

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

**TRANSCRIPT OF PROCEEDINGS**  
held virtually at Toronto  
on Thursday, April 7, 2022, at 9:00 a.m.  
VOLUME 18

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

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**APPEARANCES:**

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Jeremy Dart	
Cathryn Moffett	
Hilary Janes	
Jeremy Barretto	
Brian Fraser	EcoMetrix
Dr. Ron Nicholson	
Dr. Rob Foster	Northern Bioscience
Dr. Don Hart	
Jon Pounder	
Suraj Dave	On behalf of Pays
Raymond Belmar	Plat First Nation
Deb King	
Mayor Rick Dumas	On behalf of the town
Daryl Skworchinski	of Marathon
Tracy Zanini	On behalf of Biigtigong Nishnaabeg
Jody Duncan	
Gregory Crooks	On behalf of Stantec
Frank Babic	
Sean Capstick	On behalf of Golders
Robert Clavering	On behalf of Environment
Allison Kroeze	and Climate Change Canada
Matthew LeBlanc	
Lynn McCarty	On behalf of Michipicoten
Dean Fitzgerald	First Nation
Kitty Ma	On behalf of Health Canada
Frédéric Valcin	
Luc Pelletier	
Laura Romeo	On behalf of Ministry of Heritage, Sport, Tourism and Culture industries
Courtney Bice	On behalf of Transport Canada

Laura Darby	On behalf of Ministry of Northern
Raymond McCarthy	Development, Mines, Natural Resources
Andrea Hanson	
Colin Hovi	
Tim Cano	

Marie-Eve Lenghan	On behalf of NRCan
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Sheila Daniel	On behalf of Wood
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Sara Libman	On behalf of Citizens for Responsible Industry in
Kevin Morin	Northwestern Ontario and Northwatch

Jacinth Gilliam-Price	On behalf of Ministry of the
Alisdair Brown	Environment, Conservation and Parks

Victoria Stinson	On behalf of Métis Nation
Tim Sinclair	of Ontario
Alexandra Kosmides	
Phil Seeto	

Luc Desroches	On behalf of Impact
Jason Boivert	Assessment Agency of Canada
Andrea Osala-Schaaf	

Peter Rasevych	On behalf of Ginoogaming First Nation
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Adam St. Clair	On behalf of Dept. Of
	Fisheries and Oceans

Alain Bartleman	On behalf of Biigtigong Nishnaabeg
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**Also Present:**

JoAnne Michano  
Todd Kiersten  
Dave Carruthers

Gavin Fitch	Legal counsel to the Panel
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Jason Patchell	Panel manager
Robert Purdon	Panel secretariat
Youssef 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	Panel secretariat
Jillian Smith	Panel secretariat
Frank Bohlken	
Christine Walsh	
Colin Varley	
Simone Desmoulin	
Lisa Michano-Courchene	
Paul Driben	
Chris Wedeles	
Michael Starr	
Debi Bouchie	
Donald Michano	
 Sandra Brereton	 Court reporter

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1 Virtual proceedings  
2 --- Upon resuming on Thursday, April 7, 2022,  
3 at 9:00 a.m.

4 PANEL CHAIR: Good morning,  
5 everyone. And welcome to day 4 of the community  
6 sessions of the public hearing for the Marathon  
7 Palladium Project. These sessions are intended to  
8 allow Indigenous communities living in close  
9 proximity to the project to present their views.

10 My name is Debra Sikora, and I'm  
11 the chair of the joint review panel, and joining me  
12 are my fellow Panel Members, Gay Drescher to my  
13 left, Laurie Bruce to my right.

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

23 My full opening remarks from day 1  
24 of the public hearing and day 1 of the community  
25 sessions can be found in the transcripts and on

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1 YouTube and I won't repeat them in their entirety  
2 today.

3 The secretariat has arranged  
4 support throughout this hearing. If you have any  
5 questions about the process or general procedural  
6 matters please direct them to the project e-mail  
7 found on the public registry.

8 Live audio and video streams and  
9 video recordings of this hearing will be made  
10 available to the public through YouTube. Anyone in  
11 the virtual hearing room with their camera or  
12 microphone turned on will be captured and images  
13 and recordings of you and your surroundings will be  
14 broadcast on a publicly available YouTube video.

