

December 17, 2021

By email only

Chief David Mushquash
Pays Plat First Nation

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

Dear Chief David Mushquash,

On December 7, 2021, the Joint Review Panel (the Panel) established to review the Marathon Palladium Project (the Project) issued the attached notice of 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 Pays Plat First Nation 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

In establishing the start date of the hearing for the Project, the Panel 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 appreciates and thanks you for the invitation you sent on October 25, 2021 to visit the Pays Plat First Nation and to see the shores of Lake Superior (CIAR #943). However, 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 Pays Plat First Nation wish to participate in the hearing, 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; and,
- 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 Pays Plat First Nation 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 potential 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 your comments on the EIS Addendum (CIAR #894). The Panel also welcomes any additional information Pays Plat First Nation 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 on or before January 14, 2022;
- recommendations for mitigation measures related to impacts on potential or established Aboriginal and Treaty rights of Pays Plat First Nation; and,
- any other information that Pays Plat First Nation finds relevant for the Panel to fulfill the requirements of its Terms of Reference (CIAR#730).

The Panel requests that Pays Plat First Nation provide any written hearing submission by January 31, 2022, as per the timelines in the Public Hearing Procedures (CIAR #956).

The Panel recognizes that Pays Plat First Nation may wish to request confidentiality for some of its information, as indicated in previous correspondence (CIAR #288). The Panel is prepared to consider the Pays Plat First Nation's request for confidentiality, should it still wish to pursue that request, as stated in its letter to Pays Plat First Nation, dated January 28, 2021 (CIAR #734). The Panel requests that Pays Plat First Nation submit any request for confidentiality as soon as possible, and prior to submission of any Traditional Ecological Knowledge and Traditional Land Use studies or related information that are considered confidential.

The Panel acknowledges and appreciates Pays Plat First Nation'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.

Sincerely,

<Original signed by>

Debra Sikora

Chair, Joint Review Panel

CC: Jason Boisvert

Table of Key Dates

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