

IN THE MATTER OF SERVICES NO. K4450 22 1028
FOR THE MARATHON PALLADIUM PROJECT

TRANSCRIPT OF PROCEEDINGS
held virtually at Toronto
on Monday, April 4, 2022, at 9:00 a.m.

VOLUME 15
REVISED TRANSCRIPT

BEFORE: Debra Sikora, Panel Chair
Gay Drescher, Panel Member
Laurie Bruce, Panel Member

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Tracy Zanini	On behalf of Biigtigong Nishnaabeg
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Marie-Eve Lenghan	On behalf of NRCan
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Jacinth Gilliam-Price Alisdair Brown	Ministry of the Environment, Conservation and Parks
Victoria Stinson Tim Sinclair Alexandra Kosmides	On behalf of Métis Nation of Ontario
Luc Desroches Jason Boivert	On behalf of Impact Assessment Agency of Canada
Peter Rasevych	On behalf of Ginoogaming First Nation
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Also Present:

Chief Duncan Michano

Gavin Fitch	Legal counsel to the Panel
Jason Patchell	Panel manager
Robert Purdon	Panel secretariat
Youssouf Kalogo	Panel secretariat
Élyse Maisonneuve-Campbell	Panel secretariat
Kierney Leach	Panel secretariat
Dominic McRae	Panel secretariat
Isabelle Turcotte	Panel secretariat
Carys Burgess	Panel secretariat
Tracy Utting	Panel secretariat
Audrey Rooney	Panel secretariat

Sophie Regimbald
Jillian Smith
Frank Bohlken
Christine Walsh
Colin Varley

Panel secretariat
Panel secretariat

Sandra Brereton

Court reporter

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1 Virtual proceedings
2 --- Upon resuming on Monday, April 4, 2022,
3 at 9:00 a.m.

4 PANEL CHAIR: So good morning,
5 everyone, and welcome to the first day of the
6 community sessions of the public hearing for
7 the Marathon Palladium Project.

8 These sessions are intended
9 to allow Indigenous communities living in
10 close proximity to the project to present
11 their views. My name is Debra Sikora and I'm
12 the chair of the joint review panel. Joining
13 me on are my fellow panel members, Gay
14 Drescher to my left, Laurie Bruce to my right.

15 I would like to formally
16 acknowledge that we participating from Ottawa
17 and have gathered on land that is the
18 traditional unceded territory of the Algonquin
19 Anishinaabeg people. In other circumstances we
20 would all be together for this
21 acknowledgement. However, as we are all
22 joining from different traditional Indigenous
23 territories, I encourage you to take a moment
24 to reflect on the land that you're personally
25 on.

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1 My full opening remarks from
2 day 1 of the public hearing can be found in
3 the transcripts and on YouTube, so I won't
4 repeat them in their entirety today. The
5 secretariat has arranged some logistics
6 support throughout this hearing. If you have
7 any questions about the process or other
8 general procedural matters, please direct them
9 to the secretariat through the project e-mail
10 which can be found on the public registry.

11 The entire hearing will be
12 documented through transcripts prepared by a
13 court reporter. Since this is a virtual public
14 hearing, it will be important to identify
15 yourself when you speak so that participants
16 and the court reporter know who is speaking.
17 Please try to speak slowly for the benefit of
18 the court reporter and everyone else. We would
19 also ask that you ensure your name is visible
20 at the bottom of your Zoom screen.

21 The three panel members and
22 the secretariat in the Zoom meeting room will
23 have their names and titles clearly labelled
24 and visible for the duration of the hearing.

25 As a reminder, live audio and

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1 video streams and video recordings of this
2 hearing will be made available to the public
3 through YouTube. Anyone in the virtual hearing
4 room with their camera or microphones turned
5 on will be captured, and images and recordings
6 of you and your surroundings will be broadcast
7 on a publicly available YouTube video. If you
8 have concerns about this, please contact the
9 secretariat. We'll do our best to accommodate
10 any concerns while considering the need to
11 conduct an open and transparent public
12 process.

13 In the event of an emergency
14 where you are, please consider your safety
15 first, exit your location if necessary, and
16 when it's safe to do so, let us know how we
17 may assist and we'll find time to reschedule
18 your presentation if needed. We do plan to
19 take a 15-minute break mid-morning and
20 afternoon, and a one-hour break for lunch.

21 An updated hearing schedule
22 is available on the registry, and we'll hear
23 from presenters in the order in which they
24 appear in that schedule.

25 Just to cover a summary of

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1 the purpose of the community sessions. These
2 sessions are to allow Generation PGM to
3 present an overview of the project, including
4 aspects of particular interest to Indigenous
5 communities. Indigenous peoples and their
6 experts to share with the panel their views
7 and concerns related to the project, including
8 on the potential environmental and
9 socioeconomic effects of the project and on
10 the location, extent and exercise of
11 Aboriginal or treaty rights that may be
12 affected by project, and the panel, Generation
13 PGM and all participants to ask questions
14 where appropriate regarding the information
15 shared by Indigenous peoples.

16 Generation PGM is our first
17 scheduled presenter this morning followed by
18 presenters in the order in which they appear
19 in the hearing schedule. After each presenter
20 we will ask questions and then follow at the
21 end with questions for Generation PGM.

22 As with the other sessions
23 Generation PGM will also be given an
24 opportunity to provide closing remarks at the
25 end of the session.

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1 So before we begin, I do want
2 to address a couple of procedural matters from
3 the last few weeks of hearing. In particular
4 on Friday my closing -- my remarks regarding
5 -- closing remarks at the end of the hearing.
6 So in my closing remarks Friday I updated
7 participants on the approach the panel will be
8 taking related to the issue of written versus
9 oral closing remarks at the close of the
10 public hearing. I indicated that participants
11 may choose to submit written closing remarks
12 rather than appearing in the session to make
13 oral remarks. I indicated that those written
14 closing remarks would need to be filed no
15 later than the last date of the public
16 hearing. And I noted April 9th as that date.

17 I would like to correct that
18 date as the last day of the public is
19 currently scheduled for April the 13th. So to
20 confirm, the written submissions would be due
21 on April the 13th. My apologies for this
22 incorrect reference.

23 The next item relates to
24 undertakings that are being submitted to the
25 panel. There are some follow-up questions that

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1 the panel has for participants, and if time
2 permits, we'll ask some of those questions at
3 the end of today. Two of the questions are for
4 Generation PGM and related to their
5 undertaking submissions as follows:

6 The first pertaining to
7 undertaking number 5, baseline data for
8 subwatersheds 105 and 106, CIAR 1194. And the
9 second pertaining to undertaking number 22;
10 this is a U.S. EPA document referenced in
11 appendix D1 in regards to the selection of the
12 appropriate estimate of silt content on the
13 unpaved roadways associated with the project
14 used in the air quality assessment, and this
15 is CIAR 1198.

16 Undertaking number 23
17 submitted by MECP, CIAR 1207 will also be
18 referenced in our question.

19 And third, the panel does
20 have a question for Department of Fisheries
21 and Oceans pertaining to undertaking number 7
22 on northern brook lamprey. So just to give a
23 bit of a heads up if there is time at the end
24 of today.

25 So with that and before we

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1 begin presentations for this morning, I will
2 ask now if participants have any questions or
3 procedural matters they would like to raise.
4 Good morning, Mr. Barretto.

5 MR. BARRETTO: Good morning,
6 Madam Chair, panel members. Jeremy Barretto
7 for the record.

8 Madam Chair, thank you for
9 the update with respect to closing remarks. It
10 is very helpful. And Generation had one, like,
11 interpretation of the panel's feedback and
12 hearing procedures that we wanted to put on
13 the record, and we'll also reflect this in our
14 registration for the closing remarks, but we
15 wanted to give you as early notice as
16 possible.

17 Section 9(g) and (h) of the
18 public hearing procedures, which are on the
19 record as CIAR 956, set out the process for
20 closing remarks. They have been further
21 explained by your remarks today and on Friday.
22 And they permit written closing remarks or
23 oral depending on what persons choose.

24 Generation PGM is in the
25 unique position in that the panel has

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1 Barretto. I appreciate you putting that
2 forward, and the panel will consider and will
3 get back to you as quickly as possible.

4 MR. BARRETTO: Thank you.

5 PANEL CHAIR: Thank you. Are
6 there other procedural matters to be raised?
7 Okay. Right. With that, I will ask Generation
8 PGM who is our first presenter today to begin
9 their presentation. Thank you.

10 Good morning, Mr. Anwyll.

11 PRESENTATION BY DREW ANWYLL:

12 MR. ANWYLL: Good morning,
13 Madam Chair, panel members and everyone else
14 on the line this morning.

15 Could I kindly ask -- oh,
16 there we have it. There's our community
17 presentation. I'm going to go over in brief
18 detail some of these slides which I have only
19 addressed in the very first session. So if we
20 can proceed to the next slide, I would
21 appreciate that.

22 So again, today we'll review
23 largely some of the community and Indigenous
24 consideration.

25 Next slide, please.

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1 Again, GenPGM acknowledges
2 that BN, Biigtigong Nishnaabeg exerts --
3 asserts exclusive Aboriginal title to the
4 territory in which the project is located and
5 recognize that BN did not enter into nor
6 adhere to the Robinson Treaty of 1850. We've
7 seen this slide before, and I will not speak
8 for BN, but I would welcome all of the folks
9 to read through this slide again.

10 Proceed to the next slide,
11 please. And next slide, please.

12 So in this week we'll have a
13 number of technical experts, the Generation
14 PGM witness panel which include myself, Drew
15 Anwyll. We'll have Jeremy Dart, Cathryn
16 Moffett and Tabatha LeBlanc. And from the
17 independent technical witnesses we'll also
18 have Brian Fraser, Craig Hall, Ron Nicholson,
19 Dr. Rob Foster, George Hegmann, Don Hart,
20 Hilary Janes, Kristin Drewes and Jon Pounder
21 available to provide witness and commentary to
22 these sessions.

23 Next slide, please.

24 So the GenPGM vision and
25 corporate goals are to develop and grow in a

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1 sustainable manner to achieve benefits to the
2 region, to operate responsibly and in a safe
3 work environmental, and we believe we can with
4 our communities to develop mutually beneficial
5 and respective -- respectful relationships
6 with the communities, Indigenous communities,
7 the town of Marathon and all of the groups.
8 This project has the opportunity that we are
9 providing critical minerals for both Canada
10 and Ontario which will help grow the low
11 carbon environment going ahead.

12 Next slide, please.

13 Again we can skip this slide,
14 but I think we all acknowledge where the
15 project is located. It's on the top of Lake
16 Superior.

17 Next slide, please.

18 The infrastructure in the
19 region is very good. There's rail lines,
20 Highway 17. There's a small municipal airport
21 with the town of Marathon about 10 kilometres
22 away, and the community of Biigtigong
23 Nishnaabeg about 20 kilometres away from the
24 project to their community of which it's about
25 9 kilometres from the edge of their community

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1 to the edge of our claim block, and we
2 certainly acknowledge that we're on their
3 traditional land.

4 Also connecting the project
5 to Biigtigong Nishnaabeg is the Biigtig Zibi,
6 the Pic River. We acknowledge the importance
7 of this to the community from both a spiritual
8 and a cultural aspect that was present in the
9 past and will be present in the future. We do
10 not underestimate the impact that this river
11 has on that community.

12 Next slide, please. I'll
13 speak a little bit about the mine design and
14 the general site layout.

15 The project is an open pit
16 mine arrangement which will be mined in three
17 pits. The north pit which is intended to go
18 for the life of the asset for about 12 years,
19 12.7 years, and we target mining the south pit
20 first. The south pit contains a higher portion
21 of the PGM minerals, largely palladium, so we
22 do target that for bringing the highest value
23 minerals as far forward as we can. So we mine
24 that pit in the first six years. And what that
25 does is that largely, in the mining plan we

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1 have it de-risks the metal price.

2 We acknowledge that PGMs are
3 extremely useful in the current treatment of
4 catalytic converters in internal combustion
5 engines, and more specifically in the future
6 we'll -- there's an increased demand for the
7 PGM minerals in the catalytic converters of
8 hybrid engines. So we bring that pit as far
9 forward as we can, and it also allows us to
10 use that as an extension of the MRSA which
11 decreases the truck cycle times, which means
12 that the trucks move in a shorter distance,
13 which decreases the diesel burn, which reduces
14 the greenhouse gas.

15 We've also located the mine
16 rock storage area with specific design to
17 minimize the impact to various subwatersheds.
18 In the previous iterations the mine rock
19 storage area, which is the yellow figure to
20 the east or the right of those three magenta
21 pits, so that's where the non-ore material is
22 stored. We specifically designed that to
23 minimize its footprint, as I said.

24 We've also -- if you go to
25 the little blue shapes that are just to the

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1 east and again the right of the mine rock
2 storage area, those are the catchment ponds,
3 and that water is not released during normal
4 operations during either construction nor
5 operation, and that's pumped back to the east
6 and into the PSMF and water management
7 structures. The PSMF is the brown shape to the
8 west or to the left side of the figure, and
9 that's where the process solids are stored.

10 Again, we've used that design
11 and we've changed that design from past
12 iterations to be cognizant as we've heard over
13 the previous weeks of how the impact of
14 environment will change the site, so we have
15 had acknowledgement of that.

16 Before I go away from the
17 main operation, in the yellow largely in the
18 centre of the figure we've put a crushing
19 location, the satellite crusher which again
20 allows for us to shorten the haulage cycle of
21 the trucks to manage that -- the diesel burn
22 and the greenhouse gas, and that is linked to
23 the olive rectangular shape in the -- largely
24 the centre of the figure which is the
25 footprint for the processing plant.

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1 The processing plant itself
2 is a fairly straightforward largely
3 conventional open -- or excuse me, processing
4 plant with the front end of the combination
5 (ph) circuit which is the crushing and
6 grinding, fairly straightforward and nothing
7 exotic about it, and the back end of the plant
8 is -- extracts and produces a copper PGM
9 concentration through floatation.

10 Next slide, please.

11 With regard to the
12 environmental impact statement, this project
13 has been going for a number of years with the
14 previous proponent. It's actually been going
15 for over 15 years of consultation and
16 engagement with input from communities, the
17 public and regulators. In fact, we've had a
18 number individuals from the technical side on
19 this project for those -- for that period of
20 time.

21 Designs detail within the EIS
22 and the EIS addendum are robust -- include
23 robust effects assessment. An updated
24 technical study demonstrates that this project
25 can comply with federal and provincial

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1 regulatory requirements, and we are committed
2 to the ongoing dialogue and implementation of
3 commitments and redefining those commitments
4 as needed with the communities.

5 With the mitigation and
6 environment protection measures, the project
7 is not predicted to result in adverse
8 environmental effects or -- nor significant
9 adverse cumulative effects.

10 We've modelled this
11 operation, should it be approved, with the
12 mitigation measures and verified follow-up
13 programs that include adaptive management for
14 the operation.

15 And at this point, next
16 slide, please, I'll hand over to the next
17 presenter please. Cathryn Moffett.

18 PRESENTATION BY CATHRYN MOFFETT:

19 MS. MOFFETT: Hello. Thank
20 you, Drew. My name is Cathryn Moffett for the
21 record.

22 I've been working on the
23 community engagement program for GenPGM since
24 October to 2020. I have really enjoyed the
25 opportunity to get to know the people from

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1 various communities over the past year and a
2 half. I've learned a lot from working with
3 them and their consultants. Doing my best to
4 understand their concerns and involve them in
5 the company's environmental management and
6 planning.

7 The following slides provide
8 overview of the work undertaken through the
9 past 18 years with a focus on recent
10 activities.

11 As Chair Sikora mentioned,
12 the main purpose of these next few day is to
13 allow communities to present their views. I
14 look forward to that and welcome that and in
15 no way am trying to speak for communities over
16 the next few slides.

17 Please go to the next slide.
18 Thank you.

19 A list of 16 Indigenous
20 communities with a potential interest in the
21 project was provided to GenPGM by the Crown
22 Consultation Team in 2021. All of these
23 communities were notified of the project. Of
24 the 16 notified communities seven have stated
25 their ongoing interest in the project and

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1 continue to be engaged. Biigtigong Nishnaabeg
2 is our closest neighbour, and as noted they
3 have asserted exclusive title to the land
4 where the project is located.

5 We thank Biigtigong
6 Nishnaabeg for sharing the drum with us during
7 the opening ceremony of this hearing and for
8 Chief Michano's words. Thank you also to
9 Juanita and Brittany for leading the
10 environmental committee, and to Tracy and Jody
11 for your ongoing participation in project
12 engagement as well as the presentations you've
13 provided throughout these hearings. We've
14 heard a lot from you about the importance of
15 the Pic River and the need to protect its
16 waters, fish and wildlife. Your comments have
17 included specific environmental projects and
18 initiatives that will be incorporated into
19 GenPGM's planning.

20 In addition to the Biigtigong
21 Nishnaabeg, communities to the north, west and
22 east have also stated their interest in the
23 project. Please note as well that Métis
24 communities are not represented on this map as
25 they identify with regions rather than

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1 specific points on a map.

2 Next slide, please.

3 This table provides a list of
4 the seven communities who have been recently
5 engaged in the project. The table shows their
6 approximate distance to the project and their
7 relative interest in the project as determined
8 by the Crown Consultation Team. Biigtigong
9 Nishnaabeg is our closest neighbour and was
10 determined by the Crown to have a 'high plus'
11 designation. Again, we look forward to hearing
12 more from Biigtigong Nishnaabeg today and
13 throughout the week.

14 Pays Plat was identified as
15 having a high interest in the project. We've
16 also heard from Pays Plat throughout the
17 hearings. Thank you to Deb King and Sebastian
18 Belmar for your ongoing participation in the
19 project and your presentations during the
20 hearings on the importance of Lake Superior,
21 water quality, fish, cumulative effects and
22 wildlife. We look forward to hearing more from
23 Pays Plat and their community members on
24 Friday.

25 Not that Pic Moberg was

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1 identified as having a 'high minus' potential
2 interest by the Crown, they have stated that
3 they support the project but have no interest
4 in being actively engaged as per their letter
5 on the record.

6 The Métis Nation of Ontario
7 will be presenting later today. Thank you to
8 Victoria, Lexi, Tim Sinclair and the regional
9 consultation team for your ongoing interest in
10 the project.

11 Red Sky Métis Independent
12 Nation has also been participating and
13 engaging in the project but does not plan to
14 speak this week. However, I wanted to thank
15 Donelda for your ongoing participation and for
16 your letter of support that's found on the
17 record.

18 Jackfish Métis have been
19 engaged in the project long-term as well and
20 stated their support for the project as noted
21 in their letter on the record. Thank you to
22 Jon MacDonald from Jackfish words earlier in
23 the hearing.

24 Ginoogaming First Nation has
25 also been engaged in the project. Thank you,

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1 Calvin and Peter and Marianne. We look forward
2 to hearing more from you later today.

3 Thank you to Drs. McCarthy
4 and Fitz who work with Michipicoten for your
5 participation in the water quality session
6 earlier in the hearings, and thank you to John
7 Kim Bell from Michipicoten for your ongoing
8 participation and interest in the project. We
9 also look forward to hearing more from
10 Michipicoten First Nation later today.

11 Next slide, please.

12 As we know the duty to
13 consult Indigenous people rests with the
14 Crown, and GenPGM does not attempt to replace
15 that duty. GenPGM has undertaken procedural
16 aspects of consultation, including an
17 engagement program which acknowledges the
18 potential level of interest identified by the
19 Crown and the communities themselves.

20 The illustration on this
21 slide references a consultation spectrum which
22 requires that a proponent adjust their level
23 of community engagement proportional to the
24 respective community's level of interest.
25 We've attempted to do this, and engagement

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1 activities can -- have ranged from informing
2 to empowering. Empowering which can encompass
3 even a co-management approach to environmental
4 management.

5 Next slide, please.

6 The EIS addendum organizes
7 community engagement activities into four
8 phases dating back to 2004.

9 Phase 1 is the first 10 years
10 of community engagement which informed the
11 original EIS published in 2014. The project
12 then moved into an interim exploration stage
13 for a number of years as represented by phase
14 2. When the EIS was restarted in 2019, phase 3
15 began and is detailed in the EIS addendum.
16 Phase 4 is defined as detailed design and
17 permitting. However, there is some overlap
18 with phase 3 as we know we can only move fully
19 into phase 4 if and when the EIS is approved.

20 Next slide, please.

21 The following slides will
22 provide further detail on engagement
23 activities organized by key topics and
24 followed by a summary of activities with each
25 community.

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1 Next slide, please.

2 The goal of the community
3 engagement program was to understand topics of
4 concern and find solutions that reflect
5 community values. This was accomplished
6 through regular meetings of established
7 environmental committees. The committees
8 included community staff members and
9 consultants as well as technical experts and
10 periodic regulatory participation. Capacity
11 funding was provided for community
12 participation and technical review. GenPGM has
13 committed to sharing reports and information
14 prior to regulatory submissions and seeks to
15 undertake community visits and provide site
16 tours to each community on an annual basis.

17 The focus of recent
18 discussions have been guided by both community
19 interest and regulatory requirements and have
20 included discussions on closure planning,
21 country foods, caribou, fish and water.

22 Next slide, please.

23 The conceptual closure plan
24 that was included in the EIS addendum was used
25 as a starting point for ongoing discussions

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1 with communities. Regular committee meetings
2 took place to discuss closure planning,
3 including a regulatory process overview
4 provided by ENDM. The conceptual closure plan
5 was updated in December 2021 and shared with
6 communities in preliminary draft form for
7 their review. Written comments have been
8 received from one community.

9 The closure presentation was
10 also provided directly to Biigtigong
11 Nishnaabeg's chief and council, and a broader
12 community meeting with -- at Biigtigong
13 Nishnaabeg is tentatively planned to take
14 place this spring. Follow-up discussions on
15 closure with other communities also occurred,
16 and a general description of the closure plan
17 was provided in newspaper publications as well
18 as on posters at community events.

19 Finally a draft consultation
20 plan was provided to ENDM to guide further
21 engagement activities which will inform the
22 ongoing provincial regulatory process.

23 Next slide, please.

24 The EIS addendum also
25 included a conceptual fisheries compensation

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1 plan. This plan was the subject of discussion
2 at several environmental committee meetings
3 and was revised to include some of the
4 feedback received as shown in the updated plan
5 published in January 2022.

6 GenPGM's fisheries biologist
7 attended several committee meetings to hear
8 directly from community members and answer
9 technical questions. Two community-based
10 aquatic project proposals were received from
11 Biigtigong Nishnaabeg. The brook trout
12 hatchery project and the aquatic monitoring
13 program as we have heard reference to in
14 earlier sessions. These proposals have been
15 accepted by GenPGM subject of course to
16 regulatory approvals that may be required for
17 hatchery activities.

18 GenPGM also received fish
19 compensation project ideas from Ginoogaming
20 First Nation and Pays Plat First Nation. These
21 ideas have also been generally accepted by
22 GenPGM, but do currently require a further
23 detailed understanding.

24 GenPGM has also been engaging
25 directly with DFO on our fisheries, planning

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1 and a tripartite fisheries meeting took place
2 between GenPGM, Biigtigong Nishnaabeg and DFO
3 as detailed on the record.

4 A public request for
5 fisheries habitat opportunities was published
6 in the local newspapers and resulted in
7 identification of potential regional projects
8 which have also been considered in the updated
9 fisheries plan.

10 The final fisheries plan is
11 still underway and will be revised to
12 incorporate feedback we have heard from
13 various communities and regulators prior to
14 finalizing.

15 Next slide, please.

16 Caribou has been a topic of
17 discussion throughout the environmental
18 committee meetings and efforts have been made
19 to include and incorporate community and
20 regulator feedback. A full government review
21 team first attended a GenPGM meeting on
22 caribou in December 2021. Meetings with
23 regulators have included discussions with MECP
24 species at risk, MNRF roads, as well as
25 recently Environment Canada discussions.

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1 Specific strategies, initiatives and potential
2 community-focused benefits for caribou have
3 been provided by Biigtigong Nishnaabeg and
4 their wildlife biologist. Michipicoten First
5 Nation has a standing caribou committee, and
6 GenPGM met with them to hear from their
7 experts who also shared a fulsome caribou
8 report with recommendations.

9 A tripartite meeting with
10 GenPGM, MECP's species at risk and
11 Michipicoten First Nation occurred shortly
12 before the hearings began as noted on the
13 record.

14 Additional caribou mitigation
15 measures have been developed through this
16 consultation and are currently under
17 consideration as summarized here and provided
18 in further detail in undertaking 20.

19 Next slide, please.

20 The following slide is a
21 summary of engagement activities that have
22 taken place with Biigtigong Nishnaabeg
23 throughout the four phases of the project.
24 Note that a series of broader community events
25 have taken place in person and on-line,

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1 including a site ceremony where government
2 representatives were present.

3 In phase 1 GenPGM worked with
4 Biigtigong Nishnaabeg to develop a list of
5 valued ecosystem components and support their
6 traditional ecological knowledge studies.
7 Biigtigong was also included in phase 3 of the
8 development of the EIS addendum which was
9 reviewed in part by their technical team prior
10 to regulatory submission.

11 Phase 4 of the engagement
12 activities include -- does include some work
13 that was not fully captured in the April 2021
14 EIS addendum and will continue to inform the
15 environmental permitting stage.

16 The Biigtigong Nishnaabeg
17 environmental committee was established in
18 September 2021 and has met biweekly since that
19 time. The information shared by the committee
20 has allowed for the incorporation of community
21 led fisheries projects into the compensation
22 planning. A dietary survey was developed by
23 the committee and provided directly to
24 community members to inform the country foods
25 study.

