

Government of Canada

Response to the Questions in the NPC's Paper Titled
Considerations for Potential Refinements to the 2014
Draft Nunavut Land Use Plan, *January 2016*

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1. Introduction

This document presents Government of Canada information and responses to the questions posed by the Nunavut Planning Commission (Commission) through the:

- Considerations for Potential Refinements to the 2014 Draft Nunavut Land Use Plan, January 2016 Document;
- Technical meeting held in Rankin Inlet January 18-22, 2016;
- Technical meeting held in Iqaluit March 7-10, 2016; and
- Marine Shipping Workshop held April 8, 2016.

The Government of Canada is providing information and guidance to the Nunavut Planning Commission to assist in the development of the draft Nunavut Land Use Plan. The Government of Canada provides clarity on its preferred options and approaches that were presented by the Commission, where it is possible to do so in the timeframe provided.

There are several components of the draft Nunavut Land Use Plan where additional discussion is required, before further guidance can be provided by the Government of Canada.

We anticipate the Commission or its staff may also require clarification of some comments, in which case we encourage open discussion with federal officials as needed.

The Government of Canada will continue to support the Nunavut Planning Commission in the complex task at hand and recognizes the important work completed by the Commission to date.

2. Considerations for Potential Refinements

In this section, the Government of Canada provides feedback on the Considerations for Potential Refinements to the 2014 Draft Nunavut Land Use Plan document (“Refinements document”), dated January 2016, and prepared by the Nunavut Planning Commission for discussion at Technical Meeting #3 (January 18-22, 2016). A series of annexes follows this section. The annexes provide specific information that was requested by the Commission, as well as additional information for the Commission to consider.

2.1 Walrus Haul-outs

Issue and Discussion

The issue identified in the Refinements document is whether walrus haul-outs should be designated as Protected Areas in the Nunavut Land Use Plan.

The Government of Canada advises that Fisheries and Oceans Canada (DFO) manages fisheries and oceans resources in Nunavut in cooperation with co-management partners under the Nunavut Land Claims Agreement.

The Agreement sets out harvesting rights for beneficiaries, imposes procedural and substantive requirements on the Minister of Fisheries and Oceans related to the management of fisheries, and establishes the Nunavut Wildlife Management Board (NWMB) as an institution of public government responsible for regulating the harvesting of wildlife and associated activities. The NWMB also directs certain research on wildlife and wildlife harvesting in the Nunavut Settlement Area (NSA). Nunavut Tunngavik Incorporated represents Inuit beneficiaries and their interests under the Agreement.

The NWMB, as the main instrument for wildlife management and the main regulator of access to wildlife in the NSA, recommends its decisions on conservation to the Minister of Fisheries and Oceans, who retains decision-making. The Minister’s decisions, and the decisions of the NWMB that are recommended to the Minister with respect to harvesting, must only restrict or limit Inuit harvesting to the extent necessary to affect a valid conservation purpose, give effect to the allocation system or to other provisions outlined in the Agreement, or provide for public health or safety.

The *Fisheries Act* applies in the NSA and its definition of “fish” includes marine mammals. DFO works closely with co-management partners on fisheries protection issues, particularly in relation to significant development projects. DFO’s Conservation and Protection officers monitor marine mammal harvests in communities through co-management engagement.

DFO has a strong collaborative relationship with the Government of Nunavut in pursuing science initiatives. Marine mammal monitoring in the NSA is ongoing (e.g. of narwhal, bowhead, beluga, walrus and seals).

DFO's Species at Risk Program advises the NWMB regarding species in the Territory that could be listed under the *Species at Risk Act* and provides Nunavut Hunter and Trapper Organizations and the fishing industry with information regarding proposed listings.

Please see Annex B, Item 4 (at pages 22 to 26) to this document for additional information on: Atlantic walrus in Foxe Basin; DFO's Fisheries Protection Program; the draft Integrated Fisheries Management Plan for Atlantic Walrus in the Nunavut Settlement Area; and the provision on marine mammal disturbance in the Marine Mammal Regulations under the *Fisheries Act*.

Preferred Option

The Government of Canada supports option 2 proposed by the Commission, with a modification. Option 2 proposed by the Commission is: "Consider removing the Term related to cumulative impacts and replace the Special Management Areas with a Mixed Use designation that would provide Direction to Regulatory Authorities". The modification to this option that is recommended by the Government of Canada is that "direction to Regulatory Authorities" be replaced by "information for decision-makers". *

The implications of the second option noted by the Commission are that walrus haul-out areas would move from Schedule A to Schedule B and that all uses would be permitted. Information for decision-makers would note that, where appropriate, impacts on walrus haul-outs be mitigated.

The Government of Canada notes that as additional scientific and traditional knowledge becomes available that informs approaches within the Nunavut Land Use Plan to minimize disturbance of walrus at and near haul-out sites, terms and conditions with respect to some uses may be appropriate.

* Please note the Government of Canada's previous recommendation that the items presently presented in the draft land use plan as "direction to regulatory authorities" should be recast as "information for decision-makers". This item is addressed in section 2.19 below.

2.2 Polar Bear Denning Areas

Issue and Discussion

The issue identified in the Refinements document is whether polar bear denning areas should be designated as Protected Areas in the Nunavut Land Use Plan.

While Canada has international polar bear obligations, the day to day management of the polar bear in Nunavut is the responsibility of the Government of Nunavut. Therefore, while Canada is supportive of efforts that conserve polar bear populations, we consider the specifics of proposing specific designations or zoning of polar bear habitat under the Nunavut Land Use Plan as the responsibility of the Government of Nunavut. Canada will provide the Government of Nunavut with polar bear denning and other habitat information held by ECC, to assist them in their decision making progress.

Preferred Option

At this time, the Government of Canada will confirm that the Government of Nunavut has polar bear denning and other habitat information held by ECC. The Government of Nunavut can then provide the appropriate polar bear denning and other habitat information to the Nunavut Planning Commission, along with recommendations on what, if any, activities restrictions should be imposed on those areas.

2.3 Sabine Peninsula

Issue and Discussion

The issue identified in the Refinements document is whether the Sabine Peninsula should be designated as a Protected Area in the Nunavut Land Use Plan.

Peary caribou are listed as an endangered species under the federal *Species at Risk Act*, but the day to day management of the species resides with the Government of Nunavut. Using the precautionary approach, the Government of Canada would agree that Peary caribou warrant important consideration under the Nunavut Land Use Plan. However, the specifics of identifying particular habitats or designating specific areas that are important to Peary caribou (e.g. Sabine Peninsula), as well as how those areas could or should be zoned under the Nunavut Land Use Plan, is the responsibility of the Government of Nunavut.

Preferred Option

Option 2: Until work is advanced under the *Species at Risk Act*, the Government of Canada recommends the Government of Nunavut provide relevant Peary caribou habitat information to the Nunavut Planning Commission, along with recommendations on what, if any, restrictions should be imposed on those important areas.

2.4 Caribou Habitat

Issue and Discussion

The issue identified in the Refinements document is how caribou habitat should be treated in the Nunavut Land Use Plan.

In light of the allocation of jurisdiction over game animals under the *Nunavut Act*, the co-management approach of the Nunavut Land Claims Agreement, and the importance of the issue to Inuit, Canada thinks it appropriate that the Government of Nunavut, Nunavut Wildlife Management Board and Inuit lead the input on this issue.

The Government of Canada through the Minister of Indigenous and Northern Affairs Canada does have responsibilities for land and resource management in Nunavut, and on December 10, 2015, the President of the Kivalliq Wildlife Board wrote to the Minister of Indigenous and Northern Affairs Canada requesting a temporary moratorium on issuing prospecting permits, mineral claims, mineral leases and land use permits in caribou calving grounds, until there is a final Nunavut Land Use Plan. Letters of support were also submitted by the Beverly Qamanirjuaq Caribou Management Board and the World Wildlife Fund. A similar letter from the Nunavut Wildlife Management Board was sent on April 19, 2016. On March 23rd, the Minister of Indigenous and Northern Affairs Canada responded to the request and directed her officials to engage and seek the views of the Government of Nunavut and the Nunavut Tunngavik Incorporated on a temporary moratorium on issuance of authorizations on caribou calving and post calving grounds before a decision will be made. This work has begun and is in initial stages.

Preferred Option

N/A.

2.5 Migratory Bird Setbacks

Issue and Discussion

The issue identified in the Refinements document is how the migratory bird setbacks in Table 2 to the draft Nunavut Land Use Plan should be implemented.

The Government of Canada recommends that the Commission consider making the migratory bird setbacks a condition of conformity in the Nunavut Land Use Plan. Environment and Climate Change Canada (ECCC) will provide geospatial delineation of specific setback locations within each key bird habitat site. This will allow the NPC to determine whether the setbacks are met during conformity determination. The data provided in the Map Book of Key habitat Sites for Migratory Birds (Annex A) will inform Table 2: Migratory Bird Setbacks of the draft Nunavut Land Use Plan.

Preferred Option

Option 1: Consider making the migratory bird setbacks as presented in Annex A conformity requirements of the Nunavut Land Use Plan. ECCC will provide geospatial delineation of specific setback locations within each key bird habitat site. The Commission will be able to cross-reference these with spatial descriptions provided by proponents to determine whether the setbacks are met during the conformity check.

This recommendation is premised on the assumption that the NPC will revise the conformity requirements to avoid any direct regulation of harvesting methods, which we recommended in our previous submission.

2.6 Proposed National Park in the Bluenose Lake Area

Issue and Discussion

The issue identified in the Refinements document is whether the Bluenose Lake area should be designated as a Protected Area in the Nunavut Land Use Plan.

In the absence of support from the Kitikmeot Inuit Association and the community of Kugluktuk, the Parks Canada Agency will not pursue the expansion of Tuktut Nogait National Park into Nunavut at this time.

Parks Canada remains open to discussing a refined park boundary, which would protect caribou habitat, the headwaters of rivers which flow into the existing portion of the park, and increase coastal representation of the Tundra Hills Natural Region as identified in the National Parks System Plan. Parks Canada remains open to discussing new National Parks, National Marine Conservation Areas, or National Historic Sites with interested stakeholders.

Preferred Option

Option 1 - Consider removing the Protected Area designation and replacing it with a Mixed Use designation.

2.7 Conservation Areas

Issue and Discussion

The issue identified in the Refinements document is whether Conservation Areas should be designated as Protected Areas in the Nunavut Land Use Plan.

The Government of Canada has a variety of legislative tools that provide conservation measures across Nunavut, including National Wildlife Areas, Migratory Bird Sanctuaries, National Historic Sites, etc. The Government of Canada recognizes that except in established National Historic Sites administered by the Parks Canada Agency (where the NLUP does not apply), the Nunavut Land Use Plan may include similar or additional restrictions to Conservation Areas. The Government of Canada recommends that any additional measures applied under the Plan to areas that have legislated protection be complementary measures that are not in conflict with federally legislated protection.

In addition, the Government of Canada is recommending the use of the term "Conservation Zone;" as is used in Northwest Territories regional land use plans (Sahtu, Gwich'in Land Use

Plans). The term “Protected Areas” may connote an area that is protected, in the long term, by government legislation that has been developed specifically for that purpose.

Preferred Option

Option 3 - Consider maintaining the Protected Area designation (for areas including National Wildlife Areas, Migratory Bird Sanctuaries, Thelon Wildlife Sanctuary and Historic Sites), recognizing that the NLUP may impose prohibitions that exceed standards and protections provided by regulations.

In addition, the Government of Canada recommends use of the designation “conservation zone” in place of the designation “protected area.”

2.8 Heritage Rivers

Issue and Discussion

The issue identified in the Refinements document is how Heritage Rivers should be designated in the Nunavut Land Use Plan.

A Canadian Heritage Rivers System (CHRS) designation itself does not require specific protected land use designations but rather identifies rivers with natural, cultural, and recreational heritage in an effort to highlight their value.

The Government of Canada agrees with the Commission in its June 2014 Options and Recommendations document that the direction provided in the management plan for each heritage river should be the guiding principle when determining the land use designations and applicable terms and directions to apply in those zones. This information should be viewed in concert with the values and interests identified by communities and planning partners where that information exists. If the associated management plans, and biophysical and traditional knowledge supports a protected area or special management status for Heritage Rivers, these should be included within the draft Nunavut Land Use Plan for consideration. Where there is sufficient and specific information to justify prohibitions or conditions, the Commission should develop appropriate restrictions, and clearly identify those land use restrictions as such. When this information does not exist, a mixed use land use designation is justified.

While setbacks are a reasonable means of identifying the riparian zones of river systems and applying land use restrictions or the application of terms and directions on a spatial basis where reasonably supported by management plans or value identification as discussed above, the Government of Canada is not in support of default setbacks for all heritage rivers with a requirement for a minor variance as proposed in option 2.

The Government of Canada is recommending cumulative impact referrals be removed from Nunavut Land Use Plan as a Term of the Plan. The Commission’s option 1, removing the Term

regarding cumulative impact referrals, would have the effect of replacing the Special Management Area with a Mixed Use Area designation where all land uses would be permitted for the Kazan Heritage River and the Thelon Heritage River. The Soper Canadian Heritage River Management Area would remain a protected area designation given that it supports the management of Katannilik Territorial Park and reflects the uses anticipated and direction provided in the Soper River Management Plan as outlined in the Commission's June 2014 Options and Recommendations document.

Preferred Option

Option 1: Consider removing the Term related to cumulative impacts referrals and replace the Special Management Areas with a Mixed Use designation except where a special management zone with applicable terms and directions is warranted. This may result in a variety of land use designations, terms, and directions between Heritage Rivers and even within the expanse of a single heritage river.

As an example, the Gwich'in Land Use Plan has utilized a combination of general use zone, special management zone, and conservation zone for segments of the Arctic Red River with a heritage river status. The special management zone includes conditions to protect specific values considered the primary reasons for designation of the zone. The varying zones and conditions are based on the values identified and the levels of protection anticipated to ensure those values are protected.

2.9 Areas of Equal use and Occupancy

Issue and Discussion

The issue identified in the Refinements document is whether Areas of Equal Use and Occupancy should be designated as Protected Areas in the Nunavut Land Use Plan.

Under Article 40 of the Nunavut Land Claims Agreement and Article 27 of the Nunavik Inuit Land Claims Agreement, the Commission needs to take into account the joint ownership and interests when considering land use designations on areas of equal use and occupancy. Given the importance of Inuit ownership of these areas, it is appropriate that Nunavut Tungavik Incorporated, Qikiqtani Inuit Association and Makivik Corporation lead the input on this issue.

Preferred Option

N/A.

2.10 Community Drinking Water Supply Watersheds

Issue and Discussion

The issue identified in the Refinements document is whether the Nunavut Land Use Plan should include additional conditions for the protection of Community Drinking Water Supply Watersheds.

The Government of Canada recognizes the importance of watersheds and particularly those that supply community drinking water. While the Government of Canada would support the future development of land-use plan based conditions to provide for the protection of community drinking water supplies, it is not clear that all the necessary information is available to proceed with the development of protections without significantly expanding the work to be done on the first-generation land use plan. Even without being addressed in the current Land Use Plan, the Nunavut Water Board consistently considers community water supply protection within its licensing process, and effectively protects this important resource. Therefore this issue may be more appropriately addressed in the next generation of the Nunavut Land Use Plan. The process to delineate community watersheds and develop conditions to protect drinking water supplies must of course include significant input from the Nunavut Water Board, the Government of Nunavut, and Nunavut municipalities.

Preferred Option

Option 1: Consider removing the Term related to cumulative impacts referrals and replace the Special Management Areas with a Mixed Use designation that would provide information to decision makers.*

The Nunavut Land Use Plan should indicate that community drinking water supply watersheds are a priority for the second generation of the Plan.

* Please note the Government of Canada's previous recommendation that the items presently presented in the draft Nunavut Land Use Plan as "direction to regulatory authorities" should be recast as "information for decision-makers". This item is addressed in section 2.19 below.

2.11 Department of National Defence Sites (Operational, remediated and un-remediated sites)

Issue and Discussion

The issue identified in the Refinements document is how Department of National Defence (DND) sites should be treated in the Nunavut Land Use Plan.

The DND will require additional time to assess the current restrictions in the draft Nunavut Land Use Plan to ensure the current land use designation does not go beyond the required protection. DND would like to avoid creating prohibitions on land uses where possible. DND is

committing to providing the spatial data that captures its land definitions and list activities that could potentially interfere with the department's mission and mandate.

For non-prohibited activities, DND would like to see the Land Use Plan require that an appropriate official be contacted directly by a proponent prior to commencing their project. This would satisfy the balance between foreclosing upon future uses while still giving DND the opportunity to work with proponents to shape their projects so as to minimize impact. Therefore, DND's preferred approach would be to grant permission where possible but with a condition that the proponent must contact DND, Infrastructure and Environment Group no less than forty-five (45) days prior to commencing their activities in the identified areas. This is permissible under the authority of section 48(2) of *Nunavut Planning and Project Assessment Act* (NUPPAA).

In addition, the Joint Seismic Research Facility (JSRF) located in Cambridge Bay needs to be delineated within the Land Use Plan. In addition, DND will delineate a sub-portion of the JSRF and request that prohibited activities such as blasting, drilling, milling or heavy equipment operation do not occur on this portion. DND will continue to refine the list of prohibited activities contemplated within the JSRF boundary and will also provide spatial data file that represents the defined lands.

Preferred Option

DND will provide spatial data that represents the DND sites with a proposed list of prohibited activities in a timely manner. All other non-prohibited activities would require DND be notified 45 days prior to activity. The JSRF should be delineated in the Nunavut Land Use Plan with conditions as to be provided by DND.

2.12 INAC Contaminated Sites (Remediated and un-remediated sites)

Issue and Discussion

The issue identified in the Refinements document is how INAC identified contaminated sites should be treated in the Nunavut Land Use Plan once they are remediated. An updated list of applicable INAC contaminated sites will be provided in a timely manner.

The Government of Canada considers contaminated sites that have yet to be completely remediated should also be addressed in the Nunavut Land Use Plan so as to facilitate the potential remediation of those sites.

The current land use designation for contaminated sites seems to be appropriate for contaminated sites still in need of remediation. Limiting uses except remediation and monitoring activities would ensure the site will be accessible with as few obstacles as possible, and would be conducive to their remediation when time comes.

However, in respect of contaminated sites that are considered to have been remediated, the prohibition on all uses but for remediation and monitoring activities goes beyond the required protection. The Government of Canada considers contaminated sites, once remediated, should become open to future uses with as little restrictions as possible. Restrictions should be aimed at activities that may disturb engineered structures and controls on the site such as drilling, blasting, moving and using heavy equipment, watercourse retraining, large landing pads. Of course, if such activities pursued in the context of site monitoring activities or further remediation, they should be allowed.

Preferred Option

The Government of Canada's preferred approach would be:

- a) in respect of contaminated sites not yet completely remediated, to limit uses except remediation and monitoring of the sites (INAC will provide the list and spatial area of the sites);
- b) in respect of contaminated sites considered remediated by INAC, to permit all uses except uses not related to remediation and site monitoring that would may affect engineered structures and controls such as drilling, blasting, moving and using heavy equipment, watercourse retraining, large landing pads. INAC will continue to refine the list of places and activities that should be restricted;
- c) in respect of both remediated and un-remediated INAC would request that proponent must contact the Nunavut Regional Office of INAC, Land Administration Unit no less than 45 days prior to commencing their activities in the identified area.

2.13 IQ Incorporation

Issue and Discussion

The issue identified in the Refinements document is how the Nunavut Land Use Plan should reflect community priorities and values and community areas of interest.

The Nunavut Land Use Plan must be reflective of the social, cultural, environmental and economic endeavours of the human community, with a primary focus on the principles and objectives for land use planning in the Nunavut Land Claims Agreement. As a general proposition, the plan should provide an appropriate balance of cultural awareness and technical expertise to allow for the development of planning policies, priorities and objectives regarding the conservation, development, management and use of land in the Nunavut Settlement Area. However, these potential designations have yet to be developed by the Commission. New potential designations will have to be reviewed as they are incorporated into the next version of the draft plan.

Preferred Option

While we support incorporating the community priorities, values and areas of interest into the plan, new designations will require a case by case consideration.

2.14 Transboundary Considerations

Issue and Discussion

The issue identified in the Refinements document is whether the Nunavut Land Use Plan should identify priority transboundary considerations or provide more general guidance.

The draft Nunavut Land Use Plan should be clear in its scope and its application only to projects within the NSA. It should be equally clear that projects outside of the NSA are not affected by the Nunavut Land Use Plan. However, projects outside of the NSA should be considered in the Commission's assessment of cumulative impacts when it looks at project proposals inside the NSA. In addition, the Nunavut Land Use Plan should not direct government to consider requesting the Nunavut Impact Review Board to review transboundary projects. These authorities are captured under the Nunavut Land Claims Agreement and the *NUPPAA*.

Preferred Option

Clarify the scope of the draft Nunavut Land Use Plan, both within and outside the NSA.

2.15 High Mineral Potential

Issue and Discussion

The issue identified in the Refinements document is whether areas of high mineral potential should be designated as Mixed Use Areas in the Nunavut Land Use Plan.

The Government of Canada supports the delineation of areas of known mineral potential within the Nunavut Land Use Plan, but prefers not to have restrictions on alternate uses. It is not certain that all types of tourism facilities for any length of time would be inconsistent with areas of high mineral potential. Further, new conservation areas should not be restricted in areas of high mineral potential if they meet the necessary requirements for conservation. For these reasons, the restrictions currently proposed should be removed.

The Government of Canada will work with the Government of Nunavut, Nunavut Tunngavik Incorporated, the three Regional Inuit Organizations, the Canada-Nunavut Geoscience Office, and the Nunavut Chamber of Mines to re-evaluate and possibly update the information on areas of known mineral potential. This working group will review the information, methodology and associated materials used to develop areas of known mineral potential and make suggestions as needed.

Concerns have been raised that the draft Nunavut Land Use Plan use of the term "high mineral potential" may understate the potential of areas not within the planning zone. Therefore, further consideration should be given to better represent the prospective mineral potential in Nunavut. It is recommended that the term "Evidenced Mineral Potential" would better reflect the present mapping provided by the Government of Canada.

Preferred Option

Option 2: Remove the prohibitions associated with the high mineral potential Special Management Area, and replace with a Mixed Use designation. The Nunavut Land Use Plan should continue to geospatially delineate the areas of high mineral potential, but under a different label.

2.16 Linear Infrastructure Corridors (Terrestrial)

Issue and Discussion

The issue identified in the Refinements document is how to plan for transportation and other terrestrial linear infrastructure corridors in Nunavut within the Nunavut Land Use Plan.

Transportation infrastructure should conform to the requirements of the Draft Plan in all areas of the Nunavut Settlement Area except where explicitly prohibited. Where a zone would explicitly prohibit the development of transportation infrastructure, the plan should ensure that it does not foreclose the development of presently known and desirable transportation infrastructure initiatives. In instances where transportation projects are known and desirable but transect zones that would otherwise prohibit linear infrastructure, efforts should be made to delineate a corridor through that zone to allow for the project.

Preferred Option

Option 1: Consider maintaining approach where transportation infrastructure conforms to the requirements of the Plan in all areas of the Nunavut Settlement Area except where explicitly prohibited. In zones where transportation infrastructure would be prohibited, in order to ensure the prohibitions do not impede the development of known and desirable linear infrastructure projects, efforts should be made to delineate a corridor through that zone to allow for the project.

2.17 Linear Infrastructure Corridors (Marine)

Issue and Discussion

The issue identified in the Refinements document is how to plan for transportation and other marine corridors in Nunavut within the Nunavut Land Use Plan.

The draft Nunavut Land Use Plan needs to be developed and applied in a way that recognizes the existing regulatory framework which reflects Canada's international obligations with respect to shipping and navigation. The Government of Canada sees prohibitions on shipping as a last resort once all other available tools are examined.

That said, the Government of Canada has heard the strong desire of some participants in the land use planning process to put in place additional measures to control where vessels go. The

concerns we have heard primarily involve the avoidance of environmentally sensitive areas, disturbance to certain species and to the harvesting of those species. The Government of Canada is open to exploring options to address these concerns. A wide range of binding and non-binding tools can be considered. It is important to note that not every issue raised within the planning process would necessarily be addressed in the same way.

Choosing the most appropriate tool to address concerns caused by shipping will almost always depend on the goal of a particular control and the nature of the waters in which it will be applied. In order for the Government of Canada to adopt or support binding rules designed to influence or control the movement of vessels, further input from stakeholders that would be impacted is of critical importance. This means that active northern shippers and the customers that depend on the delivery of their cargo need to know what the potential new controls might be, and have an opportunity to consider how they may be affected if they were adopted. This additional input is required to understand the options or alternatives available, to address marine concerns, and to minimize unintended consequences.

For example:

- will the avoidance of one area or one time period have any negative effect on safety?
Are the physical conditions, such as bathymetry, well-known in the alternate route?
- what would be the impact on resupply schedules and cost for fuel, food, construction materials, etc?
- is the alternate route (or alternate timing) likely to cause disturbance to other species or other activities such as harvesting?

It is essential to stress the need for a deliberate and well-consulted approach to the introduction of any new approaches to the influence or control of vessel operation. Where it might be appropriate to adopt controls to affect where vessels can go, it would be challenging to do so without first carefully and fully assessing the implications.

The Government of Canada recommends that the Commission continues to bring relevant marine stakeholders together to discuss how to address concerns with marine shipping in a manner that will not have unintended negative safety, social and economic impacts.

Preferred Option

The Government of Canada prefers that before revisions are made to the marine shipping provisions in the next draft of the Nunavut Land Use Plan, the Commission would continue to bring relevant stakeholders together to discuss options to address concerns with respect to marine shipping that have been identified through the land use planning process. If this is not feasible, the Government of Canada encourages that the Commission undertakes this work

early in the next stages of plan development so that the pros and cons of various approaches can be well in advance of the proposed final hearing.

The Government of Canada can also assist in identifying relevant industry members, stakeholders, and government departments that should be involved in the process. We expect that the Government of Nunavut might be able to assist with identifying the purchasers of bulk volumes of goods.

2.18 Existing Rights

Issue and Discussion

The issue identified in the Refinements document is whether projects with existing rights should be required to conform to the Nunavut Land Use Plan if there is a significant modification to the project, including the advancement from mineral exploration to mine development.

The Government of Canada would like to formally retract its December 2015 discussion paper on existing rights. In consideration of the discussions and concerns raised by other participants in this process and in particular by NTI, it is clear that the clarification paper did not fit well with provisions of the *NUPPAA*.

The draft Nunavut Land Use Plan will need to reconcile competing values of stability and predictability of regulatory regime on the one hand with the fact that a new land use plan is intended to bring about important changes. One way that these changes are addressed is by transition provisions of *NUPPAA* (s.235). The provisions are prescriptive and determine how a new plan affects both potential and existing projects.

Another way to reconcile predictability and change is by making sure that Commission is aware of existing and potential projects that might be affected by a new plan and ensuring they carefully consider how the new plan might affect those things. Under section 58 of the *NUPPAA*, the Commissioners have the ability and the duty to weigh – among all the other things they must consider – tailoring the draft plan's provisions to ensure that impact of a plan on existing rights or interests are identifiable, reasonable and justifiable.

Preferred Option

With the Government of Canada's retraction of the December 2015 discussion paper on existing rights, the Commission must continue to consider existing rights and interests as described under *NUPPAA* s. 58 in the development of the draft plan. The Commission should intensify efforts to ensure that parties with existing rights that might be affected by the plan are aware of and able to participate in the planning process.

2.19 Direction to Regulatory Authorities

Issue and Discussion

The issue identified in the Refinements document is whether Direction to Regulatory Authorities should be refined to clarify the intent.

Where there is sufficient and specific information to justify either prohibitions or terms and conditions attaching to permitted uses, the Commission should develop appropriate restrictions, including prohibitions on activities and/or conditions for conformity of projects, and clearly identify those land use restrictions as such. In areas where there is not enough available information to justify land-use restrictions, it may still be useful for the plan to signal specific information, considerations or concerns. For those situations, Canada recommends changing the wording from “Direction to Regulatory Authorities” to “Information for Decision-makers”. This should be done in a manner that respects the independence of other decision-makers, without unduly treading on the legitimate jurisdiction of the NIRB, the NWB or other regulatory authorities, or assuming that they will not fulfil their respective mandates.

Preferred Option

Option 2: Consider changing the wording from “Direction to Regulatory Authorities” to “Information for Decision-makers”. For example, “The value of (*identified issue*) should be given particular consideration in the screening and review of project proposals within this area.”

2.20 Cumulative Impacts Referrals

Issue and Discussion

The issue identified in the Refinements document is whether the Nunavut Land Use Plan should identify areas where there may be concerns regarding cumulative impacts.

Including cumulative impact referrals as a general term throughout Table 1 appears to be redundant and may actually lead to the misinterpretation that it is only with respect to those areas already noted where, due to cumulative impact concerns, the Commission might refer a project to NIRB for screening.

Preferred Option

Option 1: Consider removing cumulative impact referrals as a Term of the plan. It may also be useful for the plan to set out a general approach to how the Commission will go about considering cumulative impact referrals. However we recommend that the Commission avoid being too procedurally prescriptive in the plan, otherwise it may not be able to refine and evolve its approach without a plan amendment.

2.21 Overlapping Designations

Issue and Discussion

The issue identified in the Refinements document is how the Nunavut Land Use Plan should treat areas where two or more designations intersect.

The Government of Canada has no issue with having multiple designations overlapping as long as long as all the requirements of the overlapping designations do not conflict in the legal sense, meaning that complying with obligations of one designation would require the violation of another.

Preferred Option

In the absence of any obviously better approach, multiple designations should be allowed.

2.22. Accessory Uses

Issue and Discussion

The issue identified in the Refinements document is whether “accessory uses” should be excluded from conformity determinations.

It is not clear that the use of a catch-all concept like “accessory uses” is necessary in the draft plan. This technique is useful only where specified uses are permitted and everything else is prohibited. In any case, regardless of how the plan is drafted, no uses that fall within the definition of “project” under the NUPPAA can be excluded from conformity determinations.

It may be that the Commission develops some zones that prohibit all uses unless the use is explicitly permitted. In such a zone, it may be necessary to consider how to address uses that are unmentioned but are incidental to a permitted use. Any thinking on this issue must take into account that under the NUPPAA, the principal use and all planned incidental uses are to be scoped as a single project, and assessed for conformity as such, NUPPAA s. 76(3). In the absence of by-laws or rules for the form and content of descriptions of projects (NUPPAA s. 17(1)(e)), it is not yet clear how this will work in practice.

Preferred Option

Option 3 – At least on an interim basis, eliminate accessory uses from the Nunavut Land Use Plan. If it becomes likely that there will be zones where all non-listed uses are prohibited, re-consider this issue. Ensure that the Commission’s by-laws and rules keep pace with and work with the drafting approach of the plan.

Annex A - Updated Map Book of Key Habitat Sites for Migratory Birds

...

Annex B – Information in Follow-up to Discussions at the Marine Shipping Meeting

The following section provides some additional information and responses from the Government of Canada in follow-up to the discussions around many of the land-use planning issues that were addressed during the Marine Shipping Workshop of April 8, 2016. Each subject heading identifies the issue that was raised by the Commission.

1. Polynyas (including any available information as to dates that polynyas may need protection and what protections may be required)

Polynyas serve a critical ecological function for marine wildlife in Nunavut including birds such as pelagic seabirds, coastal sea ducks, and to a lesser extent, gulls and loons. They provide open water for birds in areas otherwise covered in sea ice during the winter (e.g. in Baffin Bay), enabling them to secure food. In spring, they also serve a similar function for returning migrants. In years when polynyas do not open on time, or where they close up unexpectedly, mass starvations of marine birds have been recorded. This is dramatic evidence of their ecological importance.

Polynya and ice edges also drive spring productivity of marine ecosystems in the arctic. The breakup of the sea ice and the disintegration of the under-ice (sympagic) algae community (and that falling into the water column) serves as an initial feeder to the pulse of productivity. That initial pulse of food then is the sparkplug to overall productivity, promoting the acceleration of marine food web in the spring.

At the same time, the ice edges clearly permit key access to the main sympagic algae community upon which the zooplankton feed upon which the cod feed, upon which the early migrant birds feed ... so this is a predictable and important food source that is timed (in an evolutionary sense) with migration. Disrupting that process has a second, negative effect beyond losing the ice algae start.

The protection dates for polynya are self-defining. As long as a polynya persists, it is critical habitat for marine birds. When the surrounding sea ice breaks up, the polynya disappears and birds are free to disperse, rest and feed over a much larger marine area. The locations of major polynya in Nunavut are well known to both northerners, scientists and those interested in habitat protection (though the exact location of their margins and timing vary from year to year; see attached document).

Key polynya of importance to marine birds and suggested conservation measures are found in ECCC's revised 'mapbook' (Annex A).

2. Seal pupping/denning areas (including any available information, data sets and maps)

Fisheries and Oceans Canada (DFO) is not able to provide the Commission with maps setting out seal denning density in the Nunavut Settlement Area at this time, but the department does plan to survey the Navy Board Inlet- Milne Inlet- Eclipse Sound area in June 2016.

Regarding preferred habitat for seal denning, DFO advises that seal denning is largely restricted to landfast ice with pressure ridges and sufficient snowfall.

3. Whales (including any available additional information, data sets and maps)

a) An update to the 2009 population estimate for belugas in Cumberland sound is provided by the DFO Canadian Science Advisory Secretariat (CSAS) Research Document 2016/037 Central and Arctic Region "*Estimate of Cumberland Sound beluga population size from the 2014 visual and photographic aerial survey*". Belugas in Cumberland Sound have been designated as threatened by the Committee on the Status of Endangered Wildlife in Canada, due to a possible decline in abundance. The 2014 survey included a photographic survey of Clearwater Fiord (a small inlet in the northwest corner of Cumberland Sound known to be an area where belugas aggregate in the summer months) and a visual survey of the northern and western parts of Cumberland Sound.

Marcoux, M., Young, B.G., Asselin, N.C., Watt, C A., Dunn, J.B., and Ferguson, S.H. 2016. Estimate of Cumberland Sound beluga (*Delphinapterus leucas*) population size from the 2014 visual and photographic aerial survey. DFO Can. Sci. Advis. Sec. Res. Doc. 2016/037. iv + 19 p.

b) Information on measures for mitigating potential effects of seismic noise on whales is provided by "*Spatial restrictions and temporal planning as measures to mitigate potential effects of seismic noise on cetaceans: a working example from the Canadian Beaufort Sea, 2007-2008*".

The Statement of Canadian Practice on the Mitigation of Seismic Sound in the Marine Environment (SOCP) (DFO 2008) specifies the minimum mitigation requirements to be met during marine seismic surveys in Canada, but additional mitigation may sometimes be necessary. <http://www.dfo-mpo.gc.ca/oceans/documents/seismic-sismique/seismic-sismique-eng.pdf>

c) The document at the link below presents a mitigation strategy specific to the Canadian Beaufort Sea that included spatial restrictions and temporal planning around critical marine mammal habitat. The mitigation strategy established more restrictive mitigation procedures within localized bowhead feeding areas to minimize the risk of injury to feeding whales, while not constraining industrial activity in areas unlikely to attract feeding whales.

Harwood, L., Joynt, A., Kennedy, D., Pitt, R., and Moore, S. 2009. Spatial restrictions and temporal planning as measures to mitigate potential effects of seismic noise on cetaceans: a working example from the Canadian Beaufort Sea, 2007-2008. DFO Can. Sci. Advis. Sec. Res. Doc. 2009/040. iv + 14 p.

<http://www.dfo-mpo.gc.ca/Library/338816.pdf>

d) An evaluation of whether minimum mitigation requirements for seismic surveys near the habitat of whale species at risk met *Species at Risk Act* requirements is summarized in the Science Advisory Report: "*Review of Mitigation and Monitoring Measures for Seismic Survey Activities in and near the Habitat of Cetacean Species at Risk*".

DFO. 2015. Review of Mitigation and Monitoring Measures for Seismic Survey Activities in and near the Habitat of Cetacean Species at Risk. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2015/005.

http://www.dfo-mpo.gc.ca/csas-sccs/Publications/SAR-AS/2015/2015_005-eng.pdf

e) The Fisheries and Oceans Canada (DFO) Canadian Science Advisory Secretariat (CSAS) Habitat Status Report 2004/002 "Review of Scientific Information on Impacts of Seismic Sound on Fish, Invertebrates, Marine Turtles and Marine Mammals" concludes from the evidence available that seismic sounds in the marine environment are not completely without consequences nor are they certain to result in serious and irreversible harm to the environment.

DFO, 2004. Review of Scientific Information on Impacts of Seismic Sound on Fish, Invertebrates, Marine Turtles and Marine Mammals. DFO Can. Sci. Advis. Sec. Habitat Status Report 2004/002.

http://www.dfo-mpo.gc.ca/csas/Csas/status/2004/HSR2004_002_e.pdf

f) Updated Review of Scientific Information on Impacts of Seismic Survey Sound on Marine Mammals, 2004-present (2008)

This report provides an updated review of recent scientific information on the effects of seismic survey sound from airguns on marine mammals. The types of impacts reviewed closely follow those outlined in the original CSAS Habitat Status Report (2004/002) and include mortality and physical effects, direct behavioural effects, functional consequences of physical and behavioural effects, chronic effects, and indirect effects.

DFO. 2009. Updated Review of Scientific Information on Impacts of Seismic Survey Sound on Marine Mammals, 2004-present. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2008/087.

http://www.dfo-mpo.gc.ca/csas-sccs/publications/resdocs-docrech/2008/2008_087-eng.htm

4. Walrus Haul-outs (including any additional information pertaining to disturbance of walrus by smaller vessels)

The following provides some additional information on Atlantic walrus and on the management of Atlantic walrus in the Nunavut Settlement Area.

a) Fisheries Management

As noted in 2.1 of this document, Fisheries and Oceans Canada (DFO) manages fisheries and oceans resources in Nunavut in cooperation with co-management partners under the Nunavut Land Claim Agreement.

In the management of fisheries, established fisheries management principles and DFO policies apply. These take into account the principles of conservation and the Precautionary Approach. DFO presented the Draft Integrated Fisheries Management Plan for Atlantic Walrus in the Nunavut Settlement Area to the Nunavut Wildlife Management Board (NWMB) for approval on March 15, 2016 (please see further information, below, and link to the draft walrus plan).

Additional safeguards for fisheries are found in the *Fisheries Act*, which requires that projects avoid causing serious harm to fish unless authorized by the Minister of Fisheries and Oceans Canada. This applies to work being conducted in or near waterbodies that support fish that are part of, or that support, a commercial, recreational or Aboriginal fishery. In the *Fisheries Act*, "fish" is defined to include marine mammals.

Here is the "*Fisheries Protection Policy Statement*" (October 2013): <http://www.dfo-mpo.gc.ca/pnw-ppe/pol/PolicyStatement-EnoncePolitique-eng.pdf>

b) Draft Integrated Fisheries Management Plan for Atlantic Walrus in the Nunavut Settlement Area ("draft Walrus Plan")

The draft Walrus Plan was provided to the Nunavut Wildlife Management Board (NWMB) for approval on March 15, 2016. The NWMB will be holding a written hearing and may make a final decision on the draft at its meeting in June, 2016.

The draft Walrus Plan and relevant information (including reports on consultations) is on the NWMB's website at this link at TAB 3(e) page 19: <http://www.nwmb.com/en/public-hearings-a-meetings/meetings/regular-meetings/2016/rm001-2016-march-15-2016>

Areas that the draft flags for continued research are the investigation and assessment of potential threats resulting from human activities (e.g., shipping routes, noise disturbance and tourism).

During community consultations in 2011 and 2014 by the walrus working group in connection with the development of the draft Walrus Plan, the priority walrus management concerns identified in each community were the potential impacts from increased shipping and tourism [Arctic Bay, Grise Fiord, Hall Beach, Igloolik, Pond Inlet and Resolute]. This was also a priority concern identified by the six Hunter Trapper Organization (HTO) members of the walrus working group.

The following excerpts from the draft Walrus Plan are noted in connection to discussions on walrus at the April 8th Marine Shipping Workshop:

- two areas that were identified for further research (at page 12) are: “Continue to investigate and assess potential threats resulting from human activities (e.g., shipping routes, noise disturbance, tourism)” and “Determine changes in habitat availability (pack ice and food)”.
- At page 14, “Ship Traffic/Development/Tourism”, the following is noted:

“There are a number of potential impacts and threats to walrus and walrus habitat resulting from increased development and shipping activities. These could include increased oil spills, ship strikes, disruption of migration, avoidance of ecologically or biologically important areas (e.g. birthing, mating or feeding areas), noise disturbance and the introduction of alien or invasive species through activities such as ballast water exchange. Tourism is increasing in the Arctic and concern with increased disturbance to important walrus areas (e.g. haul-outs) has been expressed.”

c) Walrus disturbance and the application of the Marine Mammal Regulations (MMRs) under the *Fisheries Act*

The current Marine Mammal Regulations (MMRs) are of limited use as a tool to address the concerns that were raised at the Technical Meeting on Marine Issues about walrus disturbance from shipping, as the regulations apply only to the management and control of fishing for marine mammals and related activities. The general disturbance prohibition contained in s.7 of the current MMRs is also, therefore, similarly limited to that management and control of fishing and related activities. Section 7 reads: “No person shall disturb a marine mammal except when fishing for marine mammals under the authority of these Regulations.”

Given the limitations of the current MMRs to effectively control various activities that may disturb marine mammals, DFO has proposed amendments that would provide enhanced protection for marine mammals against human disturbances. The proposed amendments aim to balance the conservation of marine mammals with the sustainable development of non-consumptive human activities. The proposed amendments do not affect Aboriginal subsistence hunting and fishing rights.

The proposed regulatory amendments to the MMRs were first published on March 24th, 2012 in the Canada Gazette, Part I. Here is that publication:



During that consultation process, Canadians were supportive of the need for clearer, enforceable standards for non-consumptive human activities, including marine mammal watching. The proposed amendments set out a framework of management tools for the protection and conservation of marine mammals. For example, the proposed amendments would:

- expand the scope of the MMRs to include conservation and protection objectives;
- introduce a minimum approach distance of 100 metres to marine mammals;
- introduce alternative approach distances which are tailored to particular circumstances;
- introduce a provision prohibiting flight manoeuvres, including landings, take-offs and changes in the course or altitude of the aircraft, that are intended to bring the aircraft closer to a marine mammal or to otherwise disturb it;
- introduce a provision that would allow the Minister of Fisheries and Oceans to authorize, by licence, activities that may disturb marine mammals, but would otherwise provide benefits to the conservation and protection of the species; and
- introduce a provision that requires the reporting to DFO of any accidental contact with a marine mammal (e.g. entanglements, collisions.)

The proposed MMR amendments would appear to address some of the concerns over walrus disturbance expressed at the April 8th meeting. The following text concerning the proposed approach distances to walrus appears on page 3 of the Canada Gazette publication:

“The principle for determining the approach distance to walrus is related to their possibility to escape without injuring smaller animals. When the animals are on ice with open water on all sides of the ice, the walrus can escape in any direction. If they are on ice from which escape is possible in less than 360 degrees, they are “more trapped” and

the approach distance by people would be greater. When on land, escape routes are further restricted.

The minimum approach distance would be 100 m on water. In this situation, they are most able to respond accordingly (by changing course, or diving).

The approach distance would be increased to 200 m when walrus are hauled out on floating ice, because there is increased risk of injury to calves or smaller animals as adults return to the water.

Finally, the distance would be increased to 300 m when on the shore or on consolidated ice, because they are resting and they have only one escape option (back to water) and the risk is greatest that calves may be trampled.

This also addresses the possibility that walrus may be disturbed by vessels in transit alongside land-based haul-outs. There have been examples of haul-outs being abandoned as a result of increased vessel traffic in the vicinity."

Please note that the proposed regulatory amendments published on March 24th, 2012 in the Canada Gazette, Part 1, would exempt commercial vessels that are in transit from the proposed Regulations.

In November 2014, DFO sought additional public comment on the proposed amendments to refresh the 2012 public engagement results. The consultations were completed at the end of March 2015. Feedback received from the 2012 and 2015 consultations is under review by Fisheries and Oceans Canada, after which recommendations will be developed for next steps in the process.

d) Additional Information on Walrus in Foxe Basin

Here is a link to a recent DFO report "Estimating abundance and total allowable removals for walrus in Foxe Basin" (Hammill, M.O., P. Blanchfield, J.W. Higdon, D.B. Stewart, S.H Ferguson. 2016. Estimating abundance and total allowable removals for walrus in Foxe Basin. DFO Can. Sci. Advis. Sec. Res. Doc. 2016/014. iv + 20 p.): http://www.dfo-mpo.gc.ca/csas-sccs/Publications/ResDocs-DocRech/2016/2016_014-eng.pdf

The Government of Canada also advises that DFO is currently finalizing the draft report "Development threats and effects pathways of shipping related to non-renewable resource developments on Atlantic walrus (*Odobenus rosmarus rosmarus*) in Hudson Strait and Foxe Basin". DFO will provide the report to the Commission upon its release. The report looks at walrus ecology, shipping and related infrastructure and threats pathways and provides a mapping analysis that examines the expected overlap (in space and time) between Atlantic

walrus and shipping and related resource development activities that have potential to affect walruses in Hudson Strait and Foxe Basin.

5. Northern Marine Transportation (including any additional information that the Government of Canada can provide on shipping routes, addressing gaps with respect to bathymetry and navigational aids, and available navigation tools, such as tide tables and the Marine Environmental Handbook)

As stated in Section 2.17 of this document, the Government of Canada is open to exploring options to address concerns related to shipping.

The Northern Marine Transportation Corridors Initiative

In an effort to manage vessels traffic in the Arctic, Transport Canada, Canadian Coast Guard, and the Canadian Hydrographic Service (CHS) are developing the Northern Marine Transportation Corridors Initiative (Corridors). The objective of the Corridors is to determine the appropriate mix of navigational services, infrastructure, knowledge and emergency response services required to meet the changing service demands of mariners across Canada's Arctic. Corridors will be used as the framework to guide northern investments to enhance marine navigation safety in the North, greater predictability for mariners, and reduced risk of incidents. In essence, the Corridors are existing shipping routes within which key navigational information services such as hydrography, icebreaking and aids to navigation would be prioritized. Corridors incentivizes mariners to operate within the corridors where they will receive the greatest level of services for navigation allowing mariners to manage the risks associated with sailing in the Arctic. Corridors are not intended to create restrictions on ship movements.

The Corridors is based off a Risk Matrix, developed by the Coast Guard and the CHS, to identify high risk areas within the Corridors which require immediate services. The Corridors are designed to respond to a variety of variables, such as changes to ice pattern and vessel traffic patterns. Using GIS technology and the appropriate data, CHS is able to lay information over the Corridors, such as environmentally sensitive areas, migration paths of animals, and traditional hunting trails. The Coast Guard is currently collecting traditional knowledge data which can be inputted into the CHS Corridors Risk Matrix. At the moment, Coast Guard and CHS are merging environmental and traditional knowledge data into the Corridors to ensure that environmental and traditional sensitive sites are managed appropriately.

The Coast Guard is committed to further discussions on the Arctic Corridors Initiative with the Commission. Including providing the Commission with a list of all stakeholder engagement meetings on the Corridors Initiative.

The Coast Guard is committed to improving communication with communities during the Arctic navigation season. One way could be through the participation of communities in the Coast Guard's Regional Operations Centre calls. The call informs stakeholders of the movements of icebreakers, summary of icebreaking requests, as well as a weather and ice reports.

Tide Tables

Tide Tables provide predicted heights of the high and low waters at regular time intervals associated with the vertical movement of the tide. The tide predictions are available in table, graphic and text formats for over seven hundred stations in Canada. This information is also available digitally. See the websites below for further details and digital versions:

<http://www.tides.gc.ca/eng/find/region/2>

<http://www.tides.gc.ca/eng/data/predictions/2016#vol4>

The Marine Environmental Handbook

This document, published by Fisheries and Oceans Canada (DFO), is a useful reference for sailors. It provides information on marine environmental issues and concerns in the Northwest Passage.