15 If you have concerns about this  
16 please contact the secretariat and we'll do our  
17 best to accommodate any concerns while considering  
18 the need to conduct an open and transparent public  
19 process.

20 In the event of an emergency where  
21 you are, please consider your safety first and exit  
22 your location if necessary. When it's safe to do  
23 so let us know how we may assist and we'll find  
24 time to reschedule your presentation if necessary.

25 We plan to take a 15-minute break

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1 mid-morning and afternoon and a one-hour break for  
2 lunch, depending on our schedule for today.

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

16                   Biigtigong Nishnaabeg First Nation  
17 will present throughout the day beginning with an  
18 opening welcome. If there are any questions we'll  
19 do those following the presentations.

20                   Just a procedural matter I'll note  
21 before we begin this morning. Yesterday we  
22 received comments on Pays Plat First Nation request  
23 to hold in camera sessions on April 8th. Thank you  
24 to those who commented. We would like now to offer  
25 Pays Plat First Nation the opportunity to respond

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1 to the comments that were received if they are in  
2 the room. If they are not in the room our  
3 secretariat will reach out to request that those  
4 comments. And if I could respectfully request  
5 those comments by noon today and then we can ensure  
6 we have a decision promptly after that.

7 So with that addressed, I now ask  
8 participants if there are any questions or  
9 procedural matters that you would like to raise  
10 before we begin the day. Seeing no hands up, Ms.  
11 Michano, I think I may be handing it over to you  
12 now and to Biigtigong Nishnaabeg First Nation for  
13 your opening and presentations.

14 MS. MICHANO: Thank you, Madam  
15 Chair. Good morning, everyone. We have something  
16 happening here? Patience with us, ladies.

17 PANEL CHAIR: No problem.

18 MS. MICHANO: I wish I could turn  
19 the camera around so I could show you these men  
20 running around here trying to fix the problem.

21 PANEL CHAIR: It sounds good at  
22 this end. Probably just at your end maybe.

23 MS. MICHANO: Okay? Hello. Oh,  
24 please, JoAnne, don't start singing. How's that.  
25 All right. Let's start again. Look at that on the

1 screen. Miigwetch, gentlemen.

2 Well, here we are on day 3. This  
3 is our last day together. We have one more session  
4 on Saturday, but for those who have been with us  
5 the last three days this is our last day together  
6 so there's a little sadness there I think. So with  
7 that, we'll make this a very excellent, wonderful  
8 day.

9 So to the members of the panel and  
10 other participants and those of us here at  
11 Biigtigong, we want to that say good morning again.  
12 So everyone together, let's say good morning. Good  
13 morning (audience en masse). Oh my goodness, that  
14 took a little something there. Maybe we on should  
15 try it again. One more time. Good morning  
16 (audience en masse). There we go now. We're all  
17 energized.

18 So we want to start our day again  
19 in ceremony and in a good way. So we would like to  
20 call Todd, and today we have Donald and Julie  
21 Michano who we are very fortunate and very blessed  
22 to have in our community, and these individuals  
23 work very, very hard moving our nation forward and  
24 supporting us. And Donald is actually a member of  
25 council. I will pass over to you, Todd.

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1 OPENING CEREMONY BY TODD:

2 TODD: Miigwetch. (Speaking  
3 Nishnaabemwin) for this new day that we are given  
4 here to spend together (speaking Nishnaabemwin). I  
5 want to remind everybody that what we're doing here  
6 today is for our future and is for the children,  
7 just like our grandparents and our parents and  
8 great-grandparents have set for what we're doing  
9 today with us. They looked after us today so that  
10 we're going to be okay. So that's what we're  
11 doing, is looking after our children, our  
12 grandchildren, out great-grandchildren.

13 So I ask the creator to be with  
14 us, and to everyone that's participating in all  
15 this that we have good healthy discussions for our  
16 future. That's a big part.

