

From: [Tabatha LeBlanc](#)
To: [Cathryn Moffatt](#)
Subject: Manitouwadge group - letter of support
Date: March 17, 2021 11:34:41 AM
Attachments: <email address removed>

Here is a copy of correspondence with Manitouwadge

From: edo@manitouwadge.ca <email address removed>
Sent: October 28, 2020 11:00 AM
To: Tabatha LeBlanc <email address removed>
Cc: Owen Cranney <email address removed> ; Joleen Keough <email address removed>
Subject: RE: PGM

Hi Tabatha,

This email is to confirm that the Township would be happy to host Generation Mining via Zoom for a 15 minute presentation to Council at 7:00 pm on Wednesday, November 11, 2020.

The format will be 15 min for presentation and 10 min for Q&A.

Can you please forward your presentation no later than Wednesday, November 4th to circulate to Council with their Agenda package. We will also promote the presentation online for members of the public to watch the live stream of the video through our YouTube channel. Member of the public may have questions or comments on the project so we will need to ensure that they know how and who to contact at Generation Mining.

Please advise the names and positions of anyone from Generation Mining who will be present for the presentation. Please log in to the Zoom link a few minutes before 7 pm. You will be placed in a "waiting room" and staff will admit you prior to the meeting start time at 7:00 pm.

Let me know if you have any questions.

Thanks, Florence

The Zoom meeting link is attached below:

Township of Manitouwadge is inviting you to a scheduled Zoom meeting.

Topic: Generation Mining - delegation to Council
Time: Nov 11, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/87979016352?pwd=dzc5K2VtbVZlWkl5OXA0M0RNYXlrOT09>

Meeting ID: 879 7901 6352
Passcode: 835063
One tap mobile
+12042727920,,87979016352#,,,,,0#,835063# Canada
+14388097799,,87979016352#,,,,,0#,835063# Canada

Dial by your location
+1 204 272 7920 Canada
+1 438 809 7799 Canada
+1 587 328 1099 Canada
+1 647 374 4685 Canada
+1 647 558 0588 Canada
+1 778 907 2071 Canada
Meeting ID: 879 7901 6352
Passcode: 835063

From: Tabatha LeBlanc <email address removed>
Sent: Thursday, October 22, 2020 4:14 PM
To: <email address removed>
Subject: RE: PGM

Thanks for reaching out Florence, sorry if I have been off the grid lately.
Can we choose a time late next week to test run the platform?
All the best,
Tabatha

From: <email address removed>
Sent: October 22, 2020 2:10 PM
To: Tabatha LeBlanc <email address removed>
Cc: John McBride <email address removed>
Subject: RE: PGM

Hi Tabatha,

Let me know when you are available to discuss the Manitouwadge information session. Looking forward to confirming a date.

Thanks, Florence

From: <email address removed>
Sent: Thursday, October 1, 2020 10:29 AM
To: 'Tabatha LeBlanc' <email address removed>
Cc: 'John McBride' <email address removed> >, '<email address removed>' <<email address removed>>
Subject: RE: PGM

Hi Tabatha, thanks for your email and tentative dates for the presentation.

We can use MyManitouwadge (Bang the Table software) to present the information in advance of a live stream through our YouTube channel, have an open house like the one in Marathon, or host a video on both the Township website and MyManitouwadge.

Let me know if you were planning on being in Manitouwadge or hosting the session virtually.

I look forward to working with you on the presentation.

Thanks, Florence

Florence MacLean
Economic Development Officer
Township of Manitouwadge
1 Mississauga Drive, PO Box 910
Manitouwadge, ON P0T 2C0
<contact information removed>

www.manitouwadge.ca



From: Tabatha LeBlanc <email address removed>
Sent: Sunday, September 27, 2020 5:16 PM
To: <email address removed>
Cc: Florence Maclean <email address removed>; John McBride <email address removed>
Subject: RE: PGM

Hi Owen,

Thank you for following up and discussing the Project with the community. I am looking at arranging a session in Manitouwadge tentatively between Oct. 19 to 23, still considering options for live stream. I was going to connect with Florence about "*Bang on the Table*" and logistics to setting that up.

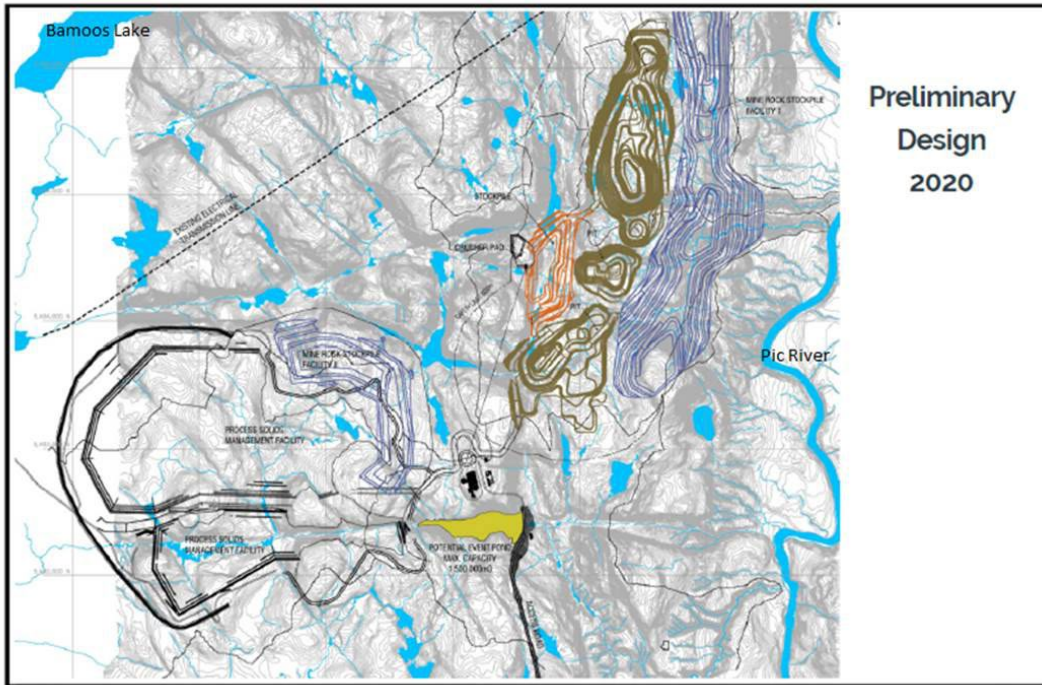
Please see farther below, the response to the question. Feel free to share my email or comments@genpgm.com with the community, I would be happy to answer questions. I have included the storyboards that were on display with this email, you can post them or share them as you see fit.

Enjoy the rest of your weekend,
Tabatha

Response:

In spring 2010, multiple options were considered for storage of tailings (process solids management facility) from the open pit operations. The review of alternatives is called a mine waste alternatives assessment and part of the Environmental Assessment (EA) process, guidelines prescribed by Natural Resources Canada. Back then, one of the options was Bamooos Lake storage facility but through consultation with communities, that option was quickly removed in July 2010 and the Project description was revised to include only on-land storage options. The EA continued for the project, and through ongoing engagement with communities, in 2013 we were able to narrow down a preferred option for the process solids management facility (PSMF). In 2014, the Project was paused because Stillwater Mining Co. who's management at that time decided to focus their efforts on operations in Montana, the company was later purchased by Sibanye Gold and they formed Sibanye-Stillwater.

In 2019, Generation PGM Inc. became operator of the Project through a joint venture partnership with Sibanye-Stillwater. The feasibility is currently underway and the options for the PSMF (tailings storage) is the same preferred location from 2013/2014, a screenshot of the location is provided below.



From: Owen Cranney <email address removed>
Sent: September 27, 2020 3:06 PM
To: Tabatha LeBlanc <email address removed>
Cc: Florence Maclean <email address removed>
Subject: FW: PGM

Good morning Tabatha, at the Manitowadge Council meeting on Wednesday night that is livestreamed on YouTube I reported that Florence Maclean and I attend the Generation PGM open house. On Thursday afternoon I received this email from a Manitowadge resident and thought I would share it with. Please feel free contact me if you would like.

Thank you for talking with us the other day and we look forward to further conversation regarding the PGM mine and the Township of Manitowadge.

From the desk of:
Owen Cranney, CBCO
Acting CAO
Fire Chief, CBO,CEMC, Airport Manager
Land Use Planning.
Township of Manitowadge
<contact information removed>

Web site : www.manitouwadge.ca
CYMG-AWOS : <http://airport.manitouwadge.ca:81/>

CodeRED Manitowadge Community Alert System

Register: <https://public.coderedweb.com/CNF/en-CA/BF7E8502E34A>

From: Marlene Turner <email address removed>
Sent: Thursday, September 24, 2020 13:54
To: Owen Cranney <email address removed>
Subject: PGM

Owen - Glad to hear we had representation and opportunity to put a word in for Manitowadge. As you will recall when the previous company thought they were going ahead with Open Pit there they purchased hotels etc. for employees. That company stopped as we would not allow them to put the tailings into Bamboo? Lake. The FIRST question we should be asking is where will the tailings be located??? Marlene

<email address removed>

From: Tabatha LeBlanc <<email address removed>>
Sent: November 23, 2020 3:26 PM
To: <email address removed>
Cc: Boisvert, Jason (IAAC/AEIC; Ronzio, Joseph (IAAC/AEIC; 'Donelda DeLaRonde'; Cathryn Moffett
Subject: Original EA Documents
Attachments: EIS_IR_SIR_AIR-List.xlsx

Flag Status: Flagged

Hi Colleen,

Nice to virtually meet you and glad the information presented was helpful.
 Below is the quick link table that takes you to the IA Registry to view original EA documentation for the Marathon Palladium Project. Attached is the list with links to all the previous Information Request responses organized by topic.

Let myself or Cathryn know you need anything further.

Kind Regards,
 Tabatha

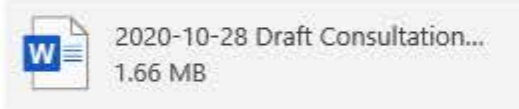
CEAR #	Document Type	Report/Documents	Link
224	Main EIS	Environmental Impact Statement	https://iaac-aeic.gc.ca/050/evaluations/document/136318
226		EIS References Section	https://iaac-aeic.gc.ca/050/documents/p54755/80303E.pdf
227	Supporting Documents	1-4, 7-12, 19, 20, 24, 27-31	https://iaac-aeic.gc.ca/050/evaluations/document/136319
231		5	https://iaac-aeic.gc.ca/050/documents/p54755/80464E.pdf
234		6, 16, 21, 22, 23, 25, 26	https://iaac-aeic.gc.ca/050/evaluations/document/90690
232		18	https://iaac-aeic.gc.ca/050/evaluations/document/90692
233		13-15, 17 (revised documents replacing those in CEAR # 227)	https://iaac-aeic.gc.ca/050/evaluations/document/90691
	IRs	Consolidated IR Responses	https://iaac-aeic.gc.ca/050/evaluations/proj/54755/contributions/id/27458
	SIRs	Consolidated SIR Responses	https://iaac-aeic.gc.ca/050/evaluations/proj/54755/contributions/id/27311

FW: Comments Letter of Intent

Tabatha LeBlanc 2020-12-08 10:24 AM

To: Cathryn Moffett

Save all attachments



From: Tabatha LeBlanc
Sent: November 27, 2020 11:31 AM
To: Victoria Stinson; Jacqueline Barry
Cc: Kevin Muloin
Subject: Comments Letter of Intent

Victoria Stinson; Jacqueline Barry; Ruben Wallin

Hi Victoria and Jacqueline,

Hope you are both well and congratulations Jacqueline on your new role. Climate change is a global priority and nice to see MNO focusing efforts and help working on solutions, it will be an exciting endeavour.

Thank you again for drafting the Letter of Intent and my apologies for not responding sooner. I had to confirm if the previous 2011 LOI was valid. Based on the feedback I received, the 2011 remains active so I've made some recommendation in the draft language, to have this new LOI supersede the old.

The draft comments also consider the past efforts and work conducted by MNO on the Marathon Palladium Project. I know I've been saying the Project is "largely the same", and realize that MNO hasn't seen our update plans yet and you will have to make that determination for yourselves. However, our hopes are once you do start reviewing information on the Project, it will be apparent that this isn't a new Project but really picking up from where we left off.

I have attached an Project update, on page 11/slide 11, there is a good comparison image to demonstrate the optimizations made to the Project design. The Project boundary is the exact same as the previous 2011 LOI.

Let us know the next steps, we would be happy to discuss our draft recommendations on the LOI and we can provide a presentation, similar to the one attached on the Marathon Palladium Project.

All the best,
Tabatha



FINAL

**Review of the
Terms of
Reference for the
Joint Review
Panel for the
Marathon
Palladium Project**

Northwestern Ontario

Prepared for:

Pays Plat First Nation

Pays Plat, Ontario

Attention: David P. Mushquash
Chief, Pays Plat First Nation

November 30, 2020

Pinchin File: 283609



Issued to: Pays Plat First Nation
Issued on: November 30, 2020
Pinchin File: 283609
Issuing Office: Kenora, ON

Author: _____
Sebastian Belmar, M. Sc.
Project Author
<contact information removed>

Reviewer: _____
Mario Buszynski, M. Sc., R.P.P.
Project Author
<contact information removed>



EXECUTIVE SUMMARY

Pays Plat First Nation (Client) retained Pinchin Ltd. to assist the First Nation in their review of the Terms of Reference (ToR) for the Joint Review Panel JRP (JRP) and the Environmental Impact Statement (EIS) for the Marathon PGM-Cu Project (the Project). The Marathon PGM-Cu is an open-pit mine located in Northwestern Ontario, approximately 10 kilometers north of Marathon, and in the traditional territory of Pays Plat First Nation. The Project includes the construction of an open-pit mine and the buildings and structures required for its operation. The operation of the mine will extract and process copper and platinum group metals.

The Project requires clearing approximately 600 hectares of forest. The cleared area will accommodate the main and satellite pits, a processing mill, Mine Rock Storage Areas (MRSA), a Process Solids Management Facility (PSMF), access roads, a new 115 kV transmission line, and other buildings and structures. The mine's operation will generate rock and process solids residues, and they will be stored in the MRSAs and the PSMF. The construction of the PSMF will require damming streams and installing water control structures.

The Proponent submitted the Project to the Federal Ministry of the Environment for an Environmental Assessment (EA) in October of 2010. But, because the Project was likely to cause significant adverse environmental effects, the Minister of the Environment appointed a JRP to conduct the assessment. The JRP is composed of Provincial and Federal representatives. Later on, in 2014, the Proponent requested the assessment suspension, and the JRP was disbanded. In July of 2020, the Proponent asked that the EA be resumed and volunteered to submit an update to the original EIS in early 2021. Presently, the Minister of the Environment has appointed a new review panel and drafted and shared the Terms of Reference for the JRP for comments.

The review's scope was limited by the unavailability of an updated description of the Project and baseline studies conducted after 2012. However, the EIS review identified several deficiencies that preclude an adequate assessment of the Project's environmental effects. The review of the ToR for the JRP determined that any consultation with the public is premature because the current extent of the Project is unknown, and the Proponent has not adequately engaged with the affected Indigenous communities.

We recommend that the JRP suspend the Project's evaluation until the Proponent provides a complete and updated description of the Project. Then it would be possible to evaluate the described Project and the adequacy of the approach for the assessment. As carried out to date, the process has not allowed for informed and meaningful participation of Pays Plat First Nation.



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APPENDIX I Consultation Protocol



1.0 INTRODUCTION

Pays Plat First Nation (Client) retained Pinchin Ltd. to assist the First Nation in their review of the ToR for the JRP and the Environmental Impact Statement (EIS) for the Marathon PGM-Cu Project (the Project). The Marathon PGM-Cu is an open-pit mine located in Northwestern Ontario, approximately 10 kilometers north of Marathon and in the traditional territory of Pays Plat First Nation. The Project includes the construction of an open-pit mine and the buildings and structures required for its operation. The operation of the mine will extract and process copper and platinum group metals.

The review presented below is organized in the following sections:

- History of the Project; Scope of Pinchin's Review, and; Documents Reviewed
- Significant Deficiencies in the EIS
- Recommendations for the ToR for the JRP
- Summary and Conclusions

HISTORY OF THE PROJECT

Mineral exploration in the Project's area began almost a century ago, and numerous studies, from economic to geological analyses, were conducted while ownership of the Project changed over time. In 2003, Marathon PGM Corp. acquired the Marathon PGM-Cu deposit from Polymet and funded additional mineral exploration until 2009.

The Marathon PGM-Cu Project was submitted to the Federal Ministry of the Environment for review in 2010. The Ministry of the Environment determined that the Project **was likely to cause significant adverse environmental effects and referred it to a review panel** for its assessment. Also, shortly after its submission to the Ministry of the Environment, the Project was acquired by Stillwater Canada Inc., who became the new Proponent.

Stillwater Canada Inc. submitted an EIS to the JRP in July of 2012. On November 26, 2012, the JRP decided that the "EIS is deficient, and does not contain sufficient information to proceed to the public hearing." The JRP received and summarized more than 500 requests for information in the Deficiency Statement (JRP, 2012)

In January 2014, Stillwater Canada Inc. requested the indefinite suspension of the EA process and the public hearing, and later, in October 2014, the EA be put on hold. Following the suspension, the JRP was disbanded.



On July 13, 2020, the Proponent, under new ownership, requested that the EA resume and volunteered to submit an update to the Environmental Impact Statement to a newly formed JRP in early 2021. Presently, the Ministry of the Environment and Climate Change has appointed a new JRP, and the Impact Agency of Canada and the Government of Ontario are inviting the public and Indigenous groups to review and comment on the draft Amended JRP Agreement and Terms of Reference.

SCOPE OF THE REVIEW

Because up-to-date information about the Project was not available at the time of this review, Pinchin undertook a brief review of the EIS and the ToR for the JRP. The focus was on the environmental concerns identified during the assessment of the Project in 2012 and the engagement with Pays Plat First Nation. Some of the major issues identified at the time of the original submission of the EIS include the possible destruction of lake trout and brook trout habitat, the effects on woodland caribou migration, and the cumulative impacts to the Lake Superior Area of Concern at Peninsula Harbour (Marathon) and Jackfish Bay (Terrace Bay).

