



**Mackenzie Valley Land and Water Board**  
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**Staff Report**

<b>Applicant:</b> Peregrine Diamonds Ltd.	
<b>Location:</b> Lac de Gras Area - Transboundary	<b>Application:</b> MV2011C0005
<b>Date Prepared:</b> April 20, 2011	<b>Meeting Date:</b> April 28, 2011
<b>Subject:</b> Renewal Application for Type A Land Use Permit for Mineral Exploration	

**1. Purpose/Report Summary**

The purpose of this report is to obtain a decision from the Mackenzie Valley Land and Water Board (MVWLB or the Board) on a renewal application for a Type A Land Use Permit, submitted by Peregrine Diamonds Ltd. for continued mineral exploration in the Lac de Gras area.

**2. Background**

- February 26, 2004 – LUP MV2004C0001 issued
- February 12, 2009 – Two-year extension approved, and project deemed Transboundary
- February 18, 2011 – Storage Authorization approved by the Board
- February 25, 2011 – LUP MV2004C0001 expired
- March 11, 2011 – LUP Renewal Application submitted
- March 17, 2011 – Application deemed incomplete
- March 17, 2011 – Additional information received
- March 24, 2011 – Renewal application deemed exempt from preliminary screening by the Board
- March 24, 2011 – Application deemed complete and sent out for review with Draft LUP conditions
- April 13, 2011 – Comment deadline
- April 28, 2011 – Renewal application presented to the Board for decision

### 3. Discussion

This project is located in the Lac de Gras area. Proposed exploration activities include operation of a camp, sampling, drilling, possible trenching, mapping, and airborne and ground geophysics. Activities will be seasonal (late winter and/or late summer programs).

LUP MV2004C0001 allowed for a maximum of 40 drillholes. Eight (8) drillholes have been completed to date.

Equipment on site will consist of a recirculating drill, a helicopter, snowmobiles, a generator, and pumps. An additional drill may be used in programmes beyond 2011.

Site access will be by air on floats or skis. Transport within the land use area will be by helicopter and snowmobile. A helicopter landing area will be designated at the camp.

The crew will be accommodated in a seasonal tent camp. A maximum of 20 people is proposed. The camp will be located on the west arm of Lac de Gras at the existing campsite (currently in care and maintenance). The original camp location for MV2004C0001 was at Afridi Lake, but a change in camp location was approved by the Inspector through a field modification on February 12, 2007.

When the camp is operational, water is to be drawn from Lac de Gras for camp use (approximately 3-6 m<sup>3</sup>/day). Greywater from the kitchen and camp dry will be disposed of in a hand-dug sump. Sewage will be disposed of either in pit toilets, treated with lime, or in waterless Pacto toilets.

Combustible garbage (including Pacto bags) will be incinerated on site daily when the camp is operational. Incinerator ash and non-combustible waste will be collected and removed from site for disposal.

The maximum fuel to be stored on site at any one time is proposed to be 4,000L (or as authorized by the Inspector). A bermed fuel storage area will be created near the camp. Fuel is to be transported to drill sites as required. Other chemicals on site will include propane, oil and lubricants, cleaners, and drilling additives. Some of the additives and oils proposed will be new to the project.

Community engagement was conducted in association with the original project application in 2004. Peregrine indicates that engagement was followed up during the life of the permit. Community engagement related to the renewal application commenced in October, 2010. Peregrine met with five of the eleven groups contacted.

#### **4. Comments**

##### Scope

Both the proponent and the INAC Inspector have expressed concern with the fact that the number of drill-holes was specified in the scope of the original permit and have requested that this detail be removed. Renewal of a LUP does not allow for changes to the scope of the permit. Should Peregrine's exploration activities lead to the need for more drill-holes, Peregrine may apply for a new LUP or an amendment to the scope, either of which will require a new preliminary screening.

##### Name Change

The previous LUP, MV2004C0001, was originally issued to Dunsmuir Ventures Ltd, which became Peregrine Holdings Ltd, a subsidiary of Peregrine Diamonds Ltd.. Peregrine Holdings Ltd. was then dissolved, and the mineral claims associated with the LUP were transferred from Peregrine Holdings Ltd. to Peregrine Diamonds Ltd. Peregrine failed to notify the MVLWB of the name change at the time, and the LUP remained in the name of Peregrine Holdings Ltd. In order to have the renewal Permit issued in the correct company name, Peregrine has provided supporting documentation of the transfer with this application.

#### **5. Review Comments**

Please see attached comment summary table.

#### **6. Security**

A security deposit of \$9,000 is currently held under LUP MV2004C0001. Although final plans have been submitted, the Inspector has not recommended final clearance for this file, since some materials are still stored on site under the Storage Authorization issued by the MVLWB.

The security template estimate is \$14,000 for the project as described in the renewal application due to the possibility of a second drill on site and the resultant increase in the maximum number of people on site.

#### **7. Conclusion**

Any impacts associated with this operation can be successfully minimized and mitigate by following the attached Draft LUP Conditions.

#### **8. Recommendation**

Board staff recommend that the Board approve the renewal of Peregrine's Type A Land Use Permit (with the attached Conditions) for a period of five years, commencing April 28, 2011.

**9. Attachments**

- Comment summary table;
- Name Change Documentation;
- Application and Maps;
- Community Engagement Log;
- Security Estimate;
- Draft Land Use Permit Cover Page & Conditions; and
- Draft Issuance Letter.

Respectfully submitted,



Lindsey Cymbalisky  
Regulatory Officer

Comment Summary Table - MV2011C0005  
 Type A LUP Renewal Application- Peregrine Diamonds Ltd.

