



September 3, 2021

Marathon Joint Review Panel  
160 Elgin Street, 22nd Floor  
Ottawa, ON K1A 0H3

Attention: Joint Review Panel  
c/o Ms. Cindy Parker, Panel Manager  
Marathon Palladium Project

Dear Ms. Parker:

**Re: Generation PGM Inc. Marathon Palladium Project  
Biigtigong Nishnaabeg and Generation PGM Inc. Joint Submission**

Biigtigong Nishnaabeg First Nation and Generation PGM Inc. ("GenPGM"), would like to provide additional comments around the confidential Technical Review Submission (the "Submission") for the Marathon Palladium Project (the "Project") Reference No. [904](#) filed on July 23, 2021.

Both Biigtigong Nishnaabeg and GenPGM feel it is important to present particulars regarding our relationship and to make comments on GenPGM's commitments concerning the Environmental Impact Statement (EIS) Addendum.

GenPGM recognizes that Biigtigong Nishnaabeg is not a signatory to the Robinson Superior Treaty of 1850 and that Biigtigong Nishnaabeg has filed a claim for Aboriginal title in the Ontario Superior Court of Justice. Biigtigong Nishnaabeg and the federal and Ontario Crowns have been in ongoing negotiations since 2016. GenPGM recognizes that the Project falls within the area of Biigtigong Nishnaabeg's exclusive Aboriginal title jurisdiction. GenPGM also acknowledges that Biigtigong Nishnaabeg is committed to working with industry and third parties within its territory to meaningfully address their interests.

Biigtigong Nishnaabeg acknowledges that since it has acquired the Project, GenPGM has been working closely with Biigtigong Nishnaabeg in order to exchange information with the community, as well as learn, and understand its needs, challenges and opportunities. The parties have a healthy and productive relationship. Biigtigong Nishnaabeg believes that GenPGM continues to do what it can to mitigate the Project's impacts. Biigtigong Nishnaabeg also believes that the Project will benefit Biigtigong Nishnaabeg.

The Agreement in Principle (AIP) between the parties, signed in March 2021, is a direct result of the ongoing and productive relationship between Biigtigong Nishnaabeg and GenPGM. The AIP includes provisions that address benefits including training, jobs, business opportunities and financial participation and environmental commitments. These commitments are intended to exceed the applicable regulatory standards that protect the land and water in and around the Project site for future generations. The AIP, moreover, is to lead to a more detailed and comprehensive Community Benefits Agreement, or CBA. Since signing the AIP in March, BN and GenPGM have been working closely on the environmental and business opportunities sections of the CBA.

With that said, neither GenPGM nor Biigtigong Nishnaabeg believe it is GenPGM's sole responsibility to remedy the cumulative socio-economic impacts that the Project have on Biigtigong Nishnaabeg's community or traditional territory.

While GenPGM does have some responsibility to mitigate effects the Project may have on the community, the parties believe that the Crown, and not GenPGM, is responsible for pre-existing conditions currently in the community. These concerns include the systemic underfunding and neglect of BNFN's education, housing, and water systems. Accordingly, the Crown, and not GenPGM, remains responsible for addressing these issues.

For its part, GenPGM will stand shoulder to shoulder with BN and support BN's efforts to ensure these issues are addressed by the Crown. Neither Biigtigong Nishnaabeg nor GenPGM feel that Crown should delegate exclusive responsibility for pre-existing issues and concerns which are under the Crown's jurisdiction to GenPGM.

Systemic racism continues to be a serious challenge to Indigenous communities in Canada. These issues are usually hidden from the mainstream, and the effects of systemic racism are typically only felt by the community suffering from its insidious effects. However, with a public approval process like the Joint Review Panel (JRP), these issues will be visible to all. Many of the issues that Biigtigong Nishnaabeg cited in its Submission will take years to resolve. In some cases, they will take decades. This contrasts with the situation for other public bodies performing the function of government. If municipalities want additional schools, for example, or land, sewage systems, water treatment or social supports, these processes have a clearly defined process, and are typically approved in less than a year. This has clearly not been the experience of Biigtigong Nishnaabeg.

Both Biigtigong Nishnaabeg and GenPGM believe that it will become clear to the JRP and the public how racism is embedded in society. GenPGM acknowledges its ongoing commitment as part of the Truth and Reconciliation Committee's 93<sup>rd</sup> "Call to Action" to work with BN to cooperatively to address social and infrastructure issues and support BN's anti-racism work. However, it is not for GenPGM alone to shoulder these burdens.

GenPGM and Biigtigong Nishnaabeg are in discussions to incorporate mitigation measures into the CBA over and above the revenue sharing and financial contributions. We are exploring ways to address racism in the workforce, promote the culture of Biigtigong Nishnaabeg, and address potential impact the Project may have on the people and social structures within Biigtigong Nishnaabeg. The JRP and Crown have a responsibility to ensure they do their part and mitigate issues currently existing in the community.

Biigtigong Nishnaabeg and GenPGM are working collaboratively to address issues and concerns that Biigtigong Nishnaabeg has identified with respect to the Project in its Submission, and are a result of racism and historic wrongdoings at all levels of government. Both acknowledge that these issues won't be resolved entirely through the JRP Environmental Assessment process and will continue to work together on first steps and a path forward.

Yet both Biigtigong Nishnaabeg and GenPGM believe that the Project will result in long-term benefits for Biigtigong Nishnaabeg, opportunities to build capacity and strive to develop solutions to improve the lives of community members. Through our partnership, we have recognized the issues and barriers faced by Biigtigong Nishnaabeg and together, and through the Project, eventual life of the mine, and with the active involvement of the Crown, we can make significant changes that will benefit many communities in the region.

In closing, Biigtigong Nishnaabeg and GenPGM will continue to work cooperatively together to ensure that appropriate mitigation measures are put in place for the Project and that we can live together on the lands subject to Biigtigong Nishnaabeg's exclusive Aboriginal title claim. GenPGM stands shoulder to shoulder with Biigtigong Nishnaabeg and supports Biigtigong Nishnaabeg's efforts to ensure that all parties can work together to address the issues confronting Biigtigong Nishnaabeg.

Respectfully,

BIIGTIGONG NISHNAABEG

<Original signed by>

Chief Duncan Michano  
President, Chief Executive  
Officer and Director

GENERATION PGM INC.

<Original signed by>

Jamie Levy  
President, Chief Executive  
Officer and Director