



03 February 2020

Nunavut Impact Review Board
P.O. Box 1360
Cambridge Bay, NU X0B 0C0
Via e-mail: info@nirb.ca

Re: Parks Canada feedback to the NIRB on Baffinland's 6 Mt/annum Extension Request (file 08MNO53)

Dear Mr. Barry,

Parks Canada is pleased to provide the Nunavut Impact Review Board (NIRB) with feedback for its review of Baffinland's 6 Mt/a Extension Request for the Mary River Project (the Project). Our feedback is based on: 1. a thorough review of Baffinland's Extension Request Information Package submitted on January 6, 2020 (parts 1 and 2) and all other relevant materials submitted to date regarding the Mary River Project; 2. extensive collaboration with Intervenorors throughout the review process; and 3. significant corporate familiarity with the region.

1. Parks Canada Agency Mandate and Management of Protected Areas

"On behalf of the people of Canada, we protect and present nationally significant examples of Canada's natural and cultural heritage and foster public understanding, appreciation and enjoyment in ways that ensure their ecological and commemorative integrity for present and future generations" (Parks Canada mandate).

Parks Canada Agency's mandate, pursuant to the *Canada National Parks Act* (CNPA), along with the *Canada National Marine Conservation Areas Act* (CNMCAA), and Inuit Impact and Benefit Agreements (IIBA) provide the foundation of the management frameworks for Tallurutiup Imanga National Marine Conservation Area (Tallurutiup Imanga NMCA) and Sirmilik National Park (Figure 1).

National marine conservation areas, including Tallurutiup Imanga NMCA, are established in accordance with the CNMCAA for the purpose of protecting and conserving representative marine areas for the benefit, education and enjoyment of the people of Canada and the world. Under this Act, Parks Canada must ensure that

NMCAs are managed and used in a sustainable manner that meets the needs of present and future generations without compromising the structure and function of the ecosystems, including the submerged lands and water column, with which they are associated.

2. Reason for Parks Canada's Involvement in the Review

For the review of Baffinland's 6 mt/a Extension Request, Parks Canada provides federal expertise on the management of protected and conserved areas. The Extension Request presents an increase in shipping, including the potential for ice breaking and ice management in the open water season, through Tallurutiup Imanga NMCA. As described in the Tallurutiup Imanga IIBA, the NMCA is approximately 108,000 km² in size. It includes most of the waters traversed by Baffinland's Northern Shipping Route through Eclipse Sound and Milne Inlet. The Tallurutiup Imanga IIBA was signed by the Qikiqtani Inuit Association and the Government of Canada, as represented by Parks Canada, the Department of Fisheries and Oceans, and Transport Canada on August 1, 2019. It secures important social, cultural and economic benefits for Inuit and establishes how Inuit and government will work together to realize these benefits and manage Tallurutiup Imanga NMCA. Management aspects from the IIBA relevant to this submission are highlighted in section 4.i below. Once Tallurutiup Imanga NMCA is established under the CNMCAA, Parks Canada will have a regulatory role. For these reasons, Parks Canada's submission focuses primarily on items related to Tallurutiup Imanga NMCA.

Parks Canada is also involved because the Project is located near Sirmilik National Park; it therefore has the potential to impact the park's coastal/marine ecosystem. Sirmilik National Park is located in the North of Baffin Island, near the communities of Pond Inlet (Mittimatalik) and Arctic Bay (Ikpiarjuk). The Park is divided into four separate parcels: Bylot Island, Borden Peninsula, Baillarge Bay, and Oliver Sound. At 22,200 km², Sirmilik National Park is one of the largest national parks in Canada and includes 222 km² of marine areas. It also has 800 km of dynamic coastal/marine ecosystem interface, which is integral to the ecological and cultural integrity of the Park. The Bylot Island Migratory Bird Sanctuary covers the whole of Bylot Island and all waters and islands, or parts of islands, within two miles of the seaward ordinary high water mark of the island.



3. Assessing linkages between Parks Canada Protected Areas and the Project

The principal linkages between Tallurutiup Imanga NMCA/Sirmilik National Park and the 6 mt/a Extension Request are those related to potential impacts from shipping. Parks Canada has collaborated extensively with other expert federal authorities to analyze Baffinland's review of these potential impacts; those analyses are presented in the respective federal government submissions. Parks Canada's submission, instead, focuses on highlighting the links between the scientific analysis and the importance of achieving the protection and conservation mandate, set out in section 1 above, for Tallurutiup Imanga NMCA and Sirmilik National Park.

4. Parks Canada Feedback to the NIRB Concerning Baffinland's 6 mt/a Extension Request

The following feedback is provided to address the potential risk from marine shipping to Tallurutiup Imanga's ability to protect and conserve the representative marine ecosystems for which it was selected:

- i. In its role of providing expert advice on the management of protected areas, Parks Canada wishes to highlight to the NIRB the importance of, when making its recommendation to the Minister and developing terms and conditions for the project certificate, linking the scientific analysis and resulting recommendations presented in the other federal submissions to that of the following management principles for Tallurutiup Imanga NMCA:
 - Tallurutiup Imanga NMCA must be "protected and conserved" (s. 4(1), CNMCAA; p. 4, Tallurutiup Imanga Inuit Impact and Benefit Agreement (IIBA));
 - The NMCA must be "managed and used in a sustainable manner that meets the needs of present and future generations without compromising the structure and function of the ecosystems" (s. 4(3), CNMCAA; p.4 IIBA),
 - the "principles of ecosystem management and the precautionary principle" will be a primary consideration (s. 9(3), CNMCAA; p. 4, IIBA), and;
 - The ecologically sustainable use of marine resources in the NMCA is for the lasting benefit of coastal communities (preamble, CNMCAA; p.4, IIBA).
- ii. Narwhal, which could be impacted by icebreaking, are one of the species the Tallurutiup Imanga NMCA is to protect. Therefore, Parks Canada wants to



highlight the need to apply the precautionary principle and its support of the recommendation provided by the Department of Fisheries and Oceans regarding icebreaking.

- iii. Parks Canada thanks Baffinland for providing the list of vessel management mitigation measures on pdf page 36 of its Information Package, Part 1. Parks Canada would like a clear commitment from Baffinland indicating implementation of these measures, unless they are modified by the Project Certificate, for the 2020 shipping season.

We look forward to continuing to work with the NIRB, Intervenors, and the Proponent throughout the remainder of the review. Please contact Allison Stoddart at 819-420-9188 or Allison.Stoddart@canada.ca if you have any questions regarding Parks Canada's submission.

Sincerely,



Jenna Boon
Field Unit Superintendent
Nunavut Field Unit

Figure 1.

Map of Tallurutiup Imanga National Marine Conservation Area and Sirmilik National Park

