



Fisheries and Oceans  
Canada

Pêches et Océans  
Canada

Arctic Regions  
Fish and Fish Habitat Protection Program  
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Yellowknife, Northwest Territories  
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Régions de l'Arctique  
Programme de protection du poisson et de son habitat  
301 – 5204 50th Ave. (Franklin)  
Yellowknife, Territoires du Nord-Ouest  
X1A 1E2

June 20, 2025

*Your file*      *Votre référence*  
03MN107, 16MN056

*Our file*      *Notre référence*  
16-HCAA-00370, 20-HCAA-00275

Nunavut Impact Review Board  
Attn: Keith Morrison  
Manager, Project Monitoring  
PO Box 1360 (29 Mitik Str.)  
Cambridge Bay, NU X0B 0C0

Via email to : [info@nirb.ca](mailto:info@nirb.ca)

**Subject: 03MN107 & 16MN056 – Agnico Eagle – Meadowbank Gold Mine and Whale Tail Pit Projects (Meadowbank Complex) – 2024 Annual Monitoring Report**

Dear Keith Morrison,

The Fish and Fish Habitat Protection Program of Fisheries and Oceans Canada (DFO) received your request for comments on May 23, 2025. DFO has reviewed the above 2024 Annual Monitoring Report in regards to its mandate, i.e. the management, protection and conservation of fish and their habitats. The Nunavut Impact Review Board (NIRB) invited parties to respond to the following topics :

1. Effects monitoring:
  - a. Whether the conclusions reached by Agnico Eagle in the 2024 Annual Report are valid; and
  - b. Any areas of significance requiring further supporting information or any changes to the monitoring program which may be required.
2. Compliance Monitoring:
  - a. Provide a summary of any compliance monitoring and/or site inspections undertaken in association with the Project, including specifically
    - i. Identify the Terms and Conditions from the Project Certificate which have been incorporated into any permits, certificates, licences or other approvals issued for the Project, where applicable;
    - ii. A summary of any inspections conducted during the 2024 reporting period, and the results of these inspections; and

- iii. A summary of Agnico Eagle's compliance status with regard to authorizations that have been issued for the Project.

Specifically, DFO has reviewed the 2024 Meadowbank Complex Annual Report (Performance on Project Certificate Terms and Conditions) and the following Appendices:

- Appendix 7 - Meadowbank and Whale Tail 2024 Geotechnical Inspection Report
- Appendix 10 - Meadowbank and Whale Tail 2024 Annual Geotechnical Recommendation Implementation Plan
- Appendix 11 - Meadowbank 2024 Geomechanical Inspection Implementation Plan
- Appendix 12 - Whale Tail 2024 Geomechanical Inspection Implementation Plan
- Appendix 13 - Meadowbank Water Management Plan Version 14
- Appendix 14 - Whale Tail Water Management Plan Version 14
- Appendix 16 - Meadowbank Predicted Water Quantity and Quality (2024)
- Appendix 22 - Meadowbank and Whale Tail Spill Contingency Plan Version 21
- Appendix 23 - Meadowbank 2024 GN Spill Reports
- Appendix 24 - Whale Tail 2024 GN Spill Reports
- Appendix 25 - Meadowbank OPEP and OPPP Version 18
- Appendix 26 - Meadowbank and Whale Tail 2024 CREMP Report
- Appendix 27 - Whale Tail 2024 Mercury Monitoring Program Report
- Appendix 31 - Whale Tail 2024 Report on the Implementation of Measures to Avoid and Mitigate Serious Harm
- Appendix 32 - Meadowbank and Whale Tail 2024 Marine Mammal and Seabird Report
- Appendix 33 - Meadowbank and Whale Tail Blast Monitoring Program Version 10
- Appendix 34 - Meadowbank and Whale Tail 2024 Blast Monitoring Report
- Appendix 37 - Whale Tail 2024 Fish Habitat Offsets Monitoring Report
- Appendix 39 - Meadowbank and Whale Tail 2024 Wildlife Monitoring Summary Report
- Appendix 59 – Shipping Management Plan Version 5

DFO provides the following comments for the NIRB's consideration:

1. Effects Monitoring

- a. Whether the conclusions reached by Agnico Eagle in the 2024 Annual Report are valid.

