

December 17, 2021

By email only

Chief Duncan Michano  
Biigtigong Nishnaabeg First Nation

**Subject: Participation at the Public Hearing for the Marathon Palladium Project**

Dear Chief Michano,

On December 7, 2021, the Joint Review Panel (the Panel) established to review the Marathon Palladium Project (the Project) issued the attached Notice of Public Hearing (CIAR #957). The public hearing will commence on February 15, 2022, and is anticipated to take place over approximately 30 days in a virtual format. This letter requests confirmation of Biigtigong Nishnaabeg First Nation's (Biigtigong Nishnaabeg) participation in the public hearing by January 16, 2022, and provides details on the public hearing submissions requested by January 31, 2022. Additional details regarding the hearing schedule and logistics will be provided at a later date.

*Timing and format of hearing*

The Panel acknowledges Biigtigong Nishnaabeg's November 26, 2021, letter requesting a comment period for the responses to the Panel's Information Requests (CIAR #952). The Panel took into account your comments in establishing the scheduling of the hearing and has attempted to balance the need for an efficient and timely hearing with the need for a fair process. As a result, the Panel:

- increased the amount of time between the notice of hearing and the start of the hearing to 70 days, more than the 45-day minimum prescribed by the Panel's Terms of Reference (CIAR #730); and
- increased the amount of time from the notice of hearing to the deadline for the receipt of written submissions to 55 days.

The Panel also appreciates your letter from December 13, 2021 clarifying that you anticipate being able to properly respond to the responses to the Panel's Information Requests prior to the start of the hearing (CIAR #960).

To prioritize the safety of all hearing participants, and because of the serious concerns and continued uncertainty created by the Covid-19 pandemic, the Panel will hold the public hearing sessions virtually by video, guided by the Public Hearing Procedures (CIAR #956). The Panel is interested in receiving any suggestions you may have to facilitate participation in the hearing in a culturally appropriate matter.

### *Hearing participation*

Should Biigtigong Nishnaabeg wish to participate in the hearing, the Panel Secretariat will work with you and your community to facilitate your participation. In the interim, the Panel requests the following information, no later than January 16, 2022:

- confirmation of your intent to participate;
- contact information (e.g. email, phone numbers);
- a general description of your intended participation, including whether you will present written and/or oral information;
- whether you intend to participate in either the technical sessions, general sessions, or community sessions, or all of the above;
- your views on preferred dates and time of day for an oral presentation, if applicable;
- any additional measures related to improving internet connectivity and provision of other technical support for the hearings.

### *Sharing of information*

As an Indigenous group potentially affected by the Project, the Panel continues to invite Biigtigong Nishnaabeg to share information relating to:

- Indigenous traditional and community knowledge;
- the nature and scope of your potential or established Aboriginal and Treaty rights in the area of the Project; and
- how the predicted environmental effects of the Project may impact your potential or established Aboriginal and Treaty rights.

The Panel thanks you for the information received to date, including Biigtigong Nishnaabeg's confidential technical submission (CIAR #[904](#)). If there is any information from that submission that could be made available publicly, the Panel invites you to submit that as well.

The Panel also welcomes any additional information Biigtigong Nishnaabeg wishes to submit for consideration at the hearings including:

- outstanding concerns related to the proponent's responses to Information Requests (CIAR #[749](#), #[757](#), #[912](#), #[917](#) and #[950](#));
- outstanding concerns related to the proponent's responses to Information Requests in the Notice of Sufficiency (CIAR #[955](#)), which are expected to be submitted on or before January 14, 2022;
- recommendations for mitigation measures related to impacts on potential or established Aboriginal and Treaty rights of Biigtigong Nishnaabeg First Nation; and,
- any other information that Biigtigong Nishnaabeg finds relevant for the Panel to fulfill the requirements of its Terms of Reference.

As noted above, the Panel requests that Biigtigong Nishnaabeg provide any written hearing submission by January 31, 2022, as per the timelines in the Public Hearing Procedures (CIAR #956).

The Panel acknowledges and appreciates the Biigtigong Nishnaabeg's participation in the review to date and looks forward to your ongoing participation at the public hearing.

The attached table identifies key dates discussed above. If you have any questions regarding this letter, you are encouraged to contact Jason Patchell, Acting co-Panel Manager at [marathonminereview-examenminemarathon@iaac-aeic.gc.ca](mailto:marathonminereview-examenminemarathon@iaac-aeic.gc.ca).

Sincerely,

<Original signed by>

Debra Sikora  
Chair, Joint Review Panel

CC: Jason Boisvert

#### Table of Key Dates

Date	Activity
<b>December 7</b>	Hearing notice issued
<b>January 14</b>	Deadline for GenPGM to submit information requested in CIAR #955
<b>January 16</b>	Deadline for registering for the public hearing
<b>January 31</b>	Deadline for submitting written submissions
<b>February 15</b>	Start of the public hearing