REVIEWER	TOPIC	COMMENT	RECOMMENDATION	COMPANY RESPONSE	BOARD STAFF RECOMMENDATION	BOARD DECISION/RATIONALE
	<b>General Comments</b>					
DFO	Mineral Exploration Activities	Impacts to fish and fish habitat can occur during mineral exploration activities through loss of riparian habitat during site clearing, erosion and sedimentation, release of drilling fluids and cuttings into aquatic environments, disturbance to fish and fish habitat during sensitive life stages, and water withdrawals, particularly during low water periods, associated with drilling, surface stripping and camp operations.	Adhere to the DFO Mineral Exploration Operational Statement available at: <a href="http://www.dfompo.gc.ca/regions/central/habitat/os-ee/province/territories-territoires/nt/os-ee24-eng.htm">http://www.dfompo.gc.ca/regions/central/habitat/os-ee/province/territories-territoires/nt/os-ee24-eng.htm</a>	Discussed with R. Walbourne, DFO-Yellowknife, 14 April 2011. Mr. Walbourne stated that the Min. Expl. Op Statement was not intended to prevent early exploration. RESULT: Peregrine understands that drilling of core diameters from BQ through PQ is within the 100mm limit and therefore has no concerns at this time.	Acceptable. The proponent is reminded to be aware that compliance with other applicable legislation is required.	Board agrees with staff recommendation.
DFO	Surficial Sediment Sampling	In correspondence dated March 28th, 2011, Peregrine Diamonds Ltd. provided additional information to the Board on "surficial sediment sampling." This activity has the potential to include excavations ranging from 30-70 cm in shallow streams. The activity described has the potential to create sediment disturbance downstream and could be especially harmful to fish during sensitive life stages.	Additional activity specific mitigation measures/techniques should be required by the field crew to ensure that these impacts are minimized.	In response to MVLWB/DFO on 30 March 2011, Peregrine emphasized that stream sampling is not common, and when used, is a short-term activity in a small area of (preferentially) fast-moving water where incidence of pluming would be unlikely. Mitigation is inherent in the process of collecting only heavy material rather than fines, and in sampling in summer conditions so as to avoid potential impact to either spring or fall spawners. RESULT: Peregrine feels these mitigations are appropriate for the limited occasions on which stream sampling might be	Acceptable.	Board agrees with staff recommendation.
DFO	Water Withdrawal	Water withdrawn from ice-covered waterbodies can impact fish through oxygen depletion, loss of overwintering habitat and/or reductions in littoral habitat.	Adhere to the DFO Protocol for Winter Water Withdrawal from Ice-Covered Waterbodies in the NWT and Nunavut (attached)	Discussed with R. Walbourne, DFO-Yellowknife, 14 April 2011. RESULT: Peregrine has no concern, as reaching threshold of 100m3 per watercourse per season unlikely at this stage of project.	Acceptable.	Board agrees with staff recommendation.
DFO	Water Withdrawal	Fish screens at freshwater intakes have the potential to result in direct impacts to fish as a result of entrainment or impingement	Adhere to DFO's Freshwater Intake End-of-Pipe Fish Screen Guideline, available at: <a href="http://www.dfompo.gc.ca/library/223669.pdf">http://www.dfompo.gc.ca/library/223669.pdf</a>	Discussed with R. Walbourne, DFO-Yellowknife, 14 April 2011. RESULT: Peregrine already adheres to Fish Screen Guidelines; no concern.	Acceptable.	Board agrees with staff recommendation.

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DFO	Timing Windows	Restricted timing windows have been identified for NWT lakes, rivers, and streams to protect fish during spawning, incubation periods when spawning fish, eggs and fry and vulnerable to disturbance or sediment.	Adhere to DFO's Timing Windows Operational Statement, available at: <a href="http://www.dfompo.gc.ca/regions/central/habitat/os-ee/province-territoires-territoires/nt/pdf/os-ee021_e.pdf">http://www.dfompo.gc.ca/regions/central/habitat/os-ee/province-territoires-territoires/nt/pdf/os-ee021_e.pdf</a>	Discussed with R. Walbourne, DFO- Yellowknife, 14 April 2011. Mr. Walbourne stated that the Timing Window Op. Statement was not intended to prevent early exploration, but was focused on "known spawning habitat". This information is not known ahead of aquatic studies which would be undertaken at a more advanced stage. RESULT: No proponent concern at this time. Peregrine pleased to liaise	Acceptable.	Board agrees with staff recommendation.
EC	Species at risk	The following species at risk as assessed by COSEWIC and/or listed on Schedule 1 of the Federal Species at Risk Act (SARA) may be encountered in the project area: Peregrine Falcon Tundrus subspecies, Eskimo Curlew, Short-eared Owl, Boreal Woodland Caribou, Grizzly Bear and Wolverine. Refer to species status reports and other information on the Species at Risk registry at <a href="http://www.sararegistry.gc.ca">www.sararegistry.gc.ca</a> for information on specific species as well as the booklet "Species at Risk in the Northwest Territories" (2010 Edition) available at <a href="http://www.enr.gov.nt.ca/_live/pages/wpPages/Species_at_Risk.aspx">http://www.enr.gov.nt.ca/_live/pages/wpPages/Species_at_Risk.aspx</a> .	<ul style="list-style-type: none"> <li>• If Species at Risk are encountered or affected, the primary mitigation measure should be avoidance. The proponent should avoid contact with or disturbance to each species, its habitat and/or its residence</li> <li>• Monitoring should be undertaken by the proponent to determine the effectiveness of mitigation and/or identify where further mitigation is required. As a minimum, this monitoring should include recording the locations and dates of any observations of Species at Risk, behaviour or actions taken by the animals when project activities were encountered, and any actions taken by the proponent to avoid contact or disturbance to the species, its habitat, and/or its residence. This information should be submitted to the appropriate regulators and organizations with management responsibility for that species, as requested.</li> <li>• For species primarily</li> </ul>	Peregrine maintains a wildlife log for each field programme, practices avoidance of animals to the extent possible, and emphasises such in on-site training. Should sightings reveal potential presence of a species of federal or territorial concern, sighting co-ordinates would be plotted and specific avoidance measures adopted and vetted through the relevant authorities.	Information forwarded to the proponent.	Board agrees with staff recommendation.

