canada a sole regulator of activities in the Sarvarjuaq MPA, but would prescribe general limitations on allowable uses of the area and exceptions (as set out in the exception list provided above) which would be implemented by other Regulatory Agencies responsible for regulating specific activities in the area, including but not limited to: Crown-Indigenous Relations and Northern Affairs Canada, Transport Canada, Environment and Climate Change Canada, Nunavut Research Institute, Government of Nunavut, and other regulators.

The marine environment includes the seabed, the subsoil and water column, but does not include islands, freshwater bodies, or areas of joint land use.

4. Public Comments and Concerns

The translated notice regarding the NIRB's screening of this project proposal was distributed on January 6, 2025, to community organizations in Grise Fiord, Pond Inlet, Arctic Bay, Resolute Bay, Clyde River, and Qikiqtarjuaq, as well as to relevant federal and territorial government agencies, Inuit organizations, and other parties including the Inuit Circumpolar Council.

The NIRB requested that interested parties review the proposal and provide the Board with any comments or concerns by January 27, 2025, regarding:

- Whether the project proposal is likely to arouse significant public concern; and if so, why;
- Whether the project proposal is likely to cause significant adverse eco-systemic or socio-economic effects; and if so, why;

⁴ Per subsection 35.1(2)(a) of the *Oceans Act*, the Minister's Order includes a proposed list of classes of *ongoing activities* in DFO's submission, [Project Description, on the NIRB's online public registry](#) (Doc ID No. 352376).

⁵ The proposed regulation in the Minister's Order recognizes the pre-existing authorized zones in the region designated by the Northwest Atlantic Fisheries Organization for commercial fisheries, including shrimp fishing.

⁶ See *NuPPAA*, s. 157(1).

- Whether the project proposal is likely to cause significant adverse impacts on wildlife habitat or Inuit harvest activities; and if so, why;
- Whether the project proposal is of a type where the potential adverse effects are highly predictable and mitigable with known technology, (and providing any recommended mitigation measures); and
- Any matter of importance to the Party related to the project proposal.

On or before January 28, 2025, the NIRB received comments from the following interested parties:

- **Government of Nunavut (GN)**
- **Crown-Indigenous Relations and Northern Affairs (CIRNAC)**
- **Transport Canada (TC)**
- **Resolute Bay Hunters and Trappers Association**

a. Summary of Comments and Concerns Received during the Public comment period for this file

The following provides a summary of the comments and concerns received by the NIRB in relation to the Sarvarjuaq MPA:

Government of Nunavut

The Government of Nunavut provided two comments in relation to the initiative as follows:

The Government of Nunavut (GN) is concerned about the proposed boundary of the area described in the Department of Fisheries and Oceans' (DFO or the Proponent) Project, "Sarvarjuaq Marine Protected Area by Ministerial Order" (NIRB File No.24VN054, Application No. 126016). Specifically, the GN notes a lack of clarity regarding this boundary.

In particular, the GN provided details regarding a discrepancy in how the definition of "Small Enclosed Bays" under the *Nunavut Lands and Resources Devolution Agreement*, (January 18, 2024) is being interpreted and applied in the Sarvarjuaq MPA, further details of which are supplied in the GN's comment submission.⁷ The GN indicated that:

The lack of clarity with the boundary affects the GN's ability to properly assess the potential environmental and socioeconomic impacts from the proposed project, and resolving this issue promptly is critical for effective project review.

As a result of this noted concern, the GN recommended that the Proponent engage with the GN's Devolution Secretariat and other relevant Government of Canada Departments to achieve consensus on the application/interpretation of the definition. GN also urged that the Minister develop joint language to address the GN's concerns prior to issuing MPA Ministerial Orders.

The Board notes that GN indicated these comments were also provided to the Minister at the time the Minister's intention to issue the Ministerial Order was published in the *Canada Gazette* in December 2024.

⁷ Correspondence of J. Buller, Interim Avatiliriniq Coordinator, GN to L. Cai, Impact Assessment Officer, NIRB, January 27, 2025 (NIRB Doc ID: 352831).

The second comment GN provided involved the following: The Government of Nunavut (GN) is concerned that the project application does not fully communicate what is known about the petroleum potential within the proposed boundaries of the proposed Sarvarjuaq Marine Protected Area (MPA). The Proponent should ensure that information provided to Nunavummiut to inform any potential comment submission is accurate and provided in proper context.

The GN referenced specific information from the Geological Survey of Canada and the *Scientific Commentary on the Hydrocarbon Potential of the proposed Sarvarjuaq Marine Protected Area Nunavut (2024)* which was attached to the DFO's Application that should have been highlighted showing high and medium petroleum potential within the proposed boundaries of the Sarvarjuaq MPA. To address this deficiency, the GN recommended the Proponent provide: "...context related to the Baffin Fan portion of the area, and a description of both the qualitative and quantitative petroleum potential be communicated directly within the Project Application."

Crown-Indigenous Relations and Northern Affairs

CIRNAC confirmed in its comment submission to the Board that: "*Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) has reviewed the project proposal and has no comments to offer at this time pertaining to the NIRB's request.*"⁸

Transport Canada

For the information of the Board, TC provided comments to DFO during the drafting of the Ministerial Order Designating the Sarvarjuaq Marine Protected area focusing on the identification of marine navigation as an "ongoing activity" in the marine protected area. A review of the Ministerial Order showed that marine navigation was listed as an ongoing activity.