The handbook describes some areas that have environmental sensitivities due to their importance to activities of northern residents or as habitat for wildlife species. It has information detailing species migration patterns, patterns of wildlife harvest by beneficiaries and sensitive habitat areas, including information as to times when some areas are sensitive to shipping.

The Marine Environmental Handbook is available from the Canadian Hydrographic Service or from Canadian hydrographic chart dealers (DFO. 1999. Marine Environmental Handbook: Arctic Northwest Passage, Fisheries and Oceans Canada and the Canadian Hydrographic Service. ISBN: 0660177587, 9780660177588.)

The Arctic Voyage Planning Guide

Another source of information recently developed by Fisheries and Oceans Canada (DFO), Canadian Hydrographic Service, is the Arctic Voyage Planning Guide (AVPG). The AVPG is designed as a web based planning tool for mariners considering an Arctic voyage. It gathers regulatory information under the Canadian Shipping Act (2001) and the Charts and Nautical

Publications Regulations (1995), as well as complementary data and information from Government of Canada departments whose mandates include the support of safe navigation.

Here are links to the Guide: <http://isdwebdev.chs.gc.ca:8086/eng/Maps/Viewer/20#fc> or <http://geoportal.gc.ca/eng/Maps/Viewer/5#fc>.

Some of the layers in the Guide provide information on ice break-up dates, ice-freeze updates and protected areas. This tool could form the basis for possible future additions including Ecologically and Biologically Sensitive Areas (EBSAs).

Notices to Mariners (NOTMAR) and Notices to Shipping (NOTSHIP) alerts

Exploring how the annually published Notices to Mariners (NOTMAR) and Notices to Shipping (NOTSHIP) alerts can be used to communicate relevant and timely information to the Commission to raise awareness about local ice conditions and uses, important navigational safety matters and best practices for mariners to reduce disturbance to marine mammals.

Shipping in Foxe Basin and Moffet Inlet (including whether alternative shipping routes are available)

Based on available hydrography in Foxe Basin and Moffet Inlet, it is not known if alternative shipping routes are available. Further charting work will need to be done in order to determine whether alternative routes are feasible in Foxe Basin and Moffet Inlet.

6. Proposed Marine Conservation Areas (including any available information on the any proposed marine conservation areas in the Nunavut Settlement Area and Outer Land Fast Ice Zone)

There are several types of federal marine protected areas in Canada, established under different legislations, and managed by different departments.

National Marine Conservation Areas (NMCAs) are designated under the National Marine Conservation Areas Act and managed by the Parks Canada Agency (PCA). NMCAs are geographically defined areas established to protect and conserve marine areas representative of Canada's natural heritage and to encourage public understanding, appreciation and enjoyment of this marine heritage. NMCAs are managed for sustainable use and contain zones of high protection. They include seabed, its subsoil and overlying water column and may encompass wetlands, estuaries, islands and other coastal lands. While activities such as undersea mining, oil and gas exploration and extraction, and ocean dumping are not permitted within the boundaries of NMCAs, most traditional fishing and hunting activities, managed on a sustainable basis, would continue.

There are currently no NMCAs within the Nunavut Settlement Area but there is a proposal for one in the Lancaster Sound area and the PCA may wish to designate new NMCAs within the NSA and Outer Land Fast Ice Zone in the future. The Nunavut Land Use Plan does not apply within the boundaries of an NMCA.

National Parks (NPs) are designated under the Canada National Parks Act and managed by PCA. NPs are geographically defined areas established to protect representative examples of Canada's natural heritage. NPs are set aside to encourage public understanding, appreciation and enjoyment of our natural heritage. Several NPs contain marine areas within their boundaries.

There are currently five NPs within the NSA, all of which contain marine areas. The PCA may wish to designate new NPs within the NSA in the future.

Marine Protected Areas (MPAs) are designated under the Oceans Act by the Department of Fisheries and Oceans Canada (DFO). MPAs are geographically defined zones established to protect and conserve important fish, marine mammals, endangered or threatened marine species, unique habitats and areas of high biological productivity or biodiversity. The MPA regulations identify activities that are prohibited within the MPAs.

There are currently no MPAs within the Nunavut Land Use Plan area but DFO may wish to designate new MPAs within the Nunavut Settlement Area (NSA) and Outer Land Fast Ice Zone in the future.

7. Turbot Areas of Abundance (including how the Plan should address these areas)

The Government of Canada supports the current mixed-use area designation of Turbot Areas of Abundance in the draft Nunavut Land Use Plan. In the management of fisheries, including the fisheries that are within Turbot Areas of Abundance, established fisheries management principles and Fisheries and Oceans Canada (DFO) policies will apply, and these principles and policies take into account the principles of conservation and the Precautionary Approach. Here is a link to the summary of the Integrated Fisheries Management Plan Greenland Halibut (*Reinhardtius hippoglossoides*) - Northwest Atlantic Fisheries Organization Subarea 0 - Effective 2014: <http://www.dfo-mpo.gc.ca/fm-gp/peches-fisheries/ifmp-gmp/groundfish-poisson-fond/halibut-fletan-eng.htm>

Additional safeguards for the fisheries are found in the *Fisheries Act*, which requires that projects avoid causing serious harm to fish unless authorized by the Minister of Fisheries and Oceans Canada. This applies to work being conducted in or near waterbodies that support fish that are part of, or that support, a commercial, recreational or Aboriginal fishery.

8. Ecologically and Biologically Sensitive Areas (EBSAs) (including how the Plan should incorporate EBSA)

The identification of Ecologically and Biologically Significant Areas (EBSAs) is a tool used by Fisheries and Oceans Canada (DFO) to call attention to an area that has particularly high ecological or biological significance. DFO does not use EBSAs as a general strategy to protect all habitats and marine communities that have some ecological significance and EBSAs do not establish prohibitions on activities, including shipping.

EBSAs do, however, facilitate the provision of a greater than usual degree of risk aversion in the management of activities within their areas, and DFO has now completed its reevaluation of the EBSAs in the Eastern Arctic Biogeographic Region of the Canadian Arctic. The science advisory report and proceedings resulting from the DFO regional peer review of that reevaluation are provided for the Commission's information in Annex C & D.

This information on the reevaluation of the EBSAs in the Eastern Arctic bioregion updates earlier DFO information provided to the Commission, which is reflected in the identification of EBSAs on Schedule B to the draft NLUP. The reevaluated EBSAs are smaller in scope and contain more information relating to the EBSA criteria of uniqueness, aggregation and fitness consequences. For example, the Clearwater Fiord EBSA was identified for beluga aggregations and beluga rearing and feeding from late July to late September, and the Isabella Bay EBSA was identified for Bowhead whale feeding from August to October. DFO will provide the Planning Commission with the spatial information (shapefiles) providing mapping information for these refined EBSAs to facilitate updates to the EBSAs currently within the draft Plan.

Annex C – Ecologically and Biologically Significant Areas in Canada's Eastern Arctic Biogeographic Region

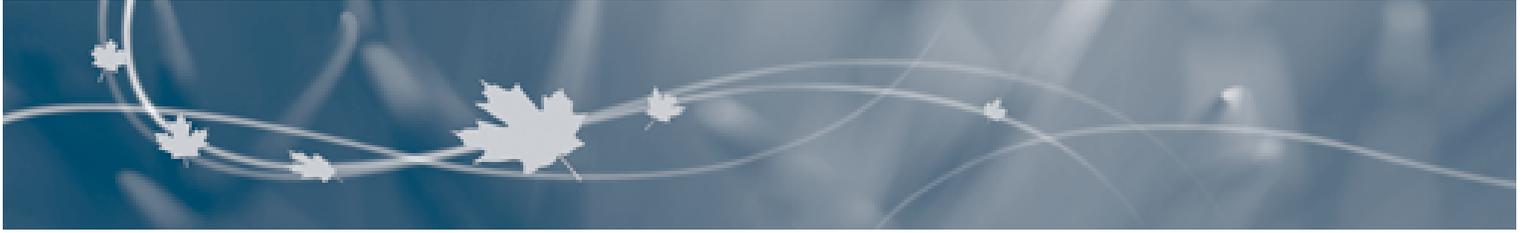
[Science Advisory Report 2015/049](http://www.dfo-mpo.gc.ca/csas-sccs/publications/sar-as/2015/2015_049-eng.pdf): [http://www.dfo-mpo.gc.ca/csas-sccs/publications/sar-as/2015/2015_049-eng.pdf]

DFO. 2015. Ecologically and Biologically Significant Areas in Canada's Eastern Arctic Biogeographic Region, 2015. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2015/049.

Annex D – Proceedings of the regional peer review of the re-evaluation of Ecologically and Biologically Significant Areas (EBSAs) in the Eastern Arctic Biogeographic Region of the Canadian Arctic

[Proceedings 2015/042](http://www.dfo-mpo.gc.ca/csas-sccs/publications/pro-cr/2015/2015_042-eng.pdf) : [http://www.dfo-mpo.gc.ca/csas-sccs/publications/pro-cr/2015/2015_042-eng.pdf]

DFO. 2015. Proceedings of the regional peer review of the re-evaluation of Ecologically and Biologically Significant Areas (EBSAs) in the Eastern Arctic Biogeographic Region of the Canadian Arctic; January 27-29, 2015. DFO Can. Sci. Advis. Sec. Proceed. Ser. 2015/042.



Environment and Climate Change Canada's input to the Nunavut Planning Commission regarding

Key Habitat Sites for

MIGRATORY BIRDS

in the Nunavut Settlement Area

Revised May 2016



CHANGES FROM THE APRIL 2014 EDITION

The map book has been updated to reflect the following:

1. Further analysis of proposed terms and conditions relative to the featured bird group at a given Key Habitat Site was undertaken. In some cases, the life history of birds at a given site are such that the proposed terms and conditions are irrelevant. In those cases, the text has been amended to delete irrelevant terms and conditions. This would have the effect of shifting some Key Habitat Sites in the land use plan from Special Management to the Mixed Use Zone.
2. Fishing gear setbacks have been removed from the Setbacks Table, as setbacks related to harvesting gear are non-quota limitations that can only be imposed through a decision of the Nunavut Wildlife Management Board.
3. Wildlife research activities on wildlife health, abundance or distribution are exempt from the Setbacks.
4. In two instances, we recommend that very important but large and poorly surveyed key habitat sites be shifted from the Protected zone in the draft land use plan to the mixed use zone, with the caveat that surveys there be recommended as priorities for funding by the Nunavut General Monitoring Program, prior to the first review of the Plan.
5. EC-CWS engaged the three Regional Inuit Associations and Nunavut Tunngavik INC. in discussion regarding those Key Habitat Sites that contained Inuit-owned land parcels. In a few instances, small IOLs within the Sites were excluded. In each case it was determined that the boundary alteration could be made without compromising conservation of the featured bird group at the site.
6. Terms relating to emergency preparedness have been removed for all sites. This term required proponents to consult with EC-CWS regarding location of critical bird resources. This will be addressed at the environmental screening stage for projects that proceed past conformity, and in ECCC Bird Sanctuaries and National Wildlife Areas, will be addressed for all project in Permit terms and conditions.
7. Maps have been redesigned to contain less clutter and to more clearly identify the Key Habitat Site that is the focus of the map.

Cover photos: Jennie Rausch © Environment and Climate Change Canada (for the American Golden-Plover), and Garry Donaldson © Environment and Climate Change Canada (for Cobourg Island).

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Rasmussen Lowlands	40
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Abbajalik and Ijutuk Islands	46
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Belcher Islands	54
Buchan Gulf.....	56
Bylot Island Migratory Bird Sanctuary	58
Cape Graham Moore (outside of Bylot Island MBS).....	60
Cape Hay (outside of Bylot Island MBS)	62

Cape Liddon.....	64
Cape Searle/Reid Bay (outside of Akpait and Qaalluit NWAs)	66
Cheyne Islands	68
Creswell Bay	70
Dewey Soper Migratory Bird Sanctuary.....	72
East Axel Heiberg Island.....	74
Eastern Devon Island	76
Eastern Jones Sound	78
Eastern Lancaster Sound	80
Frobisher Bay.....	82
Fosheim Peninsula.....	84
Foxe Basin (Prince Charles, Air Force, Foley Islands).....	86
Great Plain of the Koukdjuak (outside of Dewey Soper MBS)	88
Grinnell Peninsula	90
Hell Gate and Cardigan Strait	92
Hobhouse Inlet.....	94
Inglefield Mountains	96
Markham Bay.....	98
Nasaruvaalik Island.....	100
Ninginganiq National Wildlife Area	102
Nirjutiqarvik National Wildlife Area.....	104
North Spicer Island.....	106
North Water Polynya.....	108
Northwestern Brodeur Peninsula.....	110
Polar Bear Pass National Wildlife Area	112
Prince Leopold Island Migratory Bird Sanctuary	114
Prince Leopold Island (outside of the MBS).....	116
Qaalluit National Wildlife Area.....	118
Sabine Peninsula	120
Scott Inlet.....	122
Seymour Island Migratory Bird Sanctuary.....	124
Seymour Island (outside of the MBS)	126
Sleeper Islands	128
Western Cumberland Sound	130

ANNEX – AERIAL, MARINE AND TERRESTRIAL SETBACKS.....132

INTRODUCTION

Background

More than 100 species of migratory birds are known to nest in the Canadian Arctic (Birds of North America 2010). Of these, over 30 species are entirely dependent on the Canadian Arctic for production of young (i.e. 100% of the nesting habitat occurs in the north). The birds' survival and reproduction in the north requires a high level of feeding activity during a very short window of time. From their arrival in the Arctic during the spring until their departure at the end of summer, they must be able to make up for stored energy losses incurred during migration, gather enough food to support egg production, brooding and chick rearing, and then build up adequate energy stores for both chick and adult to commence migration to their wintering grounds.

Many Arctic nesting birds are colonial, and therefore during the time that they are in the Arctic they occur in very high densities at geographically distinct sites. The high concentrations of birds at discrete sites, combined with high-energy demands during this life cycle stage and sensitivity to disturbance of birds during nesting and chick rearing, means that conservation of Arctic migratory bird key habitat has significant implications for the long-term survival of a number of species.

The Nunavut Land Use Plan's primary objective is to guide and direct resource use and development in the Nunavut Settlement Area (Nunavut Planning Commission 2012). In its submission to the Nunavut Planning Commission, Environment Canada's objective is to support evidence-based land use decisions by providing defensible ecological data and rigorous analysis, based on published literature and expert opinion. This report describes Key Habitat Sites for migratory birds and species at risk in Nunavut, and recommends appropriate limitations on human activities at these sites.

Environment Canada's Map Book Project for the Nunavut Land Use Plan

The Environment Canada Map Book contains detailed recommendations for site-specific limitations and mitigations of human activities in Key Migratory Bird Habitat Sites in the Nunavut Settlement Area. The limitations and measures are tailored to address the most relevant anthropogenic threats. The tailored nature of the measures ensures that limitations and mitigations are no more and no less restrictive than is necessary to ensure the continued integrity of the national population of the bird species in question.

The entry for each Key Habitat Site contains:

1. a description of the site;
2. a conservation category for the site, based on established population and species status criteria;
3. which group of birds is most important at the site;
4. current or potential human activities in each site, and the threat that they may cause to the birds, and;
5. recommended activity limitations or setbacks necessary to conserve the population at the site.

These measures, if adopted into the Nunavut Land Use Plan, would be a tool with legal force to help ensure that human activities do not pose unacceptable risk to the continued ecological 'function' of those sites for migratory birds or species at risk.

KEY HABITAT SITE IDENTIFICATION, CONSERVATION RANKING, AND BOUNDARY DELINEATION

Key Habitat Site Identification and Conservation Ranking

A workshop of Environment Canada arctic migratory bird specialists convened on December 9, 2009 Yellowknife, Northwest Territories. The primary objectives of the workshop were to:

1. Update and consolidate the most recent information on migratory bird habitat in Nunavut;
2. Identify national criteria for categorizing Key Habitat Sites as highly risk intolerant and moderately risk intolerant, and;
3. Further assess the key sites to identify those which would be considered highly risk intolerant, and moderately risk intolerant based on the population level importance of those sites to one or more species of migratory bird.

Two key references (Latour et al. 2008 and Mallory et al. 2004) and survey data formed the basis of the identification and ranking exercise. Sixty-seven Key Habitat Sites were identified, including 44 Highly Risk Intolerant sites, and 16 Moderately Risk Intolerant sites (Figure 1). The sites were categorized based on the following criteria:

'Red' sites (Highly Risk Intolerant)

- Are legislated protected areas under the Migratory Birds Convention Act or the Canada Wildlife Act; AND/OR
- Support a percentage of a national species population equal to or greater than the percentage of 'sustainable loss' that the population can tolerate; AND/OR
- Host more than 5% of a national population of a species exhibiting population declines as of 2005; AND/OR
- Contain habitat likely to be identified as Critical Habitat for a migratory bird listed as 'endangered' or 'threatened' under the Species at Risk Act

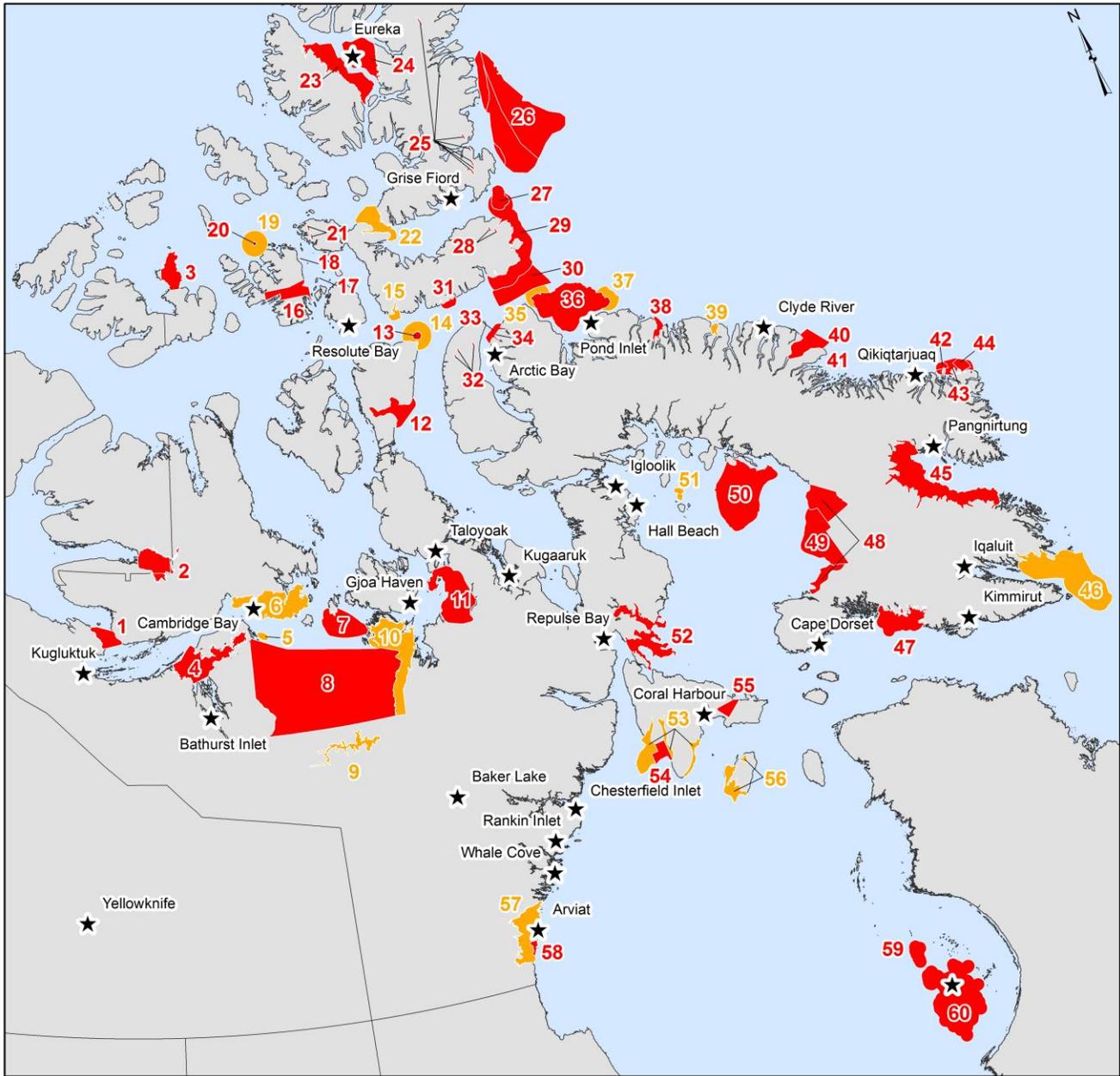
'Yellow' sites (Moderately Risk Intolerant)

- Contain 5 - 10% of the national population of one or more migratory bird species that are NOT exhibiting population declines as of 2005; OR
- Contain 1- 5% of the national population of one or more migratory bird species that are exhibiting population declines as of 2005

A third category (Low Risk Intolerant) was established to account for sites that contain a smaller proportion of the national population of a migratory bird species but are likely to be important for the survival of the Canadian population of the species. Activity limitations and mitigation measures are not identified for the seven Low Risk Intolerant sites. Additionally, an estimate was made by CWS experts of the percentage loss that could be tolerated by populations of several harvested migratory bird species due to a human-caused incident (e.g. oil spill, habitat alteration) without causing population declines, after accounting for hunting-caused mortality and natural losses to the population (Table 1). If a given site supported more than the percentage of 'sustainable loss' that a species could tolerate, it was judged to be highly intolerant to risk from human activities.

Table 1. Estimated sustainable loss for populations of key migratory bird species in Nunavut, estimated harvesting rate, and difference between the two rates that represent the proportion that could be lost due to anthropogenic activity that would not result in population loss.

Species	Estimated Sustainable Loss (annual loss %)	Estimated Actual Loss (annual loss %)	Difference Remaining for No Net Loss (%)
Thick-billed Murre	6 – 7	2-3	4 – 5
Greater snow goose	15	6	9
Lesser snow goose	15	3	12
White-fronted goose	<15	5	<10
Ross's goose	15	3	12
Common eider	8 – 9	7	1 – 2



Highly Risk Intolerant Sites	
Abbajalik and Ijutuk Islands	41
Akpait National Wildlife Area	44
Baillarge bay (portion that is within Sirmilik National Park)	33
Baillarge Bay (portion that is outside of Sirmilik National Park)	34
Bathurst / Elu Inlets	4
Belcher Islands	60
Buchan Gulf	38
Bylot Island Migratory Bird Sanctuary	36
Cape Searle / Reid bay (outside of Akpait and Qaqqulit NWA's)	43
Cheyne Islands	18
Creswell Bay	12
Dewey Soper Migratory Bird Sanctuary	49
East Axel Heiberg Island	23
East Bay Migratory Bird Sanctuary	55
Eastern Devon Island	28
Eastern Jones Sound	29
Eastern Lancaster Sound	30
Fosheim Peninsula	24
Foxe Basin (Prince Charles, Air Force, Foley Islands)	50
Frozen Strait	52
Great Plain of the Koukjuak (outside of Dewey Soper MBS)	48
Grinnell Peninsula	21
Harry Gibbons Migratory Bird Sanctuary	54
Hobhouse Inlet	31
Inglefield Mountains	25
Kagloryuak River	2
Lambert Channel	1
Markham Bay	47
McConnell River Migratory Bird Sanctuary	58
Nasaruaalik Island	17
Ninginganiq National Wildlife Area	40
Nirjutigarvik National Wildlife Area	27
Nordenskiold Islands	7
North Water Polynya	26
Northwestern Brodeur Peninsula	32
Polar Bear Pass National Wildlife Area	16
Prince Leopold Island Migratory Bird Sanctuary	13
Qaqqulit National Wildlife Area	42
Queen Maud Gulf Migratory Bird Sanctuary	8
Rasmussen Lowlands	11
Sabine Peninsula	3
Seymour Island Migratory Bird Sanctuary	20
Sleeper Islands	59
Western Cumberland Sound Archipelago	45

Moderately Risk Intolerant Sites	
Adelaide Peninsula	10
Boas River (Outside of MBS)	53
Cape Graham Moore (outside of Bylot Island MBS)	37
Cape Hay (outside of Bylot Island MBS)	35
Cape Liddon	15
Coats Island Lowlands	56
Frobisher Bay	46
Hell Gate and Cardigan Strait	22
McConnell River (outside of MBS)	57
Middle Back River	9
Melbourne Island	5
North Spicer Island	51
Prince Leopold Island (outside of MBS)	14
Scott Inlet	39
Seymour Island (outside of MBS)	19
South Eastern Victoria Island	6

Figure 1: Map of Key Habitat Sites for Migratory Birds

Key Habitat Site Boundary Delineation

The majority of Key Habitat Sites for migratory birds in Nunavut are described in Latour et al. (2008) and Mallory and Fontaine (2004). In December 2009, boundaries of sites identified since 2008 were delineated on 1:250 000 scale map sheets and later digitized and added to the sites from Latour et al. (2008) and Mallory and Fontaine (2004). Accuracy of delineation of this updated file of Key Habitat Sites was suitable only for use on small scale 1: 2,000,000 maps.

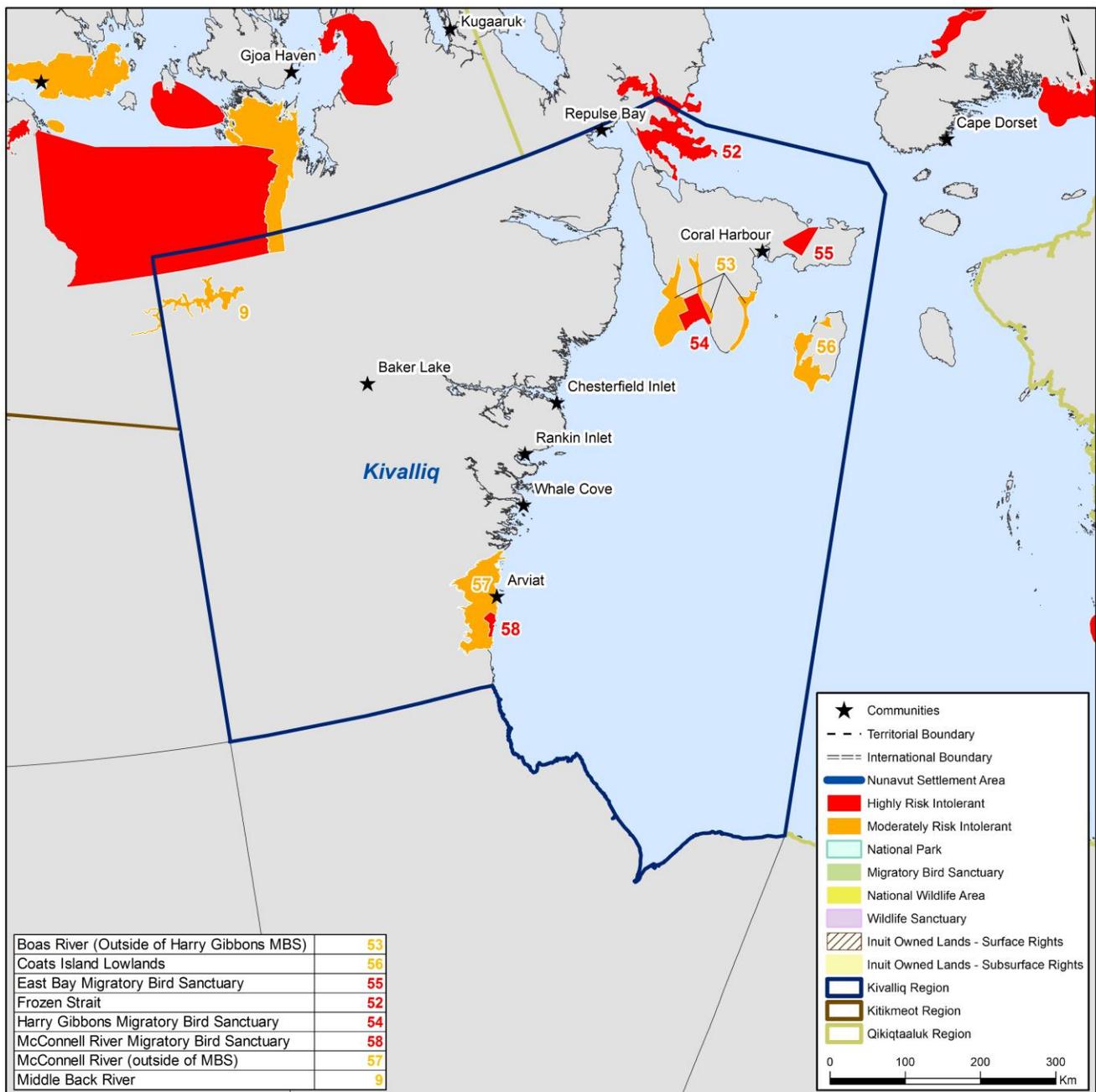
Since that time, Key Habitat Sites have been re-digitized to make them suitable for use on large scale maps (1:50 000 or less). Where possible, the boundaries of Key Habitat Sites were aligned to match natural features (e.g. coastlines, bodies of water, wetlands, elevation contours) relevant to the migratory bird species occupying the sites. Where colonial nesting species existed, a feeding buffer or setback was applied from the nesting areas (based on published literature or expert opinion, depending on the species; Table 2).

Table 2. Feeding buffers applied from colonial bird nesting sites to delineate Key Habitat Site boundaries for sites occupied by colonial nesting species.

Bird Species	Buffer Distance (km)
Black-legged Kittiwake and Thick-billed Murre	30
Northern Fulmar, Common Eider and Black Guillemot	15
Ivory Gull	2
Other	1

In some cases, the boundary revisions resulted in a smaller Key Habitat Site; in other cases, the site was enlarged to include important feeding areas. Boundaries of protected areas (Migratory Bird Sanctuaries and National Wildlife Areas), however, are described by legislation and therefore remained unchanged.

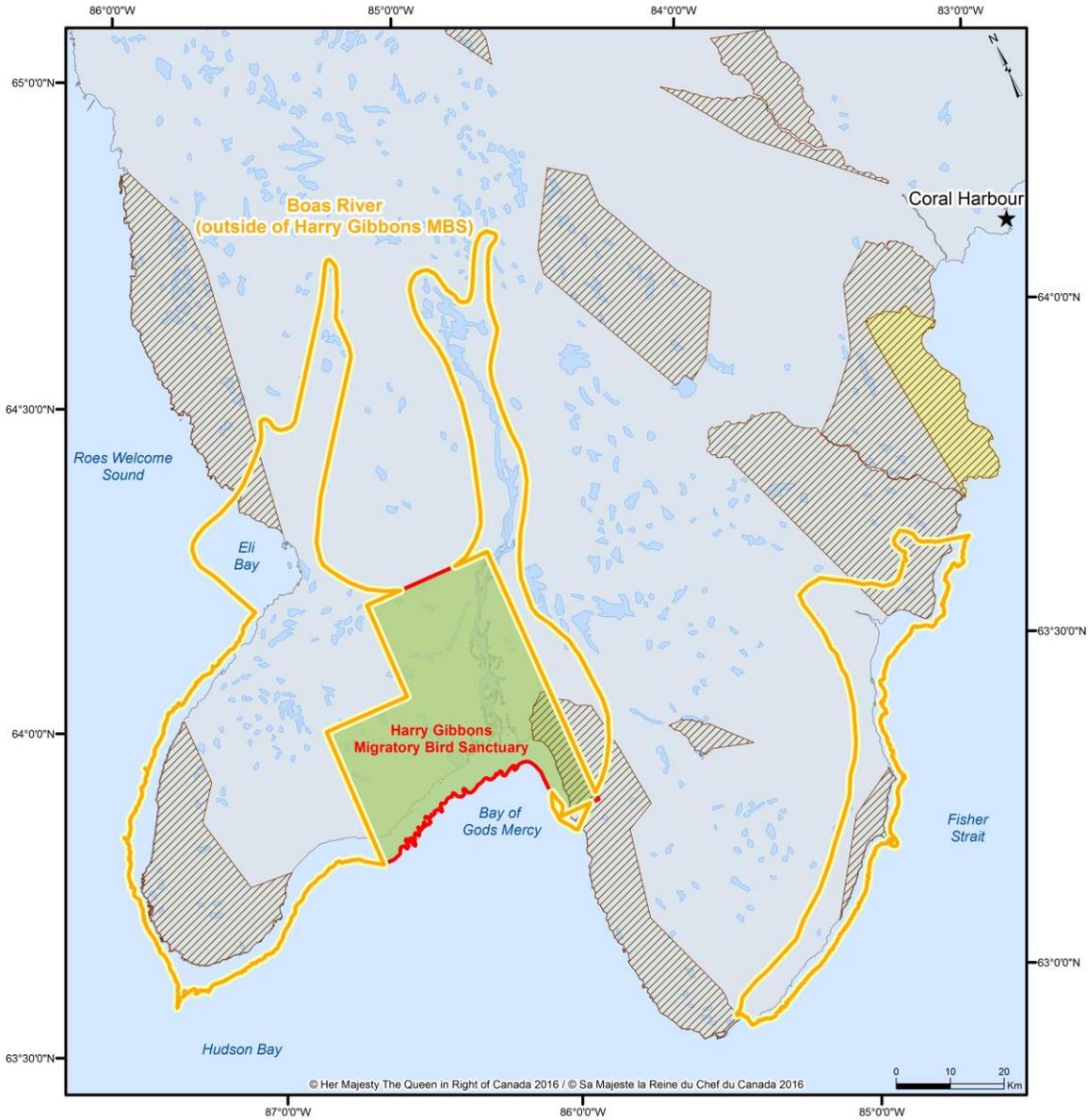
KIVALLIQ REGION



*Legend applies to all maps.

SITE NAME:

Boas River (outside of Harry Gibbons MBS)



Category:

Moderately risk intolerant

Qualifying criterion:

Contains 5%-10% of the national population of one or more migratory bird species that are NOT exhibiting population declines as of 2005 (Lesser Snow Goose)

Feature bird group:

- Inland waterfowl (Lesser Snow Goose)
- Also important at site: coastal waterfowl (Atlantic Brant), marine shorebird (Red Phalarope)

Site details:

- Non-binding designations: Important Bird Area
- Species at risk: Red Knot ssp. *rufa* (Endangered); Polar bear (Special Concern)

Current human activities at site:

Harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Cruise ship tourism; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk of oil spills and operational releases originating from shipping

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution

Recommended restrictions on activities:

None

Recommended setbacks:

~~EC-CWS Aerial Setbacks (All Migratory Birds); EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks); Emergency Preparedness None~~

Reason for change:

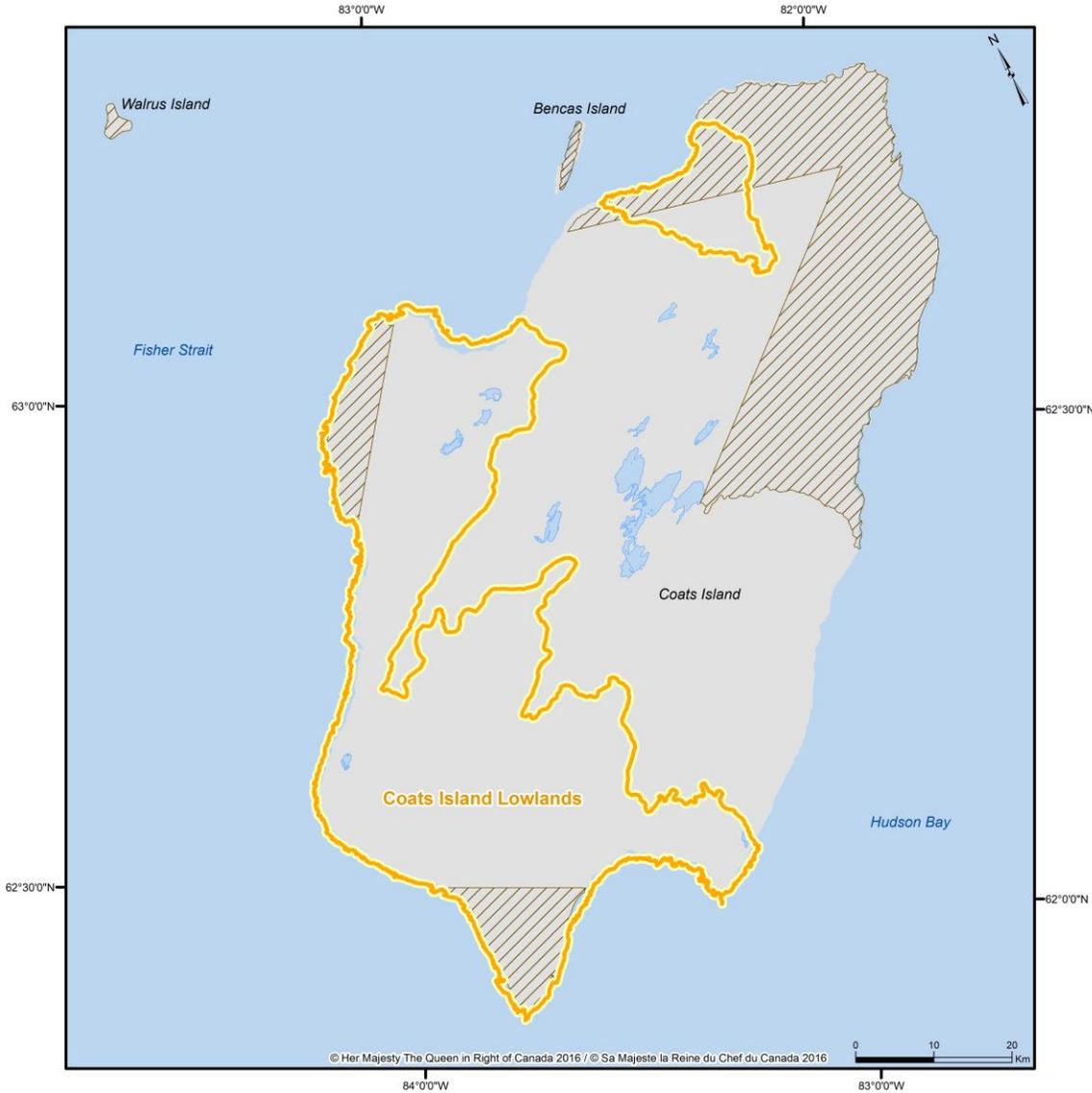
Focal species (Lesser Snow Goose) is classified as 'overabundant' under the Migratory Birds Regulations. Setbacks do not need to apply to overabundant species.

Implication of change for land use plan:

Site rezoned from 'special management' to 'mixed use'

SITE NAME:

Coats Island Lowlands



Category:

Moderately risk intolerant

Qualifying criterion:

- Contains 1-5% of the national population of one or more migratory bird species that are exhibiting population declines as of 2005 (Black-bellied Plover, Ruddy Turnstone, Semipalmated Sandpiper)
- Hosts 5%-10% of a national population of a species NOT exhibiting population declines as of 2005 (Dunlin, Purple Sandpiper)

Feature bird group:

Shorebird

Site details:

- Species at risk: Peregrine Falcon (Special Concern), Polar Bear (Special Concern)
- Non-binding designations: Important Bird Area; International Biological Program Site

Current human activities at site:

Harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping, cruise ship tourism, biological research, harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk for oil spills and operational releases originating from shipping

Potential consequences for bird populations:

Disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution

Recommended restrictions on activities:

None

Recommended setbacks:

~~EC-CWS Aerial Setbacks (All Migratory Birds); EC-CWS Marine Setbacks (All Migratory Birds); EC-CWS Terrestrial Setbacks (All Migratory Birds); Emergency Preparedness~~ None

Reason for change:

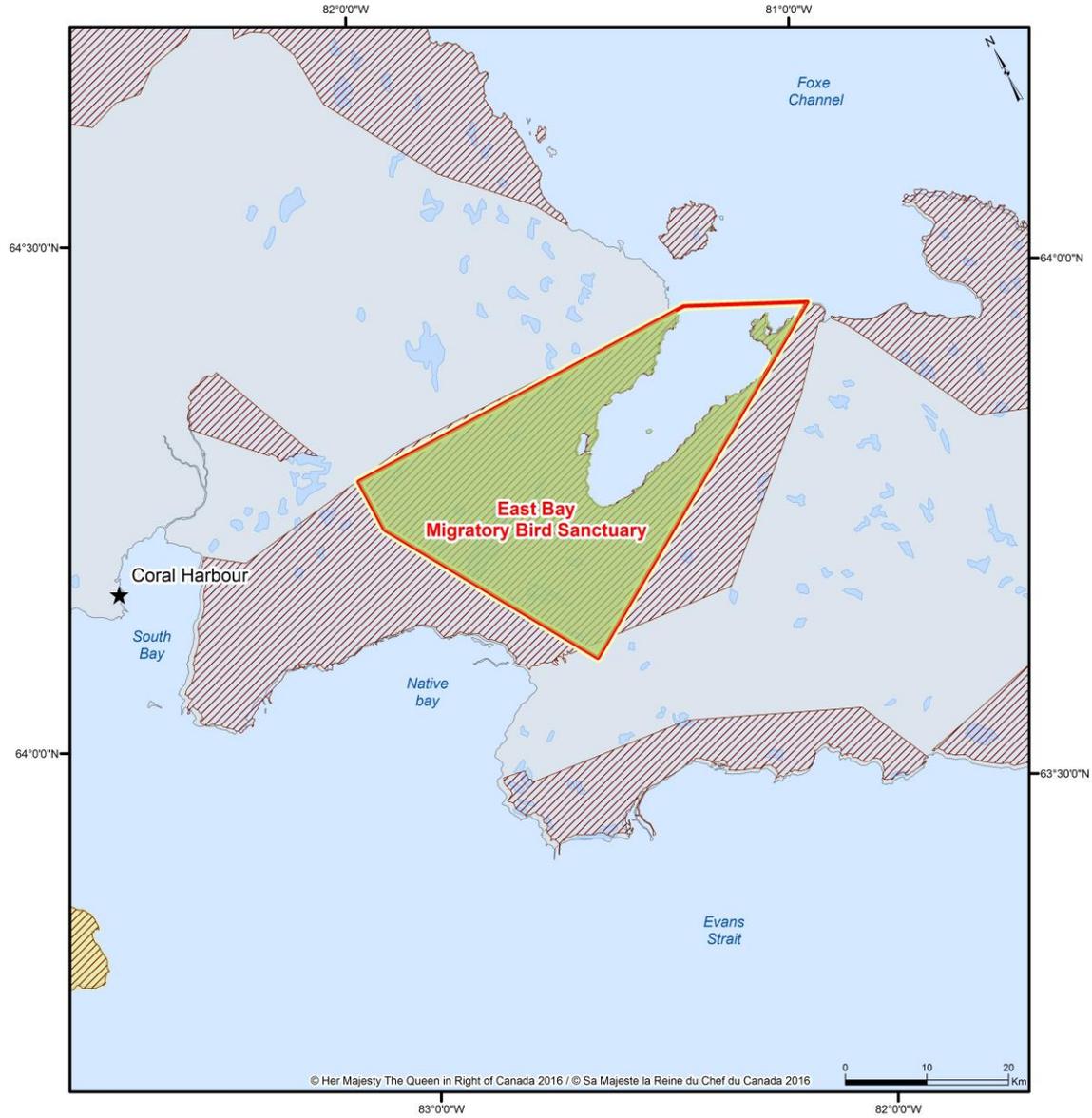
The focal species at this site (shorebirds) do not congregate. Therefore, there are no special management setbacks that would apply, making the area the same as a 'mixed use' zoning.

Implication of change for land use plan:

Site rezoned from 'special management' to 'mixed use'

SITE NAME:

East Bay Migratory Bird Sanctuary



Category:

Highly risk intolerant

Qualifying criterion:

- Legislated protected area under the *Migratory Birds Convention Act*
- Supports a percentage of a national species population equal to or greater than the percentage of 'sustainable loss' that the population can tolerate (Common Eider)

Feature bird group:

- Seaduck (Common Eider)
- Also important at site: Waterfowl (Lesser Snow Goose), Seabird (Black Guillemot), shorebird (e.g. Red Phalarope)

Site details:

- Species at risk: Polar Bear (Special Concern)
- Non-binding designation: Important Bird Area

Current human activities at site:

Biological research; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Research; cruise ship tourism; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Increased human disturbance related to permitted activities; increasing human disturbance related to cruise ship tourism

Potential consequences for bird populations:

Disruption of feeding and nesting birds resulting in loss of eggs and/or young

Prohibited Activities:

In Migratory Bird Sanctuaries and National Wildlife Areas, all activities that are inconsistent with the purpose of the protected area or inconsistent with its most recent management plan, where a management plan exists, are prohibited.

The prohibition above is subject to the terms of the *Inuit Impact and Benefit Agreement for Migratory Bird Sanctuaries and National Wildlife Areas in the Nunavut Settlement Area*.

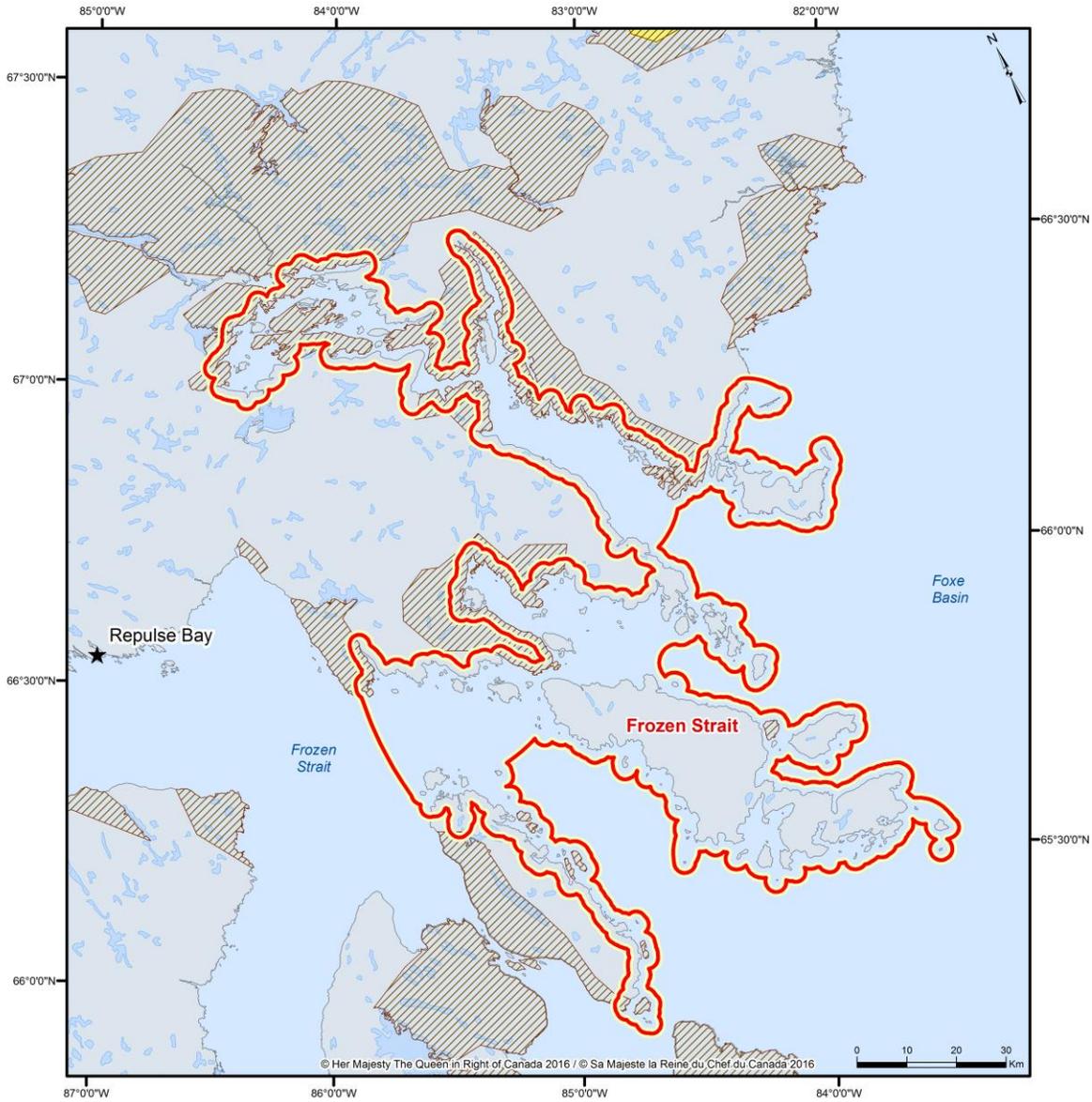
Proponents who wish to undertake activities that are NOT prohibited by the management plan are required to submit a permit application. Please contact the Environment Canada-Canadian Wildlife Service office in Iqaluit.