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EC	Hazardous Waste Management	Section 36(3) of the Fisheries Act pertaining to deleterious substances entering fish bearing waters	The proponent shall ensure that any chemicals, fuel or wastes associated with the proposed activities do not enter waters frequented by fish. It is a requirement of <b>Section 36(3) of the Fisheries Act</b> that all effluent discharged into water frequented by fish, be non-deleterious.		Information forwarded to the proponent.	Board agrees with staff recommendation.
EC	Incinerator	The proponent states that they will be using the Inciner8 incinerator to burn combustible garbage and debris. It is uncertain if the incinerator is capable of meeting the CCME Canada-wide Standards for Dioxins and Furans.	The proponent should provide information from the manufacturer demonstrating that the incinerator is capable of meeting the CCME Canada-wide Standards for Dioxins and Furans.	As a responsible northern-focused proponent, Peregrine invests in equipment that meets a range of environmental and safety standards. Various dual-chamber Inciner8 models have been approved by Peregrine's regulators for use in Nunavut.	The proponent has also provided additional information from the manufacturer. This information will be made available on the public registry.	Board agrees with staff recommendation.
PWNHC	Archaeological Impact Assessment	The PWNHC's records indicate that an archaeological impact assessment (AIA) was conducted for portions of the proponent's Lac De Gras East claim blocks and a winter spur road in 2006. This AIA did not include the proposed drilling areas in the Lac De Gras West claim blocks. Due to the high density of archaeological sites in the Lac De Gras area, the PWNHC is concerned that unrecorded archaeological sites may exist in the Lac De Gras West claim blocks.	The PWNHC recommends that the proponent conduct an AIA of proposed drilling areas in the Lac De Gras West claim blocks prior to the commencement of development activities.	Peregrine has a current data-access agreement with PWNHC and has incorporated that additional information into its database. In addition, Peregrine is liaising with various Aboriginal groups and nations who would be able to advise of any known but unregistered sites. An archaeologist experienced in the Slave Region is on call if required, and all crews will be familiar with Peregrine's Archaeological Protocol which stresses avoidance and reporting of any suspected sites.	Acceptable. LUP Conditions 26(1)(J) provide for the protection of known or suspected archaeological sites.	Board agrees with staff recommendation.

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WRRB	caribou	<p>The proposed drilling and geophysical program is located within Bathurst caribou, wolverine, and grizzly bear range. These species are of particular management concern. Barren ground caribou are listed as Sensitive by Department of Environment and Natural Resources (ENR) General Status Ranks.<sup>[1]</sup> Most mainland herds of barren ground caribou are at a low point in the population cycle making them vulnerable to further environmental or disturbance related stresses. The Bathurst herd, in particular, has decreased in number from a high of 472 000 in the mid 1980s to a low of 32 000 in 2009. ENR research shows that the herd is also being influenced by industrial development manifesting as reduced use of habitat within 20km of the Diavik and Ekati mine sites.<sup>[2]</sup></p>	WRRB recommends that Peregrine Diamonds Ltd. shut down operations when caribou are within one kilometer of any project activities.	Peregrine suggests that the phrase "postpone, delay or redirect activities until the concentration of caribou has passed beyond the work area" is more appropriate than "shut down" which has the connotation of being long-term and detrimental to an exploration programme.	Addressed by LUP Conditions 26(1)(h).	Board agrees with staff recommendation.



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WRRB	carnivores	Grizzly bear and wolverine are categorized as Special Concern by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC). MVEIRB Draft Guidelines for Considering Wildlife at Risk in Environmental Impact Assessment <sup>[1]</sup> (including preliminary screening) suggest that COSEWIC listed species be treated in a similar fashion to species listed under the federal Species at Risk Act (SARA). Essentially under SARA (s. 79), impacts to species at risk are to be identified, mitigated and monitored. The greatest potential impact of exploration camps to carnivores such as wolverine and grizzly bear is the attraction of these animals and subsequent interaction with humans due to improper food and waste handling. More problem kills, or animals that end up being destroyed as a result of habituation to camp food and food wastes, can increase risks of population decline. <sup>[2]</sup>	WRRB recommends food and food waste is stored in such a manner as to be inaccessible to carnivores and that waste is fully incinerated in an incinerator appropriate to the volume and type of waste generated		Addressed by LUP Conditions 26(1)(h) and 26(1)(i).	Board agrees with staff recommendation.
WRRB	fish	The drawdown of water from various lakes in the project area has the potential to affect fish and fish habitat by entrapping fish in intake pipes, to raise turbidity levels of the lakes and to deplete oxygen levels in the water under	WRRB recommends Department of Fisheries & Oceans (DFO) approved screens will be placed on all water intake pipes to prevent the uptake of fish. The Board (WRRB) will also support recommendations made by the DFO regarding the mitigation of other project-related impacts to fish and fish habitat.		Information forwarded to proponent. Peregrine has discussed the screen requirements with DFO.	Board agrees with staff recommendation.
WRRB	Invasive vegetation	With the mobilization of heavy equipment	WRRB recommends all equipment be cleaned prior to relocation from a southern location to the project site to aid in the prevention of the spread of invasive vegetation species.		Information forwarded to proponent.	Board agrees with staff recommendation.

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WRRB	Traditional land use	The project area has traditionally been	The WRRB requests that Peregrine Diamonds Ltd. contact the Tâichô Government to further establish the ecological significance of this region from a Tâichô perspective. The WRRB also requests that Peregrine Diamonds Ltd. notify all Tâichô communities through posters, advertisements and radio prior to the commencement and upon completion of activities each season.	Peregrine has sought to meet with the Tli Cho Lands Protection Dept. since October 2010, and would welcome information relevant to the area.	The proponent has documented their pre-application public engagement activities in the Consultation Log submitted with their application. At the time of submitting their application, Peregrine had not yet been able to meet with the Tli Cho; however, they indicated their intention to continue their efforts to arrange a meeting. The Board expects that public engagement will continue over the life of the project.	Board agrees with staff recommendation.
WRRB	Monitoring	Lastly, the WRRB views monitoring as	The WRRB requests that Peregrine Diamonds Ltd. engage the Tâichô Government and WRRB in developing a wildlife monitoring program that meets the above stated criteria for their proposed program. WRRB recommends that Peregrine Diamonds Ltd. commit to hiring and training a Tâichô Wildlife Monitor to monitor project activities and to provide advice on mitigation measures that might lessen impacts to wildlife in the area and on the environment in general.	Peregrine has sought to meet with the Tli Cho Lands Protection Dept. since October 2010, and would expect that a number of topics such as those listed could be addressed in such a meeting.	The proponent has documented their pre-application public engagement activities in the Consultation Log submitted with their application. At the time of submitting their application, Peregrine had not yet been able to meet with the Tli Cho; however, they indicated their intention to continue their efforts to arrange a meeting. The Board expects that public engagement will continue over the life of the project.	Board agrees with staff recommendation.
WRRB	References	[1] Dogrib Treaty 11 Council. 2001. Habitat of Dogrib Traditional Territory: Placenames as Indicators of Biogeographical Knowledge, and Caribou Migration and the State of Their Habitat. Yellowknife: West Kitikmeot Slave Study Society.	N/A		N/A	Board agrees with staff recommendation.
WRRB	References	[1] <a href="http://www.enr.gov.nt.ca/_live/pages/wpPages/General_Status_Ranking_Program.aspx">http://www.enr.gov.nt.ca/_live/pages/wpPages/General_Status_Ranking_Program.aspx</a>	N/A		N/A	Board agrees with staff recommendation.

