

**Written Submission No. 41**

**2016 Draft Nunavut Land Use Plan**

**Proposed Amendment and Enlargement of**

**Key Migratory Bird Site # 33:**

**Community Area of Interest – Multiple Values:**

**Markham Bay – Western Hudson Strait – Foxe Channel**

To: The Nunavut Planning Commission

From: The Qikiqtaaluk Wildlife Board (QWB), and  
the Hunters and Trappers Organization (HTO) of Kimmirut and Cape Dorset

**Background Information:**

Multiple resources that are highly valued by the Inuit of Kimmirut and Cape Dorset occur on the islands and in the waters of Markham Bay, western Hudson Strait and Foxe Channel off the coast of Baffin Island (i.e., a Multiple Value Area, MVA). The important waters extend to at least 20 km from Baffin Island and the outer-most associated islands. The Key Migratory Bird Site # 33 in the draft 2016 Nunavut Land Use Plan should be changed to a Community Area of Interest as a protected area and expanded to include these waters and islands.

Without protection of this area, plus others near Kimmirut and Cape Dorset, the Nunavut Land Use Plan will fail in its goal to protect and promote the well-being of all of Nunavut's residents and communities as a primary purpose of land use planning under Article 11 of the Nunavut Agreement.

This enlarged Community Area of Interest includes a significant part of Nunavut's population of Common Eiders. Eiders occur in this area from Upingaksaq to Aujaq, inclusive. This MVA also supports Kumlien's Gull and Black Guillemots. Throughout the year, this MVA is an important community harvesting area for wildlife and fish, including but not limited to: Polar bears, beluga, walrus, Arctic char, common eiders and other waterfowl, ringed seals and more. This coastal area is known to Inuit to be an important migratory route for beluga, bowheads, narwhal and walrus moving between Davis Strait, Labrador Sea, Foxe Basin and Hudson Bay. Killer whales, harp seals and other species of marine mammals occur in this MVA. The area is

also used as a denning area for Polar bears, although specific denning locations change somewhat between years.

Wildlife in the area are already subjected to impacts of marine shipping, which is expected to increase in future. Development on the islands or in these waters could deprive the Inuit of Kimmirut and Cape Dorset of important food and cultural resources.

The protection of this MVA is critically important to maintain the health, culture and heritage of the Inuit of these two communities. Industrial development in or near these areas would degrade the value of the area. Such development must be prohibited.

**Source of information:** Inuit Qaujimagatuqangit.

**Proposed Amended Designation of Site # 33:** Protected Area

**Proposed Amended Name of Site # 33:** Community Area of Interest – Multiple Values:  
Markham Bay – Western Hudson Strait – Foxe Channel

**Proposed Amended Boundaries of Site # 33:**

This MVA should include all of the currently designated Site # 33 around Markham Bay with the addition of all coastal islands and waters extending to 20 km from the outer-most islands off Baffin Island into western Hudson Strait and Foxe Channel to 23.5 km east of Peregrine Point on Foxe Peninsula in southern Foxe Basin, as per the attached map and associated shp files.

**Proposed Amended Restrictions:**

**Prohibited Uses:** The following uses are prohibited:

- Oil and Gas Exploration and Production;
- Mineral Exploration and Production;
- Obnoxious Land Use;
- Quarries;
- Hydro-electrical and related infrastructure;
- Wind turbines for electrical generation and related infrastructure;
- Linear Infrastructure;
- Seismic testing;
- Disposal at sea;
- Sonar; and
- Related research except Non-exploitive Scientific Research

**Conditions:**

- Closed to all ship traffic, subject to safe navigation, during Ukiaq, Ukiuq, Upingaksaq, and Upingaaq.
- Regulatory Authorities, where appropriate, must incorporate the setbacks in Table 2 (as amended based on WS-14 from the QWB and member HTOs) for all seabirds, and coastal waterfowl and sea ducks during the issuance of permits, licences, and authorizations.
- No vessel may approach within five (5) km seaward of a walrus haul-out, any time during the year.
- When walrus are present, fixed wing aircraft must maintain a minimum vertical setback of 460 m (1500 ft) above ground level (AGL) while within 310 m (1000 ft) of a group of walrus. Helicopters should remain at altitudes greater than 910 m (3000 ft) AGL when traveling within 1,610 m (1 mile) of a group of walrus.
- When walrus are present, walrus must not be approached by terrestrial vehicles closer than 800 m (0.5 mile) while the vehicle remains out of sight of the walrus.
- Any project in Nunavut that would violate these conditions is prohibited.

**Date of this draft:** November 24, 2018