The central focus of our review will be:

- to determine if the Terms of Reference for the JRP is sufficient to address this proposed mining development and, if not, what additions should be made to it.
- to ensure that the JRP is aware that the Project is located in Pays Plat traditional territory and how the Proponent has engaged with the First Nation since its inception.
- to illustrate that Pays Plat First Nation has not been adequately engaged, as shown by the lack of participation and Pays Plat TK in the baseline studies and the lack of a meaningful engagement program influencing the Generation PGM decision-making, and;
- to ensure that the JRP is aware of the possible cumulative effects of the Project on the Lake Superior Area of concern around Terrace Bay and Marathon.

The review's scope is the EIS that the Proponent submitted in 2012 and the ToR for the JRP. New information submitted by the Proponent following the assessment's reinitiation, including updated baseline studies presented at the end of 2020, is not part of this review.



DOCUMENTS REVIEWED

Pinchin completed a review of the EIS and supporting documents, as available in the Canadian Impact Assessment Registry. The assessment allowed for an understanding of the Project and its potential effects on the existing environment to evaluate the EIS's sufficiency. Below are listed the documents that were consulted for this review.

- Environmental Impact Statement
 - Chapter 1: Background and Introduction
 - Chapter 2: Project Scoping
 - Chapter 3: Project Alternatives
 - Chapter 4: Aboriginal and Public Consultation
 - Chapter 5: Existing Environment
 - Chapter 6: Assessment of Potential Effects of the Proposed Project
- Supporting documents
 - Aquatic Resources Baseline (EcoMetrix, 2012)
 - Terrestrial Baseline Environment Program (Northern Bioscience, 2009)
 - Environmental Baseline Assessment (NAR Environmental Consultants, 2007)
 - Baseline Water Quality Conditions at Marathon PGM-Cu Project Site (Ecometrix, 2012)
 - Baseline Report – Hydrogeology (True Grit Consulting Limited, 2012)
 - Impact Assessment – Hydrogeology (True Grit Consulting Limited, 2012)
 - Process Solids management Facility and Mine Rock Storage Area Alternatives Assessment (Knight Piesold Ltd., 2012)

Also, some documents related to the Project and stored in the Canadian Impact Assessment Registry were consulted, including:

- The JRP Decision on Sufficiency of the Environmental Impact Statement (2012)
- Comments and Requests for Information from stakeholders



- Guidelines for the Preparation of the Environmental Impact Statement: Marathon Platinum Group Metals and Copper Mine Project (2011)

2.0 DEFICIENCIES FOUND IN THE ENVIRONMENTAL IMPACT STATEMENT

In June of 2012, Stillwater Canada Inc. submitted an EIS to evaluate the environmental effects of the Project based on the "Guidelines for the Preparation of the Environmental Impact Statement: Marathon Platinum Group Metals and Copper Mine Project" (2011). The EIS described the need for and the purpose of the Project, scoped the relevant issues to be considered in the assessment, evaluated alternatives to the Project, summarized the chapter "Aboriginal and Public Consultation", characterized the existing environment, and assessed the potential effects of the Project. A review of the EIS and the available supporting documents, including all of the baseline studies, revealed several concerning issues that preclude an adequate assessment of the Project's environmental impacts. Below, we describe and discuss some of the most significant issues.

The description of the Project is inadequate and precludes a proper assessment of the extent of the environmental effects. An example in the EIS states that concentrate will be transported from the Site by truck, and it may be transhipped by rail to an unidentified smelter/processing facility. A rail siding would be constructed in Marathon. The Proponent does not identify the rail siding/concentrate storage facility or its location. There is no description of whether the smelting facility would be new or existing, the Site of such a facility, and what environmental effects (including air emissions and greenhouse gasses) would be caused. Finally, throughout the EIS, the Proponent refers to possibly mining iron ore but does not provide any specifics. The Amended Technical Report, Updated Mineral Resource Estimate, and Preliminary Economic Assessment of the Marathon Deposit (P&E Mining Consultants Inc. July 6, 2020) does not refer to Iron Ore.

As evidenced by the June 20, 2011 e-mail from Michael Butler to Colette Spagnuolo and May Lyn Trudelle, the Proponent does not identify the possible ultimate size of mine, contrary to both the federal and provincial Environmental Assessment Acts. The Acts strongly discourage the piecemealing of a Project to minimize its perceived environmental effects. Further review of the Proponent's EIS and ToR for the JRP should be halted until the Proponent identifies and assesses the ultimate mining development. Mr. Butler believes that the Project should be evaluated under "cumulative effects," however, based upon news releases from the company (as documented in Mr. Butler's e-mail), the company is already planning for the addition of "the adjacent Stillwater (now Generation Mining) owned Geordie Lake, Bermuda (Bamoos/Claw Lake/Four Dam) and Coubran Lake properties. The processing plant proposed by the company would most likely be used for all of these additional pits.



The EIS describes limited consultation with Pays Plat First Nation and does not incorporate Traditional Knowledge from this community. The EIS in its Aboriginal and Public Consultation chapter summarizes the communications between the Proponent of the Project and Pays Plat First Nation. The summary shows that the Proponent and Pays Plat First Nation discussed a Benefits Agreement, but they did not reach a decision. To this date, communications with Pays Plat First Nation have been scarce. Thus, the EIS was not sufficient to evaluate the impacts of the Project on the potential or established rights of Pays Plat First Nation.

The Proponent has not integrated Traditional knowledge (TK) into describing the existing environment or assessing the effects of the Project on Indigenous values. For instance, the vegetation description does not explicitly recognize the occurrence of plant species with cultural significance. The EIS presents a list of species provided by Pic River First Nation in later sections. Still, this information is not integrated or cross-referenced with data collected in the field. An updated version of the EIS must clearly explain how the Proponent will incorporate TK and complete the consultation with other First Nations, including Pays Plat.

The EIS does not adequately assess the potential impacts of the Project on the aquatic environment. The EIS makes a shallow description of the effects of the mine's construction and operation on fish and fish habitat. Further, the EIS restricts the description to the Project's footprint and vicinity while ignoring the potential effects at larger scales, including the Lake Superior Area of Concern and the interaction with other sources of contamination.

While failing to describe in-depth the potential effects of the Project, we must also point out that the Proponent assumes that it will cause the "harmful alteration, disruption, or destruction of fish habitat" and presents compensation measures as a form of mitigation. However, contrary to what the Proponent states, compensation is not a form of mitigation, and it should not be a part of the EIS.

The EIS lacks information on the expected water quality in groundwater that will flow from the MRSA and PSMF. Specifically, the EIS should inform how this groundwater quality could affect surface water bodies in groundwater discharge locations. The studies predict that the pits' dewatering will impact surface water bodies within the pit watersheds, but the drawdown will not extend to the Pic River. Streams in the vicinity of the pits will have their flows reduced or eliminated during operations. The groundwater model predicts that it will take 40 years for the pits to fill up after mine closure. There needs to be a more detailed assessment of pit dewatering's effects on the surface water features in the mine's vicinity and how impacted groundwater from the mine may affect surface water quality.



Additionally, supporting studies to evaluate the impacts to surface water quality are not included in the EIS. These studies are required to determine how the mine's development and operation will affect the Site's water quality (e.g., ARD/ML studies). Also, the Proponent compared the quality of groundwater and surface water and found little evidence of interaction between them. This finding contradicts the hydrogeology baseline study, which concluded that groundwater discharges to surface water.

The process to determine the environment-project interactions is obscure and seems to lack objectivity. For instance, Table 6.1-1 shows that there is no interaction between "Clearing, grubbing, and stripping of vegetation, topsoil, and other organic material" and "Fish habitat", "Benthic invertebrates", "Recreational fisheries", and "Commercial fisheries". However, the assessment in section 6.2.4. states that the Site Preparation and Construction "will result in the harmful alteration, disruption, or destruction of fish habitat". In another example, Table 6.1-1 shows that there is no interaction between the construction of a transmission line to supply electric power to the mine and migratory birds. However, other assessment sections acknowledge that building the transmission line will result in the loss of habitat for some species and increase mortality due to collisions.

The approach utilized to evaluate the significance of the residual effects is minimally described and appears subjective. For example, the frequency of occurrence of an event is categorized as minimal if the event "rarely occur (s)", or low if it is "unlikely to occur". On the same line, the ratings assigned to ecological importance are based exclusively on measures of frequency. The rating system considers abundant and common species unimportant, giving rare or threatened species the highest ratings. While this is reasonable when assigning conservation value to species, the same approach is, generally, non-sensical from an ecological perspective. For example, beavers are common and abundant in boreal ecosystems, and, ecologically, they are essential in determining their ecosystems' characteristics. An adequate assessment of the Project's effects requires a reliable, defensible approach to categorizing the significance of the impact, and, thus, we suggest that the process be reviewed.



The EIS does not evaluate potential cumulative effects on the Lake Superior Area of Concern. For instance, human activities have resulted in the accumulation of mercury (Hg) in terrestrial and aquatic ecosystems. Studies have demonstrated that forestry operations can increase the concentrations and loads of Hg to surface waters by mobilizing it from the soil (Eklof et al., 2016). Clearing, grubbing, and stripping of vegetation, topsoil, and other organic material during the activities of the Project may result in the release and mobilization of Hg from the soil into adjacent watersheds. A recent study showed that bays in the Great Lakes receiving riverine inputs have high mercury concentrations that can lead to consumption restrictions (Visha et al., 2018). Peninsula Harbour (Marathon) and Jackfish Bay (near Terrace Bay), which are part of the Regional Study Area for the Project, were declared as Areas of Concern in the past due to high levels of contaminants in the water, including mercury. Similarly to this example, the EIS fails to adequately assess contaminants' impact resulting from the combined effect with other existing or planned projects in the area.

The circulation of waters along the north shore of Lake Superior follows a general westerly direction (Bennington et al., 2010). This pattern means that effluents entering Lake Superior at the mouth of Hare Creek could potentially reach the Jackfish Bay Area of Concern in Recovery. Jackfish Bay was designated as an Area of Concern due to the degradation of the water quality and environmental health caused by the effluents from the pulp and paper mill in Terrace Bay. The degradation resulted in low water quality, contamination of sediment, and fish and fish habitat destruction, among other consequences. Although environmental health has improved significantly (Environment and Climate Change Canada, 2017), the potential for cumulative effects due to the proposed mining development may threaten the recovery of Jackfish Bay.

The baseline data is outdated and, in cases, it does not adequately represent the seasonal variation in the biological communities. The data presented was collected mostly between the springs and summers of 2007 and 2009. The Proponent collected some of the data during field surveys, while it obtained the rest from secondary sources, such as existing databases. Assuming that the plant communities followed a natural trajectory without disturbance, then the Proponent should conduct additional field studies to validate the data. Updating the description of the wildlife species occurring in the Project area would require further field studies to supplement the existing data and, in some cases, provide baseline data for taxa for which the Proponent did not complete surveys. Currently, the data presented in the EIS does not describe the existing environment in a manner suitable for the assessment of the effects of the Project. The same general comment is also valid for other components of the existing environment, such as the study area's socioeconomic description.



The EIS evaluates the impacts on bat Species at Risk and furbearers without using data collected in the area of the Project. Instead, using data from a nearby project, the EIS indicates that the presence of northern myotis (*Myotis septentrionalis*) and little brown myotis (*Myotis lucifugus*) in the area of the Project is possible, but that effects are likely negligible due to the absence of "significant bat habitat". The EIS is possibly referring to critical habitat, as defined in the federal Recovery Strategy for these species in Canada, including caves and abandoned mines. However, other significant bats' habitat elements are maternity roosts, male roosting sites, migration routes, and swarming sites. The Proponent did not evaluate the availability of such habitat features in the area of the Project. Field studies are required to identify the species of bats occurring in the area and habitat availability. Similarly, the EIS relies on data from a nearby project and two trap lines from the study area to estimate the diversity and abundance of furbearers. Thus, the EIS does not present data suitable to assess the effects of the Project on Valued Ecosystem Components, bat Species at Risk, and furbearers.

3.0 TERMS OF REFERENCE FOR THE JOINT PANEL REVIEW

3.1 Description of the Project

The ToR for the JRP are an amended version of the document prepared for the original review panel in 2012. The public was invited to comment on it on October 9, 2020. However, when the public was invited to comment, an updated version of the Project's description was not available. Thus, the amended ToR do not include an adequate description of the Project and whether the Proponent has made any changes to the original plan is unknown.

Section 1.2. establishes that "the scope of the Project shall include all components of the Project as proposed by the Proponent.". This definition for the Project's scope is too broad, as it is unclear whether it refers to the Project as described in the EIS or to a new description yet to be submitted. We recommend that this section be updated to be more specific in defining the Project that will be subjected to the review. We would also suggest that the JRP review the Project's scope and all components as proposed and decide the Project Description's completeness. Should the description be found to be incomplete, then the JRP should request a new Project Description.



3.2 Factors to be Considered in the Environmental Assessment

Section 2.2. states that the JRP will consider, among other factors, "community knowledge and Indigenous traditional knowledge, and the current use of lands and resources for traditional purposes by Indigenous persons". We believe that the requirement to integrate community knowledge and Indigenous traditional knowledge into assessing the Proponent's environmental effects should be made explicit. We suggest incorporating the following sentence to the draft: "(The JRP will consider) The incorporation of Indigenous Traditional Knowledge and community knowledge into the assessment of the environmental effects of the Project".

Section 2.2. also establishes that the JRP will consider the significance of the impacts, including any potential cumulative effects with other projects and activities. To achieve this, the Proponent must provide a complete, in-depth assessment, in contrast to the superficial evaluation previously submitted. The Proponent should include, amongst others, an adequate evaluation of the extent to which biological diversity could be affected and of the long-term effects to the water quality at all spatial scales relevant to the Project. Most importantly, given the inadequate consultation with Pays Plat First Nation and the lack of TK and TLRU integration in the EIS, the ToR for the JRP should explicitly mandate the Proponent to address these deficiencies.

3.3 Environmental Assessment Process

The ToR establish that the JRP will require the Proponent to submit an EIS Addendum following the information request issued by the former Panel on January 31, 2014. This determination means that the JRP will evaluate the Project as an amendment to the original. Again, because the extent to which the new Project deviates from the original is unknown, it is not possible to evaluate whether this determination complies with the environmental legislation. This impossibility highlights the ToR's premature nature and the importance of beginning a new consultation process that meaningfully engages Indigenous communities.

We suggest that a statement be incorporated into the ToR as section 3.2.2. The statement must mandate that if an updated description of the Project shows significant changes that influence the properties of its environmental effects (Extent, frequency, and magnitude), the JRP will require the Proponent to resubmit the Project for a de novo assessment.



Section 3.3. establishes that the EIS Addendum will be placed on the Public Registry for public comment for a minimum of 60 days. This period is not long enough to allow for an adequate review by Pays Plat First Nation, more so considering the restrictions due to the Covid-19 pandemic. We suggest that the EIS Addendum should be available for comments for a minimum of 90 days. Also, funding should be made available to help Pays Plat and other First Nations retain experts to conduct the review and participate in the Hearing.

The ToR indicate that the JRP is mandated to invite information from Indigenous groups about potential adverse effects and that it will accept information in this regard. Thus, the onus is on the Indigenous communities to identify the Project's damaging effects and bring forward that information. We suggest that the ToR establish that it is the Proponent's responsibility to work with Indigenous groups to identify any potential adverse environmental effects that the Project may have on potential or established Aboriginal and Treaty rights.

On May 6, 2011, Pays Plat formally requested that all consultation and accommodation comply with the Pays Plat Consultation Protocol (attached). We suggest that the ToR for the JRP makes an explicit recognition of such request and that the Panel mandates the Proponent to comply with the Protocol.

4.0 CONCLUSION

The existing EIS is deficient, and it precludes an adequate assessment of the Project's effects. The Proponent will submit updates to the EIS by the end of 2020 or early 2021. Still, its sufficiency will depend on the extent to which the Project remains the same.

One of the EIS's primary deficiencies reflects the limited extent to which the Proponent consulted Pays Plat First Nation. In particular, the EIS reveals that the Proponent made few attempts to engage Pays Plat First Nation's community meaningfully. Pays Plat has had no involvement in the updating studies undertaken to address deficiencies in the original EIS, and Pays Plat Traditional Knowledge has not been used in any of the work. The Proponent and Pays Plat First Nation failed to reach an agreement on the community's benefits, and fixing this failure should be a priority for the new Proponent.

A review of the ToR for the JRP is, at this point, premature given that a description of the "new" Project is not available. Thus, we strongly suggest that the consultation be suspended until the Proponent provides additional details. At that time, a new consultation on the Terms of Reference should be initiated. Nevertheless, we suggest that the ToR for the JRP incorporate language that explicitly affirms the Proponent's responsibility to identify the environmental risks to the Indigenous communities.



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6.0 TERMS AND LIMITATIONS

Specific limitations related to the legal and financial and restrictions to the current work scope are outlined in our proposal, the attached Methodology, and the Authorization to Proceed, Limitation of Liability, and Terms of Engagement contract form that accompanied the proposal. Information provided by Pinchin is intended for Client use only. Pinchin will not provide results or information to any party unless directed to by the Client or disclosure by Pinchin is required by law. Any use by a third party of reports or documents authored by Pinchin or any reliance by a third party on or decisions made by a third party based on the findings described in said documents is the sole responsibility of such third parties. Pinchin accepts no responsibility for damages suffered by any third party as a result of decisions made or actions conducted. No other warranties are implied or expressed.

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APPENDIX I
Consultation Protocol

PAYS PLAT FIRST NATION

CONSULTATION PROTOCOL

Pays Plat First Nation – Consultation Protocol**INDEX**

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Pays Plat First Nation – Consultation Protocol

1. Declaration of Pays Plat First Nation

Pays Plat First Nation is an Anishnawbe Nation.

As a First Nation, we have inherent rights which have never been given up.

We have the right to our own form of government.

We have the right to determine our own members.

We have the right to self-determination.