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WRRB	References	<a href="#">[2] Boulanger, J., Poole, K., Fournier, B., Wierzchowski, J., Games, T., and A. Gunn. 2004. Assessment of Bathurst caribou movement &amp; distribution in the slave geological province. Department of Resources, Wildlife and Economic Development, Government of Northwest Territories. Manuscript Report No. 158.</a>	N/A		N/A	Board agrees with staff recommendation.
INAC	Lapse of Mineral Claims	Comments received from the Mining Recorder's Office indicate that claims F65072-MLT12 and F75701-AFR1 have lapsed.			Information forwarded to proponent. These mineral claims are not within the target drilling areas for 2011. The proponent is advised that the status of mineral claims must be considered when planning mineral exploration activities under this LUP.	Board agrees with staff recommendation.
	<b>Terms and Conditions of Draft Land Use Permit MV2011C0005</b>					
	<b>#</b>	<b>Part A: Scope of Permit</b>				

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INAC Inspector	1	<p>This Permit entitles Peregrine Diamonds Ltd. to conduct the following activities:</p> <p>Mineral exploration, including till sampling, mapping, trenching, and diamond drilling of up to 32 holes and the establishment of support infrastructure including a camp at Lac de Gras Lake and fuel caches in the Lac de Gras, MacKay Lake, and Thonokied Lake areas.</p> <p>Location: Minimum latitude: 64°05' N; Maximum latitude: 64°37' N</p>	<p>If the number of drill holes is stated within the scope of a land use permit, it wouldn't allow for an amendment to the permit, but rather the requirement to submit a new application. The Wek'eezhii Land and Water Board has encountered concerns with number of drill holes in a scope of a permit, and can confirm what is being stated by the Inspector. If a restriction on number of drill setups is desired, it would be better suited in a condition of permit for the above reason, allowing Board or Inspector approval for additional drill setups.</p>	<p>This permit entitles Peregrine Diamonds Ltd. to conduct the following activities:</p> <p>a) Mineral Exploration including trenching and diamond drilling;</p> <p>b) Establishment of a camp and support infrastructure; and</p> <p>c) Establishment of Fuel Caches.</p> <p>Minimum Latitude: 64° 04' 49.5" Maximum Latitude: 64° 34' 56.3"          Minimum Longitude: 109° 14' 08.8" Maximum Longitude: 111° 16' 48.7"</p>	<p>Peregrine urges acceptance of the INAC Inspector's recommendation -- that a specific number of drillholes NOT be stated in the permit -- so that the permittee has the latitude to request an amendment, if such be required during the life of the permit.</p>	<p>Renewal of a LUP does not allow for changes to the scope of the permit. Should Peregrine's exploration activities lead to the need for more drill-holes, Peregrine may apply for a new LUP or an amendment to the scope, either of which will require a new preliminary screening.</p>	<p>Board decision to remove the reference to the number of drill holes in the scope. This is a new permit, and as such, the Board can change the wording of the scope. However, the proponent is limited to the activities that were screened in their application. If the proponent wishes to drill additional holes than was applied for, or conduct any other activities that have not been screened, the proponent must submit their request and this activity would be subject to screening.</p>
	2	<p>The Permit is issued subject to the conditions contained herein with respect to the use of land for the activities and area identified in Part A, Item 1 of this Permit.</p>				<p>No change.</p>	<p>Board agrees with staff recommendation.</p>

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	3	Compliance with the terms and conditions of this Permit does not absolve the Permittee from the responsibility for compliance with the requirements of all applicable federal, territorial, and municipal legislation.				No change.	Board agrees with staff recommendation.
		<b>Part B: Definitions</b>					
		"Act" means the Mackenzie Valley Resource Management Act.				No change.	Board agrees with staff recommendation.
		"Artesian Aquifer" means a water-bearing stratum which, when encountered during drilling operations, produces a pressurized flow of groundwater that reaches an elevation above the ground surface.				No change.	Board agrees with staff recommendation.
		"Board" means the Mackenzie Valley Land and Water Board established under Part 4 of the Mackenzie Valley Resource Management Act.				No change.	Board agrees with staff recommendation.

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		"Drill Waste" means all materials or chemicals, solid or liquid, associated with the drilling of boreholes and includes borehole cuttings.				No change.	Board agrees with staff recommendation.
		"Inspector" means an Inspector designated by the Minister under the Mackenzie Valley Resource Management Act.				No change.	Board agrees with staff recommendation.
INAC Inspector				Add definition: "Stream" means any lake, river, pond, swamp, marsh, channel, gully, coulee or draw that continuously or intermittently contains water;		This is not a standard Board definition, but supports the recommended definition of "watercourse."	Board agrees to include the definition of watercourse (consistent with the definition from the Land Use Regulations). This definition includes streams, and as such, it is not necessary to define streams further.
		"Sewage" means all toilet wastes and graywater.				No change.	Board agrees with staff recommendation.
		"Sump" means a man-made pit, trench, hollow, or cavity in the earth's surface used for the purpose of depositing waste material therein.				No change.	Board agrees with staff recommendation.