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1 As mentioned earlier as well,
2 a review of the closure plan was provided by
3 Biigtigong Nishnaabeg, and further
4 recommendations on the EIS addendum were also
5 shared.

6 Biigtigong Nishnaabeg has
7 included their wildlife biologist in committee
8 meetings, and a variety of caribou
9 conservation strategies have been proposed.
10 Many comments and technical reviews have been
11 provided by Biigtigong Nishnaabeg, some of the
12 which we have heard throughout the hearings.
13 The following slides provide a summary of the
14 key comments included in their March 2022
15 submission. These slides are not intended to
16 be comprehensive.

17 GenPGM understands that
18 additional comments, concerns and
19 recommendations exist, and we are committed to
20 working together with BN to resolve these
21 comments. GenPGM is seeking a co-management
22 environmental approach with Biigtigong
23 Nishnaabeg which will include participation in
24 environmental monitoring and review of
25 environmental monitoring plans.

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1 Next slide, please.

2 The three key requests
3 summarized in this table are focused on
4 protection of the water. We've heard from
5 Biigtigong Nishnaabeg about the great
6 importance of the Pic River, and their request
7 that mine water be diverted away from the
8 river for all stages of the project. The
9 project's closure phase currently includes
10 passive discharge through the MRSA as the
11 technically feasible alternative that can
12 remain protective of aquatic health. GenPGM is
13 committed to ongoing discussions to identify a
14 socially acceptable water management plan for
15 the closure phase of the project.

16 Water treatment prior to
17 discharge during operations is an existing
18 commitment, and the target parameters have
19 been identified as total suspended solids and
20 phosphorus.

21 The project will also require
22 an industrial sewage ECA to allow for water
23 discharge to Hare Lake which will be reviewed
24 by Biigtigong Nishnaabeg prior to regulatory
25 submission. GenPGM has also agreed to support

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1 Biigtigong Nishnaabeg's aquatic monitoring
2 program which includes monitoring for both
3 mercury and methylmercury.

4 Next slide, please.

5 Biigtigong Nishnaabeg has
6 requested that the project's water management
7 approach be a closed loop to reduce
8 environmental interaction with the PSMF and
9 process reagents. This alternative is being
10 evaluated. Caribou mitigation measures have
11 been suggested by Biigtigong Nishnaabeg and
12 are being incorporated actively into the
13 overall benefit planning for the project.

14 Next slide, please.

15 Biigtigong Nishnaabeg is
16 being included in the fish compensation
17 planning and, as I mentioned, has contributed
18 two proposals which are included in the draft
19 compensation plan. The community has also
20 expressed the importance of end land use
21 planning and their direct participation in the
22 closure phase of the project. As discussed,
23 this is ongoing. Written comments have been
24 received on the draft preliminary plan, and a
25 broader community event has been tentatively

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1 scheduled for spring 2022.

2 Next slide, please.

3 In March Biigtigong also --
4 and during the hearings Biigtigong provided
5 some requests regarding reporting on accidents
6 and malfunctions and a recommendation for an
7 independent tailings review board. These
8 recommendations are accepted by GenPGM.

9 Again, we know that
10 additional comments and concerns remain as
11 stated by their representatives throughout the
12 hearings. We've received a number of written
13 comments and are working to incorporate them
14 into our plans and permitting. We look forward
15 to the resumption of Biigtigong Nishnaabeg
16 environmental committee once the hearings are
17 complete and building a long-term relationship
18 with our important partners.

19 Next slide, please.

20 The following slide provides
21 a summary of engagement activities with Pays
22 Plat over the four phases of the project.
23 Phase 1 included provision of capacity funding
24 for the community's traditional land use study
25 and a community site to tour. Community

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1 members also visited the site during phase 3
2 as pictured on the slide here.

3 An environmental committee
4 was established with Pays Plat in November
5 2021, and regular meetings have taken place.
6 GenPGM also provided plain language
7 information about the project for the Pays
8 Plat community website and large scale copies
9 of project maps to inform their members and
10 staff.

11 Next slide, please.

12 Pays Plat has spoken
13 throughout the hearings to share their
14 comments and concerns. They also provided
15 written comments in July 2021 which are
16 summarized here, and brief responses are
17 provided which were shared with Pays Plat in
18 February.

19 The Pays Plat requests
20 include a discussion on exploration properties
21 which are not part of the project description.
22 GenPGM does, however, provide regular updates
23 to Pays Plat and all communities about our
24 ongoing exploration projects and activities.

25 Pays Plat requested further

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1 studies of fish and benthics take place. These
2 are planned for spring 2022.

3 The Pays Plat community would
4 like to be included in fish compensation
5 planning and have stated some concerns with
6 proposed offset measures. GenPGM is committed
7 to supporting community-based projects that
8 Pays Plat proposes, including a potential
9 research project on fish movement proposed by
10 Canada Research chair Mike Rennie.

11 Next slide, please.

12 Pays Plat also requested
13 further clarity on assessment methods and
14 baseline studies. Some of these concerns were
15 summarized in the presentations we've heard
16 from Sebastian Belmar. Their concern about
17 lack of traditional knowledge was being
18 incorporated into the EIS, was partially
19 addressed through the provision of additional
20 capacity funding and the establishment of an
21 environmental committee. GenPGM is committed
22 to supporting Pays Plat in their ongoing
23 studies and project review.

24 Next slide, please.

25 Historic Northern Lake

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1 Superior Métis are represented by a local
2 president Métis Nation of Ontario (region 2)
3 consultation committee as well as
4 environmental staff. I look forward to hearing
5 more from them later today and apologize for
6 their omission during the first day of the
7 hearings.

8 The following summary shows
9 the key engagement activities that took place
10 with the Historic Northern Lake Superior Métis
11 and the MNO.

12 Phase 1 activities included
13 receiving input on valued ecosystem components
14 and the completion of a traditional knowledge
15 study. During phase 3 staff members regularly
16 attended regional environmental committee
17 meetings. MNO representatives were also
18 present at the public event held in Thunder
19 Bay hosted by GenPGM to share information
20 about the project and the EIS.

21 Meetings with the region 2
22 consultation committee have also taken place
23 throughout 2021, and a consultation plan was
24 put in place in November 2021.

25 Next slide, please.

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1 The Métis Nation of Ontario
2 will give a presentation today highlighting
3 their comments and concerns, and we look
4 forward to hearing directly from them. A
5 summary of some of the concerns they provided
6 in June is shown in this table which focus on
7 EIS process and ongoing incorporation of their
8 comments into environmental planning. GenPGM
9 is committed to continue working with MNO for
10 a deeper understanding of the Métis way of
11 life and to address their concerns about water
12 quality, dust management and harvesting.

13 Next slide, please.

14 Red Sky Métis Independent
15 Nation have been active in the environmental
16 -- regional environmental community and
17 provided a letter of support for the project
18 in July of 2021.

19 A community event was hosted
20 with Red Sky Métis in Thunder Bay in August,
21 and members also attended the public event
22 held in October 2021.

23 Next slide, please.

24 Ginoogaming First Nation will
25 be speaking later today, and we look forward

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1 their comments. This community are relatively
2 new to the project -- to the process and have
3 been attending monthly environmental
4 committees -- meetings since July of 2021.
5 Ginoogaming has provided GenPGM with advice
6 about effective information sharing, and
7 project fact sheets were mailed directly to
8 the community in November of 2021.
9 Opportunities for fish compensation projects
10 were provided by the Ginoogaming First Nation
11 and a chief and council meeting has been
12 tentatively scheduled for the end of this
13 month.

14 Next slide, please.

15 Michipicoten First Nation
16 have shared their comments during the water
17 quality session and will also be speaking
18 again later today. We look forward to hearing
19 their additional comments. This community is
20 also relatively new to the process and have
21 been attending monthly committee meetings
22 since May 2021.

23 Michipicoten has provided
24 comments regarding caribou mitigation planning
25 and other environmental planning topics such

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1 as closure and water management. We thank them
2 for their ongoing participation in the
3 project.

4 I would like to pass it over
5 now to my colleague, Tabatha LeBlanc, who will
6 discuss Indigenous considerations assessment
7 provided in the EIS addendum.

8 PRESENTATION BY TABATHA LEBLANC:

9 MS. LEBLANC: Thank you,
10 Cathryn. If we can proceed to the next slide,
11 please.

12 Good morning, Panel Chair
13 Sikora and Panel Members Bruce and Drescher
14 and to all participants today. My name is
15 Tabatha LeBlanc for the record, and I'm going
16 review the Indigenous considerations chapter
17 of the EIS addendum.

18 First, I would like to begin
19 the presentation with a quote found in CIAR
20 1048 by Biigtigong Nishnaabeg who states:

21 "Discussions of Indigenous
22 land uses, rights, culture and related topics
23 and any impacts to Indigenous land uses,
24 rights, cultures and related topics should be
25 led by Indigenous nations themselves in

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1 community sessions. These topics are not
2 appropriate discussions for broader technical
3 or topic-specific sessions featuring
4 non-Indigenous presenters."

5 GenPGM respects and agrees
6 with this statement. I do not have Indigenous
7 knowledge or traditional speakings or
8 teachings to speak of as an expert on
9 traditional land uses or practices and have
10 kept this in mind from the very beginning my
11 involvement in this project.

12 With this perspective, GenPGM
13 has built relations and many friendships with
14 Indigenous communities and members to become
15 aware of Indigenous traditional activities,
16 knowledge, land uses that have the potential
17 to be affected by the project.

18 With this feedback and
19 information and science-based knowledge,
20 GenPGM collaborated with communities to avoid,
21 reduce and mitigate potential effects and to
22 better understand how the project could affect
23 Biigtigong Nishnaabeg's Aboriginal rights and
24 interests and other Indigenous communities
25 identified by the Crown whose rights could be

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1 potentially impacted.

2 Next slide, please.

3 Feedback and comments
4 received over these past 18 years provided by
5 Biigtigong Nishnaabeg and other potentially
6 affected Indigenous communities have been
7 considered and incorporated in the EIS, EIS
8 addendum and other EA documentation.

9 As Ms. Moffett mentioned,
10 engagement and consultation will continue to
11 play an essential role in the project and
12 guide decision-making going forward.

13 Since commencing the project,
14 it was recognized that Biigtigong Nishnaabeg
15 asserts exclusive title to the territory in
16 which the project is located. Indigenous
17 communities have rights recognized under
18 Section 35 of the Canada *Constitution Act* and
19 were considered in the EIS guideline CIAR 150.
20 The guidelines also recognizes that
21 traditional ecological knowledge and
22 traditional land use and science-based
23 knowledge can differ. On their own or in
24 combination other information, both are
25 valuable in achieving better understanding of

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1 negotiations and agreements have not been
2 disclosed.

3 Although at a high level the
4 objective is to maximize community
5 participation and benefits throughout the life
6 of the project, some agreements and
7 negotiations are certain with specific
8 commitments and frameworks outlining
9 expectations of the final agreement and others
10 are ongoing. All include community-specific
11 mitigation and protective measures and
12 monitoring to reduce the impact on the
13 community's ability to continue exercising
14 their rights.

15 Next slide, please.

16 As presented in our earlier
17 slides, there has been extensive consultation,
18 engagement, meetings, discussion, dialogue and
19 negotiations by the past proponent and GenPGM
20 to listen and understand perspective concerns
21 and feedback from communities.

22 The proponent, in
23 collaboration with Biigtigong Nishnaabeg and
24 other Indigenous communities as well as local
25 municipalities, hosted large public

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1 information sessions to present the project,
2 discuss alternatives, explain the EA process,
3 gather traditional ecological knowledge and
4 traditional land use information and create a
5 list of valued ecosystem components. This
6 included eight large public information
7 sessions, town halls in which communities were
8 invited to attend in Marathon and Thunder Bay.
9 Large community-specific sessions occurred at
10 well. They varied from community to community
11 and are detailed for the record in EIS in
12 chapter 4 and the EIS addendum in chapter 5.

13 Once a list of potential
14 valued ecosystem components was drafted, in
15 some cases by the communities themselves, it
16 was then circulated to all interested
17 communities for feedback. The studies
18 provided, and the VECs confirmed and supplied
19 by Indigenous communities, are detailed in the
20 next slide.

21 The proponent supported
22 community participation throughout the EA
23 process and continues to support communities
24 today and will continue to support them in the
25 future.

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1 Next slide, please.

2 So this is table 6.2.12-3. It
3 is found in the Indigenous considerations
4 chapter of the EIS addendum, CIAR 727. The
5 table summarizes what information was
6 collected and when it was received, including
7 TEK and traditional land use studies, detailed
8 GIS mapping, technical reports and
9 confirmation of VECs by each Indigenous
10 community. The VECs and other data such as the
11 mapping of TEK and TLRU informed the design
12 and the footprint of the project and guided
13 the development of the baseline studies. Many
14 of these reports, maps and other data were
15 provided to GenPGM and the previous proponent
16 in confidence.

17 From 2009 to 2011 the
18 proponent met with and held information
19 sessions with public, Indigenous communities
20 and the government on the project
21 alternatives, baseline studies and explained
22 the EA process.

23 A preliminary list of VECs
24 was shared with Indigenous communities, and
25 the final list of VECs was confirmed by

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1 Indigenous communities in 2011 or 2012 -- or
2 early 2012. For the EIS addendum communities
3 were asked to provide updates and many
4 Indigenous communities did not see any
5 significant change to the project that would
6 require an update to VECs, and instead they
7 chose to focus on technical reviews.

8 Through an examination of
9 these reports and detailed maps, it is clear
10 that Biigtigong Nishnaabeg has extensive
11 traditional land and resource use in the site
12 study area and the local study area for the
13 project, including their community trap line,
14 TR022.

15 With VECs confirmed and
16 reconfirmed, baseline sampling was conducted
17 and reports updated, and the EIS addendum was
18 prepared. The determination of significance of
19 effects to Indigenous consideration valued
20 ecosystem components was guided by the
21 residual effects findings of each of the
22 relevant biophysical VECs and feedback
23 received from Biigtigong Nishnaabeg and other
24 potentially affected Indigenous groups.

25 The list of biophysical VECs

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1 are illustrated in 6.2.12-1 in the EIS
2 addendum. The biophysical VECs included as
3 atmospheric, acoustic, water quality and
4 quantity, fish and fish habitat, terrain,
5 soils, vegetation, wildlife, species at risk,
6 socioeconomic and culture, human health and
7 physical and cultural heritage resources.

8 Socioeconomics was listed as
9 a VEC. That informed the assessment of
10 potential effects on Indigenous
11 considerations. However, the assessment to
12 address the effects of the project on labour,
13 economy and community services for Indigenous
14 communities was not carried through the
15 Indigenous consideration's assessment.
16 Instead, they were provided in the
17 socioeconomic section 6.2.9 of the EIS
18 addendum. Fishing, hunting, trapping,
19 gathering, recreation, mental, physical and
20 spiritual health were considered in the
21 Indigenous consideration assessment.

22 Shown here on the table are
23 specific Indigenous consideration valued
24 ecosystem components and their potential
25 effects pathways. The three primary Indigenous

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1 extent possible while avoiding waterways,
2 waterbodies, navigation routes and trails used
3 by Indigenous communities or that have been
4 identified as culturally or spiritually
5 important.

6 For example, optimizing the
7 design further by utilizing open pits for
8 storing mine rock, aligning infrastructure
9 within watershed boundaries, the rerouting of
10 the site access road away from Pic River and
11 reducing the mine rock storage area footprint.
12 The design of the project was completed with
13 the natural landscape in mind using
14 topographical low areas blended with the
15 surrounding height of land and vegetation
16 buffers within forested areas to break lines
17 of site and sound to limit sensory disturbance
18 points all with the goal to achieve human
19 health criteria at the project boundary and
20 special receptors.

21 Other mitigation measures
22 include: No restrictions on the initial
23 portions of Camp 19 Road and reducing speed to
24 protect public, allowing some controlled
25 access to communities north of the SSA by

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1 developing a protocol; where mitigation and
2 avoidance are not possible, compensate for
3 potential impacts to Indigenous rights and
4 interests such as loss of access, economic
5 benefits of trapping and use of the portion of
6 Biigtigong Nishnaabeg's community trap line
7 within the SSA; ongoing engagement with BN and
8 Indigenous communities on land use, heritage,
9 closure planning, fisheries, offset and
10 country foods monitoring and designing
11 follow-up monitoring and management plans with
12 Biigtigong Nishnaabeg and other communities.

13 It was also recognized in
14 early 2021 that mitigation discussions were
15 occurring between Biigtigong Nishnaabeg and
16 the Crown for current and historic impacts in
17 ongoing alienation of Biigtigong Nishnaabeg's
18 Aboriginal title and Aboriginal rights area
19 and in their community.

20 Next slide, please.

21 So the next three slides
22 highlight the assessment results. Impacts to
23 traditional land and resource use will occur
24 throughout the construction and operations
25 phase of the project and will be remediated to

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1 to travel routes for harvesting.

2 During the closure phase
3 restrictions will be lifted. Closure planning
4 is underway, as Ms. Moffett highlighted
5 earlier, with Indigenous communities, and the
6 closure landscape will be -- influenced by
7 these ongoing consultation efforts.

8 Next slide, please.

9 The assessment recognizes
10 that impacts on heritage and archeological
11 resources and Indigenous health will occur,
12 again, during the construction, operations
13 phase and will be remediated to the extent
14 possible during closure.

15 For heritage and
16 archeological resources there will be a loss
17 of cultural and spiritual experiences
18 associated with land, travel routes in the
19 SSA. There are also sensory disturbances to
20 cultural and spiritual experiences on the
21 waterways such as the Biigtig Zibi, Angler
22 Creek and other waterways within the local
23 study area.

24 A high level potential
25 archeological area has been identified in the

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1 location of the Hare Lake discharge, and it's
2 important to note that GenPGM has committed to
3 conducting further assessment of this area in
4 2022. A plan will be developed to ensure that
5 if heritage and archeological resources are
6 identified that Indigenous communities will be
7 notified.

8 With Indigenous health,
9 GenPGM has updated predictions for the human
10 health effects, and the results indicate
11 minimal risk. However, we have heard from
12 Biigtigong Nishnaabeg and other communities
13 that there are concerns with background levels
14 of constituents of potential concern and
15 pathways and country foods associated with
16 consuming fish.

17 Additional fish tissue
18 sampling has been undertaken, and GenPGM is
19 working with Biigtigong Nishnaabeg and other
20 Indigenous communities through the
21 environmental committees to establish a
22 country food monitoring program.

23 Finally, there will be
24 residual effects on surface water and
25 project-related emissions, but these are not

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1 expected to exceed human health benchmarks.

2 Next slide, please.

3 So in summary, some residual,
4 adverse effects on Biigtigong Nishnaabeg and
5 other Indigenous communities remain due to the
6 project. We acknowledge that the Crown has
7 been in negotiations with BN on mitigation
8 measures to address current conditions in the
9 community and the alienation of traditional
10 territory of Biigtigong Nishnaabeg, and those
11 discussions are reflected in the preliminary
12 Crown consultation report.

13 The prediction of
14 significance was guided by residual effects
15 findings of each relevant valued ecosystem
16 component. With the implementation of
17 mitigation of both GenPGM and the Crown and
18 environmental protection measures, residual
19 adverse effects of the project on Indigenous
20 considerations were deemed not significant.

21 This does not mean that
22 GenPGM doesn't recognize the importance of the
23 land and the water like the Biigtig Zibi,
24 Angler Creek and Bamooos Lake, as well as the
25 air and animals to Indigenous people or the

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1 spiritual and cultural value. Within the
2 residual effects characterization table
3 6.2.12-8 of CIAR 727 and throughout the
4 assessment, there's recognition of high
5 effects to VECs identified by Indigenous
6 communities and the reason for comprehensive
7 mitigation and environmental protection
8 measures being implemented for the project.

9 Feedback and concerns that
10 have been received have been considered and
11 are reflected in our actions to modify design,
12 our commitments to environmental protection
13 and a willingness to learn more from
14 communities and engage in discussions on
15 benefits to accommodate potential impacts that
16 are unavoidable.

17 Next slide, please.

18 Building from an earlier
19 slide, the Crown Consultation Team began
20 discussions and negotiating proposed
21 mitigation measures in 2021.

22 The CCT released its
23 preliminary report, CIAR 1083. It's GenPGM's
24 understanding that this report is in stage 4
25 of the Crown's guidance process identifying

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1 pathways of impact from the project. In
2 reviewing section 6 of the preliminary report
3 it does provide conclusions on severity of
4 impact and not just pathways. GenPGM
5 acknowledges that the Crown does not have
6 access to many of the confidential studies,
7 agreements and negotiations between GenPGM and
8 BN and other Indigenous communities which
9 could also influence their conclusions on
10 severity of impacts.

11 The report is forward
12 looking, and many recommendations for GenPGM
13 are currently being advanced, such as overall
14 benefits for species at risk, fisheries
15 compensation, closure planning and other
16 accommodations.

17 As well, the Crown has been
18 identified as a responsible party for many
19 mitigation measures listed in their report.
20 These mitigation measures have not been fully
21 defined yet, but the inclusion of these
22 mitigation measures signals that Ontario and
23 Canada will progress these commitments. The
24 CCT report is in stage 4 of 7 as mentioned; a
25 process that will be informed further by

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1 hearings and the release of the joint review
2 panel report.

3 In addition to the joint
4 review panel recommendations report, the
5 federal and Ontario ministers' decision will
6 take into account the implementation of any
7 mitigation measures. It is anticipated that
8 implementation of mitigation measures by both
9 the Crown and the proponent will be included
10 as conditions in the decision statement should
11 the project be allowed to proceed.

12 The Minister may find in some
13 cases that mitigation measures for these
14 environmental effects may also mitigate
15 adverse impacts to potential or established
16 Aboriginal and treaty rights. Even though
17 there are differences between GenPGM's
18 conclusion and the Crown's preliminary
19 assessment of potential impacts on Aboriginal
20 rights and interests, the proponent does agree
21 with many of the mitigation recommendations.

22 Next slide, please.

23 The following points
24 summarize PGM's response to the Crown
25 Consultation Team submission. Many

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1 Finally, many of the Crown
2 consultation team's recommendations support
3 commitments already made by GenPGM in table
4 8-1 of CIAR 727. GenPGM will continue to meet
5 with CCT following the hearings to align
6 project commitments.

7 And at this point I'll turn
8 it back to Cathryn Moffett who will discuss
9 commitments going forward.

10 PRESENTATION BY CATHRYN MOFFETT (CONT'D):

11 MS. MOFFETT: Thank you,
12 Tabatha. Next slide, please.

13 I just wanted to close the
14 presentation today by reviewing the key
15 commitments to Indigenous communities as
16 detailed in CIAR 727, table 8-1.

17 So GenPGM is committed to
18 long-term two-way information sharing. The
19 project design has been informed through
20 consultation with communities and has
21 considered the traditional knowledge that has
22 been received.

23 The ongoing -- we're also
24 committed to ongoing resource access as stated
25 earlier and shown in the map provided in

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1 earlier presentations. Access will be
2 maintained to Bamooos Lake via Hare Lake, and
3 access to the Pic River will be maintained via
4 the Camp 19 Road.

5 We are also committed to
6 developing a detailed protocol for the use of
7 the initial portion of Camp 19 Road that
8 allows the direct access to Pic River, and
9 providing escorted access through the site
10 study area for Indigenous communities as
11 needed.

12 GenPGM has also committed to
13 accommodating for any loss that will occur due
14 to the project which includes appropriated
15 accommodation for impacts to the traditional
16 land and resource use as Ms. LeBlanc detailed
17 and direct compensation for loss of access and
18 economic benefits from trapping.

19 Next slide, please.

20 GenPGM has committed to
21 maximizing benefits and opportunities for
22 communities. This includes offering education
23 and training the programs directly to
24 Indigenous community members which will allow
25 long-term capacity building and increase

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1 overall employability. We're committed to
2 working with economic development groups, in
3 cooperation with Indigenous communities to
4 increase contracting opportunities and to
5 provide training, participation and develop --
6 oh, to provide training for participation in
7 environmental monitoring programs and the
8 review of those programs.

9 GenPGM supports
10 community-focused studies as outlined in some
11 of the previous slides. This would include a
12 country foods monitoring program, which has
13 been initiated, and ongoing monitoring of
14 potential socioeconomic effects on our closest
15 neighbourhood and partner, Biigtigong
16 Nishnaabeg.

17 Next slide, please.

18 So thank you again for giving
19 us the opportunity to speak and summarize some
20 of the activities. We look forward to hear
21 directly from communities this afternoon and
22 in the days to come. Thank you.

23 PANEL CHAIR: Thank you very
24 much for your presentation this morning. Very
25 much appreciated. I think given the time we

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1 will take a 15-minute break and return back at
2 10:30 for our next presenters. Thank you.

3 --- Recess taken at 10:15 a.m.

4 --- Upon resuming at 10:35 a.m.

5 PANEL CHAIR: Welcome back
6 everyone. Mr. Barretto, I see you have your
7 hand up.

8 MR. BARRETTO: Thank you,
9 Madam Chair. Jeremy Barretto for the record.

10 Madam Chair, I just have a
11 process update regarding the -- GenPGM's
12 witnesses that are available during the
13 community sessions that week.