Recommended setbacks:

EC-CWS Aerial Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks); ~~Emergency Preparedness~~

SITE NAME:

Frozen Strait



Category:

Highly risk intolerant

Qualifying criterion:

Supports a percentage of a national species population equal to or greater than the percentage of 'sustainable loss' that the population can tolerate (Common Eider)

Feature bird group:

Seaduck

Site details:

- Species at risk: Polar Bear (Special Concern)
- Non-binding designations: none

Current human activities at site:

Shipping; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk of oil spills and operational releases originating from ships

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution

Recommended restrictions on activities:

~~Any activity that may cause significant alteration to migratory bird habitat, or which causes long-term or repeated disturbance to migratory birds, nests, or eggs~~ None

Recommended setbacks:

~~EC-CWS Aerial Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks); Emergency Preparedness~~ None

Other Recommendations:

Because of this site's high intolerance to risk, further colony surveys to identify specific nesting locations within the key habitat site should be a priority for funding under the Nunavut General Monitoring Program prior to the first land use plan review.

Reason for change:

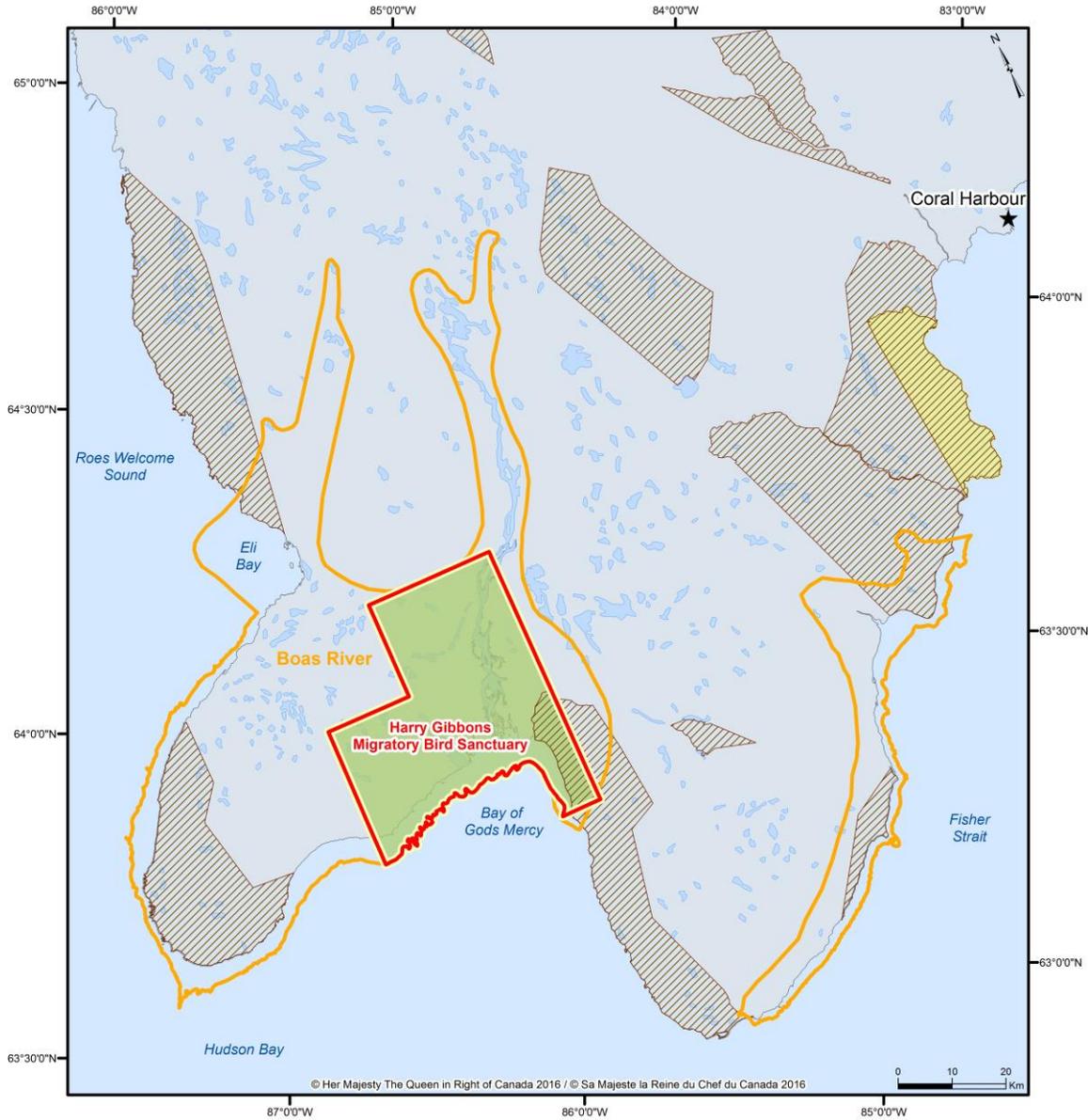
Exact colony locations unknown, so proposed setbacks are unreasonably large. Monitoring of conformity not possible if colony locations not known.

Implications of change to land use plan:

Site rezoned from "Protected" to 'Mixed Use'.

SITE NAME:

Harry Gibbons Migratory Bird Sanctuary



Category:

Highly risk intolerant

Qualifying criterion:

- Legislated protected area under the *Migratory Birds Convention Act*
- Hosts more than 10% of a national population of one or more migratory bird species (Lesser Snow Goose)

Feature bird group:

- Inland waterfowl (Lesser Snow Goose)
- Also important at site: Shorebird (e.g. Red Phalarope)

Site details:

- Species at risk: Polar Bear (Special Concern)
- Non-binding designations: International Biological Programme Site; Important Bird Area

Current human activities at site:

Harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

None

Potential consequences for bird populations:

None

Prohibited Activities:

In Migratory Bird Sanctuaries and National Wildlife Areas, all activities that are inconsistent with the purpose of the protected area or inconsistent with its most recent management plan, where a management plan exists, are prohibited.

The prohibition above is subject to the terms of the *Inuit Impact and Benefit Agreement for Migratory Bird Sanctuaries and National Wildlife Areas in the Nunavut Settlement Area*.

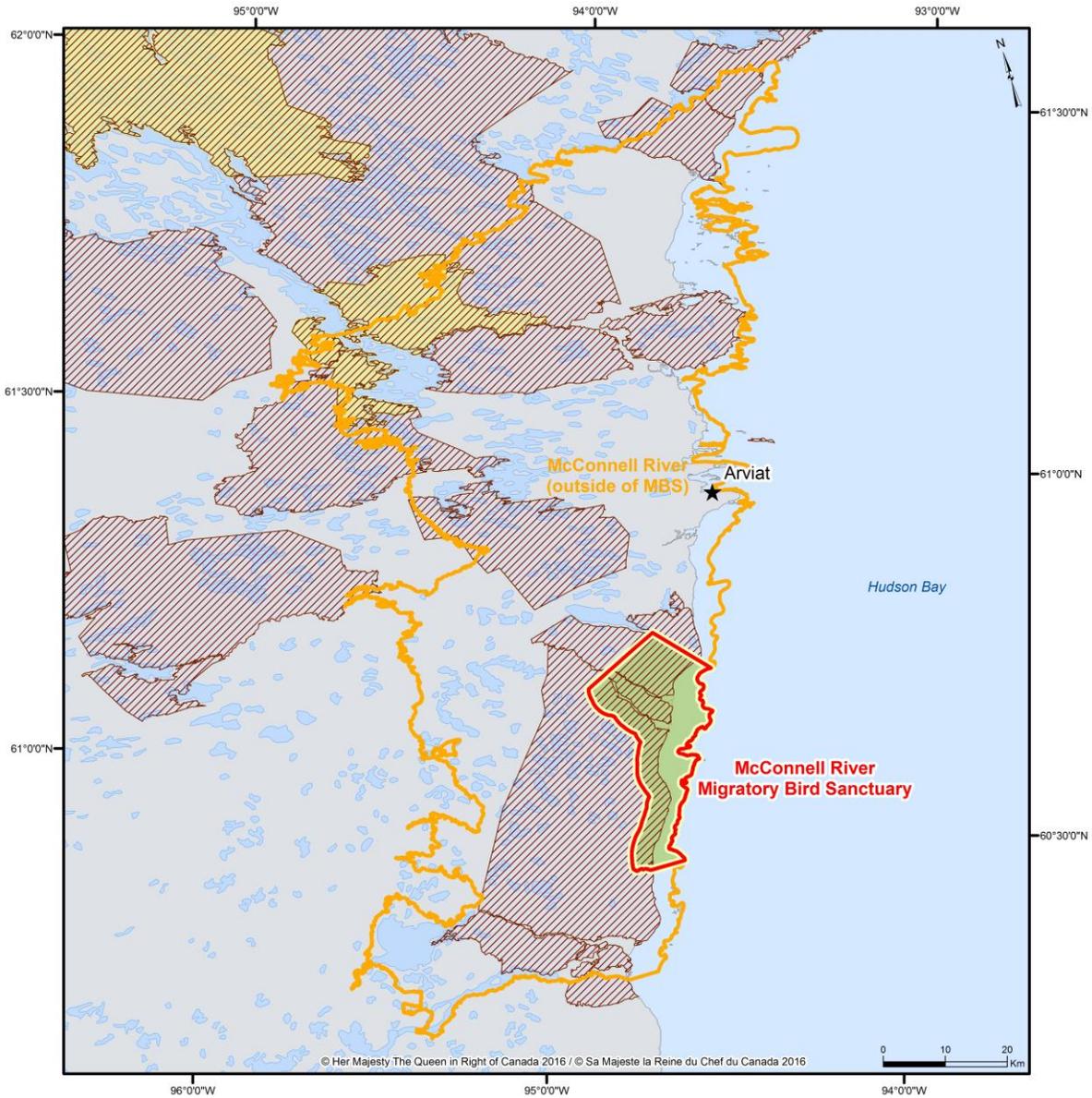
Proponents who wish to undertake activities that are NOT prohibited by the management plan are required to submit a permit application. Please contact the Environment Canada-Canadian Wildlife Service office in Iqaluit.

Recommended setbacks:

EC-CWS Aerial Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks); ~~Emergency Preparedness~~

SITE NAME:

McConnell River Migratory Bird Sanctuary



Category:

Highly risk intolerant

Qualifying criterion:

- Legislated protected area under the *Migratory Birds Convention Act*
- Contains 5 – 10% of the national population of a species NOT exhibiting declines as of 2005 (Ross' Goose)

Feature bird group:

Waterfowl

Site details:

- Species at risk: Polar Bear (Special Concern), Short-eared Owl (Special Concern)
- Non-binding designations: Ramsar Wetland of International Importance; International Biological Programme Site; Important Bird Area

Current human activities at site:

None

Anticipated human activities at site:

Cruise ship tourism; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk for oil spills and operational releases originating from shipping

Potential consequences for bird populations:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk for oil spills and operational releases originating from shipping

Prohibited Activities:

In Migratory Bird Sanctuaries and National Wildlife Areas, all activities that are inconsistent with the purpose of the protected area or inconsistent with its most recent management plan, where a management plan exists, are prohibited.

The prohibition above is subject to the terms of the *Inuit Impact and Benefit Agreement for Migratory Bird Sanctuaries and National Wildlife Areas in the Nunavut Settlement Area*.

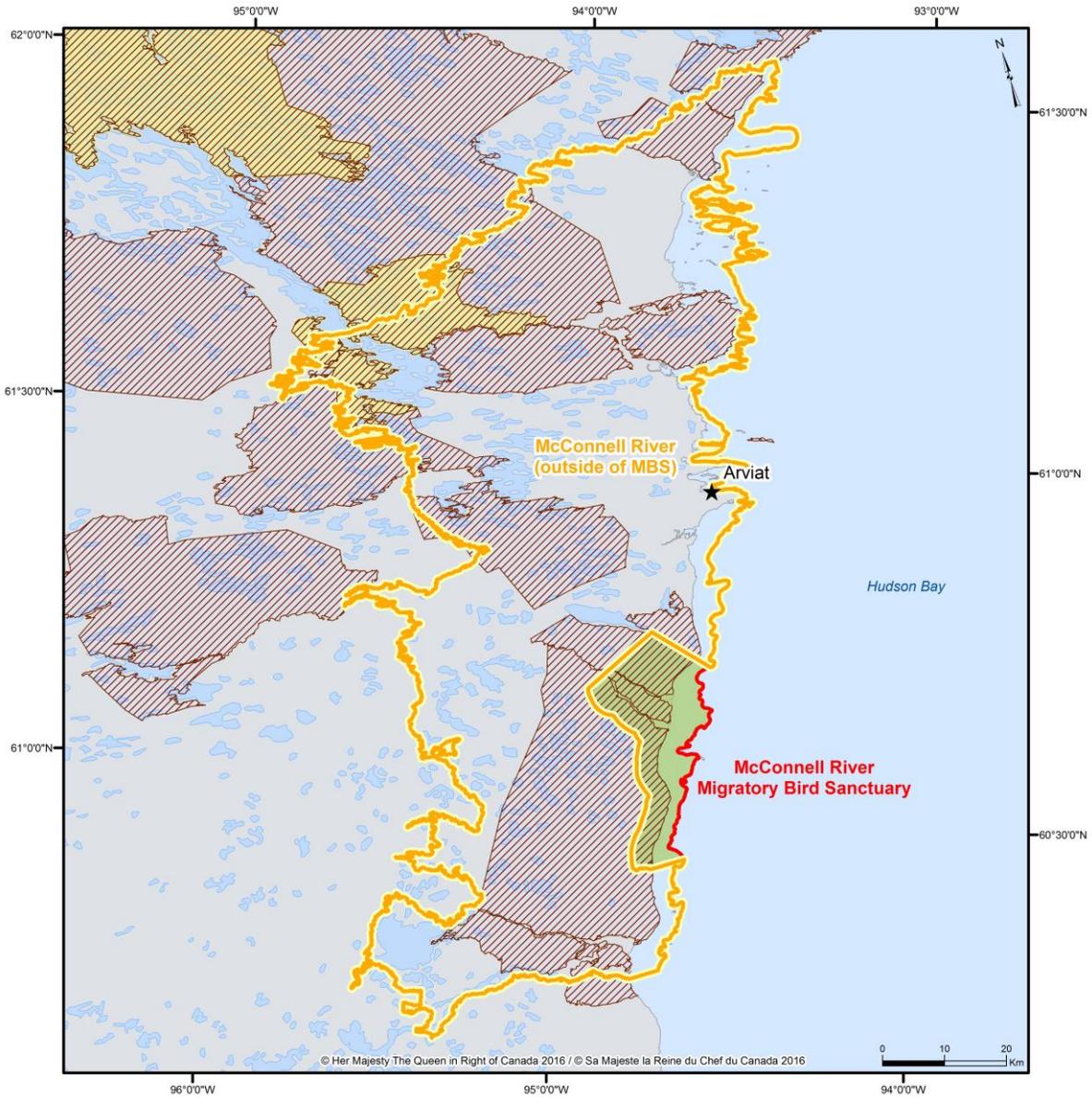
Proponents who wish to undertake activities that are NOT prohibited by the management plan are required to submit a permit application. Please contact the Environment Canada - Canadian Wildlife Service office in Iqaluit.

Recommended setbacks:

EC-CWS Aerial Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks); ~~Emergency Preparedness~~

SITE NAME:

McConnell River (outside of MBS)



Category:

Moderately risk intolerant

Qualifying criterion:

Contains 5% to 10% of the national population of one or more migratory bird species that are NOT exhibiting declines as of 2005 (Ross' Goose)

Feature bird group:

- Waterfowl (Ross' Goose)
- Also important at site: Shorebird (e.g. Semipalmated Sandpiper)

Site details:

- Non-binding designations: Ramsar Wetland of International Importance; Important Bird Area
- Species at risk: Short-eared Owl (Special Concern); Polar bear (Special Concern)

Current human activities at site:

Cruise ship tourism; mineral Claim (iron ore); contaminated site remediation; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Cruise ship tourism; mineral exploration; contaminated site remediation; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk of oil spills and operational releases originating from shipping; increased physical, auditory, and visual disturbance related to mining exploration activity; increased auditory and visual disturbance related to a higher volume of air traffic to support remediation activities

Potential consequences for bird populations:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk of oil spills and operational releases originating from shipping; increased physical, auditory, and visual disturbance related to mining exploration activity; increased auditory and visual disturbance related to a higher volume of air traffic to support remediation activities

Recommended restrictions on activities:

None

Recommended setbacks:

~~EC-CWS Aerial Setbacks (All Migratory Birds); EC-CWS Marine Setbacks (All Migratory Birds); EC-CWS Terrestrial Setbacks (All Migratory Birds); Emergency Preparedness~~ None

Reason for change:

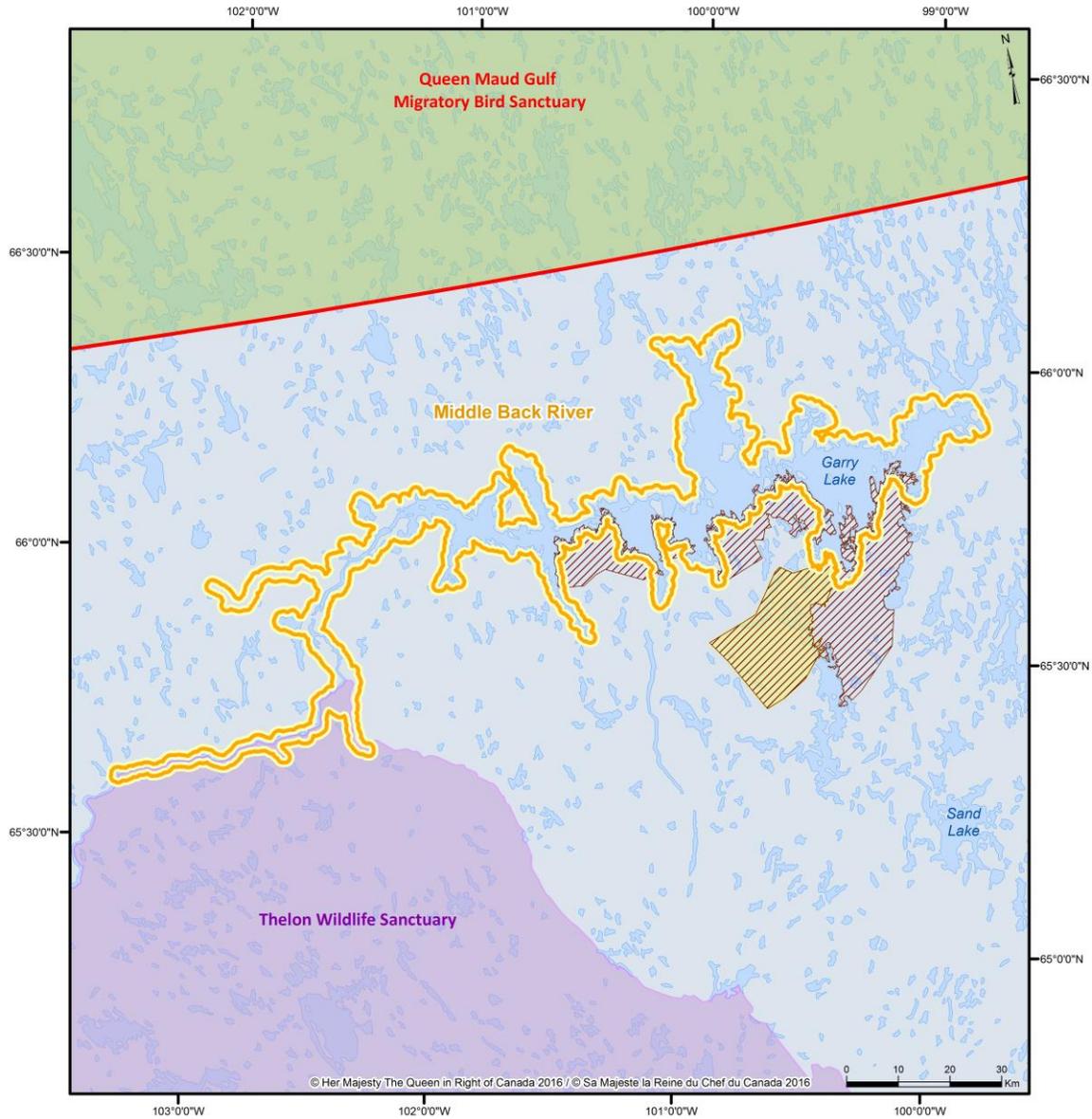
Focal species (Ross' Goose) is classified as 'overabundant' under the Migratory Birds Regulations. Setbacks do not need to apply to overabundant species.

Implications of change to land use plan:

Site rezoned from 'special management' to 'mixed use'

SITE NAME:

Middle Back River



Category:

Moderately risk intolerant

Qualifying criterion:

Contains 5%-10% of the national population of one or more migratory bird species that are NOT exhibiting population declines as of 2005 (Canada Goose, subspecies *maximus*)

Feature bird group:

Waterfowl

Site details:

- Species at risk: Wolverine (Special Concern), Grizzly Bear (Special Concern)
- Non-binding designations: None
- *Boundary altered to exclude IOL parcel BL-39*

Current human activities at site:

Mineral claims (uranium); harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Mineral exploration; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Increased auditory and visual disturbance related to a higher volume of air and ground traffic to support mineral exploration; increased physical, auditory, visual disturbance related to mining exploration activity

Potential consequences for bird populations:

Disturbance-related disruption of bird feeding, incubation, brood-rearing, resulting in loss of eggs and/or young

Recommended restrictions on activities:

None

Recommended setbacks:

EC-CWS Aerial Setbacks (All Migratory Birds); EC-CWS Terrestrial Setbacks (All Migratory Birds); ~~Emergency Preparedness~~

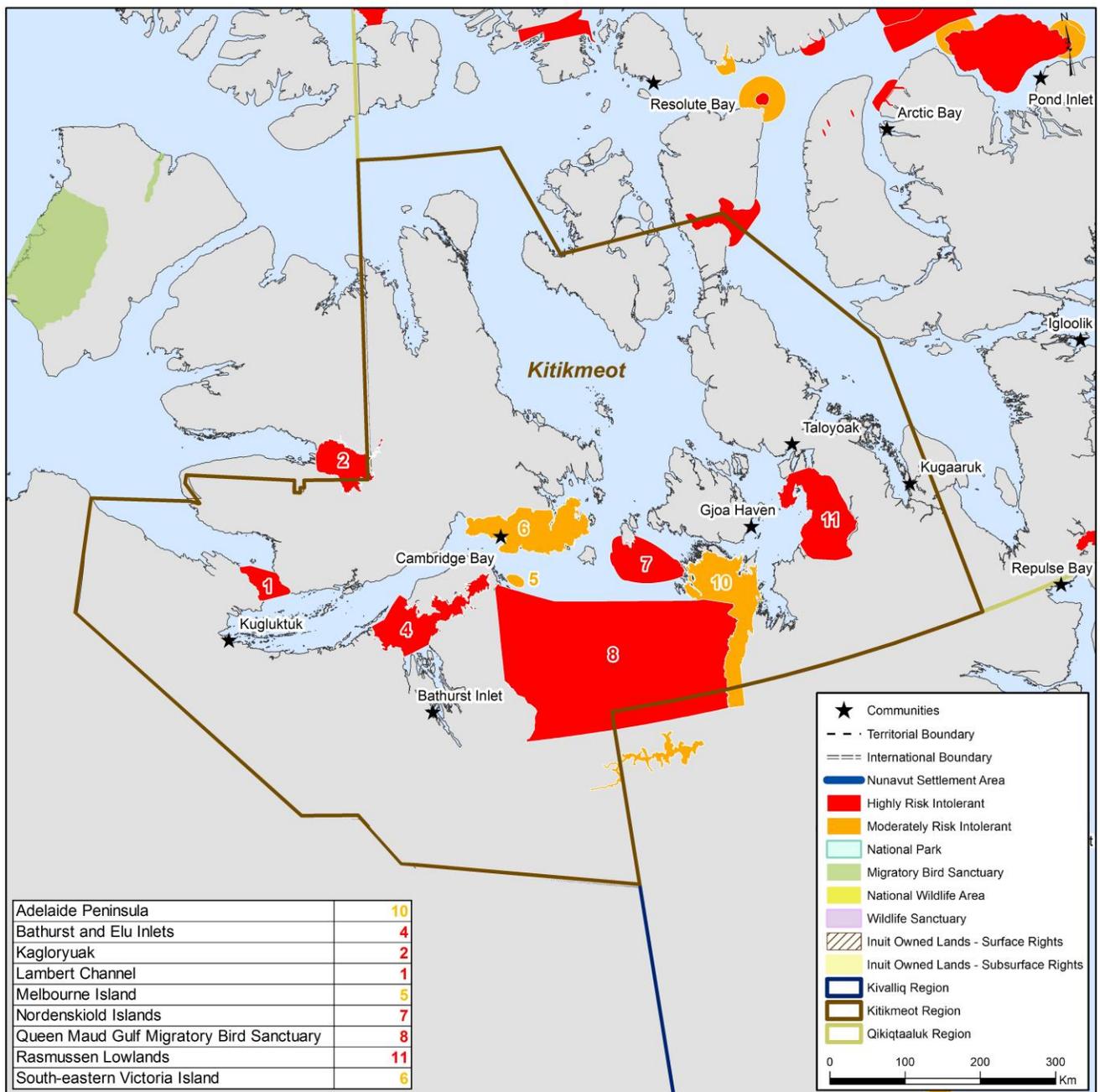
Reason for changes:

NTI request. Boundary adjustment not significant from a conservation perspective (removes 0.5% of the key habitat site from the land use plan).

Implications of change to land use plan:

No zoning change. Insert new map to reflect adjusted boundary.

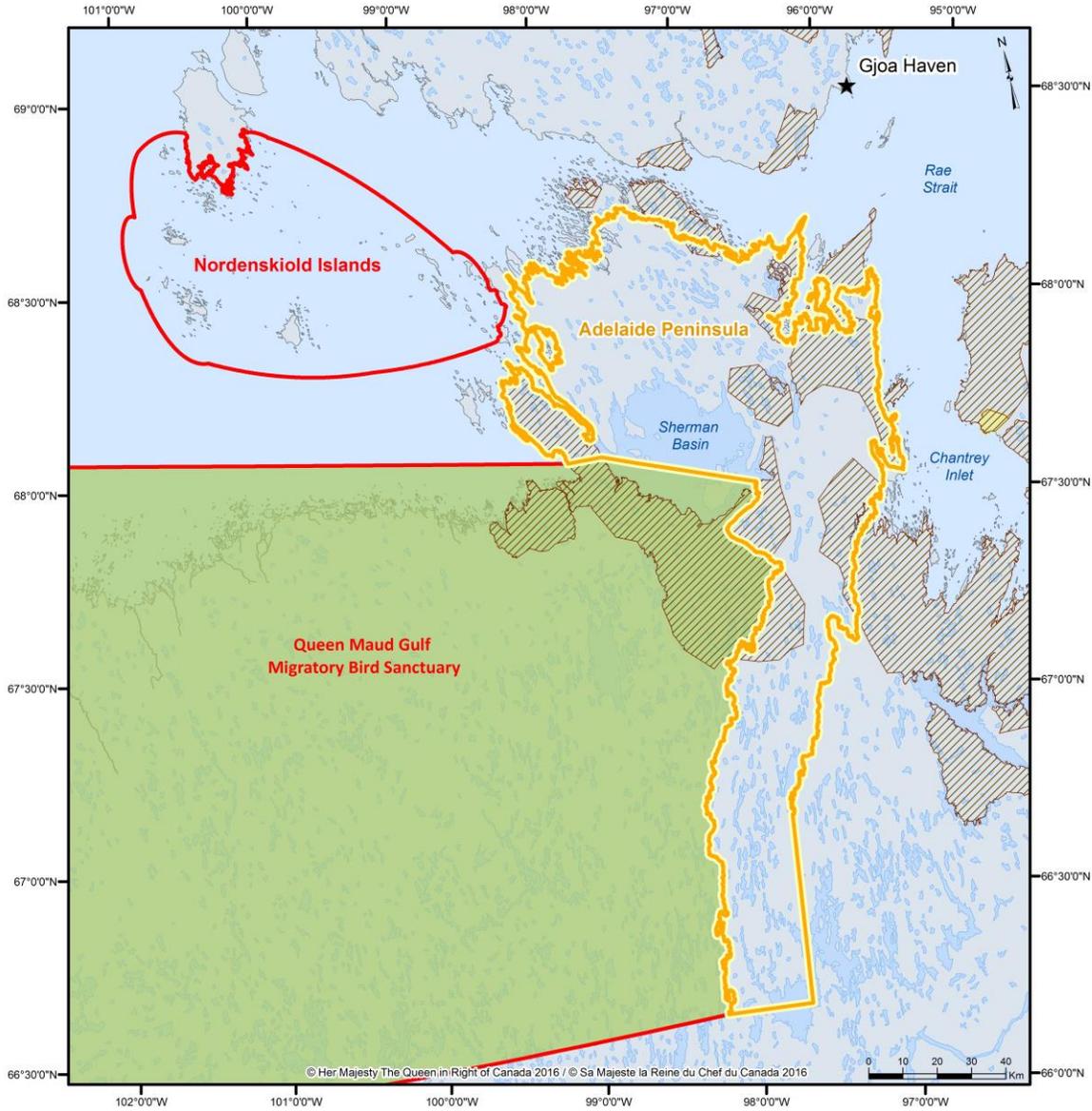
KITIKMEOT REGION



*Legend applies to all maps.

SITE NAME:

Adelaide Peninsula



Category:

Moderately risk intolerant

Qualifying Criterion:

- Contains 1-5% of the national population of one or more migratory bird species that ARE exhibiting population declines as of 2005 (Long-tailed Duck, King Eider)
- Contains 5%-10% of the national population of one or more migratory bird species that are NOT exhibiting population declines as of 2005 (Canada Goose, Lesser Snow Goose)

Feature bird group:

- Inland Seaduck
- Waterfowl

Site details:

- Species at risk: Wolverine (Special Concern), Grizzly Bear (Special Concern)
- Non-binding designations: none

Current human activities at site:

Harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk of oil spills and operational releases originating from shipping

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; direct loss of birds due to contaminants and pollution

Recommended restrictions on activities:

None

Recommended setbacks:

~~EC-CWS Aerial Setbacks (All Migratory Birds); EC-CWS Terrestrial Setbacks (All Migratory Birds); Emergency Preparedness~~ None

Reason for Change:

Long-tailed Duck, Eider Duck do not congregate at this location, so setbacks for bird congregations not applicable.

Snow Goose is designated as an 'overabundant species' so setbacks for conservation purposes do not need to apply.

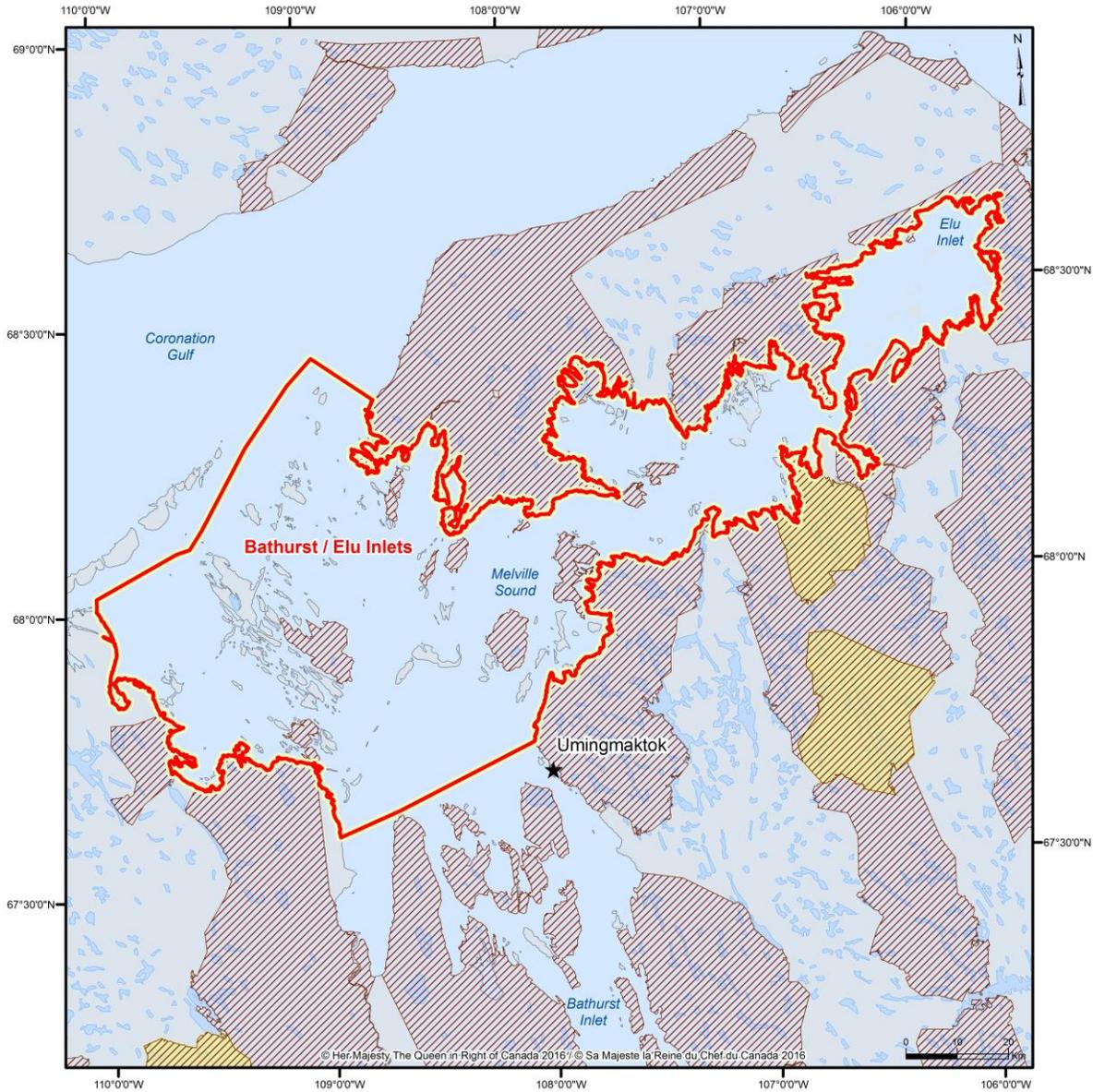
Canada Goose populations are healthy and increasing in number. Special management measures cannot be justified at this point in time and at this location.

Implications of changes to land use plan:

Rezone to 'mixed use'

SITE NAME:

Bathurst and Elu Inlets



Category:

Highly risk intolerant

Qualifying Criterion:

- Hosts more than 10% of a national population of one or more migratory bird species (Common Eider, Thayer's Gull)
- Supports a percentage of a national species population equal to or greater than the percentage of 'sustainable loss' than the population can tolerate (Common Eider)

Feature bird group:

Seaduck, Seabird

Site details:

- Species at risk: Polar Bear (special concern), Peregrine Falcon (special concern)
- Non-binding designations: Important Bird Area; International Biological Programme Site

Current human activities at site:

Shipping; mining lease; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; mine construction and mineral production; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activity:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk of oil spills and operational releases originating from ships; potential from dredging of channel to support large ship access; increase in air traffic disturbance related to mining activities; human disturbance from mining activities

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; direct loss of birds due to contaminants and pollution; potential for direct or indirect impact on seaduck food sources; potential for bird-aircraft collisions originating from air traffic at low altitude or from flying too close to concentration of birds; 2ii. Disruption of feeding and nesting birds resulting in loss of eggs and/or young

Recommended restrictions on activities:

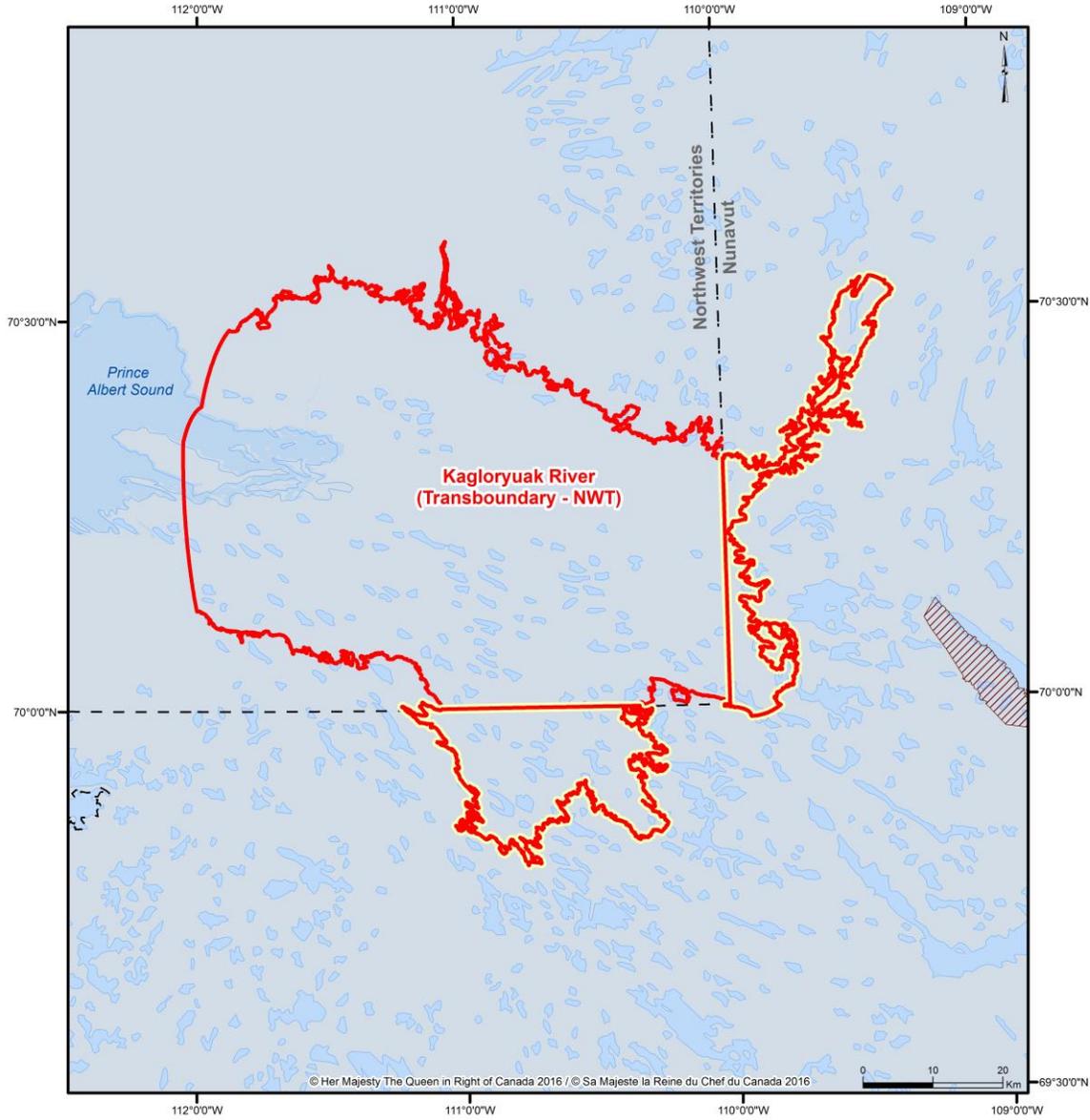
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (All Migratory Birds); EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks); ~~Emergency Preparedness~~

SITE NAME:

Kagloryuak River Valley



Category:

Highly risk intolerant

Qualifying Criterion:

Contain habitat likely to be identified as Critical Habitat for a migratory bird listed as 'endangered' or 'threatened' under the *Species at Risk Act* (Red Knot)

Feature bird group:

Shorebird

Site details:

- Species at risk: Red Knot spp. *rufa* (Endangered), Polar Bear (Special Concern), Short-eared Owl (Special Concern)
- Non-binding designations: NWT portion of key habitat site zoned as a community conservation zone

Current human activities at site:

None (NU portion of site)

Anticipated human activities at site:

None (NU portion of site)

Threats to birds from current/future activities at site:

None (NU portion of site)

Potential consequences for bird populations:

None (NU portion of site)

Recommended restrictions on activities:

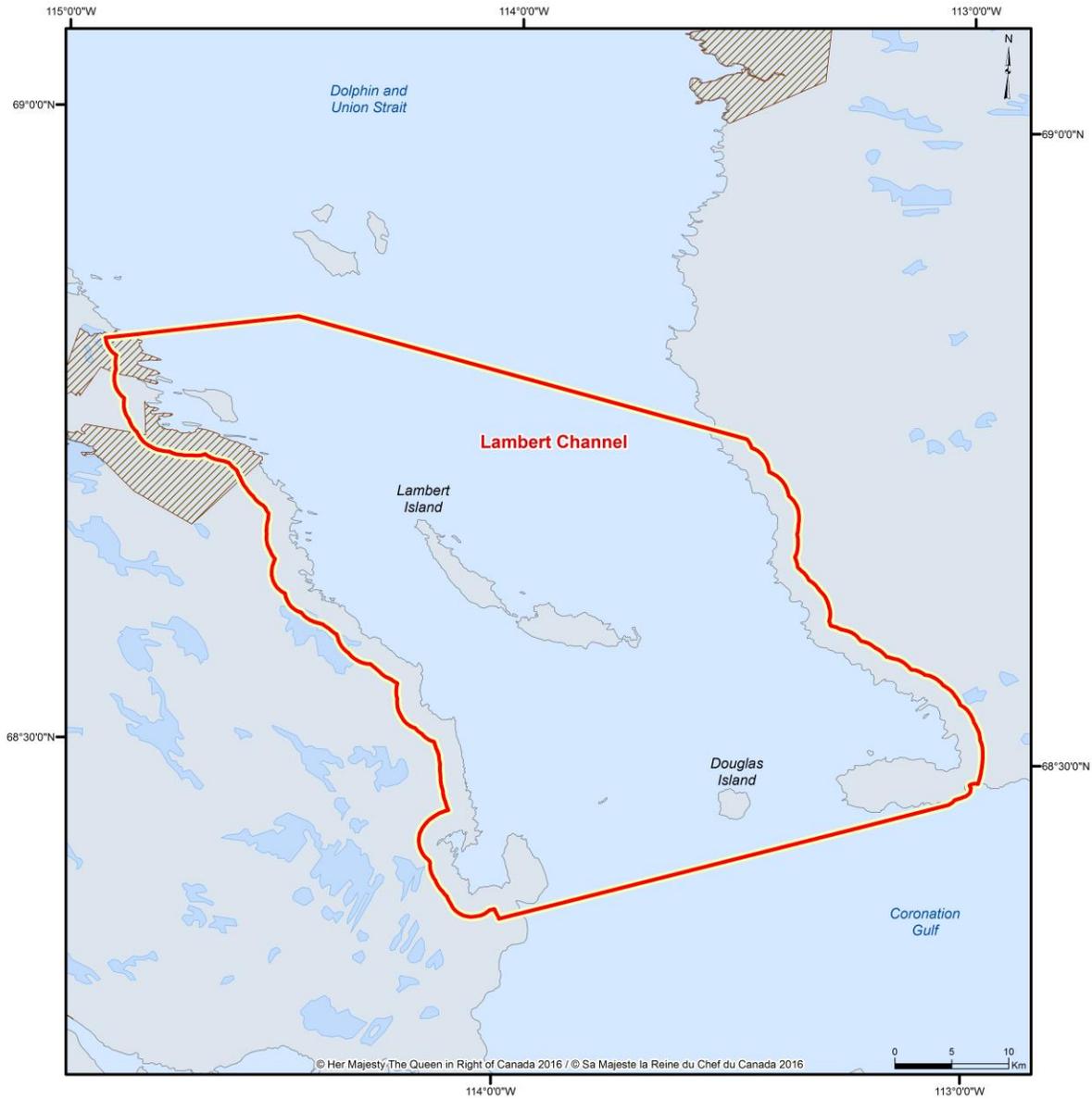
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (All Migratory Birds); EC-CWS Terrestrial Setbacks (All Migratory Birds); Emergency Preparedness

SITE NAME:

Lambert Channel



Category: Highly risk intolerant

Qualifying Criterion:

- Hosts more than 10% of a national population of one or more migratory bird species (Pacific Common Eider)
- Supports a percentage of a national species population equal to or greater than the percentage of 'sustainable loss' that the population can tolerate (Pacific Common Eider)

Feature bird group:

Seaduck

Site details:

- Critical polynya habitat and critical spring staging, moulting, breeding area for Pacific Common Eider
- Species at risk: Short-eared Owl (Special Concern)
- Non-binding designations: None

Current human activities at site:

Shipping; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; cruise ship tourism; contaminated site remediation; marine cable Installation; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk for oil spills and operational releases originating from shipping; air traffic related to contaminated site remediation - associated activities; human disturbance related to contaminated site remediation - associated activities; alteration of seabed due to dredging

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution; potential for bird-aircraft collisions originating from air traffic at low altitude or too close from concentration of birds; disruption of feeding and nesting birds resulting in loss of eggs and/or young; loss of benthic prey for seaducks/waterfowl and seabirds

Recommended restrictions on activities:

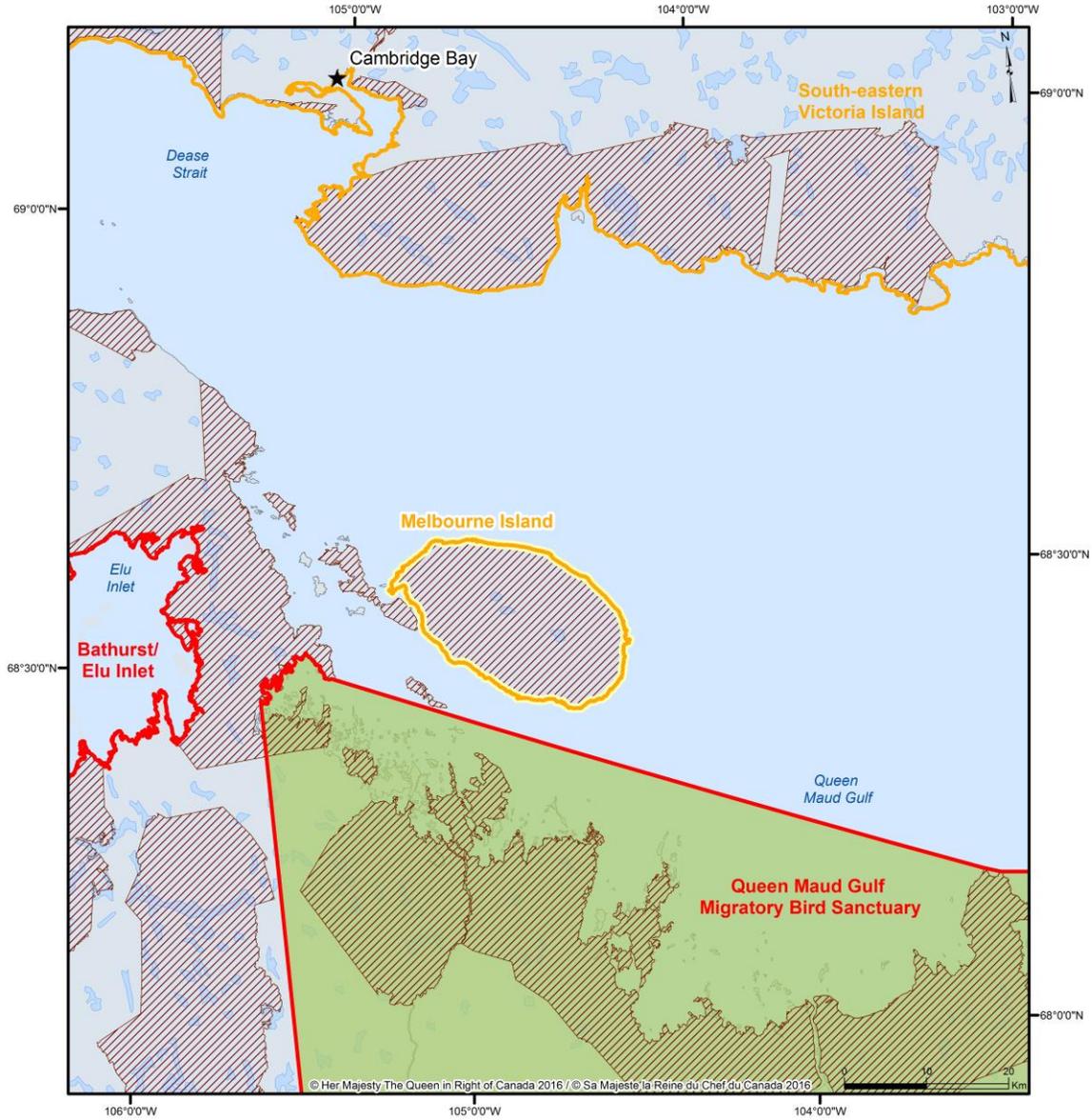
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks) EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); ~~Emergency Preparedness~~

SITE NAME:

Melbourne Island



Category:

Moderately risk intolerant

Qualifying Criterion:

Contains 1-5% of the national population of one or more migratory bird species that ARE exhibiting population declines as of 2005 (Red Phalarope)

Feature bird group:

- Shorebird

Site details:

- Species at risk: Wolverine (Special Concern)
- Non-binding designations: none

Current human activities at site:

Harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk of oil spills and operational releases originating from shipping

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; direct loss of birds due to contaminants and pollution

Recommended restriction on activities:

None

Recommended setbacks:

~~EC-CWS Aerial Setbacks (All Migratory Birds); EC-CWS Terrestrial Setbacks (All Migratory Birds); Emergency Preparedness~~ None

Reason for Change:

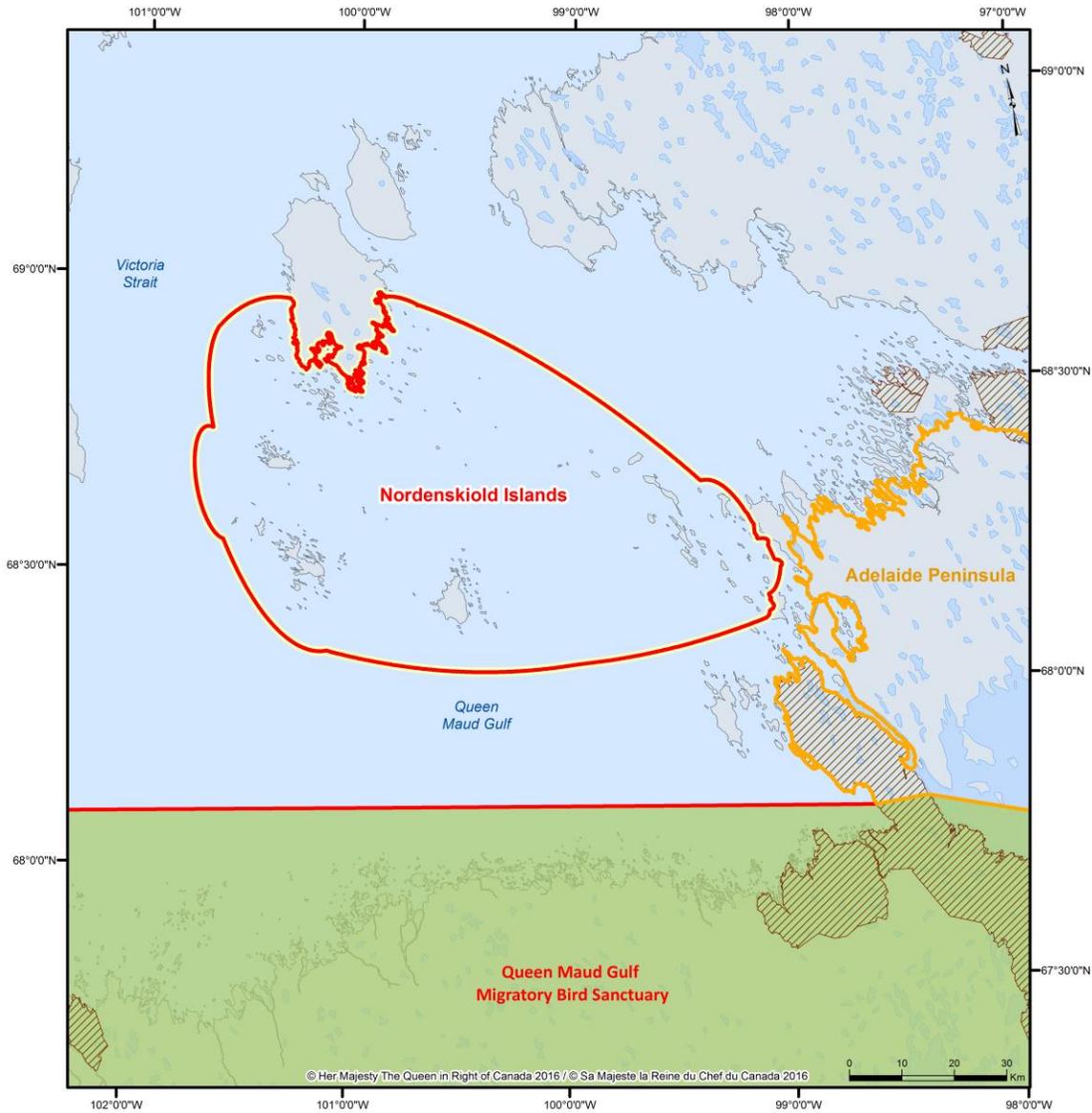
Focal species (Red Phalarope) does not congregate at this location, therefore, special management setbacks for congregations of birds are not applicable.