DFO is generally agreeable with Agnico Eagle's reporting.

- b. Any areas of significance requiring further supporting information or any changes to the monitoring program which may be required.

DFO has the following comments and concerns related to effects monitoring:

<b>Comment Number:</b>	DFO-1
<b>Subject/Topic:</b>	Correction of DFO File Numbers
<b>References:</b>	Main Report Section 11.5.7
<b>Comment:</b>	Gap/Issue: The annual report reports DFO occurrence file number incorrectly (#4-HCAA-02467 and #4-HCAA-02468).
<b>Conclusion/Request:</b>	Proponent to correct DFO file numbers to 24-HCAA-02467 and 24-HCAA-02468 respectively.

<b>Comment Number:</b>	DFO-2
<b>Subject/Topic:</b>	Culverts: Barriers to Fish Passage and Sedimentation
<b>References:</b>	Appendix 7: 2024 Geotechnical Inspection Report
<b>Comment:</b>	Gap/Issue: AEM notes potential barriers to fish passage and sedimentation (buried culverts, signs of erosion, and granular material from the road). However, gravel deposition from the road has not been removed from culverts that were identified in the 2023 annual report and remain buried.
<b>Conclusion/Request:</b>	Proponent to remove gravel that is burying culverts posing a risk to fish passage, potential sedimentation into fish bearing waters, and impeding drainage. While some of the culverts buried or blocked by gravel have not been identified as fish-bearing, DFO recommends removal of gravel at all culverts to ensure protection of fish habitat. This work can be done following DFO's <a href="#">Culvert Maintenance Code of Practice</a> .


<b>Comment Number:</b>	DFO-4
<b>Subject/Topic:</b>	Marine Mammal Monitoring Program
<b>References:</b>	Appendix 32: Meadowbank and Whale Tail 2024 Marine Mammal and Seabird Report
<b>Comment:</b>	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
<b>Conclusion/Request:</b>	DFO requests increasing monitoring effort to 2 surveys per day minimum, with a break in between to alleviate monitor eye fatigue and/or consider using technology to scan for marine mammals.

<b>Comment Number:</b>	DFO-5
<b>Subject/Topic:</b>	Marine Mammal Monitoring Program: Vessels travelling in sensitive habitat
<b>References:</b>	Appendix 32: Meadowbank and Whale Tail 2024 Marine Mammal and Seabird Report
<b>Comment:</b>	Gap/Issue: Project Certificates 004 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. Vessels are required to avoid sensitive wildlife habitat and travel south of Coats Island when it is safe to do so. However, vessels transited north of Coats Island on 3 occasions.
<b>Conclusion/Request:</b>	Proponent to firstly ensure compliance with setbacks from sensitive habitat. Additionally, DFO recommends when compliance cannot occur due to safety, a marine mammal observer monitor for marine mammals during all transits north of Coats Island and when crossing setback distances, in addition to their regular monitoring schedule.

	DFO to work with the proponent to update their marine mammal monitoring protocol and include these additional monitoring efforts.
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<b>Comment Number:</b>	DFO-6
<b>Subject/Topic:</b>	Aquatic Invasive Species
<b>References:</b>	Shipping Management Plan (Version 5);
<b>Comment:</b>	<p>Gap/Issue: Current monitoring plans do not include a monitoring program for aquatic invasive species.</p> <p>There is a risk of introducing aquatic invasive species through hull contamination from ships coming from Quebec. The Shipping Management Plan requires the shipping companies contracted to supply the mine through the annual sea-lift operations to comply with the Ballast Water Regulations, which reduces the risk of invasive species being introduced as a result of shipping activities, but does not eliminate this risk so that monitoring for the occurrence of aquatic invasive species is required to confirm this. There is a greater risk of invasive species establishment due to Meadowbank shipping activities since vessels are travelling from freshwater (Quebec) to freshwater (Baker Lake).</p>
<b>Conclusion/Request:</b>	<p>Proponent to consider a Non-Indigenous Species/Aquatic Invasive Species Monitoring Program around zones of higher risk (Baker Lake).</p> <p>Proponent to provide specific monitoring and mitigation measures that are being conducted, including but not limited to any ballast water treatment, monitoring for aquatic invasive species (eDNA, hull, and ballast water sampling), any hull clean-up and maintenance protocols, etc.</p>