Resolute Bay Hunters and Trappers Association

Requested that animals be observed and pictures taken

5. Comments and Concerns with respect to Inuit Qaujimaningit, Indigenous and Community Knowledge

The Proponent along with the Qikiqtani Inuit Association collected and incorporated Inuit Qaujimaningit, as well as Indigenous and community knowledge throughout development of the Marine Protected Area. Fisheries and Oceans Canada's Community Consultation and Engagement Summary and the Socio-economic Report described the Inuit Qaujimaningit collected and how it was applied.

In addition, Inuit Qaujimaningit as well as traditional and community knowledge is incorporated into the terms and conditions recommended below based on information collected from prior and similar projects, data collected and mapped by the Commission, and other available sources.

⁸ Correspondence of R. Bingley, Manager, Impact Assessment, CIRNAC to L. Cai, Impact Assessment Officer, NIRB, January 27, 2025 (NIRB Doc ID: 352745).

6. Proponent's Response to Public Comments and Concerns

On January 30, 2025, due to the concerns and questions identified in the comments received from parties, the NIRB provided an opportunity for the Proponent to respond to the concerns raised during the commenting period. The following is a summary of the Proponent's response to concerns as received on February 3, 2025:

- Through the Sarvarjuaq Qikiqtait Working Group and with the support of licenced Canada Land Surveyors (CLS) from Natural Resources Canada (NRCan) DFO is working collaboratively to address the definition of "Small Enclosed Bays" in the Devolution Agreement and noted that the maps provided were for illustrative purposes only and did not define the boundaries. All maps of MPA boundary could still be adjusted and the Ministerial Order amended to reflect the final calculations of the Small Enclosed Bays after the MPAs are designed. As part of next steps DFO has requested that a licenced CLS appointed by GN work with NRCan's CLS to provide expert advice on small and enclosed bays.
- DFO agrees to continue working the GN, Qikiqtani Inuit Association (QIA), and NRCan for a consensus on the application of the Small Enclosed Bays definition.
- DFO will continue to collaborate with GN to develop joint language within the Regulatory Impact Analysis Statement that addresses GN's concerns. This Analysis Statement would be published alongside the Ministerial Order Regulations in *Canada Gazette*, Part II.
- The findings in the "Scientific Commentary on the Hydrocarbon Potential of the Proposed Sarvarjuaq Marine Protected Area" is the most recent evaluation completed by the Geological Survey of Canada and its 2024 report supersedes any previous data. Thus, DFO used a rating of low to medium in its assessment of hydrocarbon potential for the southern portion of the Sarvarjuaq region.
- DFO committed to reviewing the language within the Regulatory Impact Statement to be published with the Ministerial Order Regulation in *Canada Gazette*, Part II to ensure information in the statement reflects the new findings.

7. Time of Report Extension

As a result of the time required to ensure adequate translations of the NIRB correspondence related to the file, the opportunity given to the Proponent to reply to comments provided during the NIRB's screening, and the NIRB's scheduled commitments during the screening, the NIRB was unable to provide its screening decision report to the responsible Minister within 45 days.⁹ Therefore, on January 24, 2025 the NIRB wrote to the Minister of Fisheries, Oceans and the Canadian Coast Guard seeking an extension to the 45-day timeline for the provision of the Board's Report.

ASSESSMENT OF THE PROJECT PROPOSAL IN ACCORDANCE WITH PART 3 OF *NuPPAA*

The Board's assessment of this project proposal is guided by Article 12 of the *Nunavut Agreement*, which applies to topics of interest in Articles 9 and 15 of the *Nunavut Agreement*.

⁹ Per Article 12, Section 12.4.5 of the *Nunavut Agreement* and subsection 92(3) of the *NuPPAA*

As part of its application to the NIRB, Fisheries and Oceans Canada submitted:

- *What We Heard Report: Community Consultations (2023)* in English and Inuktitut
- *Socio-Economic Overview and Assessment Report of the Sarvarjuaq (2024)*
- *Identification of Ecological Knowledge Gaps and Stressors (2021)* in English and Inuktitut
- *Scientific Commentary on the hydrocarbon potential of the Proposed Sarvarjuaq Marine Protected Area (2024)*

As required under s. 183 of *NuPPAA* the NIRB reviewed the information in respect of the initiative and considered this during the assessment of impact significance and the analysis of factors set out under s. 90 of the *NuPPAA*. The Board took particular care to take into account Inuit Qaujimaningit, as well as traditional and community knowledge in carrying out its assessment and determination of the significance of impacts.

The following is a summary of the Board's assessment of the factors that are relevant to the determination of significant impacts with respect of this Project proposal:

1. *The size of the geographic area, including the size of wildlife habitats, likely to be affected by the impacts.*

The proposed Sarvarjuaq MPA is found in the Nares Strait and in Northern Baffin Bay. The boundaries were refined in collaboration QIA with an area of approximately 73,737 square kilometres (28,470.0 square miles). The outer portion of the proposed Sarvarjuaq MPA extends further to the southeast and runs along the boundary of Canada's Exclusive Economic Zone (see Figure 1). It also includes the seabed, the subsoil to a depth of five (5) metres and the water column, including the sea ice, each of which is below the low-water line. The closest communities to Sarvarjuaq include Grise Fiord, Resolute Bay, Arctic Bay, Pond Inlet, Clyde River, and Qikiqtarjuaq.

The North Water (Sarvarjuaq/Pikialasorsuaq) Polynya was identified by DFO in 2011 as one of the Ecologically and Biologically Significant Areas within Canada's Arctic and is a biologically, socioeconomically, and culturally important region located in northern Baffin Bay between Canada and Greenland. In 2017 the North Water was evaluated as unique and was identified as a possible candidate for designation as a World Heritage Site based on the UN Organization for Education, Science Culture and Communication's (UNESCO) criteria. Additionally, Greenland also ranked the Greenland part of the North Water as a highly vulnerable and ecologically significant marine area using the International Maritime Organization (IMP) Particular Sensitive Sea Areas Criteria.