Implications of change to land use plan:

Change zoning to 'mixed use'

SITE NAME:

Nordenskiöld Islands



Category:

Highly risk intolerant

Qualifying Criterion:

- Supports a percentage of a national species population equal to or greater than the percentage of 'sustainable loss' that the population can tolerate (Common Eider)
- Hosts more than 10% of a national population of one or more migratory bird species (Common Eider)

Feature bird group:

Seaduck

Site details:

- Species at risk: None
- Non-binding designations: None

Current human activities at site:

Shipping

Anticipated human activities at site:

Shipping; cruise ship tourism; contaminated site remediation

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk for oil spills and operational releases originating from shipping; air traffic related to contaminated site remediation - associated activities; human disturbance related to cruise ship tourism; contaminated site remediation - associated activities

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution; potential for bird-aircraft collisions originating from air traffic at low altitude or too close from concentration of birds

Recommended restrictions on activities:

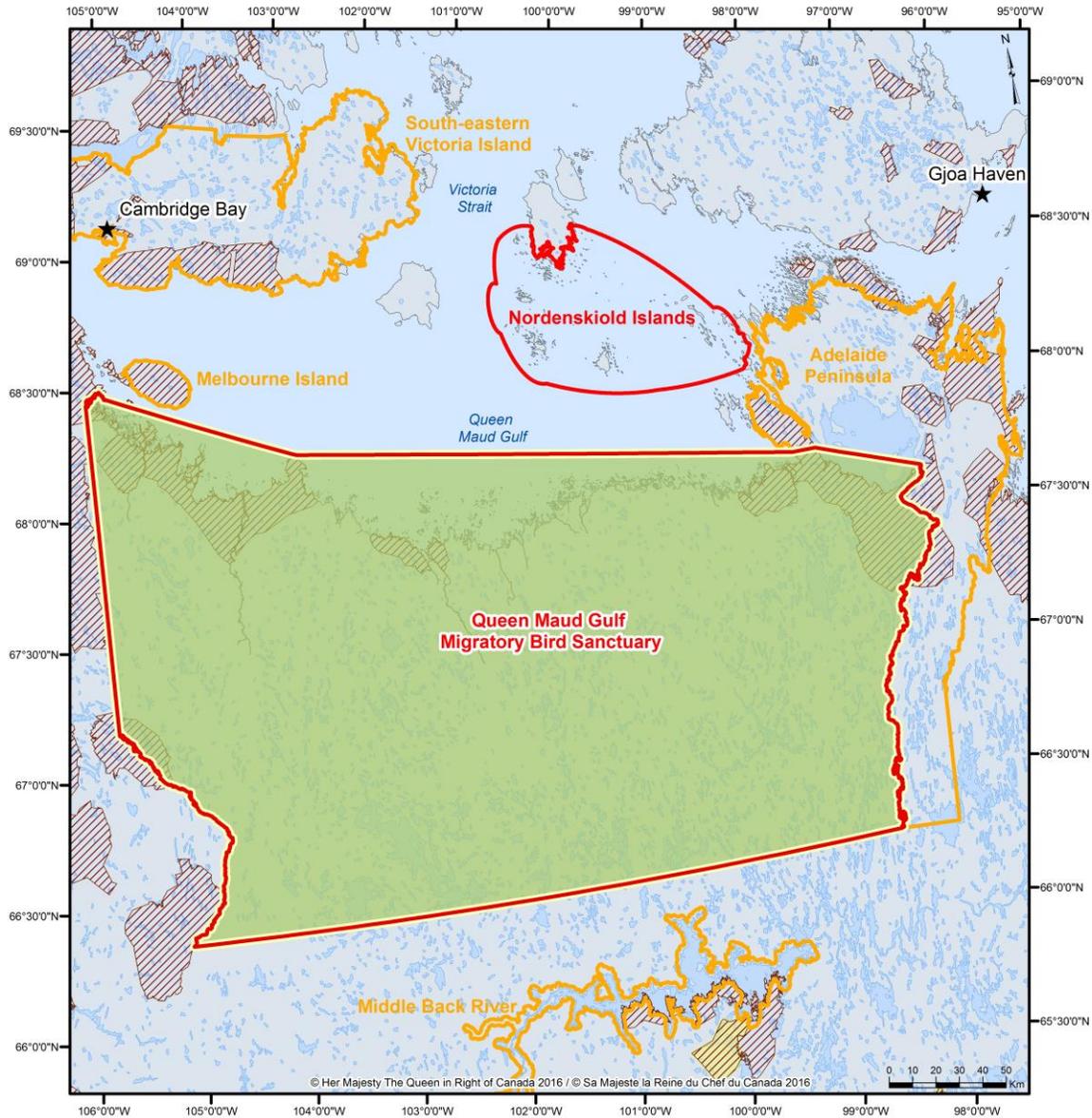
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks) EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); ~~Emergency Preparedness~~

SITE NAME:

Queen Maud Gulf Migratory Bird Sanctuary



Category: Highly risk intolerant

Qualifying Criterion:

- Legislated protected area under the *Migratory Birds Convention Act*
- Hosts more than 5% of a national population of one or more species exhibiting population declines as of 2005 (American Golden Plover, Dunlin, Semipalmated Sandpiper)
- Hosts more than 10% of a national population of one or more migratory bird species (Ross’s Goose, Snow Goose, American Golden Plover, Dunlin, Pectoral Sandpiper, Semipalmated Sandpiper)

Feature bird group:

- Shorebird
- Also important at site: Inland Seaduck (e.g. King Eider), Waterfowl (e.g. Greater White-fronted Goose)

Site details:

- Most extensive wetland in mid-Arctic
- Species at risk: Wolverine (Special Concern), Grizzly Bear (Special Concern)
- Non-binding designations: Ramsar Wetland of International Importance; International Biological Programme Site; Important Bird Area

Current human activities at site:

Shipping; biological research; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; cruise ship tourism; biological research; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk for oil spills and operational releases originating from shipping; human, aerial and terrestrial traffic disturbance related to research activities; air traffic disturbance related to potential research activities

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution; potential for bird-aircraft collisions originating from air traffic at low altitude or too close from concentration of birds

Prohibited Activities:

In Migratory Bird Sanctuaries and National Wildlife Areas, all activities that are inconsistent with the purpose of the protected area or inconsistent with its most recent management plan, where a management plan exists, are prohibited.

The prohibition above is subject to the terms of the *Inuit Impact and Benefits Agreement for Migratory Bird Sanctuaries and National Wildlife Areas in the Nunavut Settlement Area*.

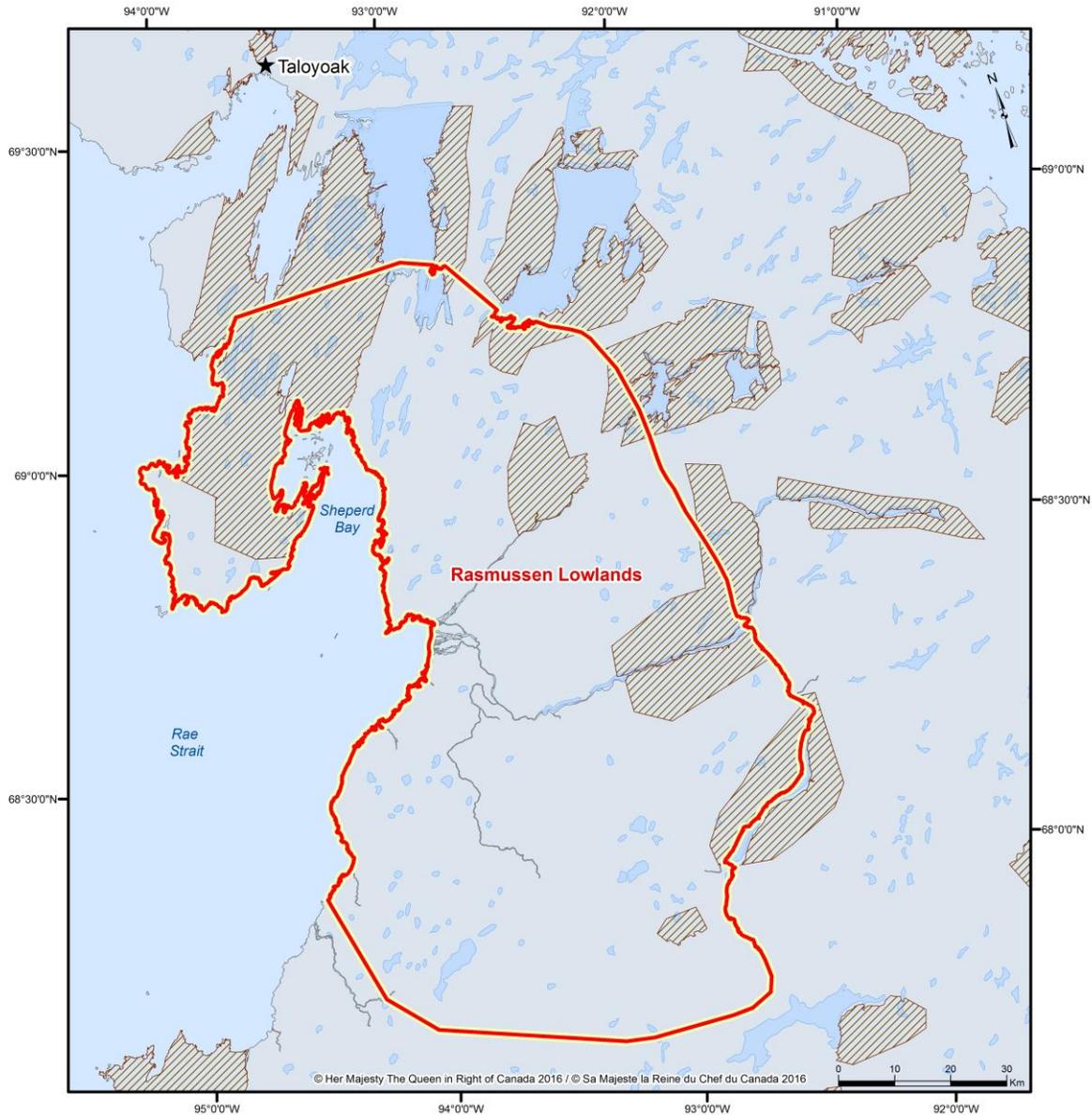
Proponents who wish to undertake activities that are NOT prohibited by the management plan are required to submit a permit application. Please contact the Environment Canada-Canadian Wildlife Service office in Iqaluit.

Recommended setbacks:

EC-CWS Aerial Setbacks (All Migratory Birds) (Coastal Waterfowl and Seaducks); EC-CWS Marine Setbacks (All Migratory Birds) (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks); ~~Emergency Preparedness~~

SITE NAME:

Rasmussen Lowlands



Category: Highly risk intolerant

Qualifying Criterion:

- Contain habitat likely to be identified as Critical Habitat for a migratory bird listed as ‘endangered’ or ‘threatened’ under the *Species at Risk Act* (Red Knot)
- Hosts more than 10% of a national population of one or more migratory bird species (Buff-breasted Sandpiper, Pectoral Sandpiper)
- Host more than 5% of a national population of one or more species exhibiting population declines as of 2005 (Buff-breasted Sandpiper, Pectoral Sandpiper)

Feature bird group:

Shorebird. Also important at site: Seabird (Sabine's Gull); Waterfowl (Tundra Swan, Greater White-fronted Goose)

Site details:

- Species at risk: Red Knot ssp. *rufa* (Endangered); Peregrine Falcon (Special Concern)
- Non-binding designations: Important Bird Area; Ramsar Wetland of International Importance

Current human activities at site:

Harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

None

Potential consequences for bird populations:

None

Recommended restriction on activities:

Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

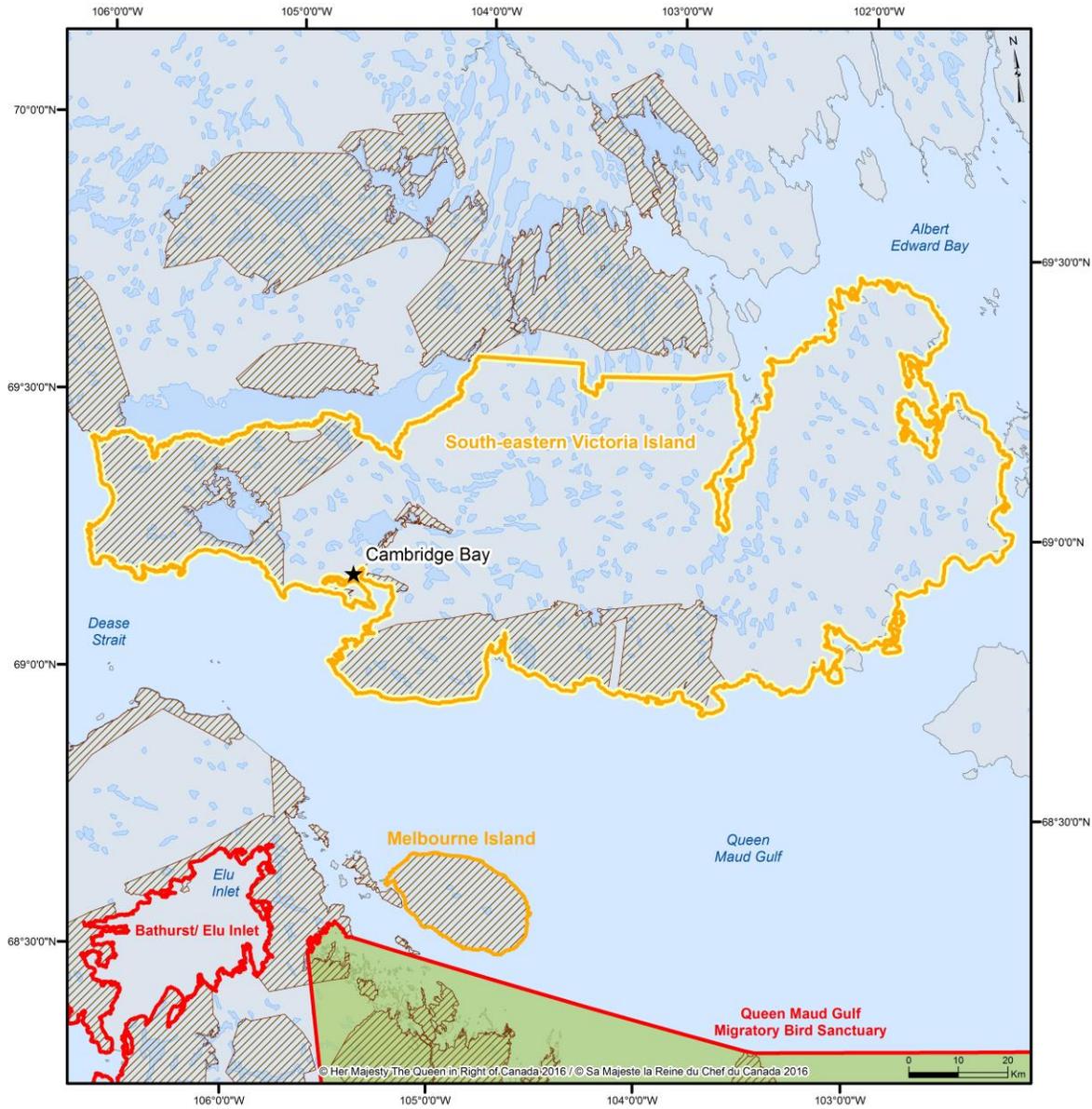
Recommended setbacks:

EC-CWS Aerial Setbacks (All Migratory Birds); EC-CWS Marine Setbacks (All Migratory Birds*); EC-CWS Terrestrial Setbacks (All Migratory Birds); ~~Emergency Preparedness~~

*the more general migratory birds mitigations are used here because Sabine's Gulls are not cliff-nesting, colonial seabirds

SITE NAME:

South-eastern Victoria Island



Category:

Moderately risk intolerant

Qualifying Criterion:

- Contains 5%-10% of the national population of one or more migratory bird species that are NOT exhibiting population declines as of 2005 (Canada Goose, King Eider)
- Contains 1-5% of the national population of one or more migratory bird species that ARE exhibiting populations declines as of 2005 (Long-tailed Duck)

Feature bird group:

- Waterfowl
- Inland Seaduck

Site details:

- Species at risk: Red Knot ssp. *rufa* (Endangered); Short-eared Owl (Special Concern; Polar Bear (Special Concern)
- Non-binding designations: none

Current human activities at site:

Shipping; municipality; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; municipality; contaminated site remediation; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk of oil spills and operational releases originating from shipping; increased auditory and visual disturbance related to a higher volume of air traffic to support municipality and remediation activities; ground traffic related to growth of municipality

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution; potential for bird-aircraft collisions originating from air traffic at low altitude or too close from concentration of birds

Recommended restrictions on activities:

None

Recommended setbacks:

~~EC-CWS Aerial Setbacks (All Migratory Birds); EC-CWS Marine Setbacks (All Migratory Birds); EC-CWS Terrestrial Setbacks (All Migratory Birds); Emergency Preparedness-None~~

~~The Nunavut Land Use Plan does not apply within municipal boundaries~~

Reason for Change:

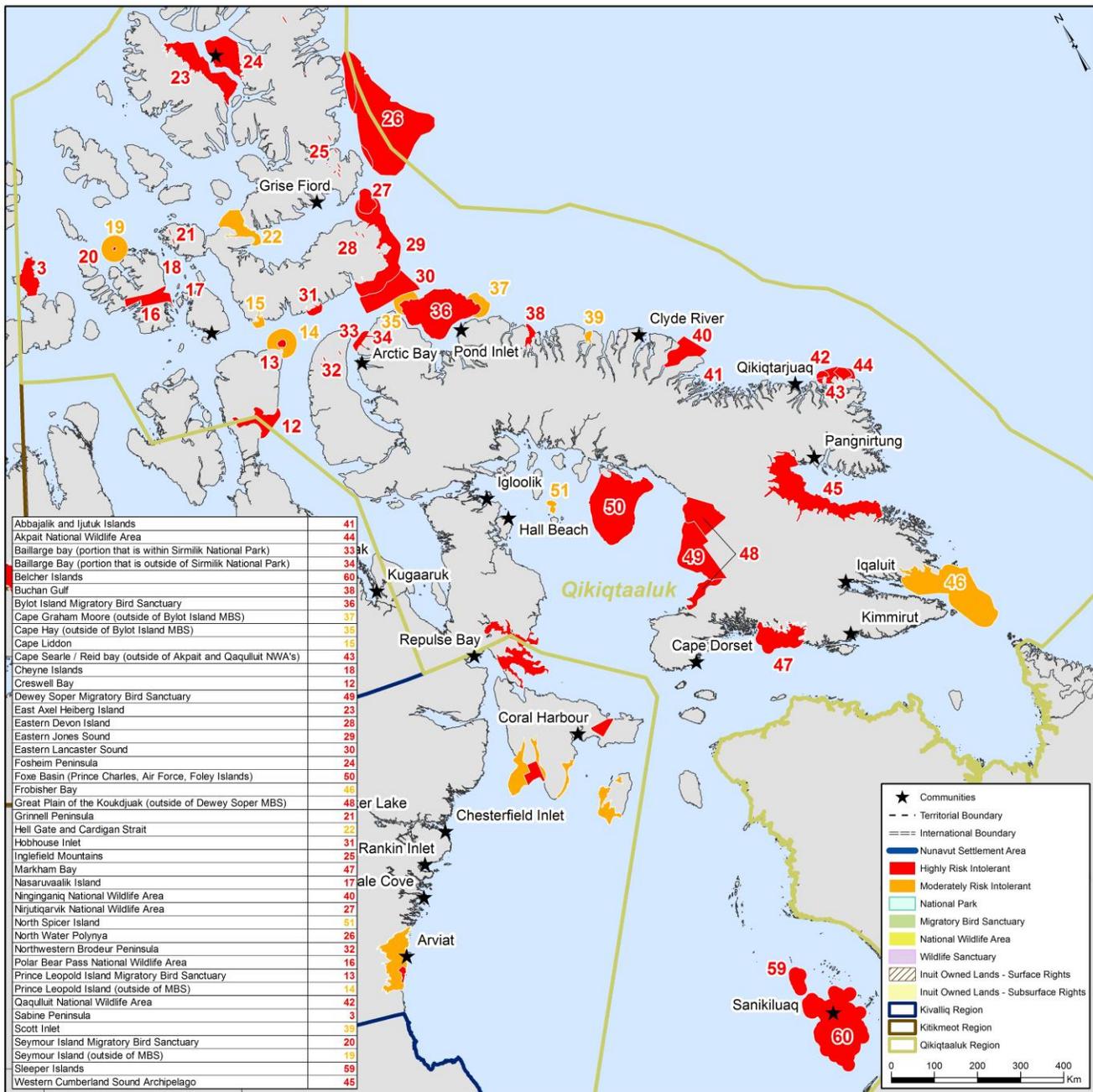
Feature species (Long-tailed Duck, King Eider) do not congregate at this location. Therefore the special management setbacks for bird congregations do not apply.

The other featured species (Canada Goose) populations are healthy and increasing in number. Special management measures cannot be justified at this point in time and at this location.

Implications of change to land use plan:

Change zoning to 'mixed use'

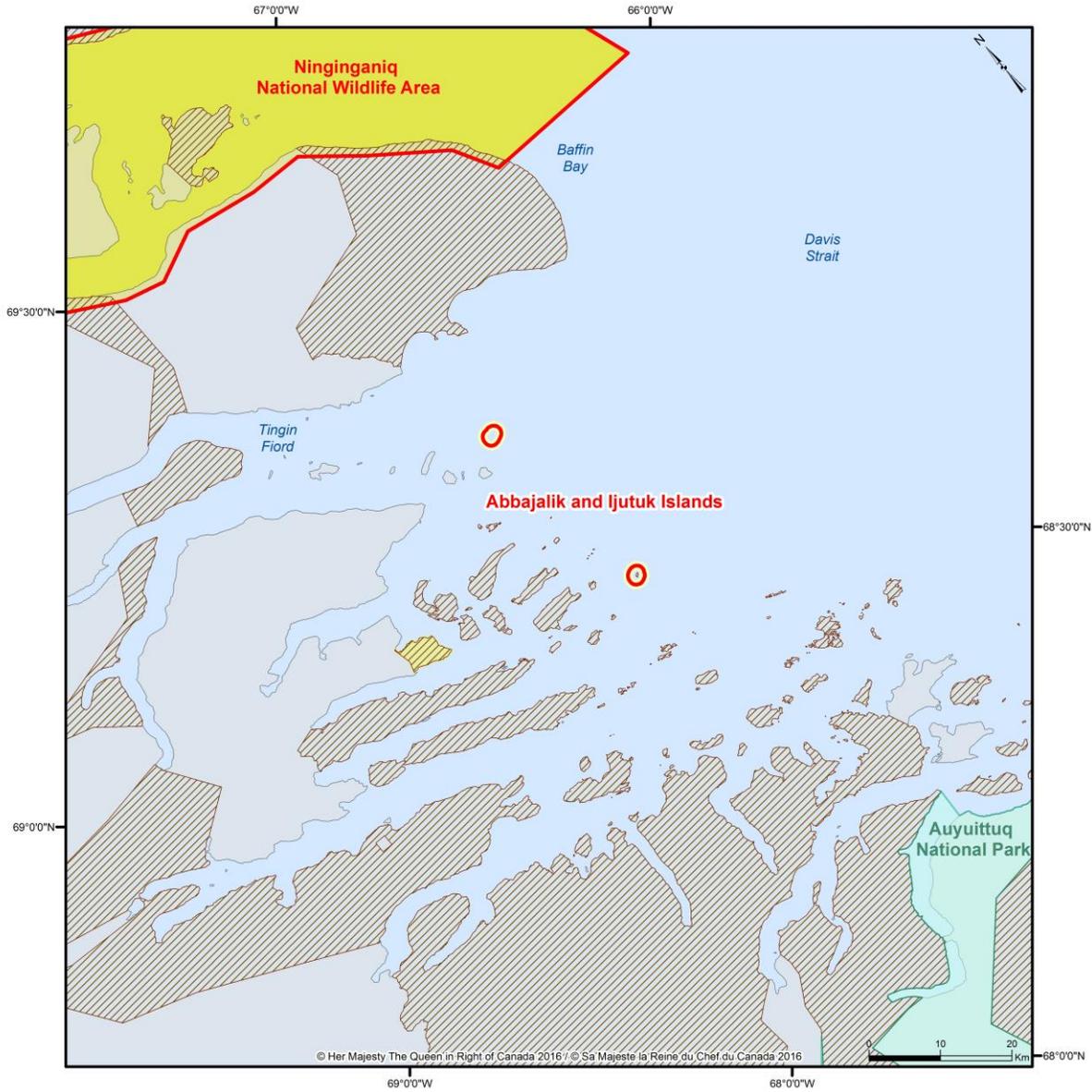
QIKIQTAALUK REGION



*Legend applies to all maps.

SITE NAME:

Abbajalik and Ijutuk Islands



Category:

Highly risk intolerant

Qualifying Criterion:

Hosts more than 10% of a national population of one or more migratory bird species (American Dovekie)

Feature bird group:

Seabird

Site details:

- Only known Dovekie breeding colony in Nunavut
- Species at risk: None
- Non-binding designations: None

Current human activities at site:

Shipping

Anticipated human activities at site:

Shipping

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk of oil spills and operational releases originating from ships

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; direct loss of birds due to contaminants and pollution

Recommended restrictions on activities:

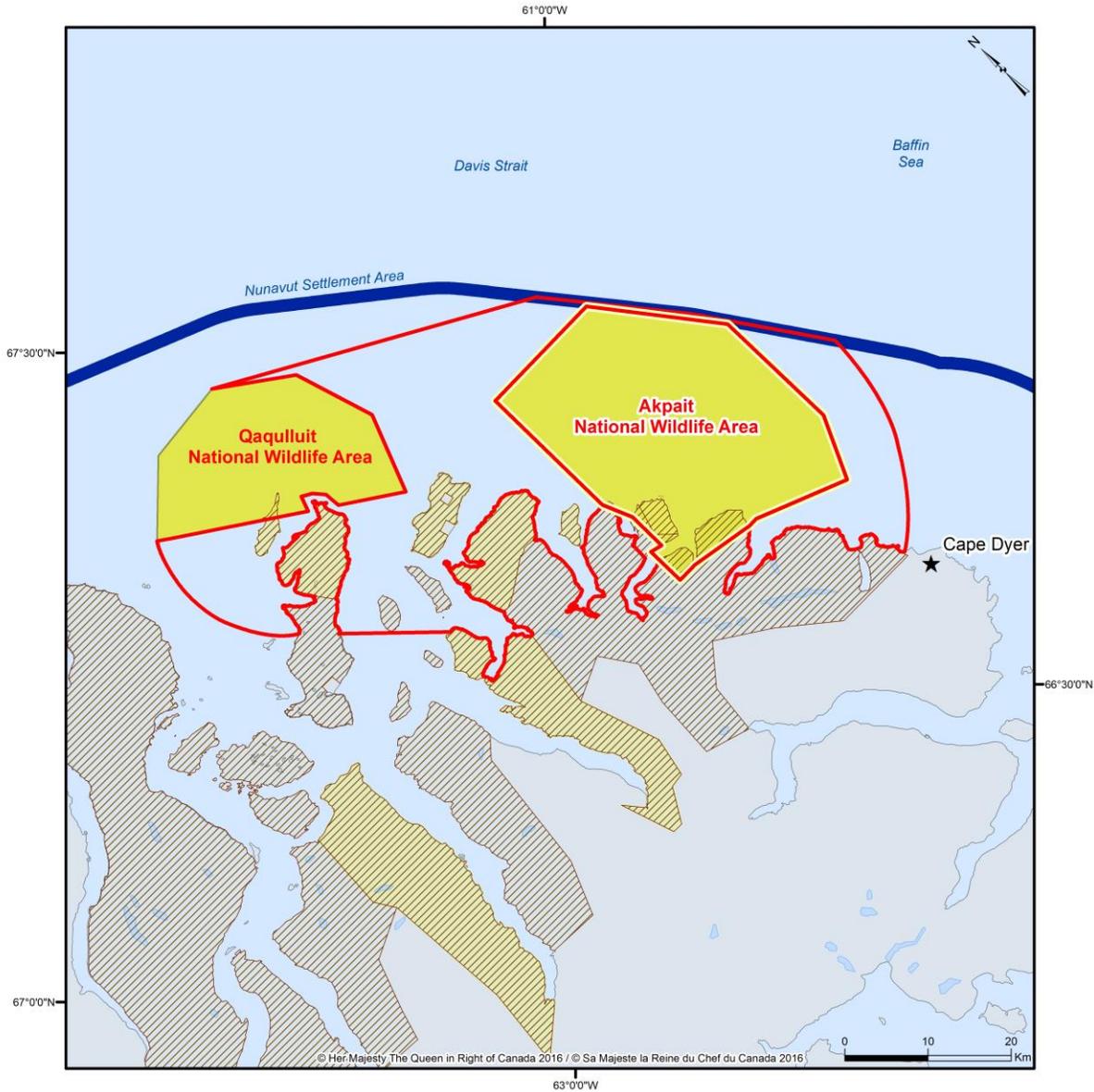
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Marine Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (All Seabirds); ~~Emergency Preparedness~~

SITE NAME:

Akpait National Wildlife Area



Category: Highly risk intolerant

Qualifying Criterion:

- Legislated protected area under the *Canada Wildlife Act*
- Hosts more than 10% of a national population of one or more migratory bird species (Thick-billed Murre, Northern Fulmar)
- Supports a percentage of a national species population equal to or greater than the percentage of 'sustainable loss' that the population can tolerate (Thick-billed Murre)

Feature bird group:

Seabird

Site details:

- Species at risk: Polar Bear (special concern), Peregrine Falcon (special concern)
- Non-binding designations: Important Bird Area; International Biological Program Site

Current human activities at site:

Shipping; cruise ship tourism

Anticipated human activities at site:

Shipping; cruise ship tourism

Threats to birds from current/future activity:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk of oil spills and operational releases originating from ships

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution

Prohibited Activities:

In Migratory Bird Sanctuaries and National Wildlife Areas, all activities that are inconsistent with the purpose of the protected area or inconsistent with its most recent management plan, where a management plan exists, are prohibited.

The prohibition above is subject to the terms of the *Inuit Impact and Benefit Agreement for Migratory Bird Sanctuaries and National Wildlife Areas in the Nunavut Settlement Area*.

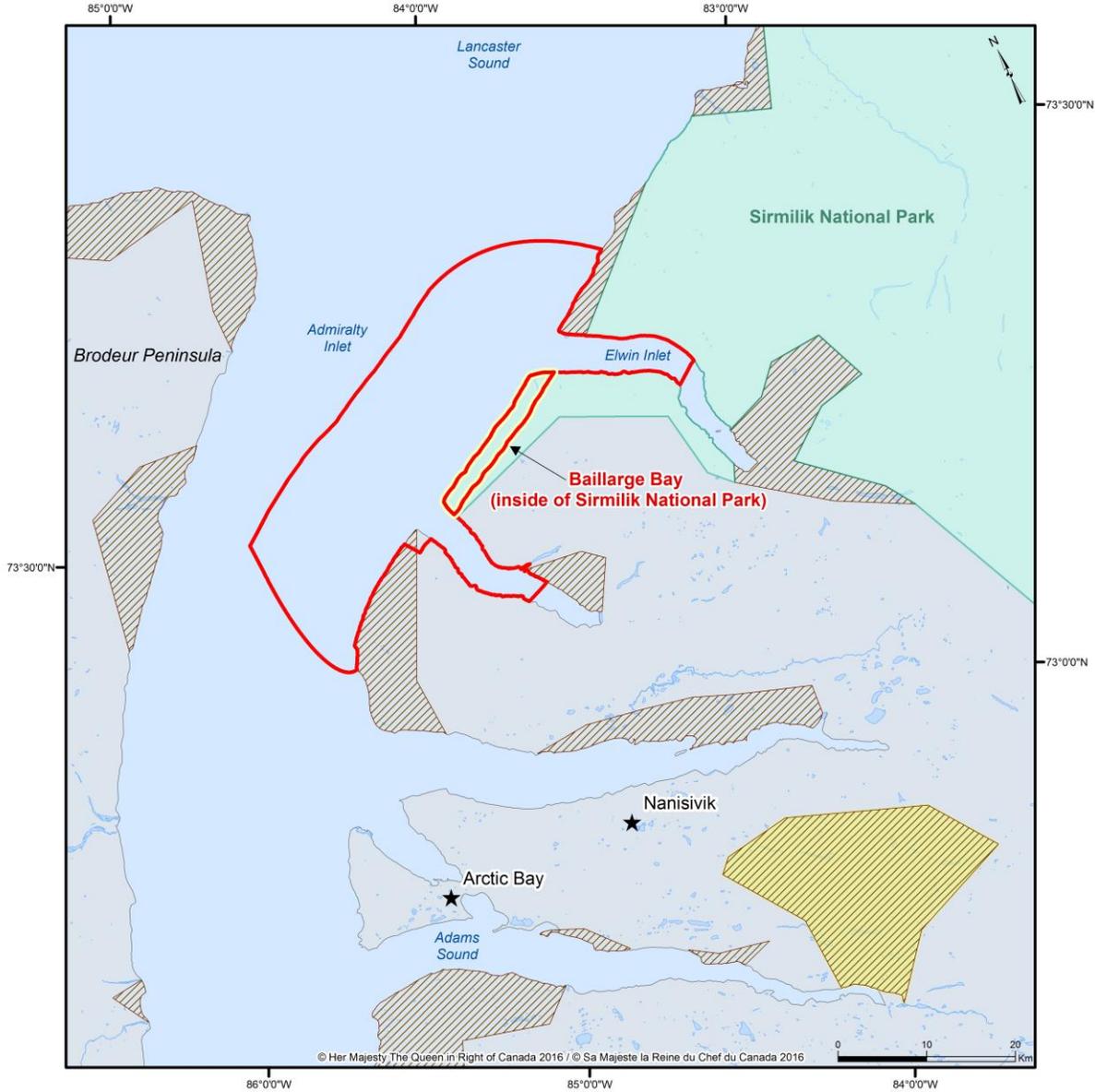
Proponents who wish to undertake activities that are NOT prohibited by the management plan are required to submit a permit application. Please contact the Environment Canada-Canadian Wildlife Service office in Iqaluit.

Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Marine Setbacks (Northern Fulmar Seabirds); EC-CWS Terrestrial Setbacks (All Seabirds); Emergency Preparedness

SITE NAME:

Baillarge Bay (portion that is within Sirmilik NP)



Category:

Highly risk intolerant

Qualifying Criterion:

Hosts more than 10% of a national population of one or more migratory bird species (Northern Fulmar)

Feature bird group:

Seabird

Site details:

- Species at risk: None
- Part of Sirmilik National Park
- Non-binding designations: International Biological Programme Site; Important Bird Area

Current human activities at site:

Shipping; cruise ship tourism; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; cruise ship tourism; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk of oil spills and operational releases originating from ships

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution

Recommended restrictions on activities:

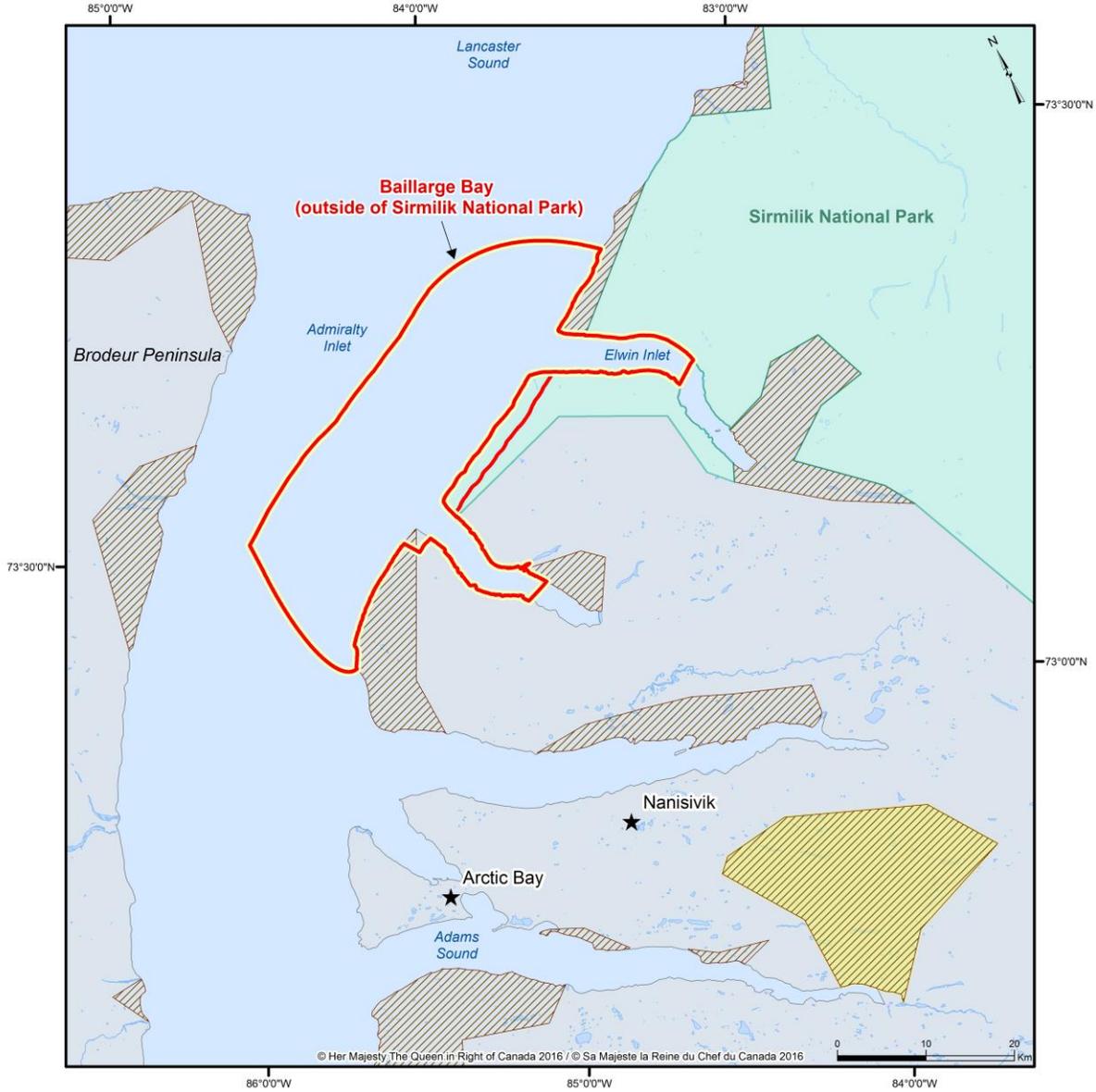
The land use plan does not apply within Sirmilik National Park

Recommended setbacks:

The land use plan does not apply within Sirmilik National Park

SITE NAME:

Baillarge Bay (portion that is outside of Sirmilik NP)



Category:

Highly risk intolerant

Qualifying Criterion:

Hosts more than 10% of a national population of one or more migratory bird species (Northern Fulmar)

Feature bird group:

Seabird

Site details:

- Species at risk: Polar Bear (Special Concern)
- Non-binding designations: Important Bird Area

Current human activities at site:

Shipping; cruise ship tourism; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; cruise ship tourism; 3. harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk of oil spills and operational releases originating from ships

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution

Recommended restrictions on activities:

Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

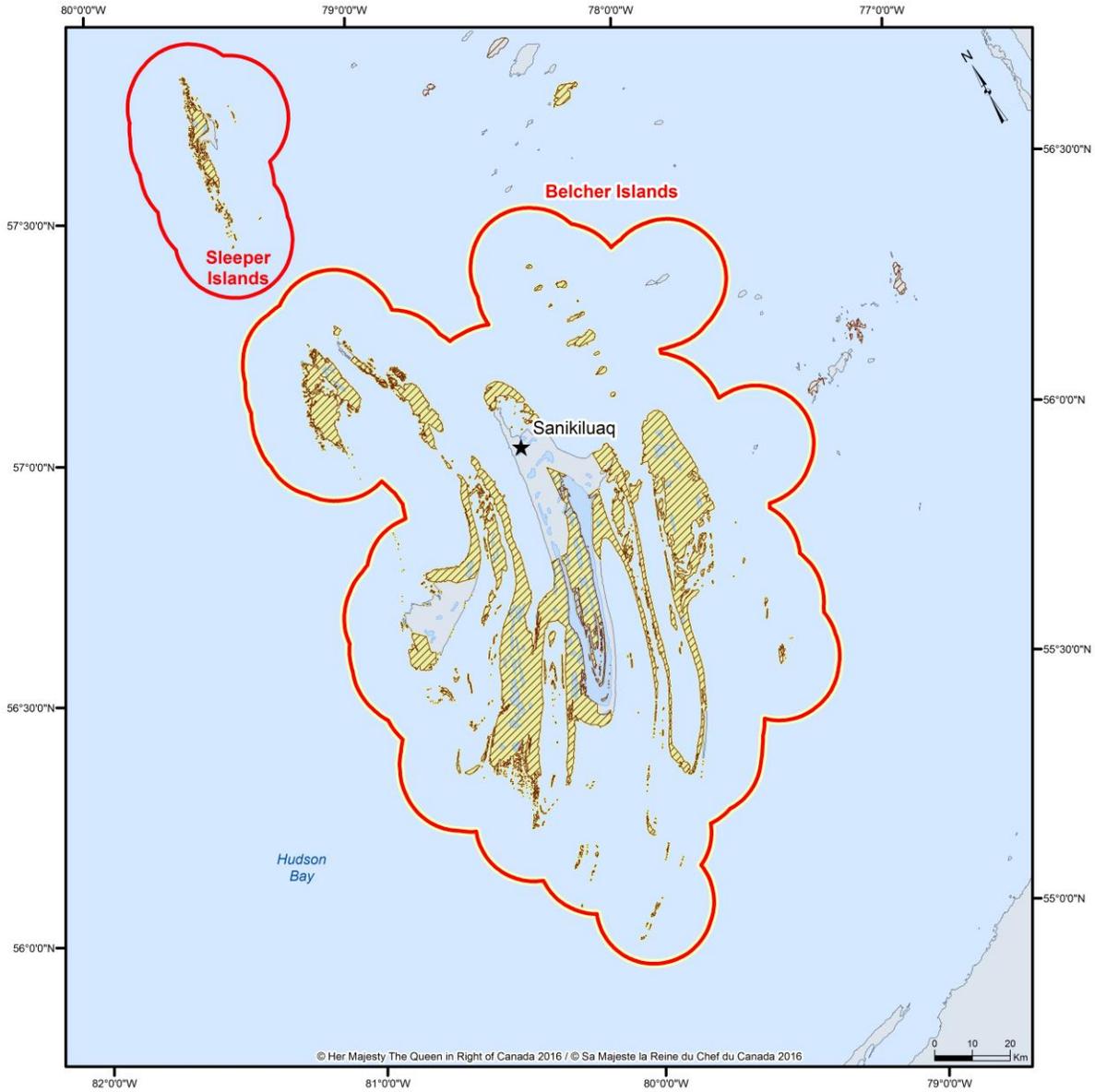
Recommended setbacks:

EC-CWS Marine Setbacks (Northern Fulmar Seabirds); EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Terrestrial

Setbacks (All Seabirds); Emergency Preparedness

SITE NAME:

Belcher Islands



Category:

Highly risk intolerant

Qualifying Criterion:

- Host more than 10% of a national population of one or more migratory bird species (Common Eider ssp. *sedentaria*)
- Supports a percentage of a national species population equal to or greater than the percentage of 'sustainable loss' that the population can tolerate (Common Eider ssp. *sedentaria*)

Feature bird group:

Seaduck

Site details:

- Critical breeding islands and critical wintering polynyas
- Species at risk: Polar Bear (Special Concern)
- Non-binding designations: Important Bird Area

Current human activities at site:

Shipping; mineral exploration (iron ore) lease; municipality; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; mineral production and mine construction; marine cable installation; municipality; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk of oil spills and operational releases originating from ships; increase in air traffic disturbance related to mining activities; human disturbance from mining activities; alteration of seabed due from dredging for marine cable

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; direct loss of birds due to contaminants and pollution; disruption of feeding and nesting birds resulting in loss of eggs and/or young; potential for bird-aircraft collisions originating from air traffic at low altitude or too close from concentration of birds; loss of benthic prey for seaducks/waterfowl and seabirds

Recommended restrictions on activities:

Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs; the Nunavut Land Use Plan does not apply within municipal boundaries.