We are not signatories to the Robinson Superior Treaty, and have not adhered to the terms of the Robinson Superior Treaty.

We have full control of our lands. "Land" includes water, air, minerals, timber, wildlife and resources.

We have our own customs and traditions, and our own governance.

As a First Nation, we are entitled to receive and understand all information about activity on our Land. We require expertise to assist the First Nation in making an informed decision with respect to information received, and proposed activities.

We seek to end our economic dependence on others. To do this, we need enough land and resources to provide an economic base for the present and the future.

Our First Nation has the right to share in the revenues from the land and our resources. A sound financial base is required for the full operation of our government.

Neither the federal government of Canada nor any provincial government shall unilaterally affect the rights of our First Nation or our citizens.

Pays Plat First Nation is faced with the reality that at this time the Government of Canada and Government of Ontario have not fully recognized the sovereignty of Pays Plat First Nation, and has unilaterally imposed upon the First Nation, the laws of Canada and Ontario.

In the spirit of cooperation, Pays Plat First Nation is prepared to implement an ongoing consultation protocol to ensure that the views of the people of Pays Plat First Nation are heard and understood.

Pays Plat First Nation – Consultation Protocol

2. Introduction

The Pays Plat First Nation is situated on the northern shores of Lake Superior, 183 km east of Thunder Bay on Highway 17. The population is around 70, with just over 200 Band Members registered. Band Members live as far as the Pacific and Atlantic Ocean coastlines. The traditional territory spans from Nipigon to Marathon; and from Long Lake to the Canada/USA border on Lake Superior. Band Members have traveled far and wide gathering, hunting and fishing.

Some of the gathering, hunting and fishing locations that Band Members have recorded traveling to are as follows:

The surrounding communities are Dorion (99 kilometers), Nipigon (60 kilometers west), Rosspoint (8 kilometers east), Schreiber (28 kilometers east), Terrace Bay (42 kilometers east), Marathon (124 kilometers east).

It is the duty of the Chief and Council of Pays Plat First Nation to ensure and safeguard the quality of life of the members of Pays Plat First Nation.

Pays Plat First Nation – Consultation Protocol

3. List of Definitions

Crown

Crown means either or both of Canada and Ontario, and any part of the Crown.

Dispute Resolution Process

A process to reach an agreement on areas of dispute

Elders

Elderly, wise, community members who provide advice, guidance and support who are members of Pays Plat First Nation.

Environment

Environment means the components of the earth, and includes:

- i. land, water and air, including all layers of the atmosphere;
- ii. all organic and inorganic organisms including flora and fauna and humans;
- iii. the physical, social, economic, cultural, spiritual and aesthetic conditions and factors that affect the physical or socio-psychological health of Pays Plat First Nation or any of its members;
- iv. physical and cultural heritage, traditional knowledge and structure, site or thing that is of historical, archaeological, paleontological or architectural significance; and
- v. any part or combination of those things referred to in paragraph (i) to (iv), and the interrelationships between two or more of them.

Existing Stakeholders

Existing Stakeholders includes any individual, government department, Crown corporation, corporations, businesses, utilities, presently conducting any activity on Pays Plat Traditional Territory.

First Nation

The First Nation is Pays Plat First Nation

Pays Plat First Nation – Consultation Protocol

Impact

Impact means any adverse effect that any Activity may cause to the Environment, the vegetation, wildlife and fish within Pays Plat First Nation's Traditional Territory or the Health of Pays Plat First Nation or any of its members or any Pays Plat First Nation right.

Information

Information means:

- i. Location (including if possible a map of the site of an area of impact of the activity if applicable), timing, and as a full a description as possible of the activity.
- ii. A written draft of the Crown activity, if it exists;
- iii. Known, projected or potential impacts as a result of the activity;
- iv. The name and contact information for the Crown designate;
- v. The name and contact information of the proponent, if applicable;
- vi. All information and documents provided by the proponent to the Crown in respect of the proponent activity, if applicable;
- vii. Copies of all permits and licenses issued by the Crown to any individual corporation or entity on Pays Plat First Nation Traditional Territory;
- viii. Any other information that the Crown and/or proponent considers relevant.

Oral History

First Nation family oral traditions, teachings and knowledge passed from generation to generation

Parties

First Nations, Crown or a Proponent

Pays Plat First Nation – Consultation Protocol

Pays Plat Traditional Territory

Traditional ancestral, historical and customary lands asserted by Pays Plat First Nation as presented in Appendix A (Map) which is without prejudice to any further research and information defining their location

Proponent

Proponent means the party (which could include the Crown, a corporation, partnership, sole proprietorship, association, organization, person or entity) other than Pays Plat First Nation or a business in which Pays Plat First Nation has majority control or a majority financial interest, or a minority financial interest that would undertake or is undertaking the Proposed Activity, as the case may be, conducting activities on Pays Plat First Nation traditional territory.

Where the Proposed Activity and/or the Proponent is regulated or licensed by the Crown, or the Crown derives revenue by fees or taxation from the Proposed Activity, the Crown shall be considered to be a Proponent with respect to the Proposed Activity, and shall be required to consult with the First Nation and accommodate the First Nation pursuant to this agreement.

Proposed Activity

1. Mining claims, mining assessment work, mining development work, drilling, forestry harvesting, spraying, tree planting and all forestry planning activities, road and bridge construction, dams, wind turbines, utility and hydro line construction, highway or railroad maintenance and construction, tourism cabins, tourist camps, tourist resorts and tourist structures, Land Use Permits, signage, campsites, trails, trapping activities, commercial fishing activities, minnow trapping, anthropology sites, ski, hiking and recreational trails, recreational activity.
2. All activity by the Crown including:
 - i. New legislation, regulations, policies, programs and plans that provide authority to or are implemented or to be implemented by the Crown;
 - ii. Changes to legislation, regulations, policies, programs and plans that provide authority to or are implemented or to be implemented by the Crown;
 - iii. Issuance, varying, approval, suspension, or cancellation of permits, licenses, authorizations, renewals or anything similar, by the Crown;

Pays Plat First Nation – Consultation Protocol

- iv. Any planning or implementation with respect to Nature Conservation Areas, Parks, and Parklands within the First Nation's Traditional Territory;
- v. Anything else authorized or undertaken by the Crown; and
- vi. Gathering and compiling of fish and wildlife data and information, gathering of tourism and recreational land use data and information within Pays Plat First Nation's Traditional Territory.

Shared Traditional Territory

Recognized land area common to different First Nation traditional territory

Suspension

To put on hold

Treaty and Aboriginal Rights

Recognized in Section 35 of the Canadian Constitution

Pays Plat First Nation – Consultation Protocol

4. Purpose of the Consultation Protocol

Consultation with First Nation members, Elders and the elected Chief and Council is required by any Proponent. The Consultation will work towards reaching a partnership between the First Nation and the Proponent that will accommodate the interests of the First Nation.

The purpose of this Agreement is to establish a clear, certain, and timely process for meaningful Consultation and any agreed upon Accommodation measures and specifically to:

- A. define commitments for information-sharing, consultation, and accommodation or decision;
- B. provide a meaningful opportunity for the First Nation to review all information related to the proposed activity including any environmental assessment to be conducted as a result of or in preparation for the proposed activity;
- C. to provide input and advice directly to the Proponent in relation to the potential rights and interests of the First Nation, which may be affected by the proposed activity;
- D. to have the First Nation input and advice, seriously considered and, where an agreement can be reached, integrated into the proposed activity;
- E. provide an opportunity for the First Nation to identify other values, and concerns in relation to the proposed activity, and communicate these to the Proponent to be incorporated by the proponent into the proposed activity;
- F. to financially support the First Nation's participation in the Consultation Process, so as to improve the First Nation's ability to identify for the Proponent, potential adverse impacts on rights and interests resulting from the proposed activity.
- G. allow the First Nation to determine if, and how, the proposed activity conflicts with the Pays Plat Land Use Policy.
- H. Further enable the First Nation to provide input, and advice, to the Proponent on measures to avoid or mitigate potential impacts on the First Nation's rights and interest resulting from the proposed activity.
- I. Provide funding to support the involvement of the First Nation membership in the proposed activity, including any environmental assessment review

Pays Plat First Nation – Consultation Protocol

process, economic planning, land use planning, and employment opportunities;

- J. Provide a forum to determine funding requirements to support the First Nation in the review of the proposed activity, and the environmental assessment, through including independent technical review and conduct of studies such as Indigenous Knowledge or Social Impact Assessment, as may be required;
- K. Provide a forum to determine the need for monitoring of any projects that may result from the proposed activity during construction, implementation, and decommissioning, including identification of the First Nation role in such monitoring;
- L. development of a follow-up program to ensure the First Nation is kept apprised of developments, and involved with any project once/if approved;
- M. Discuss other issues of importance which are not addressed directly by this protocol.
- N. Build a positive working relationship by maintaining clear communication between the parties, and by establishing an effective mechanism for dispute resolution.

Pays Plat First Nation – Consultation Protocol

5. Guiding Principles

Building relationships between parties will include Guiding Principles in the engagement. These principles will be the foundation for dialogue and will guide the parties through the discussions and negotiations;

- Trust
- Openness and Transparency
- Good Faith
- Honesty
- Humility
- Truth
- Wisdom
- Love
- Respect
- Courage
- Equality
- Accountability
- Facilitate communication
- Build positive, long term relationships
- To uphold and respect the traditional ways of the First Nation's people

Pays Plat First Nation – Consultation Protocol

6. Notification

This is the procedure that must be followed by all Proponents to notify the First Nation about the Proposed Activity. The Proponent must strictly adhere to this procedure prior to the consultation beginning. The procedure is as follows:

- A. Pays Plat First Nation wants all Proponents to contact the First Nation in writing, addressed to the Band office, Attention Chief and Council and Band Chief Executive Officer. This is only the first step in the notification procedure. Telephone calls, faxes, emails and letters to the First Nation employees is not sufficient notification and/or consultation.
- B. The First Nation will email, fax or mail this protocol to the Proponent, if the Proponent does not already have a copy.
- C. Pays Plat First Nation wants all Proponents and Existing Stakeholders to contact Pays Plat First Nation to acknowledge receipt of this Protocol and to accept, in writing, its terms, as a precondition to the commencement of any consultation with respect to Proposed or Continued Activity on First Nation traditional lands.
- D. Information disclosure must be complete pursuant to the terms of Section 7; Information Disclosure to the First Nation.
- E. The Proponent must personally meet with the Chief and Council or the Chief Executive Officer on the Pays Plat First Nation Reserve, to notify the Chief, Council and Chief Executive Officer about the Proposed Activity, or Continued Activity.
- F. The Chief and Council will consult with Band members, Elders, and advise the Proponent whether or not the Proponent must further notify all Band members, Community Members, Elders, by way of an additional mailing to each and every Band and Community Member, Elders, and further whether the Proponent must conduct additional meetings in the community to meet the Proponents notification obligation.
- G. The extent of the Proponent's obligation to notify the First Nation is dependent upon the extent of the Proposed or Continued Activity, including but not limited to; disturbance to the environment, the geographic size of the Proposed Activity, the economic size of the Proposed Activity, the frequency of the Proposed Activity's, or the impact on the Aboriginal Culture.
- H. Pays Plat First Nation shall be exclusively responsible for determining the extent of notification required by the Proponent to Pays Plat First Nation's

Pays Plat First Nation – Consultation Protocol

Chief and Council, Elders, Band and Community Members. This shall be communicated by Chief and Council to the Proponent by Band Council Resolution.

- I. The Proponent shall be completely responsible for all costs associated with complying with this notification procedure, and any additional notification requirements determined by Chief and Council.**
- J. Pays Plat First Nation Chief and Council may suspend the Consultation Procedure and Accommodation Process by Band Council Resolution at any time if the Proponent fails to strictly adhere to the notification procedure outlined herein.**

Pays Plat First Nation – Consultation Protocol

7. Information Disclosure to the First Nation

Prior to beginning the consultation process, the Proponent must provide written copies of all information with respect to the proposed activity on First Nation Traditional Territory.

(In order to protect the Proponent's privacy, all information shall be treated as confidential, and will only be distributed to the Chief, Council and Chief Executive Officer. The Chief, Council and Chief Executive Officer will provide a Confidentiality Agreement to the Proponent if requested.)

This shall include but not be restricted to the following:

A. Mining:

- The location of all claims or proposed claims.
- The claim number;
- The amount of assessment work in dollar values already conducted or proposed on each claim;
- The amount of assessment/development work planned for each claim, in dollar values including;
- The schedules for all assessment/development work planned on each claim;
- Maps showing the exact location of all assessment and/or development work;
- Any relevant prospectus and/or Annual Report of the proponent;

B. Forestry:

- Copies of all forestry licenses issued to license holders within Pays Plat First Nation's Traditional Territory;
- All forestry plans, maps, inventory maps;
- All forestry harvesting schedules;

C. Government:

- All Trapline licenses and maps;

Pays Plat First Nation – Consultation Protocol

- All Commercial Fishing Licenses and maps;
- All Minnow Traplines and maps;
- All Bear and Moose tag allocations;
- All fish and wildlife records and information, including all Deer and Moose harvesting dates, all Deer and Moose population estimates, all Trapline harvest information, and all commercial fishing quota reports;
- All tourism information;
- All Ministry of Transportation highway information or data;

D. Energy Proponents:

- All budgets and financial statements, financial projections, with respect to the Proposed Activity;
- All plans and surveys;
- All maps;
- All Prospectus and Annual Reports;
- All environmental data, findings, reports, projections;

E. Small Business Activities:

- Name and address of Proponent;
- Corporate structure of Proponent;
- Partnership/Shareholder Agreements to which the proponent is a party;
- Proposal budget and financing arrangements with respect to Proposed Activity;

F. Individual:

- All Land Use Permits issued by the Provincial Government within the Pays Plat First Nation Traditional Territory.

Pays Plat First Nation – Consultation Protocol**8. Principles Applicable to the Consultation Process**

- 1) The Consultation Process will be conducted as follows:
 - A. The Proponent will work with the First Nation to determine, recognize and respect the First Nation's rights and interests;
 - B. Until there has been a legal determination of Pays Plat First Nation's Aboriginal rights and interest (by Court of Appeal, Supreme Court of Canada, or by Treaty) there shall be a presumption that Consultation and Accommodation is required with respect to all Activity, and all Proposed Activity on Pays Plat First Nation's Traditional lands;
 - C. The Proponent will ensure that the First Nation has been provided with all the necessary information to properly express their interests and concerns about the proposed activity;
 - D. The Proponent will provide the First Nation with sufficient funding to allow the First Nation to retain the necessary expertise required by the First Nation to understand and interpret the information provided by the Proponent;
 - E. The Proponent will create a meaningful opportunity for consultation with the First Nation recognizing that the First Nation membership, not just the leadership, must be involved in the consultation;
 - F. By participating in this process, First Nations do not consent to future developments arising out of the consultation;
 - G. The participation of the parties is neither intended nor should be used to fulfill any other legal obligations now or in the future;
 - H. The Proponent will approach consultation in good faith and with the intention of substantially addressing First Nation concerns;
 - I. The Proponent will seek to avoid or mitigate potential adverse impacts on rights and interests of the First Nation;
 - J. The Proponent will not make any decision or move forward with the Proposed Activity prior to the parties concluding the consultation;
 - K. The Duty to Consult is ongoing throughout the duration of the Proposed Activity;

Pays Plat First Nation – Consultation Protocol

- L. The First Nation will not frustrate the good faith attempts of the proponent to consult;**
- M. Consultation will include timely, efficient and effective processes and effective mechanisms to address issues that arise with the consultation process; and**
- N. Consultation will be open and transparent, and will provide for continuous improvement of both the process and the relationship between the parties.**

Pays Plat First Nation – Consultation Protocol

9. Land Use Planning

- A. Prior to proceeding with the Consultation and Accommodation Procedure a full and complete Land Use Plan must be in place with respect to Pays Plat First Nation Traditional Territory.
- B. The Land Use Plan must be the result of a comprehensive community planning and land use analysis by Pays Plat First Nation and must be approved by the First Nation.
- C. Pays Plat First Nation will require the service of various experts to develop the Land Use Plan including planners, biologists, wildlife biologists, foresters, archeologists, historians and Elders.
- D. Pays Plat First Nation does not presently have the funding to begin the Land Use Planning Process, accordingly no Land Use Plan is presently in place. Band financial resources have been allocated to more urgent needs such as housing and health care.
- E. Each Proponent will be required to financially contribute to the Land Use Planning Process as a Land Use Plan is required prior to the First Nation being able to decide if a Proposed Activity can be Accommodated.

Pays Plat First Nation – Consultation Protocol

10. Consultation Representatives

- A. The Proponent will identify in writing their relevant decision maker and representative in the consultation and any other members of their consultation team.
- B. The First Nation will create a Consultation Team and will identify in writing the membership of their Consultation Team which will include traditional Chiefs, Chief and Council, and Elders of the First Nation and legal counsel for the First Nation.
- C. The Proponent will fund the First Nation Consultation Team.

11. Consultation Process

- A. Consultation between the Proponent and First Nation shall take place in the following forms:
 - i. Oral consultation with the First Nation Consultation team either with or without their legal counsel; or
 - ii. Written consultation with the First Nation Consultation team which shall be conducted either in Pays Plat First Nation, or another location designated by the Chief and Council.
- B. No other form of contact between the Proponent and First Nation will be understood to be consultation. In particular, telephone calls to Band officials and employees, faxes, and material sent to the Band office, shall not even be considered consultation.
- C. The Consultation will occur between the Proponent and Pays Plat First Nation by way of formal meeting, informal meeting, conference calls, newsletters, coffee/meal meeting in the community and outside the community, community dinners, house calls and personal visits.
- D. There will be a Review and Response Period during which the First Nation will have access to relevant reports, studies and databases, so as to facilitate an assessment of the potential for adverse impact on the First Nation's rights and interests, and to identify the manner in which potential adverse impact can be avoided or mitigated.
- E. During the Review and Response Period the First Nation will be responsible for consulting within the community with their membership on the potential for the Decision to impact their rights and interests.