17 So I'm going to go around with the  
18 smudge. I'm going to ask my good friends here to  
19 share their beautiful gifts and their beautiful  
20 songs with us this morning. Miigwetch.  
21 --- (Nishnaabeg song sung)

22 MR. DONALD MICHANO: Bonjour.  
23 (Speaking Nishnaabemwin). That song is translated  
24 into we are loved and we are being watched. I  
25 think as Nishnaabeg and everybody in general we

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1 always have to look at the well being of who we  
2 are, the relationships that we keep, who we are,  
3 our families, our loved ones, we always to have  
4 look at that goodness that comes from above because  
5 that's what that song is saying, we're being  
6 watched from above and we're being loved.

7                               The relationship that we as people  
8 have to the land is the utmost important thing that  
9 we have to always remember, and moving forward,  
10 that is the legacy that me and my wife try to  
11 promote and try to lead by example of how we do  
12 things. It's our life, you know. People always  
13 ask that question of why we do and how we can do  
14 what we do, because we're very active and we're  
15 very busy and this is part of whatever we do. So  
16 it's that ongoing love that we bring and that  
17 ongoing love and goodness we try and promote. And  
18 as people that's what we have to understand is that  
19 love -- they say their spirits are always with us  
20 and we always reference that when we're in rooms.  
21 We see these empty chairs. They say they are empty  
22 but reality is they are full and going back to that  
23 song, we're being watched. So we're being loved  
24 and being watched and always remember that, because  
25 no matter what we do, we have to kind of ensure

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1 that we're living in a good way. Miigwetch.

2 MS. MICHANO: Miigwetch, Donald  
3 and Julie. I wish I could speak like that from the  
4 heart, but I have to use notes.

5 Miigwetch, Donald. Thank you for  
6 sharing your knowledge and providing direction and  
7 the reminders to us, and miigwetch for sharing and  
8 for always being here for the community, and not  
9 only our community, just people in general and your  
10 work is very much appreciated. Miigwetch.

11 So yesterday our team presented  
12 specific concerns, impacts, potential mitigations  
13 relating to the natural and human environment  
14 resulting from this project. Jody and Tracy  
15 focused on the items raised during the  
16 topic-specific sessions. Dr. Paul Driben focused  
17 on trapping, providing knowledge on the economic,  
18 social and cultural values and the impacts  
19 regarding trapping. We saw Duncan and Chris look  
20 at wildlife and specifically focusing on caribou.  
21 And finally we had our education director Lisa  
22 Michano-Courchene and our social services director  
23 Simone Desmoulin speak about the socioeconomic  
24 impacts on education and social services.

25 This morning we would like to

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1 continue with our socioeconomic impact assessment,  
2 and we will be having our chief executive officer  
3 Debi Bouchie take us through the presentation, and  
4 that will be followed by David Carruthers and  
5 herself doing a summary of the last two days.

6 And we will finish our day and  
7 open to questions at that time, the panel. So we  
8 expect that we probably will be done here at noon,  
9 around noon, just to let you know that. Anything  
10 else, Dave? Is that about it? So Ontario and  
11 Canada are here so we're going to spend the  
12 afternoon working really hard. Everyone is shaking  
13 their head, thumbs up.

14 So with that I would like to take  
15 us to our CEO Debi Bouchie.

16 PRESENTATION BY DEBI BOUCHIE:

17 MS. BOUCHIE: Before I begin I  
18 would like to take a moment for a brief  
19 introduction. My name is Debi Bouchie. I'm a  
20 member of Biigtigong Nishnaabeg and the current CEO  
21 for our community, providing leadership and  
22 oversight in the areas of education, social  
23 services, sustainability, economic development,  
24 capital housing and financing and administration.

25 My formal education is in business

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1 administration, HR and public governance -- public  
2 administration and governance. I've worked in the  
3 federal government in Aboriginal placing and in  
4 mining in both Canada and the US.

5 In addition to my current role, I  
6 work closely with our BN corporations on economic  
7 and business opportunities throughout our territory  
8 and represent our community on a number of boards  
9 both internally and externally. And now I would  
10 like to ask for our presentation on housing and  
11 infrastructure and I will provide a presentation on  
12 that in addition to our emergency services for our  
13 community.