The North Water Polynya is as characterized by one of the largest recurring polynyas and the importance of the region is attributed to:

- Patterns of atmospheric and oceanic circulation producing dominant north winds and ocean currents pushing sea ice from the Arctic Ocean south through Baffin Bay;
- Narrow channels that promote the formation of ice bridges in Nares Strait, Kane Basin and Smith Sound, preventing the southward movement of sea ice, and leading to reduced sea ice cover south of Smith Sound;

- Nutrient rich waters that originate from both the Arctic (cold Pacific Water via the Bering Sea) and the North Atlantic (warm water via Davis Strait flowing north along the western coast of Greenland);
- Ocean circulating patterns and wind dynamics that encourage the upwelling or upward mixing of the nutrients imported at depth from the Pacific and Atlantic waters; and
- Extended ice-free (or reduced ice cover) season that promotes a long productive period.

2. *The ecosystemic sensitivity of that area.*

The boundaries of the proposed Sarvarjuaq MPA reflects collaboration between DFO and the Qikiqtani Inuit Association (QIA), the Sarvarjuaq and Qikiqtait Working Group (established in 2021), and the communities of Grise Fiord, Resolute Bay, Arctic Bay, Pond Inlet, Clyde River, and Qikiqtarjuaq. The proposed MPA is part of the North Water Ecologically and Biologically Significant Area (EBSA) designated by Fisheries and Oceans Canada in 2011 and 2015.

The Sarvarjuaq MPA is characterized of unique and valuable ecological processes, which includes those attributable to the North Water polynya:

- Oceanic circulation patterns that regulate the Atlantic Oceans;
- high primary productivity due to upwelling and a longer ice-free period;
- Sea ice dynamics in the Nares Strait, Kane Basin, and Smith Sound;
- freshwater runoffs from glaciers in the coastal region;
- global climate regulation associated with the large reoccurring polynya;
- ecological services including as a carbon sink in regional atmospheric regulation; and
- migration and breeding grounds for wildlife species of ecological and cultural importance.

The recurrent polynya system allows the resident mammals to forgo energetically costly seasonal migrations, offering critical year-round and seasonally important habitats critical for marine mammals and seabirds like the Narjutiavvik National Wildlife Area (Coburg Island) which is vital feeding and nesting sites for millions of migratory seabirds and listed *Species at Risk*. Additionally, the area is known to be a carbon sink and regionally important in the exchange of carbon dioxide and other gases.

The proposal reflects Canada's international commitment of conserving 25 percent of its oceans by 2025. The nature of this proposal is to conserve, protect, and understand the marine environment in the Nares Strait and in northern Baffin Bay, including wildlife and other species, by limiting new human activities in the proposed area to a degree that protects the sensitive ecological processes and builds resilience of the ecosystem in times of climate change. This also allows research to be conducted in this area with limited information.

3. *The historical, cultural, and archaeological significance of that area.*

For millennia, the Sarvarjuaq region has been home to some of the northernmost human settlements, including communities in Nunavut and Greenland, and there are archaeological findings that reflect occupation and the importance of the ice bridges in the region.

The communities of Pond Inlet, Clyde River, Arctic Bay, Grise Fiord, Resolute Bay and Qikiqtarjuaq all share a strong connection to the land and traditional culture. Community members are active land users and follow traditional ways of life and passing on of Inuit Qaujimaningit. The proposed MPA would also assist with the preservation of the aesthetics of the area and allow research on four core ecological themes (climate, ice, ocean, and atmosphere; productivity and biogeochemistry; benthic community; zooplankton and fishes; and marine mammals and birds).

Under the proposed Ministerial Order, impacts from all human activities that disturb, damage, destroy, or remove from that MPA any unique geological or archaeological features or is likely to do so within the proposed boundaries, would be limited to allowed activities in the exception list provided below.

4. *The size of the human and the animal populations likely to be affected by the impacts.*

The Sarvarjuaq area is important to local food security and cultural practices and the Qikiqtani Inuit Association recommended that six (6) communities be engaged in the development of the MPA (Pond Inlet, Clyde River, Arctic Bay, Grise Fiord, Resolute Bay and Qikiqtarjuaq) due to:

- year-round fishing for Arctic char, which is also an important prey for resident beluga; and
- hunting of marine mammals including narwhal, walrus and beluga for country food.

The proposed Sarvarjuaq MPA supports a wide range of marine life, including:

- marine mammals such as Atlantic walrus (*Odobenus rosmarus*), beluga (*Delphinapterus leucas*), bowhead whale (*Balaena mysticetus*), narwhal (*Monodon monoceros*), ringed seal (*Pusa hispida*), bearded seal (*Ergnathus barbatus*) and polar bear (*Ursus maritimus*);
- seabirds such as dovebies/little auk (*Alle alle*), thick-billed murre (*Uria lomvia*) and Ivory Gulls (*Pagophila eburnea*) and Sabine's gull;
- fish species such as northern shrimp (*Pandalus borealis*), Greenland halibut (*Reinhardtius hippoglossoides*), Arctic char (*Salvelinus alpinus*); and
- diverse and abundant benthos due the unique physical features of the polynya ecosystem.

Many of these marine and terrestrial species are far-ranging but frequent the area at critical stages in their life, including feeding and breeding ground at the polynya's open waters for seals, walrus, and whales. Population health and distribution of wildlife species determines resources availability for traditional land use by the Inuit in Nunavut and Greenland

including providing for food, shelter, clothing, and cultural continuity of fishing, hunting, and trapping.