Pays Plat First Nation – Consultation Protocol

- F. Any identified gaps in the data will be identified by the First Nation in writing and discussed with the proponent to jointly determine the need for further study and to negotiate the terms of the study including an extension to allocated timeframes for the Review and Response Period.
- G. The results of all technical review and/or studies conducted by the First Nation will be provided to the Proponent in writing or through oral presentation if more deemed more appropriate in the specific case of Indigenous Knowledge study.
- H. In the event that Indigenous Knowledge study is deemed necessary, a separate agreement will be negotiated according to First Nation policies respecting Indigenous Knowledge to ensure that this information is afforded the necessary respect demanded by the traditions of the First Nation.
- I. Prior to the conclusion of the Review and Response Period, the First Nation will provide input and advice through a written response directly to the proponent specifying the First Nation's views as to the manner in which the proposed activity represents a potential adverse effect on rights and interests, and the manner in which those impacts can be avoided or mitigated.
- J. The consultation formally begins with the commencement of the Discussion Period.
- K. During the Discussion Period the proponent will respond to the First Nation's input and advice, and will seek to address any concerns that may have been raised by the First Nation during the Review and Response Period recognizing that this may require a series of meetings to address the range of issues identified by the First Nation according to subject.
- L. The Proponent will give due consideration to the First Nation's input, advice and recommendations, and will advise the First Nation in writing of the accommodation measures the Proponent agrees to and specifically how the First Nation's input, advice and recommendations have been incorporated into the Proponent's proposed activity.
- M. The First Nation will be afforded the opportunity to consider the Proponent's proposed accommodation and determine any residual impacts to the rights and interests of the First Nation.
- N. Further discussions will be held between the Proponent and the First Nation to discuss the residual impacts, further mitigation and where necessary, compensation owed to the First Nation for those immitigable impacts.

Pays Plat First Nation – Consultation Protocol

- O. Prior to conclusion of this phase of consultation and subsequent implementation of the proposed activity, discussions will be held between the Proponent and the First Nation to come to an agreement on follow-up and monitoring during implementation of the Decision, including a mechanism to address previously unidentified impacts to the First Nation's rights and interests resulting from the Decision.
- P. A Consultation and Accommodation Agreement shall be signed between the Proponent, Crown and First Nation prior to the Proposed Activity proceeding.

12. Meetings Between the Parties

- A. The proponent will meet as required with the First Nation Consultation Team at a location with the First Nation to review progress and to discuss community specific matters, new or revised information on the proposed activity and further improvement of the effectiveness of the consultation process.

13. Schedule and Timing

- A. The parties acknowledge that it is desirable that the consultation proceeds at a pace which allows the First Nation to fully inform their membership, and particularly the Elders, in order to build a consensus position on the proposed activity in relation to potential impacts to First Nation's rights and interests. To this end, while the parties agree that the consultation should proceed as expeditiously as possible, they also agree that this will be dependent on the quality of information and the financial resources provided to the First Nation to enable their meaningful participation in the consultation.

14. Financial Contribution

- A. The Proponent will provide funding to the First Nation to finance the Consultation and Accommodation.
- B. The parties agree that, in addition to this Agreement, separate agreements may be entered into by and arrangements made between the First Nation and the project proponent or other private interest related to the project. It is recognized that such agreements represent a means for defining protocols for working relationships, for encouraging employment of First Nation contracts, for fostering training and employment

Pays Plat First Nation – Consultation Protocol

opportunities, and for facilitating long-term mutually beneficial business relationships.

15. Accommodation

A. The Proponent recognizes and agrees that where the proposed activity involves economic activity of any kind on First Nation Traditional Territory, the First Nation shall be entitled to fully participate in the economic activity and financially benefit from all economic activity which shall include but shall not be restricted to:

- 1) Revenue sharing
- 2) Partnership and Joint Venture with respect to the economic activity
- 3) Employment of First Nation members

16. Dispute Resolution

A. In the event of a dispute between the parties during the Notification, Consultation or Accommodation Process, the parties will engage a neutral third-party mediator to facilitate resolution of the matter. The mediator will be chosen by Agreement of both parties.

17. Resourcing

A. It is expected that the First Nation will need resources for technical, financial and capacity building to participate effectively throughout the entire process, depending on the scale and scope of the activity. These resources may be derived from mineral sector proponent and/or other sources of funding.

18. Suspension of Discussions/Negotiations

A. Either party may choose to suspend discussions and/or negotiations at any stage of engagement. The party choosing to suspend the discussion and/or negotiations must do so by verbal notice followed by a written notice within ten (10) working days stating their reasoning. Either party may invoke the dispute resolution process at this stage.

Pays Plat First Nation – Consultation Protocol

APPENDIX "A"

Map of Pays Plat First Nation Traditional Territory to follow in due course.

Tripartite Meeting Gov't

 **Tabatha LeBlanc** <email address removed>
2020-12-02 2:07 PM

To: Daryl Skworchinski Cc: Cathryn Moffett

Hi Daryl,

Yes, mid-December sounds good. I heard about the covid cases in the community, hope everyone is okay and the situation caught early enough to limit transmission.

Cathryn Moffett, was brought on board the GenPGM team and she will reach out to coordinate the meeting. Maybe we can try 6ix again or Team/Zoom, which ever you prefer.

We will present the same update we gave the Town Council in early November.

All the best,
Tabatha

From: Daryl Skworchinski <email address removed>
Sent: December 1, 2020 10:31 AM
To: Tabatha LeBlanc <email address removed>
Subject: RE: Tripartite Meeting Gov't

Tabatha:

We've had some COVID cases recently which have sidetracked things. I think it best we look at this for mid-December.

Thanks
DS

<email address removed>

From: Cathryn Moffett <email address removed> >
Sent: December 4, 2020 1:17 PM
To: Tabatha LeBlanc; Chanelle Boucher; <email address removed>
Subject: Marathon Project - Baseline Reports Online
Attachments: 2020-12-03 Baseline Studies News Brief.pdf

Hello All

I've been very pleased to meet many of you online during recent meetings with GenPGM. I am working with their team to help with consultation around the Environmental Assessment for the Marathon Project, making sure communication is open and information is available.

Last month GenPGM began publishing information in the local newspapers to keep people up to date on the Marathon Project. Please find attached this week's Marathon Project Newsbrief announcing the publication of the updated baseline reports, available on the GenPGM website as linked below.

<https://www.genmining.com/projects/generation-pgm/technical-reports/>

Please don't hesitate to contact me with any questions or comments, I look forward to working with you throughout the EA and permitting process for the Marathon Project.

Thanks,
Cathryn

<contact information removed>

Sent from [Mail](#) for Windows 10

Delete This Item

Marathon Project - Baseline Reports Online

Cathryn Moffett
2020-12-04 1:17 PM

To: [redacted]



Hello All
I've been very pleased to meet many of you online during recent meetings with GenPGM. I am working with their team to help with consultation around the Environmental Assessment for the Marathon Project, making sure communication is open and information is available.

Last month GenPGM began publishing information in the local newspapers to keep people up to date on the Marathon Project. Please find attached this week's Marathon Project **Newsbrief** announcing the publication of the updated baseline reports, available on the GenPGM website as linked below.

<https://www.genmining.com/projects/generation-pgm/technical-reports/>

Please don't hesitate to contact me with any questions or comments, I look forward to working with you throughout the EA and permitting process for the Marathon Project.

Thanks,
Cathryn

<contact information removed>

Sent from [Mail](#) for Windows 10

Project updates

TL Tabatha LeBlanc · <email address removed>
10:12 AM

To: <email address removed>; Jennifer Jacques Cc: Cathryn Moffett

[Save all attachments](#)

-  2020 Baseline Report... 7.94 MB
-  2020 Dec 3 Marathon Palladium... 2.37 MB

Hello Jesse and Gwen,

Hope you are both well. I've heard there has been some cases locally of Covid-19 and I hope the community is safe.

We have been providing updates on the Marathon Palladium Project. Although Chief Desmoulin and council have provided a letter of support to us for the Project, we thought we would share the enclosed updates. Let us know if you are interested in discussing, and we would be happy to make arrangements to set up a virtual meeting.

Please reach out to Cathryn or myself if you would like to meet or have any questions.


Wishing you all the best,
Tabatha

<email address removed>



From: Tabatha LeBlanc <email address removed>
Sent: December 18, 2020 4:19 PM
To: Cathryn Moffett
Subject: Screenshot of recipients for Submission notice

Flag Status: Flagged


Hi Cathryn,
Below is a screenshot of recipients for the email regarding the EIS submission.
Will let you know if I get feedback.
TGIF! Enjoy your weekend,
Tabatha

 This email message will be sent to about 41 recipients.

 We can't check if recipients can access a link in your message. [Ignore](#)

 Send	From	<email address removed>
	To	 Tabatha LeBlanc
	Cc	 Cathryn Moffett <email address removed>;  Chanelle Boucher ;  Kevin Sherlock <key
	Bcc	<email address removed>

Subject: Volume 1: Environmental Impact Statement Marathon Project

 2020 Dec 18 GenPGM Chapter Submission Response_FINAL_.pdf
164 KB

Good Afternoon,

I wanted to provide you with an update on our plan for the Marathon Project EIS Addendum submission to government.

We recognize that many people need a holiday this time of year, especially with the ongoing pandemic. To be respectful,

As you know, we have been working hard on the EIS Addendum, and some draft chapters are complete. For those concerned,

Login Information

FTP link: <https://tmpsftp.stantec.com>

Login name: s1231142336

Password: 9304120

Expiry Date: 1/14/2021

Making these chapters available to you, does not result in the start of the public review and comment period for the Project. The official start of the public review and comment period will be late February when Generation PGM submits Volume 1.

If you have any questions, please don't hesitate to email or call me at 204-444-3959.

Our team at Generation would like to wish everyone a safe and happy holiday season and to express our gratitude for your support.

All the best,
Tabatha

Tabatha R. LeBlanc BSc EP
Manager of Sustainability

<email address removed>

C

From: Tabatha LeBlanc <email address removed>
Sent: December 18, 2020 4:17 PM
To: Cathryn Moffett; Kevin Sherlock; Chanelle Boucher
Cc: Tabatha LeBlanc
Subject: Volume 1: Environmental Impact Statement Marathon Project
Attachments: 2020 Dec 18 GenPGM Chapter Submission Response_FINAL_.pdf

Flag Status: Flagged

Good Afternoon,

I wanted to provide an update on our plan for the Marathon Project EIS Addendum submission to government. Please find enclosed, the letter we just issued to the Joint Review Panel.

We recognize that many people need a holiday this time of year, especially with the ongoing pandemic. To be respectful of religions, cultures and peaceful time during this holiday season, Generation PGM Inc will provide our submission of the EIS Addendum Volume 1 to the Joint Review Panel on January 4, 2021.

For those communities and individuals that wish to preview the chapters of the EIS Addendum, please follow this link:

Login Information

FTP link: <https://tmpsftp.stantec.com>

Login name: s1231142336

Password: 9304120

Expiry Date: 1/14/2021

Making these chapters available to you, does not result in the start of the public review and comment period for the Panel, and no one is obligated to review these chapters at this time. We are only providing flexibility for those who wish to review the documents, while trying to be respectful of the holiday season. The official start of the public review and comment period will be late February when Generation PGM submits Volume 2 of the EIS Addendum and our response to an Information Request from 2014.

If you have any questions, please don't hesitate to email or call me at 204-444-3959.

Our team at Generation would like to wish everyone a safe and happy holiday season and to express our gratitude for your guidance and support this past year. We look forward to a New Year full of good health, happiness and rewarding moments for us to share.

All the best,
Tabatha

Tabatha R. LeBlanc BSc EP
Manager of Sustainability

GENERATIONPGM

<contact information removed>

Address: P.O. Box 1508, 90 Peninsula Rd., Marathon ON P0T 2E0 | **Email:** <email address removed>

<email address removed>

C

From: Tabatha LeBlanc <<email address removed>>
Sent: January 6, 2021 11:56 AM
To: Victoria Stinson; Kevin Muloin; Consultations
Cc: Cathryn Moffett; Ruben Wallin (<email address removed>)
Subject: RE: Comments Letter of Intent
Attachments: 2020-10-28 Draft Consultation Agreement - GenPGM_Nov 26.docx; 2020 Dec 1 Marathon Palladium Project UPDATE.pdf

Flag Status: Flagged

Hello Victoria and Kevin,

Happy New Year, hope you enjoyed some relaxation time over the holiday break.

I am follow up on the draft Letter of Intent, did you want to discuss further or do you have any questions? Please feel free to email or give me a call at 204-444-3959.

Looking forward to talking about the next steps.
All the best,
Tabatha

From: Tabatha LeBlanc
Sent: November 27, 2020 11:31 AM
To: Victoria Stinson <<email address removed>> >; Jacqueline Barry <J<<email address removed>>
Cc: Kevin Muloin <<email address removed>> >; Ruben Wallin (<email address removed>
<ruben.wallin.wesc@outlook.com>
Subject: Comments Letter of Intent

Hi Victoria and Jacqueline,

Hope you are both well and congratulations Jacqueline on your new role. Climate change is a global priority and nice to see MNO focusing efforts and help working on solutions, it will be an exciting endeavour.

Thank you again for drafting the Letter of Intent and my apologizes for not responding sooner. I had to confirm if the previous 2011 LOI was valid. Based on the feedback I received, the 2011 remains active so I've made some recommendation in the draft language, to have this new LOI supersede the old.

The draft comments also consider the past efforts and work conducted by MNO on the Marathon Palladium Project. I know I've been saying the Project is "largely the same", and realize that MNO hasn't seen our update plans yet and you will have to make that determination for yourselves. However, our hopes are once you do start reviewing information on the Project, it will be apparent that this isn't a new Project but really picking up from where we left off.

I have attached an Project update, on page 11/slide 11, there is a good comparison image to demonstrate the optimizations made to the Project design. The Project boundary is the exact same as the previous 2011 LOI.

Let us know the next steps, we would be happy to discuss our draft recommendations on the LOI and we can provide a presentation, similar to the one attached on the Marathon Palladium Project.

All the best,
Tabatha

RE: Comments Letter of Intent

TL Tabatha LeBlanc 11:55 AM

To: Victoria Stinson; Kevin Muloin; Consultations Cc: Cathryn Moffett; Ruben Wallin

Save all attachments

- 2020 Dec 1 Marathon Palladium... 2.37 MB
2020-10-28 Draft Consultation... 1.66 MB

Hello Victoria and Kevin,

Happy New Year, hope you enjoyed some relaxation time over the holiday break.

I am follow up on the draft Letter of Intent, did you want to discuss further or do you have any questions? Please feel free to email or give me a call at [redacted].

Looking forward to talking about the next steps.
All the best,
Tabatha

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Sent: November 27, 2020 11:31 AM
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Cc: Kevin Muloin; Ruben Wallin
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All the best,
Tabatha

<email address removed>

C

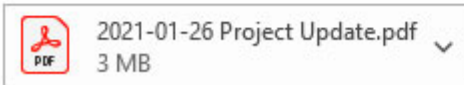
From: Tabatha LeBlanc <<email address removed>>
Sent: January 27, 2021 5:53 PM
To: <email address removed>
Subject: Jan 26 Update Presentation Recipients
Flag Status: Flagged

The image shows the Microsoft Office ribbon with the following sections:

- File:** Save, Undo, Redo, Copy, Paste, Print, Mailbox Sync, Refresh.
- Message:** Ignore, Delete, Archive, Junk, Mark as Spam, Mark as Not Spam, Add Friend.
- McAfee Anti-Spam:** Mark as Spam, Mark as Not Spam, Add Friend.
- Respond:** Reply, Reply All, Forward.
- More:** Meeting, IM, More.
- Quick Steps:** 00-2021, Team Email, Reply & Delete, To Mar, Done, Create.

GenPGM Jan. 26 Update

Tabatha LeBlanc
 To 'Tabatha LeBlanc'
 Cc <email address removed>
 Bcc



Good Afternoon,

Thank you for making time to join us yesterday, for the virtual update.

We had lots of good feedback, and do understand that everyone is feeling the demands of virtual meeting overload lat into topics.

Any other ideas for better communication and sharing of information are always welcome and we hope everyone feels

As promised, the presentation from yesterday is enclosed. We are planning to host virtual updates monthly, targeting

Have a wonderful night,
Tabatha

<contact information removed>

GENERATIONPGM

January 28, 2021

John Szura
Chief Executive Officer
Pays Plat First Nation

<contact information removed>

RE: Capacity Funding to Participate in Environmental Assessment

Dear John,

I am writing to you to follow up on our most recent committee meeting held on January 19, 2021 between PPFN and GenPGM. During the meeting PPFN highlighted their interest to continue participating in the Environmental Assessment for the Marathon Palladium Project. It is the understanding of GenPGM that PPFN requires capacity funding, in addition to that provided by the Impact Assessment Agency of Canada, to continue the review of the Environmental Impact Statement (EIS) Addendum for the Project.

GenPGM would like to confirm that we are committed to providing additional capacity funding and would like to meet with PPFN to finalize the details for the funding, the timing for the EIS Addendum review and to discuss how best to coordinate the consultation process.

We look forward to working together with PPFN on the Project and building a long-term, mutually beneficial partnership.

Respectfully,

<Original signed by>

Jamie Levy
Chief Executive Officer
Generation PGM Inc.

<email address removed>

<email address removed>

From: Desroches, Luc (IAAC/AEIC) <email address removed>
Sent: February 4, 2021 9:09 AM
To: 'Jordan Hatton'; Joe Ladouceur <email address removed>
Cc: Katie Borysewicz; Lillian Calder; <email address removed>
 <email address removed>; <email address removed>;
 <email address removed>; Boisvert, Jason (IAAC/AEIC)
Subject: RE: Proposed Marathon Palladium Project - Bingwi Neyaashi Anishinaabek First Nation

Thanks Jordan, we'll continue to keep you on the contact list for major milestones.

