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Your file *Votre référence*
2AM- MEL1631

Our files *Notre référence*
11-HCAA-CA7-00014, 24-HCAA-
01238, 25-HCAA-00583

July 15, 2026

Nunavut Water Board (NWB)
P.O. Box 119
Gjoa Haven, NU
X0B 1J0

Subject: **Fisheries and Oceans Canada's** Information Requests **for** the Application to Amend the Type A Water Licence No: 2AM-MEL1631, issued to Agnico Eagle Mines Limited for the Meliadine Gold Project

Dear Richard,

The Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada (DFO) received the notice and request by the Nunavut Water Board (NWB) dated June 4, 2026, regarding the Application to Amend the Type A Water Licence No: 2AM-MEL1631; issued to Agnico Eagle Mines Limited (the Applicant) for the Meliadine Gold Project (the Project). In accordance with our mandate, i.e. the management, protection and conservation of fish and their habitats, DFO has conducted a completeness review and conducted an initial technical assessment, identifying appropriate Information Requests (IRs) for the Application.

Specifically, DFO's review has focused on the following:

- Meliadine 2AM-MEL1631 Water Licence Amendment Operational Update - Main Application Document
- Appendix 4-D: Meliadine Lake Hydrology Modelling
- Appendix 5-A: Aquatic Effects Monitoring Plan
- Appendix 5-I: Interim Closure and Reclamation Plan
- Appendix 5-P: Roads Management Plan

Below DFO provides seven IRs related to water withdrawal from Meliadine Lake and culverts installed on site, and their potential impacts to fish and fish habitat. DFO considers the missing information listed below necessary for the complete and appropriate review of the Water Licence Amendment Application. DFO is of the opinion that the information requested raised in this letter is required to properly assess the potential impacts of water use on fish and fish habitats, prior to the Application moving to the technical review phase of the process.



The NWB also invited interested parties to comment on the type of Technical Meeting / Pre-Hearing Conference to be held for the application; DFO prefers in person Technical Meetings to better facilitate discussion and collaboration, but is open to which ever form the NWB chooses.

If you have any questions, please contact Derek Donald by email at Derek.Donald@dfo-mpo.gc.ca. Please refer to the file numbers referenced above.

Sincerely,

José Audet-Lecouffe

A/ Team Lead

Fish and Fish Habitat Protection Program

Fisheries and Oceans Canada

Arctic Region

cc: Derek Donald – DFO
Dana Harris – DFO



DFO Mandate, Role, and Responsibilities

Fisheries and Oceans Canada (DFO) is a federal department responsible for safeguarding our waters and managing Canada's fisheries and oceans resources. DFO's Fish and Fish Habitat Protection Program (FFHPP) administers and ensures compliance for development projects taking place in and around fish habitat under the fish and fish habitat protection provisions of the *Fisheries Act* and relevant provisions of the *Species at Risk Act* (SARA).

The *Fisheries Act* and the *Species at Risk Act* provide a legal basis for conserving and protecting fish and fish habitat. The fish and fish habitat protection provisions of the *Fisheries Act* include:

- a prohibition against causing the death of fish, by means other than fishing (section 34.4);
- a prohibition against causing the harmful alteration, disruption or destruction of fish habitat (section 35);
- a framework of considerations to guide the Minister's decision-making functions (section 34.1); and
- ministerial powers to ensure the free passage of fish or the protection of fish or fish habitat with respect to existing obstructions (section 34.3).

The fish and fish habitat provisions of the *Fisheries Act* are applied in conjunction with other applicable federal laws and regulations related to aquatic ecosystems, including the *Species at Risk Act*, the *Oceans Act*, regulations respecting aquaculture, the Marine Mammal Regulations, and the Aquatic Invasive Species Regulations.