14 On GenPGM's presentation this
15 morning which is on the record as CIAR 1192,
16 PDF 5, we have a list of the witnesses that
17 are participating in the hearings today and
18 for the rest of the week. I want to just note
19 that this is a subset of our total hearing
20 team, and our other witnesses are available on
21 an on-call basis if an issue comes up that
22 requires their feedback.

23 And I also want to
24 specifically note that Mr. Hegmann is not
25 present today as a witness, but he is

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1 available on an on-call basis as well. Thank
2 you.

3 PANEL CHAIR: Okay. Thank you.
4 I appreciate that update.

5 MR. BARRETTO: I apologize.
6 You were muted for a minute.

7 PANEL CHAIR: Thank you. I had
8 my notes over my microphone. Thank you.

9 So we are next having to hear
10 -- our next presenter is Ginoogaming First
11 Nation, and if we could have Ginoogaming turn
12 on their camera, and I see you do have your
13 presentation. We can put up your presentation,
14 and you can have us advance your slides where
15 you would like.

16 I think we'll pause for a
17 couple of minutes while we connect with
18 Ginoogaming. If you'll give us maybe three to
19 five minutes. Thank you very much.

20 --- Recess taken at 10:38 a.m.

21 --- Upon resuming at 10:45 a.m.

22 PANEL CHAIR: Thank you very
23 much for that time to break. I wonder if we
24 could ask whether Métis Nation of Ontario
25 would be able to move ahead and do their

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1 presentation while we get in touch with our --
2 with the Ginoogaming First Nation. Do we have
3 Métis Nation of Ontario logged in at this
4 time? I know I have Ms. Stinson as the
5 presenter. Ms. Stinson, are you available to
6 begin your presentation? I don't think we're
7 hearing from -- I don't know if we have a
8 technical glitch or just a timing glitch.
9 We'll take another five minutes if that's all
10 right. Thank you so much.

11 --- Recess taken at 10:47 a.m.

12 --- Upon resuming at 10:48 a.m.

13 PANEL CHAIR: Yes, I think we
14 now have Ginoogaming First Nation logged in,
15 and if you could unmute and turn on your
16 camera, I can welcome you to the presentation.
17 Good morning.

18 MR. RASEVYCH: Good morning.

19 PANEL CHAIR: I see your name,
20 Peter. I don't have a last name. Welcome,
21 Peter.

22 MR. RASEVYCH: Oh, it's Peter
23 Rasevych.

24 PANEL CHAIR: Good morning,
25 Mr. Rasevych. So I will -- if you can hear us

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1 okay, if you do have a presentation, we can
2 put that up on the screen, and we can advance
3 your slides when you let us know. And is it
4 possible to turn your camera on? I wasn't sure
5 if you had any connectivity issues, but if you
6 could turn your camera on, that would be
7 great. Mr. Peter Rasevych, are you available?

8 We'll work with Mr. Rasevych
9 to support any connectivity issues they have.
10 And I wondered whether Métis Nation of Ontario
11 was available and prepared to do their
12 presentation? I know we have Ms. Stinson and
13 Ms. Kosmides.

14 Oh, Peter, I see you back.
15 Good morning.

16 MR. RASEVYCH: Good morning, I
17 had a big speech --

18 PANEL CHAIR: Are you able to
19 hear us okay now?

20 MR. RASEVYCH: I can -- I'm
21 hearing everyone twice now. Two different
22 times.

23 PANEL CHAIR: Okay.

24 MR. RASEVYCH: Oh, because --
25 is it because I have the YouTube open as well?

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1 PANEL CHAIR: Yes, that's what
2 I'm being told. If you close the YouTube, that
3 should help.

4 MR. RASEVYCH: Okay. But how
5 do I see the PowerPoint presentation?

6 PANEL CHAIR: You'll be able
7 to see it in Zoom. Can you see it now?

8 MR. RASEVYCH: Yes.

9 PANEL CHAIR: Perfect.

10 MR. RASEVYCH: Okay. Thank
11 you.

12 PANEL CHAIR: Okay. Welcome
13 and thank you for joining, and we will turn it
14 over to you. You let us know when you would
15 like your slides advanced and thank you.

16 PRESENTATION BY PETER RASEVYCH:

17 MR. RASEVYCH: Good morning. I
18 apologize for the technical delay. I was on a
19 Google Meet link since 9:00 a.m. I've been
20 watching everything on YouTube as well, and I
21 was the only one entered on the Google Meet
22 link. I thought that's how we were doing this.
23 So I just got the Zoom link. Thank you very
24 much. Okay.

25 Ginoogaming First Nation

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1 became involved with the Marathon Palladium
2 Project in earnest in the past year. It was
3 2021 to be exact. During the year 2021, it was
4 June or July, that chief and council of
5 Ginoogaming became directly involved. Before
6 that we had been meeting with Cathryn Moffett
7 and others regarding the project in the months
8 preceding I think it was July -- June 2021.

9 Next slide, please. Thank
10 you.

11 So Ginoogaming First Nation
12 is located a couple of hundred kilometres
13 north of Marathon area where the proposed
14 industrial activity is situated. We are on the
15 TransCanada Highway, 40 kilometres east of
16 Geraldton. As you can see this slide, there is
17 another First Nation around us, long lake 58
18 First Nation. Small town of Longlac, Ontario,
19 about population a thousand, 1,500, small
20 town, and we are surrounded by industry
21 proponents and patent lands and mining permit
22 activity. So we're used to this type of
23 activity in our territory, and we have good
24 relationships with industry proponents in our
25 area.

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1 We are a signatory to James
2 Bay Treaty No. 9, 1905. The initial -- the
3 signing was here in Longlac, what is now the
4 town Longlac on Long Lake. However, it must be
5 stated Treaty No. 9 as we all know is waters
6 that empty north into James Bay and Hudson
7 Bay, the Arctic Ocean drainage. And Longlac,
8 if you know your geography, is on a height of
9 land or headwaters for both Arctic Ocean and
10 Atlantic Ocean, so Ginoogaming, Longlac, aka
11 Longlac were typically -- this is the site
12 where you would choose in ancient times up to
13 -- you know, up to relatively recently before
14 the advent of road or rail in the area, in the
15 past hundred years, this is where you would
16 decide if you are going to go north or south.

17 So at Ginoogaming here we
18 easily access south which is the Pic River
19 which flows to the town of Marathon to Pic
20 River -- or Biigtigong Nishnaabeg. That is why
21 we have close family ties and family
22 relationships with the people of Biigtigong
23 First Nation as well as Pic River First Nation
24 as well even some Pays Plat First Nation.
25 Because we are -- even though we're James Bay

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1 Treaty No. 9 as you're seeing on the slide,
2 which is oriented north towards James Bay and
3 Hudson Bay, we're also oriented south to Lake
4 Superior drainage basing which drains into the
5 Atlantic Ocean. So we're on the height of
6 land; we're a height of land people, and we
7 just have to stipulate that -- we have to make
8 that known at the beginning when we speak
9 because just because we're Treaty No. 9 does
10 not mean we're northern. We're northern and
11 southern; we're both. Quite a large
12 traditional territory and often we're left out
13 of things going on in the south because of
14 that. Because, you know, government agencies
15 or PTOs or organizations or whoever will just
16 see Treaty No. 9 and say, okay, they are an
17 outlier; they are on the periphery, when
18 really we have traditional territory and
19 family trap lines and family land use areas
20 that go right up to Lake Superior to the
21 Terrace Bay -- the back door of the Terrace
22 Bay mill which is only a kilometre or two away
23 from Lake Superior, pretty close to the
24 Marathon Palladium PGM site.

25 So yes, we are a member of

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1 Matawa First National Management tribal
2 council.

3 Next slide, please.

4 There you see the map of our
5 traditional territory that I was just talking
6 about. It's a vast area of course. As far
7 north almost as Martin Falls First Nation and
8 as far east past the town of Hearst, which is
9 about 200 kilometres -- that's almost 250
10 kilometres east of Longlac and as far west as
11 Nipigon and even further west of Lake Nipigon,
12 north of Thunder Bay, so we're talking about
13 250 kilometres west as well. And so it's not a
14 large stretch to see that the GenPGM Marathon
15 Project 200 kilometres south.

16 That is a traditional route,
17 by the way, that was undertaken. McKay Lake
18 which is right on that star. Where it says
19 Ginoogaming First Nation and you can see the
20 star on the map, the purple star, that is --
21 if you were to zoom in on that star, you would
22 see a lake called McKay Lake. That is actually
23 the headwaters of the Pic River. So there's a
24 traditional historic canoe route that early
25 explorers used to use.

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1 As we know, the British used
2 to come from the north from the Arctic Ocean
3 from James Bay and Hudson Bay; whereas the
4 French came from the south from Lake Superior
5 where you see that other symbol for GenPGM
6 Marathon Project. They would come up river to
7 the McKay Lake watershed. You can jump over
8 from McKay Lake, and you can see it on this
9 map; long lake is quite a long lake. You can
10 even see it there, the blue lake. So that's
11 how you would jump from the south watershed to
12 the northern.

13 So everything that I've been
14 saying about water, being watershed people,
15 we're accessible to north and south, both
16 treaty areas. Robinson Superior 1850 Treaty,
17 which is all lands draining into Lake Superior
18 in this area, as well as lands draining north
19 into the Hudson Bay, James Bay area as you can
20 see.

21 So very, very important to
22 talk about McKay lake is the start of the Pic
23 River at the south eastern bay of McKay lake,
24 and it feeds -- goes 200 kilometres all the
25 way south to right where GenPGM is.

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1 And, you know just a side
2 note, my grandmother is from Pic Mobert -- was
3 from Pic Mobert First Nation. She was born in
4 1906; she died 1986. And her and her family
5 used to paddle up and down the 200-kilometre
6 route. This is before trains and before cars
7 and trucks in this area. That's how people
8 used to get from place to place.

9 And Ginoogaming First Nation
10 as well as the other First Nation in Longlac,
11 Long Lake 58 First Nation have very close --
12 like I'm saying there's a lot of the same
13 family groups and same surnames, same last
14 names as you have in Biigtigong or Pic Mobert.

15 So we've had a -- we've been
16 documenting Indigenous knowledge for well over
17 a decade for sure, for decades now.

18 Next slide, please. Thanks.

19 Oh, a zoom. There's a closer
20 zoom for you.

21 So the project area, GenPGM
22 -- the chief and council of Ginoogaming when
23 first became involved are -- were asked about
24 impacts of this project. Any time there is an
25 industrial component in our territory, we

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1 serve them with our consultation and
2 accommodation protocol which we developed in
3 the year 2014. So we've had it out for about
4 eight years now. It's quite comprehensive. We
5 serve it to the industry proponent. It's a way
6 to establish relationships with anybody in our
7 territory, our involvement. This map denotes
8 where our land users go to hunt, fish, trap,
9 gather, camp or also the watersheds that are
10 connected to such places.

11 So these -- in today's day
12 and age the main focus is water. You can have
13 your fish impacted by development and
14 travelling upstream to migrate, to spawn or to
15 do whatever else they do as well as waterfowl.
16 The flight paths of the waterfowl are often
17 following these creeks, rivers and lakes. So
18 that's how this traditional territory map was
19 developed.

20 So the chief and council last
21 summer in June and July 2021 when they became
22 involved, Chief Sheri Taylor let it be known
23 that there's a main focus and concern for the
24 water.

25 So as I am saying, the purple

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1 star there is the McKay Lake, huge lake, one
2 of the biggest lakes in our area. It's
3 underneath that purple star, and it feeds the
4 Pic River. Without the Pic River -- there are
5 other tributaries as well of course, but the
6 McKay Lake is the huge headwater. And that is
7 a traditional route, and it feeds the Pic
8 River that empties out at Highway 17 right at
9 Marathon.

10 Next slide, please.

11 This is what I've been
12 saying; water connects us. There are other
13 headwaters for the Pic River basin, but McKay
14 Lake is the bigger, well known for its
15 walleye, traditional camps located on McKay
16 lake, fish camps.

17 Let's see, yeah, there are
18 other tributaries that flow into McKay Lake
19 and out of McKay Lake that are the spawning
20 areas for these walleye. As we all know,
21 walleye is the main food fish that people up
22 here will go after. There are others of
23 course, but McKay Lake is well known for its
24 walleye. And as I mentioned before the
25 southeastern arm of the lake, that's the

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1 southeastern most bay. That's the mouth of the
2 Pic River.

3 Next slide, please.

4 Picture there, by the way
5 that is the Pic near Caramat, Ontario, which
6 is about 50 kilometres southeast of Longlac,
7 small town, pretty close to there.
8 Historically the log drives that were held on
9 the Pic River impacted the spawning locations
10 for not only the walleye but other fish
11 species as well. There's a dam at the southern
12 point of my trap line. It's called Waboosekon
13 Dam -- Waboosekon Dam. That was an industrial
14 site as well.

15 High Falls is a natural water
16 fall that had been blasted for -- in favour of
17 the log drive that was going on. So these are
18 all forestry activities that were taking place
19 in the early to mid 20th Century that impacted
20 the Pic River as well as White Otter River
21 near Hillspport.

22 So the Pic River is one of
23 the most important rivers. As we're talking
24 about it's like our Highway 401 pretty much to
25 get from place to place. Maybe not Highway 401

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1 anymore of course. I don't know who's paddling
2 on it these days; there are people paddling on
3 it. We do know that there are teams of people
4 that take youths, First Nations youths out. We
5 did so in the recent years as well as we know
6 Biigtigong has. There's a video on-line of the
7 Chief Duncan Michano, elder, traversing the
8 entire river. So people still do that. He
9 started in Longlac here, and he went all the
10 way, 200 kilometres down to Pic River First
11 Nation, Biigtigong, all the way on the river.
12 I think -- I believe it took 10 days.

13 So there are still people
14 that retrace the traditional routes, and we
15 keep it alive for our youths. At that time
16 there's a video on-line of Duncan Michano
17 doing that, and he took some youths with him
18 as well; the same way we did. We didn't do the
19 whole river, though; we did part of it. And,
20 yeah, these are significant industrial sites
21 on the Pic River that always impacted it.

22 Next slide, please.

23 As I mentioned at the
24 beginning, Ginoogaming's focus is, these days,
25 water, more and more and more water. That

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1 consultation and accommodation protocol that I
2 mentioned at the top that came out in 2014
3 does -- since then, since 2014 we have
4 developed a water declaration developed
5 through the local water protectors who are
6 mainly elders and women and land users who are
7 interested in keeping the water -- the water
8 that is going to impact our harvesting and
9 other activities free of contamination.

10 So it is called the
11 Namajitong (ph) Nibi Water Declaration, and we
12 have it as an appendix to the consultation and
13 accommodation protocol. It goes with our --
14 that traditional territory map that you saw at
15 the very beginning of these slides. So it's
16 worthy to mention here that the fish and the
17 migratory birds do travel extremely long
18 distances. There's been species of fish tagged
19 in our immediate area, right here near Longlac
20 that have come hundreds of kilometres away.
21 They do travel. They do travel quite far, and
22 -- as do the birds as we all know about the
23 ducks and the geese where they go to winter
24 and they traverse thousands of kilometres
25 even.

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1 So we do have elders and land
2 users -- oh, sturgeon, sturgeon as well of
3 course in the Pic River watershed. I see it
4 here on the slide. I forgot mention that.
5 There are an abundance of fish species. So we
6 do have elders and land users that are
7 contributing to our data collection on an
8 ongoing basis.

9 And fish sanctuaries, we have
10 several in the Pic River watershed. These are
11 places where they spawn that are, you know,
12 tributaries connect -- feeding into the Pic
13 River, so the fish do travel up from the Pic
14 River from Lake Superior into these
15 sanctuaries, and it's worthy to mention those
16 here.

17 Next slide, please.

18 Medicinal plants, there are
19 traditional camp sites all the way along the
20 Pic River system, and people do camp there,
21 and while they are camping, they do gather
22 berries. The immediate areas around the river
23 banks are often fertile, and I've seen
24 blueberries and other types of berries
25 developing sooner along the Pic River shores

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1 and surrounding areas. So we do harvest
2 traditional plants and medicinal plants on the
3 Pic River, and there's also an impact on the
4 animals as well that consume these plants.

5 Next slide, please.

6 This slide relates to the
7 hunting and trapping on -- in this watershed
8 area. So worthy to mention here is a forest
9 management corporation located in the town of
10 Marathon. It's called the Nawiinginokiima
11 Forest Management Corporation, and I'll use it
12 as an example here. It's quite a large area
13 for this corporation. It's called the Big Pic
14 Forest. A few slides ago you saw that
15 mentioned at the bottom of one of the slides,
16 but I didn't talk about it. I'll talk about it
17 now, the Big Pic Forest.

18 It's a forest management
19 unit, quite a large forest management unit,
20 and the bulk of it is located in our immediate
21 area, right in the heart of our traditional
22 territory which is Longlac to the town of
23 Caramat to the town of Hillspport which is
24 Manitouwadge, which is north of the Marathon
25 PGM site in the Pic River drainage basin.

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1 So that being said, this
2 forest management unit is there, and the very
3 southern at this point of that forest
4 management unit goes all the way down to the
5 town of Marathon to the Marathon PGM site, and
6 I just -- it's just worthy of mentioning.
7 These are mainly Ginoogaming First Nation
8 families, Ginoogaming First Nation band
9 members operating trap lines that have been in
10 families for generations.

11 Yet if you go onto the
12 Nawiinginokiima Forest Management Corporation
13 website, you will see Ginoogaming First
14 Nation, we're not even listed as a First
15 Nation for the company to involve in the
16 activity that they are pursuing. So we're
17 often left out. I don't know why, I don't know
18 if it's because -- like I said at the
19 beginning, people see that we're so far up
20 north, and we're Treaty No. 9 that we're
21 oriented to north, which is not so.

22 Like I'm saying, we're north
23 and south. We're not a periphery. We're not a,
24 quote/unquote, periphery First Nation. We're
25 not a, quote/unquote, outlier First Nation. As

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1 I said before, we have family trap lines right
2 -- pretty close to Marathon and Terrace Bay.
3 We are both north and south. But we're often
4 left out so as a result a lot of land users
5 elders, when we try to tell them that we are
6 pursuing data collection with them to protect
7 and to preserve or conserve or to maintain
8 lands and waters for the health of -- for
9 their health, their personal health as well as
10 the health of the animals, they don't believe
11 it because they say, you know, why now; we've
12 never been included before, and we're never
13 included in any of the activity on our trap
14 lines.

15 So it's kind of hard
16 sometimes to undertake that activity because
17 as this slide is saying we've been hunting and
18 trapping all over the Pic River watershed
19 since time and memorial from McKay Lake
20 headwaters Longlac all the way down past
21 Caramat, past Stevens. You trace that Pic
22 River route past high falls, all the way down
23 to past Hillspport area and Manitouwadge area
24 and nobody has ever asked people for their
25 information before for forestry. So this is

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1 different. No, this Marathon palladium and
2 mining and PGM. We're very happy to be
3 included in this process and it's been a great
4 process with PGM to date. Thank you very much.

5 Next slide.

6 Yeah, the focus of the chief
7 last summer in her meeting that we had with
8 the chief of Ginoogaming and Marathon PGM was
9 lands and waters protection. We have
10 constructed a healing camp which is a few
11 kilometres away, a few hundred metres away
12 from that traditional historic canoe route
13 that connects the headwaters. The height of
14 land, it's right on the height of land that
15 connects Biigtigong or Pic River First Nation
16 near Marathon to Ginoogaming First Nation
17 Longlac. So it's within that canoe route. It's
18 called the Making Ground River. To be
19 specific, it's a tributary that flows into
20 Long Lake, so you can jump across, portage.
21 Historic portage that's been used for
22 thousands of years, probably tens of thousands
23 of years since time and memorial. It's a
24 portage probably a couple of hundred metres,
25 maybe 500 metres, maybe a kilometre, not even,

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1 and you can link the two watershed systems
2 over that height of land. Carry your canoe on
3 your back, and then like I'm saying in the old
4 days, I guess they'd make their choice; are
5 you going north, or are you going south.

6 So we teach these values to
7 youth, as I mentioned before, by taking them
8 out to paddle on these waters, as does
9 Biigtigong Nishnaabeg as we've seen, as does
10 other First Nations.

11 Next slide, please.

12 We are trying to pass and
13 transmit values and information like this onto
14 youth; we find that extremely important. We
15 found that youth who go without this type of
16 instruction or direction, you know, sometimes
17 they can get lost and lose themselves. Whereas
18 the youth who have a good grounding and a good
19 foundation and healthy foundation often do
20 well.

21 So we're trying to create
22 positive relationships with, as I said at the
23 beginning, all industry proponents in our area
24 not just mining. That's why we latched onto
25 the Marathon PGM process. We want to be a part

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1 of this. We want to have a say, and we want to
2 have involvement. We want to contribute. Very
3 interested in the environmental monitor
4 programming. We found that to be successful in
5 other programs and projects that we have going
6 on as well as the biz ops, the business
7 opportunities.

8 We are pro-development; we're
9 not anti-development. But as we're all saying
10 today from the Ginoogaming standpoint, the
11 water, the protection of the water and the
12 careful consideration for the water is of
13 prime importance, and I will just echo what
14 the chief of First Nation -- Ginoogaming First
15 Nation, her focus was when she directed us to
16 pursue a relationship with Marathon PGM, and
17 that is the water, as well as the water
18 declaration that I was mentioning. The
19 Nanajigtong Namajitong Nibi Water Declaration
20 which is part of our constitution and
21 accommodation protocol.

22 That's it. Thank you very
23 much for your time. I hope -- sorry for the
24 delay. I was on the wrong link. Thank you very
25 much for having me.

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1 PANEL CHAIR: Thank you so
2 very much, Mr. Rasevych. No apologies
3 necessary. We really appreciate your
4 presentation and thank you for that.

5 Would you be okay if there
6 were some questions we pose to you?

7 MR. RASEVYCH: Sure. I just
8 want to mention one thing just as a PS. Is
9 that okay?

10 PANEL CHAIR: Yes. Go ahead,
11 please.

12 MR. RASEVYCH: We have several
13 agreements with mineral development
14 consultants and proponents in our immediate
15 traditional territory, and our traditional
16 territory, and one area in particular that is
17 different from any other area is an area that
18 is located about 10 kilometres south of our
19 reserve boundary. It's called Weesniwagam.
20 Weesniwagam area -- that word translates,
21 those word translate as the place to get food.
22 So that is a local bread basket you could call
23 it for immediate -- our people to travel to in
24 our immediate area. It's not far, and that's
25 where the heeling camp that's mentioned in one

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1 of those slides, a healing camp has been
2 constructed. We've been working on that since
3 2018, 2019. It's a significant area
4 spiritually as well as culturally. There are
5 archeological sites located in that area. It's
6 -- you know, anywhere where people used to
7 camp or stay in ancient times or right up to a
8 hundred years ago, if you want to say ancient
9 times, pursuing traditional activities before
10 the advent of road or rail. We're talking in
11 the early 20th Century, mid 20th Century there
12 were people passing on due to whatever, and of
13 course there's burials in these areas.

14 So I just want to mention,
15 there's no separate slide for it in that
16 presentation, but the healing camp is located
17 pretty close to that canoe route. It may be a
18 couple hundred metres away from that historic
19 canoe route that connects the two watersheds
20 and that connects the Longlac area with the
21 Marathon or Pic River area.

22 So when we do an agreement
23 with an industry proponent, we make it known
24 there shall be no permit activity or claims
25 activity or industrial activity of any sort,

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1 no staking, nothing in the Weesniwagam area.
2 So I just had to -- there should be a slide on
3 that in that presentation, but, you know, I
4 just need to mention that right off the -- I
5 should have mentioned it as a disclaimer at
6 the beginning. It's a protected area. Thank
7 you very much.

8 PANEL CHAIR: Thank you, we
9 appreciate that.

10 So I would ask if before we
11 turn to the panel for some questions, that we
12 have for Ginoogaming First Nation Ginoogaming,
13 if there are any participants on the line that
14 have questions for Mr. Rasevych.

15 Thank you. Generation PGM, do
16 you have questions for Ginoogaming First
17 Nation?

18 MR. BARRETTO: Thank you,
19 Madam Chair. Jeremy Barretto for the record.
20 Thank you, Mr. Rasevych, and GenPGM has no
21 questions.

22 PANEL CHAIR: Thank you. With
23 that, I'm going to turn it to my colleague Gay
24 Drescher who has some questions on behalf of
25 the panel. Thank you.

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1 QUESTIONS SESSION:

2 PANEL MEMBER DRESCHER: Good
3 morning, Mr. Rasevych.

4 MR. RASEVYCH: Good morning.

5 PANEL MEMBER DRESCHER: Thank
6 you for joining us.

7 MR. RASEVYCH: Thank you.

8 PANEL MEMBER DRESCHER: Thank
9 you very much for your presentation. It was
10 very informative, and we made some notes of in
11 particular the water protocol which you
12 provided in -- your community provided in July
13 of last year and have referred to that in our
14 preparation for today's questions. Just one
15 quick question, if I could.

16 The issue of caribou, do you
17 have any comments on caribou and the range,
18 the now Lake Superior coastal range that you
19 could share with us.

20 MR. RASEVYCH: Would I could
21 say about caribou is we used to have caribou
22 in our area. There was even a few that were
23 moving around in our immediate traditional
24 territory, but at this time they are have
25 since left. I guess we all know that

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1 industrialization fragments their ranges and
2 kind of keeps them at a distance. So they just
3 -- they get extirpated from the area, and they
4 don't return really.