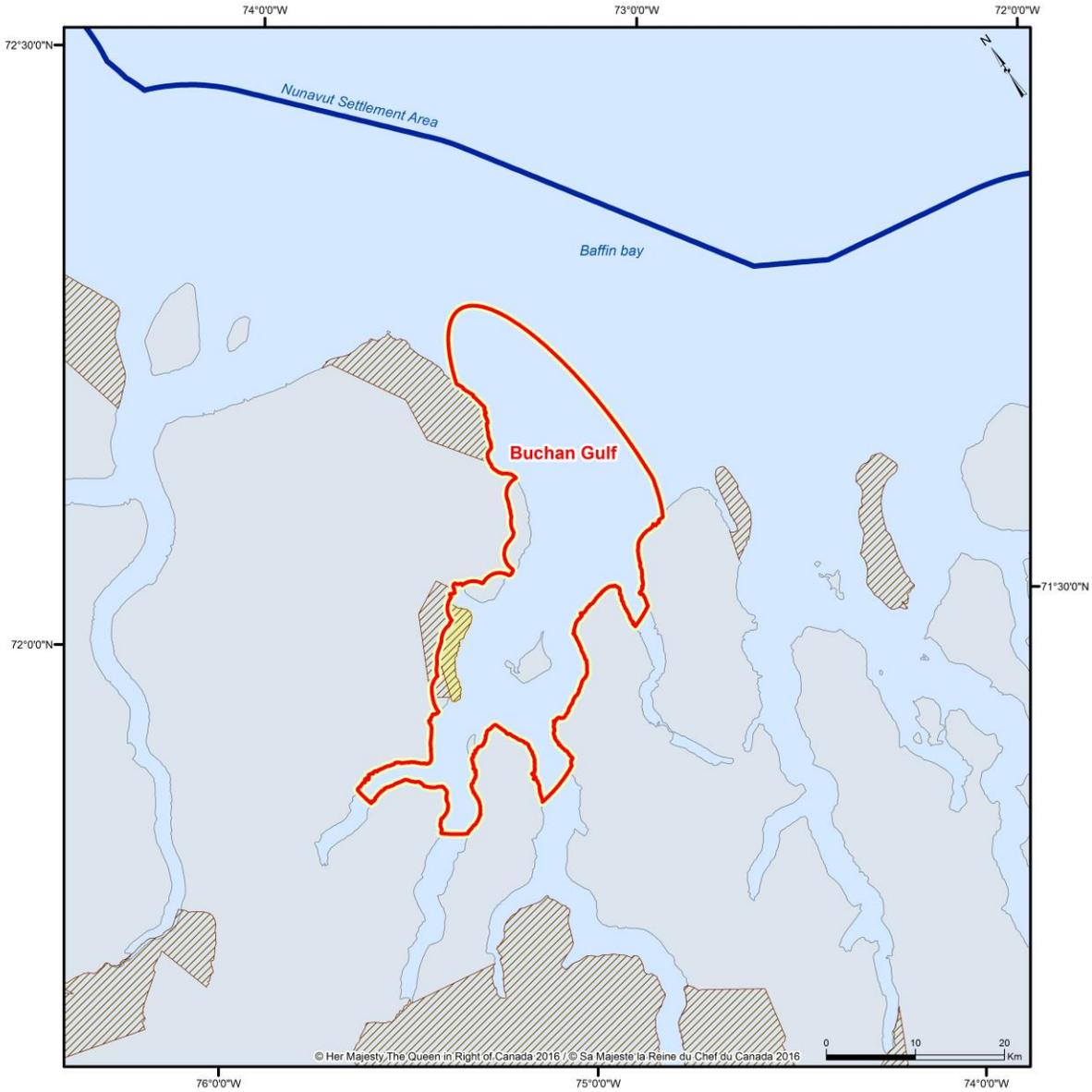
Recommended setbacks:

EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Aerial Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks); ~~Emergency~~
Preparedness

Note that the Nunavut Land Use Plan does not apply within municipal boundaries.

SITE NAME:

Buchan Gulf



Category:

Highly risk intolerant

Qualifying Criterion:

Hosts more than 10% of a national population of one or more migratory bird species (Northern Fulmar)

Feature bird group:

Seabird

Site details:

- Species at risk: Polar Bear (Special Concern)
- Non-binding designations: Important Bird Area; International Biological Programme Site

Current human activities at site:

None

Anticipated human activities at site:

hipping; cruise ship tourism; commercial fishing

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk for oil spills and operational releases originating from shipping; risk of bycatch from commercial fishing activities anticipated

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds due to increase of traffic; direct loss of birds due to contaminants and pollution; potential for direct loss of seabirds from fishing bycatch

Recommended restrictions on activities:

Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

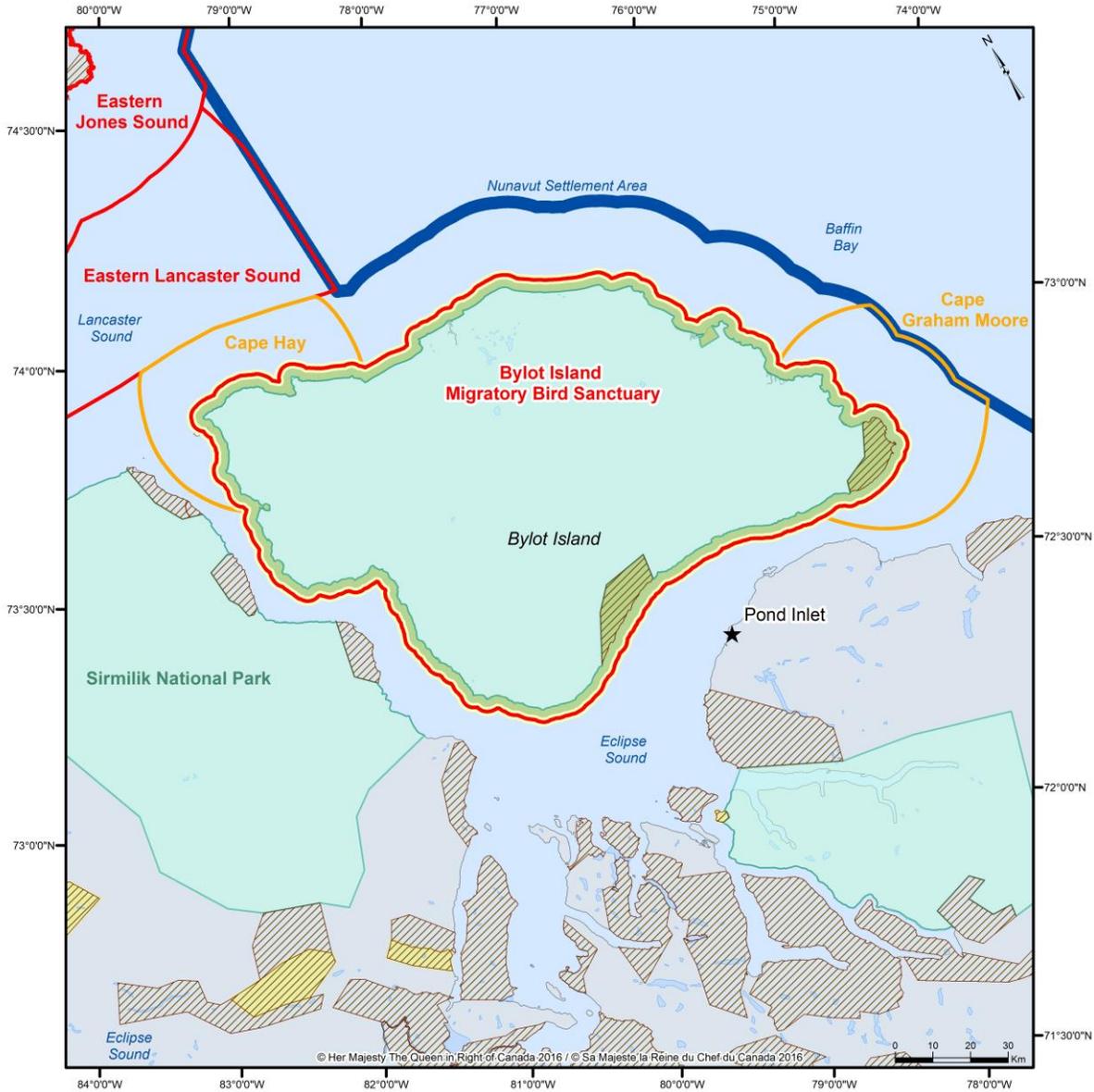
Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Marine Setbacks (Northern Fulmar Seabirds); EC-CWS Terrestrial

Setbacks (All Seabirds); Emergency Preparedness

SITE NAME:

Bylot Island Migratory Bird Sanctuary



Category:

Highly risk intolerant

Qualifying Criterion:

- Legislated protected area under the *Migratory Birds Convention Act*
- Supports a percentage of a national population equal to or greater than the percentage of 'sustainable loss' that the population can tolerate (Thick-billed Murre)

Feature bird group:

- Seabird (including Black-legged Kittiwake)
- Waterfowl (Greater Snow Goose)
- Shorebird (e.g. Ringed Plover)

Site details:

- Species at risk: Red Knot spp. *islandica* (Special Concern), Peregrine Falcon (Special Concern), Polar Bear (Special Concern)
- Part of Migratory Bird Sanctuary is contained within Sirmilik National Park
- Non-binding designations: International Biological Programme Site, Important Bird Area

Current human activities at site:

Land-based tourism; shipping; cruise ship tourism; biological research; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Land-based tourism; shipping; cruise ship tourism; biological research; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Human and terrestrial traffic disturbance related to land-based tourism activities; marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; direct loss of birds due to contaminants and pollution

Potential consequences for bird populations:

Disruption of feeding and nesting birds resulting in loss of eggs and/or young; higher potential for bird-ship collisions originating from all shipping activities; direct loss of birds due to contaminants and pollution

Prohibited Activities:

In Migratory Bird Sanctuaries and National Wildlife Areas, all activities that are inconsistent with the purpose of the protected area or inconsistent with its most recent management plan, where a management plan exists, are prohibited.

The prohibition above is subject to the terms of the *Inuit Impact and Benefit Agreement for Migratory Bird Sanctuaries and National Wildlife Areas in the Nunavut Settlement Area*.

Proponents who wish to undertake activities that are NOT prohibited by the management plan are required to submit a permit application. Please contact the Environment Canada-Canadian Wildlife Service office in Iqaluit.

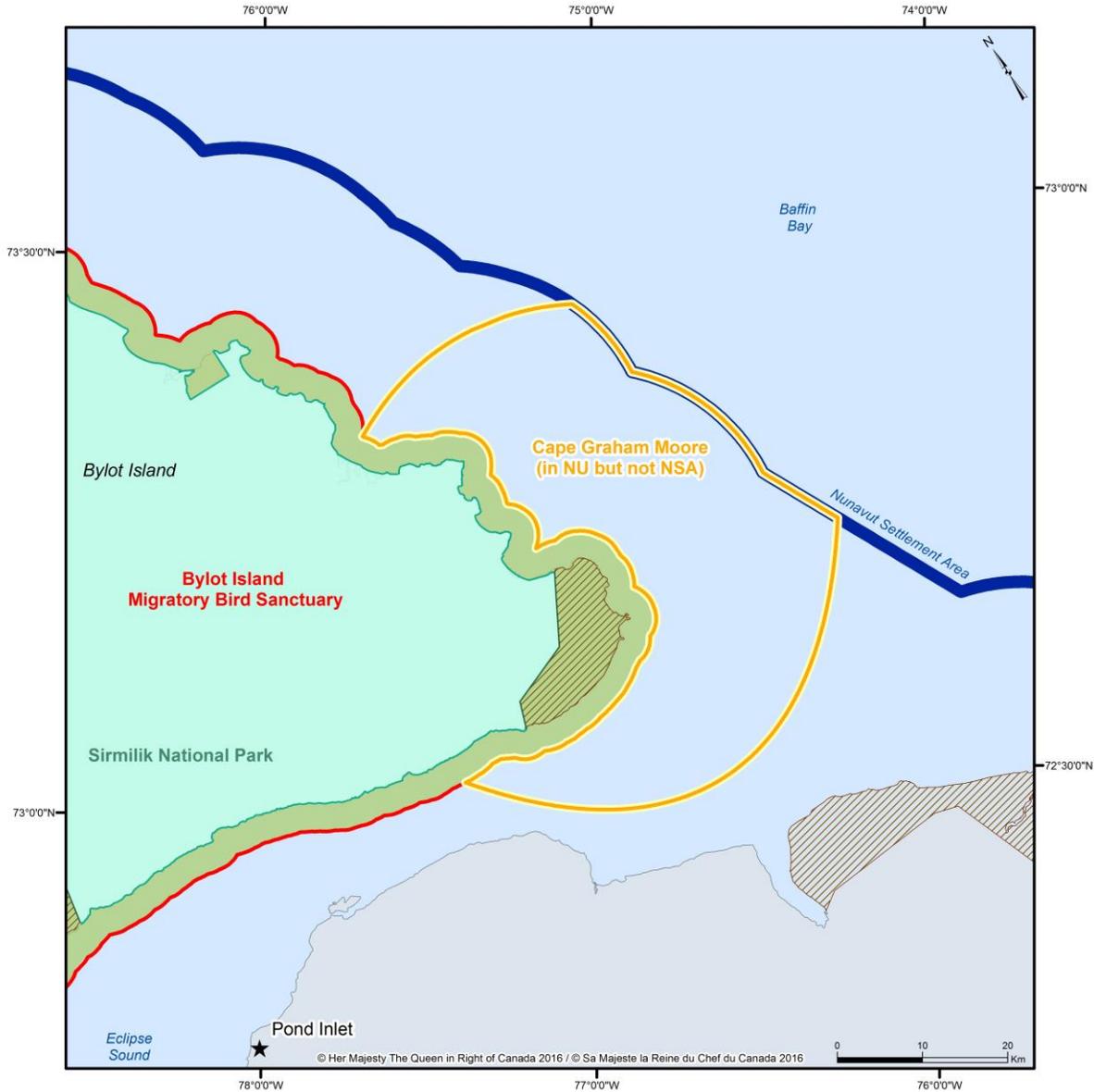
Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Marine Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (All Seabirds); ~~Emergency Preparedness~~

Note that the Nunavut Land Use Plan does not apply within Sirmilik National Park; *therefore setbacks for permitted activities only apply to the marine portion of the Bird Sanctuary (the marine portion is not part of the National Park)*.

SITE NAME:

Cape Graham Moore (outside of Bylot Island MBS)



Category:

Moderately risk intolerant

Qualifying Criterion:

Contains 5% to 10% of the national population of one or more migratory bird species that are NOT exhibiting population declines as of 2005 (Black-legged Kittiwake, Thick-billed Murre)

Feature bird group:

Seabird

Site details:

- Species at risk: Polar bear (Special Concern); Peregrine Falcon (Special Concern); Red Knot ssp. islandica (Special Concern)
- Non-binding designations: Important Bird Area

Current human activities at site:

Shipping; cruise ship tourism; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; cruise ship tourism; commercial fishing; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activity:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk of oil spills and operational releases originating from shipping; risk of bycatch from potential commercial fishing activities

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution; potential for direct loss of seabirds from fishing bycatch

Recommended restrictions on activities:

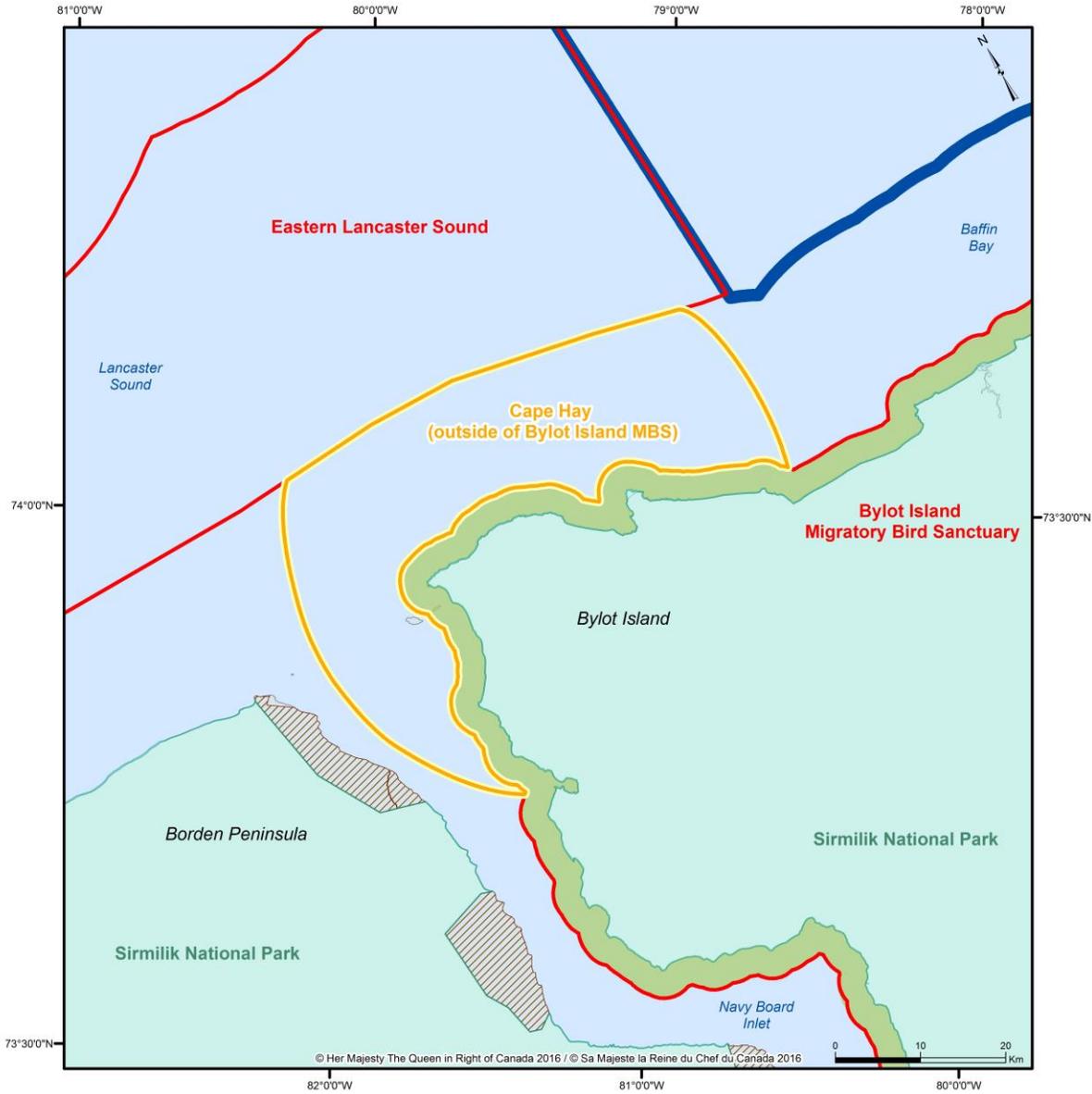
None

Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Marine Setbacks (All Seabirds); EC-CWS Terrestrial Setback (All Seabirds); ~~Emergency Preparedness~~

SITE NAME:

Cape Hay (outside of Bylot Island MBS)



Category:

Moderately risk intolerant

Qualifying Criterion:

Contains 5%-10% of the national population of one or more migratory bird species that are NOT exhibiting population declines as of 2005 (Black-legged Kittiwake, Thick-billed Murre)

Feature bird group:

Seabirds

Site details:

- Species at risk: Polar Bear (Special Concern), Peregrine Falcon (Special Concern), Red Knot ssp. *islandica* (Special Concern)
- Non-binding Designations: Important Bird Area

Current human activities at site:

Shipping; cruise ship tourism

Anticipated human activities at site:

Shipping; cruise ship tourism; commercial fishing

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk of oil spills and operational releases originating from shipping; risk of bycatch from potential commercial fishing activities

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution; potential for direct loss of seabirds from fishing bycatch

Recommended restrictions on activities:

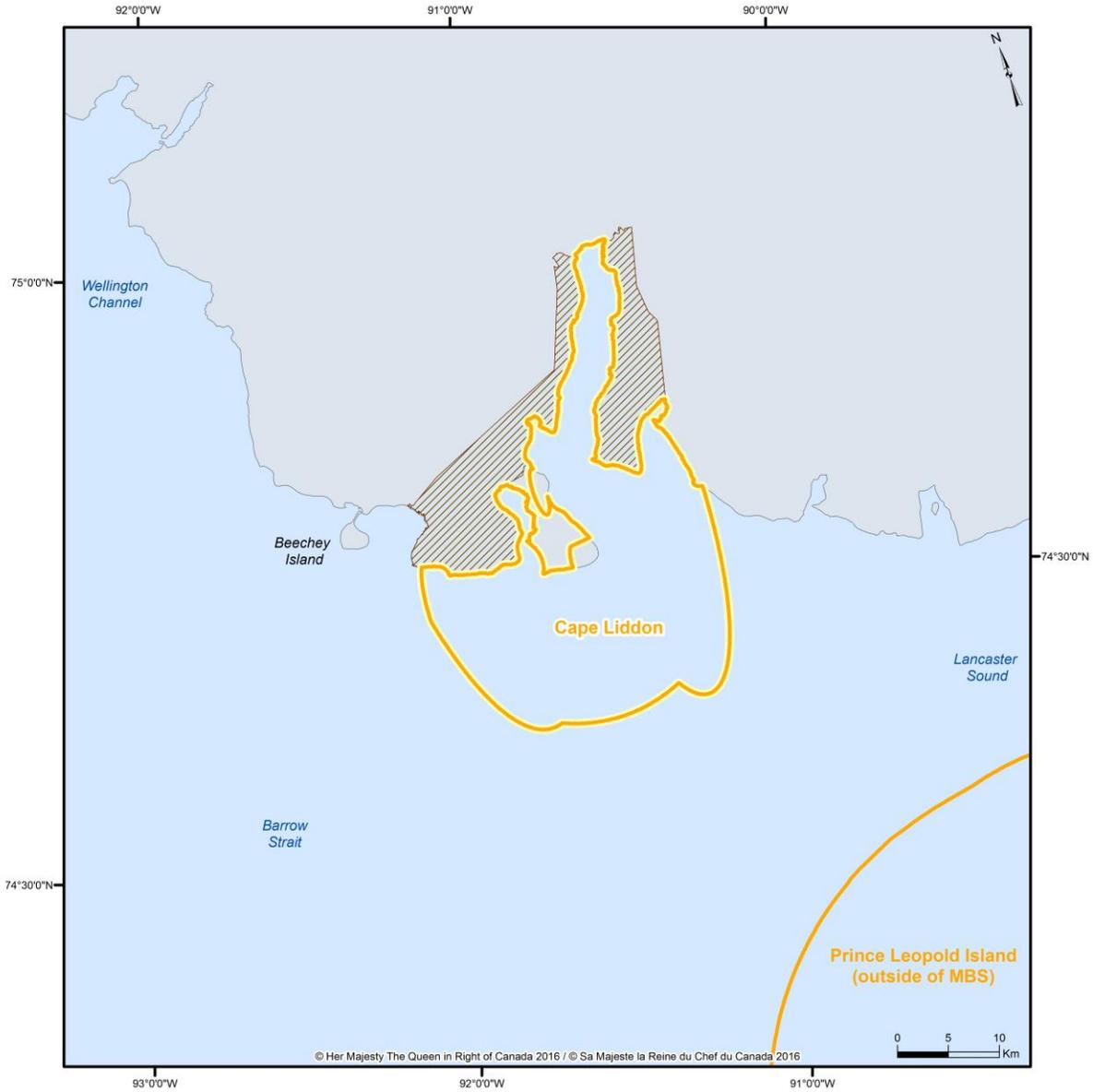
None

Recommended setbacks:

EC-CWS Marine Setbacks (All Seabirds); EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (All Seabirds); ~~Emergency Preparedness~~

SITE NAME:

Cape Liddon



Category:

Moderately risk intolerant

Qualifying Criterion:

Contains 5%- 10% of the national population of one or more migratory bird species that are NOT exhibiting population declines as of 2005 (Northern Fulmar)

Feature bird group:

Seabirds

Site details:

- Species at risk: Polar Bear (Special Concern)
- Non-binding Designations: Important Bird Areas; International Biological Program site

Current human activities at site:

Shipping

Anticipated human activities at site:

Shipping; cruise ship tourism; commercial fishing

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk of oil spills and operational releases originating from shipping; risk of bycatch from potential commercial fishing activities

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution; potential for direct loss of seabirds from fishing bycatch

Recommended restrictions on activities:

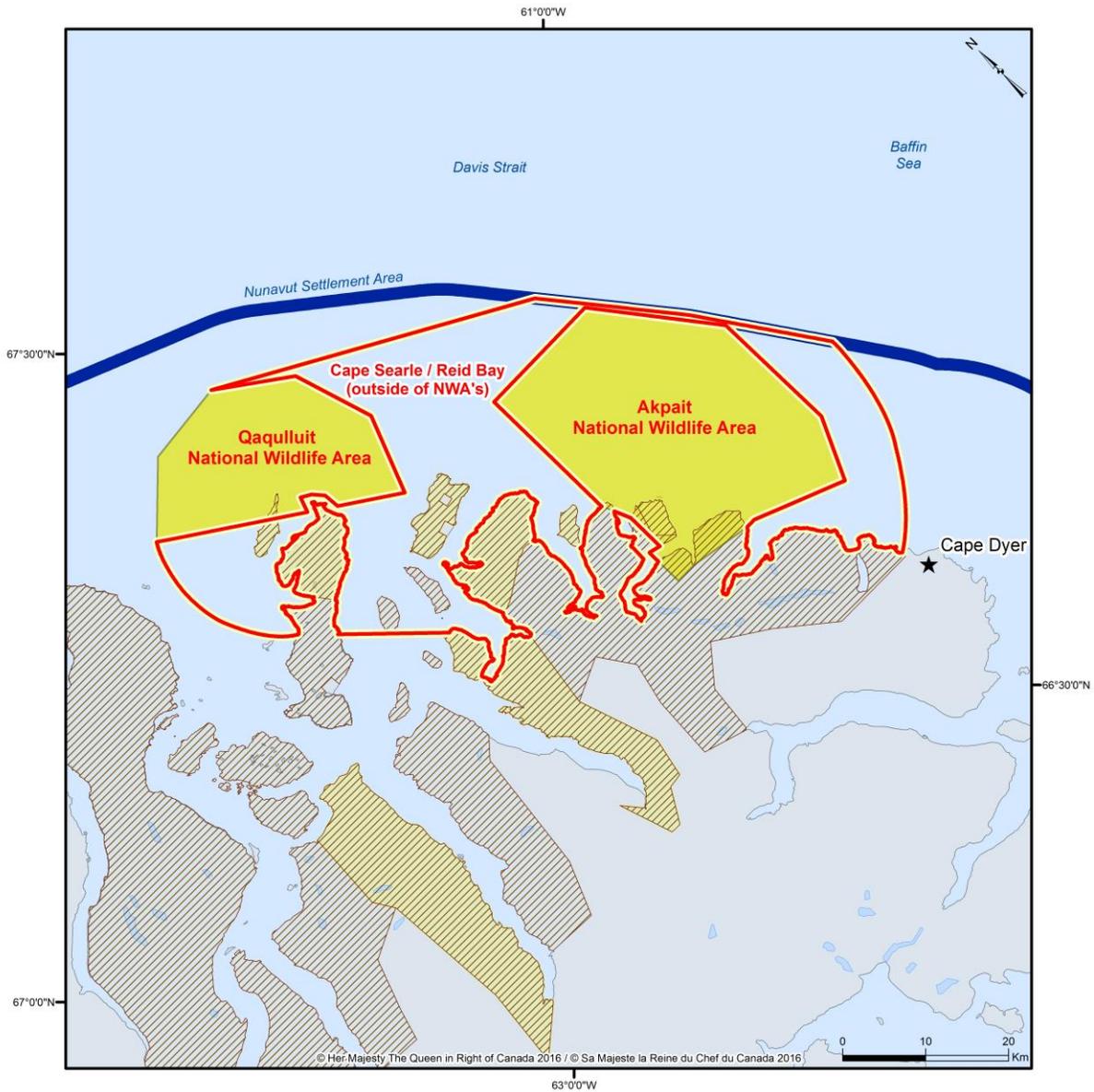
None

Recommended setbacks:

EC-CWS Marine Setbacks (~~Northern Fulmar Seabirds~~); EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (All Seabirds); ~~Emergency Preparedness~~

SITE NAME:

Cape Searle/Reid Bay (outside of Akpait and Qaulluit NWAs)



Category:

Highly risk intolerant

Qualifying Criterion:

Supports a percentage of a national species population equal to or greater than the percentage of 'sustainable loss' that the population can tolerate (Northern Fulmar and Thick-billed Murre)

Feature bird group:

Seabird

Site details:

- Species at risk: Peregrine Falcon (Special Concern), Polar Bear (Special Concern)
- Non-binding designations: None

Current human activities at site:

Shipping; cruise ship tourism; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; cruise ship tourism; commercial fishing; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences ship traffic; increasing human disturbance related to cruise ship tourism; risk for oil spills and operational releases originating from shipping; risk of bycatch from commercial fishing activities anticipated

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds due to increase of traffic; direct loss of birds due to contaminants and pollution; potential for direct loss of seabirds from fishing bycatch

Prohibited Activities: Recommended restrictions on activities:

Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

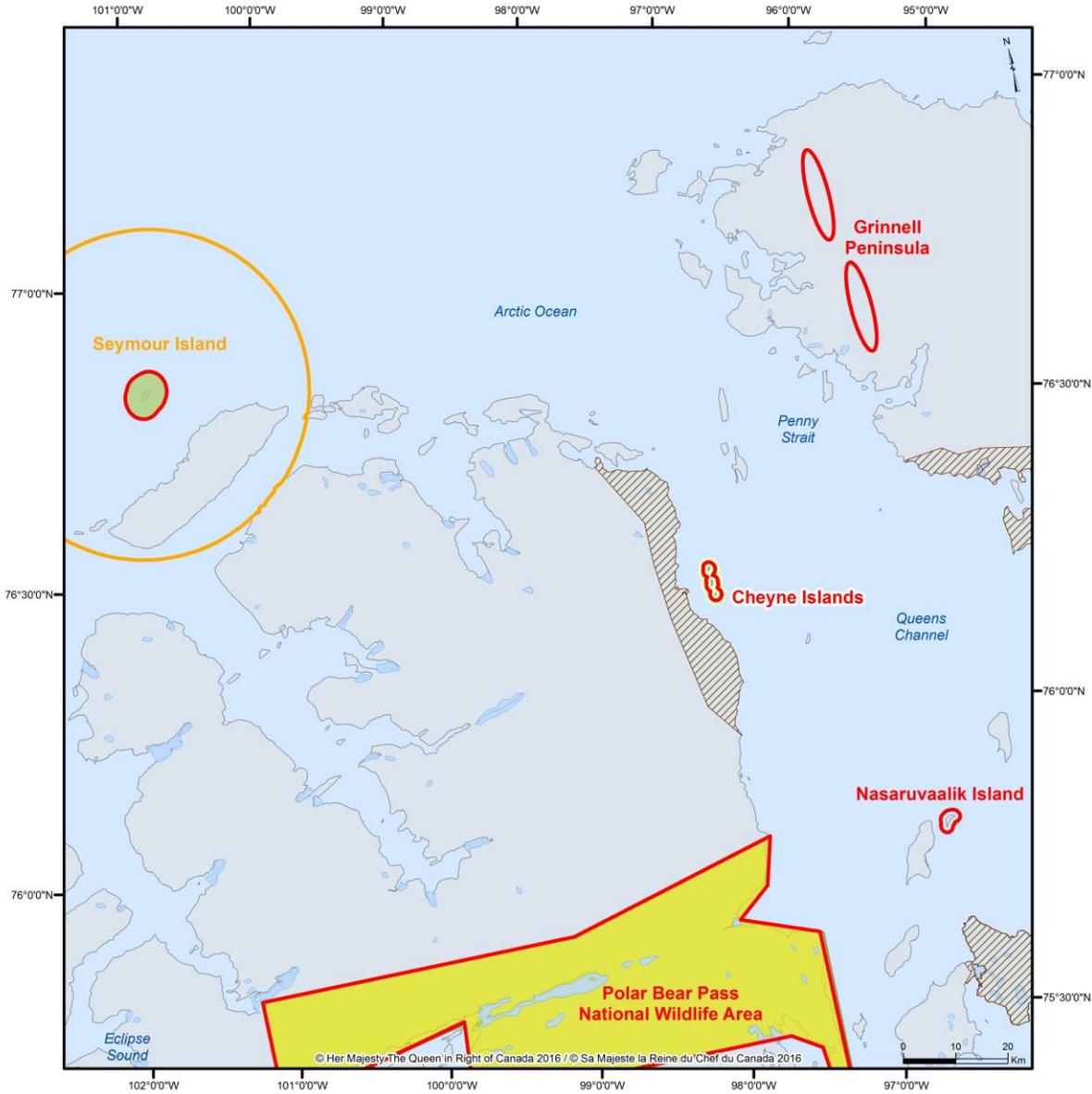
Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Marine Setbacks (~~Northern Fulmar Seabirds~~); EC-CWS Terrestrial

Setbacks (All Seabirds); ~~Emergency Preparedness~~

SITE NAME:

Cheyne Islands



Category:

Highly risk intolerant

Qualifying Criterion:

Contains habitat likely to be identified as Critical Habitat for a migratory bird listed as 'endangered' or 'threatened' under the *Species at Risk Act* (Ross's Gull)

Feature bird group:

Seabird

Site details:

- Species at risk: Ross's Gull (Threatened)
- Non-binding designations: Important Bird Area

Current human activities at site:

None

Anticipated human activities at site:

Shipping

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk for oil spills and operational releases originating from shipping

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; direct loss of birds due to contaminants and pollution

Recommended restrictions on activities:

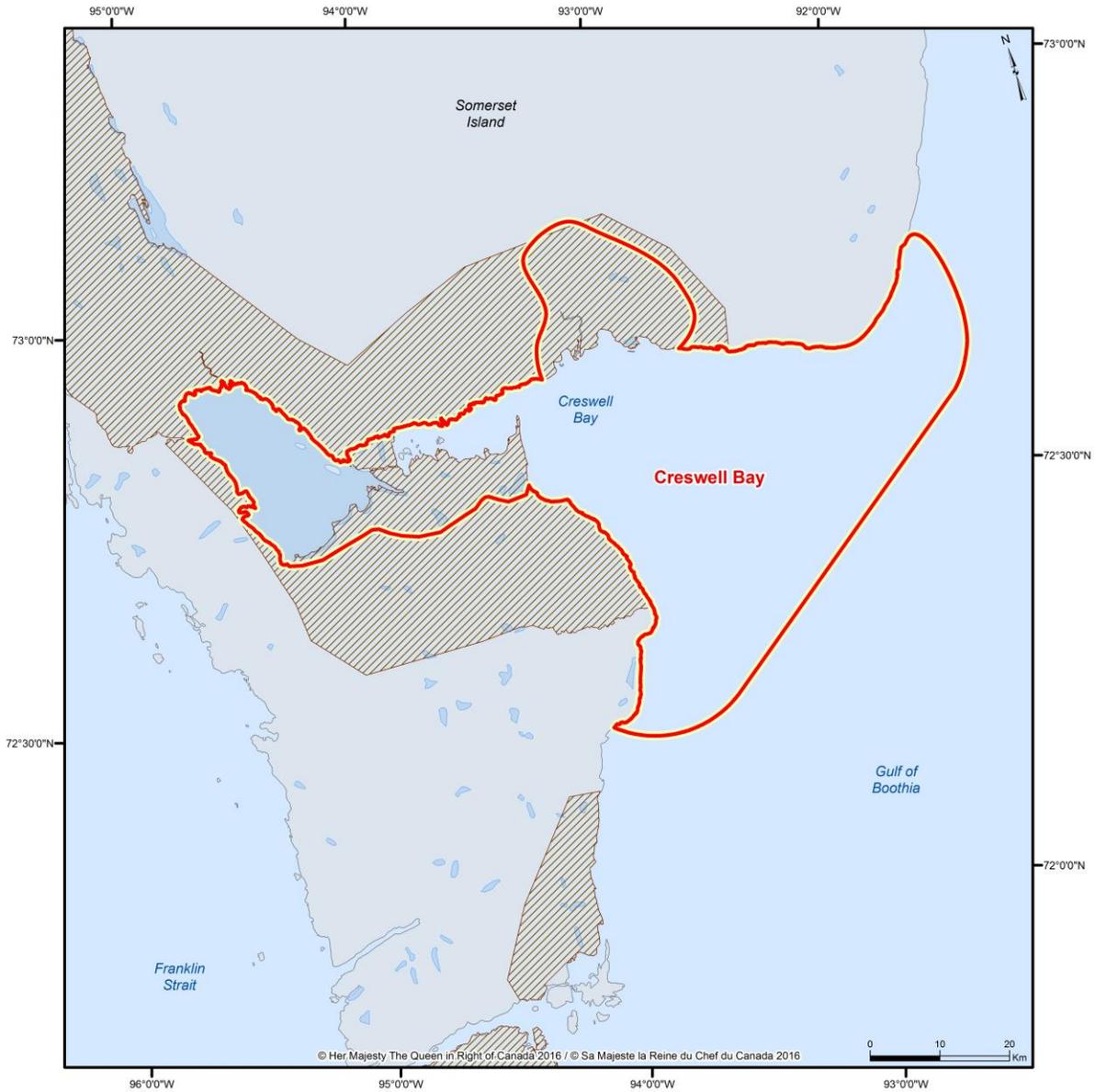
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (All Migratory Birds); EC-CWS Marine Setbacks (~~Sea-level Coastal Nesters~~ *Coastal Waterfowl and Seaducks*) (All Seabirds); EC-CWS Terrestrial Setbacks (All Seabirds); ~~Emergency Preparedness~~

SITE NAME:

Creswell Bay



Category:

Highly risk intolerant

Qualifying Criterion:

- Contain habitat likely to be identified as Critical Habitat for a species listed as 'endangered' or 'threatened' under the Species at Risk Act (Peary Caribou)
- Hosts more than 5% of a national population of one or more species exhibiting population decline as of 2005 (Buff-breasted Sandpiper)

Feature bird group:

- Shorebird
- Also important at site: Seabirds (e.g. Northern Fulmar, Black-legged Kittiwake), Inland Seaduck (King Eider, Long-tailed Duck)

Site details:

- Species at risk: Peary Caribou (Endangered), Red Knot spp. *islandica* (Special Concern), Polar Bear (Special Concern)
- Non-binding designations: Important Bird Area, International Biological Programme site

Current human activities at site:

Land-based tourism; shipping; marine cable installation; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Land-based tourism; shipping; cruise ship tourism; marine and terrestrial cable installation; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Increased human disturbance related to tourism; marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk for oil spills and operational releases originating from shipping; alteration of seabed and lakebeds, ponds due from dredging for marine, freshwater, terrestrial cable

Potential consequences for bird populations:

Disruption of feeding and nesting birds resulting in loss of eggs and/or young; higher potential for bird-ship collisions originating from all shipping activities; direct loss of birds due to contaminants and pollution; loss of benthic prey for shorebirds, seabirds, and seaducks

Recommended restrictions on activities:

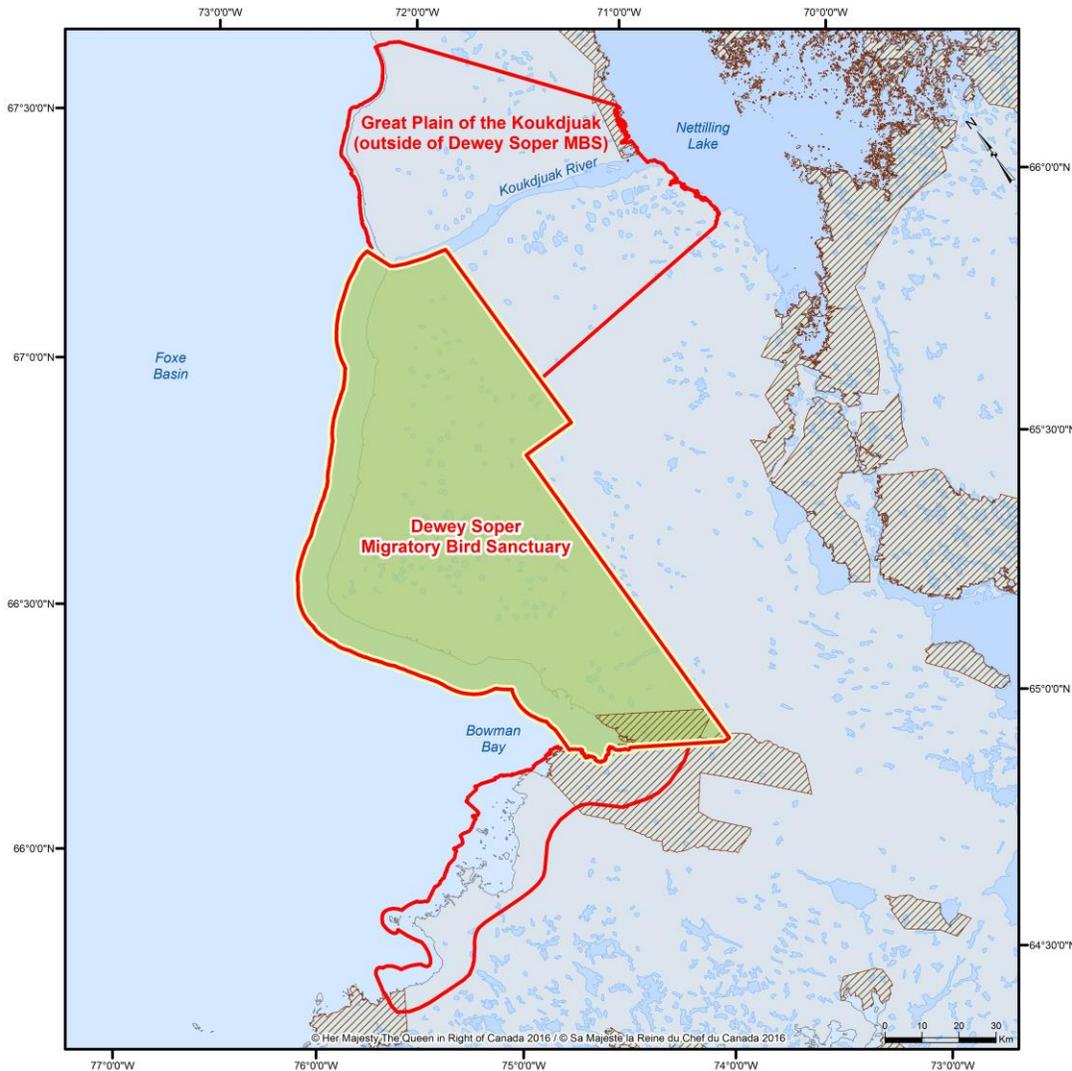
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Marine Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (All Migratory Birds); ~~Emergency Preparedness~~

SITE NAME:

Dewey Soper Migratory Bird Sanctuary



Category:

Highly risk intolerant

Qualifying Criterion:

- Legislated protected area under the *Migratory Birds Convention Act*
- Contains habitat likely to be identified as Critical Habitat for a migratory bird listed as 'endangered' or 'threatened' under the *Species at Risk Act* (Red Knot)
- Hosts more than 10% of a national population of one or more migratory bird species (Black-bellied Plover, Dunlin, Red Phalarope, Red Knot, Ruddy Turnstone, White-rumped Sandpiper, Lesser Snow Goose)
- Hosts more than 5% of a national population of one or more species exhibiting population decline as of 2005 (American Golden-Plover, Black-bellied Plover, Dunlin, Red Phalarope, Red Knot, Ruddy Turnstone)

Feature bird group:

- Shorebird
- Also important at site: Waterfowl (Lesser Snow Goose, Atlantic Brant)

Site details:

- Species at risk: Red Knot spp. *rufa* (Endangered)
- Non-binding designations: Ramsar Wetland of International Importance; International Biological Programme Site; Important Bird Area

Current human activities at site:

None

Anticipated human activities at site:

None

Threats to birds from current/future activities at site:

None

Potential consequences for bird populations:

None

Prohibited Activities:

In Migratory Bird Sanctuaries and National Wildlife Areas, all activities that are inconsistent with the purpose of the protected area or inconsistent with its most recent management plan, where a management plan exists, are prohibited.

The prohibition above is subject to the terms of the *Inuit Impact and Benefit Agreement for Migratory Bird Sanctuaries and National Wildlife Areas in the Nunavut Settlement Area*.