14 So if we could have the  
15 presentation on housing and infrastructure pulled  
16 up. Thank you.

17 Next slide, please. Next slide,  
18 please. Next slide, please.

19 In 2012 BN identified the  
20 availability of housing as a VEC that needs to be  
21 considered by the project. It was accurately  
22 depicted that of our 168 houses were occupied and  
23 there were no vacancies for any of our 40-plus  
24 members who are on waiting list for housing in the  
25 area of single, elder homes, multiple bedroom

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1 homes, and families who have outgrown their  
2 existing home and need more space.

3 Next slide, please.

4 The construction of new homes on  
5 reserve is challenged by the fact that BN is  
6 located within the Biigtig Zibi low-lying fluvial  
7 zone. As such, much of the reserve is comprised of  
8 wetlands. Community planning is constrained by  
9 this as further geotechnical studies are required  
10 to identify dry lands on 800 acres suitable for  
11 house construction. Septic beds in Biigtigong  
12 Nishnaabeg are often inundated with water, thereby  
13 reducing both their efficacy to filter waste and  
14 limiting their life expectancy. This is further  
15 exacerbated by overcrowding in homes which adds  
16 additional pressures to existing sanitation  
17 systems.

18 Next slide, please.

19 BN is prevented from constructing  
20 new homes for three significant areas:  
21 Insufficient potable water infrastructure to supply  
22 water to new housing, not enough dry land on the  
23 existing reserve to build new foundations and  
24 functioning septic systems, and access to funding  
25 and support to plan, prepare and construct new

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1 homes.

2 Next slide, please.

3 This was confirmed by the CCT  
4 where they stated that the CCT recognizes that the  
5 current housing situation in the community will not  
6 support the number of members anticipated to return  
7 should the project proceed. The CCT notes that  
8 evidence presented in studies and literature that  
9 illustrate how resource extraction and development  
10 in rural and northern communities can exacerbate  
11 housing insecurities in Indigenous communities.  
12 These housing insecurities can especially impact  
13 the vulnerable populations including women and  
14 children.

15 Next slide, please.

16 As previously identified, there is  
17 urgency for a new water treatment plant in BN. The  
18 existing system is at capacity, resulting in boil  
19 water advisories. The current system was a rushed  
20 solution to cyanide spill in Biigtig Zibi from the  
21 past mining development north of the community.  
22 Water availability is the primary constraint to the  
23 construction of any new houses, the school,  
24 businesses, or fire services. This is recognized  
25 as a serious issue by both GenPGM and the CCT.

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1 Next slide, please.

2 Emergency services for our  
3 community are also strained, operating beyond  
4 capacity. This includes the Anishinabek Police  
5 Service, fire services, and medical transportation  
6 services. Additive pressures from the mine will  
7 contribute to additional demands for these  
8 services. Given the community's proximity to the  
9 mine, increased population, and the community's  
10 reliance open road access to Marathon for medical  
11 services, BN must be included in socioeconomic  
12 evaluations of pressures to emergency services and  
13 the development of mitigation strategies to address  
14 these additive effects. This has not yet happened.

15 Next slide, please.

16 The slide in front of us today is  
17 a duplicate slide from yesterday, but I do want to  
18 point out point number 3. The baseline report  
19 confirms, noting that any additions to BN  
20 population resulting from employment at the mine  
21 will result in an increase in demand on  
22 infrastructure and services, so the information  
23 that I'm presenting to you has been validated  
24 throughout this process.

25 Next slide, please.

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1                   The positions that Gen mine has  
2 taken in identifying this have also been supported  
3 by the CCT in confirming that these demands will  
4 have direct impacts on our infrastructure and  
5 housing for our community.

6                   It should be noted that we are  
7 committed with financial support from the proponent  
8 and the Crowns to conduct a comprehensive study to  
9 quantify the number of BN members who may be  
10 returning to our community for employment purposes.

11                  We should also note that even if  
12 one family were to return to our community for the  
13 purposes of employment, we are still at a housing  
14 shortage because we have the 40 individuals or  
15 families on wait lists and we have to prioritize  
16 them, so that only one family would definitely  
17 impact additional needs to our housing needs.

18                  Next slide, please.

19                  Generation PGM notes that BN is  
20 already beyond capacity with respect to housing.  
21 While the preference may be for off-reserve members  
22 to live on reserve, housing will be available for  
23 project employees at the accommodation complex  
24 during construction and operation.