5 I think I mentioned at the
6 beginning that here in Longlac there's a big
7 push and a big rush for mineral development
8 activity. You may all have heard of what's
9 going on in Geraldton, the Equinox Gold
10 Project which we're partnered with. So things
11 like that are all around our town here, our
12 First Nation. So that being said, there's just
13 so much activity going on that the caribou,
14 they're skittish, they're shy and they leave.

15 So to answer your question,
16 we used to have caribou historic ally around
17 here, but they don't come around anymore.
18 There's too much going on in the bush. That's
19 what I have seen and known.

20 PANEL MEMBER DRESCHER: Thank
21 you for that. That's helpful.

22 The next question that I have
23 is with specific reference to your water
24 protocol that you had mentioned. So we
25 appreciate that your community initiated or

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1 started involvement with the project in June,
2 July of last year and presented the water
3 protocol to GenPGM. I understood that
4 correctly, did I?

5 MR. RASEVYCH: We had been --
6 I don't remember the exact month that we
7 started with Cathryn Moffett and her team. Was
8 several months before last summer, June and
9 July -- June, July, that's when the chief --
10 that was the chief of Ginoogaming's first
11 meeting with the GenPGM team, but I don't know
12 the exact date. I would have to look for it.

13 PANEL MEMBER DRESCHER: That's
14 okay. Plus or minus is fine. I was just
15 focused on when the water protocol was
16 presented to GenPGM.

17 MR. RASEVYCH: Good question.
18 Probably the same time we supplied the
19 consultation and accommodation protocol and
20 the traditional territory map. The three of
21 them go together. We have a traditional
22 territory map, the big green one that you see
23 there on the slides, but there's also an
24 immediate traditional territory map which is
25 Making Ground River watershed basically in the

1 immediate Longlac area.

2 So we have two traditional
3 territory maps, a big one and a little one
4 that go with our consultation and
5 accommodation protocol. And the water
6 declaration is significant because it lists
7 the watersheds that we're out to talk about
8 which are within the traditional territory. So
9 that goes with them, they are all in the same
10 piece. So they would have been all been
11 provided the same time --

12 PANEL MEMBER DRESCHER: Right.

13 MR. RASEVYCH: -- which is at
14 the beginning of our relationship with any
15 industry proponent.

16 PANEL MEMBER DRESCHER: Right.

17 And thank you for that.

18 So is it our understanding
19 that Ginoogaming is part of the regional
20 engagement progress that Generation PGM has
21 established, or do you have a separate
22 environmental process with them, an engagement
23 process, environmental engagement process?

24 MR. RASEVYCH: No. When we
25 meet with Marathon PGM, we are on their team

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1 with all of the other groups.

2 PANEL MEMBER DRESCHER: Okay.

3 Great. Thank you.

4 I'm just going to quickly
5 reference other questions. You spoke of the
6 burial site which is not very far from your
7 own community and the importance it. And you
8 also highlighted the importance of the
9 connection that the Pic River provides between
10 Ginoogaming and Pic Mobert, in your particular
11 family case being your grandmother, and also
12 to the Biigtigong.

13 Are you aware of any other
14 significant sites, spiritually, culturally,
15 archeologically significant sites along the
16 Pic River and of course in particular close to
17 the project site, that have -- of high
18 relevance to your community and to those that
19 are within your area?

20 MR. RASEVYCH: Me personally,
21 no, but that is why -- that's how I was
22 outlining before when we talk about the Big
23 Pic Forest management unit which is mainly --
24 like a good part of that is Ginoogaming band
25 member families running trap lines and

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1 traditional family land use areas in the Pic
2 River basin, you know. And when people talk
3 about burial sites, it's a sensitive topic.

4 And like I said to you, when
5 I had approached elders or land users to let
6 them know that we're interested in helping
7 them to protect values, any values that they
8 may have whether they're burials or something
9 else, they are skeptical right away because
10 they feel this development has been going on
11 -- I'm talking about forestry -- development
12 has been happening for decades and decades and
13 decades. They remember Marathon pulp and
14 supply company coming up from Marathon in the
15 1940s, you know, or before, and they are
16 old-timers, and they think nobody ever asked
17 us before; why are you interested in this now.
18 They don't think that it's going have a -- any
19 -- make any difference, what their words will
20 do. And a lot of times people have been
21 outlining their values for data collection or
22 values collection, and then it doesn't do
23 anything because the area gets industrialized
24 anyway.

25 So they said, we already gave

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1 our values, you know, and nothing was -- it
2 didn't do anything. So there's a lot of
3 skepticism out there, and I don't mean to be a
4 negative, but I'm just saying the truth.

5 So when you trap lines, I can
6 talk about -- or burials, I can that talk
7 about my own family area and that would be the
8 work to talk to people and approach people
9 without being invasive or intrusive or, how do
10 you say, you know -- it's not -- it's
11 sensitive information, family information, you
12 know, that people are reticent, I could say,
13 to talk about. So we would have to undertake
14 that. I've not heard anything to date. We've
15 had a -- it was tough as well because of
16 COVID. It's terrible. What we typically do at
17 Ginoogaming First Nation pre-COVID --
18 pre-March 20th, 2020, we would meet with
19 everybody, a community gathering in the
20 committee hall, put the maps on the walls,
21 have a dinner session, and industry proponents
22 would often invited, and they'd fly in or
23 drive-in, and it would be a nice gathering, a
24 nice meal with a PowerPoint presentation and
25 talking about the areas and showing the maps

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1 on the PowerPoint on the screen, but -- and,
2 you know, they're well attended with door
3 prizes, make sure that everybody comes out. We
4 haven't been able to do any of that.

5 It's March -- it's April 2022
6 and we're still waiting to be able to do
7 things like that. I don't know when we'll have
8 able to do things like that. So it's been
9 really hard to get people -- to talk to
10 people. We did so recently through a web-based
11 -- not everybody has the technology and not
12 everybody -- one person called in that day to
13 join the web-based session. We did have a few
14 attendees, several attendees, but it's not
15 same as face-to-face.

16 I'm looking at the attendees
17 here, and I see our -- my colleague here, my
18 coworker is on the line, Calvin Taylor who
19 works closely with me with Marathon Palladium
20 PGM. I don't know if he would have anything to
21 offer with respect to that question. The Pic
22 River watershed might not be his specific area
23 or family area, but he's also on the line
24 here. I see his name. He's got his microphone
25 off and his camera off, but he's available for

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1 questions as well. He's a community resource
2 that has -- he's our local historian as well
3 as many other things. Thank you very much.

4 PANEL MEMBER DRESCHER: Thank
5 you, Mr. Rasevych. Thank you for your
6 presentation and comments. Thank you. I have
7 no further questions, Madam Chair.

8 PANEL CHAIR: Thank you, Ms.
9 Drescher and thank you, Mr. Peter Rasevych. I
10 really appreciate your presentation and
11 discussion this morning.

12 We will move to your next
13 presenter, Métis Nation of Ontario. Good
14 morning, Ms. Stinson. Welcome. And we're happy
15 to put up your presentation, and please let us
16 know when you would like your slides advanced.
17 PRESENTATION BY VICTORIA STINSON:

18 DR. STINSON: Thank you very
19 much, Madam Speaker.

20 Boozhoor, bonjour, hello,
21 everyone. I'm grateful for the opportunity to
22 speak today.

23 My name is Dr. Victoria
24 Stinson, and I have expertise in plate
25 tectonics, petrology, economic geology and

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1 structural geology, and I'm a manager in the
2 lands, resources and consultations branch at
3 the Métis Nation of Ontario. I'm also a former
4 resident of Marathon.

5 I would like to take a moment
6 here to open this presentation by
7 acknowledging the Métis and First Nations
8 whose traditional territories are located at
9 the project site.

10 Omission of the Métis
11 occurred on the first minutes of day 1 of the
12 public hearing opening land acknowledgements.
13 Errors through omission, whether as an
14 oversight, a simple mistake, intentional or
15 through ignorance, are a serious issue and
16 appear to be a repeating theme which I will
17 address through this presentation.

18 Next, I wish to correct the
19 land acknowledgement and provide a quick
20 educational opportunity for all of those
21 participating in this public hearing or for
22 watching on YouTube later on.

23 Métis, Inuit and First
24 Nations are distinct and equal Indigenous
25 peoples under Section 35 in Canada's

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1 citizens who participate in constitutionally
2 protected Aboriginal rights and traditions,
3 including traditional activities such as
4 harvesting, fishing and spiritual practices,
5 among many others.

6 Therefore, the Métis Nation
7 of Ontario holds great value to the ecosystem
8 in which the project is located. Water is of
9 the utmost importance to the Métis Nation of
10 Ontario on which Métis citizens rely. The
11 Métis way of life and their Aboriginal rights
12 depend on water. It is this dependence on
13 water in which our presentation will be
14 framed.

15 Next slide, please.

16 How the project may affect
17 water is of great concern to the MNO in that
18 this project and cumulative impacts have the
19 potential to negatively impact the ecosystem,
20 including fish populations. Minute changes to
21 turbidity, water chemistry and sediment
22 quality can have negative impacts throughout
23 the food chain. These must be assessed --

24 PANEL CHAIR: Excuse me, Dr.
25 Stinson. Could everyone maybe sure their mics

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1 are muted while we have our presenter on-line,
2 please. Thank you so much. Thank you, Dr.
3 Stinson. Please go ahead.

4 DR. STINSON: These must be
5 assessed as surface and groundwater as well as
6 throughout the water bodies. Some of these
7 studies are already a standard acceptable to
8 the MNO; although other studies are lacking by
9 the proponent. All studies must be
10 statistically significant. Clear, concise
11 methodology is currently lacking for many of
12 the water-related studies; although some
13 others are sufficient, specificity is
14 required.

15 I believe statistical data
16 does exist in some of the studies presented
17 already. And, for example, Dr. Dixon from
18 GenPGM on day 5 used statements, including the
19 words such as high confidence, when referring
20 to differences between model and field results
21 when in reference to water geochemistry.
22 Details on sampling and sample sizes have been
23 easy to access, such as from drill core, but
24 certain other analyses are difficult to
25 access, insufficient or omitted. This would

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1 include water, soil and sediment sampling
2 programs that would be significantly
3 statistically significant, and these would
4 also include sampling for very low detection
5 rates for PGEs and other heavy metals so that
6 an adequate baseline study can be assessed.

7 This is a common theme
8 throughout GenPGM's submissions and responses.
9 Studies conducted on fish contamination and
10 toxicity must reflect an accurate
11 representation of fish consumption by Métis
12 citizens. The current framework uses incorrect
13 portion sizes and misunderstands how fish
14 species are utilized by Métis citizens.
15 Contamination levels will be then -- therefore
16 misrepresented based on more of a
17 grocery-store-type portion of fish versus
18 those who are relying on the land for multiple
19 meals a week. Consultation with the MNO could
20 have rectified this issue instantly, and we
21 encourage GenPGM to do so. There are many fish
22 species considered valued ecological
23 components by Métis citizens that have not as
24 of yet been included by the proponent, nor
25 have the cumulative effects of fish health

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1 throughout the life of the project.

2 The MNO request that
3 Métis-specific VECs are also incorporated into
4 future studies. Additionally the Métis Nation
5 of Ontario request that fish capture and
6 rescue on-site is done with a Métis
7 environmental monitor, and any large loss of
8 species to be reported to the local Indigenous
9 communities of that region that may therefore
10 be impacted.

11 Contamination must be
12 assessed throughout waterbodies and the
13 ecosystem not just in fish in order to assess
14 the health of the ecosystem. How contaminants
15 cycle throughout the ecosystem and adversely
16 affect fish must be studied. Improved
17 methodology to incorporate a more sensitive
18 and fulsome assessment of waterbodies is
19 required. Sampling should be statistically
20 significant, analyzed to low detection limits,
21 much lower than they are currently, and
22 include representative organisms throughout
23 the food chain, not just fish, and include
24 Métis VECs or valued ecological components.

25 The current methodology for

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1 assessing dust, particulates and sediment
2 loads is in and on waterbodies is also lacking
3 as it is not specific enough in describing the
4 size of particles collected in sampling
5 programs. The observance of dust or
6 particulate matter accumulating on water
7 surfacers or heavy sediment loads and
8 therefore including heavy metal accumulation
9 within the waterbodies may drive harvesters
10 away from the area due to perceived negative
11 impacts.

12 Increased traffic in these
13 areas will lead to increased pressure on fish
14 populations and access to traditional
15 harvesting territory. This increased traffic
16 can lead many land users away. This increased
17 pressure on fish populations can cause stress
18 and lead to negative impacts throughout the
19 water body.

20 One outstanding issue I'd
21 like to address that relates to my area of
22 expertise is to update the understanding of
23 metamorphism in the area. As stated by GenPGM
24 and NRCan, these are -- they are both in
25 agreement to the metamorphism of the area, and

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1 they both agree that it is relatively
2 unmetamorphosed and only minorly altered.

3 Current and metamorphic and
4 -- excuse me. Current metamorphic and igneous
5 petrology literature would consider this site
6 to have undergone CO2 fluid-rich very
7 low-to-medium temperature metamorphism with
8 alternated protoliths.

9 After an extensive review of
10 the documents by GenPGM and literature review,
11 including the master's thesis by Ryan Ruthart
12 out of the University of Waterloo, this
13 metamorphic characterization is a particular
14 relevance as it effects seismicity,
15 permeability, rock mechanics, and therefore
16 how the waste rock reacts with the
17 environment.

18 Of particular importance is
19 the presence and prevalence of chlorite,
20 magnetite and serpentine, after olivine,
21 sericite and epidote after plagioclase,
22 chlorite and amphiboles after pyroxenes,
23 calcite and the potential for talc.

24 Of health significance we do
25 not yet know the variety of serpentine. This

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1 is also a problem, and we need to rectify this
2 immediately. There could be the presence of
3 asbestos variety serpentine that could affect
4 health.

5 This re-categorization must
6 be included in all of future studies,
7 particularly since these reactions are
8 variable, and they are not extensive which is
9 probably why they have been overlooked.
10 However, because they are not extensive and
11 they are much more sporadic, this is even more
12 reason to better categorize it. And these are
13 all throughout the two Duck Lake Gabbro.

14 To summarize the slide value
15 to water cannot be overstated as this is of
16 the utmost importance to Métis citizens.

17 Next slide, please.

18 Harvesting by Métis citizens
19 is an important traditional activity and
20 includes more than the animals and plants in
21 the current VEC list. Numerous problems
22 currently exist with the VEC list. One issue
23 is the error-filled presence and lack of
24 addition of fungus and is currently placed
25 into the category of plants. These are two

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1 of disturbances while others such a caribou,
2 wolverine, et cetera are not. Dust travels
3 based on particulate size and all species that
4 are along highways or high traffic areas could
5 be impacted. This could cause trophic collapse
6 along roadsides that can allow invasive
7 species to take hold which would then
8 out-compete native VECs.

9 Mycorrhiza networks connect
10 individual plants together and transfer
11 nutrients. The formation of these networks is
12 context-dependent. It can be influenced by
13 soil fertility, resource availability,
14 disturbance and seasonal variation. Several
15 mushroom species that use these networks are
16 considered VECs by the Métis, and the
17 disturbance of this network will have larger,
18 long-term impacts to the surrounding forest as
19 well. Trace analysis studies on PGMs in
20 mushrooms must be also be included in baseline
21 and monitoring studies.

22 The loss of Crown land as the
23 area is developed will negatively impact the
24 ability of Métis citizens to exercise their
25 Aboriginal rights within the site area. It is

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1 the hope of the MNO that Métis citizens will
2 have access to this land when it is safe to do
3 so. Increased traffic in the area will likely
4 also increase human wildlife conflicts and
5 human access to areas that were previously
6 isolated.

7 The additional personnel in
8 the area can cause wildlife to flee the area
9 for a varied amount of time based on species.
10 Moreover, because the land will be more
11 accessible to personnel and private citizens,
12 there will be an increased pressure on all
13 species, including VECs identified by Métis
14 harvesters. These impacts can be long lasting
15 and can negatively impact a variety of VECs of
16 the Métis people.

17 It is the view of the MNO
18 that the proponent should better work with
19 Métis citizens to ensure continued
20 relationship building and deeper understanding
21 of Métis rights and how they are exercised as
22 there will be impacts to these rights for the
23 life of the project.

24 With 20 years of post-closure
25 monitoring there will be a significant loss to

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1 harvesting, way of life and sharing of
2 inter-generational traditional knowledge.

3 Due to the long time line of
4 this project, it is predicted that teaching
5 sites may be lost, and this loss will be
6 irreversible as the timeline for
7 reestablishment is beyond the key harvesting
8 years of a single land user.

9 Next slide, please.

10 Ongoing meaningful
11 consultation and conversation will be required
12 to better understand how Métis citizens within
13 the area will be impacted. Consultation and
14 engagement with the MNO is required and must
15 be taken into consideration by the proponent
16 in good faith.

17 For example, earlier today it
18 was stated by GenPGM that Indigenous
19 communities chose to focus on environmental
20 review studies rather than choosing to update
21 or start new TK studies. I would like to state
22 for the record that there was no choice given
23 by the proponent to the MNO. Included in this
24 investment in the region are many factors that
25 can be looked at. This could take the form of

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1 internships for Métis students, land
2 monitoring opportunities and employment.
3 Investment in surrounding communities is also
4 required such as supports to vulnerable
5 populations, housing, infrastructure and
6 access to health care.

7 I would like to provide an
8 example of what the current status in
9 northwestern Ontario is for health care access
10 at mining sites.

11 The town of Red Lake, the
12 host to the richest gold mine in Canada,
13 currently has no available doctors to provide
14 health care to citizens. Access to health care
15 and infrastructure is dismal in the north and
16 must be supported by proponent, particularly
17 with the influx of hundreds of potential
18 workers in the region.

19 Next slide, please.

20 Anthropogenic climate change
21 is an immediate-to-long-term global threat as
22 stated by the latest intergovernmental panel
23 on climate change. One major contributor to
24 climate change is the release of carbon into
25 the global environment such as through the

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1 burning of fossil fuels, industrial extraction
2 and other sources. The Marathon palladium mine
3 has the potential to be one of the greatest
4 polluters in the region. Currently there is no
5 mention of introducing or piloting electric
6 power at the proposed mine site. Although
7 other mine sites such as Borden in Chapleau,
8 Ontario, currently do.

9 Health Canada has already
10 requested the information on carcinogenicity
11 related to diesel fuel, and this provides an
12 additional reason to assess the data as well
13 as seek alternatives. The use of catalytic
14 converters in the project area also has the
15 potential for compound effects of liberated
16 PGMs into the environment and may further
17 exacerbate impacts of these metals.

18 Electric-powered equipment
19 could remedy both of these issues.

20 The effects of climate change
21 are far reaching, but there is little note of
22 it or insufficient note of it in the current
23 data from the proponent. Predictive modelling
24 for ground and surface water should include
25 changes in climate, and these could include

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1 things like climate variety, the mini
2 microclimates in the area, increase to flood
3 risk limits and other variables such as snow
4 melt. Additionally, the proponent should be
5 forward looking and provide carbon offset such
6 as through mineral carbon storage in their
7 ultramafic host rock in the future.

8 Next slide, please.

9 The life of the this project
10 will extend past the key harvesting years of a
11 single land user. The traditional knowledge
12 and utilization of this site will be lost from
13 the construction phase until post-closure
14 monitoring deems the site safe for use. Even
15 then the perceived impacts of the site may
16 keep land users from utilizing the site due to
17 fears of long-term contamination. The only
18 mitigation to this situation is ongoing
19 meaningful relationship and engagement and
20 consultation with Métis citizens throughout
21 the entire life span of this project.

22 The loss of Crown land will
23 result in a decreased ability for Métis
24 citizens to harvest the area as they have for
25 generations.

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1 The MNO has expressed
2 concerns about safety for harvesters the area.
3 We request additional information about how an
4 emergency could be communicated to land users
5 such as through an emergency response plan.
6 Having an MNO environmental monitor would
7 assist in aiding these concerns.

8 Cumulative effects and
9 climate change have the potential to affect
10 the harvesting area and will continue to do so
11 into perpetuity. The combined effects of the
12 project site and the planned forest harvest
13 within the Pic River forest management unit
14 must be evaluated. The MNO has stated this
15 constitutes a major disruption in available
16 areas for the exercise of Métis harvesting
17 rights. Large scale understanding of all
18 anthropogenic projects within the area are
19 needed to better understand the cumulative
20 long-range effects of these projects.

21 The MNO requests that the
22 list of species that will be used in the
23 re-vegetation process and that seed stock is
24 as local as possible certified to be weed-free
25 and does not include invasive species. Métis

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1 citizens have expressed interest in
2 participating in the re-vegetation phases and
3 would like to establish an environmental
4 monitor with the proponent.

5 Improved communication is
6 required with the proponent to better
7 understand the Métis way of life, including
8 diet. Current surveys conducted by the
9 proponent are not reflective of a land user's
10 diet. Much of the information included within
11 the survey did not take into account the
12 myriad of VECs and included scientifically
13 incorrect statements and names. Consultation,
14 engagement and capacity are required to
15 fulsomely collaborate, engage and consult with
16 the proponent.

17 It is the MNO's view that the
18 traditional knowledge and VEC aspects of this
19 site are understudied, and the holistic view
20 of VECs in regard to Métis citizens is poorly
21 understood. Proper collaborative assessment
22 and mitigation is needed concerning NO₂,
23 crystalline silica, ultrafine particulate
24 matter and effects of PGMs in the environment.

25 The MNO recommends the use of

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1 Canadian Ambient Air Quality Standards, which
2 came into the effect around -- at 2020.
3 Chemical dust suppressants and surfactants are
4 of concern to the MNO as they can potentially
5 impact vegetation and displace potential
6 harvesters who would otherwise use the area. A
7 better understanding how PGMs affect soil,
8 water, VECs and the ecosystem and human health
9 are needed.

10 Environmental studies
11 concerning PGMs is a continuously evolving
12 field of study and the proponent must update
13 their methodology appropriate. The term
14 unknown, unknowns, summarizes the issue of
15 PGMs in the ecosystem.

16 Until we have a sensitive,
17 trace analysis study conducted, we cannot
18 understand the extent or concentration of
19 these metals, nor how they may affect and
20 bioaccumulate. We called upon the Ministry of
21 Environmental Climate Change, Health Canada,
22 NRCan and MECP to formulate a risk management
23 study for PGMs.

24 Next slide, please.

25 There remains a number of

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1 questions and concerns the MNO has with this
2 project, and we request further clarification
3 from the proponent on a number of topics.

4 An ongoing concern is the
5 omission of many types of baseline and
6 monitoring studies with transparent,
7 quantitative and fulsome methodology.
8 Monitoring and baseline studies to understand
9 PGM's, nickel, arsenic, bismuth, lead, silver,
10 tellurium particulates and other material
11 throughout the ecosystem have also been
12 recommended. And also they have been
13 recommended by Health Canada. Health Canada
14 recently stated at the joint panel review and
15 questioned the proponent as to why it is not
16 undertaking a quantitative analysis and did
17 not include how the results were found.

18 These types of statements
19 also reflect the MNO's questioning as well.
20 This is a glaring oversight, and we strongly
21 support sensitive baseline and long-term
22 monitoring of surface water and snow,
23 groundwater, soil, all sizes of sediment,
24 water bodies and benchmark species for
25 bioaccumulation, including VECs that

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1 incorporate data according how these are
2 consumed.

3 Many other groups have also
4 had similar concerns with responses as they
5 did not -- similar concerns with responses as
6 they did not include fulsome quantifiable
7 data, including questions from the DFO and
8 Health Canada. Scientific and engineering
9 studies must be quantifiable or else they are
10 insufficient. When this data is insufficient
11 and not properly referenced, it must be
12 thought or may be thought of being an obvious
13 mistake. It could also be thought incompetence
14 and at worst dishonesty. Incorrect language
15 such as the misuse of scientific means or the
16 use of medical words such as benign are also
17 inappropriate and also cross the line into
18 these categories.

19 I believe that GenPGM will
20 rectify these errors and provide the
21 information that Métis groups have been asking
22 for.

23 One reason the proponent has
24 provided for not performing these basic
25 baseline and monitoring studies is that there

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1 are no commercial labs readily available to
2 the proponent. If they are referencing assay
3 labs for PGMs, then that is valid. However,
4 however, there is no reasonable explanation
5 they cannot use alternative methods such as
6 ICPMS (ph) or other techniques in house that
7 are then verified by outside labs.

8 In addition to the examples
9 listed previously, such as the ones that we've
10 stated, Health Canada has stated and DFO has
11 stated, there are also other areas that they
12 have misunderstood organisms. So for example,
13 plants and mushrooms that were previously
14 presented. Other issues that have been either
15 misidentified, omitted, incorrectly submitted
16 or at worst being dishonest, I present the
17 request for information number 5 received
18 August 20th, 2021.

19 I fail to understand how IR
20 5.18 incorrectly references two out of the
21 three papers in the reference list. In fact,
22 it appears that they attempted to reference
23 four papers, but the fourth is not listed in
24 the reference list. One of the mis-referenced
25 papers was then completely misrepresenting the

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1 results in relation to the project. All three
2 information requests in IR 5.18 were not
3 addressed by proponent. No mass balance or
4 kinetic analyses were presented, water and
5 sediment data was not provided and no
6 monitoring plans were proposed. The provided
7 journal articles did not fulsomely address the
8 low grade or mineralogy which by volume is the
9 greatest concern.

10 The MNO, NRCan and MNRF asked
11 very simple scientific questions and deserve
12 honest, clear answers. The proponent did not
13 only not answer the question scientifically;
14 they did not even provide correct references.