The fish and fish habitat protection provisions apply to all fish and fish habitat throughout Canada. Fish is defined in subsection 2(1) of the *Fisheries Act* as including (a) parts of fish, (b) shellfish, crustaceans, marine animals and any parts of shellfish, crustaceans or marine animals, and (c) the eggs, sperm, spawn, larvae, spat and juvenile stages of fish, shellfish, crustaceans and marine animals. Fish habitat is defined to include all waters frequented by fish and any other areas upon which fish depend directly or indirectly to carry out their life processes. The types of areas that can directly or indirectly support life processes include, but are not limited to: spawning grounds and nursery, rearing, food supply, and migration areas.

The fish and fish habitat protection provisions provide an approach to conserving and protecting fish and fish habitat, supported by policies and programs that provide for the long-term sustainability of freshwater and marine resources. DFO adopts a risk-based approach to the application of the fish and fish habitat protection provisions subject to the sensitivity of the fish and fish habitat in question.



Comments

Review Comment #	DFO-IR-01
Subject / Topic	Hydrology Modeling - Baseline Considerations
References	• Meliadine WL Amendment – Operational Update – Main Application Document • Appendix 4-D - Agnico Meliadine Mine – Meliadine Lake Hydrology Modelling
Comment / Request	DFO requests that the Applicant provide hydrology modeling under different climate scenarios, that compares baseline conditions (i.e. no Project water use or inputs) to: 1. current operational Water Licence approved water use (1,100,296 m³/yr); 2. proposed operational Water Licence approved water use (1,112,296 m³/yr); and 3. closure Water Licence approved water use (8,676,481 m³/yr). The application includes a hydrology model for Meliadine Lake water levels, that compares maximum freshwater withdrawal (1,110,296 m³/yr) to current water withdrawal (519,502 m³/yr) for the operational period (2026-2036), but not to baseline conditions (i.e. no water use scenario). Similarly, the model does not compare closure period water use (2037-2043) to baseline (no water use) conditions. The lack of baseline comparison prevents the proper assessment of the impacts of Project water use and the proposed increase in water use, on fish and fish habitat.

Review Comment #	DFO-IR-02
Subject / Topic	Hydrology Modeling – Winter/Under-ice Considerations
References	• Meliadine WL Amendment – Operational Update – Main Application Document • Appendix 4-D - Agnico Meliadine Mine – Meliadine Lake Hydrology Modelling
Comment / Request	DFO requests that the Applicant provide hydrology modeling for the winter period in addition to the summer period. This should include ice formation as a factor influencing water volumes, how the timing of open water may be impacted, and how associated outflows in Meliadine River and Diane River may be impacted. In the arctic, ice formation in winter can lock up a substantial amount of water and can significantly impact river flows and water movement. As such, understanding impacts on water use under winter conditions can be of vital importance for fish and fish habitat. The Meliadine Lake Hydrology Model considers only summer (ice-free) conditions when quantifying future water availability and notes that ice cover in winter may be explaining some of the anomalies seen in the model results, highlighting the impacts of ice formation on water quantity during winter.



Review Comment #	DFO-IR-02
	Without a detailed understanding of hydrological flows in winter conditions, DFO is unable to assess the impacts of the Project's water use on fish and fish habitat during the ice-covered season.

Review Comment #	DFO-IR-03
Subject / Topic	Hydrology Modeling – Downstream Effects
References	• Meliadine WL Amendment – Operational Update – Main Application Document • Appendix 4-D - Agnico Meliadine Mine – Meliadine Lake Hydrology Modelling
Comment / Request	DFO requests that the Applicant provide modeled outflows for the Meliadine River and Diane River, in addition to the modeled water levels in Meliadine Lake that were included with this application. The modeling and assessment of Meliadine River and Diane River should include analysis and discussion related to maintaining instantaneous flow alteration below 10% and mean annual discharge alteration below 30%, in the Meliadine River and Diane River, under different water use and climate scenarios. The importance of these thresholds is included in the following: • DFO. 2013. Framework for Assessing the Ecological Flow Requirements to Support Fisheries in Canada. DFO Can. Sci. Advis. Sec. Sci. Advis. Rep. 2013/017. In addition, the inclusion of a cross section of the outflows can be important in understanding fish passage capabilities to and from Meliadine Lake at different water levels. Maintaining the environmental flow needs in these rivers is vital to the long-term viability of fish habitat and fish use of these systems. Both Meliadine and Diane River are important for Arctic char migration, and maintaining their use is critical to local char populations. A model that accurately predicts the hydrological impacts of water use on these systems is necessary for DFO to assess and understand potential downstream impacts on fish and fish habitat.

