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December 15, 2014

Our file Notre référence

03-HCAA-CA7-00191 and -00109

Nunavut Water Board
Attention: Phyllis Beaulieu, Manager of Licensing
P.O. Box 119
Gjoa Haven, NU X0B 1J0

Dear Ms. Beaulieu:

Subject: Technical Review of the Nunavut Water Board Application for a Type “A” Water Licence Renewal, 2AM-MEA0815, Meadowbank Gold Mine Project, Agnico-Eagle Mines Ltd.

Fisheries and Oceans Canada’s (DFO) – Fisheries Protection Program would like to thank the Nunavut Water Board (NWB) for the opportunity to provide a technical review of the Type “A” Water Licence Renewal Application and supporting documents, submitted by Agnico-Eagle Mines Ltd (AEM) for the Meadowbank Gold Mine Project. As outlined in your letter dated November 24, 2014, the intent of the review is to complete a thorough technical assessment of the Application.

The Fisheries Protection Program (Program) of DFO has conducted a technical review of AEM’s Type “A” Water License Renewal Application and supporting documents, including the responses AEM provided to Interveners on October 14, 2014 **only** in relation to the Program’s mandate. The mandate of the Fisheries Protection Program is to maintain the sustainability and ongoing productivity of commercial, recreational and Aboriginal fisheries.

DFO – Fisheries Protection Program has determined that the responses AEM provided to Interveners on October 14, 2014 have addressed our general concerns regarding water levels. These concerns were included in our original submission to the NWB on September 24, 2014 containing our completeness review and initial technical assessment, including information requests.

DFO – Fisheries Protection Program concurs with AEM’s suggestion that the following statement may be removed from the Water License, as it is redundant with *Fisheries Act*



Authorizations (e.g., NU-03-0191.3): Water License Part A, Section 1. Scope. Page 6 of 53. *"Construction of fish habitat compensation measures in Second and Third Portage Lakes."*

Considering that: 1- DFO – Fisheries Protection Program's mandate has very limited overlap with the NWB's jurisdiction over the use of waters; 2- that the technical issues of concern to DFO related to fish and fish habitat have been addressed by AEM; 3- that DFO will not be submitting further technical review comments; and 4- that a discussion occurred over the phone on December 12, 2014 with the NWB regarding our attendance at the technical meeting, DFO – Fisheries Protection Program will not be attending the Technical Meeting and Pre-Hearing Conference scheduled in Baker Lake the week of January 12, 2015.

DFO will continue to work cooperatively with the NWB and AEM regarding ongoing development of detailed engineering and monitoring plans relating to the Interim Closure and Reclamation Plan (IRCP). DFO understands that the final version of the Closure and Reclamation Plan is currently scheduled to be submitted by AEM in Q3 2016, or at least twelve (12) months prior to the expected end of mining.

If you have any questions concerning the above, please contact our office directly by telephone at (867) 669-4934 or by email at Julie.Marentette@dfo-mpo.gc.ca.

Yours sincerely,

Julie Dahl
Regional Manager, Regulatory Reviews
Fisheries Protection Program
Fisheries and Oceans Canada