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INAC Inspector			Add definition: "Watercourse" means a natural body of flowing or standing water or an area occupied by water during part of the year, and includes streams, springs, swamps and gulches but does not include groundwater.		This is not a standard Board definition; however, it is reasonable and has been added to recent LUPs (eg. NTPC's MV2010F0045).	Board agrees to include the definition of watercourse (consistent with the definition from the Land Use Regulations).
	<b>Part C: Conditions Applying to All Activities (the headings correspond to subsection 26(1) of the Mackenzie Valley Land Use</b>					
	<b>26(1)(a) Location and area</b>					
INAC Inspector	1	The Permittee shall not conduct this land use operation on any lands not designated in the accepted application.	The addition of the following statement will allow flexibility during the course of the operation. An example would be if the Permittee was to work the eastern portion of the claim block, they would have the ability to use an existing camp site (ie: North end of Afridi lake) in their land use area.	Add "unless otherwise authorized by the writing by an Inspector."	This recommendation should not be accepted, since it does not seem to fit with the intent of the condition. The lands designated in the accepted application are outlined by coordinates and depicted in the maps provided. The intention of the condition is to contain the land use activities within these boundaries. The location of specific activities within these boundaries, such as the camp, are addressed by other conditions. Activities on lands outside of these coordinates have not been applied for or screened.	Board agrees with staff recommendation.
INAC Inspector				Add condition: "The Permittee shall not conduct any part of the land use operation within three hundred (300) metres of any privately owned or leased land or structure, unless otherwise authorized in writing by an Inspector."	Add recommended standard condition.	Board agrees with staff recommendation.

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<u>REVIEWER</u>	<u>TOPIC</u>	<u>COMMENT</u>	<u>RECOMMENDATION</u>	<u>COMPANY RESPONSE</u>	<u>BOARD STAFF RECOMMENDATION</u>	<u>BOARD DECISION/RATIONALE</u>	
INAC Inspector	2	When the Permittee is drilling within one hundred 100 m of the ordinary high water mark of a water body, they must employ a recirculating drill and ensure that cuttings do not enter any water body.		Replace "water body" with "watercourse".		Maintain consistency if definition of "watercourse" is added.	Board agrees with staff recommendation.
INAC Inspector	3	The Permittee shall use an existing campsite.	The addition of the following statement would allow for the construction of a satellite camp in the land use area.	Add "unless otherwise authorized by the writing by an Inspector."		The construction of satellite camps has not been proposed in the application and was not screened for the original land use permit. The Inspector may authorize a change in camp location through a field modification as previous, so this addition is not necessary.	Board agrees with staff recommendation.
INAC Inspector	4	Prior to the commencement of diamond drilling, the Permittee shall submit to the Inspector and the Board proposed drill targets on a 1:50,000-scale map with a list of collar coordinates attached.		Replace "proposed drill targets on a 1:50,000-scale map with a list of collar coordinates attached" with "proposed drill targets on a 1:50,000-scale map with coordinates and map datum"		Accept recommended wording, which is consistent with current standard wording for this condition.	Board agrees with staff recommendation.
		26(1)(b) Time					



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INAC Inspector	5	The Permittee's Field Supervisor shall <u>first</u> contact an Inspector at (867) 669-2757 and <u>then</u> the Board at (867) 669-0506 at least 48 hours prior to the commencement of this land use operation.		Change Inspector's phone number to (867)-669-2794.		Update to current phone number as per recommendation.	Board agrees with staff recommendation.
	6	The Permittee shall advise an Inspector at least ten days prior to the completion of the land use operation of: a) The plan for removal or storage of equipment and materials; and b) When final clean-up and restoration of the land used will be completed.				No change.	Board agrees with staff recommendation.

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INAC Inspector	7	The Permittee shall provide in writing to the Board and Inspector, at least 48 hours prior to commencement of this land use operation, the following information: (a) Name(s) of person, or persons, in charge of the field operation to whom notices, orders, and reports may be served; (b) Names of alternates; and (c) All methods for contacting the above person(s).	Notices and orders are issued and delivered to the Permittee and not the Field Supervisor.	Remove "to whom notices, orders, and reports may be served".		Since the Inspector delivers notices and orders to the Permittee and not the Field Supervisor, as noted in the comment, accept the recommended change.	Board agrees with staff recommendation.
INAC Inspector	8	To prevent disturbance to breeding migratory birds, the Permittee shall not conduct any activity associated with the land use operation between May 1 and July 31 of any year unless otherwise	The extended time frame in this condition provides detrimental limitations to a land use operation and is referencing wildlife, not their habitat. Condition #31 and #34 address the intent of this condition.	Remove condition.		Remove this condition as recommended. This concern is addressed through Condition 26(1)(h), under which the proponent is instructed not to destroy nests or eggs of breeding birds, and not to harass wildlife. The proponent is reminded of the requirement to comply with all other applicable legislation, including the <i>NWT Wildlife Act</i> and <i>Migratory Birds Convention Act</i> .	Board agrees with staff recommendation.

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INAC Inspector	9	The Board and/or Inspector reserve the right to impose closure of any area to the Permittee in periods when dangers to natural resources are severe.	Provisions in the MVRMA (s.86) and MLUR (s.34-36) cover the intent of this condition, and therefore duplication is not required.	Remove condition.		This is currently a standard condition and is generally included in all LUPs. This condition should not be removed.	s.34-36 of the MVRMA pertain to failure to comply. These conditions do not cover the intent of this condition related to potential severe dangers (such as a natural disaster scenario). Board agrees with staff recommendation to no remove clause.
		<b>26(1)(c) Type and size of equipment</b>					
INAC Inspector	10	The Permittee shall not use any equipment except of the type, size, and number that is listed in the accepted application.	The addition of this statement allows for minor equipment changes, for example if a different type of diamond drill, Boyles 37 to a Hydracore 2000. Contractor availability will dictate what type of equipment will be utilized, and therefore restrictions could hinder the operation.	Replace with: "The Permittee shall not use any equipment except of the type, size, and number that is listed in the accepted application <u>unless otherwise authorized in writing by an Inspector.</u> "		Add recommended wording to allow the Inspector to authorize changes that will not alter the scope or impacts of the operation.	Board agrees with staff recommendation.
		<b>26(1)(d) Methods and techniques</b>					
INAC Inspector	11	The Permittee shall not conduct vehicle travel in areas without snow-covered surfaces.	Overland movement of equipment is not proposed in the accepted application and this condition is used typically for winter roads and overland movement of drills.	Remove condition.		With the exception of snowmobiles, no vehicles are proposed, and the drill is to be moved by helicopter. Since it does not apply to the operation, this condition should be removed.	Board agrees with staff recommendation.
INAC Inspector	12	The Permittee shall replace all excavated material from the test trenches prior to the expiry of this Permit.	Section 8 of the MVLUR addresses this condition, and therefore duplication of the regulations is not required.	Remove condition.		This is currently a standard condition and should not be removed, since it is applicable to the activities proposed in the accepted application.	Board agrees with staff recommendation.
INAC Inspector	13	The Permittee shall not erect camps or store material on the surface ice of streams.	Condition #3 speaks to camps, and Condition #14 addresses storing materials on a watercourse.	Remove condition.		This condition should be removed, since other conditions provide adequate mitigation, as noted in the comment.	Board agrees with staff recommendation.