25                  We have not been consulted on the

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1 accommodation complex as a mitigation strategy to  
2 address our housing needs. The complex is not  
3 suitable for our Indigenous women, workers, and  
4 family, and may not be used by other Indigenous  
5 workers due to concerns of racism, security and  
6 safety.

7 This we feel is not an answer to  
8 what our challenges will be.

9 Next slide, please.

10 CCT agrees with our assessment of  
11 this, noting the proponent's mitigation measures of  
12 an accommodation complex to address this issue is  
13 not ideal. As per the findings of the national  
14 inquiry into missing and murdered Indigenous women  
15 and girls, there is a risk of potential racism and  
16 safety issues associated with such shared living  
17 complex. As such, the proposed mitigation measures  
18 can exacerbate potential negative impacts.

19 Next slide, please.

20 Although GenPGM notes that BN is  
21 already beyond capacity with respect to housing,  
22 they conclude that the residual adverse effects of  
23 the project on infrastructure and services is  
24 predicted to be not significant because it will not  
25 result in an exceedance of available capacity of

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1 infrastructure and services, or a substantial  
2 decrease in their quality on a persistent and  
3 ongoing basis, which cannot be mitigated by future  
4 or anticipated government programs, policies, or  
5 proposed mitigation and enhancement measures.

6 GenPGM has not confirmed or  
7 clarified any future or anticipated government,  
8 programs, policies, or mitigation and enhancement  
9 measures to address additive BN housing and  
10 infrastructure stressors other than the  
11 accommodations complex.

12 Next slide, please.

13 For Marathon, the proponent has  
14 committed to engage with municipal authorities to  
15 coordinate planning of infrastructure development  
16 or upgrades that may be needed to ensure that they  
17 do not negatively affect the local communities. No  
18 such commitments have been made to work with BN.

19 Systemic racism is found when  
20 institutions create or maintain racial  
21 inequalities. BN believes there is racial  
22 inequality in how impact and mitigation measures  
23 for the two communities are addressed.

24 Next slide, please.

25 The CCT notes that ISC has

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1 committed to funding a new water treatment plant.  
2 Commitments for the completion of this work need to  
3 be a condition of the mine permitting. If  
4 approvals for this project are not received by  
5 mid-May the project future is jeopardized in  
6 construction timing and cost for this project.

7 Wastewater treatment in BN as  
8 associated with additive development pressures from  
9 the mine has not been discussed by either GenPGM or  
10 the Crowns.

11 The CCT notes that ISC has  
12 committed to funding a community land use plan.  
13 This funding will support the work needed to  
14 conduct geotechnical studies regarding soil  
15 saturation and suitability for the location and  
16 construction of new homes. This funding, however,  
17 will not however cover any of the work needed to  
18 start site preparation for housing development or  
19 the cost of actually building a single house. We  
20 anticipate that the approximate cost per lot  
21 development per house is \$35,000.

22 Development of roads to  
23 development new subdivisions are estimated at  
24 approximately \$3 million. IAAC noted that in its  
25 initiated discussions with CMHC to explore

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1 potential solutions to this, but at this time no  
2 discussions have occurred with BN and we are only  
3 aware of existing programs available to First  
4 Nation.

5 Next slide, please.

6 The baseline EA reports note that  
7 GenPGM will coordinate its emergency preparedness  
8 and response plan with the town of Marathon  
9 emergency services department. The report does not  
10 indicate that GenPGM will coordinate with  
11 Biigtigong Nishnaabeg. We support the CCT's  
12 recommendation that the proponent works with BN in  
13 the development of an emergency response plan  
14 related to the mine.

15 Next slide, please.

16 No evaluation in the EA or  
17 consideration of mitigation requirements to address  
18 Anishinabek Police Service capacity and needs are  
19 relating to the mine. Currently our services are  
20 provided by Anishinabek police services which is a  
21 self-administered standalone police services  
22 offering policing to 16 communities throughout  
23 Ontario.

24 We are what is considered a  
25 cluster detachment in which our services are shared

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1 with neighbouring communities. Oftentimes our  
2 community is left without visibility and services  
3 of our officers because of demands in other  
4 communities.