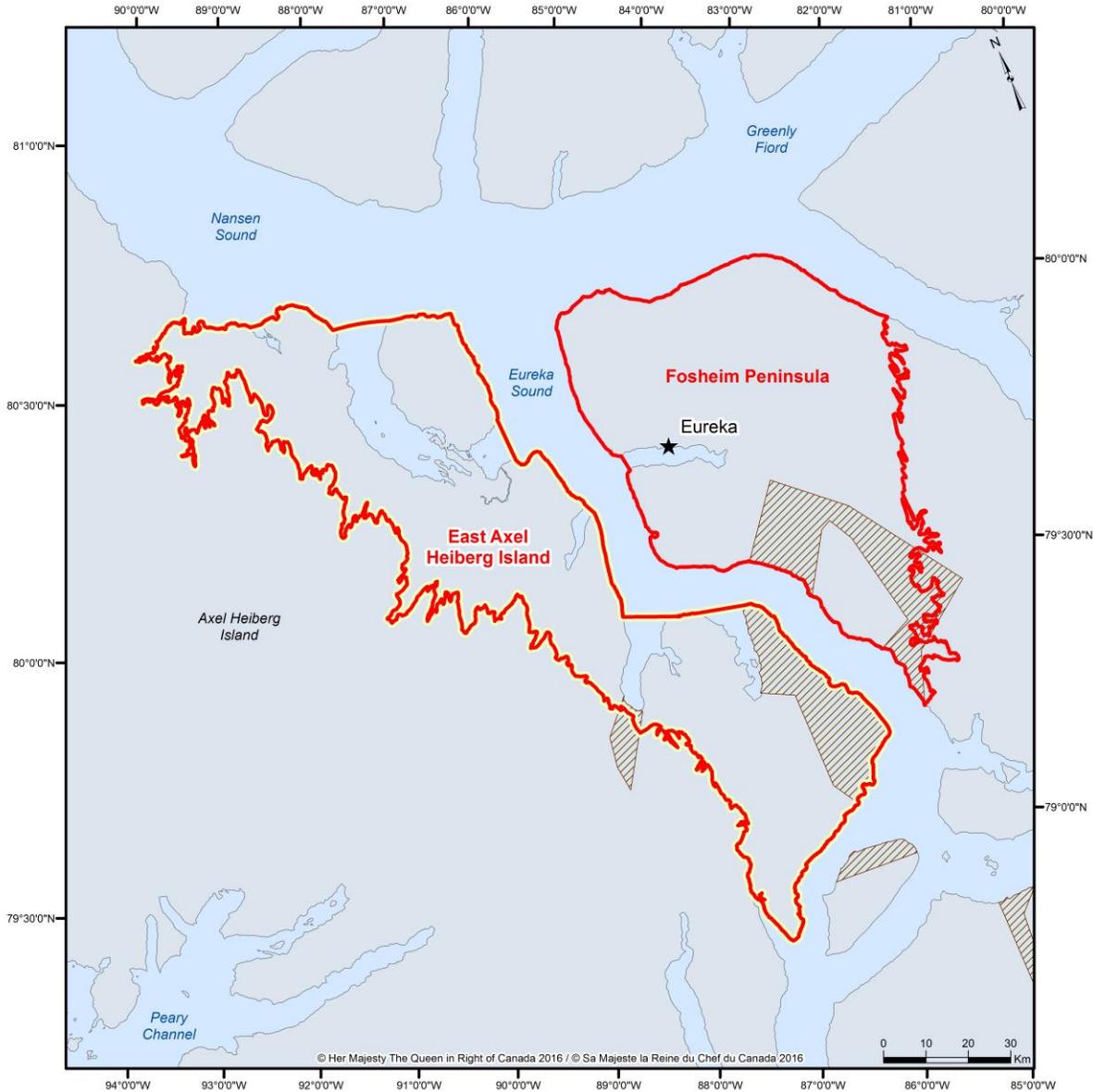
Proponents who wish to undertake activities that are NOT prohibited by the management plan are required to submit a permit application. Please contact the Environment Canada-Canadian Wildlife Service office in Iqaluit.

Recommended setbacks:

EC-CWS Aerial Setbacks (All Migratory Birds); EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks); ~~Emergency Preparedness~~

SITE NAME:

East Axel Heiberg Island



Category:

Highly risk intolerant

Qualifying Criterion:

- Hosts more than 5% of a national population of one or more species exhibiting population declines as of 2005 (Red Knot ssp. *islandica*)
- Contains habitat likely to be identified as Critical Habitat for Peary Caribou which is listed as 'endangered' or 'threatened' under the *Species at Risk Act*

Feature bird group:

Shorebird

Site details:

- Important habitat for Peary Caribou
- Species at risk: Peary Caribou (Endangered), Red Knot spp. *islandica* (special concern)
- Non-binding designations: none

Current human activities at site:

Shipping; coal exploration license

Anticipated human activities at site:

Shipping; coal exploration

Threats to birds from current/future activity:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk of oil spills and operational releases originating from ships; human disturbance from mineral prospecting/mining activities anticipated; increase in air traffic disturbance related to mineral prospecting/mining activities anticipated.

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; direct loss of birds due to contaminants and pollution; higher potential for bird-aircraft collisions originating from air traffic at low altitude or from flying too close to concentration of birds; disruption of feeding and nesting birds resulting in loss of eggs and/or young

Recommended restrictions on activities:

Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

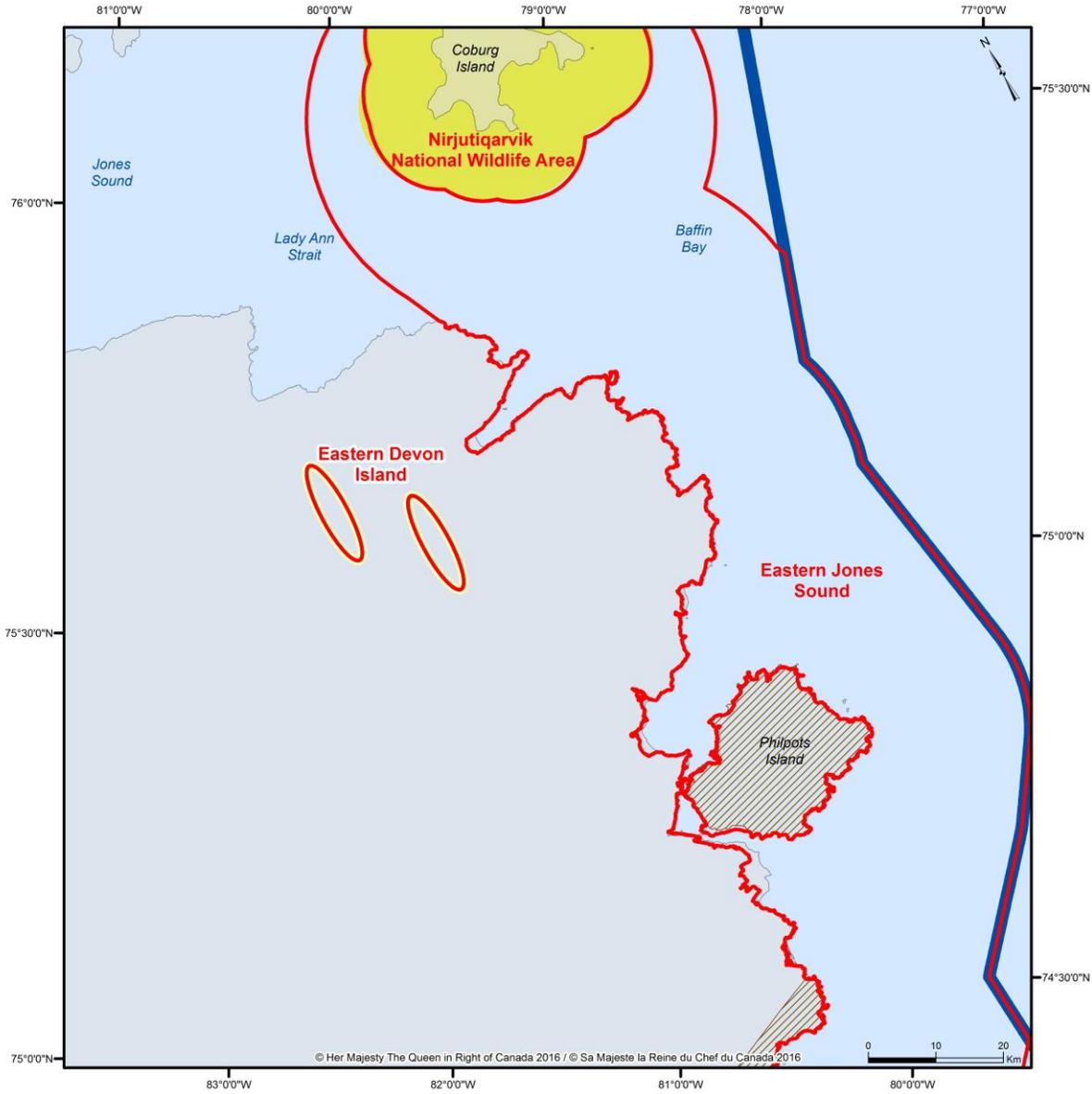
~~EC-CWS Aerial Setbacks (All Migratory Birds); EC-CWS Marine Setbacks (All Migratory Birds); EC-CWS Terrestrial Setbacks (All Migratory Birds); Emergency Preparedness~~

Reason for Change:

Focal species (Red Knot spp. islandica) does not congregate at this location, therefore, special management setbacks for congregations of birds are not applicable.

SITE NAME:

Eastern Devon Island



Category:

Highly risk intolerant

Qualifying Criterion:

Contains habitat likely to be identified as Critical Habitat for a migratory bird listed as 'endangered' or 'threatened' under the *Species at Risk Act* (Ivory Gull)

Feature bird group:

Seabird

Site details:

- Species at risk: Ivory Gull (Endangered)
- Non-binding designations: Important Bird Area

Current human activities at site:

None

Anticipated human activities at site:

None

Threats to birds from current /future activities at site:

None

Potential consequences for bird populations:

None

Recommended restrictions on activities:

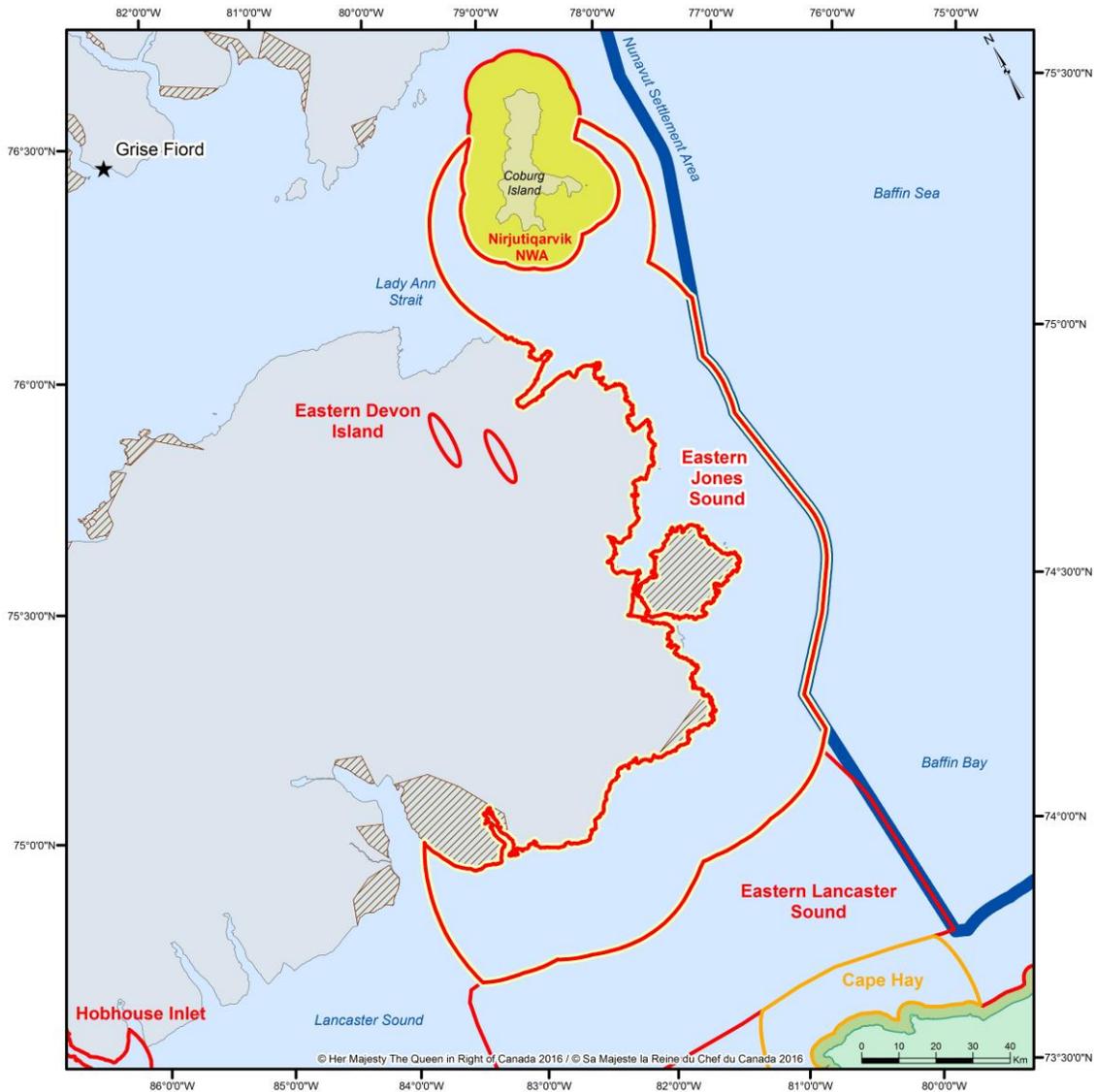
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Marine Setbacks (Ivory Gull); EC-CWS Terrestrial Setbacks (Ivory Gull); EC-CWS Aerial Setbacks (All Seabirds), ~~Emergency Preparedness~~

SITE NAME:

Eastern Jones Sound



Category:

Highly risk intolerant

Qualifying Criterion:

- Contains habitat likely to be identified as Critical Habitat for a migratory bird listed as ‘endangered’ or ‘threatened’ under the *Species at Risk Act* (Ivory Gull)
- Hosts more than 10% of a national population of one or more migratory bird species (Thick-billed Murre, Black-legged Kittiwake)
- Supports a percentage of a national species population equal to or greater than the percentage of ‘sustainable loss’ that the population can tolerate (Thick-billed Murre)

Feature bird group:

Seabird

Site details:

- Species at risk: Ivory Gull (Endangered), Polar Bear (Special Concern)
- Non-binding designation: None

Current human activities at site:

Shipping; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; commercial fishing; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk for oil spills and operational releases originating from shipping; risk of bycatch from commercial fishing activities anticipated

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; risk for oil spills and operational releases originating from shipping; potential for direct loss of seabirds from fishing bycatch

Recommended restrictions on activities:

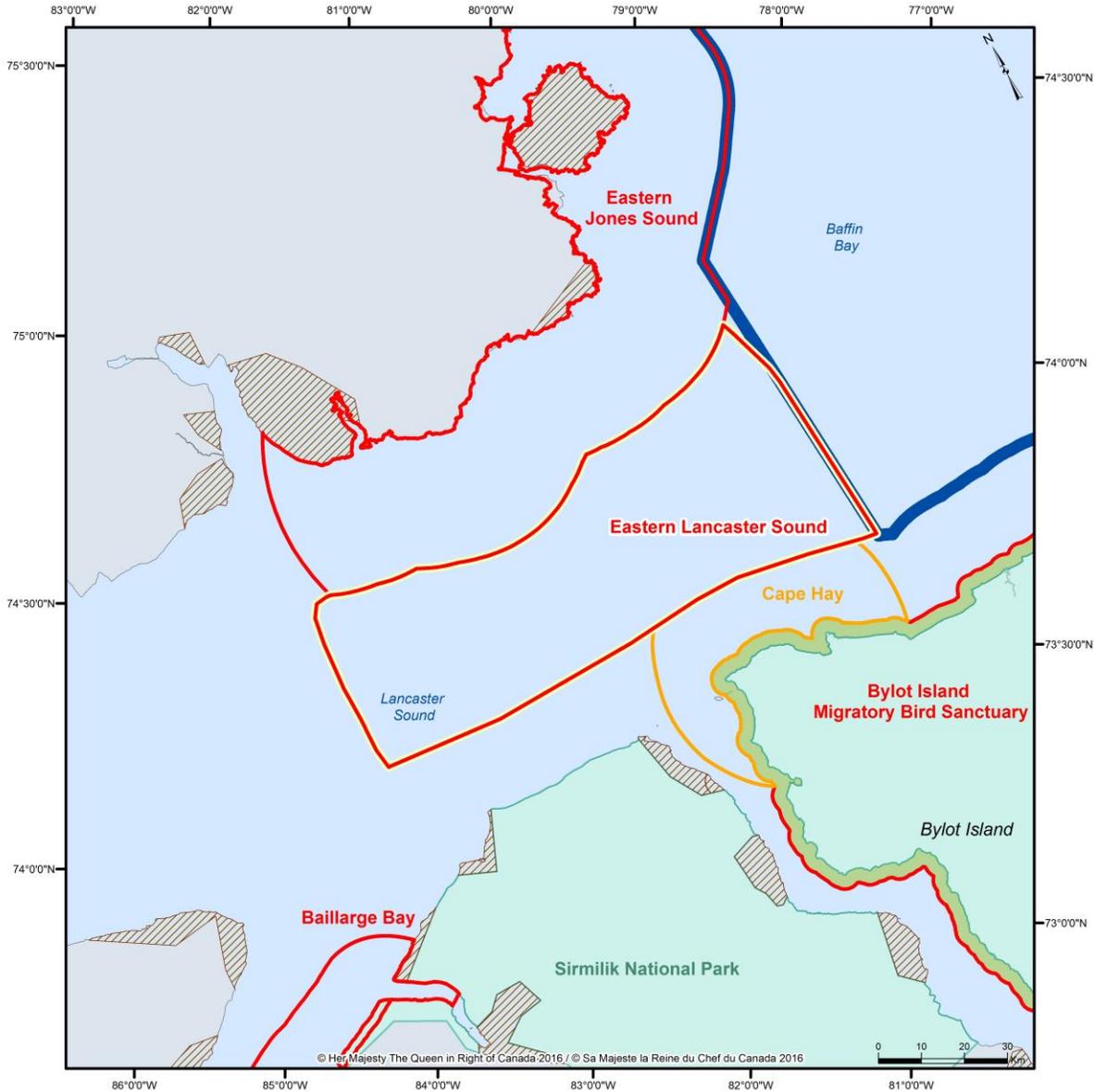
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Marine Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (All Seabirds); ~~Emergency Preparedness~~

SITE NAME:

Eastern Lancaster Sound



Category:

Highly risk intolerant

Qualifying Criterion:

- Hosts more than 10% of a national population of one or more migratory bird species (Black-legged Kittiwake, Northern Fulmar, Thick-billed Murre)
- Supports a percentage of a national species population equal to or greater than the percentage of 'sustainable loss' that the population can tolerate (Thick-billed Murre)
- Contains habitat likely to be identified as Critical Habitat for a migratory bird listed as 'endangered' or 'threatened' under the *Species at Risk Act* (Ivory Gull)

Feature bird group:

Seabird

Site details:

- Important stopover during migration for many migratory bird species
- Important feeding site – floe edge and polynya
- Important area for many species of marine mammals
- Species at risk: Ivory Gull (Endangered), Polar Bear (Special Concern)
- Non-binding designations: Important Bird Area

Current human activities at site:

Shipping; cruise ship tourism; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; commercial fishing; cruise ship tourism; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk of oil spills and operational releases originating from ships; risk of bycatch from commercial fishing activities anticipated

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution; potential for direct loss of seabirds from fishing bycatch

Recommended restrictions on activities:

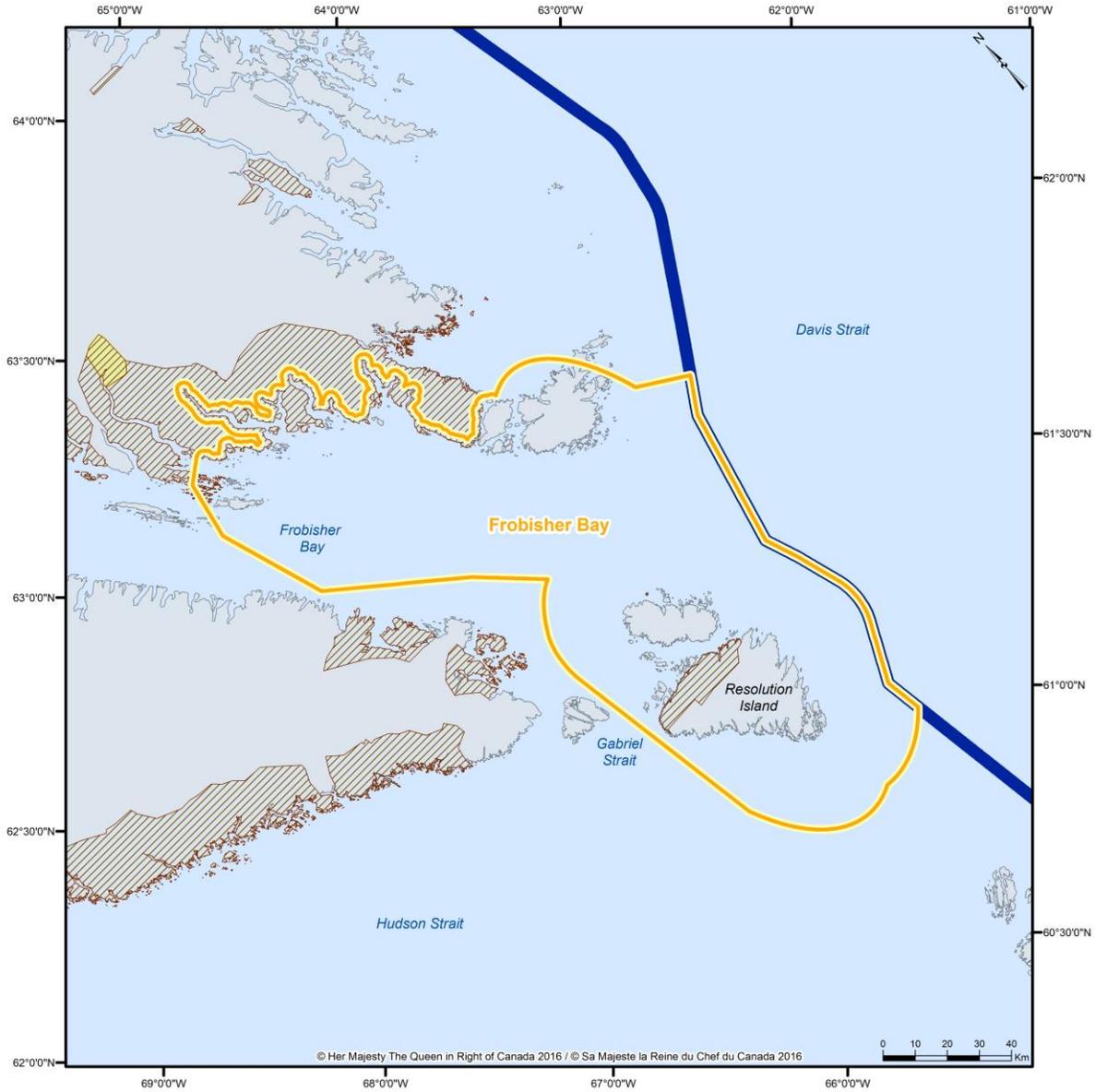
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Marine Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (All Seabirds); ~~Emergency Preparedness~~

SITE NAME:

Frobisher Bay



Category:

Moderately risk intolerant

Qualifying Criterion:

- Local knowledge experts indicate the importance of Frobisher Bay for nesting seaducks/waterfowl and seabirds, as well as the importance of the resource-rich polynya and sea-ice floe edge areas for overwintering and migrating seaducks/waterfowl and seabirds.
- Expert opinion indicates the importance of Frobisher Bay for seaducks/waterfowl and seabirds.

Feature bird group:

Seabird (e.g. Thick-billed Murre), Seaduck/Waterfowl (e.g. Common Eider)

Site details:

- Important polynya for seaducks and seabirds. Loks Land may support Nunavut's largest known colony of Razorbills. Dovekies congregate at the south end of Frobisher Bay in late summer.
- Species at risk: Polar Bear (Special Concern), Harlequin Duck (Special Concern)
- Non-binding designations: International Biological Programme Site (Hantzsch Island), Important Bird Area (Hantzsch Island)

Current human activities at site:

Shipping; mineral claim; cruise ship tourism; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; mineral exploration; cruise ship tourism; commercial fishing; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activity:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increase in air traffic disturbance related to mineral exploration activities; human disturbance from mineral exploration activities; increasing human disturbance related to cruise ship tourism; risk of oil spills and operational releases originating from ships; risk of bycatch from potential commercial fishing activities

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution; potential for direct loss of seabirds and seaducks from fishing bycatch

Recommended restrictions on activities:

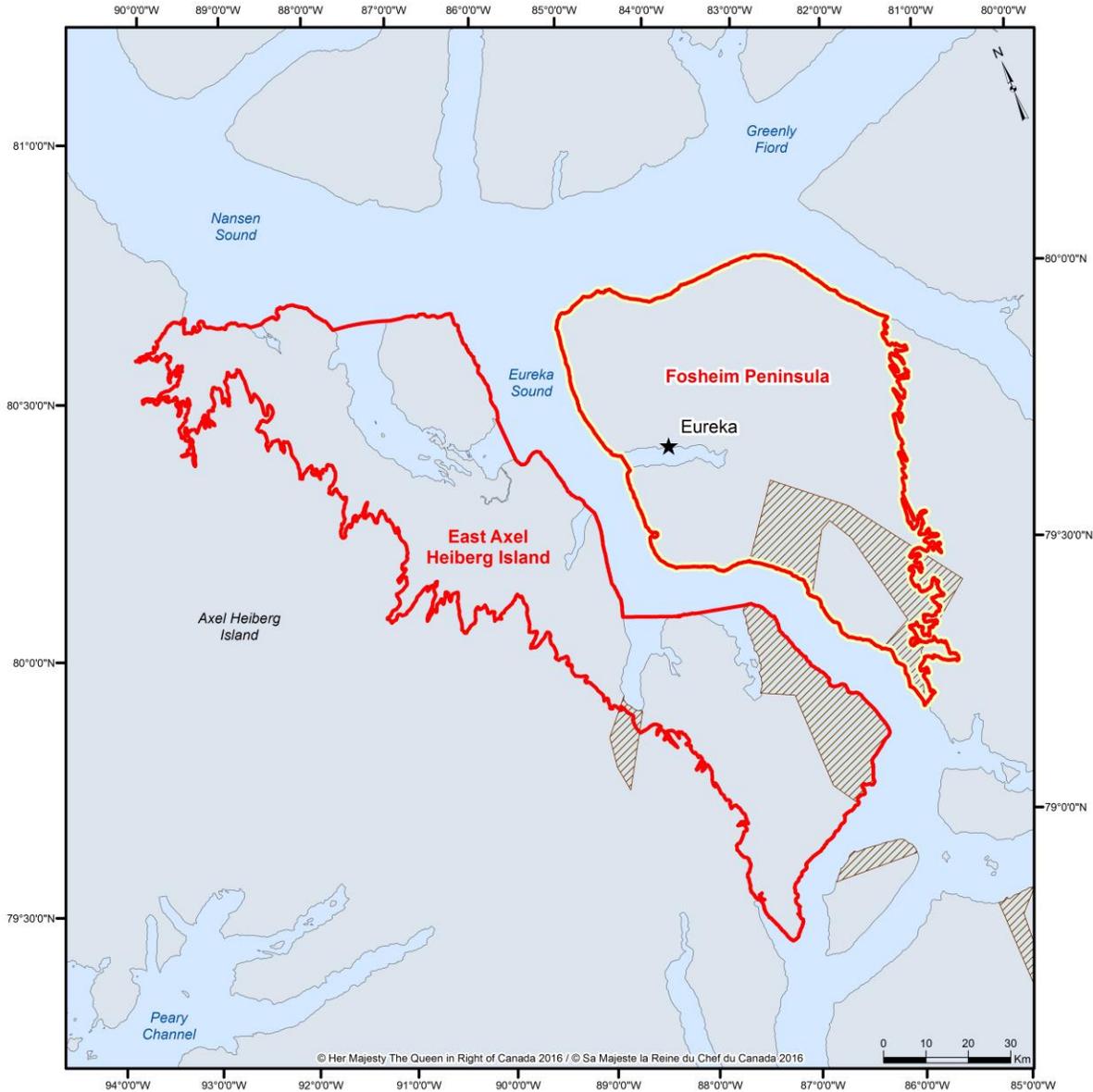
None

Recommended setbacks:

EC-CWS Aerial (All Seabirds) (Coastal Waterfowl and Seaducks); EC-CWS Marine Setbacks (All Seabirds) (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (All Seabirds) (Coastal Waterfowl and Seaducks); ~~Emergency Preparedness~~

SITE NAME:

Fosheim Peninsula



Category:

Highly risk intolerant

Qualifying Criterion:

- Hosts more than 5% of a national population of one or more species exhibiting population declines as of 2005 (Ruddy Turnstone, Red Knot spp. *islandica*)
- Contains habitat likely to be identified as Critical Habitat for a species listed as 'endangered' or 'threatened' under the *Species at Risk Act* (Peary Caribou)

Feature bird group:

Shorebird

Site details:

- Species at risk: Peary Caribou (Endangered), Red Knot spp. *islandica* (Special Concern)
- Non-binding designations: None

Current human activities at site:

Coal exploration license; shipping; weather station/military base

Anticipated human activities at site:

Coal exploration; shipping; weather station/military base

Threats to birds from current/future activities at site:

Human and terrestrial traffic disturbance related to mining-exploration, military, and weather station activities; air traffic disturbance related to mining exploration, military, and weather station activities; marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk of oil spills and operational releases originating from ships

Potential consequences for bird populations:

Disruption of feeding and nesting birds resulting in loss of eggs and/or young; potential for bird-aircraft collisions originating from air traffic at low altitude or too close from concentration of birds

Recommended restrictions on activities:

Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

~~EC-CWS Aerial Setbacks (All Migratory Birds); EC-CWS Terrestrial Setbacks (All Migratory Birds); Emergency Preparedness~~

Reason for Change:

Focal species (Ruddy Turnstone, Red Knot spp. islandica) does not congregate at this location, therefore, special management setbacks for congregations of birds are not applicable.

SITE NAME:

Foxe Basin (Prince Charles, Air Force, Foley Islands)



Category:

Highly risk intolerant

Qualifying Criterion:

- Contain habitat likely to be identified as Critical Habitat for a migratory bird listed as ‘endangered’ or ‘threatened’ under the *Species at Risk Act* (Red Knot, Ross’s Gull)
- Hosts more than 10% of a national population of one or more migratory bird species (Dunlin, Red Phalarope, White-rumped Sandpiper, Ruddy Turnstone, Purple Sandpiper, Long-tailed Jaeger, Sabine’s Gull, Atlantic Brant)
- Hosts more than 5% of a national population of one or more species exhibiting population decline as of 2005 (Dunlin, Red Phalarope, Ruddy Turnstone)

Feature bird group:

Seabird, Shorebird, Waterfowl

Site details:

- Species at risk: Red Knot spp. *rufa* (Endangered), Ross's Gull (Endangered), Polar Bear (Special Concern)
- Non-binding designations: Important Bird Area

Current human activities at site:

Shipping

Anticipated human activities at site:

Shipping

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk for oil spills and operational releases originating from shipping

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; direct loss of birds due to contaminants and pollution

Recommended restrictions on activities:

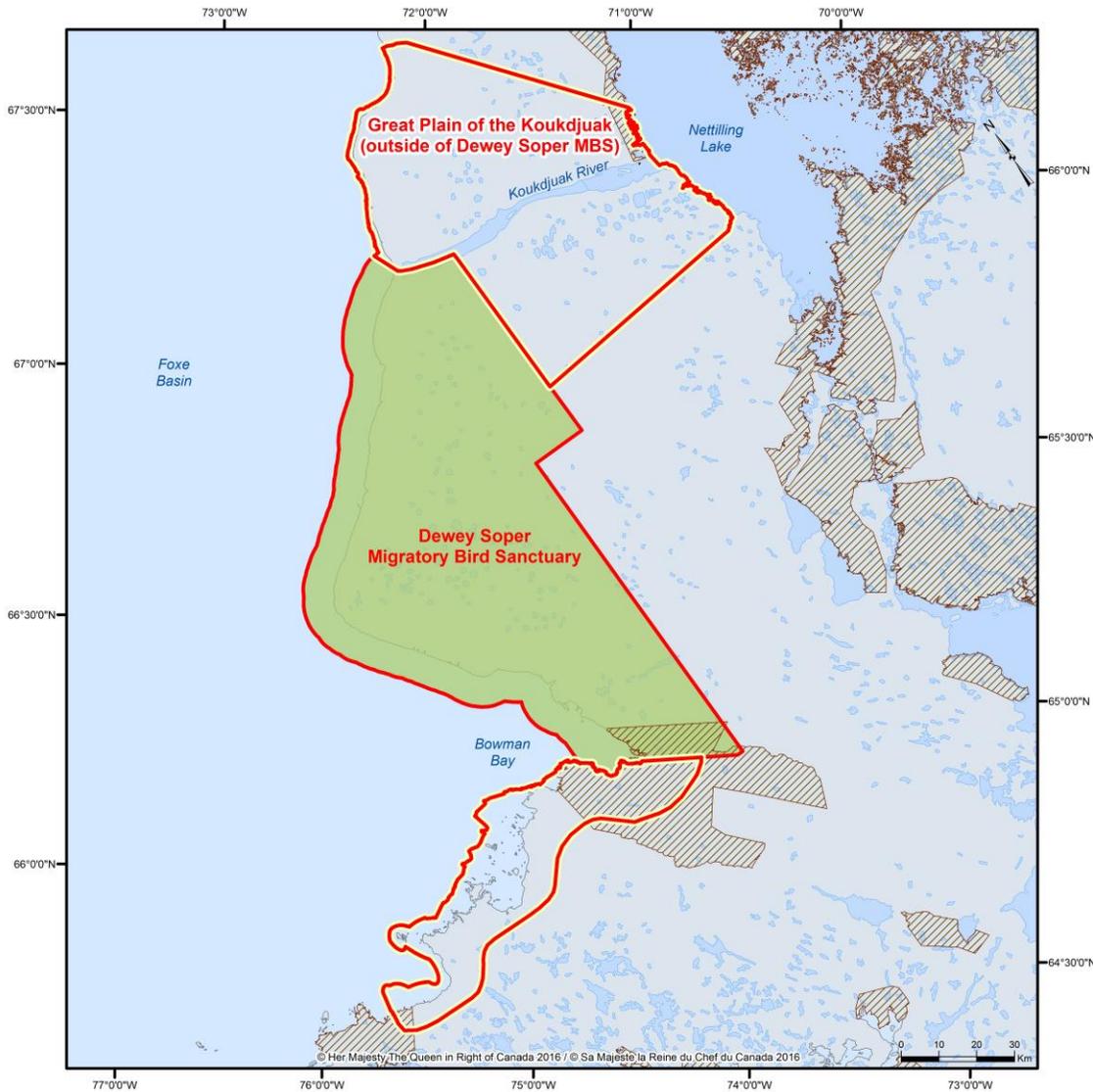
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks) ~~Emergency Preparedness~~

SITE NAME:

Great Plain of the Koukdjuak (outside of Dewey Soper MBS)



Category:

Highly risk intolerant

Qualifying Criterion:

- Contains habitat likely to be identified as Critical Habitat for a migratory bird listed as 'endangered' or 'threatened' under the *Species at Risk Act* (Red Knot)
- Hosts more than 10% of a national population of one or more migratory bird species (Black-bellied Plover, Dunlin, Red Phalarope, Red Knot, Ruddy Turnstone, White-rumped Sandpiper, Lesser Snow Goose)
- Hosts more than 5% of a national population of one or more species exhibiting population decline as of 2005 (American Golden-Plover, Black-bellied Plover, Dunlin, Red Phalarope, Red Knot, Ruddy Turnstone)

Feature bird group:

Shorebird, Waterfowl. Also important at site: Coastal Waterfowl (Atlantic Brant)

Site details:

- Species at risk: Red Knot spp. *rufa* (Endangered)
- Non-binding designations: Ramsar Wetland of International Importance; International Biological Programme Site; Important Bird Area

Current human activities at site:

None

Anticipated human activities at site:

Shipping

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk for oil spills and operational releases originating from shipping

Potential consequences for bird populations:

Disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution

Recommended restrictions on activities:

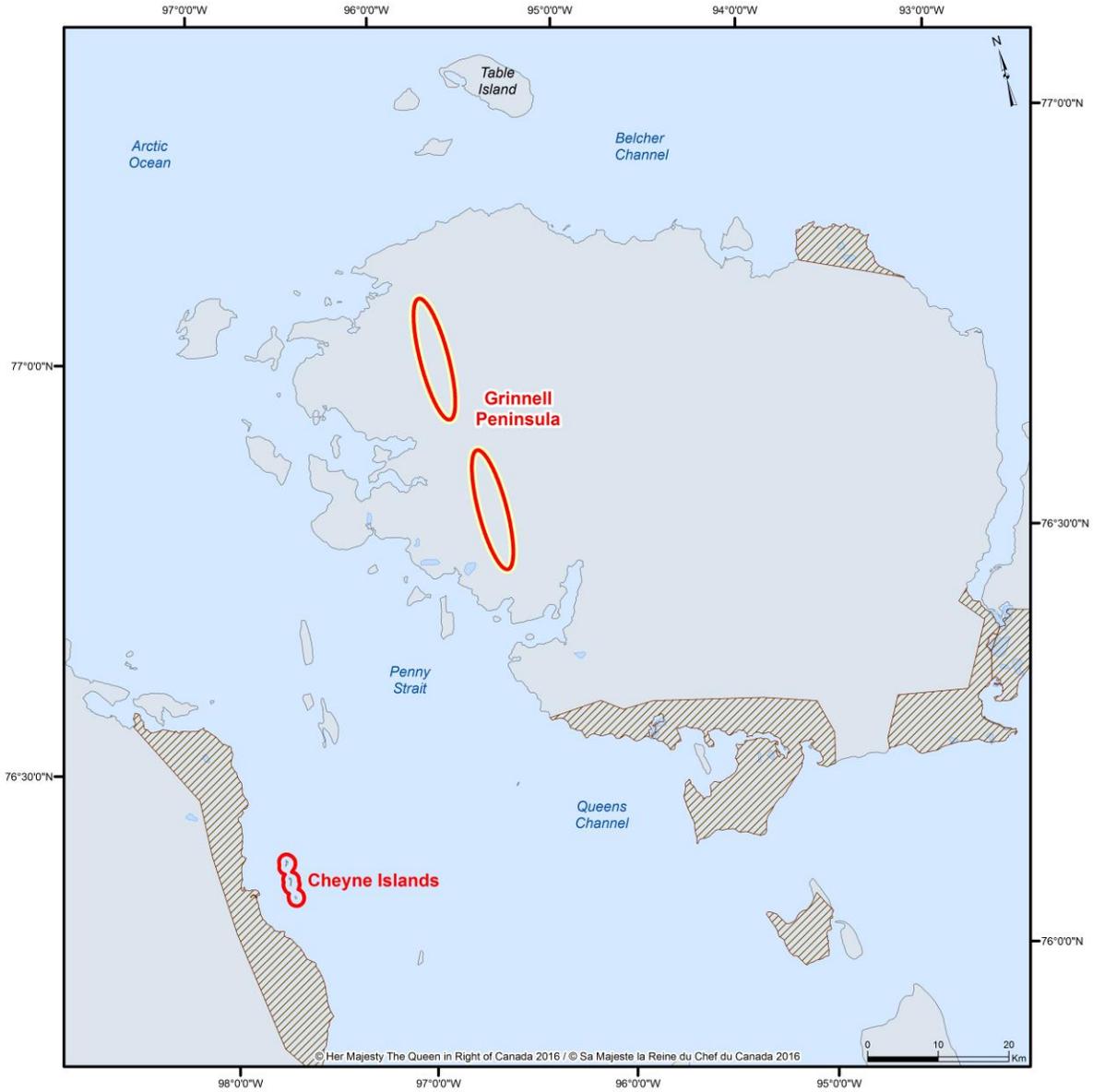
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (All Migratory Birds); EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks) ~~Emergency Preparedness~~

SITE NAME:

Grinnell Peninsula



Category:

Highly risk intolerant

Qualifying Criterion:

Contain habitat likely to be identified as Critical Habitat for a migratory bird listed as ‘endangered’ or ‘threatened’ under the *Species at Risk Act* (Ivory Gull)

Feature bird group:

Seabird

Site details:

- Species at risk: Ivory Gull (Endangered)
- Non-binding designations: None

Current human activities at site:

None

Anticipated human activities at site:

None

Threats to birds from current/future activities at site:

None

Potential consequences for bird populations:

None

Recommended restrictions on activities:

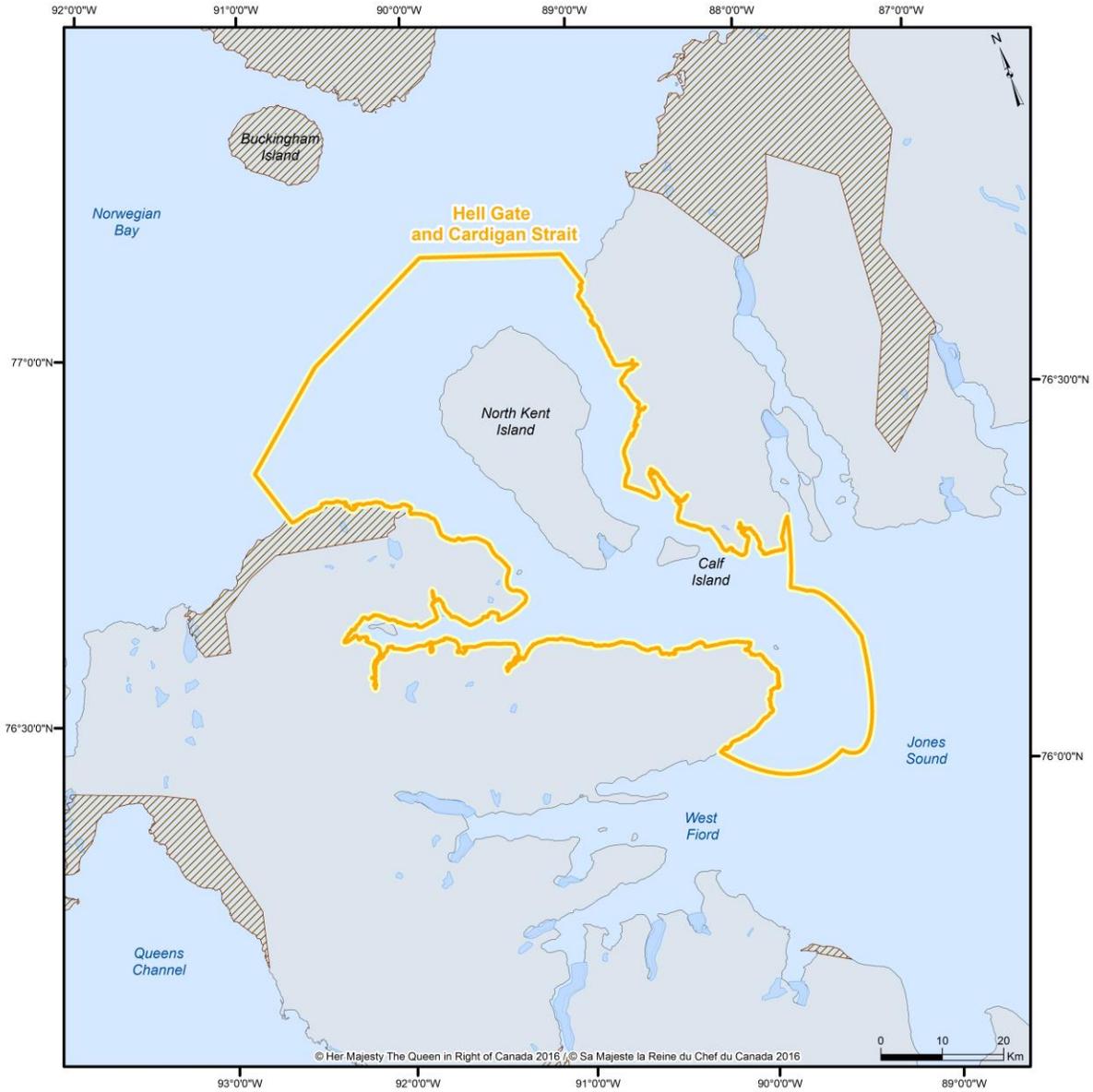
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (All Seabirds) Emergency Preparedness

SITE NAME:

Hell Gate and Cardigan Strait



Category:

Moderately risk intolerant

Qualifying Criterion:

Contains 5%- 10% of the national population of one or more migratory bird species that are NOT exhibiting population declines as of 2005 (Northern Fulmar)

Feature bird group:

Seabirds. Also important at site: Seaducks (e.g. Common Eider), Coastal Waterfowl (e.g. Brant)

Site details:

Non-binding Designations: Important Bird Areas (Cape Vera, North Kent Is, Calf Island), International Biological Programme site

Current human activities at site:

Biological research; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; biological research; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk of oil spills and operational releases originating from shipping; human and terrestrial traffic disturbance related to research activities

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; direct loss of birds due to contaminants and pollution; disruption of feeding and nesting birds resulting in loss of eggs and/or young

Recommended restrictions on activities:

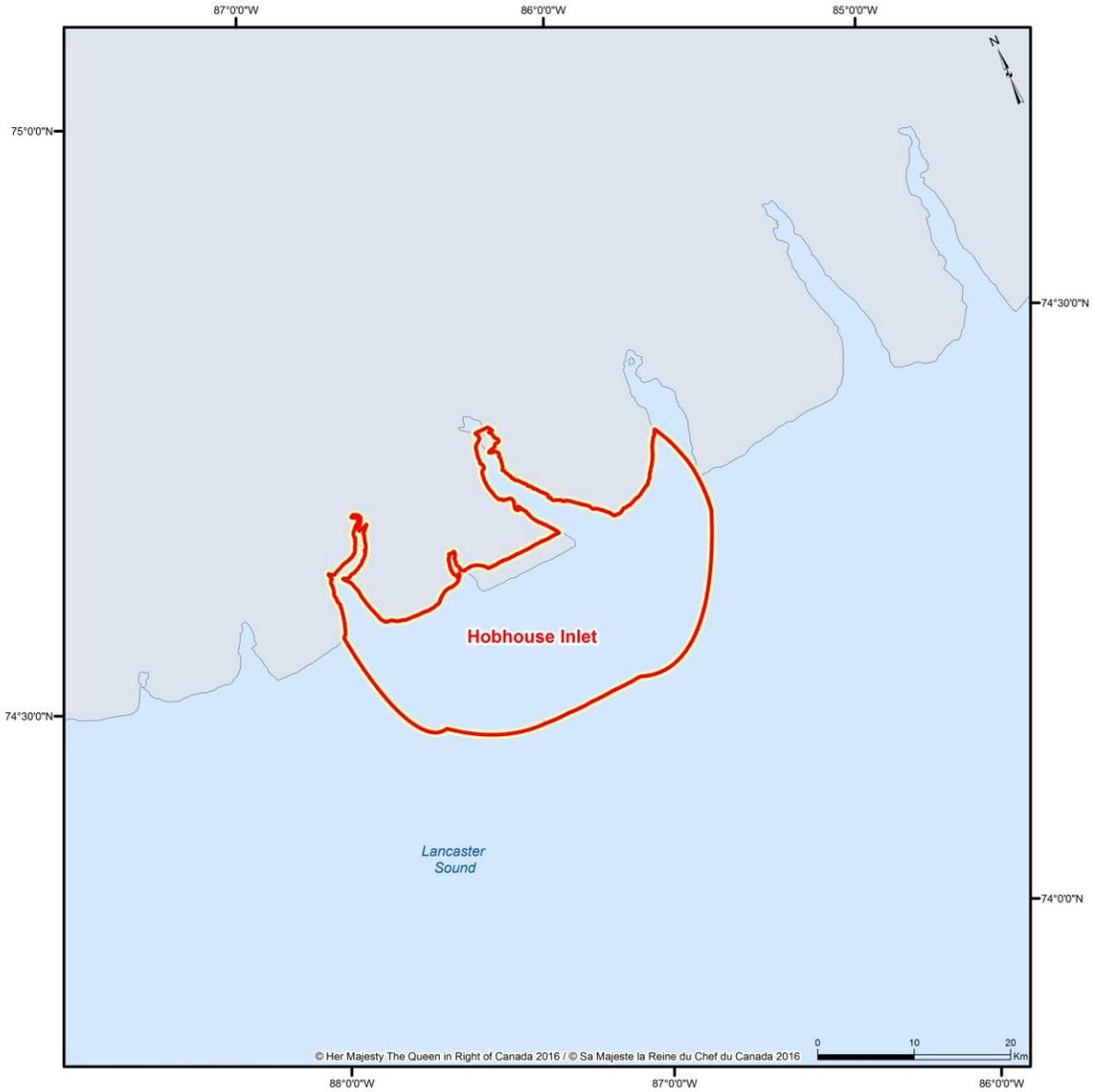
None

Recommended setbacks:

