



NIRB File No.: 08AN008

Associated NIRB File No.: 11EA050

July 28, 2015

David Willis, Land Administrator
Peregrine Diamonds Ltd.
201 – 1250 Homer Street
Vancouver, BC V6B 1C6

Sent via email: dave@pdiam.com

Re: Nunavut Impact Review Board's Response to Request for Disclosure of the NIRB's Distribution List for the Chidliak Project

Dear David Willis:

Further to your correspondence received by the Nunavut Impact Review Board (NIRB or Board) on July 15, 2015 in which you indicated:

...please consider this a request for disclosure of the organizations and individuals that comprise the "Distribution List" in the closing section of the following four NIRB letters:

- 1) Jan. 31, 2008 – Letter from NIRB to Peter Holmes (Peregrine), NIRB File 08AN008*
- 2) Nov. 19, 2008 – Letter from NIRB to S. Standafer-Pfister (Peregrine), NIRB File 08AN008*
- 3) Oct. 8, 2010 – Letter from NIRB to Peregrine Diamonds Ltd., NIRB File 08AN008*
- 4) Oct. 22, 2012 – Letter from NIRB to S. Standafer-Pfister, NIRB File 11EA050*

At the outset, it should be noted that as of July 9, 2015 the NIRB's collection, use and disclosure of the personal information such as addresses and other contact information that comprises the NIRB's distribution lists is governed by the provisions of the *Nunavut Planning and Project Assessment Act*, S.C. 2013, c. 14, s. 2 (*NuPPAA*) and specifically ss. 202-206 of *NuPPAA* and the relevant provisions of the *Federal Access to Information Act*, R.S.C., 1985, c. A-1. Reflecting these legislative requirements and the limits on disclosure of personal information, the NIRB cannot disclose the addresses and contact information from their distribution lists. Therefore, the Board cannot accommodate your request.

In the telephone conversations with the NIRB's staff that you reference in your letter, it is the Board's understanding that part of the basis for your request was to determine the extent to which various parties may have received notice of specific correspondence from the NIRB. It appears that your request may reflect the view that if interested parties have received notice of correspondence from the NIRB this would eliminate the requirement for the project proponent to provide similar notice to parties potentially affected by the project proposal. This assumption is not correct, and the Board cautions that the proponent's obligation to consult is independent of the Board's processes.

As a result, the extent to which the NIRB's file documentation is or is not circulated to various participants that may or may not be on the Board's distribution list for a file, region or in general, does not affect the scope of a project proponent's obligation to consult with and provide notice to intervenors, potentially affected members of the public or interested persons. Further, the Board's posting of materials on the NIRB public registry also doesn't discharge the obligation of a project proponent to put together a project-specific consultation record to file with the Board.

If you have any further questions regarding the Board's expectations with respect to consultation by a project proponent and the consultation record that is typically provided to the Board associated with projects undergoing assessment by the NIRB, please feel free to follow up with me at 1-867-983-4611 or toll free 1-866-233-3033 or via e-mail at tarko@nirb.ca.

Sincerely,



Tara Arko
Director of Technical Services
Nunavut Impact Review Board