15 To summarize, the concerns
16 asked in IR 5.18 from the MNO include
17 questions such as PGMs may be introduced into
18 the ecosystem by oxidation at surface, areas
19 of blasting and drilling, the water table and
20 then cycled into the ecosystem such as through
21 invertebrates.

22 The GenPGM responses state
23 numerous times that PGM is found at depth and
24 at low levels. They also state that there is
25 no mineralization at surface, so therefore, it

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1 will not impact the environment. However, I
2 will remind proponent that this is an open pit
3 operation, and therefore, the ore is now
4 exposed at the surface in the pit. Exposure of
5 high grade PGMs at surface particularly after
6 blasting in the rain allows for oxidation and
7 changing PH to occur, particularly due to the
8 raised water table at the site of the pit.

9 I also remind the proponent
10 that this is a PGE mine, and therefore, has
11 higher concentrations of PGEs than average
12 crust. This is why we need to have sensitive
13 trace analysis of the entire ecosystem and
14 VECs at site.

15 A robust sensitive monitoring
16 system that encompasses surface and
17 groundwater, soil, invertebrates, plants,
18 mushrooms, animals and VECs will mitigate
19 long-term risk of elements that we have little
20 understanding of within Canadian ecological
21 systems.

22 Comparisons to South Africa
23 and Russia are insufficient, which were the
24 ones given by proponent, as they are
25 completely different ecosystems. I strongly

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1 recommend the proponent reach out to the
2 example lakes research team located in our
3 region which you can see in the photo. They
4 provide you cutting edge studies on all types
5 of metals and contaminants within the Canadian
6 boreal ecosystem unlike the under the tundra
7 of Russia and savannah of South Africa which
8 are the current analogs being used by the
9 proponent.

10 I would also like to take a
11 minute to remind the panel that the federal
12 government has had decades-long litigation
13 concerning arsenic poisoning at the Giant Mine
14 in Northwest Territories as the previous
15 environmental impact of arsenic was not
16 understood at the time of the opening.

17 We currently do not
18 understand the impacts of PGMs in the
19 ecosystem, and fulsome studies such as
20 baseline monitoring must be conducted in order
21 to understand the impacts so that we do not
22 make the same mistake twice.

23 Next slide, please.

24 The traditional territory in
25 which the project is located will affect Métis

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1 Aboriginal rights. The Métis way of life
2 depends safe water throughout the ecosystem,
3 cultural and spiritual practices, traditional
4 teaching, transportation, harvesting, fishing
5 among others are dependent on water.

6 In one sentence Phil McGuire,
7 Captain of the Hunt in the Métis Nation of
8 Ontario (region 2), where the proposed project
9 is set to be built, states clearly, water is
10 this creation of life.

11 Next slide, please.

12 With this statement on the
13 importance of water, I will close with the
14 Métis Nation of Ontario's statement of prime
15 purpose:

16 "We, the Métis, are a people
17 of the lands which gave rise to our history
18 and tradition and culture. We call these lands
19 the Métis homelands. The homelands stretch
20 from the lakes and rivers of Ontario, across
21 the wide prairies, traverse the mountains into
22 British Columbia and into the far reaches of
23 the Northwest Territories. They include the
24 hills and valleys of the north, Central
25 American states. These are our lands. They are

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1 Métis lands. They are the lands of our past
2 which nurture us today and which we value as
3 the precious foundation of our future."

4 Thank you for your time
5 everyone. I appreciate the opportunity to
6 speak today.

7 PANEL CHAIR: Thank you so
8 much, Dr. Stinson. Appreciate your
9 presentation. If you just give me two minutes,
10 I'm just going to do a time check, and I'll
11 get right back to you.

12 We are at 10 after 12:00, and
13 so why don't we take a lunch break till 1:15
14 and then, Ms. Stinson, if you are able to stay
15 on, if there are questions that we had for you
16 on your presentation, that would be great.

17 DR. STINSON: Absolutely.
18 Thank you.

19 PANEL CHAIR: Okay. We'll see
20 everybody back here at 1:15. Thank you.

21 --- Recess taken at 12:11 p.m.

22 --- Upon resuming at 1:16 p.m.

23 PANEL CHAIR: Good afternoon
24 everyone, and welcome back. Hopefully the
25 sound is okay.

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1 We have a request for just
2 some final information from Métis Nation of
3 Ontario. I know that Dr. Stinson -- sorry, my
4 apologies. You completed your presentation,
5 but I understand Mr. Sinclair had a few
6 additional points that he would like to add,
7 so we'll turn it over to -- oh, not from -- is
8 it Métis First Nation?

9 MS. STINSON: It's the Métis
10 of Ontario, and I'll pass it on to --

11 PANEL CHAIR: I'm so sorry.

12 MS. STINSON: That's okay.
13 We'll pass it on to councillor Claire.

14 PANEL CHAIR: Thank you. My
15 apologies, welcome.

16 PRESENTATION BY TIM SINCLAIR:

17 MR. SINCLAIR: Hello
18 everybody. I'm Tim Sinclair. I'm the PCMNO, or
19 provincial council of the Métis Nations of
20 Ontario councillor. I'm the chair of the MNO
21 Region 2 consultation committee for Lakehead,
22 Nipigon, Michipicoten.

23 This lake is covered -- this
24 land is covered by the Robinson-Superior
25 Treaty along the foggy shores of Lake Superior

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1 which is dominated by rocks, lakes, forests of
2 the Canadian Shield, and I live along the
3 foggy shores of Marathon.

4 And what I'd kind of like to
5 address is a couple of holes that I've seen.

6 For example, Generation PGM
7 has had two years that we haven't been
8 completely happy with some of the questions
9 that we asked, but -- for example, the
10 groundwater is something that they have done
11 an amazing job with, and I've actually
12 personally been with them a few occasions
13 doing this. This has been a long time coming
14 for Generation PGM to get to the point where
15 they are getting along with establishing a
16 mine outside of Marathon. I can say they have
17 been a great asset to the community over the
18 years. I've watched this happen for a very
19 long time. I've watched it change hands, while
20 still maintaining its corporate licence to
21 operate, only to get stronger and stronger.

22 Because of the seriousness of
23 the commitment to the people who have been
24 working for GenPGM, the Métis nations has seen
25 firsthand how their commitment to the

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1 with Generation PGM. They have been very
2 transplanting -- very transparent in the
3 planning and mapping of values towards all the
4 people in the area. It's actually transformed
5 the footprint of the future mine.

6 They have called upon us to
7 visit with them when they were doing
8 fieldwork, and we did take advantage of this,
9 and I learned firsthand how the samples are
10 taken, recorded and published. I've seen this,
11 and I have also helped them do noise studies
12 as well.

13 Recently the Métis Nations of
14 Ontario had signed an MOU with Generation PGM,
15 and in which time we're very happy with the
16 document which can only make our friendship
17 grow stronger.

18 As we go forward updating our
19 relationship we will continue to expand to
20 other agreements which will benefit us both.
21 I'm looking forward to working with the staff
22 of Generation PGM into the future, and seeing
23 the future of GenPGM mine benefitting the
24 region long into the future.

25 We still have some hurdles to

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1 get over, but I'm sure they are just that.
2 Generation PGM has tried to be a good citizen,
3 and I'm confident they will address the issues
4 that our experts have been working on for some
5 time into the future. I do look forward to
6 working alongside with our experts and their
7 along all fronts of this project to get it off
8 the ground in a safe environmentally conscious
9 direction.

10 I would also like to add that
11 I've known Jerry Dart for a very long time.
12 I've seen the difference that he made at his
13 time in Barrick so I know what aspects will --
14 I know these aspects will get covered. Thank
15 you very much.

16 PANEL CHAIR: Thank you so
17 much, Mr. Sinclair. Sorry for the confusion.
18 There's a very similar name with Department of
19 Fisheries and Oceans, so my apologies. Thank
20 you to you and to Dr. Stinson. If you would
21 please hold for one moment before I ask for
22 questions.

23 I know that Mr. St. Claire
24 from Department of Fisheries and Oceans had
25 his up earlier, and my apologies, I didn't see

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1 that.

2 TIM SINCLAIR: I come from the
3 sinners, side not the saints side.

4 PANEL CHAIR: Thank you, Mr.
5 St. Clair. My apologies, I didn't see you.
6 Please proceed.

7 MR. ST. CLAIR: It's all good.
8 Thank you and hello, Panel Chair Sikora and
9 Panel Members Bruce and Drescher. Adam St.
10 Clair with DFO. I apologize for interrupting
11 earlier. I had my hand up and -- yeah, Mr. St.
12 Clair for Sinclair.

13 Panel Chair Sikora, this
14 morning you mentioned having a question for
15 DFO regarding undertaking number 7 on northern
16 brook lamprey. Although DFO staff will be
17 available for questions throughout the
18 afternoon, the DFO species expert on northern
19 brook lamprey is not. So in order for DFO to
20 provide the most accurate information
21 available, would it be possible to be asked
22 that question early even now and respond to it
23 at the end of the day?

24 PANEL CHAIR: Yes. Sure, or is
25 your expert planning on coming another day or

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1 -- we can do that as well, but if now is fine.

2 MR. ST CLAIR: They're not
3 planning on attending days in the future. We
4 could possibly ask them to, but at this point
5 there's no plans for them to attend again.

6 PANEL CHAIR: Okay. Okay. How
7 about if we will -- if you could hold for
8 maybe half hour, 40 minutes, we'll conclude
9 our discussion with Métis Nation of Ontario
10 with questions for them, and then I'll come
11 back to you. Would that work?

12 MR. ST. CLAIR: Absolutely.
13 That sounds perfect.

14 PANEL CHAIR: Okay. Thank you
15 so much. Appreciate that. Okay. Just give me
16 one minute to get my paperwork together. Thank
17 you.

18 We've heard from Métis Nation
19 the Ontario this morning and this afternoon,
20 and I wondered if any participants had
21 questions for Dr. Stinson or Mr. Sinclair.
22 Generation PGM, do you have any questions? Mr.
23 Barretto.

24 MR. BARRETTO: Yes, Madam
25 Chair, Jeremy Barretto for the record.

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1 Generation thanks the
2 presenters from MNO, and we have no questions
3 at this time. I'll just note we are reviewing
4 the YouTube from this morning, and I'll ask
5 the panel's permission if we have any
6 questions in the future. Thank you.

7 PANEL CHAIR: Thank you. Thank
8 you, Mr. Barretto. Thank you for that. The
9 panel does have some questions, so I'll turn
10 it over to my colleague Ms. Drescher at this
11 time. Thank you.

12 QUESTIONS SESSION:

13 PANEL MEMBER DRESCHER: Thank
14 you, Madam Chair. I was hoping if Dr. Stinson
15 would be able to join us.

16 DR. STINSON: Yes. Hello.

17 PANEL MEMBER DRESCHER: Hi.
18 Thank you very much for your comprehensive
19 presentation this morning. Very informative.

20 You had touched on mushrooms,
21 and just for the record, I'm pretty sure it's
22 fair common knowledge, but just for the record
23 if you could give us an indication of the
24 regeneration time for mushroom. For example,
25 the site is going to be completely cleared and

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1 over time will be re-vegetated. What is the
2 possible regeneration time, if you can answer
3 that, if you wouldn't mind, for mushrooms
4 under those conditions?

5 DR. STINSON: Thank you. I'm
6 actually going pass this on to my colleague
7 Alexandra, if she's here right now. She's more
8 the expert than I in that. If there is an
9 answer, she would have it.

10 PANEL CHAIR: Wonderful.
11 Thanks. Hello Alexandra.

12 MS. KOSMIDES: Hello panel and
13 thank you so much for the question.

14 I want to start this off by
15 saying I'm not a fungus expert, so take this
16 with a grain of salt, but with my background
17 as an ecologist, the mycorrhizal networks that
18 are formed by fungi are highly variable and
19 dependent on multiple different things,
20 qualifiers to see whether or not they will
21 return to an area from year to year. They are
22 not like plants. They are their own kingdom,
23 and the way that they function within an
24 environment can be highly variable as well.

25 So stating that a -- a

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1 specific species of fungus may come back
2 within one to five years is not a qualifier
3 and does not guarantee that it will. The
4 networks require multiple different
5 environmental inputs whether that is fire,
6 extra rain, nutrient loading, et cetera, to be
7 able to come back to those areas. Studies have
8 shown even if you try to release spores in an
9 area or put plugs into different logs like
10 people that farm fungi do, it can be a highly
11 variable process, and it's poorly understood
12 at this point. So I can't give you a complete
13 answer to that other than to say that these
14 networks are highly variable and the research
15 is ongoing by experts.

16 PANEL MEMBER DRESCHER: Thank
17 you very much for that clarification. Thank
18 you. Okay. Back to Dr. Stinson, please.

19 Could the Métis Nation of
20 Ontario provide more context about the
21 importance of sauger, which was a fish species
22 that was noted in the submission to the panel
23 and has been discussed at length with DFO,
24 questions to DFO, but we would just like to
25 understand the importance of sauger for

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1 harvesting or cultural purposes to the Métis
2 Nation of Ontario. And as you can probably
3 imagine where is it found or do you have any
4 records of where it would be found?

5 MS. STINSON: Thank you for
6 the question. I actually think that this is
7 better suited to Alexander and Tim as well.
8 I'll pass it on to them. Thank you.

9 PANEL MEMBER DRESCHER: All
10 right. Thank you.

11 MS. KOSMIDES: Hello panel,
12 and thanks again for your question. I would
13 reference the traditional knowledge study that
14 was done by Stillwater in 2012. There is
15 information contained within that traditional
16 knowledge study that stated that there was a
17 historical fishery or that historical fishing
18 did take place in the area.

19 I'll let Councillor Sinclair
20 speak more to if and where that species is
21 being harvested right now, but I do want to
22 put it the record that that is a historical
23 statement within the traditional knowledge
24 study. And I'll cede the floor to Councillor
25 Sinclair.

1 MR. SINCLAIR: Yeah, thanks.

2 I would have to state that in
3 my 35 years of living here I think I may have
4 seen two or three saugers, and most of them
5 came from east of here in some of the larger
6 lakes there. They are basically very, very
7 similar to walleye or pickerel, and if you
8 fried them up, you can't tell the difference
9 sort of thing. You cannot say that this is
10 this and this is that. They look very, very
11 similar except the sauger is more of a black
12 and white and gray fish compared to the green,
13 gold, blue, yellow that the walleye are. They
14 -- basically they have a squatter, fatter
15 head, and other than that I would go to --
16 refer to the TK study because I've only seen
17 them only heard of them being in Lake
18 Superior, and I've only seen them around the
19 mouth of the Pic River and stuff like that, so
20 thank you.

21 PANEL MEMBER DRESCHER: Thanks
22 very much. So thank you for that.

23 The next question that I have
24 -- and I just go back to you, Dr. Stinson
25 because you were the lead on the presentation,

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1 and of course rely on your experts as you see
2 fit.

3 The next question is with
4 respect to climate change. You had provided a
5 good overview of concerns for climate change.
6 And the question that we have is, does the
7 Métis Nation of Ontario have any comments on
8 how climate change is affecting the
9 environment on which you rely? So are you
10 seeing changes based on your day-to-day
11 activities with water? With the land? Do you
12 have any sort of anecdotal reference to the --
13 to climate change effects?

14 DR. STINSON: Thank you for
15 the question. I'll give a very brief overview
16 and then pass it on to Councillor Sinclair.

17 In general -- the lands
18 resources and consultations branch actually
19 has a subdivision on climate change, and so
20 the Métis Nation of Ontario takes climate
21 change extremely seriously. More specifically
22 I know that anecdotally there is an impact,
23 and it -- anecdotally it affects many
24 different systems. I will pass it on to
25 Councillor Sinclair to give a more thorough

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1 answer.

2 PANEL MEMBER DRESCHER: Thank
3 you.

4 DR. STINSON: Thank you.

5 MR. SINCLAIR: One of the
6 things that we have to remember here is it is
7 going to be an open pit mine, and open pit
8 mines are notorious for to pollution being
9 mostly one of the biggest ones will be dust
10 pollution. We brought this up with Generation
11 PGM, and like I said the noise pollution and
12 the dust pollution, they have answered some of
13 the questions, and some of it they still need
14 -- some of it -- you can't predict
15 earthquakes. You cannot predict exactly how
16 the prevailing winds and stuff like that are
17 going to be doing it. I'm quite sure Jeremy
18 might actually have a pretty good handle on
19 this because having worked at Barrick for as
20 long as he did, you will have a lot of the
21 information from basically happened around in
22 the area.

23 When you get the dust and it
24 blows up from an open pit, it will land
25 outside of the mine and -- but I have seen the

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1 moss die on like big huge flat areas of rock
2 only to return five years later, only the five
3 kill it again and take a couple more years for
4 it to come back. So will it be gone forever? I
5 doubt it. But I'm just saying if you want
6 climate change that is one of the biggest
7 things that I can come up with off the top of
8 my head in trying to answer this correctly
9 because this is something that you can
10 actually see happen in realtime; that
11 eventually some of the prevailing winds will
12 take some of the dust, and it will destroy
13 some of the lichen species an stuff like that,
14 but I have seen them come back as well.

15 PANEL MEMBER DRESCHER: Thank
16 you very much, Councillor Sinclair.

17 DR. STINSON: I will also just
18 go back to something that Peter from
19 Ginoogaming mentioned earlier, is that caribou
20 have nearly left the area. Obviously there are
21 some especially in Pukaskwa National Park
22 area, but that has been an ongoing response to
23 climate change and isolating of environments
24 for them. I do anticipate and anecdotally
25 recognize that some of the topics brought up

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1 by citizens over the years are, and as well as
2 mentioned has been studied through our branch
3 of the MNO, are changes to the variability in
4 weather, and that could be impacting different
5 types of flooding estimates. That is a
6 concern, as well as water temperature changes,
7 and that directly relates to harvesting
8 particularly fish. Thank you.

9 PANEL MEMBER DRESCHER: Thank
10 you. My next question is more health related.

11 And I was wondering if you
12 could comment on your harvesting and cultural
13 practices in or near the proposed site which
14 may affect the health of the Métis Nation of
15 Ontario members. Do you have any comments on
16 the potential effects?

17 DR. STINSON: I have a couple
18 of comments and then I may pass it on to my
19 colleagues.

20 So some of our top level
21 concerns would be bioaccumulation of metals in
22 the environment, and that is one of the
23 reasons why we would like to have trace
24 analysis testing on so many different types of
25 organisms to actually identify and monitor

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1 from a baseline study on how they actually
2 bioaccumulate in the system. So that would be
3 one of the concerns, is a lot of the top level
4 predators are valued ecological components in
5 the area and that are harvested.

6 So these types of VECs are of
7 particular importance to many citizens because
8 they are relying on this harvesting for many
9 meals if not all meals in specific weeks,
10 months and years for not only themselves but
11 their families and their community.

12 I'll pass it on to Alexandra
13 next to see if she has any additional
14 comments.

15 MS. KOSMIDES: Thank you,
16 Victoria. I appreciate it. And hello again
17 panel.

18 I did want to state for the
19 record very clearly that both Victoria and I
20 are not Métis citizens. We will not -- you
21 know, our perspectives are much different than
22 the actual citizens that were surveyed for the
23 traditional knowledge studies.

24 As to the health impacts I
25 believe it harkens back to what Dr. Stinson

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1 was saying about the unknown unknowns and the
2 misunderstanding or low understanding of how
3 platinum group elements or platinum group
4 metals can affect people or bioaccumulate
5 through multiple different pathways.

6 PANEL MEMBER DRESCHER: Okay.
7 Thank you very much. Thank you. And I have
8 another question, Dr. Stinson, thank you.

9 The panel has heard from
10 Generation PGM and from Indigenous groups that
11 fishing is largely focused on Bamoos Lake,
12 Hare Lake, Hare Creek as well as Lake
13 Superior, including the lower reaches Angler
14 Creek and Pic River. We're interested in
15 better understanding how the current mercury
16 levels in fish and associated fish consumption
17 advisories have affected the Métis Nation of
18 Ontario members, harvesting practices and
19 consumption of fish.

20 Have you noticed -- you, as
21 in the Métis Nation of Ontario -- noticed a
22 change in the past.

23 DR. STINSON: I'm going to
24 give a brief statement from a staff member of
25 the MNO, and then I will pass it on to Tim

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1 Sinclair as he can speak more for his
2 community.

3 In general, throughout
4 northwestern Ontario for the past hundred
5 years now there has been an increased level of
6 mercury in every system, particularly lakes,
7 particularly because of pulp and paper mills
8 but also different types of industry.
9 Certainly this is a concern; one the concerns
10 that the MNO has in any region on traditional
11 territory.

12 In terms of mercury specific
13 to this project, mercury is I would say well
14 studied thus far by the proponent and that
15 gives us -- that provides a lot of reassurance
16 to the Métis Nation of Ontario. We are
17 particularly more concerned about other metals
18 that could be studied more fulsomely like
19 PGMs.

20 In terms of mercury, the
21 specific -- one of the most specific issues is
22 mercury methylation and can and does affect
23 many -- could affect many citizens. And
24 certainly many citizens will -- do rely on
25 many different types of fish, particularly

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1 ones higher in the food chain that could be --
2 have more mercury contaminants. Certainly many
3 citizens also recognize that eating greater
4 amounts, larger portions, larger fish can
5 affect -- can be affected by mercury.

6 I'm going to pass it on to
7 Tim so he can provide -- or excuse me,
8 Councillor Sinclair, so he can provide a more
9 fulsome and direct answer, but based on the
10 that I've gleaned from traditional knowledge
11 studies as well as our way of life time, this
12 is a considerable concern in general for Métis
13 citizens and affects harvesting and
14 consumption. I'll pass it along to Councillor
15 Sinclair next.

16 MR. SINCLAIR: Thank you,
17 Victoria, appreciate that. Thank you, Panel.

18 Yeah, from the harvester side
19 of things, when there has been like a fishing
20 tournament happening here right in the heart
21 of Marathon, in the heart of Marathon harbour,
22 and I have seen a young lady one time who come
23 in with a fish, and after they weighed it, she
24 was trying to trade it off for a smaller one
25 because she was still in child-bearing years

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1 and stuff like that, and she was worried about
2 the amount of mercury that might be in a fish
3 that large.

4 Now, that was the only time
5 that I can recall that. I have to go back to
6 what Victoria has said saying that the pulp
7 and paper industry here has caused an awful
8 lot of problems here in Marathon. The Marathon
9 harbour itself has actually had a cleanup
10 project happen a couple of years ago. They
11 actually aged the entire harbour by 75 years
12 by putting coarse gravel all throughout the
13 entire area. So has that helped? Yes,
14 according what the government has told us,
15 that has helped considerably.

16 As for some of the other
17 lakes, I haven't personally heard too much
18 problem with mercury in some of the smaller
19 lakes and some of the other smaller fish, but
20 most people it's common knowledge today that
21 the bigger the fish the higher the chance of
22 mercury, so a lot of people throw these fish
23 back if they think it's too large. And they
24 think if they are worried about it, they will
25 normally return them, and then fish for

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1 smaller fish. That is just kind of what I've
2 been told on the TKs and the people I've
3 talked to. Thank you.

4 PANEL MEMBER DRESCHER: Thanks
5 very much. Thank you for that. Just one last
6 question.

7 In the Crown consultation
8 submission, which was at the end of February,
9 they indicated that they had received a
10 redacted TK/LUS and on the 22nd of February,
11 but they didn't have enough time to
12 incorporate the information.

13 Is this redacted document
14 something that the Métis Nation of Ontario
15 would consider sharing with the panel in its
16 redacted form?

17 DR. STINSON: Yes, that is
18 something that I can go back and ask leadership if
19 they would be willing to share that.

20 UNDERTAKING 32:

21 PANEL MEMBER DRESCHER: That
22 would be appreciated. Thank you. Just in case
23 they give a positive response, we do as you
24 know catalog everything by undertakings, so we
25 do have an undertaking number. I believe it's

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1 -- just a moment -- number 32. That would be
2 appreciated. Thank you very much for your
3 time. That's the conclusion of my questions,
4 thank you very much. Thank you.

5 PANEL CHAIR: Thank you so
6 much, Ms. Drescher, and to Métis Nation of
7 Ontario. Appreciated your presentation and
8 discussion today.

9 Before we move to the Crown
10 consultation division, I will ask Department
11 of Fisheries and Oceans, Mr. St. Clair to come
12 back up and I'll read out the question that we
13 have for DFO.

14 So this is in relation to the
15 undertaking number 7, and I'll get you that
16 CIAR number in just one minute if -- I don't
17 have it right in front of me, but I'll read my
18 question in the meantime.

19 So during the fish and fish
20 habitat hearing session, the proponent
21 indicated that lamprey ammocoetes -- I hope
22 I'm pronouncing that correct -- are detectable
23 using backpack electrofishing. DFO can confirm
24 that this is accurate. However, there are a
25 series of specific considerations that must be

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1 MR. ST. CLAIR: I'm sorry.
2 Adam St. Clair, DFO. Thank you for the
3 question, Panel Chair Sikora. I apologize for
4 the delay there. I was just typing things out
5 feverishly.

6 So thank you also for
7 providing us some time to respond, and we'll
8 discuss this internally and provide a response
9 at the end of the day.

10 PANEL CHAIR: Thank you. Could
11 you just hold on one moment, please. Thank
12 you.

13 --- (DISCUSSION OFF THE RECORD)

14 PANEL CHAIR: Sorry, we just
15 have one small addition to the question. There
16 was a word missing. So the question, are there
17 feasible mitigation or compensation measures
18 that could adequately address adverse effects?
19 Sorry, it wasn't....