<b>Comment Number:</b>	DFO-7
<b>Subject/Topic:</b>	Underwater Noise
<b>References:</b>	Shipping Management Plan (Version 5)
<b>Comment:</b>	<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 2024 shipping season, 16 vessel trips served the project. We currently do not know what noise level and characteristic is produced by those shipping vessels and the potential impact on marine mammals.</p> <p>The FEIS predicted the residual environmental effect of a change in marine mammal behaviour as a result of Project vessel noise was considered to be low in magnitude, however the likelihood of behavioural disturbance from Project-related vessel noise was considered likely. However there is no monitoring of noise levels to help understand and mitigate these effects.</p>
<b>Conclusion/Request:</b>	<p>Proponent to provide any data or modeling work to date by the Proponent or the shipping company. DFO to work with the 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. A Shipping Management Plan should be updated according to the model.</p>

<b>Comment Number:</b>	DFO-8
<b>Subject/Topic:</b>	Updated DFO Regions & Contacts for Emergency Response
<b>References:</b>	Appendix 23: Meadowbank OPEP and OPPP Version 18
<b>Comment:</b>	Gap/Issue: The Department of Fisheries and Oceans separated the Central and Arctic Region in April of 2024.
<b>Conclusion/Request:</b>	<p>Proponent to updated the information in Appendix 23 with new DFO Arctic Region information and contact list for environmental emergency response.</p> <ul style="list-style-type: none"> <li>DFO Arctic Environmental Incident Coordinator  <a href="mailto:dfo.arcenvincident-incidentenvarc.mpo@dfo-mpo.gc.ca">dfo.arcenvincident-incidentenvarc.mpo@dfo-mpo.gc.ca</a></li> </ul> <p>E.g., Replacing Figure 1-1 with updated DFO regions.  Example figure shown below.</p>  <p>DFO to work with the Proponent to ensure all necessary changes and updates are made, and provide a contact list for marine environmental emergencies.</p>

## 2. Compliance Monitoring

- a. Provide a summary of any compliance monitoring and/or site inspections undertaken in association with the Project, including specifically
  - i. Identify the Terms and Conditions from the Project Certificate which have been incorporated into any permits, certificates, licenses or other approvals issued for the Project, where applicable;

- a. For Project Certificate No. 004 Amendment 3, Terms and Conditions 30, 31, 46, 47, 49, 50, 53, 85 were incorporated into Fisheries Act Authorizations.
  - b. For Project Certificate No. 008 Amendment 1, Terms and Conditions 19, 20, 21, 22, 23, 24, 46, 47, 50, 51 and 52 were incorporated into Fisheries Act Authorizations.
- ii. A summary of any inspections conducted during the 2024 reporting period, and the results of these inspections
  - a. DFO conducted a site inspection of the watercourse crossings along the All-weather Access Road (AWAR) and Whale Tail Haul Road (WTHR) at the Meadowbank and Whale Tail facilities in August of 2024. DFO notified AEM of two occurrences identified during the site visit (DFO file #s 24-HCAA-02467 and 24-HCAA-02468). These occurrences were filed due to gravel remaining on the river bank at bridge R15, and road material falling into watercourses from bridges along the AWAR and WTHR. DFO notified AEM that mitigation and corrective measures must take place. Communications between AEM and DFO are ongoing to correct the issues.
- iii. A summary of Agnico Eagle's compliance status with regard to authorizations that have been issued for the Project.
  - a. The proponent is largely compliant with the terms and conditions that pertain to DFO's mandate. DFO will continue to work with the proponent to ensure compliance.

If you have any questions with the content of this letter, please contact Holly Simpson by email at [Holly.Simpson@dfo-mpo.gc.ca](mailto:Holly.Simpson@dfo-mpo.gc.ca). Please refer to the file number referenced above when corresponding with the Program.

Sincerely,



Jennifer Loughery  
Senior Biologist  
Fish and Fish Habitat Protection Program  
Fisheries and Oceans Canada

CC:  
Holly Simpson, Fisheries and Oceans Canada  
José Audet-Lecouffe, Fisheries and Oceans Canada