



Fisheries and Oceans
Canada

Pêches et Océans
Canada

Central and Arctic Region
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January 10, 2020

Your files Votre référence
2BB-MEA1828

Our file Notre référence
16-HCAA-000370

Richard Dwyer
Manager of Licensing
Nunavut Water Board (NWB)
P.O. Box 119
Gjoa Haven, NU X0B 1J0

Dear Richard Dwyer,

**Subject: Fisheries and Oceans Canada's comments regarding Water Licence
Amendment Application for the Meadowbank Exploration Project (2BB-
MEA1828) Exploration Camp Relocation**

The Fish and Fish Habitat Protection Program of Fisheries and Oceans Canada (DFO-FFHPP) would like to thank the Nunavut Water Board (NWB) for the opportunity to provide comments on Agnico Eagle Mines Ltd.'s (AEM) water licence amendment application, for the Amaruq Exploration Project as per the December 4th, 2019 NWB email correspondence.

DFO-FFHPP provide the following comments / requests for clarification:

1. The Main Application Document and Project Description in Section 2. Project Description, e. access road, states that an access road with culverts will be constructed, but that no fish bearing stream will be crossed.

DFO request AEM provide clarification regarding i) what information was used to determine fish bearing status of the stream(s) crossed by the proposed access road, and ii) where said information is located.

2. The Main Application Document and Project Description in Figure 1, indicates that the camp will be relocated to the east with unnamed waterbodies in close proximity to the north and south of the relocated camp footprint. DFO appreciates that the application materials "191128 2BB-MEA1828 Amendment 2 clarification" and "191204 2BB-MEA1828 Amendment 2 clarification" (November 28, 2019) indicate that there is currently no name of the new camp water source, though estimates for daily water use exist. However, the figure mentioned in the clarification "...*showing the water source planned to be used*" (email: November 18, 2019) does not appear to have been included as part of the application materials available for review.

DFO requests AEM provide clarification on i) the fish bearing status of the waterbodies near the proposed relocated exploration camp, ii) what information was used to determine fish-bearing status and the location of said information, iii) which waterbodies are being considered for water withdrawals, and iv) how the proposed water withdrawal relates to information in Table 1 that was provided in response to NWB Commitment 2.2.3 (re: Water use volumes and source lakes for the Whale Tail Expansion Project) as part of the ongoing NWB Water Licence 2AM-WTP1826 Amendment review process for the Whale Tail Pit Expansion Project.

3. DFO appreciates that the Screening Decision Report NIRB file No: 11EN010 (October 5, 2016) under "Water Use" indicates that water shall not be extracted from any fish-bearing waterbodies unless a screen with appropriate mesh size is used. However, the *"Interim code of practice: End-of-pipe fish protection screens for small water intakes in freshwater"* (available at: <https://dfo-mpo.gc.ca/pnw-ppe/codes/screen-ecran-eng.html>) is not mentioned under "Other applicable Guidelines." However, under "Other Applicable guidelines" it does state *"The Proponent shall follow the Fisheries and Oceans Canada's (DFO) Guidelines for the use of Explosives in or near Canadian Fisheries Waters... and shall not conduct blasting if wildlife is within sight or hearing distance of the project area blasting-related activities."*

DFO asks for additional clarification if guidance provided in i) *"Interim code of practice: End-of-pipe fish protection screens for small water intakes in freshwater"* will be used for intake screens, and ii) if guidance in *"Monitoring Explosive-Based Winter Seismic Exploration in Waterbodies, NWT 2000-2002"* (Cott and Hanna, 2005) will be used with regards to blasting activities.

DFO notes that information on best practices and review of projects near water is currently available via the DFO website (e.g. <https://dfo-mpo.gc.ca/pnw-ppe/index-eng.html>), and further notes that information related the *Fisheries Act* (2019) continues to be developed and updated, with posting on the website when documents are made publically available.

If you have any questions, please contact Boyan Tracz at (867) 669-4920, or by email at Boyan.Tracz@dfo-mpo.gc.ca. Please refer to the DFO file number referenced when corresponding.

Sincerely



Boyan Tracz
A/ Senior Biologist, Fish and Fish Habitat Protection Program
Fisheries and Oceans Canada
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cc: Alasdair Beattie, DFO-FFHPP