



Fisheries and Oceans
Canada

Pêches et Océans
Canada

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Your file *Votre référence*
8BC-WTP----

Our file *Notre référence*
16-HCAA-00370

February 21, 2018

Karén Kharatyan
A/Manager of Licensing
Nunavut Water Board
P.O. Box 119
Gjoa Have, NU X0B 1J0

Dear Karén Kharatyan:

Subject: Agnico Eagle's Response to Fisheries and Oceans Canada's Comments on the NWB Type 8BC-WTP---- –New Water License Application for Predevelopment Works for the Whale Tail Pit Project

The Fisheries Protection Program of Fisheries and Oceans Canada (DFO-FPP) would like to provide comments on Agnico Eagle Mines Ltd.'s (AEM) response to DFO-FPP's comments on the NWB Type 8BC-WTP---- – New Water Licence Application for Predevelopment Works for the Whale Tail Pit Project.

DFO-FPP appreciates AEM's responses submitted to the Nunavut Water Board, and is satisfied with the responses to DFO-FPP's Comments 1 and 2.

AEM's Response to 3.3 (DFO-FPP Comment 3)

DFO-FPP notes that in 'DFO-FPP Comment 3', DFO-FPP requested that AEM provide detailed, site specific engineer drawings for each of the proposed/upgraded culverts and watercourse crossings, includes but is not limited to the calculations used to determine correct sizing of the culvert, which will ensure adequate velocities for fish passage during both high and low flows, and the hydraulic calculations showing the capacity of the culvert to adequately handle peak flows. DFO also noted it was unclear to DFO-FPP whether the culvert(s) extensions will result in additional footprint below the high water mark (HWM).

DFO-FPP acknowledges AEM's response that the original 'Request for Review' submission on November 27, 2015, *"provides 'a residual effects assessment' for new culverts applicable to the proposed predevelopment licence activity to expand the Amaruq road to a haul road; the extension of culverts for the haul road will not change this assessment."* DFO-FPP also

understands that AEM “...will adhere to the above recommendations and will provide the requested information to DFO-FPP for any new culvert installation.”

DFO-FPP is still unclear whether the culvert(s) extensions will result in additional footprint below the HWM in fish bearing, or potentially fish bearing watercourses. Should the extensions/upgrades to existing culverts result in additional footprint below the HWM in fish-bearing or potentially fish-bearing watercourses, DFO-FPP will also require detailed design drawings for the upgraded culverts. DFO will also require that site specific (watercourse specific) fish passage assessments be provided for the new and upgraded watercourse crossings. DFO-FPP notes that this information can be provided as part of AEM’s ‘DFO Request for Review’ submission to DFO-FPP.

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

Sincerely,



Mark D'Aguiar
Senior Fisheries Protection Biologist, Regulatory Reviews
Fisheries Protection Program

Cc: Bev Ross, DFO
Sally Wong, DFO