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INAC Inspector	14	The Permittee shall not store material other than that required for immediate use on the ice surface of water bodies.		Replace "water body" with "watercourse".		Maintain consistency if definition of "watercourse" is added.	Board agrees with staff recommendation.
	15	The Permittee shall remove or cut off and seal all drill casings at ground level immediately upon completion of drilling.				No change.	Board agrees with staff recommendation.
INAC Inspector	16	The Permittee shall use drip pans when transferring fuel between storage containers and machinery.	Removes the specifics, but ensures adherence to the intent of this condition.	Replace "drip pans" with "secondary containment"		This is not currently a standard condition and should be removed. Peregrine has provided a spill contingency plan that includes preventative measures for fuel storage and transfer.	Board agrees with staff recommendation.
		<b>26(1)(e) Type, location, capacity, and operation of all facilities</b>					
INAC Inspector	17	The Permittee shall not locate any sump within 100 m of the ordinary high water mark of any water body unless otherwise authorized in writing by an Inspector.		Replace "water body" with "watercourse".		Maintain consistency if definition of "watercourse" is added.	Board agrees with staff recommendation.

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	18	The Permittee shall ensure that the land use area is kept clean at all times.				No change.	Board agrees with staff recommendation.
		<b>26(1)(f). Control or prevention of ponding of water, flooding, erosion, slides, and subsidence of</b>					
	19	(a) The Permittee shall, where flowing water from bore holes is encountered, plug the bore hole in such a manner as to permanently prevent any further outflow of water; and (b) The artesian occurrence shall be reported to the Inspector immediately.				No change.	Board agrees with staff recommendation.
INAC Inspector	20	The Permittee shall not use the bed of streams for access routes except for the purpose of crossing the streams.	No overland movement of equipment was proposed in the accepted application.	Remove condition.		With the exception of snowmobiles, no vehicles are proposed, and the drill is to be moved by helicopter. Since it does not apply to the operation, this condition should be removed.	Board agrees with staff recommendation.
INAC Inspector	21	The Permittee shall suspend overland travel of equipment or vehicles at the first sign of rutting.	No overland movement of equipment was proposed in the accepted application.	Remove condition.		With the exception of snowmobiles, no vehicles are proposed, and the drill is to be moved by helicopter. Since it does not apply to the operation, this condition should be removed.	Board agrees with staff recommendation.

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INAC Inspector	22	The Permittee shall not move any equipment or vehicles unless the ground surface is in a state capable of fully supporting the equipment or vehicles without rutting or gouging.	No overland movement of equipment was proposed in the accepted application.	Remove condition.		With the exception of snowmobiles, no vehicles are proposed, and the drill is to be moved by helicopter. Since it does not apply to the operation, this condition should be removed.	Board agrees with staff recommendation.
		<b>26(1)(g) Use, storage, handling, and ultimate disposal of any chemical or toxic material</b>					
INAC Inspector	23	The Permittee shall not use chemicals in connection with the land use operation that were not identified in the accepted application unless otherwise authorized by an Inspector.	Wording developed by the WLWB, and self explanatory.	Replace with: "The Permittee shall not use chemicals in connection with the land use operation that were not identified in the accepted application <u>unless the MSDS sheets are provided to an Inspector and the Board</u> and usage of the chemical(s) is authorized in writing by an Inspector."		Accept recommended wording. The recommended wording and intent is reasonable, and has been approved by the Board in recent LUPs.	Board agrees with staff recommendation.
	24	The Permittee shall remove all Drill Waste containing poisonous or persistent chemical additives to an approved disposal facility.				No change.	Board agrees with staff recommendation.
INAC Inspector	25	The Permittee shall deposit all non-toxic Drill Waste into a Sump.	Excavation of a sump in permafrost regions is not recommended for the minimal amount of drill waste produced by a diamond drill.	Replace with: "The Permittee shall deposit all non-toxic drill waste into a natural depression or sump."		Accept recommended wording. The recommended wording and intent is reasonable, and has been approved by the Board in recent LUPs.	Board agrees with staff recommendation.

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INAC Inspector	26	The Permittee shall remove all Drill Waste from ice surfaces.				No change.	Board agrees with staff recommendation.
INAC Inspector	27	The Permittee shall not allow any Drill Waste to spread to the surrounding lands or water bodies.		Replace "water body" with "watercourse".		Maintain consistency if definition of "watercourse" is added.	Board agrees with staff recommendation.
	28	When drilling on ice, the Permittee shall use a closed circuit drilling system with the disposal of cuttings into a land-based Sump.				No change.	Board agrees with staff recommendation.
INAC Inspector	29	The Permittee shall dispose of all combustible waste petroleum products by incineration or removal.	Consistent with other Federal Regulations.	Remove "by incineration".		The original wording is consistent with the wording of the current standard condition used by the Board; however, the recommended wording and intent is reasonable. Burning of waste petroleum products is not currently considered to be "best practice". Accept recommended change.	Board agrees with staff recommendation.
INAC Inspector	30	The Permittee shall report all spills immediately to the 24-hour Spill Report Line (867) 920-8130, which is in accordance with instructions contained in "Spill Report" form N.W.T. 1752/0593.		Replace "instructions contained in "Spill Report" form N.W.T. 1752/0593" with "instructions contained in "NT-NU Spill Report" form".		Accept recommended wording, which is consistent with current standard wording for this condition due to the revision of the Spill Report form.	Board agrees with staff recommendation.

