

EXHIBIT 3



U.S. Department of Justice

Civil Division

Via Email

Washington, DC 20530
February 23, 2017

Timothy McKeever, Esq.
999 Third Avenue, Suite 2600
Seattle, WA 98104
tmckeever@hwb-law.com

Request No. 145-FOI-14705
HDK:AEC

Dear Mr. McKeever:

While processing your Freedom of Information Act request dated July 21, 2016 for certain documents produced by Pebble Limited Partnership and/or its parent company, Northern Dynasty Minerals Ltd. to the Environmental Protection Agency (EPA) or the Department of Justice, EPA referred 4,271 documents to this Office for processing and direct response to you. This Office received the documents on October 14, 2016, and the referral was assigned tracking number 145-FOI-14705. Please refer to this number in any future correspondence with this Office. For your reference, the EPA file number associated with this request is EPA-R10-2016-008731.

After a review of the referred documents, the Civil Division is withholding this information in full because it is protected from disclosure under the FOIA pursuant to:

- 5 U.S.C. § 552(b)(4), which concerns trade secrets and commercial or financial information obtained from a person that is privileged or confidential; and
- 5 U.S.C. § 552(b)(6), which concerns material the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You may contact our FOIA Public Liaison at 202-514-2319 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following web site: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in black ink, appearing to read "Hirsh D. Kravitz", with a long horizontal flourish extending to the right.

Hirsh D. Kravitz
Senior Supervisory FOIA Counsel
Office of FOIA, Records, and E-discovery