EC-CWS Marine Setbacks (Northern Fulmar Seabirds); EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (All Seabirds) EC-CWS Aerial Setbacks (Coastal Waterfowl and Seaducks)
~~Emergency Preparedness~~

SITE NAME:

Hobhouse Inlet



Category:

Highly risk intolerant

Qualifying Criterion:

Hosts more than 10% of a national population of one or more migratory bird species (Northern Fulmar)

Feature bird group:

Seabird

Site details:

- Species at risk: Polar Bear (Special Concern)
- Non-binding designations: International Biological Programme Site; Important Bird Area

Current human activities at site:

Shipping

Anticipated human activities at site:

Shipping; cruise ship tourism; commercial fishing

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk of oil spills and operational releases originating from ships; risk of bycatch from commercial fishing activities anticipated

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution; potential for direct loss of seabirds from fishing bycatch

Recommended restrictions on activities:

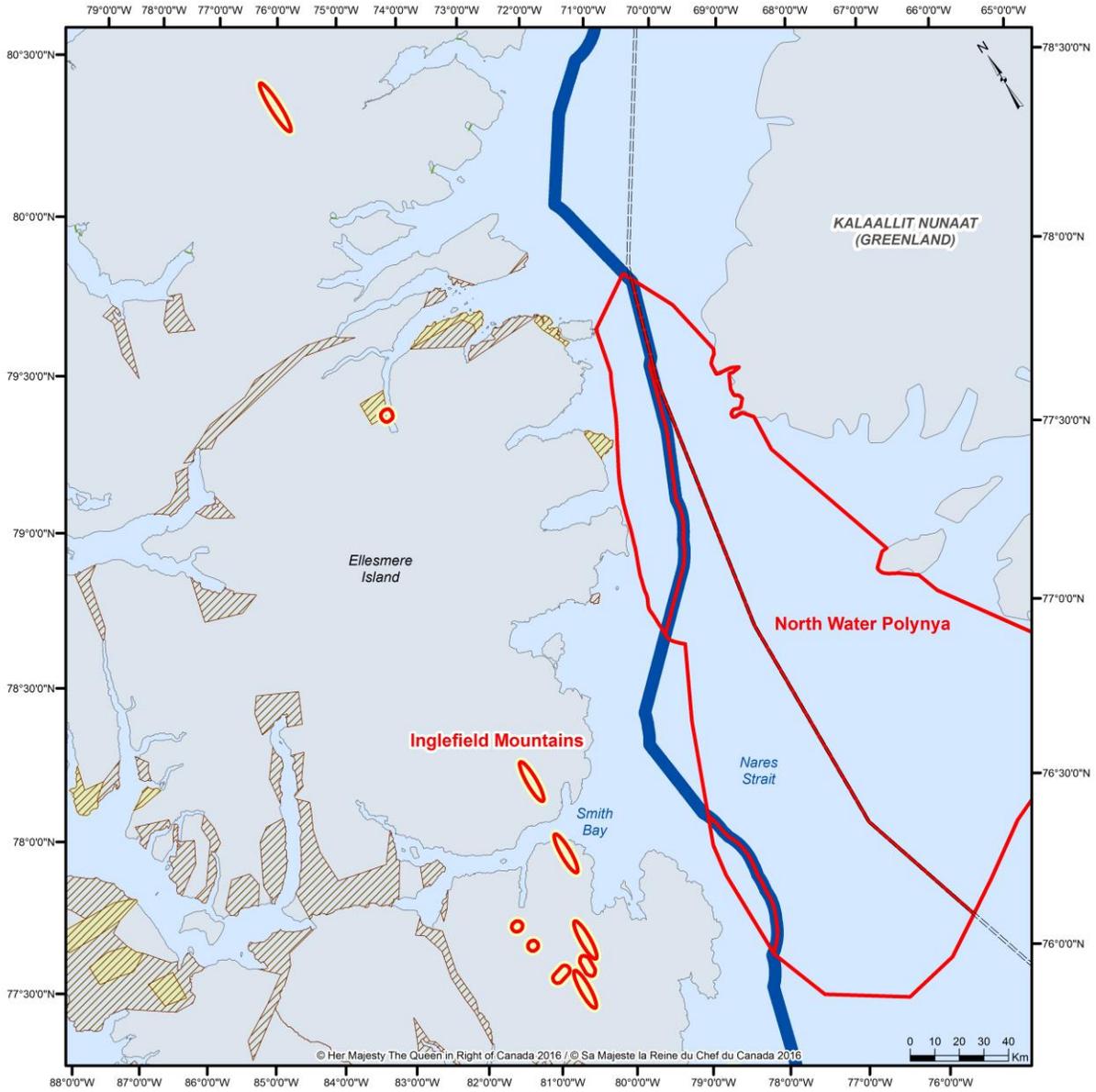
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Marine Setbacks (~~Northern Fulmar Seabirds~~); EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (All Seabirds) ~~Emergency Preparedness~~

SITE NAME:

Inglefield Mountains



Category:

Highly risk intolerant

Qualifying Criterion:

Contains habitat likely to be identified as Critical Habitat for a migratory bird listed as 'endangered' or 'threatened' under the *Species at Risk Act* (Ivory Gull)

Feature bird group:

Seabird

Site details:

- Species at risk: Ivory Gull (Endangered)
- Non-binding designations: Important Bird Area

Current human activities at site:

None

Anticipated human activities at site:

None

Threats to birds from current/future activities at site:

None

Potential consequences for bird populations:

None

Recommended restrictions on activities:

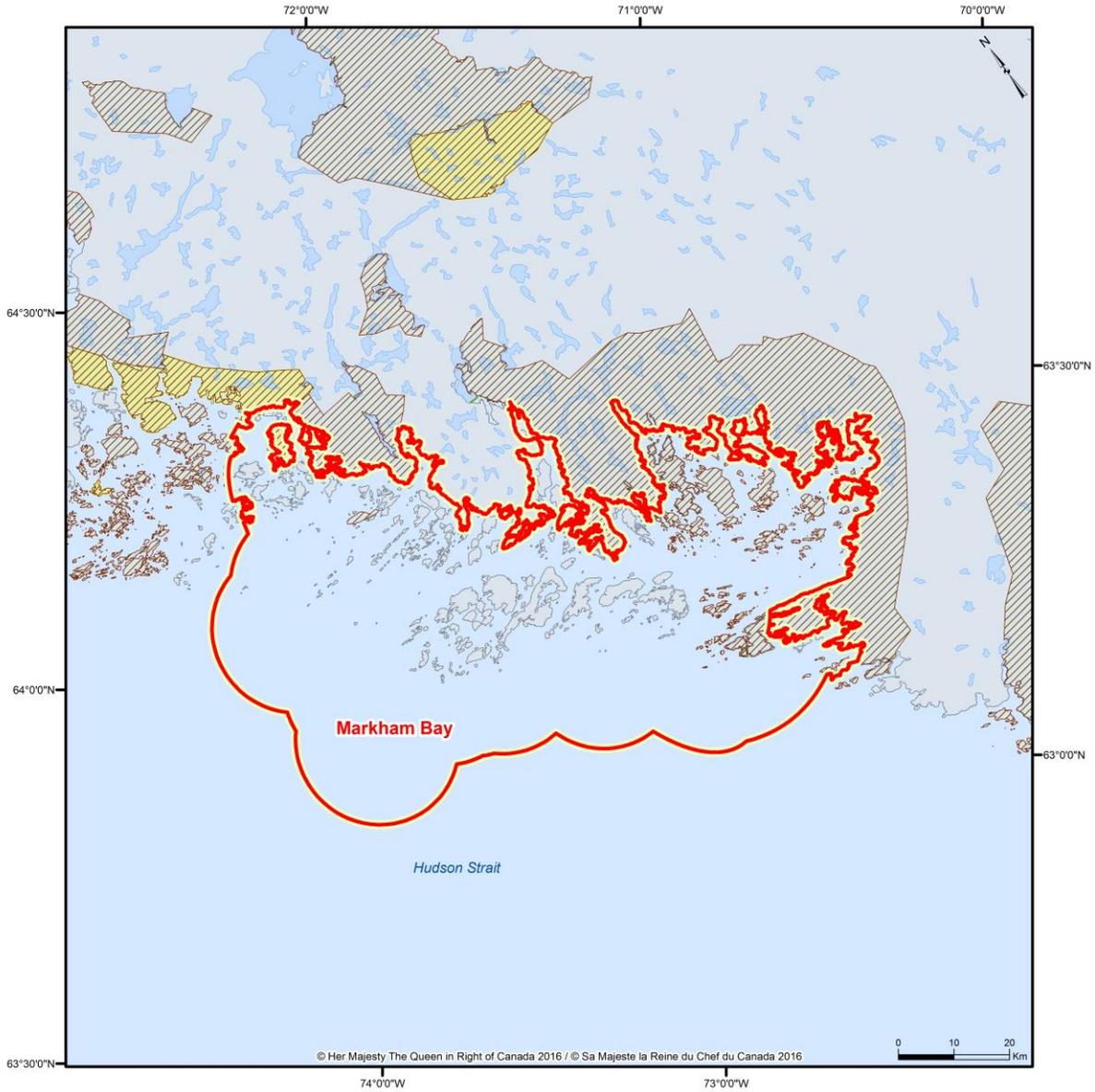
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (Ivory Gull) ~~Emergency Preparedness~~

SITE NAME:

Markham Bay



Category:

Highly risk intolerant

Qualifying Criterion:

Supports a percentage of a national species population equal to or greater than the percentage of 'sustainable loss' that the population can tolerate (Common Eider)

Feature bird group:

Seaduck

Site details:

- Species at risk: Polar Bear (Special Concern)
- Non-binding designations: Important Bird Area

Current human activities at site:

Shipping; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk for oil spills and operational releases originating from shipping

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution

Recommended restrictions on activities:

Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); ~~Emergency Preparedness~~

Proposed change:

Excise Inuit-owned land parcel CD-46 from the key habitat site. No conservation impact as no eiders recorded nesting on the island.

Reason for change:

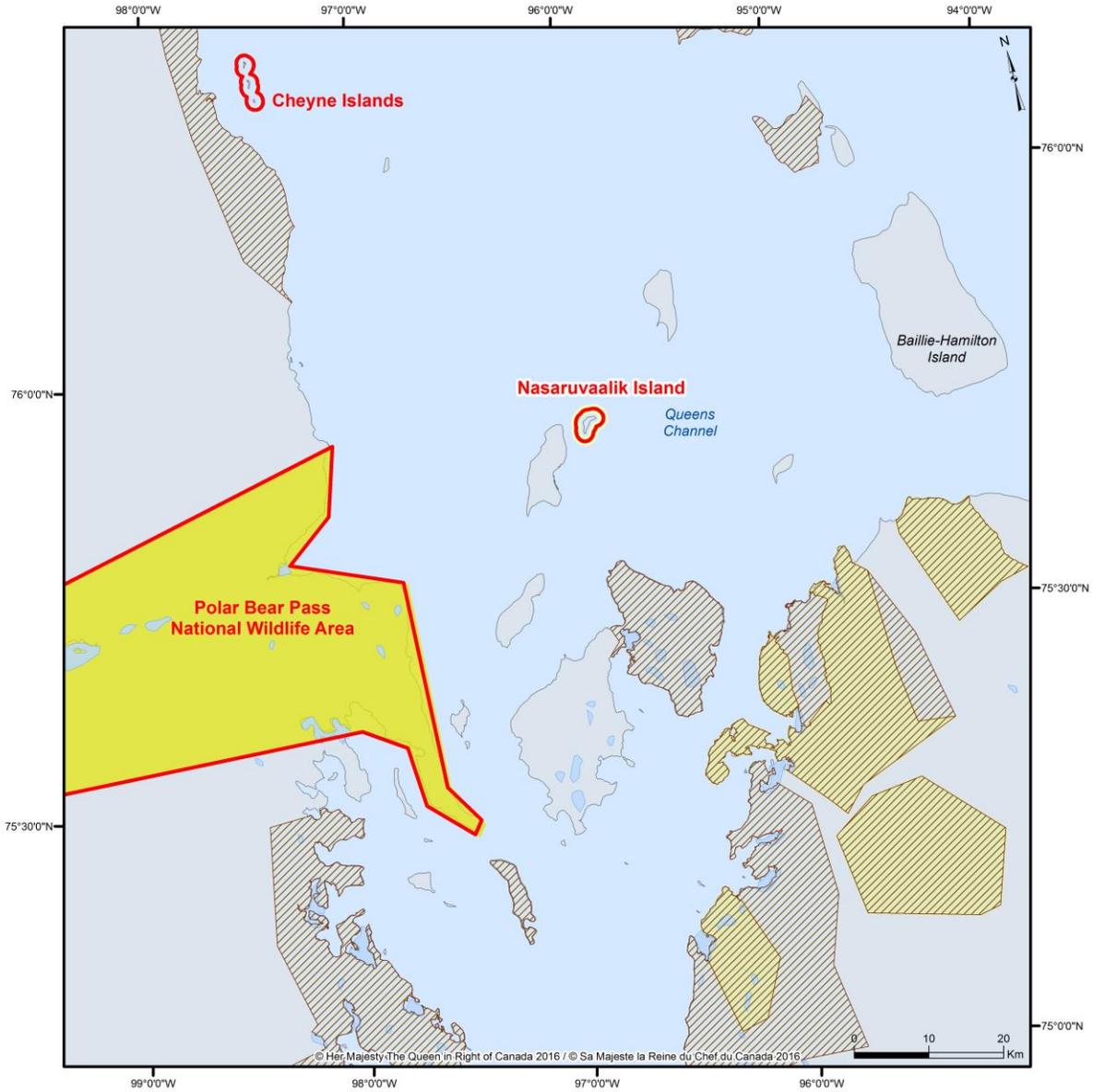
Request of Qikiqtani Inuit Association

Implications for land use plan:

None

SITE NAME:

Nasaruvaalik Island



Category:

Highly risk intolerant

Qualifying Criterion:

- Contain habitat likely to be identified as Critical Habitat for a migratory bird listed as 'endangered' or 'threatened' under the *Species at Risk Act* (Ross's Gull)
- Hosts more than 10% of a national population of one or more migratory bird species (Ross's Gull)

Feature bird group:

- Seabird
- Also important at site: Seaduck (Common eider)

Site details:

- Species at risk: Ross's Gull (Threatened)
- Non-binding designations: None

Current human activities at site:

None

Anticipated human activities at site:

Shipping

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk for oil spills and operational releases originating from shipping

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution

Recommended restrictions on activities:

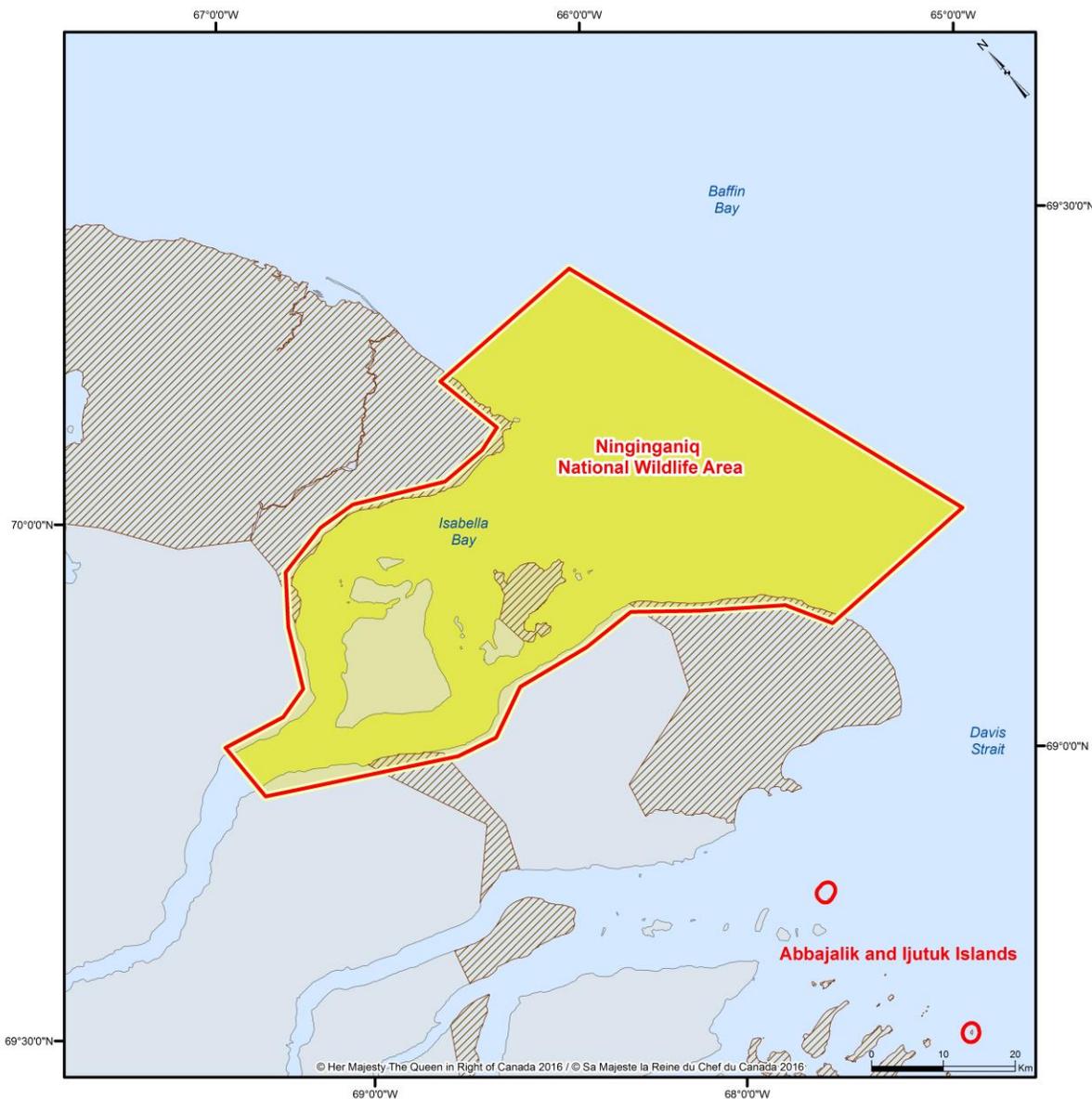
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds) (Coastal Waterfowl and Seaducks); EC-CWS Marine Setbacks (All Seabirds) (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (All Seabirds) (Coastal Waterfowl and Seaducks) ~~Emergency Preparedness~~

SITE NAME:

Ninginganiq National Wildlife Area



Category:

Highly risk intolerant

Qualifying Criterion:

Legislated protected area under the *Canada Wildlife Act*

Feature bird group:

Seabird (Northern Fulmar, Dovekie)

Site details:

- National Wildlife Area established to protect Bowhead Whale habitat; largest known concentration of Bowhead Whales
- Species at risk: Peregrine Falcon (Special Concern), Polar Bear (Special Concern)
- Non-binding designations: None

Current human activities at site:

Shipping; cruise ship tourism; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; cruise ship tourism; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to whales and birds from current/future activity: Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk for oil spills and operational releases originating from shipping

Potential consequences for whale and bird populations:

Higher potential for animal-ship collisions originating from all shipping activities; disruption of feeding animals resulting in energetic losses; direct loss of animals due to contaminants and pollution

Prohibited Activities:

In Migratory Bird Sanctuaries and National Wildlife Areas, all activities that are inconsistent with the purpose of the protected area or inconsistent with its most recent management plan, where a management plan exists, are prohibited

The prohibition above is subject to the terms of the *Inuit Impact and Benefit Agreement for Migratory Bird Sanctuaries and National Wildlife Areas in the Nunavut Settlement Area*.

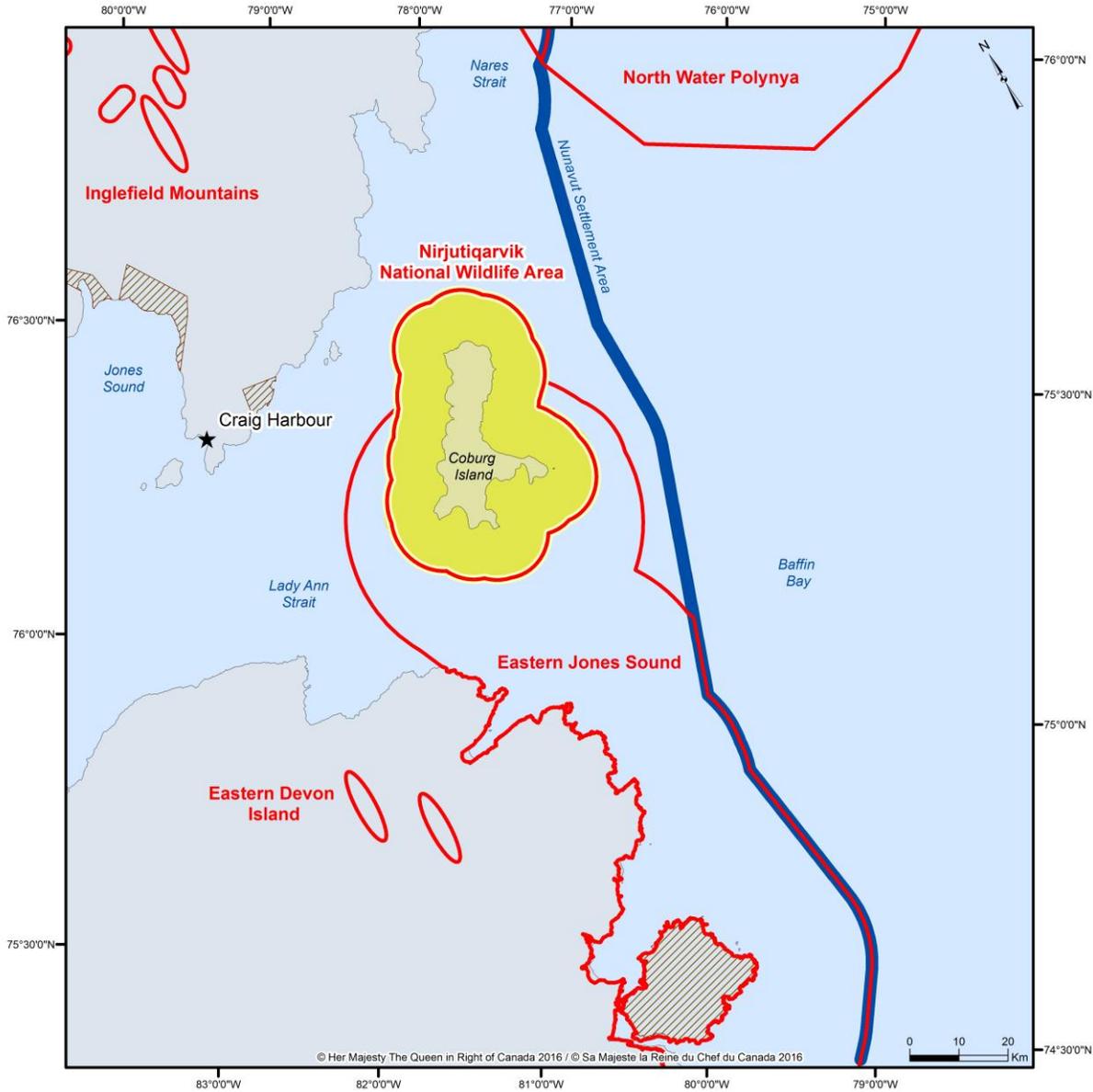
Proponents who wish to undertake activities that are NOT prohibited by the management plan are required to submit a permit application. Please contact the Environment Canada-Canadian Wildlife Service office in Iqaluit.

Recommended setbacks:

EC-CWS Aerial Setbacks (All Migratory Birds); EC-CWS Marine Setbacks (All Migratory Birds); EC-CWS Terrestrial Setbacks (All Migratory Birds) ~~Emergency Preparedness~~

SITE NAME:

Nirjutiqarvik National Wildlife Area



Category:

Highly risk intolerant

Qualifying Criterion:

- Legislated protected area under the *Canada Wildlife Act*
- Hosts more than 10% of a national population of one or more migratory bird species (Thick-billed Murre, Black-legged Kittiwake)
- Supports a percentage of a national species population equal to or greater than the percentage of 'sustainable loss' that the population can tolerate (Thick-billed Murre)

Feature bird group:

Seabird

Site details:

- Species at risk: Polar Bear (Special Concern)
- Non-binding designations: Important Bird Area; International Biological Programme Site

Current human activities at site:

Shipping; cruise ship tourism;

Anticipated human activities at site:

Shipping; cruise ship tourism; commercial fishing

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk for oil spills and operational releases originating from shipping; risk of bycatch from commercial fishing activities anticipated

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution; potential for direct loss of seabirds from fishing bycatch

Prohibited Activities:

In Migratory Bird Sanctuaries and National Wildlife Areas, all activities that are inconsistent with the purpose of the protected area or inconsistent with its most recent management plan, where a management plan exists, are prohibited.

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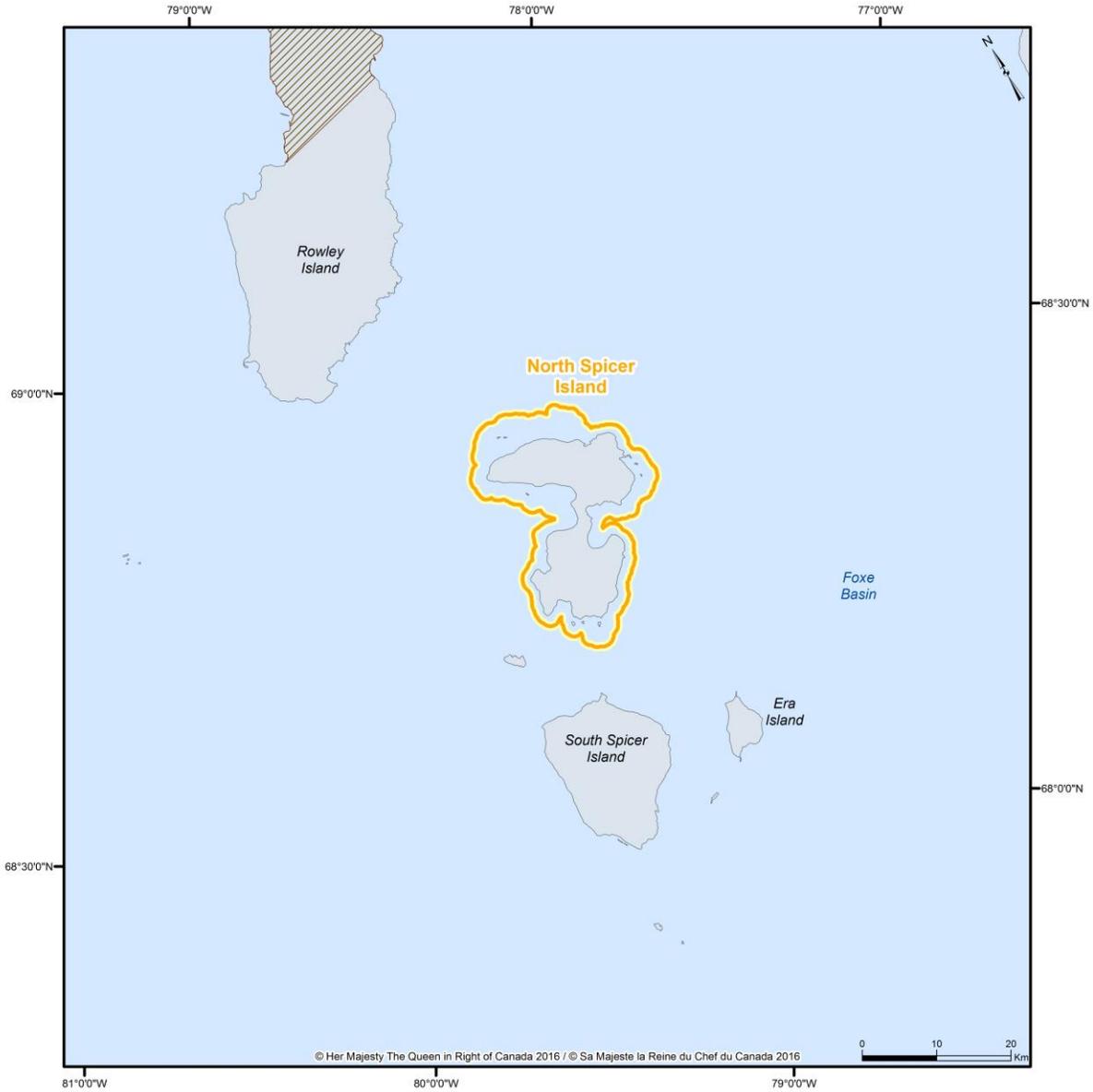
Proponents who wish to undertake activities that are NOT prohibited by the management plan are required to submit a permit application. Please contact the Environment Canada-Canadian Wildlife Service office in Iqaluit.

Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Marine Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (All Seabirds) ~~Emergency Preparedness~~

SITE NAME:

North Spicer Island



Category:

Moderately risk intolerant

Qualifying Criterion:

Contains 1% to 5% of the national populations of one or more migratory birds species that ARE exhibiting populations declines as of 2005 (Atlantic Brant)

Feature bird group:

Waterfowl

Site details:

Non-binding designations: None

Current human activities at site:

None

Anticipated human activities at site:

Shipping; contaminated site remediation

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk of oil spills and operational releases originating from shipping; disturbance from aircraft related to contaminated site remediation

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; direct loss of birds due to contaminants and pollution; potential for bird-aircraft collisions originating from air traffic at low altitude or too close to concentration of birds

Recommended restrictions on activities:

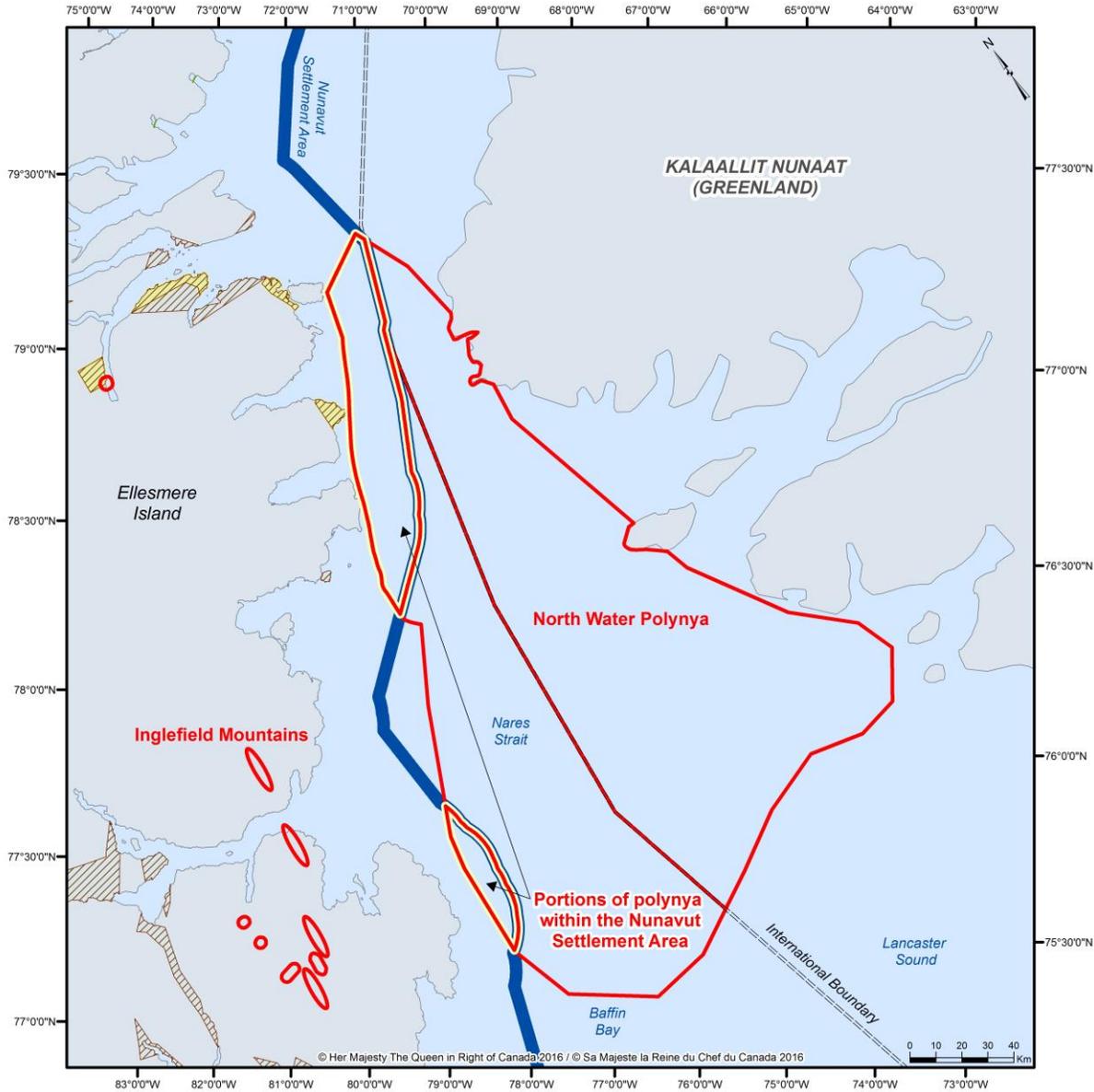
None

Recommended setbacks:

EC-CWS Aerial Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks); ~~Emergency Preparedness~~

SITE NAME:

North Water Polynya



Category:

Highly risk intolerant

Qualifying Criterion:

- Contains habitat likely to be identified as Critical Habitat for a migratory bird listed as 'endangered' or 'threatened' under the *Species at Risk Act* (Ivory Gull)
- Contains species with population >10% of national population (Black-legged Kittiwake, Thick-billed Murre, Ivory Gull)
- Supports a percentage of a national species population equal to or greater than the percentage of 'sustainable loss' (Thick-billed Murre)

Feature bird group:

Seabird, Seaducks (Common Eider)

Site details:

- Species at risk: Ivory Gull (Endangered); Polar Bear (Special Concern)
- Non-binding designations: None

Current human activities at site:

Shipping; cruise ship tourism

Anticipated human activities at site:

Shipping; cruise ship tourism; commercial fishing

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk for oil spills and operational releases originating from shipping; risk of bycatch from commercial fishing activities anticipated

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding birds resulting in compromised energetics; direct loss of birds due to contaminants and pollution; potential for direct loss of seabirds from fishing bycatch

Recommended restrictions on activities:

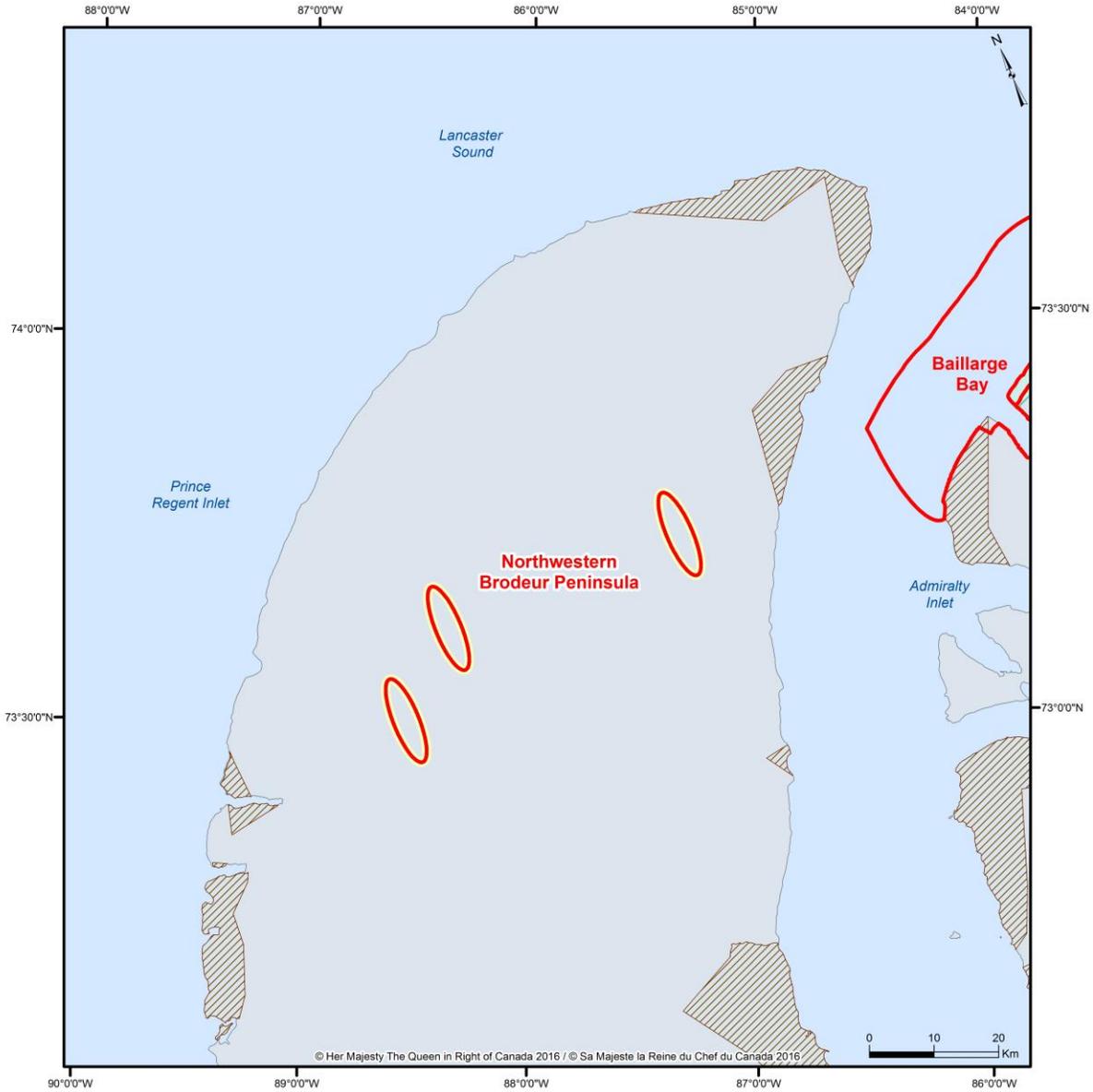
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Marine Setbacks (All Seabirds) ~~Emergency Preparedness~~

SITE NAME:

Northwestern Brodeur Peninsula



Category:

Highly risk intolerant

Qualifying Criterion:

- Contains habitat likely to be identified as Critical Habitat for a migratory bird listed as 'endangered' or 'threatened' under the *Species at Risk Act* (Ivory Gull)
- Hosts more than 10% of a national population of a migratory bird species (Ivory Gull)

Feature bird group:

Seabird

Site details:

- Species at risk: Ivory Gull (Endangered)
- Non-binding designations: Important Bird Area

Current human activities at site:

Mineral claim

Anticipated human activities at site:

Mineral claim

Threats to birds from current/future activities at site:

Air traffic disturbance related to mining exploration activities

Potential consequences for bird populations:

Potential for bird-aircraft collisions originating from air traffic at low altitude or from flying too close to concentration of birds; disruption of feeding and nesting birds resulting in loss of eggs and/or young

Recommended restrictions on activities:

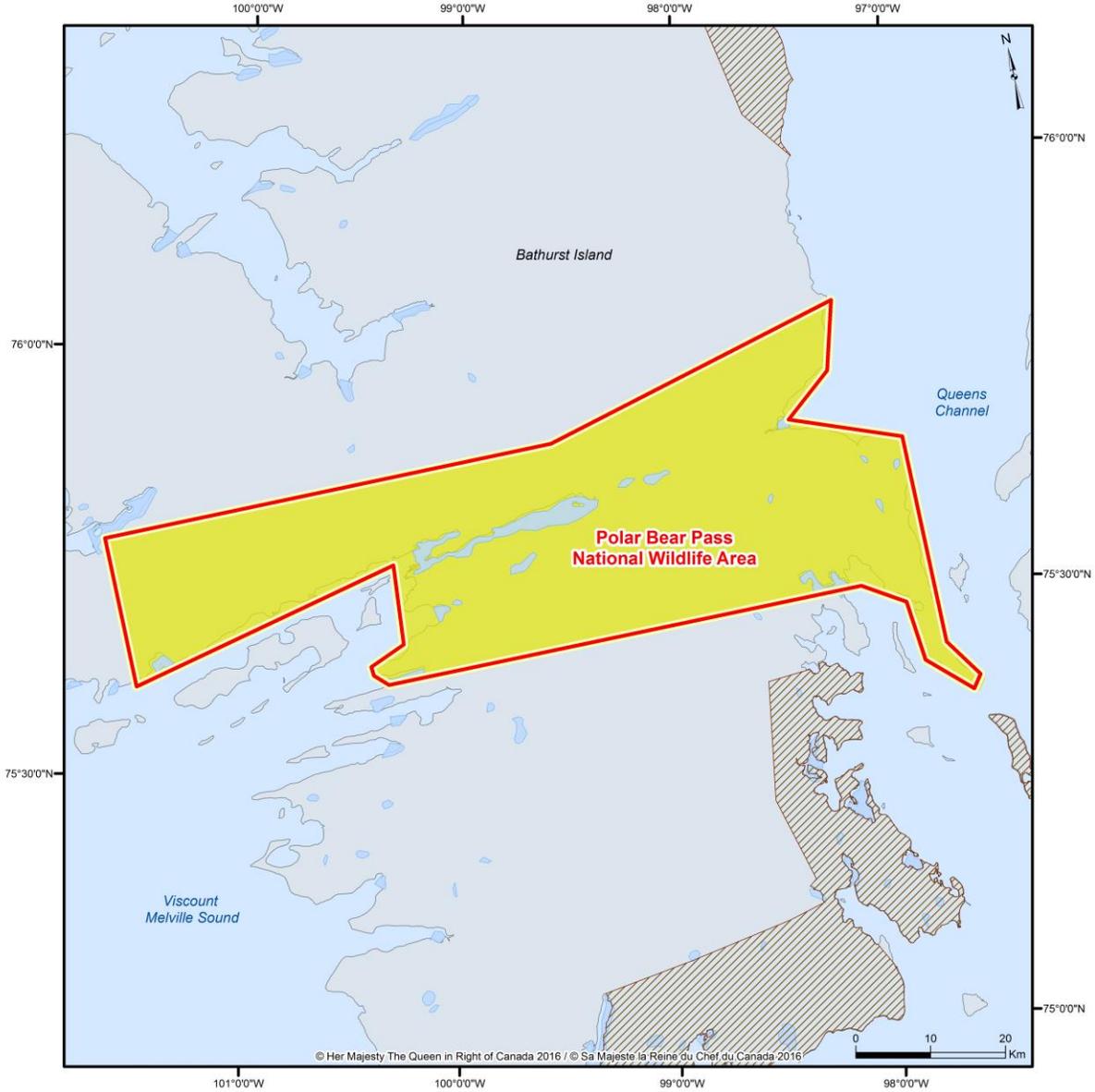
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (Ivory Gull) - Emergency Preparedness

SITE NAME:

Polar Bear Pass National Wildlife Area



Category:

Highly risk intolerant

Qualifying Criterion:

Legislated protected area under the *Canada Wildlife Act*

Feature bird group:

Shorebird (e.g. Red Phalarope, White-rumped Sandpiper), Seaduck (e.g. King Eider), Waterfowl (e.g. Greater Snow Goose)

Site details:

- High arctic wetland of exceptional biological diversity
- Species at risk: Peary Caribou (Endangered), Red Knot spp. *islandica* (Special Concern)
- Non-binding designations: Ramsar Wetland of International Importance; International Biological Programme Site

Current human activities at site:

Biological research; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Biological research; shipping; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Human disturbance related to biological research; marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk for oil spills and operational releases originating from shipping

Potential consequences for bird populations:

Disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution

Prohibited Activities:

In Migratory Bird Sanctuaries and National Wildlife Areas, all activities that are inconsistent with the purpose of the protected area or inconsistent with its most recent management plan, where a management plan exists, are prohibited.

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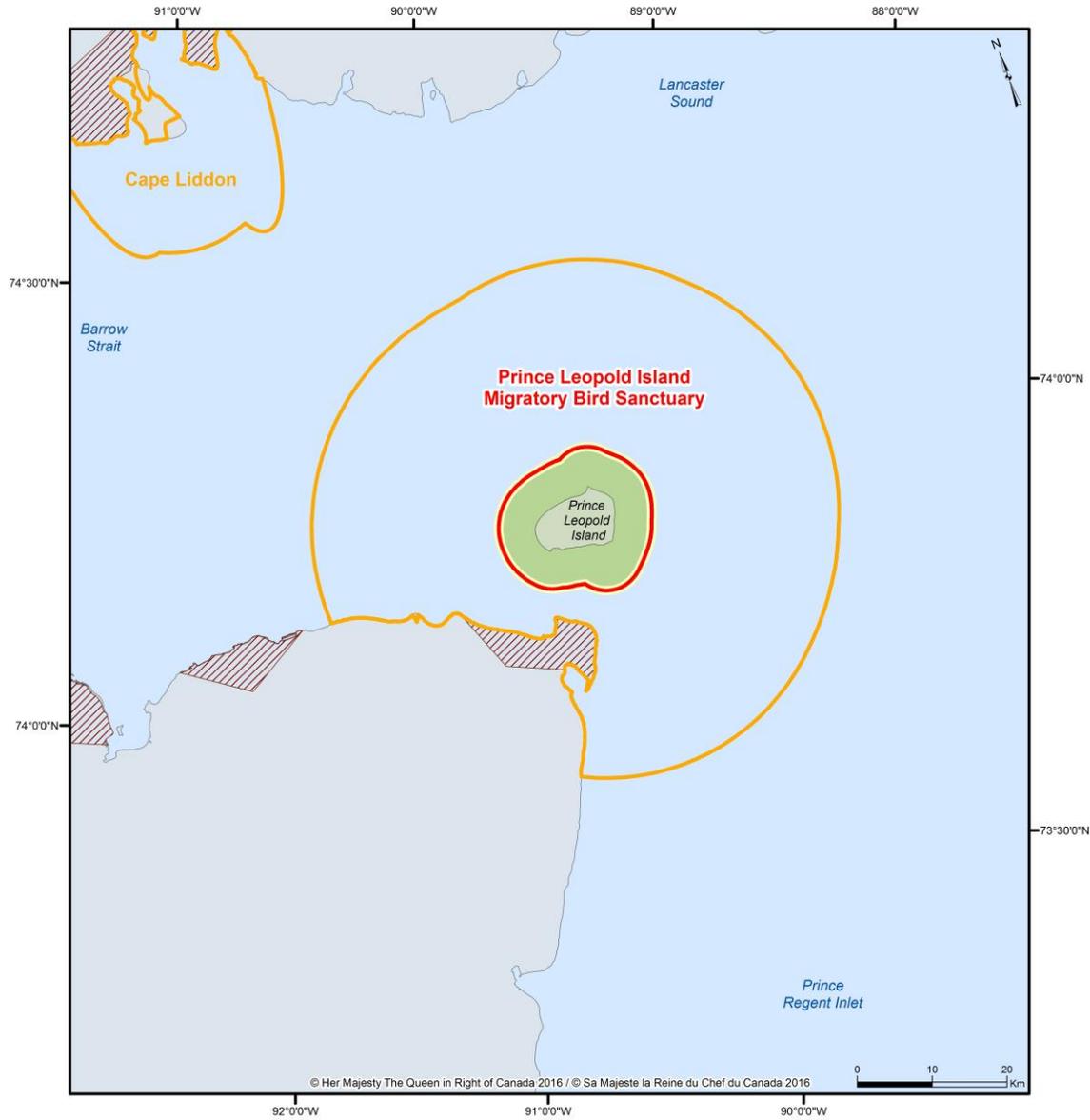
Proponents who wish to undertake activities that are NOT prohibited by the management plan are required to submit a permit application. Please contact the Environment Canada-Canadian Wildlife Service office in Iqaluit.

Recommended setbacks:

EC-CWS Aerial Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks) ~~Emergency Preparedness~~

SITE NAME:

Prince Leopold Island Migratory Bird Sanctuary



Category:

Highly risk intolerant

Qualifying Criterion:

- Legislated protected area under the *Migratory Birds Convention Act*
- Hosts more than 10% of a national population of one or more migratory bird species (Black-legged Kittiwake, Northern Fulmar).