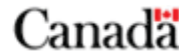
Best regards,
Luc

Luc S. Desroches
Crown Consultation Lead
Impact Assessment Agency of Canada / Government of Canada

<contact information removed>

Coordonnateur des consultations de la couronne
Agence d'évaluation d'impact du Canada / Gouvernement du Canada

<contact information removed>



From: Jordan Hatton <jhatton@bnafn.ca>
Sent: February 4, 2021 9:57 AM
To: Desroches, Luc (IAAC/AEIC) <email address removed>; Joe Ladouceur <email address removed>
Cc: Katie Borysewicz <email address removed>; Lillian Calder <email address removed>;
 <email address removed>; <email address removed>; <email address removed>;
 <email address removed>; <email address removed>; <email address removed>;
 <email address removed>; <email address removed>; <email address removed>;
 <ja <email address removed>>; Boisvert, Jason (IAAC/AEIC)
Subject: RE: Proposed Marathon Palladium Project - Bingwi Neyaashi Anishinaabek First Nation

Good morning Luc,

Thank you for this information. If you can continue to inform BNA of the major milestones in the environmental assessment for the Marathon Palladium Project, that would suffice at this time.

Thanks Luc,

-Jordan

Jordan Hatton
Director of Economic Development
Bingwi Neyaashi Anishinaabek (Sand Point First Nation)

<contact information removed>

<email address removed>

From: Tabatha LeBlanc <<email address removed>>
Sent: February 8, 2021 4:40 PM
To: Victoria Stinson; Jacqueline Barry
Cc: John McBride; Cathryn Moffett
Subject: RE: maps
Attachments: GENPGM Property Map.jpg

Hello Victoria and Jacqueline,
John recent provided this updated map. This one might be best for the agreement because it depicts the Project boundary.
If you need any other mapping or have questions, please let me know.
Thanks,
Tabatha

From: Tabatha LeBlanc
Sent: February 3, 2021 3:07 PM
To: Victoria Stinson <<email address removed>> >; Jacqueline Barry <<email address removed>>
Cc: John McBride <<email address removed>> >
Subject: maps

Hi Victoria and Jacqueline,

Thanks again for arranging the meeting last night. Attached is a more recent map, I think the Project area needs to be outlined on the map but it is about 95% complete. Please have a look and let me know if this is in line with what you were thinking?

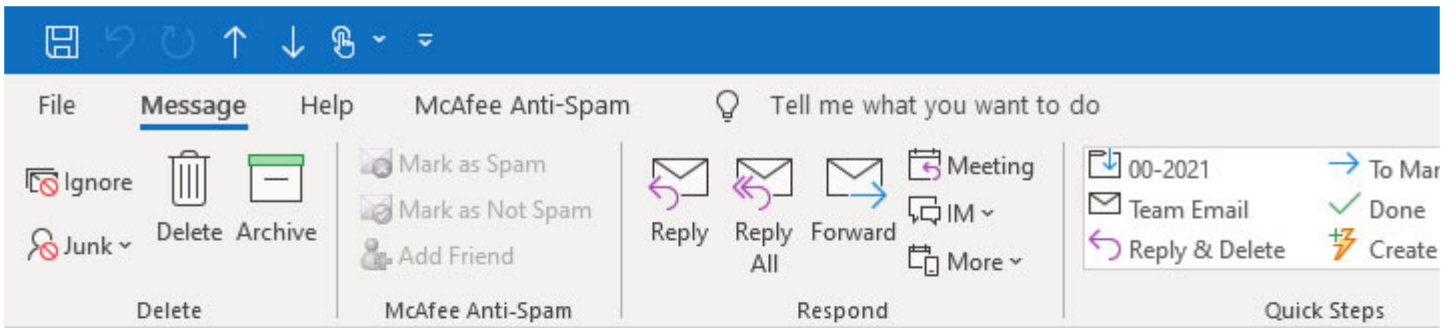
Enjoy the rest of you day,
Tabatha

<contact information removed>

<email address removed>

From: Tabatha LeBlanc <email address removed> >
Sent: February 8, 2021 5:53 PM
To: Cathryn Moffett
Subject: Recipients to Chapter 7 and 8

Hi Cathryn,
Here are the recipients of draft Chapter 7 and 8. Already sent to BN and SVS.
Tabatha



Volume 2 EIS Addendum: Interim Draft Chapter 7 and 8



Tabatha LeBlanc

To: 'Cathryn Moffett'; Kevin Sherlock
Bcc: 'Jennifer Jacques'; <email address removed>; 'Pays Plat CEO'; <email address removed>; <email address removed>; 'Consultations'; Kevin Muloin; 'Donelda DeLaRonde'; Mineral Development <email address removed>; consult.

Good Afternoon,

Similar to Environmental Impact Statement (EIS) Addendum Volume 1, we would like to share the interim draft Chapter

Please note, these Chapters are draft because we are currently completing Chapter 6, which is the effects assessment 1 around the end of February.

You can access the chapters using the link below:

Login Information

FTP link: <https://tmpsftp.stantec.com>

Login name: s0218124626

Password: 5771329

Expiry Date: 2/18/2021

These draft Chapters have not been submitted to the Panel, so the public review and comment period has not started Panel.

If you have technical difficulties or questions regarding the information in the chapters, please let me know.

Warm Regards,
Tabatha

Tabatha R. LeBlanc BSc EP
Manager of Sustainability

GENERATION PGM

<contact information removed>

Address: P.O. Box 1508, 90 Peninsula Rd., Marathon ON POT 2E0 | Email: <email address removed>

<email address removed>

From: Tabatha LeBlanc <T <email address removed> >
Sent: February 8, 2021 5:51 PM
To: Cathryn Moffett; Kevin Sherlock
Subject: Volume 2 EIS Addendum: Interim Draft Chapter 7 and 8

Good Afternoon,

Similar to Environmental Impact Statement (EIS) Addendum Volume I, we would like to share the interim draft Chapters 7: Monitoring and Chapter 8: Commitments, with communities interested in the Marathon Palladium Project.

Please note, these Chapters are draft because we are currently completing Chapter 6, which is the effects assessment for the Project, and information from Chapter 6 will inform the final version of Chapters 7 and 8. These chapters form part of Volume 2 of the EIS Addendum, which is expected to be submitted around the end of February.

You can access the chapters using the link below:

Login Information

FTP link: <https://tmpsftp.stantec.com>

Login name: s0218124626

Password: 5771329

Expiry Date: 2/18/2021

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If you have technical difficulties or questions regarding the information in the chapters, please let me know.

Warm Regards,
Tabatha

Tabatha R. LeBlanc BSc EP
Manager of Sustainability

GENERATION PGM

<contact information removed>

Address: P.O. Box 1508, 90 Peninsula Rd., Marathon ON P0T 2E0 | **Email:** <email address removed>

<email address removed>

From: Tabatha LeBlanc <email address removed>
Sent: February 9, 2021 10:30 AM
To: Cathryn Moffett
Subject: FW: Volume 2 EIS Addendum: Interim Draft Chapter 7 and 8

Flag Status: Flagged

Fyi – R2CC/MNO Tim Sinclair seemed satisfied with Chapter 7 and 8

From: Tabatha LeBlanc
Sent: February 9, 2021 9:30 AM
To: 'Tim Sinclair' <email address removed>
Subject: RE: Volume 2 EIS Addendum: Interim Draft Chapter 7 and 8

Thanks Tim,
Great comment, we had a similar system at Lac des Iles. You are correct, these details are in the que and will be sorted out over the next year. I will add to the list of consideration for planning.
Hope you are staying warm and enjoy the rest of your day,
Tabatha

From: Tim Sinclair <email address removed> >
Sent: February 9, 2021 9:04 AM
To: Tabatha LeBlanc <email address removed> >
Subject: RE: Volume 2 EIS Addendum: Interim Draft Chapter 7 and 8

Everything I hoped for seems to be covered. I will have a few comments for later on which you may already have plans for. After over 30 yrs working in an open pit you kind of learn what works and what didn't. Example is on your fuel farm a kicknamed kidney machine to clean the fuel after it leaves the storage and before it fills unit. Its 16 filters with a 10 micron filter size. And a portable one with a 5 micron for the shop to clean hydraulic oil when your having pump drive issues on equipment. An oil filter squishier and drainer possibly a tank in the parking lot for workers to put used oil into from home mechanics. All this is for later on once we have a project established I will have several items like this.

Best Regards TimS

<contact information removed>

From: Tabatha LeBlanc [[mailto:](#)] <email address removed>
Sent: February 8, 2021 5:51 PM
To: Cathryn Moffett <email address removed> >; Kevin Sherlock <email address removed> >
Subject: Volume 2 EIS Addendum: Interim Draft Chapter 7 and 8

Good Afternoon,

Similar to Environmental Impact Statement (EIS) Addendum Volume I, we would like to share the interim draft Chapters 7: Monitoring and Chapter 8: Commitments, with communities interested in the Marathon Palladium Project.

Please note, these Chapters are draft because we are currently completing Chapter 6, which is the effects assessment for the Project, and information from Chapter 6 will inform the final version of Chapters 7 and 8. These chapters form part of Volume 2 of the EIS Addendum, which is expected to be submitted around the end of February.

You can access the chapters using the link below:

Login Information

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Login name: s0218124626

Password: 5771329

Expiry Date: 2/18/2021

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If you have technical difficulties or questions regarding the information in the chapters, please let me know.

Warm Regards,
Tabatha

Tabatha R. LeBlanc BSc EP
Manager of Sustainability

GENERATION PGM

<contact information removed>

Address: P.O. Box 1508, 90 Peninsula Rd., Marathon ON P0T 2E0 | **Email:** <email address removed>



<contact information removed>

February 16, 2021

Generation PGM Inc.
First Canadian Place
100 King Street West, Suite 7010
P.O. Box 70
Toronto, ON
M5X 1B1

Attention: Jamie Levy, CEO

Good Day Jamie,

Further to your letter dated January 28th, 2021, Chief and Council wish to thank you and your company for extending the additional financial capacity resources required for Pays Plat First Nation to participate in the EIS Addendum Review for the Marathon Palladium Project. We will also be approaching the Impact Assessment Agency of Canada (IAAC) for a funding contribution. The two streams of funding should enable us to fully participate in this crucial phase of the project.

I will be meeting with Chief and Council to finalize and approve a budget for this activity which is reasonable to all parties. We have identified an engineering consulting firm, Pinchin Ltd. which we have used for the Terms of Reference component of the project. They have provided a cost estimate for their services to provide an expert review, which will be incorporated into the budget. Do you know the timelines for the next phase of the project? What duration of the proposed budget should I be considering....9 months....12 months. Maybe we can discuss this at our next meeting, as well as any remaining questions in order to finalize our budget.



I wish to reiterate that the Chief and Council look forward to successfully negotiating a Community Benefits Agreement or IBA in the near future, and foster the development of a long-term relationship. Thank you again for your consideration to date.

Warm Regards,

John J. Szura
Chief Executive Officer
Pays Plat First Nation

Subject: Re: Proposed Marathon Palladium Project - Ginoogaming First Nation

Good afternoon all:

What may have been verbally communicated in 2010 or in the past may have changed now.

Please stand by for comments from Ginoogaming First Nation. Please let us know what resources may be available in order to support our appropriate engagement in this process.

Miigwech, and have a great day.

Peter

On Thu, Feb 4, 2021 at 8:02 AM Desroches, Luc (IAAC/AEIC) <^{<email address removed>}> wrote:

Good morning,

I was unaware that Chief Echum has sadly passed away last year and I sincerely apologize for sending an email to her by error. I will update our contact list immediately.

Luc

Luc S. Desroches

Crown Consultation Lead

Impact Assessment Agency of Canada / Government of Canada

<contact information removed>

Coordonnateur des consultations de la couronne
Agence d'évaluation d'impact du Canada / Gouvernement du Canada

<contact information removed>

From: Desroches, Luc (IAAC/AEIC)
Sent: February 3, 2021 5:22 PM

<email address removed>

Subject: Proposed Marathon Palladium Project - Ginoogaming First Nation

Good morning Chief Echum,

I hope that you, your family, and all Ginoogaming First Nation members are safe and well considering the evolving circumstances concerning the COVID-19 pandemic.

I am contacting you today to uphold a commitment made by the Impact Assessment Agency of Canada and the Province of Ontario, to keep the Ginoogaming First Nation apprised of major milestones in the environmental assessment (EA) process for the proposed [Marathon Palladium Project - Canada.ca \(iaac-aeic.gc.ca\)](http://MarathonPalladiumProject-Canada.ca), formerly called the *Marathon Platinum Group Metals and Copper Project*. The EA process, which has been paused since 2014 at the request of Stillwater Canada Inc., will re-commence when Generation Mining (acting as the proponent in a joint venture with Stillwater Canada Inc.), submits an addendum to their environmental impact statement and once they respond to an outstanding information request from the former Joint Review Panel. This is anticipated to occur in late February of 2021. Once this updated information is received, the newly re-established Joint Review Panel will resume the Joint Review Panel process as per the [Amended Joint Review Panel Agreement and Terms of Reference](#).

Your community previously indicated that it did not have an interest in the proposed Marathon Palladium Project. Should this have changed, please contact me at the information below.

Thank you and have a nice day!

Luc

Luc S. Desroches

Crown Consultation Lead

Impact Assessment Agency of Canada / Government of Canada

<contact information removed>

Coordonnateur des consultations de la couronne

Agence d'évaluation d'impact du Canada / Gouvernement du Canada

<contact information removed>



Government
of Canada

Gouvernement
du Canada

Canada

--

Peter Rasevych
Major Special Projects Director
Ginoogaming First Nation
P.O. Box 89
Longlac, ON
P0T 2A0

<contact information removed>



MEMO

To: Tabatha LeBlanc (Generation PGM)

From: Jeremy Shute, Allie Mayberry, Jody Duncan and Andrew Bubar (Shared Value Solutions)

On behalf of:

Juanita Starr, Director of Sustainable Development
(Biigtigong Nishnaabeg)

Date: February 18, 2020

Subject: Technical Review of Generation PGM Marathon Project
Updated EIS Chapters 1-4, 7 and 8 (Without Prejudice Basis)

Generation PGM (GenPGM; the Proponent) has prepared Environmental Impact Statement (EIS) addenda in support of the environmental assessment process for the Marathon Palladium Project (the Project). To support their consultation and engagement on this Project, Biigtigong Nishnaabeg (BN) has retained Shared Value Solutions (SVS) to conduct a technical review of these EIS addenda. This memorandum includes the results of SVS's technical review of the following EIS addenda:

- Marathon Palladium Project Environmental Impact Statement Addendum, Volume 1 of 2, 1.0 Background and Introduction (dated January 7, 2021)
- Marathon Palladium Project Environmental Impact Statement Addendum, Volume 1 of 2, 2.0 Project Scoping (dated January 7, 2021)
- Marathon Palladium Project Environmental Impact Statement Addendum, Volume 1 of 2, 3.0 Project Alternatives (dated January 7, 2021)
- Marathon Palladium Project Environmental Impact Statement Addendum, Volume 1 of 2, 4.0 Environmental Setting (dated January 7, 2021)
- Marathon Palladium Project Environmental Impact Statement Addendum, Volume 2 of 2, 7.0 (DRAFT, dated February 4, 2021)
- Marathon Palladium Project Environmental Impact Statement Addendum, Volume 2 of 2, 8.0 (DRAFT, dated February 4, 2021)

Additional reports (e.g. 2012 EIS, supporting information documents, information requests, etc.) were referred to on an as-needed basis.



Shared Value Solutions has undertaken this review based upon our disciplinary expertise in the mining sector on fish and fish habitat, terrestrial ecology, water quality and quantity and soils, and with an emphasis on our knowledge of BN's values, rights and interests and the potential adverse impacts that the Project may have on them. It should be noted that EIS Addendum Chapters 7 and 8, which describe environmental management, mitigation, monitoring and commitments, were reviewed before SVS discipline experts had the opportunity to review the Project effects assessment (Chapter 6). The comments below are therefore subject to change following further review of the Proponent's characterization of Project effects.

GenPGM should also note that this memo, including the comments and recommendations in Table 1 below are being provided on a without prejudice basis, meaning that they have not yet been reviewed by BN Chief and Council and community members and are therefore subject to further change or refinement. Receiving feedback on technical issues from Chief and Council and community members, including Elders and land users who know the Project area intimately, is an integral component of BN's consultation and community protocols. Technical comments and recommendations are not typically submitted to proponents and regulators without their input. However, BN and SVS understand that GenPGM is facing tight timelines and have, in good faith, agreed to provide technical comments as soon as possible. We will provide an independent overview of the updated EIS Addenda content to Chief and Council and the community and solicit feedback at a later date. The outcomes of these consultations will be used to update the official record of these comments and will inform technical discussions between GenPGM and BN moving forward.

We have provided comments and recommendations in a comment tracking table below (Table 1). Comments are organized according to discipline, and roughly align with the updated EIS chapters that were reviewed. We request that GenPGM provide written responses to these comments and recommendations, which will form the basis for further discussions between GenPGM and BN's respective technical experts.

In sum, these comments and recommendations underscore how important it will be for GenPGM to closely involve BN in the development and implementation of mine activities and environmental protection measures. It is BN's expectation that this collaboration will occur not only through ongoing consultation and engagement triggered by the EA process, but also by way of an Environmental Committee that is responsible for oversight and decision-making throughout all project phases (pre-construction, the life of mine, and into post-closure).



