



Arctic / Ontario and Prairies Regions
Fish and Fish Habitat Protection Program
301 – 5204 50th Ave. (Franklin)
Yellowknife, Northwest Territories
X1A 1E2

Régions de l'Arctique / Ontario et Prairies
Programme de protection du poisson et de son habitat
301 – 5204 50th Ave. (Franklin)
Yellowknife, Territoires du Nord-Ouest
X1A 1E2

July 5, 2023

Your file *Votre référence*
2AM-MEA1530, 2AM-WTP1830

Our file *Notre référence*
03-HCAA-CA7-00191, 14-HCAA-
01046, 16-HCAA-00370, 20-HCAA-
00275

Nunavut Water Board
Attn: Richard Dwyer
Manager of Licensing
PO Box 119
Gjoa Haven, NU
X0B 1J0

Via email to : richard.dwyer@nwb-oen.ca

Subject: Comment Request for Agnico Eagle Mines Limited's Meadowbank Gold Mine and Whale Tail Pit Projects (Meadowbank Complex) 2022 Annual Monitoring Report

Dear Richard Dwyer,

The Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada (DFO) received your request for comments on 14 April 2023. DFO has reviewed the above 2022 Annual Report in regards to its mandate, i.e. the management, protection and conservation of fish and their habitats. The Nunavut Water Board (NWB) invited parties to submit comments.

DFO has reviewed the 2022 Annual Report and Appendices: 12 - Meadowbank Water Management Plan Version 11, Appendix 13 - Whale Tail Water Management Plan Version 10, 15 - Meadowbank and Whale Tail 2022 Annual Geotechnical Recommendation Implementation Plan, 16 - Meadowbank and Whale Tail 2022 Geomechanical Inspection Implementation Plans, 27 - Meadowbank and Whale Tail Spill Contingency Plan Version 19, 28 - Meadowbank 2022 GN Spill Reports, 29 - Whale Tail 2022 GN Spill Reports, 38 - Whale Tail 2022 Report on the Implementation of Measures to Avoid and Mitigate Serious Harm, 39 - Meadowbank and Whale Tail 2022 Marine Mammal and Seabird Report, 44 - Whale Tail 2022 Fish Habitat Offsets Monitoring Report, 45 - Meadowbank AWAR Transportation Management Plan Version 6, 46 - Whale Tail Haul Road Management Plan Version 4, 47 - Meadowbank and Whale Tail 2022 Wildlife Monitoring Summary Report.

DFO provides the following for the NWB's consideration.

DFO is generally agreeable with Agnico Eagle Mine's reporting and has the following comments or concerns to provide at this time.

Comment Number:	DFO-1
Subject/Topic:	Fish passage at road crossings
References:	Appendix 46: Whale Tail Haul Road Management Plan Version 4 – Section 7.1.2
Comment:	<p>Gap/Issue: Culverts crossing fish bearing waters along the AWAR and WTHR requiring repair maintenance.</p> <p>Annual report does not identify issues with culverts affecting fish passage. Annual report does not provide a plan for repair/replacement.</p>
Conclusion/Request:	Proponent to provide a plan for repair and/or replacement of damaged and obstructed culverts prioritizing repairs to culverts with potential to affect fish passage and those affecting fish and fish habitat along Whale Tail Haul Road and AWAR.

Comment Number:	DFO-2
Subject/Topic:	Location Data of Shipping Vessels
References:	Appendix 39: Meadowbank and Meliadine Mines Marine Mammal and Seabird Report, 2022
Comment:	<p>Gap/Issue : Project Certificates 004, 006, and 008 require vessels supplying the Meadowbank Complex and Meliadine mines to avoid sensitive marine mammal and seabird habitats such as haul-outs and breeding colonies.</p> <p>Ongoing outages for location data of ships - AEM stated in 2020, 2021, and 2022 report that “<i>Additional effort will be made</i></p>

	<i>in 2022 to ensure Groupe Desgagnés provides accurate track data to Agnico Eagle”. To this day, vessels continue to have ongoing Automatic Identification System issues lasting 12 hours to several days.</i>
Conclusion/Request:	<p>Proponent to provide additional details on the “<i>Additional effort</i>” being implemented to ensure accurate vessel tracks, and compliance with setbacks from sensitive habitats.</p> <p>Proponent to retrieve the missing information from other sources of information where feasible.</p>

Comment Number:	DFO-3
Subject/Topic:	Marine Mammal Monitoring Program
References:	Appendix 39: Meadowbank and Meliadine Mines Marine Mammal and Seabird Report, 2022
Comment:	Gap/Issue: Current Marine Mammal Monitoring survey efforts (1 survey per day, lasting 1.5-2 hours) are not sufficient for effective marine mammal monitoring
Conclusion/Request:	Proponent to update their marine mammal monitoring protocol and include increased monitoring efforts. This updated protocol should be developed by a marine mammal expert, be reviewed and approved by DFO and aim at effectively detecting and avoiding marine mammals during shipping.

Comment Number:	DFO-4
Subject/Topic:	Aquatic Invasive Species
References:	*NA: this comment was provided to NIRB but might not apply to the Water License
Comment:	Gap/Issue: Current monitoring plans do not include a monitoring program for aquatic invasive species.

	There is a risk of introducing aquatic invasive species through haul contamination from ship coming from Quebec
Conclusion/Request:	Proponent to include a non-Indigenous Species/Aquatic Invasive Species Monitoring Program around zones of higher risk. This monitoring plan should be developed by an expert, be reviewed and approved by DFO and response measure should be adopted.

Comment Number:	DFO-5
Subject/Topic:	Underwater Noise
References:	Appendix 39: Meadowbank and Meliadine Mines Marine Mammal and Seabird Report, 2022
Comment:	<p>Gap/Issue: Underwater noise from shipping vessels has the potential to elicit disturbance effects on marine mammals by reducing their ability to travel, communicate, and find food.</p> <p>During the 2022 shipping season, 27 vessels served the project. We currently do not know what noise level and characteristic is produced by those shipping vessels and its potential impact on marine mammals.</p>
Conclusion/Request:	Proponent to monitor and model their noise footprint using expert support. This model should aim at evaluating the impact of shipping noise on marine mammals present on the shipping route.

If you have any questions with the content of this letter, please contact Chris Shapka by email at Christopher.Shapka@dfo-mpo.gc.ca. Please refer to the file number referenced above when corresponding with the Program.

Sincerely,



José Audet-Lecouffe
Senior Biologist

Fish and Fish Habitat Protection Program
Fisheries and Oceans Canada

CC:
Alasdair Beattie, Fisheries and Oceans Canada
Chris Shapka, Fisheries and Oceans Canada