Under the proposed Ministerial Order, impacts from human activities that disturb, damage, destroy, or remove from that MPA any living marine organism or any part of its habitat or is likely to do so within the proposed boundaries, would be limited to allowed activities in the exception list provided below. Many of these wildlife and migratory bird species and their habitat, such as Atlantic walrus, beluga, and Ivory Gull, are afforded statutory protection under the *Species at Risk Act* (see Appendix A) and other laws and regulations.

A 5-year freeze of activities would allow the following classes of ongoing activities in the proposed Sarvarjuaq MPA:

- Hunting and trapping activities (including sport hunting);
- Fishing activities (including sport fishing);
- Harvesting of marine plants;
- Constructing, dismantling, maintaining and repairing, and using of temporary structures on sea ice;
- Marine navigation;
- National defence activities carried out by the Department of National Defence;
- Canadian Coast Guard activities carried out by the Canadian Coast Guard;
- Tourism activities;
- Recreational activities;
- Educational activities;
- Travel over sea ice using motorized vehicles and non-motorized methods;
- Inuit Qaujimajatuqangit and cultural research activities (including stewardship activities);
- Scientific research activities; and
- Filming and media content development.

The list also exempts the vessel traffic for the operations for the Mary River Project, community resupply, tourism and recreational activities, and icebreaking activities. This proposal was developed in collaboration with Inuit and northern partners and the conservation priorities of the Government of Canada and QIA in their 2022 Prospectus.

The Government of Nunavut requested clarification on “Small Enclosed Bays” and Fisheries and Oceans Canada stated that they would continue to work with the GN regarding Devolution and is taking steps to develop a consensus which would be incorporated into the Ministerial Order and the Regulatory Impact Analysis Statement.

The proposed Ministerial Order does not apply to any Inuit activities provided for under any land claim agreement or applicable law, and any agreement of the Government of Canada and the Qikiqtani Inuit Association enters upon the establishment of this MPA.

In its socio-economic analysis, Fisheries and Oceans Canada further identified:

- the proposed MPA would overlap the boundaries of the North Atlantic Fishing Organization fishing division however there are limited commercial fisheries currently occurring;
- no oil and gas development or marine mining operations in the proposed MPA; and
- the Mary River Mine is the only operating onshore mining near the proposed MPA.

The study and analysis carried out by Natural Resources Canada has identified the following in relation to the MPA:

- low potential for oil or gas in the northern portion of the MPA in Nares Strait;
- low-medium potential for oil or gas in the southern part of the MPA in Baffin Bay;
- no incentive for development due to a moratorium currently in place for the region; and
- potentially feasible offshore mineral mining but not viable due to the lack of a regulatory framework.

5. *The nature, magnitude, and complexity of the impacts; the probability of the impacts occurring; the frequency and duration of the impacts; and the reversibility or irreversibility of the impacts.*

Establishment of a Ministerial Order Marine Protected Area (MPA) under the *Oceans Act* is proposed for Sarvarjuaq as an interim protection measure and a first step to establish long-term marine protection. While interim protection is in place, the Government of Canada would explore the options for a long-term conservation measures in the area with the Qikiqtani Inuit Association and the Government of Nunavut, and Greenland through analysis and further consultation. There is consideration of long-term conservation measures through an Inuit Protected and Conserved Area (IPCA).

The Ministerial Order MPA would allow the Minister of Fisheries, Oceans and the Canadian Coast Guard to freeze the footprint of ongoing activities in the area for up to five (5) years. This would mean that no new activities would be allowed in the area following designation. Any activities that have occurred, or were authorized to occur, in the proposed Sarvarjuaq MPA during the 12 months prior to designation would be considered ongoing activities and would be allowed to continue in the proposed MPA.

The following objectives have been proposed for Sarvarjuaq.

- (1) To support the conservation, protection, and understanding of Sarvarjuaq (the North Water Polynya) and its unique biologically productive ecosystem that is of immense value to Inuit and Inuit culture.
- (2) To support Inuit leadership in the conservation of Sarvarjuaq to ensure the continuity of Inuit culture, values, and practices, including accumulating and passing down Inuit knowledge as well as Inuit stewardship and governance.

In 2021 the Sarvarjuaq and Qikiqtait Working Group was established to advance conservations measures in the Sarvarjuaq study region. In 2023 and 2024 the communities of Grise Fiord, Resolute Bay, Arctic Bay, Pond Inlet, Clyde River, and Qikiqtarjuaq were

consulted to assist with understanding the community needs and to inform about the Ministerial Order for Sarvarjuaq MPA.

6. *The cumulative impacts that could result from the impacts of the project combined with those of any other project that has been carried out, is being carried out, or is likely to be carried out.*

This proposal to freeze the footprint of human activities in the Sarvarjuaq for the next five (5) years is essentially a short-term preservation of the marine area for an intact ecosystem. As the open water season continues to lengthen, new human activities would otherwise see an increase in this region in the absence of the proposed regulatory regime. The proposal is consistent with the exercise of precautionary principles in resource co-management decision making, and gives ways to the following:

- understanding sea-ice dynamics and the interplay of rapid climate change;
- understanding the role of the polynya in regulating oceanic circulation patterns;
- protecting key stone species who play a critical role in maintaining ecosystem health;
- reflecting Inuit stewardship in the management and conservation of Arctic marine environment, inclusive of Inuit rights and fair opportunities for development; and
- Spatial expansion of the conservation efforts at the Tallurutiup Imanga National Marine Conservation Area as the proposed MPA adjoins the existing area at the Coburg Island (Narjutiqavvik National Wildlife Area).

