



Fisheries and Oceans  
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September 4, 2018

*Your file*      *Votre référence*  
2AM-WTP1826

*Our file*      *Notre référence*  
16-HCAA-00370

Nunavut Water Board (NWB)  
**Attention: Karén Kharatyan**  
P.O. Box 119  
Gjoa Haven, NU  
X0B 1J0

Dear Mr. Kharatyan,

**Subject:** 2AM-WTP1826 for Agnico Eagle Mines Ltd.'s Design Report Fresh Water Intake -  
AEM's response to DFO-FPP comments

The Fisheries Protection Program of Fisheries and Oceans Canada (DFO-FPP) would like to thank the Nunavut Water Board (NWB) for the opportunity to review Agnico Eagles Mines Limited's (AEM) response to DFO-FPP's comments respecting the fresh water intake for the Whale Tail Pit Project. As per correspondence of August 27, 2018, the Board requested that they be informed directly if AEM's response addresses parties concerns.

DFO-FPP has reviewed AEM's response in accordance with its mandate to maintain the sustainability and ongoing productivity of commercial, recreational and Aboriginal fisheries.

DFO-FPP notes that AEM has indicated the use DFO's Freshwater Intake End-of-Pipe Fish Screen Guidelines (hereafter refers to Guideline) in their calculations of intake fish screen mesh size in an effort to avoid the entrainment and impingement of fishes. As a result AEM has proposed the use of a fish screen mesh size of 12.5mm (0.5 inches). However, DFO-FPP notes that according to the Guideline, a maximum screen opening (mesh size) of 2.54 mm (0.10 inches) is recommended for the protection of freshwater fish with a minimum fork length of 25 mm. This mesh size is recommended since most eggs and fish larvae remain in the bottom substrates until they reach the fry stage (i.e 25 mm fork lengths). This may also be protective of smaller species such as nine-spine stickleback. As such, DFO-FPP notes that AEM's proposed use of a larger screen opening of 12.5 mm (0.5 inch) may not be sufficiently protective of fishes with fork lengths as small 25 mm. DFO-FPP also notes that AEM has not provided sufficient justification or rationale for their proposed use (or calculation) of the larger intake fish screen with a mesh size of 12.5 mm.

DFO-FPP refers AEM to Section 3 "Information Requirements for Evaluation of Intake Screens" and Appendix A "Information Requirements" of the Guideline (pages 3 & 21-22 respectively), which specify information requirements for DFO to facilitate evaluation of an end-of-pipe intake screen

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design intended for fish protection. DFO-FPP notes that the ‘information requirements’ of “fish presence, species, and possible fish size or fish habitat conditions at the project site” and “screen maintenance, cleaning” are notably missing from information provided by AEM.

DFO therefore requests that AEM provide the following information:

- rationale for the use of the proposed fish screen with a mesh size opening larger than the suggested fish screen mesh size as recommended in the DFO’s Freshwater Intake End-of-Pipe Fish Screen Guidelines;
- fish species presence, and estimated fish sizes or fish habitat conditions at the project site;
- rate or ranges of rates of withdrawal from the watercourse
- screen (mesh) material, method of installation and supporting structures (i.e., is the intake being elevated?)
- proposed screen/intake maintenance, cleaning, or other special requirements to ensure the intake and fish screen are functioning as intended.

DFO would also like to request that AEM to adhere to the timing windows specify for Nunavut when extracting water to avoid impact to fish and fish habitat in the lake during sensitive spawning time. For more information on timing windows for Nunavut, please visit <http://www.dfo-mpo.gc.ca/pnw-ppe/timing-periodes/nu-eng.html>.

If you have any questions, please contact Sally Wong at (867) 669-4934 or by email at [Sally.Wong@dfo-mpo.gc.ca](mailto:Sally.Wong@dfo-mpo.gc.ca). Please refer to the file number referenced above when corresponding with the Program.

Sincerely,



Mark D’Aguiar  
Senior Fisheries Protection Biologist  
Central & Arctic Region  
Fisheries and Oceans Canada

cc: Bev Ross, DFO  
Sally Wong, DFO