TABLE 1: WITHOUT PREJUDICE- COMMENTS AND RECOMMENDATIONS

COMMENT #	REPORT SECTION REFERENCE	COMMENT	RECOMMENDATION	PROPONENT RESPONSE
GENERAL COMMENTS				
1.	<i>Draft EIS Addendum (Volume 2) - Chapter 7 (dated February 4, 2021), Table 7.3-1, pp. 7.11-7.13</i>	The Proponent has made reference to a socio-economic monitoring program as one of the required follow-up monitoring plans for the project. Table 7.3-1 does not acknowledge the fact baseline conditions and indicators may differ for BN from the Town of Marathon. In addition, a socio-economic monitoring plan specific to BN may contain confidential information which should not be shared without BN's explicit consent.	The Proponent should commit to developing a socio-economic management and monitoring program specific to BN, which is developed in collaboration with BN.	
2.	<i>Draft EIS Addendum (Volume 2) - Chapter 7 (dated February 4, 2021), Table 7.3-1, pp. 7.11-7.13</i>	The human health VEC follow-up monitoring does not include the soils and terrain, vegetation, wildlife or fish and fish habitat monitoring programs as considerations for the potential impacts of the project on human health. Understanding pathways of impacts on human health requires consideration of all data sets which have implications for human health, especially considering the fact that BN members consume country foods harvested in the Project area.	The Proponent should include the soils and terrain monitoring plan, vegetation monitoring plan, wildlife monitoring plan and fish and fish habitat monitoring plans as part of the follow-up monitoring of Project impacts on human health.	
3.	<i>Draft EIS Addendum (Volume 2) - Chapter 7 (dated February 4, 2021), Table 7.3-1, pp. 7.11-7.13</i> <i>Draft EIS Addendum (Volume 2) - Chapter 7 (dated February 4, 2021), Table 8.1, p. 8.19</i>	The Stage 1 and Stage 2 Archaeological Assessments conducted during the original EIS determined that there is low potential for the discovery of further cultural resources in the vicinity of the Project area. It is unclear if this determination was made with consideration of input and traditional knowledge from BN. The Project is situated in BN's exclusive Aboriginal title area and assessment of archaeological potential for the Project area must consider traditional knowledge from BN members to ensure that these irreplaceable resources of BN heritage are carefully protected. BN did not complete a comprehensive archaeological assessment for this project, and this underscores the importance of incorporating traditional knowledge. In addition, in Table 8.1, the Proponent states that they will immediately suspend all work in the vicinity of the discovery in	The archaeological resources monitoring program should be co-developed with BN. BN traditional knowledge must be considered and additional archaeological studies must be conducted by the Proponent if BN traditional knowledge indicates that previously unknown archaeological potential exists on the project site. In addition, the Proponent should develop a detailed chance-find protocol that is inclusive of all archaeological and cultural heritage artefacts (not just built heritage cultural heritage landscape features, and remains), and ensure that BN is notified and consulted in the event an archaeological find is uncovered during activities resulting in ground disturbance (e.g., clearing and grubbing). BN members should be present when activities resulting in ground disturbance are undertaken, to assist with the detection and identification of archaeological resources.	



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		the instance that built heritage, cultural heritage landscape features or human remains are discovered. There may be archaeological and cultural heritage of importance to BN that may not fit these categories. BN is concerned that discovery of such will not trigger work stoppages, and further concerned that Project personnel may not be capable of identifying them.		
4.	<i>Draft EIS Addendum (Volume 2) – Chapter 7 (dated February 4, 2021), Table 7.3-1, pp. 7.11-7.13</i>	BN identified recognition of Anishnaabe cultural traditions as a VEC during the original EIS. Recognition and respect for BN’s Aboriginal and Treaty Rights, traditions and culture are essential for the Proponent to incorporate meaningfully into their operations in BN’s exclusive Aboriginal title area.	The Proponent should commit to the development of a Cultural Heritage Plan which includes ways in which the Proponent will include BN cultural heritage into the Project and support the preservation of BN’s Anishnaabe culture and values.	

AQUATIC ECOLOGY

5.	<i>Draft EIS Addendum (Volume 1) – Chapter 2 (dated December 18, 2020), Figure 2.4-2, p. 2.9</i>	<p>EIS Addendum Figure 2.4-2 shows the fish and fish habitat Local Study Area (LSA). Of particular concern for the fish local study area is that the study area does not extend along the Pic River to the mouth at Lake Superior. Much of the mine site infrastructure is in the Pic River Watershed, including the open pits and the mine rock stockpiles. BN live a short distance downstream of the Project on the Pic River, and the river is extremely important to BN culturally, spiritually, for harvesting of fish, and as habitat for Lake Sturgeon (<i>Acipenser fulvescens</i>) and Muskellunge (<i>Esox masquinongy</i>). In addition, BN will be conducting a study of the Pic River muskellunge population, the results from which must be considered by the Proponent when assessing effects to fish and fish habitat.</p> <p>The Proponent has verbally stated to SVS that the LSA is scoped strictly to where they reasonably anticipate impacts from the project given that there will be no routine discharge into the Pic River. However, the Proponent has committed to extending the RSA for the Fish and Fish Habitat Valued Ecosystem Component (VEC).</p>	In an updated version of the EIS documents, the Proponent must extend the fish and fish habitat RSA to include the Pic River downstream to the mouth at Lake Superior.	
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6.	<i>Draft EIS Addendum (Volume 1) – Chapter 2 (dated December 18, 2020), Figure 2.3-1, pp. 2.3-2.6</i>	In the fish and fish habitat VEC, the scope of the VEC does not specifically include sediment. Lake bottom sediment sampling is an essential part of assessing the Projects impacts on fish and fish habitat, especially sensitive species such as Lake Sturgeon (<i>Acipenser fulvescens</i>).	Sediment is included as part of the fish and fish habitat follow up monitoring program. Please confirm that it is within scope of the fish and fish habitat VEC for the Environmental Assessment.	
7.	<i>General Comment</i>	It appears that, to date, the Proponent has not sampled a waterbody that meets the criteria of a reference waterbody for Environmental Effects Monitoring. As such, it is unclear what study design the Proponent will be using for their EEM program.	<p>The Proponent should clarify if they will be comparing effect indicators for the EEM program between reference and exposure areas, or along an exposure gradient. If comparing effect indicators between an exposure and reference area, the Proponent must incorporate BN's Traditional Knowledge when selecting a reference area.</p> <p>The use of a single reference area to evaluate the effects of mine effluent is not always sufficient because it is possible for benthic communities at two different areas to be naturally different in the absence of any environmental impact. This can often obscure the effects from mine effluent. EEM allows for the use of the reference condition approach (RCA) to assess effects. An RCA study design characterizes the natural variability of benthic communities from a wide range of reference sites. This removes the natural variation between sites that can often confound results when using a single reference area. In the case of conducting EEM on Pic River, it would also provide the benefit of ensuring that samples are truly independent of each other. BN recommends that the Proponent use an RCA study design for their EEM program.</p>	
8.	<i>Draft EIS Addendum (Volume 1) – Chapter 4 (dated December 18, 2020) Section 4.6, pp. 4.27-4.32</i>	Section 4.6 provides a summary of changes to the existing environment relating to the aquatic environment. It notes that only minor additional needs were identified, which included sampling of L20, and two small unnamed beaver ponds that drain into Lake 8 and Lake 15 via stream networks S76-77 and S78. It is unclear how the Proponent identified additional needs relating to the aquatic environment. Aquatic environments are dynamic and changing over time, with changes occurring more rapidly at a small spatial scale than those occurring at a large spatial scale (i.e., microhabitat changes more rapidly than macrohabitat). Considering nine	The Proponent should update aquatic baseline information for all stations discussed in SID #1. This will confirm the results of previously conducted aquatic baseline surveys and document any changes that may have occurred in the past nine years.	



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		years have elapsed since most of the aquatic baseline surveys were conducted, BN is concerned that this information may no longer accurately reflect the current existing aquatic environment, particularly where it relates to small spatial scales (e.g., benthic invertebrate communities).		
9.	<i>Draft EIS Addendum (Volume #) - Chapter 4 (dated December 18, 2020), Section 4.6.2</i>	Section 4.6.2 provides a summary of sediment and benthic invertebrate sampling completed since submission of the original EIS. The Proponent states that sediment quality information presented in the original EIS did not require updating but does not provide any justification for this assertion. BN assumes that, at minimum, sediment quality data in Hare Lake and Pic River would need to be updated for the EEM program.	The Proponent should update sediment quality data for Hare Lake and Pic River.	
10.	<i>Draft EIS Addendum (Volume 2) - Chapter 7 (dated February 4, 2021), Table 7.3-1, pg. 7.12</i>	Bamoos Lake is culturally important to BN and is considered by community members to be one of the more pristine lake trout lakes in the area. Upon reviewing SID #1, it was noted that lake chub (<i>Couesius plumbeus</i>) and lake trout (<i>Salvelinus namaycush</i>) were sacrificed to determine tissue metal burdens in Bamoos Lake. However, Table 7.3-1 of the EIS Addendum does not include tissue sampling in Bamoos Lake – this will only occur in Hare Lake and Pic River in accordance with ECCC’s Environmental Effects Monitoring (EEM). However, Table 7.3-1 does note that a program consistent with EEM will be developed to address concerns that metal tissue levels will be affected. Considering the importance of Bamoos Lake to BN, it should be included in this program.	The Proponent should continue to sample tissue from lake chub and lake trout in Bamoos Lake to address concerns about increases in tissue metal burden. Where possible, BN would prefer that the Proponent use non-lethal methods (e.g., biopsy punch) to sample lake trout. However, when incidental mortalities of lake trout occur, sampling of liver tissue would also be beneficial. It is recommended that this information be updated as part of ongoing aquatic baseline studies and that the frequency and timing of sampling be harmonized with EEM.	
11.	<i>Draft EIS Addendum (Volume 2) - Chapter 7 (dated February 4, 2021), Table 7.3-1, pg. 7.12</i>	Table 7.3-1 notes that tissue sampling, sediments, and benthic communities will be sampled in Pic River as part of the EEM. SID #1 notes that previous work completed by Ecclestone (2012) identified a key foraging area for lake sturgeon (<i>Acipenser fulvescens</i>) approximately 2 km downstream of the Stream 1’s confluence with the Pic River. BN is concerned about the impacts that runoff from the MRSA may have on the Pic River lake sturgeon population.	<ul style="list-style-type: none"> a) The Proponent should sample sediment and benthos in areas of the Pic River confirmed as, or suspected to be, key foraging areas for lake sturgeon. These sampling results will provide BN with reassurance that the Project is not having impacts on the Pic River lake sturgeon population. b) Previous sampling completed on the Pic River used experimental gillnets, hoop nets, and Nordic nets. Since the work was conducted in 2007, Jones and Yunker developed the 	



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			Riverine Index Netting Protocol which is the provincial standard for assessing small, large, and extra-large bodied fish in non-wadeable rivers. BN recommends that the Proponent complete additional sampling of the Pic River using a study designed following the Riverine Index Netting Manual of Instructions. This will provide the best estimate of the relative abundance of adult lake sturgeon in the Pic River.	
12.	<i>Draft EIS Addendum (Volume 2) – Chapter 7 (dated February 4, 2021), Table 7.3-1, pg. 7.12</i>	As required under the <i>Fisheries Act</i> , the Proponent will need to develop a Fish and Fish Habitat Compensation Plan (FHCP) to offset the loss of habitat resulting from the Project.	The Proponent must consult with BN when developing the FHCP and ensure that the communities Traditional Knowledge is incorporated to the fullest extent possible. BN would also be interested in pursuing community-specific measures as part of the Proponent's Fish and Fish Habitat Compensation Plan. Some preliminary examples of the activities BN may be interested in undertaking include studying the movement and distribution of Lake Sturgeon in the Pic River, rehabilitating a degraded fish population through stocking efforts, creating new spawning habitat for lake trout in Lake Superior, building a community-run fish hatchery, or expanding BN youth hatchery program that distributes walleye (<i>Sander vitreus</i>) and lake trout into local waterbodies. Further discussions between BN and the Proponent regarding the Fish and Fish Habitat Compensation Plan will assist in selecting an appropriate and supported community-specific measure.	
TERRESTRIAL ECOLOGY				
13.	<i>Draft EIS Addendum (Volume 2) – Chapter 7 (dated February 4, 2021), Table 7.3-1, p. 7.13</i>	BN members harvest and consume a large amount and variety of country foods which may be impacted by project activities. The Proponent has committed to the development of a country foods monitoring program focused on moose, blueberries and fish, but has not specified the role in which BN will have in developing and implementing the program.	<ul style="list-style-type: none"> a) The Proponent should commit to developing and implementing the country food monitoring program in collaboration with BN. b) The Proponent should provide rationale why other species (e.g. spruce grouse, ruffed grouse, rabbit) are not included in the proposed monitoring program. It is BN's preference that the country foods monitoring program be expanded to include these additional species also consumed by community members. 	
14.	<i>Draft EIS Addendum (Volume 1) – Chapter 1 (dated January 7, 2021), Table 1.5-1, pg. 1.37</i>	Table 1.5-1 provides a summary of key site preparation and construction phase activities, which includes clearing vegetation such as trees, brush, shrubs, and other foliage. The Proponent indicates that non-merchantable time may be	<ul style="list-style-type: none"> a) Prior to undertaking site preparation and construction phase activities, the Proponent should provide BN community members with the opportunity to salvage and/or relocate plant species of medicinal and cultural importance. This should also include contingency funding from the Proponent to allow BN to 	



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		disposed of by chipping and piling, and that other beneficial uses of slash and merchantable timber may be investigated.	replant species in more suitable and accessible locations that can be used and protected by community members.	
			b) The Proponent should provide the opportunity for BN community members to salvage non-merchantable timber for firewood and other uses, where it is safe to do so. In addition, BN forestry businesses/corporations should be retained to complete tree clearing activities.	
			c) The Proponent should consider piling slash and non-merchantable timber in strategic locations around the perimeter of the mine to provide habitat for small mammals and other wildlife.	
15.	<i>Draft EIS Addendum (Volume 2) – Chapter 7 (dated February 4, 2021), Table 7.3-1, p. 7.13</i>	The Proponent states that they will implement a wildlife monitoring program, including documenting project-related wildlife mortalities and near-misses to assess level of interaction between Project activities and wildlife and to assess changes in mortality risk or movement disruptions. However, at this stage there is very little information on this program, including species that will be documented, mortality thresholds triggering adaptive management actions, and adaptive management measures being considered for implementation.	<p>We recommend that the Proponent provide more detailed information on the wildlife mortality monitoring program. This program should include:</p> <ul style="list-style-type: none"> a) Confirmation that mortalities or near misses will be documented for all species (vs. SAR only, for example) b) A list of species of concern (from both legislative and BN community values perspectives) and appropriate mortality thresholds for each species that, if exceeded, would trigger adaptive management actions. c) A list of potential adaptive management actions that will be considered (e.g. installation of signage, speed bumps, fencing or wildlife passages, local or seasonal restrictions of use of road de-icers or alternatives, etc.). d) A protocol for assessing whether wildlife accidentally killed as a result of the Project are safe and in acceptable condition to provide to BN harvesters for ceremonial purposes (e.g. wildlife hides, bear grease, beaver castor, porcupine quills, eagle feathers, etc.). 	
			Representatives from BN should have the opportunity to review the draft program before its finalized. In addition, representatives from BN should have the opportunity to review program results, and if needed, assist with developing and implementing adaptive management	



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			measures throughout the life of the project. These actions could be achieved through an Environmental Monitoring Committee (EMC).	
16.	<i>Draft EIS Addendum (Volume 2) - Chapter 8 (dated February 4, 2021), Table 8.1, p. 8.14</i>	The Proponent states that, to mitigate adverse effects of the transmission line and access road on vegetation they will implement “vegetation control measures consistent with provincial standards” (Ch 8, p. 8.14). We are concerned that this includes using chemical vegetation management methods (e.g. herbicide application). BN does not support the use of chemical vegetation management within the community’s exclusive Aboriginal title area, particularly in proximity (1km) to waterbodies of importance to the community.	The Proponent should provide more information on the vegetation control measures that will be considered for this Project. BN will not accept chemical vegetation management methods and strongly prefers the use of manual/mechanical methods. Given the relatively small-scale of the Project transmission line and the access road, BN does not expect cost to be a limiting factor in the selection of vegetation control methods.	
17.	<i>Draft EIS Addendum (Volume 2) - Chapter 8 (dated February 4, 2021), Table 8.1, p. 8.15</i>	The Proponent has committed to implementing specific mitigation measures to prevent the establishment of invasive species, however has not provided much information on how they will manage or remove invasive or noxious plant species in the event that prevention is unsuccessful.	The Proponent should develop a contingency plan for invasive and noxious plant species management, in the event that prevention is unsuccessful. This plan should outline all species with the potential to occur along the north shore of Lake Superior, and include species-specific best practices for control, disposal, restoration and monitoring. BN would like to be informed of new locations of invasive species if monitoring shows changes and increases in their populations and locations. As outlined in the previous comment, BN does not support the use of chemical vegetation management methods within the community’s exclusive Aboriginal title area, and therefore strongly prefers that the Proponent use manual/mechanical methods wherever possible. However, BN recognizes that some invasive plant species cannot be effectively maintained and is therefore willing to support controlled and restrictive herbicide use, if there is a threat that a species will cause significant ecological harm. With regards to the prevention of invasive species, we recommend that the Proponent adhere to all measures outlined in the Clean Equipment Protocol for Industry (Halloran et al., 2013).	
18.	<i>Draft EIS Addendum (Volume 2) - Chapter 8 (dated February 4,</i>	The Proponent states that they will establish a wildlife policy to reduce human interaction with wildlife and decrease the potential for habituation, including strict waste management	The Proponent should provide additional information on human-wildlife conflict prevention and management measures in the wildlife policy. Specifically, we recommend that this wildlife policy include a mandatory wildlife (with an emphasis on black bear) conflict education and	



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	2021), Table 8.1, p. 8.15	protocols to limit human food sources for wildlife. We support this measure, however additional information is required.	<p>awareness program for all Project personnel, which provides information on:</p> <ul style="list-style-type: none"> • bear ecology (including myths) and sign • bear conflict avoidance strategies • interpreting bear behaviour during encounters and properly reacting to them • deterring bears using non-lethal methods (e.g. bear spray, bangers) 	
			<p>We recommend that the Proponent also provide all Project personnel with hands-on training and access to non-lethal bear deterrents, or employ a designated wildlife safety officer from the BN community that would be responsible for responding to conflicts onsite. In addition, the Proponent should keep a record of all wildlife conflict incidents and near misses and establish appropriate conflict thresholds, which would trigger adaptive management measures (e.g. moving non-hazardous solid waste sources, using bear-proof waste containers, installing fencing, more restrictive etc.) if exceeded. In the event that wildlife are accidentally killed as a result of conflicts onsite, the Proponent should assess whether they are safe to share with BN harvesters for ceremonial purposes (e.g. wildlife hides, bear grease, beaver castor, porcupine quills, eagle feathers, etc.).</p>	
			<p>BN land users have extensive experience managing encounters with wildlife while out on the land. We recommend the Proponent retain BN land users to provide these human-wildlife conflict prevention services for the Project.</p>	
19.	Draft EIS Addendum (Volume 2) - Chapter 8 (dated February 4, 2021), Table 8.1, p. 8.15	The Proponent states that several mitigation measures will be implemented to mitigate adverse effects on nesting birds, in accordance with the <i>Migratory Birds Convention Act</i> (MBCA). These measures include scheduling all tree and brush clearing outside of the bird nesting season where possible, and where not possible, conducting pre-clearing nest surveys, marking any identified nests, and implementing appropriate protections. The following information remains unclear:	<p>We recommend that the Proponent define the “bird nesting season” for this Project according to nesting periods for Zone C5. Specifically, this includes the following time periods, according to habitat type:</p> <ul style="list-style-type: none"> • Forest habitats: April 20 to August 29 • Open habitats: April 25 to August 29 • Wetland habitats: April 20 to August 18 	