20 MR. ST. CLAIR: Perfect. Thank
21 you, again. We'll get back you to by the end
22 of the day.

23 PANEL CHAIR: Thank you so
24 much. I appreciate that.

25 Okay. Our next presenter is

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1 with Impact Assessment Agency of Canada, the
2 Crown consultation division. Good afternoon,
3 Mr. Boisvert.

4 PRESENTATION BY JASON BOISVERT:

5 MR. BOISVERT: Good afternoon,
6 Panel, and all participants who are viewing
7 on-line today. We would like to thank the
8 Métis Nation of Ontario (region 2), and
9 Ginoogaming First Nation for the presentations
10 earlier today.

11 Thank you. Okay. So for the
12 record, my name is Jason Boisvert, and I'm the
13 acting director, Crown consultation operation
14 division at the Impact Assessment Agency of
15 Canada which I'll refer to as "the agency" for
16 the remainder of the presentation.

17 I have the privilege of being
18 one of the representatives from the Crown
19 Consultation Team, which I'll refer to as "the
20 CCT" for the remainder of the presentation,
21 who will be presenting to you today and
22 throughout this week along with my colleagues,
23 Luc, Crown consultation lead with the agency,
24 and Colin Hovi, mineral exploration and
25 development consultant, mines and minerals

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1 division, Ministry of Northern Development,
2 Mines, Natural Resources and Forestry. I have
3 to take a breath after that one.

4 In addition to Luc, Colin and
5 myself, with me today are other members of the
6 CCT representing the agency, the Ministry of
7 the Environment, Conservation and Parks and
8 the Ministry of Northern Development, Mines,
9 Natural Development and Forest.

10 Before diving into the
11 presentation, on behalf of the CCT I would
12 like to acknowledge that the proposed project
13 is located in close proximity to Biigtigong
14 Nishnaabeg on lands which are of deep
15 significance to the community and on lands
16 traditionally occupied by First Nations and
17 Métis people in the area covered by the
18 Robinson Superior Treaty of 1850.

19 The CCT would also like to
20 acknowledge the significant amount of time and
21 effort that all the Indigenous groups
22 consulted have devoted to their participation
23 in this EA process under very trying
24 circumstance for the past couple of years
25 which includes the global COVID-19 pandemic

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1 which limited our ability to meet in person
2 and the continued discoveries of unmarked
3 graves at the sites of former residential
4 schools for Indigenous children in Canada.

5 On behalf of all members of
6 the CCT I would like to express deep gratitude
7 for all the hours the Indigenous groups have
8 dedicated to participating in this process, to
9 developing relationships with our team and for
10 the knowledge they have shared with us.

11 Next slide, please.

12 The CCT's objectives today is
13 to provide the panel with an overview of the
14 following: the mandate and role of our team, a
15 list of the Indigenous groups involved in this
16 EA process to date, a brief description of the
17 agency's methodology for assessing impacts on
18 rights and how it was applied in our
19 submission, CIAR reference 1083, summarize the
20 CCT's preliminary assessment of potential
21 impacts on the established or asserted
22 Aboriginal or treaty rights protected under 35
23 of the *Constitution Act, 1982*. For the
24 remainder of the presentation I'll refer to
25 these as either "Section 35 rights" or

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1 "established or asserted rights."

2 Today we'll also sample a
3 number of recommendations that may minimize
4 project impacts on these Section 35 rights for
5 the panel's consideration and provide
6 information about the next steps in the
7 consultation process, including how Indigenous
8 groups will be consulted on the panel report.

9 Next slide, please.

10 On April 26, 2021 CIAR
11 reference number 746, the CCT provided an
12 updated list of the Indigenous groups
13 consulted in the EA to the panel. Since its
14 resumption in 2020 eight Indigenous groups
15 have been involved in the EA process with
16 seven participating actively. Netmizaaggamig
17 Nishnaabeg who have not active reconfirmed on
18 January 24th, 2022 that they observed the
19 project area as Biigtigong Nishnaabeg's
20 exclusive title area, and do not plan on
21 participating in the EA process.

22 The seven Indigenous groups
23 who are actively participating in the EA
24 process include Biigtigong Nishnaabeg,
25 Ginoogaming First Nation, the Métis Nation of

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1 Ontario (Region 2), Michipicoten First Nation,
2 Pays Plat First Nation, Red Sky Métis
3 Independent Nation, and the Jackfish Métis
4 Association.

5 Today's presentation will be
6 focused on summarizing content from our
7 written submission that pertains to the
8 preliminary assessment of the project's
9 potential impacts on the Section 35 rights of
10 the following four Indigenous groups:

11 Ginoogaming First Nation, Métis of Ontario
12 (Region 2), Michipicoten First Nation and Red
13 Sky Métis Independent Nation.

14 The CCT will also present to
15 the panel today the preliminary assessment of
16 the project's impacts on the interests
17 identified by the Jackfish Métis Association.
18 At this juncture the CCT would also like to
19 take a brief moment to wish Mr. MacDonald, who
20 represents GMA, a speedy recovery.

21 Content from the written
22 submission related to Biigtigong Nishnaabeg
23 and Pays Plat First Nation will be presented
24 later this week as per the hearing schedule.
25 We would like to note that throughout this EA

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1 process the CCT has encouraged Indigenous
2 groups to provide submissions directly to the
3 panel for your consideration.

4 As the panel is aware, a
5 number of Indigenous groups have put
6 significant information on the record and
7 participated actively in these hearings. The
8 CCT affirms that the Indigenous groups
9 involved have and will continue to speak on
10 their own behalves throughout this EA process.

11 Our presentation today
12 summarizes the views of the CCT and is not
13 intended to replace the respective
14 submissions, views or concerns of the
15 Indigenous groups involved in this EA process.

16 Next slide, please.

17 As you're likely aware, the
18 CCT is not a specific federal department or
19 provincial ministry like those you've heard
20 from over the past three weeks. Instead, our
21 team is made up from a collection of agency
22 and provincial government employees who are
23 dedicated to meaningfully consult Indigenous
24 groups in this EA process.

25 Our primary functions

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1 include, supporting and facilitating the
2 integration of consultation activities into
3 the EA process to the greatest extent
4 possible, working with Indigenous groups to
5 gain a better understanding of potential
6 impacts of the project on their established or
7 asserted Section 35 rights, coordinating
8 consultation activities on behalf of the whole
9 of government to the extent possible to make
10 best use of the EA process for the project and
11 in order to assist the Crown in fulfilling its
12 consultation obligations with Indigenous
13 groups and ultimately to strengthen
14 relationships with partnerships with
15 Indigenous groups in the spirit of furthering
16 our government's reconciliation objectives.

17 Regarding the CCT's efforts
18 to coordinate consultation activities on
19 behalf of the government, we have worked
20 closely with several federal and provincial
21 ministries who are participating in the
22 government review team for this project in
23 order to facilitate their involvement in
24 consultation activities with Indigenous groups
25 throughout the process.

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1 All GRT members, government
2 review team, were provided with our written
3 submission, CIAR 1083, for review and input
4 related to their respective expertise and
5 mandates. Those that did provide input are
6 clearly referenced in our written submission.
7 Individuals from these departments and
8 ministries are available to support the CCT
9 today in responding to questions should any
10 arise relevant to their input in our
11 submission.

12 These departments and
13 ministries have also joined the community
14 sessions this week to hear directly from the
15 Indigenous groups regarding their views of the
16 potential -- the project's potential impacts.

17 We hope that the information
18 provided by the CCT through this EA process
19 has assisted the panel in fulfilling its
20 mandate. The panel may also wish to consider
21 some of this information and the information
22 contained in our submission in the context of
23 assessing environmental effects of the project
24 listed under section 5.1(c) of CIAR 2012,
25 which includes, with respect to Aboriginal

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1 specific projects.

2 The use of this methodology
3 has three main objectives. First, to
4 collaborate with Indigenous groups to better
5 understand how the project may affect their
6 established or asserted Section 35 rights, to
7 provide the panel with information it may
8 consider in conducting its own assessment and
9 to assist the Crown in upholding its legal
10 obligations to consult and where appropriate
11 accommodate potential adverse impacts of the
12 project on established or asserted Section 35
13 rights.

14 There are seven iterative
15 steps associated with the methodology. And as
16 pointed out earlier today by Generation PGM,
17 the results of steps 1 through 4 are provided
18 in section 6 of the CCT's written submission.

19 We have worked with each
20 Indigenous group to identify their key rights
21 values and interests to be assessed in our
22 submission. We sought to understand the
23 context in which an impact on these rights
24 and/or interests might occur. We sought to
25 identify the pathways that are needed to

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1 support the exercise of rights that could be
2 impacted from project-related activities.

3 The preliminary assessment
4 was informed by information provided directly
5 from the Indigenous groups, by information
6 contained in the proponent's assessment and
7 with the input from the aforementioned GRT.

8 Steps 5 through 7 of our
9 methodology which includes the application of
10 criteria to finalize this assessment will be
11 informed by information we hear during the
12 hearings, the panel's report and any
13 additional information brought forward by
14 Indigenous groups, the proponent and the
15 government review team leading up to the
16 decision.

17 Although a considerable
18 amount of effort has went into the preliminary
19 assessment, the most critical step, which is
20 finalizing this assessment, and, where
21 appropriate, accommodating potential residual
22 adverse impacts remains.

23 Next slide, please.

24 The CCT's preliminary
25 assessment basically focused on potential

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1 project impacts on three pathways that are
2 needed to support the exercise of rights. Each
3 community-specific chapter in our submission
4 includes language to describe the project's
5 potential impacts on each of the three
6 pathways where it was available or provided.
7 These three pathways include resources. Some
8 of the examples you would have seen are
9 specific species, waterbodies, that could be
10 exacted, hectares of habitat that could be
11 impacted that were articulated by Indigenous
12 group that were required for the practice of
13 rights or used in the practice of rights.

14 The second pathway is access.
15 Throughout the submission you will see in the
16 narrative information regarding specific areas
17 of importance for the practice of rights and
18 project activities or components that could
19 compromise this access or create barriers to
20 preferred areas to practice these rights.

21 Third, is information related
22 to cultural practices such as transmission of
23 knowledge through youth camps that take place
24 at important sites that could be impacted by
25 the project.

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1 In instances where the
2 information was not received, it was noted by
3 the CCT in its written submission. Should
4 Indigenous groups provide this information in
5 the final phases of the EA process, the CCT
6 will work with them to include it in the final
7 assessment of the severity of the impacts on
8 rights.

9 I will now turn the
10 presentation over to my colleague Luc
11 Desroches who will provide the panel with a
12 summary of the CCT's analysis pertaining to
13 the five aforementioned Indigenous groups.
14 Thank you.

15 MR. DESROCHES: Good morning,
16 Panel Members.

17 PANEL CHAIR: Good afternoon.
18 Mr. Desroches, could you turn your camera on,
19 please.

20 MR. DESROCHES: That would
21 help.

22 PRESENTATION BY LUC DESROCHES:

23 MR. DESROCHES: So my name is
24 Luc Desroches. I am using Jason's computer
25 just to make it easier here in the room.

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1 Nation there were two primary concerns heard
2 by the Crown Consultation Team: water quality
3 and harvesting.

4 Next slide, please.

5 In terms of Ginoogaming First
6 Nation's concerns associated with water
7 quality, the Crown Consultation Team
8 recognizes that adverse effects to water
9 quality can affect resources such as fish and
10 country foods. Lake sturgeon was one example
11 given by Ginoogaming that we heard just this
12 morning.

13 Adverse effects on water
14 quality may affect Ginoogaming's ability to
15 exercise, establish or assert section 35
16 rights to fish, although the Crown
17 Consultation Team currently has no knowledge
18 of Ginoogaming's practices of these rights at
19 or near the project area, including preferred
20 fishing sites.

21 The CCT notes the proponent's
22 commitments to mitigating project effects on
23 water quality, including avoidance and water
24 quality management on the effects on fish and
25 fish habitat. The proponent has committed to

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1 finalizing and implementing a fish habitat
2 offsetting plan in consultation with Fisheries
3 and Oceans Canada, or DFO, and other
4 interested parties. This may serve to address
5 Ginoogaming's concern regarding water quality.

6 Next slide, please.

7 For harvesting, the Crown
8 Consultation Team acknowledges Ginoogaming's
9 views regarding the connection the community
10 has to lands of their described traditional
11 territory and the exercise of harvesting
12 rights.

13 The proposed project could
14 affect Ginoogaming's ability to exercise
15 established or asserted Section 35 rights to
16 fish, hunt or gather plants; however, the CCT
17 currently has no information regarding
18 Ginoogaming's exercise of harvesting rights at
19 or near the project area, such as preferred
20 harvesting locations.

21 The CCT notes that
22 Ginoogaming will be consulted on the
23 proponent's closure plan should the project
24 proceed. This could provide a mechanism to
25 address any further information or concerns

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1 raised by Ginoogaming related to the project's
2 potential impacts on harvesting activities.

3 Next slide, please.

4 In terms of suggested
5 recommendations related to concerns raised by
6 Ginoogaming, the Crown Consultation Team
7 recommends that the proponent commit to
8 establish a communication engagement plan with
9 Ginoogaming specifically related to issues of
10 water quality and harvesting.

11 As indicated on the slide,
12 the communication engagement plan could
13 facilitate discussions on potential mitigation
14 measures to address unforeseen effects on
15 water quality, fish, fish habitat, and
16 unforeseen effects on trapping and land use.

17 Next slide, please.

18 For the Métis Nation of
19 Ontario the CCT heard about three primary
20 areas of concern including harvesting, fishing
21 and water quality. In terms of harvesting, the
22 CCT acknowledges Métis Nation of Ontario's
23 views regarding the connection to lands and
24 traditional use in the practice of harvesting
25 rights.

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1 Next slide, please.

2 Métis Nation shared that the
3 duration of the project and adverse effects on
4 plant species for a prolonged amount of time
5 is one of their main concern as it relates to
6 traditional use of country foods and
7 traditional knowledge. Adverse impacts on the
8 land could affect MNO's asserted Section 35
9 rights to harvest.

10 The CCT recognizes that the
11 Métis Nation of Ontario assert the exercise of
12 harvesting rights near the project area. The
13 CCT notes that the proponent's consultation
14 with the MNO on the integration of traditional
15 knowledge in the closure plan and
16 re-vegetation plan could provide a mechanism
17 to address concerns raised by the MNO related
18 to the project's potential impacts on
19 harvesting rights and activities.

20 The CCT notes that more
21 information is required from the Métis Nation
22 of Ontario regarding species harvested,
23 locations, and practices that could directly
24 impacted by the project's components and
25 activities in order to fully understand the

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1 pathway of the impact on rights.

2 Next slide, please.

3 For water and fish, the CCT
4 notes that water quality can affect resources
5 such as fish and country foods. These adverse
6 effects can adversely impact the Métis Nation
7 of Ontario's asserted Section 35 rights to
8 fish. The CCT currently has no knowledge of
9 the preferred area in the project's vicinity
10 where MNO practice these fishing rights.

11 The CCT notes that the
12 proponent has committed to finalizing and
13 implementing a fish habitat offsetting plan in
14 consultation with DFO and other interested
15 parties which could help address concerns.

16 Next slide, please.

17 And I might be a little off
18 on the slides. I think we're going to the next
19 slide, please. Sorry. Go back one. We were on
20 the right one.

21 The Crown Consultation Team
22 recommends, as indicated on this slide, for
23 harvesting that the proponent involve the MNO
24 in the development of mitigation measures,
25 environmental management and monitoring, and

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1 priority for the community. Michipicoten has
2 provided considerable expertise and detailed
3 technical concerns, as we heard during
4 Michipicoten's March 17th presentation to this
5 panel, and is to help the proponent better
6 respond and address these concerns.

7 The CCT also recognizes the
8 proponent's commitment to continue to monitor
9 water quality through a comprehensive surface
10 water quality monitoring and country food
11 monitoring programs and to communicate these
12 findings with Michipicoten First Nation.

13 Next slide, please.

14 CCT acknowledges
15 Michipicoten's significant interest and deep
16 concern for the dwindling caribou population
17 in the Lake Superior coastal range.

18 The CCT also recognizes that
19 Michipicoten's established section 35 rights
20 could be affected if the project impacts any
21 of Michipicoten's restoration efforts,
22 especially considering the potential east-west
23 movement of caribou. The CCT acknowledges the
24 cultural significance of the caribou within
25 the Lake Superior coastal range to

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1 Michipicoten First Nation.

2 CCT notes the proponent's
3 proposed mitigation, enhancement and
4 rehabilitation measures, which are intended to
5 reduce the project's effects on caribou in the
6 Lake Superior coastal range.

7 CCT also recognizes the
8 proponent's commitment to continue to monitor
9 for the presence of caribou and to communicate
10 their findings with Michipicoten First Nation.

11 Next slide, please.

12 So suggested recommendations
13 here related to concerns raised by
14 Michipicoten:

15 The Crown Consultation Team
16 recommends, as indicated on the slide, that
17 for water the proponent continue to include
18 Michipicoten in the environmental monitoring
19 meetings throughout the project's lifecycle
20 and engage with Michipicoten to ensure
21 concerns associated with mercury and
22 phosphorus are appropriately addressed; the
23 proponent establish a communication and
24 engagement plan with Michipicoten throughout
25 the project's lifecycle to communicate results

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1 of monitoring and follow-up program, and the
2 proponent consult Michipicoten in development
3 of the mine closure plan.

4 For caribou, the proponent
5 consult Michipicoten in the development of an
6 on-site and off-site restoration and
7 monitoring activities related to caribou and
8 consult Michipicoten in the development and
9 monitoring of follow-up programs related to
10 project effects on caribou.

11 In terms of the next slides,
12 these are for Pays Plat First Nation that will
13 be presented on April 8th by Jason Boisvert.

14 If you can please skip to the
15 Red Sky Métis Independent Nation slides,
16 please.

17 The Red Sky Métis Independent
18 Nation had three primary areas of concern
19 including plant life, water and fish, and also
20 interests in economic opportunities.

21 Next slide, please.

22 The CCT notes the Red Sky
23 Métis Independent Nation, also Red Sky
24 socioeconomic concerns, potential benefits and
25 overall support for the project. The CCT

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1 understands that Red Sky has indicated the
2 proponent has adequately answered questions
3 and will continue to work on an agreement with
4 Red Sky. We understand that this may help with
5 Red Sky Métis Independent Nation's member
6 retention in the region, joint ventures,
7 training for youth, and filling any gaps in
8 the skills needed for the workforce.

9 The proponent also identified
10 further discussions needed in these planning
11 stages, namely regarding targeted skill sets,
12 training methods and training programs.

13 Next slide, please.

14 For water and fish, the CCT
15 acknowledges that Bamooos Lake has been
16 identified as an important fish harvesting
17 lake for Red Sky Métis Independent Nation
18 members. The CCT notes minimal information
19 related to project impacts or disruption to
20 preferred locations, times and means for Red
21 Sky's practice of rights associated with
22 water.

23 The CCT notes the proponent's
24 commitments to mitigating the project's
25 effects on water quality through avoidance and

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1 water quality management and subsequently the
2 effect on fish and fish habitat.

3 Also, the proponent has
4 committed to implementing a fish habitat
5 offsetting in consultation with DFO and other
6 interested parties which could help address
7 Red Sky's concerns.

8 Next slide, please.

9 In relation to Red Sky's
10 concern about project effects to plants
11 harvested in the project area and the risk
12 associated with consuming these plants, the
13 CCT recognizes that potential impacts to the
14 quality, quantity, or experience of plants
15 harvested may impact Red Sky Métis Independent
16 Nation citizens.

17 CCT acknowledges that Red
18 Sky's concerns will likely remain outstanding
19 should the proponent's country foods
20 monitoring plans not detect measurable changes
21 in the quality of plants of interest to the
22 Red Sky.

23 Next slide, please.

24 So herein suggested
25 recommendations related to concerns by Red

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1 Sky. The CCT suggests that the proponent
2 consult the Red Sky in the development of a
3 detailed monitoring plan related to project
4 impacts on vegetation which would incorporate
5 the appropriate air quality standards and
6 accurately reflect the diet of local
7 Indigenous groups, also, that the proponent
8 establish a communication engagement plan with
9 Red Sky throughout the project's lifecycle to
10 communicate results of monitoring and
11 follow-up program; and consult Red Sky Métis
12 Independent Nation in the selection of plant
13 species for the re-vegetation activities.

14 Next slide.

15 And the Jackfish Métis
16 Association, or Jackfish, had concerns
17 including economic opportunities, fishing and
18 trapping interests.

19 Next slide, please.

20 Jackfish have shared their
21 overall support for the project as we heard on
22 day 1 of the hearings, and that their
23 socioeconomic interests would be positively
24 impacted. The CCT understands that the
25 proponent has an agreement with Jackfish Métis

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1 Association. The CCT still recommends the
2 proponent develop targeted training
3 initiatives for Indigenous peoples, and in
4 particular, women and other underrepresented
5 groups in the mining industry.

6 Next slide, please.

7 Jackfish has shared with CCT
8 their preferred area of fishing, including
9 Bamoos Lake, that Jackfish have strong bond to
10 the land, water and air, seeks its protection,
11 and concerned about the water quality
12 inherently.

13 The CCT notes that water
14 quality can affect resources such as fish and
15 country foods. These adverse effects can
16 effect the Jackfish interest to fish in the
17 project area. The CCT knows the proponent has
18 committed to finalizing and implementing a
19 fish habitat offsetting plan in consultation
20 with DFO and other interested parties which
21 may also serve to address Jackfish's area of
22 interest.

23 Next slide, please.

24 And the CCT understands that
25 Jackfish's trap lines are far away from the

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1 project to reduce the likelihood of any
2 impacts. Jackfish does not foresee impacts on
3 resources or annual moving patterns, but have
4 shared they have an agreement with the
5 proponent in case new effects associated with
6 trapping interests were to occur. The CCT
7 notes the proponent's mitigation measures,
8 such as providing limited access to the site
9 specific area that are outside of the primary
10 areas of mining activity for Indigenous
11 communities to the extent possible.

12 Next slide, please.

13 And so the Crown Consultation
14 Team recommends a commitment by the proponent
15 to establish a communication engagement plan
16 with Jackfish, and as indicated on the slide,
17 this communication engagement plan could
18 facilitate discussion on potential mitigation
19 and adaptive measures to address unforeseen
20 effects to water quality, fish, trapping and
21 land use.

22 Next slide, please.

23 As mentioned earlier, I have
24 presented a subset of recommendations for each
25 Indigenous group based on the Crown

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1 consultation team's suggested measures to
2 address Indigenous concerns. The full list of
3 the Crown consultation team's recommendations,
4 which include the standard topic-based
5 recommendations, are included as an appendix
6 to the CCT written submission.

7 That concludes my part of the
8 presentation and I will now pass it back to
9 Jason Boisvert for the last slide. Thank you.
10 Miigwetch.

11 PRESENTATION BY JASON BOISVERT (CONT'D):

12 MR. BOISVERT: Hello again,
13 panel. Next slide, please. Jason Boisvert for
14 the record.

15 As noted, the CCT has
16 established a preliminary assessment of the
17 impacts on the three pathways that are needed
18 to support the exercise of rights for each
19 Indigenous group consulted in the EA process.
20 Following the submission of panel's report,
21 the CCT will consult the Indigenous groups on
22 the conclusions and recommendations of the
23 panel in order to inform the Crown
24 consultation and accommodation report; the
25 CCAR.

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1 Both the panel's report and
2 the CCAR will be provided to decision makers
3 to inform their EA decisions. The panel's
4 recommendations will further inform the
5 Crown's final assessment of the severity of
6 the project's potential impacts on established
7 or asserted Section 35 rights and any
8 appropriate accommodation measure that may be
9 considered by decision makers regarding the
10 project. This final assessment will be done in
11 conjunction with the Indigenous groups'
12 consultant. The panel's recommendations will
13 also inform the draft EA conditions which the
14 CCT will also consult the Indigenous groups
15 on.

16 Complementary measures, which
17 could include actions of the Crown, may be
18 suggested to address outstanding concerns
19 which the proponent cannot directly address.
20 The CCT remains committed to considering
21 additional information that may be shared by
22 Indigenous groups regarding potential impacts
23 to established or asserted Section 35 rights.

24 Final validation and
25 follow-up of the final assessment will be done

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1 in collaboration with Indigenous groups prior
2 to completing the evaluation and finalizing
3 all conclusions about severity of impacts.

4 The validation is intended to
5 strengthen the analysis and improve the
6 accuracy of our conclusions and measured
7 suggestions. That concludes our presentation
8 for today, and I'll turn it back to the panel.

9 PANEL CHAIR: Thank you very
10 much, Mr. Boisvert and Mr. Desroches. Really
11 appreciate your presentation today. If you are
12 okay if we move to some questions.

13 MR. BOISVERT: Of course.

14 PANEL CHAIR: Okay. Thank you.

15 I will ask if there are any
16 questions from Métis Nation of Ontario for
17 Crown Consultation Team.

18 DR. STINSON: I currently
19 don't have any questions, but I would let
20 Alexandra or Councillor Sinclair speak for
21 themselves.

22 PANEL CHAIR: Thank you.

23 TIM SINCLAIR: Tim Sinclair.
24 I'm fine with everything this way it stands
25 here right now. CRE answered most of my

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1 questions, already. Thank you.

