



NIRB File No.: 03MN107

DFO File No.: 03-HCAA-CA7-00191

January 2, 2015

Julie Dahl
Regional Manager, Regulatory Reviews
Fisheries Protection Program
Fisheries and Oceans Canada
867 Lakeshore Road
Burlington, ON L7R 4A6

Sent via email: fisheriesprotection@dfo-mpo.gc.ca

Re: Request for clarification from Fisheries and Oceans Canada Regarding Agnico Eagle Mines Ltd.'s Request to Amend the Meadowbank Gold Mine Project Certificate

Dear Julie Dahl:

On July 28, 2014 the Nunavut Impact Review Board (NIRB or Board) received a project description from Agnico Eagle Mines Ltd. (AEM or Proponent) which outlined proposed changes to the Meadowbank Gold Mine Project and to the NIRB Project Certificate [004] (the 'Project Certificate') issued by the NIRB December 30, 2006 for the Meadowbank Gold Mine Project (NIRB File No. 03MN107). On September 4, 2014 the NIRB received a referral from Fisheries and Oceans Canada (DFO) to screen AEM's Application for *Paragraph 35(2) (b) Fisheries Act Authorization (Normal Circumstances)* associated with the request to amend the Project Certificate. On November 18, 2014 the NIRB distributed the project description to parties and agencies with jurisdiction, authority and/or licences and approvals associated with the Meadowbank Gold Project and solicited input by December 2, 2014 on whether the proposed changes warrant reconsideration of the existing Project Certificate in accordance with NLCA Section 12.8.2.

On or before December 2, 2014 the NIRB received comments from the following interested parties:

- Government of Nunavut
 - Aboriginal Affairs and Northern Development Canada
 - Environment Canada
 - Fisheries and Oceans Canada
 - Natural Resources Canada
 - Transport Canada
-

On December 9, 2014 the NIRB received a joint comment submission from Nunavut Tunngavik Incorporated and the Kivalliq Inuit Association.

Please note that all comment submissions and other materials pertaining to AEM's request for amendment to the Meadowbank Project and the NIRB Project Certificate can be obtained from the NIRB's online public registry at:

<http://ftp.nirb.ca/03-MONITORING/03MN107-MEADOWBANK%20GOLD%20MINE/01-PROJECT%20CERTIFICATE/AMENDMENTS/2014%20VAULT%20EXPANSION/>.

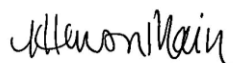
In its project description, AEM noted that its revised No Net Loss plan (NNL plan) submitted to DFO in 2012 pursuant to the *Fisheries Act* accounted for potential losses and gains of fish habitat within the Vault Lake area, including habitat offsetting in Phaser Lake. Similarly, Nunavut Tunngavik Incorporated and the Kivalliq Inuit Association (NTI/KIA) provided a joint submission to the NIRB on December 9, 2014 which included the following statements in support of AEM's conclusions that the planned expansion of Vault Pit into Phaser Lake would pose no significant impacts, and that:

- The currently approved NNL plan has an offsetting component that accounts for fisheries losses to Phaser Lake and outlines the improved connectivity to Vault and Wally Lakes upon final closure of the Vault Pit expansion into Phaser Lake; and
- The currently approved water management plans allow for water to be kept within the Vault Lake watershed.

The NIRB respectfully requests that DFO provide clarification as to the scope of the current NNL plan for the Meadowbank Gold Mine Project in regards to potential impacts to Phaser Lake, especially as it relates to statements made by NTI/KIA and AEM's project description, as well as any additional information DFO considers pertinent to a consideration of the acceptability of the existing NNL plan and applicability of other requirements of the *Fisheries Act* to the proposed Project amendments. The Board requests that DFO provide this information on or before **January 9, 2015** if possible.

Should you have any questions or require further clarification, please contact Heather Rasmussen, Monitoring Officer, at (867) 983-4606 or via email at hrasmussen@nirb.ca.

Sincerely,



Amanda Hanson Main
Director, Technical Services
Nunavut Impact Review Board

cc: Stéphane Robert, Agnico Eagle Mines Ltd.
Ryan Vanengen, Agnico Eagle Mines Ltd.
Luis Manzo, Kivalliq Inuit Association
Georgina Williston, Fisheries and Oceans Canada
Julie Marentette, Fisheries and Oceans Canada
Meadowbank Distribution List

Enclosed: AEM Meadowbank Mine Vault Pit Expansion into Phaser Lake Project Description (July 28, 2014)