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		<ul style="list-style-type: none"> • A definition of the “the bird nesting season” for the purposes of this Project • What specific “appropriate protections” will be implemented if nests are detected within areas to be cleared during the “bird nesting season” 	<p>Wherever possible, tree and brush clearing and disruptive in-wetlands works should be avoided during these time periods.</p> <p>We also recommend that, if nests are detected in areas subject to disruptive project activities, the Proponent establish an appropriately-sized buffer. The size of buffers should be established based on nest location and habitat type, sensitivity of the bird species to disturbance during nesting, type of construction activity taking place, and the status of the nesting bird species. Disruptive Project activities should be prohibited within the buffer, and follow-up nest checks should be conducted for an appropriate (e.g. species-specific) amount of time to reduce potential for nest abandonment or failure.</p> <p>Representatives from the BN Environmental Technical Section should be provided with an opportunity to participate in nesting bird mitigation measures.</p>	
20.	<i>Draft EIS Addendum (Volume 2) – Chapter 8 (dated February 4, 2021), Table 8.1, p. 8.16</i>	The Proponent states that they will avoid direct impacts to identified raptor nesting areas and contact a qualified avian biologist for direction. It is unclear how direct impacts will be avoided, and whether the Proponent will implement any measures to protect previously unidentified raptor nesting areas or stick nests.	We recommend that the Proponent establish species-specific setback distances for any known or previously unidentified raptor nesting areas or stick nests that are subject to direct disturbance from the Project.	
21.	<i>Draft EIS Addendum (Volume 2) – Chapter 8 (dated February 4, 2021), Table 8.1, p. 8.16</i>	In Table 8.1, the Proponent states that they will install bat boxes as an alternative form of maternity roost habitat in the LSA, as a measure to mitigate adverse effects on bats and bat habitat. However, in EIS Addendum Ch. 7 and 8, there is no indication that the Proponent will implement any bat box monitoring and maintenance programs to confirm the effectiveness of this mitigation measure.	<p>We recommend that the Proponent develop and implement a bat box monitoring and maintenance program to ensure the effectiveness of this mitigation measure.</p> <p>Representatives from BN should be provided with an opportunity to participate in bat box installation and monitoring activities.</p>	
22.	<i>Draft EIS Addendum (Volume 2) – Chapter 8 (dated February 4, 2021), Table 8.1, p. 8.16</i>	In Table 8.1, the Proponent states that detailed information regarding off-site mitigation for Woodland Caribou will be defined in the Updated Caribou Habitat Offset Mitigation Report.	We underscore the importance of developing the off-site mitigation measures for woodland caribou, including updating the habitat offset mitigation report, in close collaboration with BN to ensure it is reflective of the current values of the community. The Updated Caribou Habitat	



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		<p>While BN has put forward woodland caribou as a community VEC for this Project, moose remain the staple of the community's subsistence harvest. Woodland caribou habitat enhancements can conflict with moose management objectives, which presents a potential concern for BN. In addition, off-site mitigation measures for woodland caribou have the potential to conflict with BN's economic interests in forestry. The extent to which Stillwater's 2014 Proposed Caribou Habitat Off-site Mitigation Plan was developed in collaboration with BN and with these interests in mind is unclear.</p> <p>It is imperative that mitigation measures for woodland caribou that occur off the project site, but within BN's exclusive Aboriginal title area, are developed with these factors in mind and in close collaboration with BN.</p>	Offset Mitigation Report draft should also be provided to BN for further review.	

WATER QUALITY AND QUANTITY

23.	<i>Draft EIS Addendum (Volume 1) – Chapter 2 (dated December 18, 2020), Figure 2.4-3, p. 2.10</i>	<p>BN's reserve land in on the Pic River, and the Pic River is of particularly high cultural, spiritual and historical importance to BN. Much of the Project is in the Pic River watershed, including the open pits and mine rock storage area. The fact that the Pic River downstream of the Project has not been included in the local or regional study areas for surface water or hydrology is a significant concern for BN. Considering the importance of the Pic River to BN, assessing the potential Project-specific and cumulative impacts of the Project on the Pic River downstream of the project in the EIS is absolutely essential.</p> <p>The Proponent has verbally stated to SVS that the LSA is scoped strictly to where they reasonably anticipate impacts from the project given that there will be no routine discharge into the Pic River. However, the Proponent has committed to extending the RSA for the Water and Water Quality (VEC).</p>	In an updated version of the EIS documents, the Proponent must revise the Water Quality and Quantity RSA to include the Pic River downstream of the Project to the mouth at Lake Superior.	
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24.	<i>Draft EIS Addendum (Volume 2) – Chapter 7 (dated February 4, 2021), Section 7.1, p. 7.1</i>	In the Environmental Management System the Proponent has laid out, the Proponent has indicated that “results of the follow-up and monitoring programs will be shared with Indigenous communities and their input sought on potential adaptive management measures”. The Project will be constructed in BN’s exclusive Aboriginal title area, and as such the Proponent is required to incorporate the input that BN provides throughout the life of the mine.	<ul style="list-style-type: none"> a) An additional sentence should be added at the end of Section 7.1 stating “GenPGM will incorporate technically and economically feasible Indigenous concerns and input into adaptive management measures for all VECs”. b) The Proponent should include the following language in the last bullet of Table 8.1 for surface water quality: “GenPGM will incorporate technically and economically feasible Indigenous concerns and input into adaptive management measures for all VECs” 	
25.	<i>Draft EIS Addendum (Volume 2) – Chapter 8 (dated February 4, 2021), Table 8.1, pp. 8.1-8.19</i>	BN members are aware of natural springs that may be affected by alterations to groundwater quantity during the life of the Project. In the groundwater section of Table 8.1, no mention is made of monitoring natural springs of importance to BN members to assess project impact on the springs. Springs are a VEC for BN, and the Project may have impacts on springs that must be mitigated or accommodated by the Proponent.	The Proponent should add a bullet to the groundwater section of Table 8.1 adding that groundwater springs that may be affected by project activities will be identified and monitored during the life of the Project to assess project impacts.	
26.	<i>Draft EIS Addendum (Volume 1) – Chapter 2 (dated December 18, 2020), Figure 2.4-3, p. 2.10</i>	The Proponent has not included areas east of the Pic River as part of the hydrogeological local or regional study area due to the fact that there are no identified groundwater users west of the Pic River. The Proponent has not confirmed whether there are any culturally important springs to BN east of the Pic River that may be impacted by groundwater drawdown for the open pit. BN is concerned that some culturally and spiritually important springs are potentially being scoped out of the Environmental Assessment.	The Proponent should consult with BN members to confirm that there are no springs on the east side of the Pic River that are within the predicted zone of influence of the open pit drawdown.	
27.	<i>Draft EIS Addendum (Volume 2) – Chapter 8 (dated February 4, 2021), Table 8.1, pp. 8.1-8.19</i>	The surface water quality section of Table 8.1, one bullet reads “For operations, collection of water associated with the MRSA and management of these waters so that there will not be a routine [our emphasis] discharge to the Pic River.” This language suggests that there may be occasional discharge to the Pic River from the mine rock stockpile areas, which is a significant concern to BN members	<ul style="list-style-type: none"> a) The Proponent should specify under what circumstances water would be discharged to the Pic River during mine operations, and what their proposed discharge criteria would be for discharged water. b) It is the strong preference of BN that no water is discharged to the Pic River during Project operations or closure. As such BN strongly recommends that the Proponent reword the bullet to state “For operations, collected water associated with the MRSA will be managed so that there will no discharge to the Pic River. Any 	



COMMENT #	REPORT SECTION REFERENCE	COMMENT	RECOMMENDATION	PROPONENT RESPONSE
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accidental surface water or groundwater discharge to the Pic River will be subject to immediate adaptive management.”



REFERENCES

- Ecclestone, A. (2012). *Movement patterns, habitat utilization, and spawning habitat of Lake Sturgeon (Acipenser fulvescens) in the Pic River, a northeastern Lake Superior tributary in Ontario, Canada*. Peterborough, ON: Trent University.
- Ecometrix. (2020). *Aquatic Environment Baseline Report Update*. Generation PGM.
- Halloran, J., Anderson, H., & D. Tassie. (2013). *Clean equipment protocol for industry*. Peterborough Stewardship Council and Ontario Invasive Plant Council. Peterborough, ON.
- Jones, N., & Yunker, G. (2009). *Riverine Index Netting Manual of Instructions*. V.2. Peterborough, Ontario: Ontario Ministry of Natural Resources, River and Stream Ecology Laboratory.



GENERATIONPGM

March 9, 2021

BY EMAIL

Jon MacDonald
Jackfish Métis – Ontario Coalition of Indigenous People
<contact information removed>

RE: Capacity Funding: Marathon Palladium Project

Dear Jon,

Generation PGM Inc. (GenPGM) would like to follow up on our commitment to Jackfish Métis – Ontario Coalition of Indigenous (OCIP). We would like to continue to support OCIP with capacity funding to participate in the Environmental Assessment (EA) of the Marathon Palladium Project and environmental projects associated with the Project.

Past undertaken by OCIP in support of the EA for the Project, included a technical review, gathering of Valued Ecosystem Components (VECs) and collection of traditional ecological knowledge and land use by OCIP in the area of the Project. It is our understanding that the capacity funding will be used by RSMIN for the following activities:

- 1) Reviewing updated EA documents and providing feedback to the Joint Review Panel;
- 2) Participating in a committee for the Project which would include environmental monitoring programs, environmental projects and future permitting;
- 3) Providing OCIP's view on the Project during the Panel Hearings.

For Items 1 and 2, GenPGM will provide \$12,000 in capacity funding to support OCIP's involvement in these activities. Once sufficiency of EA is achieved, or on June 30, 2021, whichever is sooner, an additional \$12,000 will be provided to OCIP for continued participation in the Environmental Committee as well as undertaking Item 3.

If this offer of capacity funding is acceptable to OCIP please provide an invoice for \$12,000 along with banking information to GenPGM.

We value our relationship and friendship with OCIP and look forward to working together on the Marathon Palladium Project. If you have any questions or require additional information, please don't hesitate to contact me at the number listed below.

Sincerely,

<Original signed by>

Tabatha R. LeBlanc
Manager of Sustainability

Winnipeg Office Phn: <contact information removed>

Email: <email address removed>

Cc : Jamie Levy, CEO Generation
Drew Anwyll, COO Generation

GENERATIONPGM

March 9, 2021

BY EMAIL

Donelda DeLaRonde
Red Sky Métis Independent Nation

<contact information removed>

RE: Capacity Funding: Marathon Palladium Project

Dear Donelda,

Generation PGM Inc. would like to follow up on our commitment to Red Sky Métis Independent Nation (RSMIN). We have stated in the past few months that we would support RSMIN with capacity funding to participate in the Environmental Assessment (EA) process for the Marathon Palladium Project and environmental projects associated with the Project.

Past activities undertaken by RSMIN in support of the EA for the Project included a technical review, gathering of Valued Ecosystem Components (VECs) and collection of traditional ecological knowledge and land use by RSMIN in the area of the Project. It is our understanding that the capacity funding will be used by RSMIN for the following activities:

- 1) Reviewing updated EA documents and providing feedback to the Joint Review Panel;
- 2) Participating in a committee for the Project which would include environmental monitoring programs, environmental projects and future permitting;
- 3) Discussing agreements for the Project; and
- 4) Providing RSMIN's view on the Project during the Panel Hearings.

For Items 1 and 2, GenPGM will provide \$25,000 in capacity funding to support RSMIN's involvement in these activities. Once sufficiency of EA is achieved, an additional \$25,000 will be provided to RSMIN for continued participation in the Environmental Committee as well as undertaking Item 4.

If this offer of capacity funding is acceptable to RSMIN, please provide an invoice for \$25,000 along with banking information to GenPGM.

We value our relationship and friendship with RSMIN and looking forward to working together on the Marathon Palladium Project. If you have any questions or require additional information, please don't hesitate to contact me at the number listed below.

Sincerely,

<Original signed by>

Tabatha R. LeBlanc
Manager of Sustainability

<contact information removed>

Cc : Jamie Levy, CEO Generation
Drew Anwyll, COO Generation

<email address removed>
<email address removed>

From: Tabatha LeBlanc <<email address removed>>
Sent: March 10, 2021 5:05 PM
To: Phil McGuire; <<email address removed>>; Tim Sinclair; Kevin Muloin; Trent Desaulniers
<<email address removed>>; William Gordon
Cc: 'Cathryn Moffett'; Ruben Wallin (<<email address removed>>); Victoria Stinson; Jacqueline Barry;
Chanelle Boucher
Subject: Confusion Today and Apology
Importance: High

Good Afternoon R2CC,

Thank you Victoria for calling me, and explaining the concerns raised by MNO. We've had a long and positive relationship with MNO, and for me personally, and our Generation team, we would never do anything intentionally to jeopardize those friendships. My deepest apology to everyone for the misunderstanding that has occurred today as a result the public information session and I hope my explanation below helps clear up any confusion.

Before COVID, we would host townhalls/open houses and invite the general public to these regular sessions. Now in this pandemic, we are all learning (with a few bumps) how to host these sessions through Zoom and Teams. Today's meeting was a virtual public session and not meant to bypass R2CC, MNO or to exclude anyone from the process. The invitation was sent about 3 to 4 weeks ago, to a large distribution group include R2CC members and MNO, as well as others. I am not sure what happen to some of the Zoom invitations but we've heard from others outside of MNO, that the invitations, when received were encrypted and others didn't even receive them at all.

These monthly public updates are not replacing our commitment to R2CC and MNO. We fully intent to continue to meet regularly with R2CC, as outlined in the draft Letter of Intent. The invitation to attend the monthly public updates is open to everyone who wants to participate, but we will take direction from MNO and R2CC on who from MNO should be on that distribution list.

I truly appreciate the open and honest communication of these concerns, and please feel free to call me directly if anyone has questions.

Sincerely,
Tabatha

<contact information removed>

<email address removed>

From: Tabatha LeBlanc <<email address removed>> >
Sent: March 11, 2021 1:24 PM
To: Ruben Wallin <<email address removed>>; Drew Anwyll; Cathryn Moffett
Cc: Kevin Sherlock; Jamie Levy
Subject: FW: MNO-GenPGM MOU draft
Attachments: MNO-Generation PGM Inc. Consultation and Process Agreement.docx; 2021 March 11 Comparison GenPGM to MNO track changes.docx

Importance: High

Hello,

MNO has accepted our apology and raised concern with a recent PDAC presentation. We will have to consider their feedback for future presentation going forward.

Attached is MNO's comments on our revisions, a clean version. They have largely accepted the track changes and cost adjustment. The comparison document with our edits in November to this new version is attached.

Ruben, please have a look and advise next steps.

Thanks,
Tabatha

From: Victoria Stinson <<email address removed>> >
Sent: March 11, 2021 12:03 PM
To: Tabatha LeBlanc <<email address removed>>

<email address removed>

Subject: MNO-GenPGM MOU draft
Importance: High

Good afternoon Tabatha,

Thank you and marsee for your apology yesterday.

The MNO works diligently at building and maintaining positive relationships and this step of yours supports this ongoing effort. However, in the same vein of relationship building, I need to bring attention to the fact that the Métis Nation of Ontario was not mentioned in your PDAC presentation, although relationships with First Nations and other local communities were named and discussed. It is this type of omission that affects relationships in the long term. We will discuss these issues in our next meeting so that they can be addressed properly.

In the spirit of relationship building, even with these current issues, I have attached the latest MOU draft for your review. Please reply with any edits you may have.

Sincerely,

Victoria Stinson

Manager

Lands, Resources and Consultations

Pronouns: Her/She

Métis Nation of Ontario

<contact information removed>

Please note that as part of the effort to reduce the likelihood of workplace or community transmission of COVID-19, Métis Nation of Ontario employees will begin to offer limited client facing services in office beginning September 14, 2020 by appointment only. Other services that are being offered remotely will continue that way. Please check <http://www.metisnation.org/news-media/news/covid-19-support-programs/> for updates.

If you have COVID-19 related concerns or need help accessing support, please contact us by phone at 1-800-263-4889 or by email at covidhelp@metisnation.org.

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Please consider the environment before printing this e-mail.

<email address removed>

From: Tabatha LeBlanc <[redacted]>
Sent: March 13, 2021 10:24 AM
To: Allie Mayberry; 'Juanita Starr [redacted]'; Jeremy Shute; Andrew Bubar; Jody Duncan; Brian Fraser; Paula Sdao [redacted]; Cathryn Moffett
Cc: Ruben Wallin ([redacted])
Subject: Notes/Comments March 9 - Chapter 7 and 8
Attachments: 2021 Mar 9 BN_SVS Chp 7_8_comments.xlsx

Flag Status: Flagged

Good Morning,
I have added our notes to the tracking table for Chapter 7, 8 and to past comments that were still outstanding. Included in the table, is a column that shows where the recommended change could/have been considered e.g. EIS, CBA or Field work 2021.
We agreed the next meeting would be scheduled in early April, at that meeting it would be helpful to BN and SVS for GenPGM to present the Project design and site water management plans and review associated figures.
As for EIS Vol 2, we don't have a date for completion yet but should have a better idea next week.
Enjoy the weekend,
Tabatha

<email address removed>

From: Tabatha LeBlanc <email address removed> >
Sent: March 13, 2021 10:24 AM
To: Allie Mayberry; 'Juanita Starr' <email address removed>; Jeremy Shute; Andrew Bubar; Jody Duncan;
Brian Fraser; Paula Sdao <email address removed>; Cathryn Moffett
Cc: Ruben Wallin <email address removed>)
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As for EIS Vol 2, we don't have a date for completion yet but should have a better idea next week.