Feature bird group:

Seabird

Site details:

- Species at risk: Polar Bear (Special Concern)
- Non-binding designations: Important Bird Area; International Biological Programme Site, UNESCO World Heritage Site

Current human activities at site:

Shipping; cruise ship tourism; biological research

Anticipated human activities at site:

Shipping; cruise ship tourism; biological research; commercial fishing

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk for oil spills and operational releases originating from shipping; risk of bycatch from commercial fishing activities anticipated

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants; potential for direct loss of seabirds from fishing bycatch

Prohibited Activities:

In Migratory Bird Sanctuaries and National Wildlife Areas, all activities that are inconsistent with the purpose of the protected area or inconsistent with its most recent management plan, where a management plan exists, are prohibited.

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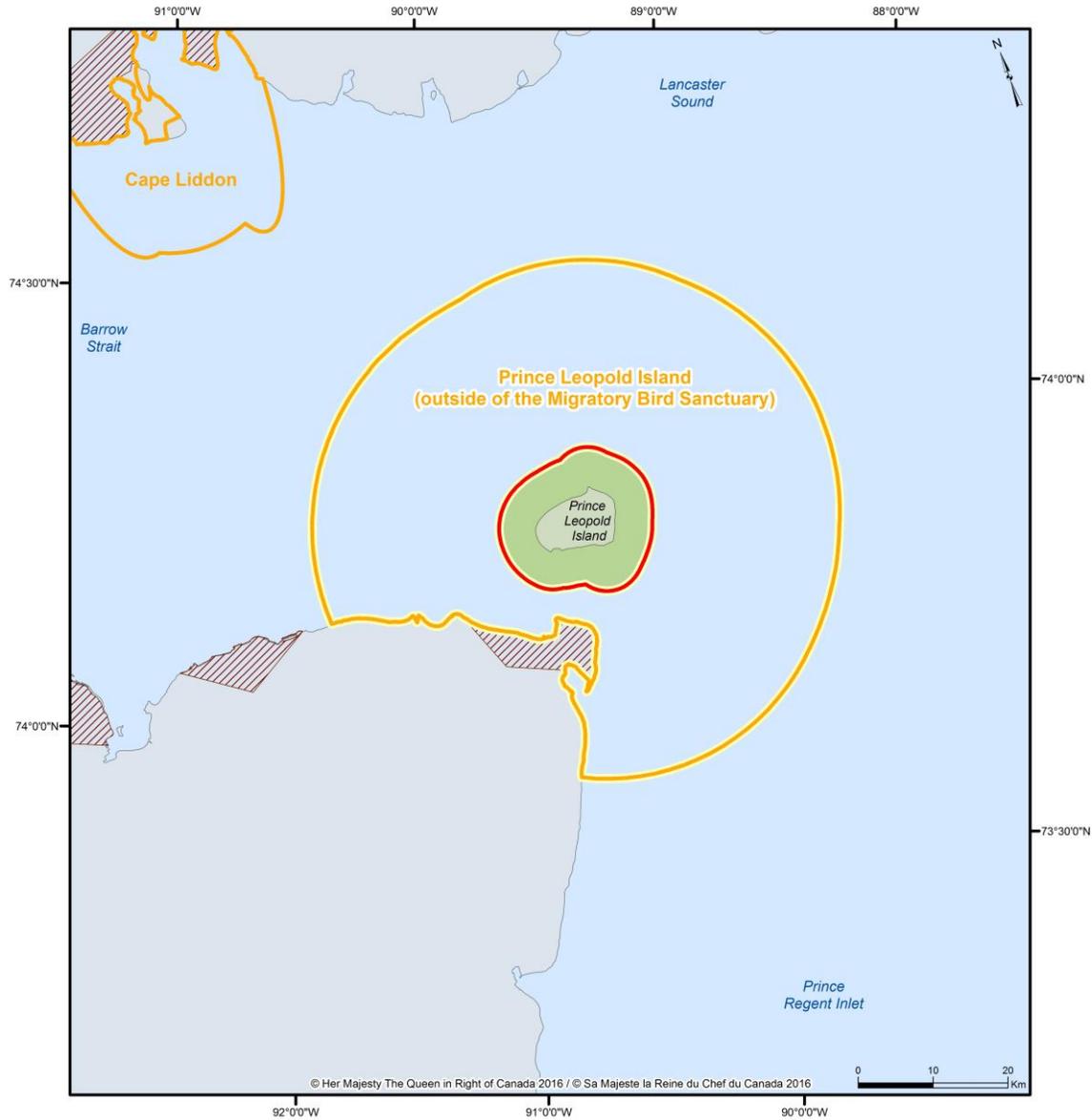
Proponents who wish to undertake activities that are not prohibited by the management plan are required to submit a permit application. Please contact the Environment Canada-Canadian Wildlife Service office in Iqaluit.

Recommended setbacks:

EC-CWS Marine Setbacks (Northern Fulmar Seabirds); EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (All Seabirds) ~~Emergency Preparedness~~

SITE NAME:

Prince Leopold Island (outside of the MBS)



Category:

Moderately risk intolerant

Qualifying Criterion:

Contains 5%- 10% of the national population of one or more migratory bird species that are NOT exhibiting population declines as of 2005 (Black-legged Kittiwake, Northern Fulmar)

Feature bird group:

Seabirds

Site details:

- Major seabird feeding area and adjacent to large seabird colonies.
- Species at risk present: Polar Bear (Special Concern)
- Non-binding Designations: Important Bird Area, International Biological Programme site
- A large portion of site falls within the proposed Lancaster Sound National Marine Conservation Area.

Current human activities at site:

Shipping; cruise ship tourism; biological research

Anticipated human activities at site:

Shipping; cruise ship tourism; biological research

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism and biological research; risk of oil spills and operational releases originating from ships

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution

Recommended restrictions on activities:

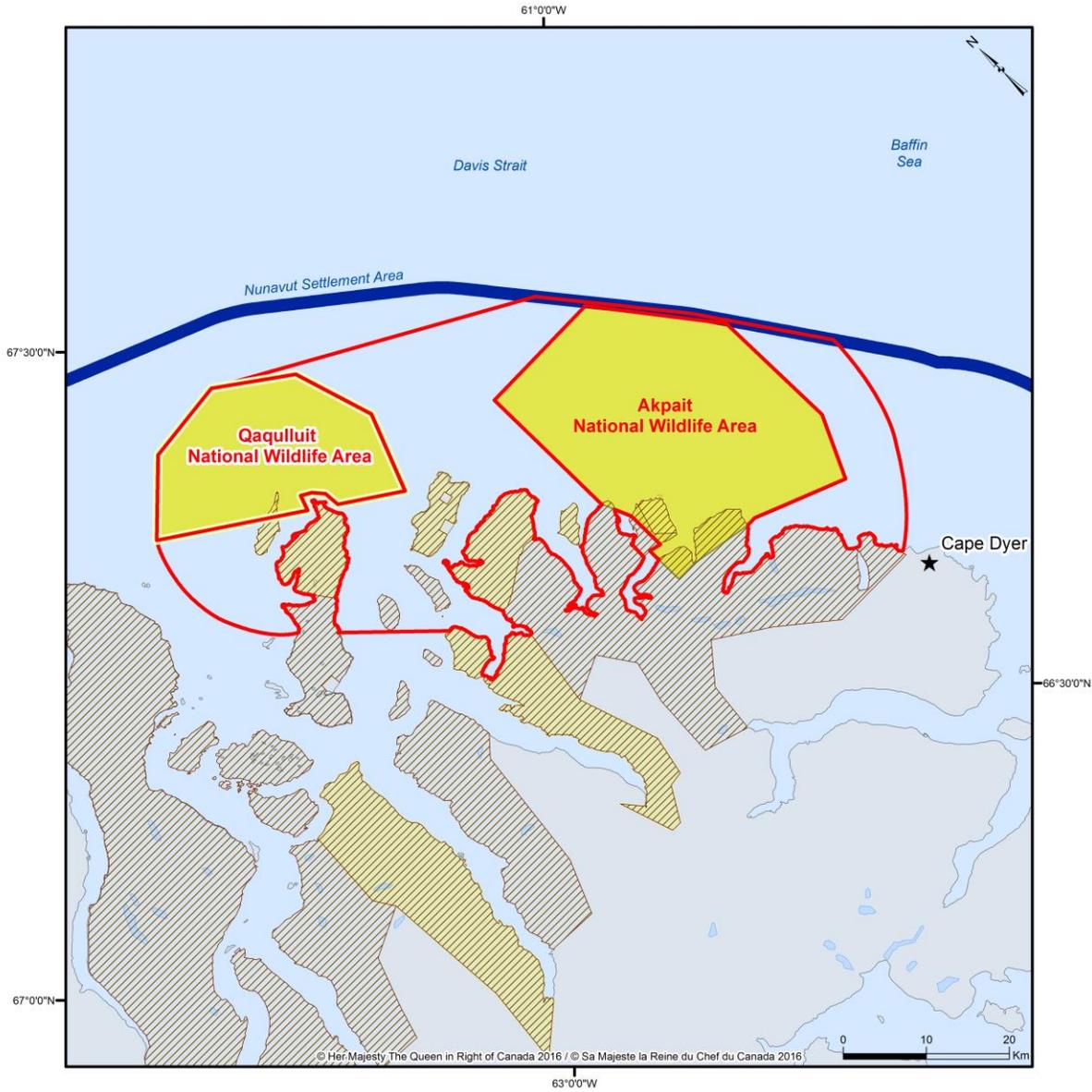
None

Recommended setbacks:

EC-CWS Marine Setbacks (Northern Fulmar Seabirds); EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (All Seabirds) Emergency Preparedness

SITE NAME:

Qaqulluit National Wildlife Area



Category:

Highly risk intolerant

Qualifying Criterion:

- Legislated protected area under the *Canada Wildlife Act*
- Hosts more than 10% of a national population of one or more migratory bird species (Northern Fulmar)

Feature bird group:

Seabird

Site details:

- Largest Northern Fulmar colony in Canada
- Species at risk: Peregrine Falcon (Special Concern); Polar Bear (Special Concern)
- Non-binding designations: International Biological Programme Site, Important Bird Area

Current human activities at site:

Shipping; cruise ship tourism; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

- Shipping; cruise ship tourism; commercial fishing; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk for oil spills and operational releases originating from ships; risk of bycatch from commercial fishing activities anticipated

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution; potential for direct loss of seabirds from fishing bycatch

Prohibited Activities:

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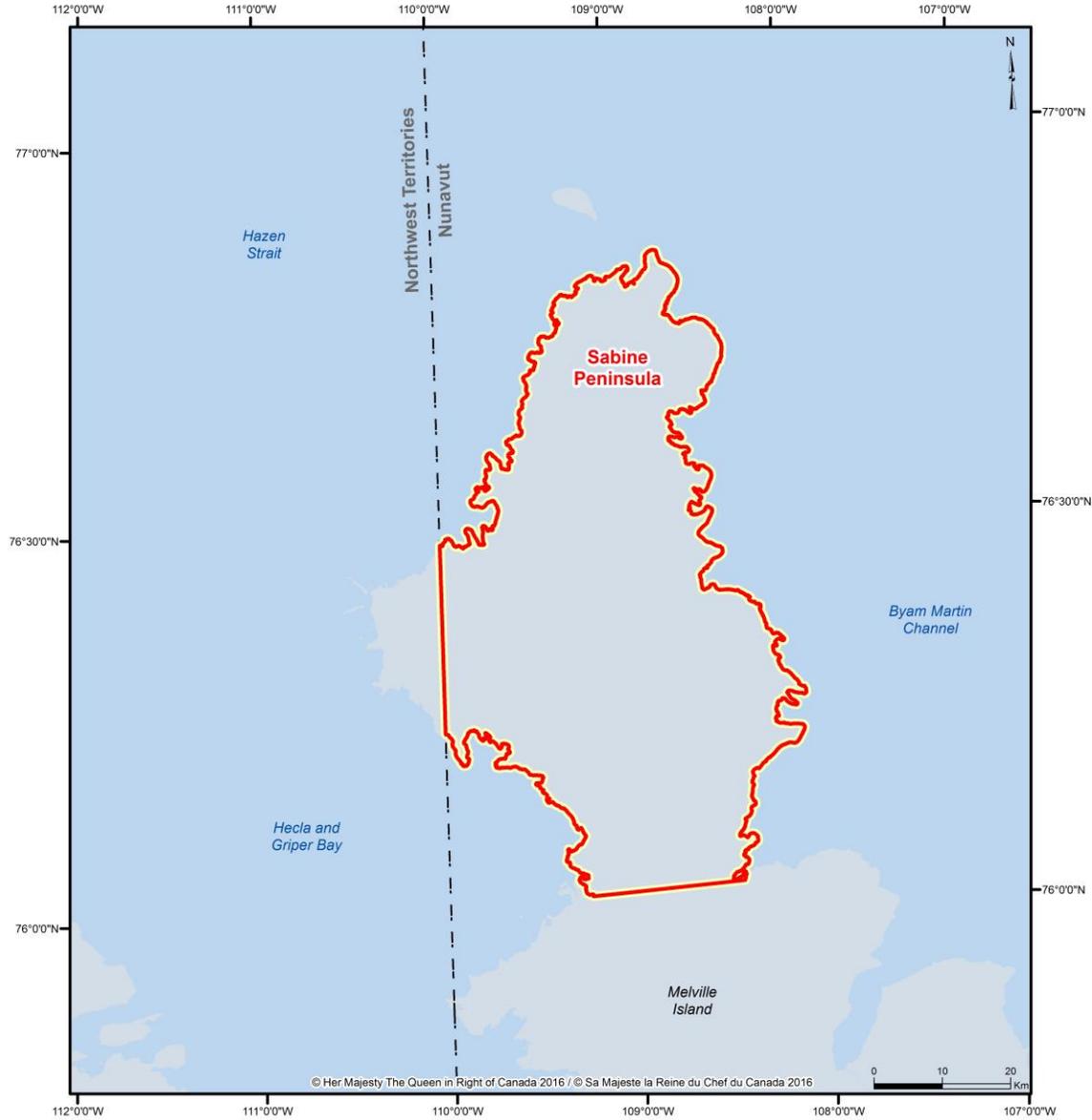
Proponents who wish to undertake activities that are NOT prohibited by the management plan are required to submit a permit application. Please contact the Environment Canada-Canadian Wildlife Service office in Iqaluit.

Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Marine Setbacks (Northern Fulmar Seabirds); EC-CWS Terrestrial Setbacks (All Seabirds) Emergency Preparedness

SITE NAME:

Sabine Peninsula



Category:

Highly risk intolerant

Qualifying Criterion:

- Contains habitat likely to be identified as Critical Habitat for a species listed as 'endangered' or 'threatened' under the *Species at Risk Act* (Peary Caribou)
- Also expected to qualify as 'site containing 5 to 10% of one or more species listed as declining as of 2005', pending field studies in summer 2014.

Feature bird group:

Shorebird (e.g. Purple Sandpiper), Waterfowl (e.g. high arctic Brant)

Site details:

- High quality Arctic wetland – an oasis among dry uplands
- Species at risk: Peary Caribou (Endangered), Red Knot spp. *islandica* (Special Concern), Buff-breasted Sandpiper (Special Concern)
- Non-binding designations: None

Current human activities at site:

None

Anticipated human activities at site:

Shipping; oil and gas exploration and production

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk for oil spills and operational releases originating from shipping; risk of oil spills and operational releases originating from oil and gas exploration

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities direct loss of birds due to contaminants and pollution; increased risk of oil blow outs and/or spills, causing acute oil pollution

Recommended restrictions on activities:

~~Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs~~

None

Recommended setbacks:

~~EC-CWS Aerial Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks); Emergency Preparedness~~
None

Reason for Change:

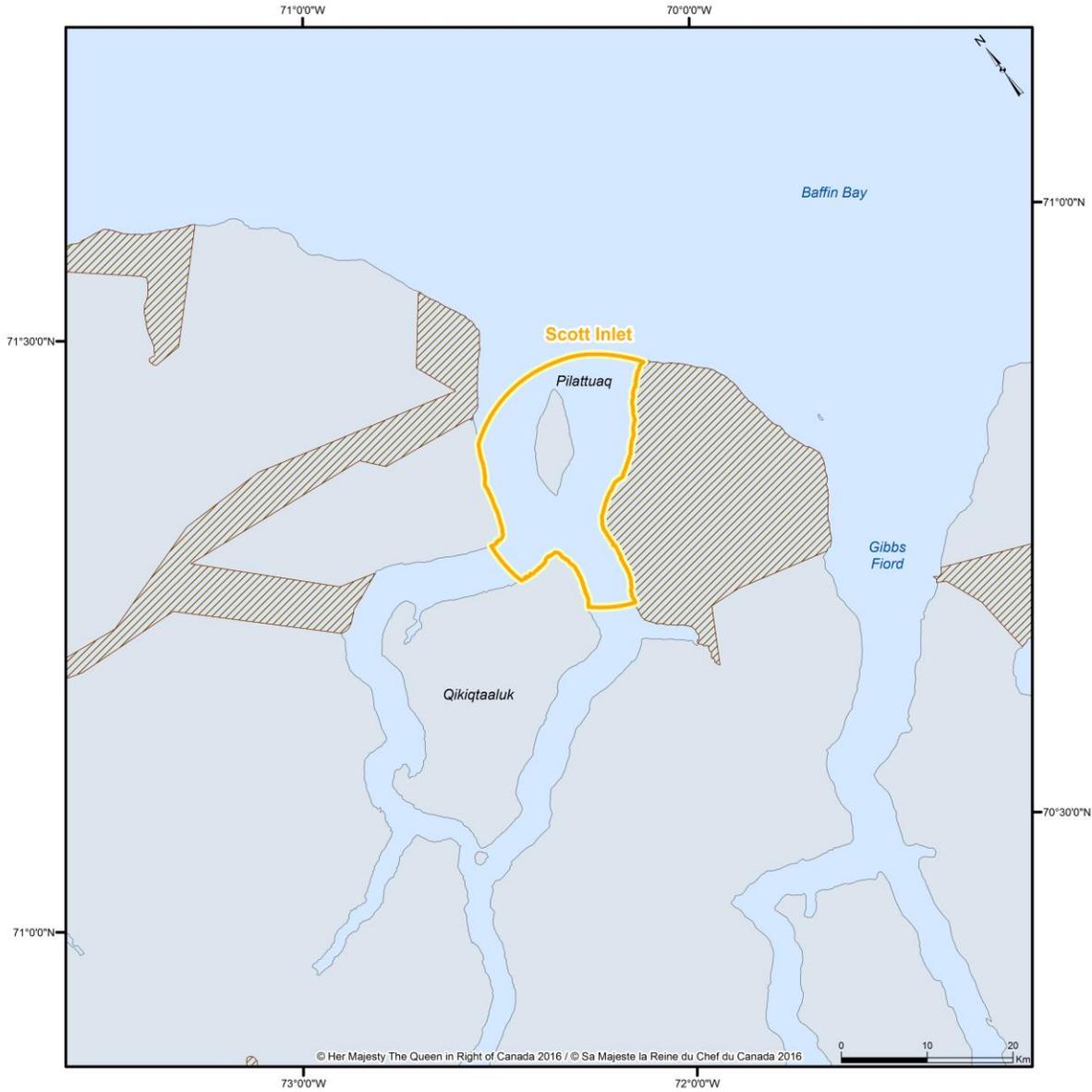
1. *Sabine Peninsula is a very small portion of all entire Peary Caribou habitat in Nunavut; much larger amendments to land use plan will be required if Critical Habitat for this species is described in the Recovery Strategy. Therefore will not apply special land use planning to this small area unless a larger amendment is required.*
2. *Data not yet available to zone this site on basis of shorebird population numbers.*

Implications of change to land use plan:

Change zoning to 'mixed use'.

SITE NAME:

Scott Inlet



Category:

Moderately risk intolerant

Qualifying Criterion:

Contains 5%- 10% of the national population of one or more migratory bird species that are NOT exhibiting population declines as of 2005 (Northern Fulmar)

Feature bird group:

Seabird

Site details:

- Species at risk present: Polar bear (Special Concern)
- Non-binding Designations: Important Bird Area
- Candidate for Territorial Park status

Current human activities at site:

Shipping; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; cruise ship tourism; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; increasing human disturbance related to cruise ship tourism; risk of oil spills and operational releases originating from shipping

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution

Recommended restrictions on activities:

None

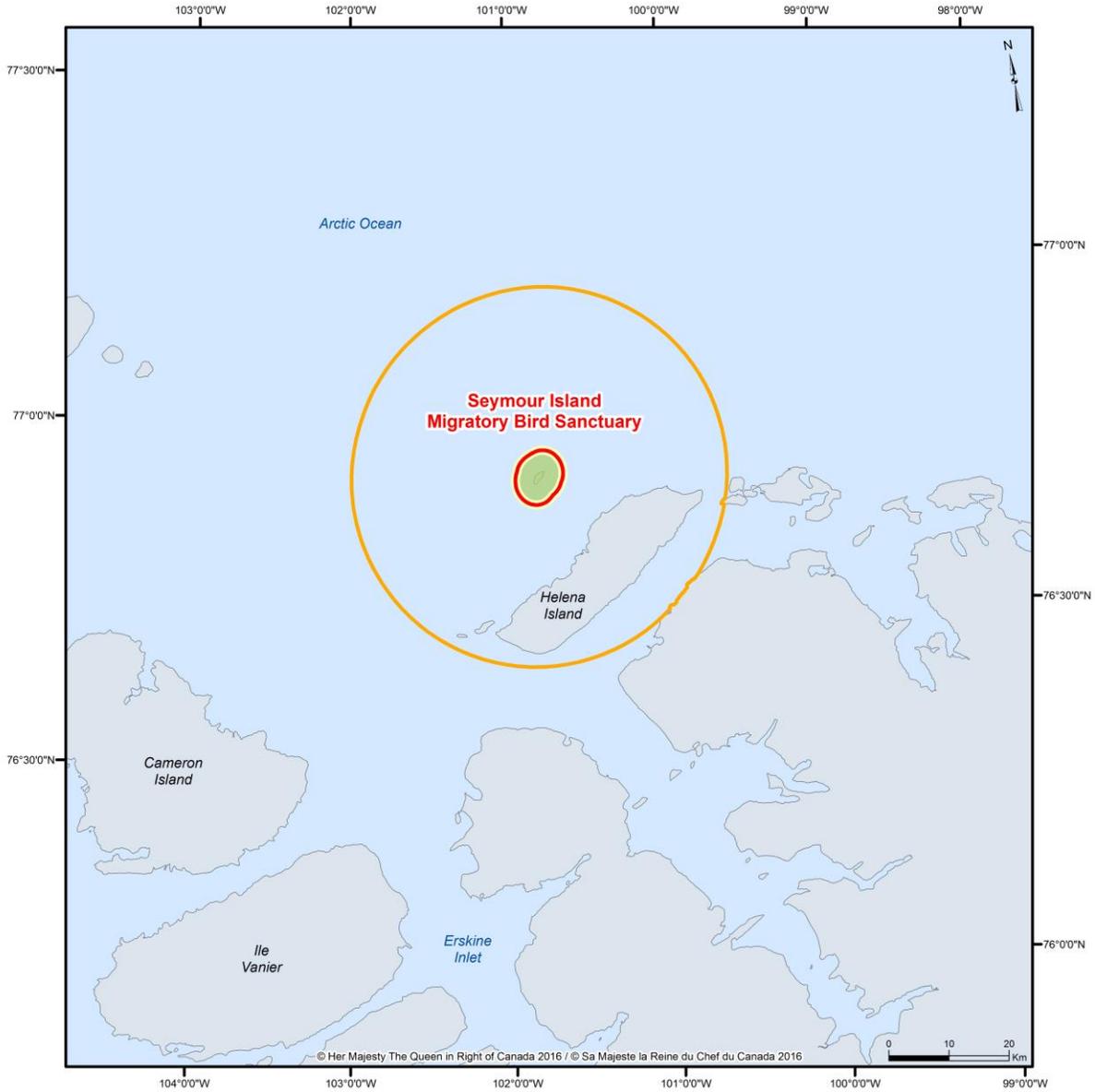
Recommended setbacks:

EC-CWS Marine Setbacks (Northern Fulmar Seabirds); EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Terrestrial

Setbacks (All Seabirds) Emergency Preparedness

SITE NAME:

Seymour Island Migratory Bird Sanctuary



Category:

Highly risk intolerant

Qualifying Criterion:

- Legislated protected area under the *Migratory Birds Convention Act*
- Contains habitat likely to be identified as Critical Habitat for a migratory bird listed as 'endangered' or 'threatened' under the *Species at Risk Act* (Ivory Gull)

Feature bird group:

Seabird

Site details:

- Largest known Ivory Gull colony in Canada
- Species at risk: Ivory Gull (endangered)
- Non-binding designations: International Biological Programme Site; Important Bird Area

Current human activities at site:

None

Anticipated human activities at site:

Shipping

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk of oil spills and operational releases originating from ships

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; direct loss of birds due to contaminants and pollution

Prohibited Activities:

In Migratory Bird Sanctuaries and National Wildlife Areas, all activities that are inconsistent with the purpose of the protected area or inconsistent with its most recent management plan, where a management plan exists, are prohibited.

The prohibition above is subject to the terms of the *Inuit Impact and Benefit Agreement for Migratory Bird Sanctuaries and National Wildlife Areas in the Nunavut Settlement Area*.

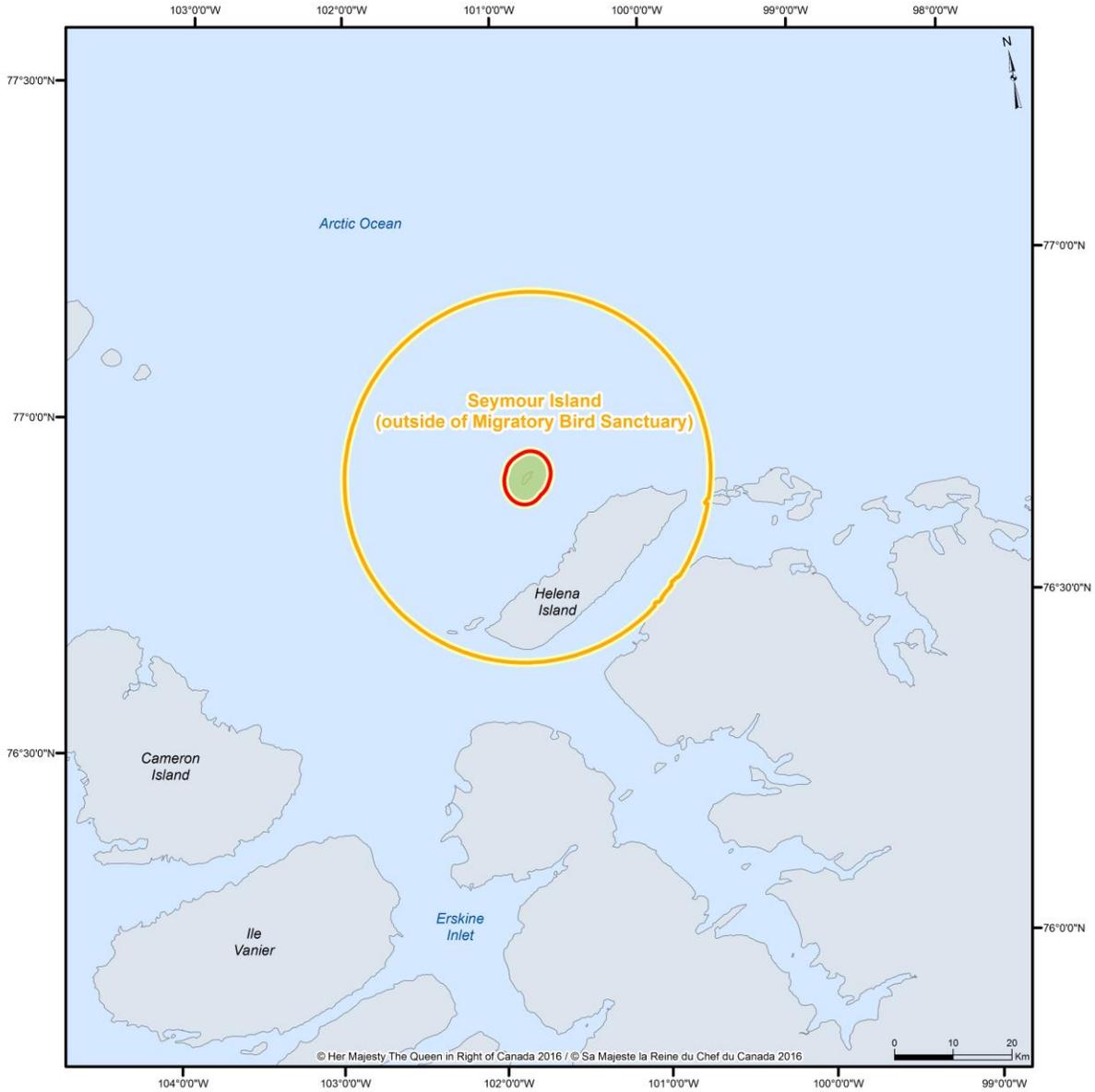
Proponents who wish to undertake activities that are NOT prohibited by the management plan are required to submit a permit application. Please contact the Environment Canada-Canadian Wildlife Service office in Iqaluit.

Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Marine Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (Ivory Gull) ~~Emergency Preparedness~~

SITE NAME:

Seymour Island (outside of the MBS)



Category:

Moderately risk intolerant

Qualifying Criterion:

Feeding area adjacent to nesting colony for migratory bird species listed as Endangered on Schedule 1 of the *Species at Risk Act* (Ivory Gull)*

Feature bird group:

Seabirds

Site details:

- Species at risk present: Ivory Gull (endangered)
- Non-binding Designations: Important Bird Area, International Biological Programme site
- This site provides feeding habitat for the Ivory Gull.

Current human activities at site:

None

Anticipated human activities at site:

Shipping

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk of oil spills and operational releases originating from shipping

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; direct loss of birds due to contaminants and pollution

Recommended restrictions on activities:

None

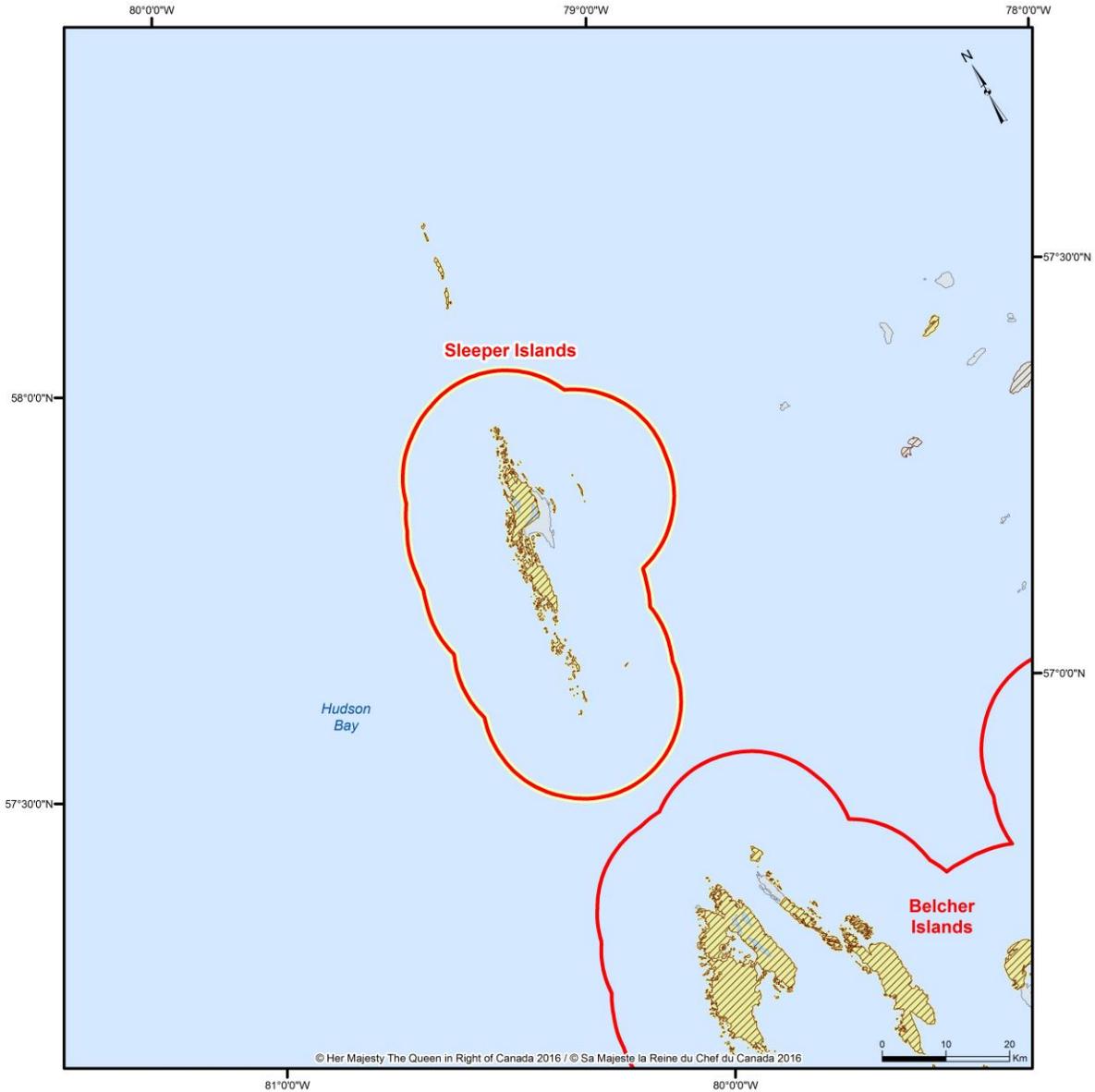
Recommended setbacks:

EC-CWS Aerial Setbacks (All Seabirds); EC-CWS Terrestrial Setbacks (Ivory Gulls); ~~Emergency Preparedness~~

* Based on current knowledge of Ivory Gull feeding behaviour, and level of human activity at this site, It is classed in the 'moderately risk intolerant' category. EC recommends this site be re-assessed once additional information on Ivory Gull feeding behaviour is acquired or as new industrial activities are proposed.

SITE NAME:

Sleeper Islands



Category:

Highly risk intolerant

Qualifying Criterion:

- Supports a percentage of a national species population equal to or greater than the percentage of 'sustainable loss' that the population can tolerate (Common Eider)
- Hosts more than 10% of a national population of one or more migratory bird species (Common Eider)

Feature bird group:

Seaduck

Site details:

- Virtually all of Hudson Bay subspecies of Common Eider overwinter and breed here, and in the Belcher Island polynyas
- Species at risk: None
- Non-binding designations: Important Bird Area

Current human activities at site:

Shipping

Anticipated human activities at site:

Shipping

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk for oil spills and operational releases originating from ships

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities direct loss of birds due to contaminants and pollution

Recommended restrictions on activities:

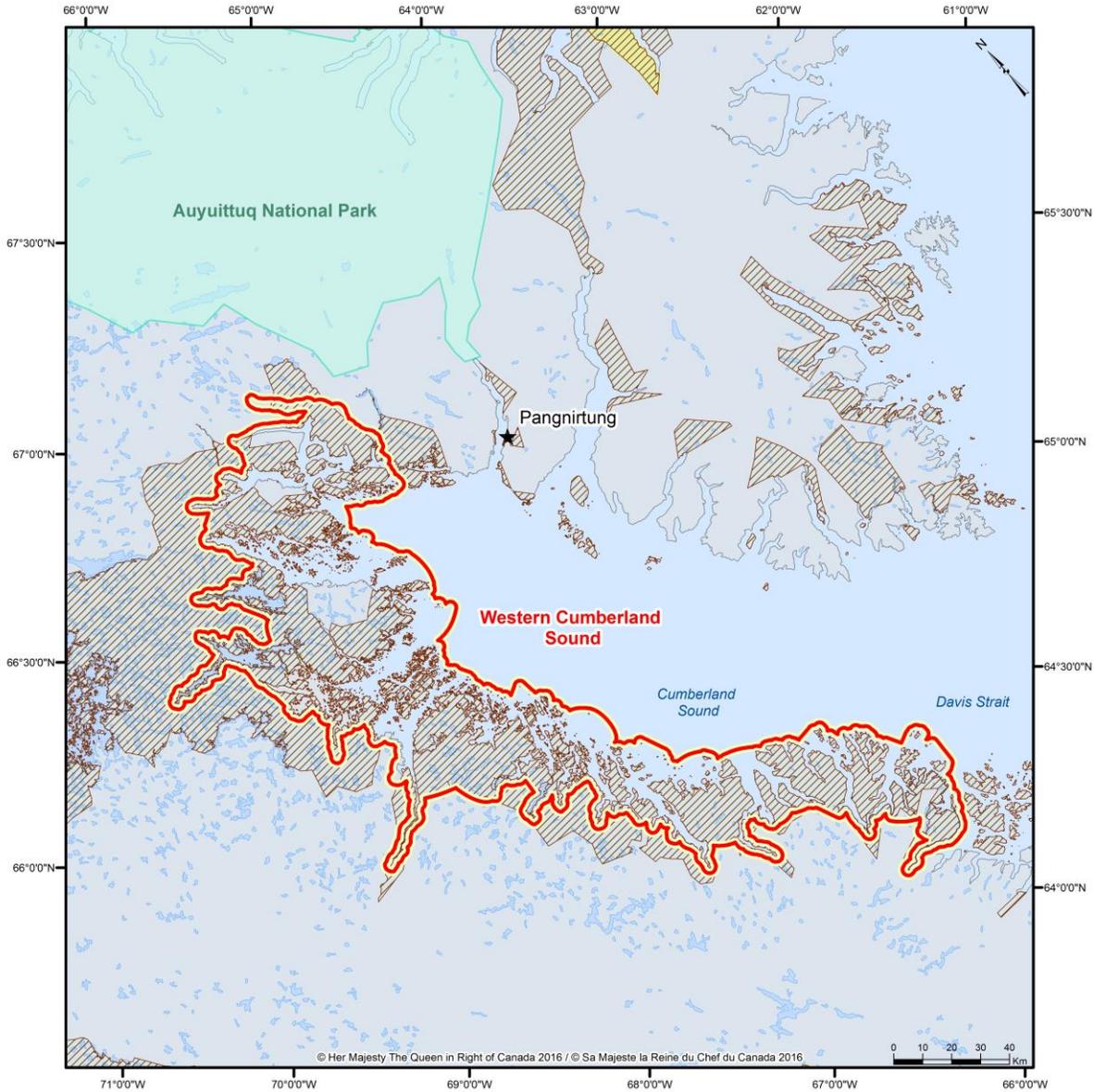
Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs

Recommended setbacks:

EC-CWS Aerial Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks) ~~Emergency Preparedness~~

SITE NAME:

Western Cumberland Sound



Category:

Highly risk intolerant

Qualifying Criterion:

- Host more than 10% of a national population of one or more migratory bird species (Iceland Gull)
- Supports a percentage of a national species population equal to or greater than the percentage of 'sustainable loss' that the population can tolerate (Common Eider)

Feature bird group:

Seabird, Seaduck

Site details:

- Largest breeding concentration of Iceland Gulls in Canada
 - Species at risk: Polar Bear (Special Concern), Beluga Whale (Endangered, schedule 2, SE Baffin Island/Cumberland Sound population)
- Non-binding designations: None

Current human activities at site:

Shipping; mineral claim; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Anticipated human activities at site:

Shipping; mineral exploration; commercial fishing; harvesting and ancillary activities by Nunavut Land Claims Agreement beneficiaries

Threats to birds from current/future activities at site:

Marine traffic/shipping disturbance as the area experiences increasing ship traffic; risk for oil spills and operational releases originating from shipping; risk of bycatch from commercial fishing activities anticipated; air traffic disturbance related to mineral exploration; human and terrestrial traffic disturbance related to mineral exploration; risk of bycatch from commercial fishing activities anticipated

Potential consequences for bird populations:

Higher potential for bird-ship collisions originating from all shipping activities; disruption of feeding and nesting birds resulting in loss of eggs and/or young; direct loss of birds due to contaminants and pollution; potential for direct loss of seabirds from fishing bycatch; potential for bird-aircraft collisions originating from air traffic at low altitude or from flying too close to concentration of birds

Recommended restrictions on activities:

~~Any activity that may cause significant alteration to migratory bird habitat, or which may cause long-term or repeated disturbance to migratory birds, nests, or eggs~~ None

Recommended setbacks:

~~EC-CWS Aerial Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Marine Setbacks (Coastal Waterfowl and Seaducks); EC-CWS Terrestrial Setbacks (Coastal Waterfowl and Seaducks); Emergency Preparedness~~
None

Other Recommendations:

Because of this site's high intolerance to risk, further colony surveys to identify specific nesting locations within the key habitat site should be a priority for funding under the Nunavut General Monitoring Program prior to the first land use plan review.

Reason for change:

Exact colony locations unknown, so proposed setbacks are unreasonably large.

Monitoring of conformity not possible if colony locations not known.

Implications of change to land use plan:

Site rezoned from "Protected" to "Mixed Use"

ANNEX – AERIAL, MARINE AND TERRESTRIAL SETBACKS

Table 3. *Proposed setbacks referenced in Environment Canada's updated input May, 2016 to the Nunavut Planning Commission regarding Key Habitat Sites for Migratory Birds in the Nunavut Settlement Area.*^{1, 2}

Bird Group ³	In all instances, proponents must consult Environment and Climate Change Canada-Canadian Wildlife Service for information on location and timing of bird activity in the area, and to discuss ship routing through marine key habitat sites.		
All migratory birds	Aerial setbacks ⁴ SEASONAL (WHEN BIRDS ARE PRESENT) All overflying aircraft: <ul style="list-style-type: none"> • Maintain minimum vertical setback of 1100 m (3500 feet) in areas where concentration of birds⁶ are present • Maintain minimum lateral aerial setback of 1.5 km from concentration of birds 	Marine Setbacks ⁵ SEASONAL (WHEN BIRDS ARE PRESENT) None	Terrestrial Setbacks SEASONAL (WHEN BIRDS ARE PRESENT) <ul style="list-style-type: none"> • 300m setback from concentrations of birds
Seabirds	SEASONAL (WHEN BIRDS ARE PRESENT) Setbacks for "All Migratory Birds" (above), plus: <ul style="list-style-type: none"> • Lateral setback of 3 km from the seaward side of seabird colonies 	SEASONAL (WHEN BIRDS ARE PRESENT) <ul style="list-style-type: none"> • 500m setback from seabird colonies for all vessels except small launch vessels • 100m setback from seabird colonies for zodiacs, kayaks and other small launch vessels 	SEASONAL (WHEN BIRDS ARE PRESENT) <ul style="list-style-type: none"> • Setbacks for "All Migratory Birds" (above)
Ivory Gulls	SEASONAL (WHEN BIRDS ARE PRESENT) Setbacks for "Seabirds" (above)	SEASONAL (WHEN BIRDS ARE PRESENT) <ul style="list-style-type: none"> • 2 km setback distance from breeding colonies 	SEASONAL (WHEN BIRDS ARE PRESENT) <ul style="list-style-type: none"> • 2 km setback distance from breeding colonies
Coastal Waterfowl and Seaducks	SEASONAL (WHEN BIRDS ARE PRESENT) <ul style="list-style-type: none"> • Setbacks for "All Migratory Birds" (above), plus • Lateral setback of 3 km from concentrations of coastal waterfowl and seaducks 	SEASONAL (WHEN BIRDS ARE PRESENT) <ul style="list-style-type: none"> • 500m setback distance from colonies, concentrations of birds 	SEASONAL (WHEN BIRDS ARE PRESENT) <ul style="list-style-type: none"> • Setbacks for "All Migratory Birds" (above)

¹ Setbacks do not apply to the Inuit right to unrestricted access for the purposes of harvesting pursuant to section 5.7.16 of the Nunavut Land Claims Agreement.

² Setbacks do not apply to wildlife research activities regarding wildlife health, abundance or distribution

³ Setback applies only to focal species in a particular area. For example, if the focal species group for an area is 'coastal waterfowl and seaducks- Common Eiders', then setbacks apply to seaduck species that are present in the key habitat site.

⁴ Subject to pilot discretion regarding aircraft and human safety, and except for specified operational purposes such as take offs and landings, etc.

⁵ Subject to safe navigation considerations and emergency response by vessels.

⁶ Concentrations of birds include nesting colonies of seabirds, seaducks, and geese; flocks of flightless (moulting) waterfowl; spring and fall aquatic/shoreline staging concentrations of waterfowl, seaducks, shorebirds, and seabirds.

Bird Group	Aerial Setbacks ¹	Marine Setbacks ²	Terrestrial Setbacks	Emergency Preparedness
All Migratory Birds	For activities that will not proceed to a NIRB screening, proponents are to consult with Environment Canada-Canadian Wildlife Service for information on location and timing of bird activity in the Area.	For activities that will not proceed to a NIRB screening, proponents are to consult with Environment Canada-Canadian Wildlife Service for information on location and timing of bird activity in the Area, and to discuss ship routing through the site.	For activities that will not proceed to a NIRB screening, proponents are to consult with Environment Canada-Canadian Wildlife Service for information on location and timing of bird activity in the Area.	For activities that will not proceed to a NIRB screening, proponents are to consult with Environment Canada-Canadian Wildlife Service for information on location and timing of bird activity in the Area.
	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <p>All overflying aircraft:</p> <ul style="list-style-type: none"> ▲ maintain minimum vertical setback of 1100 m (3500 feet) in areas where concentrations of birds are present ▲ maintain minimum lateral aerial setback of 1.5 km from concentrations of birds (e.g. bird breeding colonies and moulting areas) 	None	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <ul style="list-style-type: none"> ▲ 300 m setback from concentrations of birds (e.g. bird breeding colonies and moulting areas) 	
Sea-level Coastal Nesting Birds	See All Migratory Birds above	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <ul style="list-style-type: none"> ▲ 1 km setback for ships from coastlines where there are known concentrations of sea-level nesting birds ▲ 300 m setback distance from sea-level coastal nesting bird concentrations for zodiacs, kayaks and other small launch vessels 	See All Migratory Birds above	See All Migratory Birds above

Bird-Group	Aerial-Setbacks ¹	Marine-Setbacks ²	Terrestrial-Setbacks	Emergency Preparedness
All Seabirds	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <p>Setbacks for All Migratory Birds above, plus</p> <ul style="list-style-type: none"> ▲ lateral setback of 3 km from the seaward side of seabird colonies 	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <ul style="list-style-type: none"> ▲ 60 km setback from seabird colonies for gillnetting (including bottom set nets) ▲ 500 m setback for ships from seabird colonies when birds are present ▲ 100 m setback from seabird colonies for zodiacs, kayaks and other small launch vessels 	See All Migratory Birds above	See All Migratory Birds above
Northern Fulmars	See All Migratory Birds above	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <p>See All Seabirds, plus</p> <ul style="list-style-type: none"> ▲ 60 km setback from fulmar breeding colonies for longline fishing 	See All Seabirds above	See All Migratory Birds above
Ivory Gulls	See All seabirds above	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <ul style="list-style-type: none"> ▲ 2 km setback distance from breeding sites 	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <ul style="list-style-type: none"> ▲ 2 km setback distance from breeding sites 	See All Migratory Birds above
Coastal Waterfowl and Seaducks	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <p>All migratory birds above, plus</p> <ul style="list-style-type: none"> ▲ lateral setback of 3 km from flocks of coastal waterfowl and seaducks 	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <ul style="list-style-type: none"> ▲ 500 m setback distance from seaduck colonies, moulting aggregations of seaducks and waterfowl 	See All Migratory Birds above	See All Migratory Birds above

Additional information can be obtained at:

Environment and Climate Change Canada

Public Inquiries Centre

7th Floor, Fontaine Building

200 Sacré-Coeur Boulevard

Gatineau QC K1A 0H3

Telephone: 1-800-668-6767 (in Canada only) or 819-997-2800

Email: ec.enviroinfo.ec@canada.ca