Commercial fisheries and sports fishing as a class of activities on the exception list underscore the balance between conservation and economic development. However, the Proponent's study showed that is no ongoing commercial fisheries in zones designated by the North Atlantic Fishing Organization, and sports fishing are limited in the area due to the high costs in recreational outfitting. Any future projects that are within the Nunavut Settlement Area would continue to be subject to the existing regulatory framework established under Part 3 of *NuPPAA* and Article 12 of the *Nunavut Agreement*.

7. *Any other factor that the Board considers relevant to the assessment of the significance of impacts.*

The process of establishing the Sarvarjuaq MPA requires the conclusion of an agreement between the Government of Canada and the Qikiqtani Inuit Association for the co-management of the area. Any such agreement shall include:

- the creation of a structure(s) to promote coordinated management of wildlife and harvesting in the Sarvarjuaq MPA, with the Nunavut Wildlife Management Board retaining the role of decision-making within the marine areas of the Nunavut Settlement Area.
- if relating to the management and protection of wildlife and wildlife habitat, the approval from the Nunavut Wildlife Management Board.¹⁰

¹⁰ Pursuant to Section 9.3.2 and 15.1.1 of the *Nunavut Agreement*.

The Proponent has stated in its proposal that this agreement is currently under negotiation and would be completed prior to the establishment of the Sarvarjuaq MPA. The Proponent has provided records of collaboration by creating the Sarvarjuaq and Qikiqtait Working Group, which is comprised of representatives from the Government of Canada, the QIA, and the Government of Nunavut.

If this project proposal receives an affirmative ministerial decision, the Sarvarjuaq Marine Protected Area would be afforded protection under subsection 35.1(2) of the *Oceans Act*, in accordance with the enforcement and implementation of the Minister's Order outlined the Project Scope of this report. However, Articles 11 and 12 of the *Nunavut Agreement* and sections 73–162 of the *NuPPAA* will continue to apply to future project proposals¹¹ to be carried out in the established Sarvarjuaq Marine Protected Area.

That is, the existing regulatory framework — including conformity requirements with land use plans, assessment processes as conducted by the NIRB, and the roles of Responsible Authorities — would remain largely unchanged and would integrate the regulatory regime proposed by DFO for the portion of the proposed Sarvarjuaq MPA that is within the Nunavut Settlement Area and in the Outer Land Fast Ice Zone.

Views of the Board

In considering the factors as set out above in the screening of the project proposal, the NIRB has identified the issues below and respectfully provides the following views regarding whether or not the proposed project has the potential to result in significant impacts. In addition, the NIRB has proposed terms and conditions that would mitigate the potential adverse impacts identified.

Administrative Conditions:

To encourage compliance with applicable regulatory requirements and assist the Board and responsible authorities with compliance and effects monitoring for project activities, the following project-specific terms and conditions have been recommended: 1-4.

Ecosystem, wildlife habitat and Inuit harvesting activities:

Issue 1: Potential impacts from increased vessel traffic on marine wildlife and marine wildlife habitat

Board Views: Commercial tourism and research vessels are proposed on the exception list in the Minister's Order. Due to the nature of this project proposal to preserve the natural environment it is possible that cruise ships traffic could see an increase. As part of the objectives of the establishment of the Sarvarjuaq MPA—to understand the marine environment—there would be an increase in marine research activities in the region including scientific research and community-based research and Inuit stewardship activities. This may impact wildlife and their migration routes and other critical habitat necessary for survival, and resources availability critical to Inuit traditional land use such as harvesting marine plants, beluga and walrus, and other fish species such as Greenland halibut.

¹¹ Including amendments to authorized projects under the *NuPPAA*. This is consistent with the *Nunavut Agreement*.

Board Recommendation: Existing legislative frameworks would continue to apply and give protections to valued ecological components in the Sarvarjuaq MPA. The Minister may modify the list of allowed activities—including to suspend or terminate the carrying out of authorized activities—that are within the Minister’s portfolio in consultation with the Qikiqtani Inuit Association and the communities of Grise Fiord, Resolute Bay, Arctic Bay, Pond Inlet, Clyde River, and Qikiqtarjuaq.

The Proponent should ensure there is no willful damage to wildlife and wildlife habitat from management decisions related to the implementation of the Initiative, including research proposals for fulfilling the conservation objectives of this Initiative. The Board is recommending Term and Condition 6 to ensure that wildlife both terrestrial and marine are protected as well as recommending that DFO advise the Board about engagements with Inuit organizations and communities regarding the identification, management and monitoring of “ongoing” activities.

Socio-economic effects on northerners:

Issue 2: Potential positive impacts on the preservation of cultural practices and archaeological resources

Board Views: The establishment of the Sarvarjuaq MPA would mean the protection of the marine mammals and preservation of the landscape, which would help sustain the passing down of generational knowledge and Inuit traditional ways of life as the Inuit ways of life are intertwined with the natural marine environment. People have always practiced subsistence harvesting, including harvesting beluga, narwhal and walrus. The proposed regulatory regime associated with the proposed MPA may result in a positive impact on the continuity of these cultural practices important to Inuit ways of life, as well as other social and health benefits such as increased community cohesion and quality food intake.

There are identified archaeological sites on land in the nearby hamlets, and traditional travels routes used by the Inuit communities marking early human settlements in the region. There are currently no known sites identified in the proposed area. To preserve the marine environment of this region in the near term would allow time for further archaeology research in the proposed area.