Review Comment #	DFO-TRC-04
Subject / Topic	Hydrology Monitoring Plan
References	• Appendix 4-D - Agnico Meliadine Mine – Meliadine Lake Hydrology Modelling • Appendix 5-A - Aquatic Effects Monitoring Program, Design Plan (Version 4)
Comment / Request	DFO requests that the Applicant provide a hydrology monitoring plan that includes: 1. Details of the hydrology monitoring that was used to collect data for the Meliadine Lake Hydrology Model; and



	2. Details on future monitoring throughout operation and closure. This plan should include: • How, when, and where data is collected; • Considerations of summer and winter conditions; and • Justification on how the plan is suitable for assessing the impacts of the Project's water use on fish and fish habitat in Meliadine Lake, Meliadine River, and Diane River. To date, the Project has not provided a hydrology monitoring plan for assessing effects of water withdrawal on the receiving environment (i.e. Meliadine Lake water levels, and Meliadine River and Diane River discharge rates). The information being requested is necessary for DFO to assess how data is being collected for hydrological modeling and for the development of the discharge rating curve. Similarly, it is needed to understand how flows in Meliadine River and Diane River, and water levels in Meliadine Lake are being assessed by the Project. As this type of information (i.e. data collected to assess effects on the aquatic receiving environment) is typically included within an AEMP, it would be logical and prevent future confusion, if the hydrology monitoring were incorporate into the Project's AEMP. This would provide a reliable location for reviewing the design plan and monitoring results.
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Review Comment #	DFO-IR-05
Subject / Topic	Response Framework / Action Levels for Water Quantity
References	• Appendix 4-D - Agnico Meliadine Mine – Meliadine Lake Hydrology Modelling • Aquatic Effects Monitoring Program, Design Plan (Version 4)
Comment / Request	DFO requests that the applicant provide a conceptual response framework that includes discussion of action levels for water quantity parameters such as flow rates and timing of the open water season for Meliadine River and Diane River. A response framework that includes action levels is necessary for DFO to evaluate the Project's mitigation of risk associated with water use on fish and fish habitat.

Review Comment #	DFO-IR-06
Subject / Topic	Mine Closure 2037-2043; Pit Back-flooding Plan
References	• Appendix 4-D - Agnico Meliadine Mine – Meliadine Lake Hydrology Modelling • Interim Closure and Reclamation Plan – Update 2026
Comment / Request	DFO requests that the applicant provide a conceptual plan for the back-flooding of pits as described in the Interim Closure and Reclamation Plan, including proposed flooding rate, duration of flooding, time of year, etc. This back-flooding Plan should



	include a discussion of potential downstream impacts to fish and fish habitat, as well as a response framework and action levels, as described in DFO-IR-05. This information is necessary to understand the potential impacts on fish and fish habitat from water withdrawal activity required for the back-flooding of the pit during closure when significantly more water use is required. This activity constitutes a significant volume of water use from Meliadine Lake with potential to impact flows in the Meliadine River and Diane River and poses a high risk to the viability of Arctic char movement through these rivers. As such, it is important to plan well in advance and establish reliable mitigation measures and response framework procedures.
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Review Comment #	DFO-IR-07
Subject / Topic	Roads Management Plan – List of Culverts
References	Appendix 5-P - Agnico Meliadine Mine – Roads management Plan – Update June 2026
Comment / Request	DFO requests that the applicant provide a list of the Project's culverts within the Roads management Plan, including the following information: - Map showing culvert locations; - Geographic coordinates; - Fish bearing water crossing or not; - Month and year of installation; and - Month and year of replacement, if applicable. This should also include a schedule for inspection and maintenance. This information is necessary for DFO to assess the Project's potential impacts of current culverts on fish movement in the area.