Enjoy the weekend,

Tabatha

GENERATION MINING

GENERATION MINING AND BIIGTIGONG NISHNAABEG FIRST NATION ANNOUNCE AGREEMENT IN PRINCIPLE

Toronto, Ontario – March 31, 2021 – Generation Mining Limited (TSX: GENM) (OTCQB: GENMF) (“Gen Mining” or the “Company”) and Biigtigong Nishnaabeg (“BN”) are proud to announce the signing of an Agreement in Principle (“the Agreement”) for the Marathon Palladium Copper Project (“Marathon Project”) located in Northwestern Ontario.

BN has been an integral part of the environmental assessment process and Marathon Project planning. Formalizing the long-term relationship with an Agreement in Principle signals the community leadership’s support, in principle, for the Marathon Project and the Company’s commitment to provide community benefits including training, jobs, business opportunities and financial participation. The Agreement outlines the framework for a Community Benefit Agreement (CBA).

“Our people have been on this land since time immemorial and the project is located on our exclusive unceded ancestral lands. We are proud to work together with Gen Mining to work towards a Community Benefit Agreement that our community members are comfortable with, and to ensure that the cultural values and the environment, including the fish, plants and wildlife that are integral to our way of life, are protected” said Chief Duncan Michano of BN.

Jamie Levy, President and CEO of Gen Mining, commented, “Gen Mining respects the Indigenous culture and the environment where we work and plan to operate. We are proud to be partners with BN and look forward to ongoing collaboration in the years to come.”

About the Company

Gen Mining’s focus is the development of the Marathon Project, the largest undeveloped platinum group metal Mineral Resource in North America. The Company released the results of the Feasibility Study on March 3, 2021 and published the NI43-101 Technical Report dated March 23, 2021. The Marathon property covers a land package of approximately 22,000 hectares, or 220 square kilometres. Gen Mining owns an 80.7% interest in the Marathon Project, with the remaining interest owned by Sibanye Stillwater. Sibanye Stillwater has certain back-in rights that allow it to increase its interest in the Marathon Project back up to 51% in

GENERATION MINING

certain circumstances and subject to certain conditions after such time as Gen Mining has earned its 80% interest (see the Company's news release of July 11, 2019 for more details).

For further information please contact:

Jamie Levy

President and Chief Executive Officer

<contact information removed>

Forward-Looking Information

This news release contains certain forward-looking information and forward-looking statements, as defined in applicable securities laws (collectively referred to herein as "forward-looking statements"). Forward-looking statements reflect current expectations or beliefs regarding future events or the Company's future performance. All statements other than statements of historical fact are forward-looking statements. Often, but not always, forward-looking statements can be identified by the use of words such as "plans", "expects", "is expected", "budget", "scheduled", "estimates", "continues", "forecasts", "projects", "predicts", "intends", "anticipates", "targets" or "believes", or variations of, or the negatives of, such words and phrases or state that certain actions, events or results "may", "could", "would", "should", "might" or "will" be taken, occur or be achieved, including statements relating to the ability of the Company and Sibanye Stillwater to vary their respective participating interests in the Marathon Project. All forward-looking statements, including those herein are qualified by this cautionary statement.

Although the Company believes that the expectations expressed in such statements are based on reasonable assumptions, such statements are not guarantees of future performance and actual results or developments may differ materially from those in the statements. There are certain factors that could cause actual results to differ materially from those in the forward-looking information. These include commodity price volatility, continued availability of capital and financing, uncertainties involved in interpreting geological data, increases in costs, environmental compliance and changes in environmental legislation and regulation, the Company's relationships with First Nations communities, exploration successes, and general economic, market or business conditions, as well as those risk factors set out in the Company's annual information form, the Technical Report that the Company will file in connection with the Feasibility Study and in the continuous disclosure documents filed by the Company on SEDAR at www.sedar.com. Readers are cautioned that the foregoing list of factors is not exhaustive of the factors that may affect forward-looking statements. Accordingly, readers should not place undue reliance on forward-looking statements. The forward-looking statements in this news

GENERATION MINING

release speak only as of the date of this news release or as of the date or dates specified in such statements.

Forward-looking statements are based on a number of assumptions which may prove to be incorrect, including, but not limited to, assumptions relating to: the availability of financing for the Company's operations; operating and capital costs; results of operations; the mine development and production schedule and related costs; the supply and demand for, and the level and volatility of commodity prices; timing of the receipt of regulatory and governmental approvals for development projects and other operations; the accuracy of Mineral Reserve and Mineral Resource Estimates, production estimates and capital and operating cost estimates; and general business and economic conditions.

Investors are cautioned that any such statements are not guarantees of future performance and actual results or developments may differ materially from those projected in the forward-looking information. For more information on the Company, investors are encouraged to review the Company's public filings on SEDAR at www.sedar.com. The Company disclaims any intention or obligation to update or revise any forward-looking information, whether as a result of new information, future events or otherwise, other than as required by law.

Cathryn Moffett

From: Tabatha LeBlanc
Sent: April 12, 2021 7:10 PM
To: Allie Mayberry; Jeremy Shute
Cc: Paula Sdao (<email address removed>); Cathryn Moffett; Andrew Bubar; Jody Duncan; 'Juanita Starr'; Brian Fraser
Subject: RE: Notes/Comments March 9 - Chapter 7 and 8

Hi Allie,

You are welcome! We can take a similar approach as Vol 1, the submission of EIS Vol 2 is not the final point of collaboration but a continuation to work together and get feedback from Biigtigong Nishnaabeg and SVS as they review the EA material.

As of today, it looks like Vol 2 is being submitted to the Panel on April 16th. I am really sorry if there was an impression a draft would be available and we genuinely would have liked to have more time to get preliminary feedback but we ran into delays outside of our control. We have incorporated SVS's and BN's feedback into Chapter 7 and 8 and worked with BN to get additional details into socioeconomic and cumulative effects. Once you have had time to review Vol 2, we can schedule a meeting to follow up on Vol 1 and Vol 2 and discuss next steps.

If workload permits, we did discuss a meeting on water management and Project Design, let us know if you have any preferred dates for this meeting? An understanding of these details may assist with the review of the EA documentation.

Have a wonderful night and give me a call if you have any questions.

Tabatha

From: Allie Mayberry (<email address removed>)
Sent: April 12, 2021 1:47 PM
To: Tabatha LeBlanc (<email address removed>); Jeremy Shute (<email address removed>)
Cc: Paula Sdao (<email address removed>); Cathryn Moffett (<email address removed>); Andrew Bubar (<email address removed>); Jody Duncan (<email address removed>); 'Juanita Starr' (<email address removed>); Brian Fraser (<email address removed>)
Subject: RE: Notes/Comments March 9 - Chapter 7 and 8

Hi Tabatha,

Thanks for this update. If you could keep us up to speed as you know more, it would be much appreciated. Just as a head's up that we have a high volume of work on our team's docket these days, and may require more than the usual 10 business days to turn around comments on Volume 2 to you.

Let me know if you have any questions or concerns about this.

Allie

Allie Mayberry, MA, BSc | **Wildlife Biologist**
(She/her – [why is this here?](#))

SHARED VALUE SOLUTIONS

www.sharedvaluesolutions.com

SVS is a certified B Corporation using the power of business to solve social and environmental problems.

From: Tabatha LeBlanc <[redacted]>
Sent: April 9, 2021 9:12 AM
To: Jeremy Shute <[redacted]>
Cc: Paula Sdao <[redacted]>; Cathryn Moffett <[redacted]>;
Andrew Bubar <[redacted]>; Jody Duncan <[redacted]>;
'Juanita Starr <[redacted]>; Brian Fraser <[redacted]>; Allie Mayberry <[redacted]>

Subject: RE: Notes/Comments March 9 - Chapter 7 and 8

Good Morning Jeremy,

That is the million dollar questions! We received a few documents this week and have another interview today. Once those pieces are considered and we follow up with BN we anticipate submitting the EIS vol 2 next week. A heads up that we did file the Feasibility Study with the Panel yesterday, so once the Vol 2 is submitted the Joint Review Panel clock is expected to start. Please send me another note next week and I can let you know where we are at.

Exciting times ahead!
Have a wonderful weekend,
Tabatha

From: Jeremy Shute <[redacted]>
Sent: April 9, 2021 6:53 AM
To: Tabatha LeBlanc <[redacted]>
Cc: Ruben Wallin <[redacted]>; Paula Sdao <[redacted]>;
Cathryn Moffett <[redacted]>; Andrew Bubar <[redacted]>;
Jody Duncan <[redacted]>; 'Juanita Starr <[redacted]>;
Brian Fraser <[redacted]>; Allie Mayberry <[redacted]>

Subject: RE: Notes/Comments March 9 - Chapter 7 and 8

Good morning Tabatha,
I'm just checking in to see if you have a better idea on the completion date for the EIS Vol 2?
Regards,
Jeremy

Jeremy Shute, MA, RPP | Senior Planner | Chief Social Impact Officer

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From: Tabatha LeBlanc <[redacted]>
Sent: March 13, 2021 10:24 AM
To: Allie Mayberry <[redacted]>; 'Juanita Starr' <[redacted]>;
Jeremy Shute <[redacted]>; Andrew Bubar <[redacted]>;
Jody Duncan <[redacted]>; Brian Fraser <[redacted]>;
Paula Sdao <[redacted]>; Cathryn Moffett <[redacted]>
Cc: Ruben Wallin <[redacted]>
Subject: Notes/Comments March 9 - Chapter 7 and 8

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We agreed the next meeting would be scheduled in early April, at that meeting it would be helpful to BN and SVS for GenPGM to present the Project design and site water management plans and review associated figures.
As for EIS Vol 2, we don't have a date for completion yet but should have a better idea next week.
Enjoy the weekend,
Tabatha

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Terms of Reference

Environmental Committee

Established April 2021

Committee Term: One Year

Mission:

The Environmental Committee (the “Committee”) is established as a formal link between Generation PGM Inc (the Company) and identified Indigenous Groups. The Committee will seek to inform and advise its members on matters relating to environmental compliance, environmental management, environmental stewardship, and to disseminate information relating to the company’s environmental policies, procedures, and performance.

The Committee will further these goals by seeking to:

1. Examine the activities of the Company to better understand how the Marathon Palladium Project “the Project”) might impact the environment.
2. Assist in identifying best practices to ensure that the Company’s activities promote environmental sustainability.
3. Serve as a source of information regarding cultural and traditional insights and environmental responsibility.
4. Act as an intermediary between the Company and the membership of the members respective Communities.

Environmental Committee responsibilities include:

- Periodic review of baseline programs and data, and regulatory monitoring and reporting associated with activities such as:
 - Air and water sampling criteria for compliance with applicable standards and permit conditions
 - Closure Planning
 - Waste Management
 - Endangered Species
 - Fish and Fish Habitat
- Regular reporting to community membership on plans, projects and results
- Annual site tour and community visit
- Regular opportunities to attend workshops and other professional learning opportunities.

The committee anticipates that the knowledge and understanding that it generates will promote environmental responsibility, and the resulting recommendations will encourage greater adoption of environmentally beneficial practices*

*Committee recommendations are non-binding.

Composition:

The Environmental Committee shall be comprised of a maximum of eight (9) members, each member to be appointed by the leadership of the group they represent. Proxy delegates for each member must be established at the beginning of the Committee term and provided to the Committee.

Representatives:

Name	No. of Members
Biigtigong Nishnaabeg	Two members (2)
Pays Plat First Nation	One Member (1)
Métis Nation of Ontario	One Member (1)
Red Sky Métis Independent Nation	One Member (1)
Ontario Coalition of Indigenous People	One Member (1)
Town of Marathon	One Member (1)
Generation PGM Inc.	Two Members (2)
Michipicoten First Nation	One Member (1)

Committee Structure:

The committee shall follow an interim Terms of Reference (ToR) for a minimum period of six (6) months. During this period the Committee shall determine what if any changes to the ToR may be required. A review of the Environmental Committee ToR shall be undertaken as the project enters the Operations phase.

The Committee shall have two permanent Co-chairs: One, a representative from BN and the other representing the Company. The nine regular members may occasionally require input from external technical advisors and experts. External personnel may be invited to attend a Committee meeting at the discretion of one or both Co-Chairs.

Timing of Meetings:

Meetings will be held on a monthly basis, on a day and at a time as may be determined by the committee or at the call of one or both of the Co-Chairs. Committee meetings may be face-to-face, teleconference and video (digital) with a minimum of ten (10) meetings per calendar year.

Agenda and Minutes:

Compilation and distribution of Committee Meeting Agenda will be the responsibility of the two Co-Chair. Committee members must submit proposed agenda items to the Co-Chair at least five (5) working days prior to the next meeting.

Meeting Minutes shall be compiled and circulated for comment within 4 working days after the Committee has met. Approved meeting minutes are to be circulated to all Committee members at least five (5) working days prior to the next meeting.

Information Sharing and Documents:

A SharePoint or ftp site to post documents and information relevant to the Committee will be created and maintained by the Company. All membership of the Committee will have access to the site.

Quorum required:

Minimum of 1 representative from each Indigenous group and the Company.

Proxy:

Each group must appoint a proxy delegate for the term of the Committee. Any changes to the proxy delegate can be made upon written notification to one or both Co-Chairs. Notification should be provided in advance of the proposed meeting date.

Location:

The location will be dependent on individuals, direction of community leadership and current health restrictions. A blended approach of in person and virtual attendance may be needed. In person locations will be determined by Co-Chairs.

Administrative Support/Resources:

Administrative support/minute taker – Generation/BN

Procedures:

Procedures may be based upon or adapted from Robert's Rules of Order. Indigenous groups may introduce Cultural Procedural Practices with the cooperation of the Co-Chairs.

No need for dispute resolution provision, it is covered by Robert's Rules

Budget:

The Company will develop an annual Committee Budget to support the work of the committee: (Expenses: room rental, refreshments, per diem, mileage, PPE, site visits, workshops, training, minute taker compensation).

Activities:

- Review, comment and participate in baseline and environmental monitoring programs.
- Permit application review and comment, such as:
 - Closure Plan
 - Fisheries Offset/Compensation
 - Overall Benefits, Species at Risk
 - Environmental Compliance Approvals
 - Permits to Take Water
 - Paragraph in each permit application on consultation
 - Other permits and approvals as determined by the Committee

- Recommendations:
 - Provide recommendations based upon community feedback to the Company
- Information sharing activities:
 - Act as a conduit between the Company and the Community to share information and provide feedback.
- Report review and comment:
 - Fish habitat compensation follow-up monitoring reports
 - Overall benefit permit follow-up monitoring reports
 - Environmental Effects Monitoring Interpretive Reports (generally once every 3 years)
 - Annual Sewage Works Performance Report
 - Permit to Take Water Annual Reports and Ground Water Model Updates
 - Unusual Occurrence / Incident Reports
 - Monthly Environmental Activity Reports
 - Dam Safety Inspections by Engineer of Record
- Press release
 - Review and comment on proposed press releases, as required

(Information relating to Committee Activities may be included in mandatory reporting required by external agencies)

Reporting:

The committee is responsible for the development of an annual report of its activities including the number of meetings, list of activities and recommendations provided. The report is to be made available to each participating community, Company management, and any provincial or federal agency as required to meet any legislative requirements.

<email address removed>

From: <email address removed>
Sent: April 16, 2021 11:29 AM
To: <email address removed> tabatha leblanc
Subject: Re: Marathon Project - Monthly Update
Flag Status: Flagged

A very interesting meeting Cathryn!

In reply to your notes on mine closure, we feel that the proposal for tree species should reflect the most possible good for the land and lakes---especially the returning animals and birds.

A mix of hardwood (poplar and birch), along with spruce/pine would be a good fit.

Dogwood (red willow) is an excellent food base for moose along with young poplar and birch. The pines and spruce give good cover for fur bearers as well as rabbit.

Without proper food and cover, animals cannot remain in the region.

We see that areas which were cut for instance, and let regenerated on their own, fail to give cover to the necessary life to come back as only birch and poplar is not a good choice by itself, because after the trees attain a certain height, the animals cannot reach the tops for food and because of a lack of cover (softwood) these animals have to vacate the area..

From: <email address removed>
Sent: Sunday, April 11, 2021 12:32 PM
To: <email address removed>
Cc: 'Tabatha LeBlanc' ; 'Chanelle Boucher'
Subject: RE: Marathon Project - Monthly Update

Hi Jon

There is a Zoom meeting on Wednesday April 14th to talk about Closure Planning and provide an Exploration update. The meeting is from 10am to 12noon and I have provided the link to join below.

Thanks, Cathryn

Join Zoom Meeting

<https://us02web.zoom.us/j/83732316202?pwd=aFNNcnU4akVNQnRUa0F4WVVRN25xZz09>

Meeting ID: 837 3231 6202

Passcode: 142127

One tap mobile

+13126266799,,83732316202#,,,,*142127# US (Chicago)

+13462487799,,83732316202#,,,,*142127# US (Houston)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 346 248 7799 US (Houston)

+1 646 558 8656 US (New York)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 301 715 8592 US (Washington DC)

Meeting ID: 837 3231 6202

Passcode: 142127

Find your local number: <https://us02web.zoom.us/j/91012020000>

From: <email address removed>
Sent: April 11, 2021 12:30 PM
To: <email address removed>
Subject: Re: Marathon Project - Monthly Update

Your e-mail comes through as a bunch of nonsensical letters/numbers which mean nothing---please clarify!

From: <email address removed>
Sent: Friday, April 9, 2021 7:52 AM
To: <email address removed>

Cc: j <email address removed> ; 'Victoria Stinson' ; 'Tim Sinclair' ; 'Jacqueline Barry'
Subject: Marathon Project - Monthly Update