2 PANEL CHAIR: Thank you.

3 MS. KOSMIDES: And hello,
4 panel. No questions from me. Thank you.

5 PANEL CHAIR: Thank you.

6 Ginoogaming First Nation, do
7 you have any questions for Crown Consultation
8 Team?

9 MR. RASEVYCH: No questions
10 from Ginoogaming.

11 PANEL CHAIR: Thank you.
12 Generation PGM, any questions?

13 MR. BARRETTO: Thank you,
14 Madam Chair. Jeremy Barretto for the record.

15 Generation PGM would like to
16 thank the presenters from the Crown
17 Consultation Team and we have no questions.
18 Thank you.

19 PANEL CHAIR: Thank you. I
20 know that the panel does have some questions
21 so I'll turn it over to my colleague Ms.
22 Drescher. Thank you.

23 QUESTIONS SESSION:

24 PANEL MEMBER DRESCHER: Thank
25 you, Madam Chair. Hello, Mr. Boisvert, thank

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1 you very much for the presentation. Very
2 informative. We do have just a few questions
3 for clarification.

4 The first one is could you
5 explain to us whether and how you considered
6 the potential effects of the project under
7 paragraph 5(1)(c) of the *Canadian*
8 *Environmental Assessment Act 2012*, that is,
9 effects to current use, cultural heritage,
10 Indigenous health and socioeconomic conditions
11 prior to determining the severity of impacts
12 to rights.

13 MR. BOISVERT: Thank you for
14 the question, Ms. Drescher. So if I could just
15 repeat it, it would be explaining how --
16 explaining whether and how we consider section
17 51 CEA effects under CEA 2012 prior to our
18 severity of impacts assessment, our
19 conclusions essentially?

20 PANEL MEMBER DRESCHER: That's
21 correct.

22 MR. BOISVERT: Thank you for
23 your question. I will take a moment to caucus
24 with my colleagues.

25 PANEL MEMBER DRESCHER: Thank

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1 you.

2 MR. BOISVERT: Thank you for
3 your time. So our preliminary assessment was
4 obviously focused on impacts on rights which
5 are often linked to section 5(1)(c) of CEA
6 2012, however, it will be the responsibility
7 of the panel to determine significance of
8 effects under 5(1)(c).

9 What will happen at once the
10 report is published -- the panel's report is
11 -- we are reliant or dependent on the
12 conclusions of the panel regarding the
13 significance of effects on 5(1)(c), so we will
14 be consulting the Indigenous groups on these
15 conclusions and recommendations and update our
16 final severity accordingly.

17 PANEL MEMBER DRESCHER: You
18 just answered question 2 and 3, just like
19 that. Thank you.

20 The next question that I have
21 is you reference a principle-based monitoring
22 committee in your submission, and in your
23 submission you've asked the panel to make this
24 recommendation. I'm not quite sure -- I would
25 like to have more information on what a

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1 principle-based monitoring committee is.

2 MR. BOISVERT: Thank you for
3 the excellent question, Panel Member Drescher.
4 I guess I'm going to asking you a favour at
5 this juncture. So the reference to the
6 principles-based monitoring committee is
7 specific to Biigtigong Nishnaabeg's
8 assessment. So if you would allow, I would ask
9 that that be deferred to tomorrow, if it's
10 okay.

11 PANEL MEMBER DRESCHER:
12 Absolutely. Thank you for that clarification.
13 Yes, we will ask the question again tomorrow
14 then.

15 And we have one question on
16 the influx of workers. I appreciate that the
17 Pic Mobert First Nation has not participated.
18 They indicated their need not to participate
19 in the process, but they did indicate at one
20 point that they were concerned about the
21 effects of the potential influx of
22 non-Aboriginal fishing and recreational
23 pursuits due to the project in particular at
24 White Lake Provincial Park, which is in the
25 RSA.

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1 The proponent at the time
2 suggested that the effect would be mitigated
3 by restricting access. Pic Mobert First Nation
4 commented that they did not believe this would
5 be effective, and this is historic so this is
6 from CIAR 309 and 552. From your exchanges
7 with the community do you have any indication
8 whether this concern remains of interest.

9 MR. BOISVERT: Thank you for
10 your question, Ms. Drescher. I will caucus
11 briefly with my brothers and sisters from the
12 Province. Thank you.

13 Thank you for the time,
14 Panel.

15 So as we stated in our
16 presentation, since the recommencement of the
17 EA process in 2020 we -- Pic Mobert First
18 Nation have not been active in this process.
19 Aside from reconfirming as recently as January
20 24th that they observed the area as Biigtigong
21 Nishnaabeg exclusive territory, do not plan on
22 providing any information in the public
23 hearings.

24 So to be honest, we can't
25 really speak on their behalf regarding

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1 outstanding concerns they may have had with
2 the previous -- like, part one of the EA
3 process, so I would have to defer to the
4 nation themselves to be able to articulate if
5 these concerns remain.

6 PANEL MEMBER DRESCHER: Thank
7 you very much for that clarification. And we
8 do have one more follow-up question to the
9 very first one that I asked.

10 Could you comment on the
11 relationship between the severity of an impact
12 and the significance of the affect. In your
13 experience would a high impact on a right be a
14 significant effect, or are there nuances that
15 you could elaborate on.

16 MR. BOISVERT: Thank you once
17 again for the question, panel Member Drescher.
18 I will take a moment to caucus with our team.
19 Thank you.

20 Thank you for the time. Just
21 to ensure I have a full understanding of the
22 question, are you asking kind of the
23 correlation between significant effects under
24 5(1)(c) and how that will influence the
25 severity of impacts on rights assessment?

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1 PANEL MEMBER DRESCHER: How
2 about I put it another way. Can you describe
3 linkages or overlap between CEA 2012 effects
4 and the impacts to Indigenous rights you that
5 have presented.

6 MR. BOISVERT: Thank you. I'll
7 take another moment to caucus.

8 Thank you for the time to
9 caucus. So as mentioned in the previous
10 response, we're kind of in a reactionary mode
11 and partially dependent on the panel's
12 determination of significant effects under
13 5(1)(c); however, we're not fully limited to
14 it. The panel's significance determination
15 will be informed by agency's guidance,
16 technical guidance on determining significance
17 of environmental effects.

18 Our methodology has a range
19 of criteria that would be applied in that
20 equation such as geographical extent, timing,
21 frequency, duration. Our methodology to assess
22 the severity of impacts on rights will rely on
23 much of that second type of information but
24 enhanced clearly with information that we
25 receive from Indigenous groups regarding the

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1 three pathways and in applying a similar set
2 of criteria that exists in our methodology.

3 The criteria that exists in
4 our methodology include spatial extent, so a
5 spatial area over which the impact or the
6 exercise of right, culture and a way of life
7 is predicted to occur. This can include
8 quantitative and qualitative scales for
9 characterizing geographic extent. Likelihood,
10 so the prospect of an impact on rights
11 occurring that is based on information from
12 the technical and community based experts
13 including those that are most likely to be
14 impacted including the full lifecycle of the
15 project. We also have criteria which
16 articulate the duration, frequency, and
17 reversibility. So how often the impact may
18 occur within a given period, the length of
19 time an impact may be discernible, and whether
20 the exercise of the Section 35 right is
21 expected to recover from this impact. This --
22 so those criteria up till now are quite
23 similar to the significance criteria in the
24 technical guidance.

25 Where we can elaborate a bit

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1 mental, emotional or spiritual health of
2 either individual members within a community,
3 segments of the community, or on the community
4 as a whole.

5 So we try to apply these
6 criteria, obviously that are informed by the
7 significance determination and the language
8 you would find in your report. Another area
9 where this is quite flexible is much like
10 we've done up till this point in the process,
11 whether it be in our information -- the
12 sufficiency comments we provided to the panel,
13 or in our written submission, we're going to
14 be working closely with the Indigenous groups
15 in this exercise. So we will be working with
16 the Indigenous groups to confirm what criteria
17 apply from their perspectives, if there are
18 various protocol thresholds that we should
19 endorse or adopt in our final severity and
20 impacts on rights assessment.

21 So I know this was a
22 longwinded answer, and it's essentially our
23 guidance has similarities with the technical
24 guidance to determine significance of effects
25 under CEA 2012, however, is more flexible by

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1 natural to allow for information we receive
2 from Indigenous groups and reflecting the
3 information from their perspectives.

4 These -- all of this analysis
5 is included in the Crown consultation
6 accommodation report which could also serve as
7 a decision-making document or a document which
8 would inform a community's perspective
9 regarding the project. So it's not just for
10 the Crown's final assessment, but it should
11 also be of use to the specific community
12 consulted in the process regarding their views
13 on the project. That is the end of my
14 long-winded answer.

15 PANEL MEMBER DRESCHER: Thank
16 you very much. Madam Chair, I have no further
17 questions.

18 PANEL CHAIR: Thank you very
19 much, and thank you to the Crown Consultation
20 Team for your presentation and discussions.
21 Very informative.

22 We are going to refer to
23 Generation PGM's presentation this morning. We
24 have asked about questions of other
25 presentations and I'm now going to ask and

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1 since -- oh, I was just going to say, Mr.
2 Boisvert, since you're still on screen do you
3 have any questions to Generation PGM on their
4 presentation this morning.

5 MR. BOISVERT: No, we don't
6 have any questions today for Generation PGM.
7 Thank you for the opportunity, however.

8 PANEL CHAIR: Thank you. Métis
9 Nation of Ontario, do you have any questions
10 for Generation PGM on their presentation?

11 DR. STINSON: I do not have
12 any questions on the presentation today but I
13 will pass it on to my colleagues.

14 PANEL CHAIR: Thank you.

15 MR. TIM SINCLAIR: I as well
16 have no questions for Generation PGM right now
17 Thank you.

18 PANEL CHAIR: Thank you.

19 MS. KOSMIDES: And hi, Panel.
20 I have no questions. Thank you for your time
21 today.

22 PANEL CHAIR: Ginoogaming
23 First Nation, do you have any questions for
24 Generation PGM? I don't see anyone there. So
25 we'll move on.

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1 I think the panel does have
2 some questions. Ms. Drescher, I'm turning it
3 over to you for some questions, thank you.

4 PANEL MEMBER DRESCHER: Thank
5 you.

6 Good afternoon, Mr. Anwyll.

7 MR. ANWYLL: Good morning,
8 Panel Member Drescher.

9 PANEL MEMBER DRESCHER: The
10 first question that we have is the Métis
11 Nation of Ontario referred to perceived
12 effects in their presentation, and the
13 question that we have for Generation PGM is
14 could you comment on what types of effects
15 were considered in your assessment that would
16 be the perceived effects as opposed to
17 quantifiably or measurable biophysical
18 effects.

19 MR. ANWYLL: Thank you for the
20 question. I will caucus quickly if I can,
21 please.

22 PANEL MEMBER DRESCHER: Thank
23 you.

24 MR. ANWYLL: Thank you, Panel
25 Member Drescher. That was and is a challenging

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1 question because we are dealing with
2 perceptions and -- by the way, court reporter,
3 Drew Anwyll for the record -- and perceptions
4 often become realities and it is our
5 responsibility to help communicate the work
6 we've done on those perceptions.

7 As an example, there was a
8 comment that was brought up by the MNO
9 regarding highly metamorphose rocks that could
10 result in asbestos. In terms of the geology
11 and the PhDs that have worked on the project
12 and John McBride that's an expert in the field
13 specifically on this deposit, we know that
14 there is no asbestos in there.

15 In regard to the perception
16 that we're not doing all we can for greenhouse
17 gas by not using a battery fleet in the open
18 pit and the comparison of an underground mine
19 being Borden that is using an electric
20 underground mining fleet, we are a large open
21 pit operation; that technology just doesn't
22 exist and likely won't exist for the next five
23 to seven years, be it fuel cells or battery
24 electricity trucks, and further details of
25 some of those perceptions that were commented

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1 to the MNO.

2 So it's a genuine challenge
3 and it's our responsibility to help translate
4 some of those perceptions to be mitigated with
5 technical responses. So in terms of -- and
6 then we have to communicate how those
7 technical responses are -- can be communicated
8 to the communities. So if I could I'll hand
9 over to Mr. Fraser to comment on some of those
10 elements and then we'll take Cathryn Moffett.

11 MR. FRASER: Good afternoon,
12 Panel Member Drescher, Madam Chair. It's Brian
13 Fraser for the record.

14 With respect to some specific
15 examples, if we can refer to table 6.2.12-1 in
16 CR 727, that table speaks to issues that were
17 raised, concerns that were raised both in
18 terms of actual concern over changes or
19 perceived changes in things like water
20 quality, fish and fish habitat.

21 So they form or help inform
22 the level of assessment. So in terms of water
23 quality, we're certainly acknowledging the
24 concerns, the real and perceived, and trying
25 to address those concerns.

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1 As Mr. Anwyll said, it's
2 difficult to address perception per se, but
3 we're addressing the perception by assessing
4 those particular VECs and concerns through the
5 VECs assessment and looking at actual changes
6 against thresholds, understanding that the
7 analysis might point to concentrations of
8 constituents in water or constituents in the
9 environment that will remain below threshold
10 values for effects.

11 But there's more to the
12 analysis or there's more to the story, and
13 that goes to continued engagement, training,
14 education, verification, and I'm going to pass
15 on to Cathryn Moffett to talk about some of
16 that work that's been ongoing.

17 MS. MOFFETT: Thank you, Mr.
18 Fraser. It's Cathryn Moffett for the record.

19 I just wanted to comment
20 briefly, Panel Member Drescher, on your
21 question about perception.

22 I did hear it as well come up
23 in the MNO's presentation. I understand that
24 it is important to address through community
25 work would be our aim to build trust, and that

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1 would be one of the key ways to address
2 potential negative perceptions is through
3 long-term relationship which builds trust,
4 showing that we through commitments, having
5 direct participation in the field work, as
6 you've seen that's also been requested through
7 environmental monitors or in the case of
8 Biigtigong Nishnaabeg, for example, perhaps a
9 community led aquatic monitoring program with
10 direct access to data focused on parameters
11 that are specifically of concern to them and
12 areas that are of interest to them.

13 So building trust through the
14 long term, following through on commitments,
15 direct participation, and then of course
16 education, training, and information sharing
17 would be the general way to address
18 perception. Thank you.

19 PANEL CHAIR: Ms. Drescher,
20 sorry, we do have a hand up. I wonder if I
21 could respectfully interrupt for one moment.

22 Dr. Stinson, sir, you've had
23 your hand up. I wanted to make sure I got to
24 your question.

25 DR. STINSON: Yeah, we can

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1 definitely wait for Cathryn to finish her
2 statement. Thank you.

3 PANEL CHAIR: Okay. Thank you.

4 MS. MOFFETT: No, that's no
5 problem at all. Please go ahead, Victoria.

6 DR. STINSON: Thank you,
7 Cathryn. I really appreciate you bringing up
8 the opportunity for education and discussions.
9 I think that is an excellent continued step
10 that we are doing together to better
11 understand perceived perceptions on use in the
12 area.

13 I just want to clarify if I
14 can on the statements previously is that I
15 never -- I want to state that one of the
16 things that we brought up related to climate
17 change was suggesting that different types of
18 technology would be used on site. The MNO is
19 not stating that we are asking for or
20 demanding things like electric vehicles on
21 site. It is more importantly we're trying to
22 suggest that there needs to be other
23 alternatives and discussion around it.

24 When Health Canada was
25 talking about the issues of diesel and that

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1 GenPGM hadn't answered their questions,
2 sufficiently one of the things that we brought
3 up that could tie it back into climate change
4 was something like that.

5 The other thing that I would
6 say is that when Borden mine first was being
7 developed they did try to work on electric
8 when it was still being developed -- excuse me
9 -- prior to being developed they were planning
10 on being a pit and underground. And so it's
11 these types of discussions that we continue to
12 encourage with the proponent so that we are
13 constantly thinking of climate change. We're
14 not saying that this one thing is a solution
15 to climate change or will solve all of the
16 carbon emissions at the site. These are just
17 ideas that we have been discussing and want to
18 discuss further.

19 I would also like to briefly
20 clarify that I never stated that this deposit
21 was highly metamorphose. That is completely
22 incorrect. I'm saying that there is --

23 PANEL CHAIR: Ms. Stinson, I'm
24 sorry, I was just -- I'm sorry to interrupt
25 you.

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1 I wondered, first, if you had
2 a question specific for Generation PGM, and
3 then would respectfully request any
4 clarification that you would like to make, we
5 still have closing remarks for all
6 participants and I would invite you to make
7 any clarification there.

8 DR. STINSON: No. Thank you
9 very much, Madam Chair. What I am stating is
10 that we are open to discussions on how we can
11 better understand perceived effects of the
12 site and I will discuss further later on.
13 Thank you.

14 PANEL CHAIR: Thank you very
15 much. Mr. Barretto, sorry, I'm wanting to make
16 sure I don't miss any hands up.

17 MR. BARRETTO: Thank you for
18 the question, Madam Chair. Jeremy Barretto for
19 the record.

20 I think you covered the point
21 I was likely to make. Just to confirm as we
22 entered the community sessions that we
23 understand the processes. There is the
24 presentations, followed by questioning by each
25 party, and then closing remarks. I think we're

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1 on the same page. Thank you.

2 PANEL CHAIR: Thank you.

3 Sorry, Ms. Drescher, I did interrupt and I
4 will hand it back to you. Thank you.

5 PANEL MEMBER DRESCHER: Thank
6 you, Madam Chair.

7 My next question is to
8 Generation PGM and it is Mr. Anwyll.

9 It may have been raised
10 already or it may have already been covered in
11 the topic-specific questions but I do think it
12 has some relevance here, and the question is
13 are there best practices GenPGM would adopt in
14 the closure plan -- so in the closure
15 landscape development -- to ensure that
16 re-vegetation is adequately adapted to
17 conditions related to climate change.

18 MR. ANWYLL: Thank you for the
19 question, Madam Chair (sic). I will caucus
20 quickly and pull in the correct responder for
21 this. Thank you.

22 I'll introduce Cathryn
23 Moffett and Dr. Foster.

24 MS. MOFFETT: It's Cathryn
25 Moffett for the record.

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1 We did hear from MNO and
2 others about the importance of being involved
3 in end land use planning and helping us select
4 appropriate species. I agree with MNO as well
5 that it's important to keep the discussion on
6 climate change open and that climate change is
7 a serious that should be considered and
8 incorporated.

9 We have begun, as we stated,
10 collecting local plants or seeds from local
11 native plants that were identified as being
12 important to indigenous species -- sorry, to
13 Indigenous people, and I'll pass to Dr. Foster
14 to speak more specifically to which type of
15 vegetation could be adaptive to climate
16 change.

17 DR. FOSTER: Rob Foster for
18 the record.

19 So the species will be
20 informed by consultations with Indigenous
21 communities as Catherine discussed and
22 relevant agencies, so there is some
23 opportunities and considerations to take into
24 place with respect to climate change and
25 potential species being used.

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1 Some of the shorter-lived
2 species that are fire adapted, since it's fire
3 that we discussed in earlier panels, herbs or
4 grass species, graminoids, are relatively
5 short-lived and so perhaps maybe less
6 sensitive to changes in the environment from
7 climate change as those species pools
8 regionally by change over time. But definitely
9 with respect to longer lived species like tree
10 species that could be planted at site, due
11 care and consideration should be given.

12 So jack pine is one of the
13 species that's proposed and if there is an
14 increase in fire interval or increased
15 frequency of fires having jack pine on site
16 would be good.

17 Another consideration would
18 be inclusion of a small proportion of red
19 pine. It's native in the northwest region and
20 in scattered pockets along the North Shore,
21 and historically during the hypsithermal, so
22 past climate periods white pine and red pine
23 were more widely distributed when the climate
24 was warmer.

25 So increasing the proportion

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1 In its submission the Crown
2 noted that the construction phase will result
3 in a high demand of workers for a short period
4 of time compared to lower demand of workers
5 during the operation phase, and that they
6 were, quote, of the view that appropriate
7 training should be provided prior to mine
8 operation in order to better enable Indigenous
9 peoples access employment opportunities.

10 The question we have is,
11 could you elaborate, please, on the timing of
12 efforts to provide training, employment, and
13 contracting opportunities and whether that
14 could address concerns about inequity in the
15 labour market and present real opportunity and
16 present real opportunity for Indigenous groups
17 and other underrepresented groups.

18 MR. ANWYLL: Thank you for the
19 question, Panel Member Drescher. If I could
20 kindly caucus again quickly I would appreciate
21 that.

22 Thank you for the question,
23 Panel Member Drescher. So your question is how
24 do we train up individuals for the two
25 different phases, construction and operations.

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1 Of course I'm paraphrasing. And what's the
2 timing for it.

3 So let me answer it in
4 two-folds and then I'll get a more little
5 specific or I will allow Cathryn Moffett to
6 get a little more specific.

7 We acknowledge that from a
8 construction phase for this project will
9 require specific trades. They are typically
10 Red Seals or tradespeople for it. We know that
11 recently there's been some good work done by
12 the East-West Tie construction project which
13 was based out of Marathon which will have some
14 skills that will be transferable to the
15 project.

16 We acknowledge that staffing
17 and hiring for the construction phase will
18 typically be looking at a -- further afield
19 for those trades. So it will be a challenge,
20 but our preference would obviously be hiring
21 locally as best we can.

22 In the operation phase and
23 how do we bring in the underrepresented
24 workforce, again that's a key element of our
25 philosophy or strategy for employment.

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1 We know that the region --
2 from our socioeconomic analysis we know there
3 are the labour force but that labour force is
4 largely and frankly male right now. I've seen
5 it before and I've implemented before at other
6 operations by being able to bring in women, as
7 an example, for operators. It almost doubles
8 your opportunity for employment and that
9 employment we can certainly target the local
10 community.

11 So in terms of timing again,
12 I'll hand over to Catherine to detail some of
13 the processes we're working on. But it is an
14 absolute opportunity, more so for the
15 operations than it would be for the
16 construction phase, but there are still some
17 opportunities in the construction phase as
18 well.

19 MS. MOFFETT: Thank you, Mr.
20 Anwyll. Cathryn Moffett for the record.

21 So as we've outlined before,
22 we are taking a stepwise approach to begin
23 understanding the workforce that's available
24 in more detail through the skills survey that
25 was mentioned, working directly with existing

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1 training organizations that are in place, and
2 building on those programs as well as the work
3 -- the trained working force that's in place
4 from the project that Mr. Anwyll mentioned.

5 GenPGM does recognize the
6 inequity that can be present in the workforce
7 and the opportunity to reduce the inequities
8 through education, training and specific
9 corporate policies is initiatives.

10 So -- for example, as you
11 likely know, many community benefit agreements
12 specifically talk to education and training
13 commitments. It's one of the cornerstones of
14 actively supporting scholarships, for
15 community members as well as providing
16 apprenticeship opportunities which may even be
17 more beneficial and mutually beneficial for on
18 the job opportunities.

19 We would also ask for
20 workforce to self-identify as Indigenous and
21 have mechanisms in place for contractors to
22 identify their partnerships that they have in
23 place to allow maximum participation of
24 Indigenous communities.

25 PANEL MEMBER DRESCHER: Thank

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1 you very much for your clarification.

2 Madam Chair, that completes
3 my questions for this afternoon for Generation
4 PGM. Thank you.

5 PANEL CHAIR: Thank you very
6 much, Ms. Drescher. I appreciate that.

7 We're almost at break time.
8 What I thought I would do -- I mentioned this
9 morning we had a couple of questions for
10 participants before end of day today. We did
11 pose our question to DFO earlier. What I would
12 do is pose the two questions that we have for
13 GenPGM and then we will come back from break
14 and hear from both parties then.

15 So two questions to
16 Generation PGM. The first one is with respect
17 to undertaking number 5, and this was the
18 disaggregation of watersheds 105 and 106.

19 So in undertaking number 5
20 Generation PGM stated on page 3 that, quote:

21 "The concentrations of
22 aluminum and iron in the water management pond
23 that will be discharged to Hare Lake during
24 operations are below the Hare Lake background.
25 Therefore, consistent with the predictive

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1 effects assessment, no change in aluminum and
2 iron concentration in Hare Lake are
3 predicted."

4 The first sentence of the
5 above statement appears correct for the
6 average and maximum concentrations of iron in
7 the water management pond, and the statement
8 is also correct for average concentration of
9 aluminum in the water management pond.
10 However, the maximum concentration of aluminum
11 in the water management pond, .49 micrograms
12 per litre, is almost five times higher than
13 the background value for aluminum. So based on
14 the new baseline for Hare Lake the information
15 you've provided has kind disaggregate that
16 from the -- between that and Angler Creek.

17 Can Generation PGM confirm
18 that no change in aluminium concentration in
19 Hare Lake is predicted after discharge of mine
20 effluent?

21 And then the second part of
22 that: Based on the new baseline for Hare Lake,
23 what is the value that Generation PGM
24 predicted as maximum concentration of aluminum
25 in Hare Lake after the discharge of mine

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1 effluent?

2 I can give you a couple of
3 references. So the value that I referred to
4 earlier of the background for Hare Lake, .1
5 micrograms per litre, is from your undertaking
6 number 5, table 1; and the value for
7 aluminium, .49 micrograms per litre, is from
8 table 6.1, appendix D11, PDF page 52, and
9 that's CIAR 727.

10 Okay to go question 2?

11 MR. ANWYLL: I believe we are.

12 PANEL CHAIR: So this is
13 undertaking number 22 and referencing
14 undertaking 23. So 22 was to Generation PGM.
15 23 was a document that had been requested by
16 -- requested by the panel to Ministry of
17 Environment, Conservation and Parks.