Board Recommendations: The Board recommends Term and Condition 5 that the Proponent solicit Inuit Qaujimaningit and traditional and local knowledge in any future planning and boundary determination in respect of determining the levels of protection for the marine environment throughout the area, with due regards to existing and potential archaeological sites and sites that are important for cultural use of the area.

Issue 3: Potential positive impacts on Community Economic Effects

Board Views: Based on the geological resource inventory commissioned by National Resources Canada, the area is unlikely to have viable oil and gas resources for exploration and development under the existing regulatory framework. Offshore mineral resource

extraction in Canada, especially in the Arctic waters, is currently not viable or incentivised for major investments due to the lack of a regulatory framework.

The regional economy is currently strongly tied to natural resources management, including commercial fisheries, and eco-cultural tourism. The local economy features a mix of a land-based economy (e.g., subsistence harvesting, sewing, arts and crafts including clothes making, and informal childcare) and wage economy.

Due to the conservation objective of this project proposal, it is anticipated that employment and the local economy may see a positive impact resulting from an increase in commercial tourism and outfitting business. In addition to the existing commercial fisheries, ecotourism may boost the local economy by increasing employment and increase community cohesion using Inuit Qaujimaningit in natural resources management.

The Proponent committed to consulting with and involving local communities throughout the implementation of the proposed initiative, including the sustainability of commercial fisheries and the consideration of Inuit Protected and Conserved Area (IPCA) for long-term protection.

Board Recommendations: In the process of developing this project proposal, the Proponent created a community-led Sarvarjuaq and Qikiqtait Working Committee, which was to solicit input from the broader community to share information on the area, seek feedback on the proposed approach to protection and the boundary of the area for protection, and address community questions and concerns. Parties that may have an interest in the Sarvarjuaq MPA have provided support letters as identified in the Proponent's proposal, including:

- Hunters and Trappers Associations/Organizations for Grise Fiord, Pond Inlet, Arctic Bay, Resolute Bay, Clyde River, and Qikiqtarjuaq;
- Hamlets of Grise Fiord, Pond Inlet, Arctic Bay, Resolute Bay, Clyde River, and Qikiqtarjuaq;
- Government of Nunavut; and
- Inuit Circumpolar Council for international engagement with the Greenland Inuit.

Additionally, the communities and Hunters and Trappers Associations/Organizations have expressed their desires for future involvement in all aspects of the management of the Sarvarjuaq MPA. The NIRB recommends Terms and Conditions 7 and 8 so that the Proponent continue the consultative approach for addressing public concern in the carrying out of its programming associated with this project proposal. The Board is also requesting that information be provided related to monitoring of cruise ship tourism and community engagement regarding "on going" activities be provided to the NIRB and copies of any Management Plans be submitted as information.

Significant public concern:

Issue 4: No significant public concern was expressed during the public commenting period for this file.

Board Views: It is noted that there is potential for public concern developing due to the MPA and the initiatives of the Qikiqtani Inuit Association and the Government of Canada, including from the communities of Grise Fiord, Resolute Bay, Arctic Bay, Pond Inlet, Clyde River, and Qikiqtarjuaq. Follow-up consultation and involvement of community members is expected to mitigate any potential for public concern resulting from the Initiative.

Recommended Mitigation Measures: Term and condition 7 is recommended by the NIRB to ensure that the affected communities and organizations are informed about the Initiative and any subsequent management decisions related to the National Marine Conservation Area and to provide the Proponent with an opportunity to proactively address or mitigate any concerns that may arise from the Initiative.

Technological innovations for which the effects are unknown:

No specific issues have been identified associated with this project proposal.

In considering the above factors and subject to the Proponent's compliance with the terms and conditions necessary to mitigate against the potential adverse environmental and social effects, the Board is of the view that the proposed initiative is unlikely to cause significant public concern and its adverse ecosystemic and socioeconomic impacts are unlikely to be significant or are highly predictable and can be adequately mitigated by known technologies.

RECOMMENDED PROJECT-SPECIFIC TERMS AND CONDITIONS

The Minister of Fisheries, Oceans and the Canadian Coast Guard is the responsible Minister and has given notice of his intention to issue a Ministerial Order under s. 35.1(2) of the *Oceans Act*, S.C. 1996, c. 31 (*Oceans Act*) to designate the Sarvarjuaq Marine Protected Area, a *marine protected area* partly within the Nunavut Settlement Area. Within 5 years after the issuance of the Sarvarjuaq Marine Protected Area Ministerial Order, the Minister is required under s. 35.3 of the *Oceans Act* to recommend to the Governor in Council a regulation to designate a marine protected area covering at least part of the area of the sea in the order designating the Sarvarjuaq Marine Protected Area or repealing the order designating the Sarvarjuaq Marine Protected Area.

However, the Board recognizes that the initiative would not make Fisheries and Oceans Canada a sole regulator of activities in the Sarvarjuaq Marine Protected Area and that the proposed conservation area would be co-managed by Fisheries and Oceans Canada and the Qikiqtani Inuit Association, the Designated Inuit Organization for the area within the Nunavut Settlement Area. In addition, the Board notes that the Regulatory Agencies responsible for regulating specific activities in the area would continue to be responsible for licensing and permitting of specific activities, notwithstanding the establishment of the Sarvarjuaq Marine Protected Area. These agencies may include but not limited to: Crown-Indigenous Relations and Northern Affairs Canada, Transport Canada, Environment and Climate Change Canada, Nunavut Research

Institute, Government of Nunavut, and other regulators. Consequently, for terms and conditions that direct the Proponent to supply information regarding activities within the Sarvarjuaq Marine Protected Area and any measures taken to manage, mitigate, and monitor the potential impacts associated with the initiative, the Board recognizes that the Proponent may not be responsible for generating this information and may only be acting to collect and convey the relevant information generated by other regulators or interested parties.

