



5204-50th Avenue Suite 301
Yellowknife, NT
X1A 1E2

February 19, 2015

Our file Notre référence

03-HCAA-CA7-00191

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 Short-Term Renewal of Type “A” Water Licence (2AM-MEA0815), Meadowbank Gold Mine Project, Agnico-Eagle Mines Ltd.

Fisheries and Oceans Canada's (DFO) – Fisheries Protection Program (the Program) would like to thank the Nunavut Water Board (NWB) for the opportunity to provide a technical review of the Short-Term Water Licence Renewal Application and supporting documents, submitted by Agnico-Eagle Mines Ltd (AEM) for the Meadowbank Gold Mine Project. The mandate of the Fisheries Protection Program is to maintain the sustainability and ongoing productivity of commercial, recreational and Aboriginal fisheries.

As outlined in your letter dated January 30, 2015, the intent of the review is to complete a technical assessment of the Short-Term Renewal (STR) request. AEM's request has been reviewed to determine whether it is likely to result in serious harm to fish which is prohibited under subsection 35(1) of the *Fisheries Act*. AEM's request has also been reviewed to determine whether it will adversely impact listed aquatic species at risk and contravene sections 32, 33 or 58 of the *Species at Risk Act* (SARA).

The Program understands that the STR request:

- Involves absolutely no changes to the existing Licence (administrative or otherwise) which expires on May 31, 2015
- Will involve a renewal term not to exceed 180 days, expiring on November 27, 2015 OR on the grant of the amended and renewed Water Licence, requested in the comprehensive Water Licence renewal application submitted to the NWB on July 23, 2014



- Does not include the submission of plans, studies, reports or designs in support of the request as this information has already been provided or will be provided during the processing of the comprehensive renewal application

Considering that the questions and concerns raised by DFO – Fisheries Protection Program regarding the comprehensive Water Licence renewal application were addressed by AEM, as indicated in our letter to the NWB dated December 15, 2014, the Program has no additional comments for the NWB regarding AEM's STR request.

Provided that AEM implement the required mitigation measures for its project and, follow the guidance available on the Fisheries and Oceans Canada's (DFO) website at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>, the Program is of the view that AEM's request should not result in serious harm to fish. No formal approval is required from the Program under the *Fisheries Act* or SARA in order to proceed with its STR request.

It remains AEM's responsibility to ensure it avoids causing serious harm to fish in compliance with the *Fisheries Act*. If AEM's plans changed or if the description of its proposal is incomplete, or changes in the future, AEM should consult DFO's website <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html> or consult with a qualified environmental consultant to determine if further review is required by the Program.

Please be advised that it is AEM's *Duty to Notify* DFO if it has caused, or is about to cause, serious harm to fish that are part of or support a commercial, recreational or Aboriginal fishery. Such notifications should be directed to <http://www.dfo-mpo.gc.ca/pnw-ppe/violation-infraction/index-eng.html>.

It remains AEM's responsibility to meet all other federal and territorial requirements that apply to its project.

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

cc. Julie Marentette – DFO