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REVIEWER	TOPIC	COMMENT	RECOMMENDATION	COMPANY RESPONSE	BOARD STAFF RECOMMENDATION	BOARD DECISION/RATIONALE
		<b>26(1)(h) Wildlife and fish habitat</b>				
	31	The Permittee shall minimize damage to wildlife and fish habitat in conducting this land use operation.				No change. Board agrees with staff recommendation.
INAC Inspector	32	The Permittee shall use food handling and garbage disposal procedures that do not attract wildlife.	Condition #37-#39 are satisfactory to mitigate the intent of this condition.	Remove condition.		This is a current standard condition. While the conditions noted by the Inspector address the final disposal/treatment of waste for the operation, this condition applies to the overall operation, including general waste handling practices on site prior to final waste disposal - at satellite drill-sites, for example. This condition should not be removed. Board agrees with staff recommendation.
INAC Inspector	33	The Permittee shall not harass wildlife during this land use operation.	26(1)(h) of the MVLUR is specific to wildlife habitat and fish habitat.	Remove condition.		This is currently a standard condition. This condition should not be removed. The proponent is reminded of the requirement to comply with all other applicable legislation, including the <i>NWT Wildlife Act</i> . Board agrees with staff recommendation.
	34	The Permittee shall not destroy the nests or eggs of migratory birds.				No change. The proponent is reminded to comply with all other applicable legislation, including the <i>Migratory Birds Convention Act</i> . Board agrees with staff recommendation.
INAC Inspector	35	The Permittee shall cease operations when Caribou are in the immediate vicinity of an area where work is proceeding	26(1)(h) of the MVLUR is specific to wildlife habitat and fish habitat.	Remove condition.		This is currently a standard condition and speaks to the concerns of the WRRB. For greater clarity and consistency with other recently issued LUPs, replace "immediate vicinity" with "500 metres." Board agrees with staff recommendation. This is the preferred wording for transboundary files with the WLWB.



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INAC Inspector	36	During periods of caribou herd migration through the permitted area, neither drilling activities nor low-level flying shall occur within a distance of five km of any caribou water crossing, until such time as the major migration has been completed. Please contact the North Slave Regional GNWT-ENR Office at (867) 920-3049 for information regarding the locations of water crossings and sensitive caribou habitat.	26(1)(h) of the MVLUR is specific to wildlife habitat and fish habitat. The Inspector has phoned the number in this condition and has never been successful in obtaining the information. Enforceability of this condition is of concern.	Remove condition.		For consistency with other recently issued LUPs and due to concerns with enforceability, remove this condition as recommended.	Board agrees with staff recommendation.
		<b>26(1)(i) Storage, handling, and disposal of refuse or Sewage</b>					
	37	The Permittee shall dispose of all Sewage and graywater as proposed in the accepted application.				No change.	Board agrees with staff recommendation.

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	38	The Permittee shall remove all non-combustible garbage and debris, including plastics, from the land use area to a disposal site as specified in the accepted application.				No change.	Board agrees with staff recommendation.
	39	The Permittee shall burn all combustible garbage and debris, except plastics, daily in a container acceptable to an Inspector.				No change.	Board agrees with staff recommendation.
EC	39	The Permittee shall burn all combustible garbage and debris, except plastics, daily in a container acceptable to an Inspector.	The proponent states that they will be using the Inciner8 incinerator to burn combustible garbage and debris. It is uncertain if the incinerator is capable of meeting the CCME Canada-wide Standards for Dioxins and Furans.	The proponent should provide information from the manufacturer demonstrating that the incinerator is capable of meeting the CCME Canada-wide Standards for Dioxins and Furans.		The proponent has provided additional information from the manufacturer. This information will be made available on the public registry. No change to this condition is required.	Board agrees with staff recommendation.
INAC Inspector	40	The Permittee shall keep all garbage and debris in a covered metal container on site until disposed of.		Replace with "The Permittee shall keep all garbage and debris in a secure container that is acceptable to an Inspector until disposed of".		The recommended wording allows for flexibility if more effective or more suitable options are available. The recommended wording should be accepted.	Board agrees with staff recommendation.

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INAC Inspector	41	The Permittee shall remove all scrap metal, discarded machinery, parts, barrels and kegs, plastics, and building materials as specified in the accepted application.		Replace "as specified in the application" with "to an approved waste disposal facility".		Accept recommended wording. The proponent has already indicated in their application these materials will be removed to a waste disposal facility.	Board agrees with staff recommendation.
		<b>26(1)(j) Protection of historical, archaeological, and burial sites</b>					
INAC Inspector	42	The Permittee shall not operate any vehicle within 30 m of a known or suspected archaeological site.		Replace with: "The Permittee shall not conduct a land use operation within 30 m of a known monument or a known or suspected historical, archaeological site or burial ground."		The original wording is consistent with current standard wording for this condition; however, the recommended wording is more consistent with the MVLUR and the associated condition 44. Accept recommended wording, but change the distance to 100 metres as noted below and added "unless otherwise approved by the Inspector" to be consistent with recent LUPs.	Due to the transboundary nature of this file, the Board's decision is to increase the distance to 150m based on guidance that has been provided through discussions with the PWHC, the Tlicho Government, and the WLWB. Board agrees with staff recommendation to add "unless otherwise approved by the Inspector".
PWNHC	42	The Permittee shall not operate any vehicle within 30 m of a known or suspected archaeological site.	The best practice for archaeological site protection in the NWT requires a 150 m setback for archaeological sites.	The PWNHC recommends that the Board increase the setback to 150 m.	Peregrine suggests that 150m is an unusual setback, especially in areas of topographic constraint. For example, recommended best practice in Nunavut is 100m, a distance also recommended by Peregrine's NWT-registered archaeologist.	Change the distance to 100 metres, which is the current standard condition and is consistent with generally-accepted best practice.	Same condition and therefore decision/rationale as stated above.
INAC Inspector	43	The Permittee shall not knowingly remove, disturb, or displace any archaeological specimen or site.		Remove condition.		This is not a current standard condition. This condition could be removed, since condition 44 addresses this issue.	Board agrees with staff recommendation.