Reflecting the unique nature of the “Sarvarjuaq Marine Protected Area by Ministerial Order” initiative, the Board is recommending the following specific terms and conditions to apply in respect of the initiative.

General

1. Fisheries and Oceans Canada (the Proponent) shall maintain a copy of the Project Terms and Conditions and include copies at any site of operation related to this Initiative.
2. The Proponent shall forward copies to the Nunavut Impact Review Board (NIRB) of publicly available documents relating to the advancement, consultations, administration, monitoring and reporting in relation to the Sarvarjuaq MPA as provided by the Government of Canada, the Government of Nunavut, other regulators or interested parties.
3. The Proponent shall operate in accordance with all commitments stated in correspondence provided to the Nunavut Planning Commission (Application to Determine Conformity, November 18, 2024), and the NIRB (Online Application Form, December 12, 2024).
4. The Proponent shall implement the project proposal in accordance with all applicable laws and regulations, and any programs, directives, policies and guidelines consistent with departmental mandates.

Archaeological and Geological Resources

5. As indicated in the Project Description submitted to the Board, the Proponent shall prohibit all human activities that disturb, damage, destroy or remove from the Sarvarjuaq MPA any unique geological, or archaeological features except for “ongoing activities” as identified in the Project Description and in accordance with applicable laws and regulations.

Wildlife – General

6. The Proponent shall ensure that there is no willful damage to wildlife and wildlife habitat from management decisions resulting from the implementation of the Initiative.

Other

7. The Proponent should consult with local residents regarding the Initiative and solicit available Inuit Qaujimajatuqangit and information to inform management decisions in relation to the Sarvarjuaq MPA.
8. The Proponent shall ensure that the designation of the Sarvarjuaq MPA does not result in interference with Inuit wildlife harvesting or traditional land use activities.

REGULATORY REQUIREMENTS

The Proponent is also advised that the following legislation may apply to the Initiative:

1. The *Fisheries Act* (<http://laws-lois.justice.gc.ca/eng/acts/F-14/index.html>).
2. The *Migratory Birds Convention Act* (<http://laws-lois.justice.gc.ca/eng/acts/M-7.01/>), the *Migratory Birds Regulations* ([https://laws-lois.justice.gc.ca/eng/regulations/C.R.C., c. 1035/index.html](https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1035/index.html)) and the *Migratory Bird Sanctuary Regulations* ([https://laws-lois.justice.gc.ca/eng/regulations/C.R.C., c. 1036/index.html](https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._1036/index.html)).
3. The *Species at Risk Act* (<https://laws-lois.justice.gc.ca/eng/acts/s-15.3/>). Attached in **Appendix A** is a list of Species at Risk in Nunavut.
4. The *Wildlife Act* (Nunavut) and its corresponding regulations (<http://www.canlii.org/en/nu/laws/stat/snu-2003-c-26/latest/snu-2003-c-26.html>) contains provisions to protect and conserve wildlife and wildlife habitat, including specific protection measures for wildlife habitat and species at risk.
5. The *Canada Shipping Act, 2001* (<http://laws-lois.justice.gc.ca/eng/acts/C-10.15/>).
6. The *Arctic Waters Pollution Prevention Act* (<http://laws-lois.justice.gc.ca/eng/acts/A-12/>) and the *Arctic Shipping Safety and Pollution Prevention Regulations* (<https://laws-lois.justice.gc.ca/eng/regulations/SOR-2017-286/index.html>).

MONITORING AND REPORTING REQUIREMENTS

In addition, the Board is recommending the following:

1. It is recommended that Fisheries and Oceans Canada advise the Board on any measures adopted within the Sarvarjuaq MPA to reduce, manage or monitor the potential impacts of cruise ship tourism and expeditions in the Sarvarjuaq MPA.
2. It is requested that Fisheries and Oceans Canada submit a copy of any Management Plans developed for the Sarvarjuaq MPA to the NIRB as an information item.
3. The Board requests that within five years of the Ministerial Order, Fisheries and Oceans Canada advise the Board of the Minister's recommendation under s. 35.3 of the *Oceans Act* (i.e., designation order or repeal of the Ministerial Order).
4. Fisheries and Oceans Canada shall advise the Board about the Proponent's engagements with Inuit organizations and communities to identify, manage and monitor the potential impacts of activities categorized as "ongoing" (and therefore not subject to the limitations in the Sarvarjuaq MPA) and to advise the Board if the Proponent has modified the proposed list of classes of *ongoing activities*.

OTHER NIRB CONCERNS AND RECOMMENDATIONS

In addition to the project-specific terms and conditions, the Board is recommending the following:

1. Responsible Authorities or the Proponent shall notify the Nunavut Planning Commission and/or Parks Canada as appropriate, and the NIRB of any changes in implementation plans, operating plans or conditions, including phase advancement, associated with this project proposal prior to any such change.

CONCLUSION

The foregoing constitutes the Board's screening decision with respect to the Fisheries and Oceans Canada's "Sarvarjuaq Marine Protected Area" initiative. The NIRB remains available for consultation with the Minister regarding this report as necessary.

Dated February 7, 2025 at Baker Lake, NU.