5                   ISC confirmed commitments for a  
6 new fire truck. It is very important to note that  
7 this commitment had nothing to do with the mine and  
8 all First Nations in Ontario with assets older than  
9 1997 received a letter in November of 2021  
10 indicating that the trucks were available should  
11 they do the application for funding.

12                   We have had no discussions or  
13 commitments on support for training, staffing,  
14 supplies to actually increase emergency response  
15 services for our communities.

16                   Next slide, please.

17                   It's also very important to note  
18 that funding processes currently established  
19 through government agencies to address Indigenous  
20 community services and infrastructure related  
21 issues is unduly convoluted and requires lengthy,  
22 onerous effort, when compared to the actions local  
23 non-Indigenous municipalities can undertake to  
24 resolve similar issues. Responsibilities to  
25 address impacts should not be offloaded onto BN

1 administration.

2 Next slide, please.

3 A note about our agreement in  
4 principle and community benefit agreement with  
5 GenPGM.

6 GenPGM notes if BN community  
7 members return to the community, GenPGM recognizes  
8 the additional demands that the project will have  
9 on BN, and if realized, are considered significant.  
10 However, in recognition of the predicted effect  
11 GenPGM and BN have recently executed an agreement  
12 in principle in February of 2021 that outlines the  
13 framework for a community benefit agreement to  
14 mitigate some residual effects and provide an  
15 overall benefit to BN.

16 We are working on a CBA, but  
17 mitigation needs to be agreed to in advance or as a  
18 condition of permitting. As of today, no binding  
19 commitments currently exist to mitigate recognized  
20 impacts on housing, infrastructure, education,  
21 social, health, safety training, or any of the  
22 other challenges that our community may face.

23 Next slide, please.

24 I would now like to provide you  
25 with a summary of the mitigation and accommodation

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1 related to this project.

2                   The following list represents  
3 issues that are needed to be addressed by the  
4 proponent and the Crowns. We respectfully suggest  
5 that these be adopted by the JRP as conditions to  
6 permitting. Commitments and complementary measures  
7 would be the responsibility of both the proponent  
8 and the Crowns. All work would absolutely have to  
9 be done in collaboration with BN.

10                   Commitments to the completion of  
11 the BN water treatment plant needs to be a  
12 condition of mine permitting. Without this water  
13 plant we will not have any opportunity to  
14 participate actively in this mine and it needs to  
15 be -- it's a priority for our community and I  
16 cannot stress enough the need for this water  
17 treatment plant for our community.

18                   Funding commitments to prepare  
19 subdivision lots for 50 houses and funding  
20 commitments to construct 40 houses.

21                   A funding commitment to examine  
22 our wastewater treatment constraint and the  
23 anticipated future demands of this project  
24 opportunity.

25                   Next slide, please.

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1                   We need to work on commitment to  
2 work with BN in the development of an emergency  
3 response plan relating to the mine. The impacts of  
4 this mine are not only going to be felt by the  
5 municipalities. We need to understand our First  
6 Nation will be majorly affected in any emergency  
7 responses that occur at that mine, and as such, we  
8 need to be given the same consideration to provide  
9 that service to our community and our members.

10                   We need to look at funding to  
11 support the Anishinabek Police Service so that we  
12 can have adequate coverage and representation of  
13 the community-based policing service that is vital  
14 for our community. We need funding to support  
15 training, equipment, and operational costs for fire  
16 services in BN. We recognize this gap, given the  
17 infrastructure of 168 houses, our new school that's  
18 going to be constructed, our health centre, and the  
19 gaps that we have in providing proper fire coverage  
20 on assets that belong to our community.

21                   We need to look at funding to  
22 support additional capacity for medical  
23 transportation programs for our community members  
24 as this remains a significant gap.

25                   Next slide, please.

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1                   The project is bringing to light  
2 many systematic shortcomings and stressors within  
3 our community, including housing, infrastructure,  
4 social services, emergency response, health and  
5 education. The project will exacerbate these  
6 stressors. These issues must be addressed prior to  
7 permitting. The responsibility to mitigate is with  
8 both the proponent and the Crowns.

9                   Miigwetch for your time.

10                  PANEL CHAIR: Thank you very much,  
11 Ms. Bouchie, for your presentation. Much  
12 appreciated.

13                  Ms. Michano, I think we're back to  
14 you.

15                  MS. MICHANO: Miigwetch, Deb, for  
16 doing a wonderful job. I believe David Carruthers  
17 has made his way to the boardroom so we might just  
18 hand it back to Deb.