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INAC Inspector	44	The Permittee shall immediately cease any activity which disturbs an archaeological, historical, and/or burial site and shall contact the Mackenzie Valley Land and Water Board at (867) 669-0506 should an archaeological site or specimen be encountered or disturbed by any land use activity.	Make this condition consistent with s.12 of the MVLUR.	Replace with: "The Permittee shall immediately suspend operations should a suspected historical, archaeological site or burial ground be discovered and notify the Mackenzie Valley Land and Water Board at (867)669-0506 or an Inspector at (867)669-2794."		Replace with current standard wording: "The Permittee shall, where a suspected historical, archaeological or burial site is discovered: (1) immediately suspend operations on the site; and (2) notify the Board at (867) 669-0506 or an Inspector at (867) 669-2794."	Board agrees with staff recommendation.
INAC Inspector	45	The Permittee shall ensure that all persons working under authority of the Permit are aware of these conditions concerning archaeological land use activity.		Remove condition.		This is currently a standard condition and should not be removed.	Board agrees with staff recommendation.
		<b>26(1)(k) Objects and places of recreational, scenic, and ecological value.</b>					
		Intentionally left blank					
		<b>26(1)(l) Security deposit</b>					

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INAC Inspector	46	The Permittee shall deposit, with the Minister, a security deposit in the amount of \$ 9,000 pursuant to section 32 of the Mackenzie Valley Land Use Regulations.		Amount to be determined by the MVLWB.		The current security template estimate is \$14,000.	Board decision to maintain the \$9,000 secu
	47	The Permittee shall be liable for any cost of damage over and above the amount of the security				No change.	Board agrees with staff recommendation.
	48	All costs to remediate the area under this Permit are the responsibility of the Permittee.				No change.	Board agrees with staff recommendation.
		<b>26(1)(m) Fuel storage</b>					
INAC Inspector	49	The Permittee shall store no more than 4000 L of fuel on site at any time as specified in the accepted application, unless otherwise authorized by an Inspector.	Specifying quantity of fuel can cause limitations to a land use operation. The Permittee should not be restricted to quantities lower than what is stated in the application.	Remove condition.	Peregrine urges acceptance of the INAC Inspector's recommendation -- as including a specific volume number in the permit places logistical and operational constraints counterproductive to a safe and efficient exploration programme.	The quantity of fuel specified in this condition is consistent with that proposed in the application for storage on site at any given time. This amount is also consistent with the preliminary screening for the original LUP. The total fuel used during the course of the operation is not limited by this condition, and the INAC Inspector may authorize a reasonable increase to the allowable storage amount. This condition should not be removed.	Board agrees with staff recommendation.
	50	The Permittee shall report in writing to an Inspector the location and quantity of all fuel caches within ten days of their establishment.				No change.	Board agrees with staff recommendation.

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INAC Inspector	51	The Permittee shall not place any fuel storage containers within 100 m of the normal high water mark of any water body, unless otherwise authorized in writing by an Inspector.		Replace "water body" with "watercourse".		Maintain consistency if definition of "watercourse" is added.	Board agrees with staff recommendation.
INAC Inspector	52	The Permittee shall locate mobile fuel facilities on land when stationary for any period of time exceeding 12 hours.	This condition is intended for winter road operations.	Remove condition.		This condition should not be removed, since it could also apply to drill sites.	Board agrees with staff recommendation.
INAC Inspector	53	The Permittee shall not allow petroleum products to spread to surrounding lands or into water		Replace "water body" with "watercourse".		Maintain consistency if definition of "watercourse" is added.	Board agrees with staff recommendation.
	54	The Permittee shall mark all stationary petroleum products storage facilities with flags, posts, or similar devices so that they are at all times plainly visible to local vehicle				No change.	Board agrees with staff recommendation.
INAC Inspector	55	The Permittee shall mark all fuel containers, including 205-L drums, with the Permittee's name and permit number.	Permittee name is sufficient to satisfy the intent of this condition, identifying ownership.	Remove "and permit number".		Accept recommended change, which is consist with recently issued LUPs.	Board decision to state "...Permittee's name and/or permit number" to satisfy the intent of this condition allowing some flexibility.

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Inspector	56	The Permittee shall ensure that all fuel caches have adequate secondary containment as approved by an Inspector.		Remove condition.		Replace with current standard wording: "The Permittee shall ensure that all fuel caches containing more than ten fuel containers have adequate secondary containment as approved by an Inspector." This reflects the accepted application, which proposes a bermed fuel storage area at the camp. Smaller, temporary fuel caches used at the drill sites would not require secondary containment.	Board agrees with staff recommendation.
INAC Inspector				Add condition: "The Permittee shall seal all container outlets except the outlet currently in use."		Add recommended standard condition.	Board agrees with staff recommendation.
INAC Inspector	57	The Permittee shall submit to the Board, prior to commencement of operations, a revised Spill Contingency Plan for chemical and petroleum spills.	Spill Contingency plan was already submitted with the application.	Remove condition		A Spill Contingency Plan was submitted with the application. No comments were submitted by reviewers on this Plan. This condition could be removed.	Board agrees with staff recommendation.
	58	The Permittee shall submit to the Board an update of the Spill Contingency Plan if there are any changes in the operation during the life of the permit.				No change.	Board agrees with staff recommendation.
	59	The Permittee shall ensure that adequate contingency plans and spill kits are in place, prior to commencement of operations, to respond to any potential spills.				No change.	Board agrees with staff recommendation.

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		<b>26(1)(n) Methods and techniques for debris and brush removal</b>				
		<b>26(1)(o) Restoration of the</b>				
	60	The Permittee shall complete all clean-up and restoration of the lands used prior to the expiry date of this Permit.			No change.	Board agrees with staff recommendation.
	61	The Permittee shall backfill and restore all Sumps prior to the expiry date of this Permit.			No change.	Board agrees with staff recommendation.
		<b>26(1)(p) Display of permits and</b>				
	62	The Permittee shall display a copy of this Permit in each campsite established to carry out this land use operation.			No change.	Board agrees with staff recommendation.



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INAC Inspector	63	The Permittee shall keep on hand, at all times during this land use operation, a copy of the Permit.	Conditon #62 already addresses the intent of this condition.	Remove condition.		This condition could be removed, since condition 62 covers the intent.	Board agrees with staff recommendation.
		<b>26(1)(g) Matters not inconsistent with the</b>					
	64	The Permittee shall ensure that all persons working under the authority of this Permit are aware of and will adhere to the conditions as stated in this Permit.				No change.	Board agrees with staff recommendation.