18 So MECP identified concerns
19 related to the estimation of silt content in
20 material on haul roads used for the dust
21 emissions model. Generation PGM has used a
22 value of 5.8 percent presented for taconite
23 mining haul roads and provided the reference
24 for that number. That was CIAR number 1198,
25 PDF page 6. MECP cited this particular

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1 document prepared for the Centre of Excellence
2 in Mining Innovation which identified a silt
3 content nearly double that used by Generation
4 PGM, and that's CIAR number 1207, PDF page 7.

5 So the panel's question to
6 Generation PGM: Could you please provide a
7 rationale based on the deposit mineralogy,
8 geological characteristics relative to
9 taconite why the value you've used for dust
10 emissions modelling is appropriate, and would
11 the use of the silt content cited by MECP
12 change the model result for dust emissions
13 significantly.

14 MR. ANWYLL: I believe we
15 understand the questions, Chair Sikora.

16 PANEL CHAIR: Thank you. So
17 why don't we break till 20 to 4:00 and we'll
18 come back and hear from Department of
19 Fisheries and Oceans and Generation PGM.

20 And I see, Mr. Barretto, you
21 have your hand up. Go ahead, please.

22 MR. BARRETTO: Thank you,
23 Madam Chair. Jeremy Barretto for the record.
24 Sorry to interrupt.

25 I just wanted to get some

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1 guidance from the panel. As I understand it we
2 may be close to Generation's closing
3 submissions for the day, and if we are,
4 Generation is going to request approximately
5 30 minutes. So if it makes sense to
6 accommodate that now with the another break
7 that's fine, but I just wanted to give the
8 panel as early notice about that as possible.

9 PANEL CHAIR: Thank you. I was
10 going to ask if you want to do closing today
11 or at the end of community session, so you've
12 answered that question.

13 Why don't we take the time
14 now with 30 minutes -- why don't we come back
15 at 4:00, and I just have one more item that I
16 wanted to just draw the participants'
17 attention to.

18 On April 2nd joint review
19 panel received a confidentiality request from
20 Biigtigong Nishnaabeg First Nation. This is
21 CIAR number 1216.

22 Biigtigong Nishnaabeg First
23 Nation requested that four documents be
24 submitted on a confidential basis to the joint
25 review panel and identified representatives of

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1 Generation PGM and the review panel
2 secretariat, subject to them signing a
3 confidentiality agreement. So I wanted to draw
4 your attention. This is posted on the registry
5 and the panel was seeking comments on this
6 request by 9:00 a.m. tomorrow morning.

7 So with that, we'll break
8 until 4:00 for responses to undertaking and
9 Generation PGM closing remarks for the day.
10 Thank you.

11 --- Recess taken at 3:25 p.m.

12 --- Upon resuming at 4:00 p.m.

13 PANEL CHAIR: Welcome back,
14 everyone. Mr. Barretto, I see your hand up.

15 MR. BARRETTO: Thank you for
16 the question, Madam Chair. I know the panel
17 has several -- for several undertaking updates
18 before the break. I just wanted to report that
19 Generation has those updates as well as an
20 updates on undertakings in general and Mr.
21 Anwyll's closing prepared, so when the panel
22 would like we can provide all of this
23 information.

24 PANEL CHAIR: That's great.
25 Thank you. Maybe what I'll do is given that we

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1 have two questions for you plus closing, I'll
2 start with the Department of Fisheries and
3 Oceans and then we will turn it over to you
4 for the remainder of the afternoon with
5 responding to those.

6 MR. BARRETTO: Thank you,
7 Madam Chair.

8 PANEL CHAIR: So do we have
9 Department of Fisheries and Oceans.

10 Good afternoon, Mr. St.
11 Clair.

12 MR. ST. CLAIR: Good
13 afternoon, Madam Chair Sikora.

14 PANEL CHAIR: So are you okay
15 to respond at this point? Were you able to get
16 a response on our undertaking number 7,
17 lamprey?

18 MR. ST. CLAIR: We were. Thank
19 you for the time to discuss with our species
20 experts. Should be good to go.

21 PANEL CHAIR: Go ahead.

22 MR. ST. CLAIR: So streams 2
23 and 3 will be impacted to a degree that
24 mitigation will not be possible, so I'll start
25 with a brief discussion on potential

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1 offsetting or compensation.

2 Our team was unable to find
3 examples of offsetting projects undertaken
4 specifically for northern brook lamprey;
5 however, a hypothetical offsetting measure
6 could include the establishment of a northern
7 brook lamprey population upstream of areas
8 where sea lamprey control lampricide, is
9 currently applied. For this reason we wanted
10 to provide the panel with information on
11 potential feasibility of such measure.

12 In speaking with our species
13 expert biologists for northern brook lamprey,
14 they are also unaware of any past efforts to
15 establish populations in areas where they do
16 not currently reside.

17 We would also like to note
18 that the area of the project is data deficient
19 with respect to understanding the distribution
20 of northern brook lamprey, therefore it is
21 unknown if there are appropriate candidate
22 streams for this type of establishment. As
23 with any species translocation, many
24 variables, pros and cons, need to be
25 considered. We also just learned that there is

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1 advice on this topic expected to be published
2 by the Canadian advisory secretariat this
3 year.

4 So in short, any offsetting
5 measures for northern brook lamprey would be
6 experimental.

7 Regarding measures that may
8 mitigate impacts to northern brook lamprey
9 particularly relevant to stream 1 where flow
10 is not predicted to be as -- or impacted as
11 substantially as in streams 2 and 3.

12 So as discussed in our
13 submission and in the aquatic environment
14 sessions two weeks ago, we do not have
15 sufficient resolution for how flow changes
16 will affect the habitat in stream 1, so
17 impacts and therefore potential mitigation
18 measures are uncertain. For that reason I will
19 speak to hypothetical scenarios where
20 mitigation may be appropriate generally
21 stemming from these changes in flow.

22 So we know that changes in
23 flow have the potential to impact northern
24 brook lamprey and that if northern brook
25 lamprey are present in stream 1 it is likely

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1 that they will be in the lower reaches where
2 flow impacts are expected to be less severe.
3 It is therefore possible that their habitat
4 may be protected from any harmful impacts.

5 If this is the case,
6 monitoring to be undertaken to confirm
7 northern brook lamprey are not impacted.
8 However, if flow impacts do extend to areas
9 where northern brook are confirmed as
10 residents, flow supplementation is a possible
11 mitigation measure from a biological
12 perspective; however, DFO cannot comment on
13 the feasibility of flow supplementation at
14 this site.

15 In conclusion, the response
16 is based on what is known about the species,
17 but we would like to note that as per the
18 management plan provided as part of
19 undertaking number 7, there are a lot of
20 unknowns associated with habitat requirement
21 for this species, making a straightforward or
22 definitive answer difficult to provide.

23 PANEL CHAIR: Thank you very
24 much. That was very helpful. Appreciate you
25 being able to help us out this afternoon with

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1 that.

2 MR. ST. CLAIR: We appreciate
3 the time given to speak with our experts.

4 PANEL CHAIR: Thank you.

5 Generation PGM, if you could
6 come back to the screen, please. Thank you.

7 So, Mr. Barretto, we've got
8 two questions for you. I know you said you had
9 an update on other undertakings and we've got
10 closing, so why don't I turn it over to you to
11 -- in whatever order you would like.

12 MR. BARRETTO: Thank you for
13 the question, Madam Chair. Jeremy Barretto for
14 the record.

15 So the update will have four
16 parts: First, Mr. Fraser will speak regarding
17 your questions or the panel's questions
18 regarding undertaking number 5; second, Mr.
19 Crooks will address the panel's questions
20 regarding undertakings 22 and 23; then I will
21 provide a brief update on other undertakings
22 that Generation PGM has relatively made or is
23 working on; and finally Mr. Anwyll will
24 deliver his closing for the first community
25 session.

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1 So to start I will turn it to
2 Mr. Fraser, and I'll just let the AV
3 technician know that when I get to my update
4 I'll need CIAR 1143 which is the public
5 hearing list of undertakings and I'll let the
6 AV technician know when I need that. Thank
7 you.

8 Go ahead, Mr. Fraser.

9 MR. FRASER: Thank you, Mr.
10 Barretto.

11 Madam Chair, it's Brian
12 Fraser for the record.

13 So with reference to the
14 updated information we provided in undertaking
15 5, so as you said, the average concentrations
16 in the water management pond, those reflect
17 kind of the ongoing contributions towards Hare
18 Lake and they are about 40 percent of the
19 adjusted background for Hare Lake. The max
20 concentration you point out is higher, but
21 these are very transient concentrations from a
22 point in time, and when you consider the
23 assimilative capacity of the lake, the lake is
24 -- the concentrations of aluminum in the lake
25 are dominated by the background, so the model

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1 does not predict a change from background and
2 that's why we conclude that there's no change
3 in predictions made in the original EIS or the
4 water quality assessment.

5 PANEL CHAIR: So can I then
6 confirm that -- let me ask then. So the
7 background that was shown in the disaggregated
8 was .1 micrograms per litre in Hare Lake.

9 MR. FRASER: Milligrams.

10 PANEL CHAIR: Milligrams per
11 litre. Sorry. Your predicted value I think is
12 still at .17 --

13 MR. FRASER: No -- sorry to
14 interrupt. The predicted value would be at
15 background. The concentration in the lake even
16 during periods of discharge is dominated by
17 background. So at that background
18 concentration, as you said, the average
19 concentration of the discharge is about 40
20 percent of background, and that maximum number
21 is transient and so when you consider the
22 assimilative capacity of the lake the model
23 does not predict a change in background
24 concentration.

25 PANEL CHAIR: Thank you. Can

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1 you just give me one minute, please. Thank
2 you. Mr. Fraser, just a clarification. I think
3 you've said the model doesn't predict the
4 change. Has it been modelled or --

5 MR. FRASER: No, the model
6 itself doesn't predict a change from
7 background and it wouldn't be overly sensitive
8 to the difference between .17 and .10 because
9 the discharge is dominated by lower
10 concentrations. I said that max concentration
11 is just a single point in time; very
12 transient.

13 PANEL CHAIR: Thank you. Thank
14 you. And undertaking 22 and 23.

15 MR. BARRETTO: Thank you,
16 Madam Chair. Mr. Crooks will explain our
17 response to that.

18 MR. CROOKS: Madam Chair, Greg
19 Crooks for the record.

20 My understanding of your
21 first question was that you were looking for a
22 rationale for use of the silt content of 5.8
23 percent based on the mineralogy of the rocks.

24 PANEL CHAIR: Correct.

25 MR. CROOKS: First I would

1 like to start with discussing the number that
2 is Ministry of Environment was discussing
3 which was the CEMI reference. In that data it
4 references a minimum silt content of .1
5 percent, a maximum of 36.8 percent with a mean
6 of 9.1 percent.

7 Now, maximum silt content or
8 silt contents of 36 or in that sort of upper
9 range are typical of what we see for very soft
10 rocks, for things like limestones and
11 sandstones if they were being used as a
12 roadbed material, whereas the material that is
13 going to be used in Generation PGM's site is an
14 igneous-type rock typical of the Canadian
15 Shield and its high quality gabbro which is
16 much harder.

17 So the numbers that the
18 Ministry are quoting are -- contain rock types
19 that are much softer and would therefore skew
20 the mean silt content over those samples up
21 higher than what we would expect to see for a
22 rock type of what we have at Generation PGM.

23 Now, the reference that we
24 used for the silt content was taken from a
25 USEPA document which gives a silt content for

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1 haul roads at taconite mining sites.

2 Now, taconite is a mineral
3 that is much harder than silt and it's similar
4 to that of what we see at the Generation PGM
5 site. There's a scale of hardness that is used
6 to classify rock types and it's called the
7 Mohs scale of hardness or M-O-H-S, and it has
8 a range from 1 to 10 with 1 being the softest
9 type rock and 10 being the hardest.

10 Now, limestone-type rock,
11 which is considered a soft rock, has a scale
12 of Mohs number of between 3 and 4. Taconite,
13 which is the type of rock that we were looking
14 at in the USEPA 42 reference, has a hardness
15 of between 5.5 and 6. Now the gabbro-type
16 rocks that are typical of the PGM site have a
17 hardness value of about 7.

18 So the taconite number is
19 actually slightly softer than what we would
20 expect for the Generation PGM site but it's
21 certainly within the same range, and therefore
22 we consider that number to be a much more
23 representative number to use in doing the
24 assessment.

25 When we model emissions off

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1 of haul roads and road dust off of roads in
2 general, the dispersion modelling methodology
3 is highly, highly conservative in the first
4 place and therefore we felt it was better to
5 use a more representative number than to be
6 piling conservatisms upon already huge
7 conservatisms that the model would produce.

8 My understanding is your
9 second question was what would the change in
10 emissions be if we did use the Ministry's
11 recommended number as opposed to the number
12 that we used.

13 PANEL CHAIR: Correct.

14 MR. CROOKS: Okay. I did
15 quickly look into that during the break and
16 the equation that we used for estimating road
17 emissions, the silt content is one of the
18 inputs that's used in it. The emissions that
19 are calculated are nonlinear in terms of what
20 the silt content is so doubling the silt
21 content doesn't double the emissions. So I
22 looked at what emissions would be with the 5.8
23 number that we used versus the 9.14 and it
24 would increase the TSP emissions by roughly 37
25 percent.

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1 PANEL CHAIR: Thank you. Thank
2 you very much.

3 MR. CROOKS: You're very
4 welcome.

5 PANEL CHAIR: Mr. Barretto, I
6 think you were then going to do a summary of
7 remaining undertakings for us.

8 MR. BARRETTO: Yes, that's
9 correct, Madam Chair. And I'll just pull up my
10 documents here. So to start I'll ask that the
11 AV clerk at this time pull up CIAR 1143 and go
12 to PDF page 9. Can you just go to PDF page 9,
13 the ninth page of this document.

14 PANEL CHAIR: Take us just one
15 moment. Be right back with you.

16 MR. BARRETTO: Thank you,
17 you're at the correct spot in the document. So
18 I'll start by talking about undertaking 27
19 which is at the bottom of CIAR 1143 which is
20 on the screen right now.

21 Generation PGM has
22 incorporated the panel's feedback from the
23 March 31st hearing session, that it will focus
24 on the -- confirming the conclusions of its
25 soil sampling assessment as opposed to

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1 representatives held discussions between March
2 28th and the March 31st, 2022.

3 The results of these
4 discussions included monitoring revised road
5 emissions and this concluded that the
6 conclusions of the EIS addendum and air
7 quality assessment remain unchanged.

8 And last point, Madam Chair,
9 we're still working on the response to
10 undertaking 31 which is the updated tables of
11 mitigation measures and commitments which will
12 be filed on the last day of the hearing.

13 That concludes the
14 undertaking update. Unless you have any
15 further questions, Mr. Anwyll can proceed to
16 his closing. Thank you.

17 PANEL CHAIR: Thank you very
18 much. No further questions at this point so
19 please have Mr. Anwyll proceed. Thank you.

20 MR. BARRETTO: Thank you.

21 CLOSING REMARKS BY GENERATION PGM:

22 MR. ANWYLL: Thank you, Madam
23 Chair, members of the joint review panel,
24 Indigenous communities and other participants
25 who attended today.

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1 I think most of you by now
2 might know my name to be Drew Anwyll. I am the
3 witness panel chair and chief operating
4 officer of the proponent Generation PGM.

5 I would like to thank
6 everybody for being here again today and
7 participating in the hearings. Today we heard
8 from Ginoogaming First Nations, Métis Nations
9 of Ontario (Region 2), and the Impact
10 Assessment Agency of Canada that the Crown
11 Consultation Team.

12 I appreciate the questions,
13 comments and considerations that we heard
14 throughout this session.

15 Generation PGM acknowledges
16 that BN asserts exclusive Aboriginal title to
17 the territory where the project is located.
18 GenPGM recognizes that BN did not enter into
19 or adhere to the Robinson Treaty of 1850. We
20 look forward to BN's feedback starting
21 tomorrow in their community sessions.

22 I will now move my remarks
23 regarding GenPGM's engagement with Indigenous
24 communities and the feedback we heard today.

25 Ms. Moffett and Ms. LeBlanc

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1 summarized our commitments to Indigenous
2 communities including long-term two-way
3 information sharing, ongoing resource access,
4 accommodations for loss, to maximize benefits
5 and opportunities for Indigenous communities,
6 and to support community focus studies.

7 There are seven Indigenous
8 communities that GenPGM has consulted with who
9 have stated their interest in the project. I
10 will summarize some of those key issues raised
11 by the Indigenous communities presented today.

12 Ginoogaming First Nations and
13 Métis of Ontario. Ginoogaming First Nations
14 Peter Rasevych presented first. Ginoogaming
15 noted that it has historically been excluded
16 in consultation with previous -- with other
17 projects.

18 Ginoogaming stated that it
19 appreciates the consultation that has taken
20 place to date with GenPGM and it looks forward
21 to their continued participation in the
22 process in the future. Ginoogaming provided an
23 overview of their history as a First Nations
24 and their connection to the area, shared
25 ancestry and history with other local First

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1 Nation communities, and their history of being
2 the bridge of the waterways between north and
3 south.

4 Ginoogaming focused on the
5 importance of that connectivity up to the
6 water area, especially the Pic River and McKay
7 Lake, the impacts on migratory birds and fish
8 by industrial activity, the importance of
9 medicinal plants collected along the
10 waterways, and hunt and trapping activities
11 along both land and water.

12 The Crown Consultation Team
13 provided comments regarding Ginoogaming's
14 concern about water and harvesting including
15 the CCT's recommendations for that
16 communication and engagement plan. This plan
17 would include opportunities to discuss
18 mitigation with both these points.

19 GenPGM has robust plans in
20 place to protect the terrestrial and aquatic
21 environment and the project is not predicted
22 to result in significant adverse effects,
23 environmental effects. Ginoogaming closed its
24 presentation by noting the importance of the
25 healing camp that is located 10 kilometres

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1 south of their community. It made it clear
2 that no industrial activity can take place at
3 that location and GenPGM can assure the
4 community that the project will not impact the
5 sacred location.

6 GenPGM would like to thank
7 Ginoogaming for their presentation and their
8 participation in the public hearing.

9 I'll now move on to the MNO.
10 GenPGM has worked closely with the MNO and
11 have come to an agreement with the MNO on the
12 future consultation activities relating to
13 this project. We have openly and honestly
14 shared our findings and assessments with the
15 MNO as we have with other participants in the
16 project.

17 Councillor Sinclair from MNO,
18 who stated MNO is happy with the arrangements
19 entered into between GenPGM and MNO. It noted
20 that GenPGM has been a good citizen and that
21 they are confident that Gen's long term
22 relationship with MNO will continue.

23 Mr. Sinclair stated that it
24 looks forward to working alongside GenPGM
25 experts on all fronts of the projects to get

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1 off the ground in a safe and environmentally
2 conscious manner.

3 In regards to VEC
4 identification, MNO is specifically concerned
5 with the impact of those VECs categorized on
6 the exercise of rights by MNO citizens in the
7 area. Gen takes these concerns seriously and
8 will continue to consult to mitigate their
9 concerns. We acknowledge some of MNO's
10 concerns remain and we are committed to
11 addressing these comments through ongoing
12 consultation activities but will address some
13 of them right now.

14 Regarding fish and water
15 quality, MNO acknowledged the perception
16 within their community regarding potential
17 mercury levels in the larger fish. GenPGM has
18 committed to monitoring for mercury as a part
19 of water quality sampling program and country
20 foods monitoring as proposed for the project.
21 The CCT, Crown Consultation Team, explained
22 that MNO's concerns about temporary loss of
23 land and harvesting areas will properly be
24 addressed through the closure plan.

25 MNO also emphasized the

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1 protection of the health of the Métis
2 citizens. GenPGM has performed a robust
3 assessment for the health impacts of air
4 quality concerns and the potential effects on
5 harvesting. Our assessment concluded that the
6 project will not result in adverse health
7 impacts from air quality or other aspects of
8 the project. We will continue to monitor these
9 areas and ensure no health concerns are at
10 risk throughout the life of the project.
11 GenPGM thanks MNO for their participation and
12 their input to the project.

13 I will now move on to discuss
14 the presentation with other Indigenous
15 communities referenced in our presentation.
16 There are three Indigenous communities that
17 GenPGM has consulted with that were addressed
18 in our presentation: Red Sky Métis, Jackfish
19 Métis and Michipicoten First Nation. These
20 groups are not presenting at the community
21 sessions.

22 Red Sky provided a letter of
23 support for the project in their July 5th,
24 2021 statement of support CIAR 872. They
25 stated that they look forward to continued

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1 consultation and our ongoing positive working
2 relationship with Generation PGM. The CCT
3 stated that Red Sky fish and vegetation
4 related concerns could be addressed through
5 GenPGM's fisheries offset monitoring and
6 engagement plans.

7 Jackfish Métis also
8 participated in the process. They filed a
9 letter on record on June 24th, 2021, CIAR 839.
10 The CCT stated that Jackfish Métis expressed
11 positive relation and agreement with GenPGM.
12 As Jason Boisvert at CCT flagged, we also wish
13 John a speedy recovery.

14 Michipicoten First Nation has
15 specifically identified caribou mitigation
16 plans as well as closure, water quality and
17 water management as their key issues. The CCT
18 recommendation on -- recommended ongoing
19 consultation between Gen and Michipicoten
20 toward development and restoration and
21 monitoring of programs related to caribou. Gen
22 agrees with these recommendations.

23 I would like to address the
24 Crown consultation team's submission. In Gen's
25 view, the Crown Consultation Team report and

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1 presentation align with Gen's commitments
2 including a commitment to ongoing consultation
3 and engagement with the communities.

4 We also made it clear that
5 certain mitigation measures are the
6 responsibility of GenPGM, such as fish
7 compensation plan and closure planning, while
8 other mitigation responsibility are held by
9 Crown such as investments in social
10 infrastructure.

11 The last issue I would like
12 to address was acknowledged with a question of
13 panel Member Drescher today. We would like to
14 acknowledge that perception often leads to
15 somebody's reality. This is a genuine
16 challenge. I genuinely hope that we can
17 clearly address these perceptions through the
18 EA process and moving forward. This process is
19 often very technical and sometimes includes
20 technical work that is often challenging to
21 clearly communicate.

22 Our experts have been working
23 in their fields and at times with a data on
24 the site for many years and they are qualified
25 to do this sort of assessment. That said, it

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1 is our responsibility to ensure that concerns
2 over risk, be it with water, methylmercury,
3 mercury, ARDML, acid rock and metal leaching,
4 or human health. It's our responsibility to
5 clearly have the parties understand these
6 issues.

7 Further, we commit to
8 monitoring programs that ensure the actual
9 effects that we are predicting are correct and
10 the parties are at peace with the outcomes. We
11 look forward to the ongoing discussions in
12 this area.

13 The Marathon Palladium
14 Project is uniquely poised to become a world
15 class mine, ensuring that the project's
16 critical metals are sourced in a sustainable
17 and responsible way while incorporating
18 consultative feedback from Indigenous groups
19 and the Impact Assessment Agency. It is
20 genuinely paramount to our company.

21 We look forward to hearing
22 the future input of other Indigenous
23 communities in the coming days. GenPGM values
24 the collaboration and successful discussions
25 to date and we are eager to provide necessary

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1 information for all the interested parties to
2 have a fulsome understanding of the project
3 effects and outcomes. Thank you very much,
4 Madam Chair.

5 PANEL CHAIR: Thank you, Mr.
6 Anwyl. Appreciate your closing and responses
7 to undertakings.

8 Before we close for today I
9 just wanted to give a brief update. GenPGM,
10 Mr. Barretto, you raised this morning
11 regarding written and oral closing remarks.

12 So for all participants, this
13 morning Mr. Barretto advised that Generation
14 PGM wishes to provide written closing remarks,
15 having regard to how lengthy a process this
16 has been. Therefore, he said written closing
17 remarks would help Generation PGM to capture
18 all of the relevant issues.

19 However, Generation PGM would
20 also like the opportunity to respond to oral
21 closing remarks made by other parties on the
22 last day of the hearing. So what Generation
23 proposed is to file its written closing
24 remarks at the start of the last day of the
25 hearing, and then have the opportunity to make

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1 oral remarks with respect to any new issues
2 raised in closing remarks by other parties.

3 The panel has considered
4 Generation PGM's request and it considers it
5 to be reasonable. The panel will expect to
6 receive written closing remarks then from
7 Generation PGM by no later than 9 a.m. on
8 April 13th, which is the opening of the
9 session for oral closing remarks.

10 At the conclusion of the oral
11 closing remarks by other parties Generation
12 PGM may respond or apply to anything raised in
13 the remarks of other parties that Generation
14 PGM has not already addressed in its written
15 closing remarks.

16 I hope this addresses your
17 request this morning, Mr. Barretto. With that,
18 I think we are -- sorry.

19 MR. BARRETTO: Thank you,
20 Madam Chair. It does. Thank you.

21 PANEL CHAIR: With that, we
22 are concluding our first day of our community
23 sessions. Thank you to all the participants
24 here today on behalf of the panel and myself.
25 Really appreciated the discussion and

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1 presentations and we will look forward to
2 another day tomorrow beginning at 9 a.m. Have
3 a nice evening. Thank you.

4 --- Whereupon at 4:33 p.m. the proceedings were
5 adjourned till Tuesday, April 5, 2022,
6 at 9:00 a.m.

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