Kaviq Kaluraq, Chairperson

Attachments: Appendix A: Species at Risk in Nunavut

APPENDIX A: SPECIES AT RISK IN NUNAVUT

Due to the requirements of Section 79(2) of the *Species at Risk Act* (SARA), and the potential for project-specific adverse effects on listed wildlife species and its critical habitat, measures should be taken as appropriate to avoid or lessen those effects, and the effects need to be monitored. Project effects could include species disturbance, attraction to operations and destruction of habitat. This section applies to all species listed on Schedule 1 of SARA, as listed in the table below, or have been assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC), which may be encountered in the project area. This list may not include all species identified as at risk by the Territorial Government. The following points provide clarification on the applicability of the species outlined in the table.

- Schedule 1 is the official legal list of Species at Risk for SARA. SARA applies to all species on Schedule 1. The term “listed” species refers to species on Schedule 1.
- Schedule 2 and 3 of SARA identify species that were designated at risk by the COSEWIC prior to October 1999 and must be reassessed using revised criteria before they can be considered for addition to Schedule 1.
- Some species identified at risk by COSEWIC are “pending” addition to Schedule 1 of SARA. These species are under consideration for addition to Schedule 1, subject to further consultation or assessment.

If species at risk are encountered or affected, the primary mitigation measure should be avoidance. The Proponent should avoid contact with or disturbance to each species, its habitat and/or its residence. All direct, indirect, and cumulative effects should be considered. Refer to species status reports and other information on the species at risk Registry at <http://www.sararegistry.gc.ca> for information on specific species.

Monitoring should be undertaken by the Proponent to determine the effectiveness of mitigation and/or identify where further mitigation is required. As a minimum, this monitoring should include recording the locations and dates of any observations of species at risk, behaviour or actions taken by the animals when project activities were encountered, and any actions taken by the proponent to avoid contact or disturbance to the species, its habitat, and/or its residence. This information should be submitted to the appropriate regulators and organizations with management responsibility for that species, as requested.

For species primarily managed by the Territorial Government, the Territorial Government should be consulted to identify other appropriate mitigation and/or monitoring measures to minimize effects to these species from the project.

Mitigation and monitoring measures must be undertaken in a way that is consistent with applicable recovery strategies and action/management plans.

Schedules of SARA are amended on a regular basis so it is important to check the SARA registry (www.sararegistry.gc.ca) to get the current status of a species.

Updated: September 2019

Terrestrial Species at Risk¹²	COSEWIC Designation	Schedule of SARA	Government Organization with Primary Management Responsibility¹³
Migratory Birds			
Buff-breasted Sandpiper	Special Concern	Schedule 1	Environment and Climate Change Canada (ECCC)
Common Nighthawk	Threatened	Schedule 1	ECCC
Eskimo Curlew	Endangered	Schedule 1	ECCC
Harlequin Duck	Special Concern	Schedule 1	ECCC
Harris's Sparrow	Special Concern	Schedule 1	ECCC
Horned Grebe	Special Concern	Schedule 1	ECCC
Ivory Gull	Endangered	Schedule 1	ECCC
Olive-sided Flycatcher	Threatened	Schedule 1	ECCC
Peregrine Falcon	Special Concern	Schedule 1	ECCC
Red Knot Islandica Subspecies	Special Concern	Schedule 1	ECCC
Red-necked Phalarope	Special Concern	Schedule 1	ECCC
Ross's Gull	Threatened	Schedule 1	ECCC
Rusty Blackbird	Special Concern	Schedule 1	ECCC
Short-eared Owl	Special Concern	Schedule 1	ECCC
Vegetation			
Porsild's Bryum	Threatened	Schedule 1	Government of Nunavut (GN)
Arthropods			
Transverse Lady Beetle	Special Concern	No Schedule	GN
Terrestrial Wildlife			
Caribou (Dolphin and Union Population)	Endangered	Schedule 1	GN
Caribou (Barren-ground Population)	Threatened	No Schedule	GN
Caribou (Torngat Mountains Population)	Endangered	No Schedule	GN
Grizzly Bear (Western Population)	Special Concern	Schedule 1	ECCC
Peary Caribou	Endangered	Schedule 1	GN
Polar Bear	Special Concern	Schedule 1	ECCC
Wolverine	Special Concern	Schedule 1	GN
Marine Wildlife			
Atlantic Walrus (High Arctic Population)	Special Concern	No Schedule	Fisheries and Oceans Canada (DFO)
Atlantic Walrus (Central/Low Arctic Population)	Special Concern	No Schedule	DFO
Beluga Whale (Cumberland Sound Population)	Threatened	Schedule 1	DFO
Beluga Whale (Eastern Hudson Bay Population)	Endangered	No Schedule	DFO

¹² The Department of Fisheries and Oceans has responsibility for aquatic species.

¹³ Environment and Climate Change Canada (ECCC) has a national role to play in the conservation and recovery of Species at Risk in Canada, as well as responsibility for management of birds described in the Migratory Birds Convention Act (MBCA). Day-to-day management of terrestrial species not covered in the MBCA is the responsibility of the Territorial Government. Populations that exist in National Parks are also managed under the authority of the Parks Canada Agency.

Terrestrial Species at Risk¹²	COSEWIC Designation	Schedule of SARA	Government Organization with Primary Management Responsibility¹³
Beluga Whale (Eastern High Arctic-Baffin Bay Population)	Special Concern	No Schedule	DFO
Beluga Whale (Western Hudson Bay Population)	Special Concern	No Schedule	DFO
Fish			
Atlantic Cod (Arctic Lakes Population)	Special Concern	No Schedule	DFO
Fourhorn Sculpin (Freshwater Form)	Data Deficient	Schedule 3	DFO
Lumpfish	Threatened	No Schedule	DFO
Thorny Skate	Special Concern	No Schedule	DFO