19                  PRESENTATION BY DAVID CARRUTHERS:

20                  MR. CARRUTHERS: Good morning,  
21 panel. Good morning, everyone.

22                  We actually just wanted to wrap up  
23 the impacts to socioeconomic issues and values.  
24 There's a slide deck called socioeconomic impact  
25 summary. We also wanted to put all of the proposed

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1 mitigation strategies into one document for you so  
2 you can see it in one spot. So maybe we could pull  
3 up that presentation here today. Thank you. Maybe  
4 we'll go to the next slide.

5 I just wanted to speak a little  
6 bit about this issue. We see a recognition by  
7 GenPGM that if there is a return of community  
8 members to the community that this will place  
9 additional demands onto BN, and if realized, are  
10 considered significant. However, in recognition of  
11 the predicted effect, GenPGM and BN have recently  
12 executed an AIP that outlines the CBA to mitigate  
13 these impacts.

14 So what we're seeing this idea  
15 that mitigation can be addressed in a CBA which is  
16 a confidential document and that will likely be  
17 executed after the panel concludes its  
18 recommendations, and what we would like to see is  
19 some binding commitments prior to permitting.

20 The second issue is that, in the  
21 second paragraph, the residual effects are  
22 considered to be not significant because these  
23 issues can be addressed by government programs and  
24 policies, and again we really haven't had  
25 discussions or any firm commitments regarding

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1 government programs and policies and enhancement  
2 measures, and we need to have those prior to  
3 permitting, certainly not after. That's something  
4 that we would really like to see put into place as  
5 commitments to the project.

6                   So we're caught in this Mobius  
7 loop as a metaphor whereby mitigation can happen  
8 later. There's a bit of finger pointing whether  
9 baseline conditions and additive effects are the  
10 responsibility of the proponent or they are the  
11 responsibility of the Crowns, and it's unfortunate  
12 that BN is in the middle of that loop. There's  
13 also a discrepancy in how environmental impacts are  
14 treated versus BN impacts, and an example is  
15 species at risk and caribou.

16                   There's an acknowledgement that  
17 there's a pre-existing stressor on the caribou  
18 population. That's certainly not the fault of  
19 GenPGM, but certainly everyone recognizes that  
20 additive pressures are the responsibility to  
21 GenPGM. So true -- or so too is the baseline  
22 stressors to BN whereby the company is certainly  
23 not at fault for those existing stressors, but  
24 certainly responsible for any additive pressures  
25 put on top of those.

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1                   And the same is true with the  
2 baseline conditions of mercury, for example. And  
3 so there's a feeling that additive pressures need  
4 to be dealt with in the same way for both the  
5 environment and socioeconomic conditions.

6                   I just wanted to maybe have Debi  
7 talk a little bit about -- there's a lot of  
8 opportunities for funding that the Crowns have  
9 identified to mitigate impacts and maybe Debbie  
10 could talk a little bit about that.

11                  MS. BOUCHIE: As a First Nation,  
12 and I think as illustrated by some of the  
13 presentations that have been made by myself this  
14 morning, and then also by our education and our  
15 social services director, our responsibilities to  
16 the community are vast and we have a number of  
17 things that we have to manage and oversee on behalf  
18 of the community.

19                  And we're all here with -- because  
20 we have a heart and we're members of the community  
21 and we want to see us succeed and go to the next  
22 level and we want to build a foundation for our  
23 community and for our next Generations and we work  
24 hard to do that, but the additional opportunities  
25 for funding that is based on application processes

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1 is quite demanding and it could take up to two  
2 years to do this.

3 And those are challenges when we  
4 add on to what we currently have right now, are  
5 significant responsibilities and challenges that  
6 take a lot of time and effort away from what we  
7 need to do and our current roles and  
8 responsibilities, and puts us into the mix with  
9 other First Nations in Ontario and throughout  
10 Canada, and those funding opportunities are there.

11 We do work towards those but  
12 that's not an answer. In essence, the project is  
13 going to be impacting significant areas, and for us  
14 now to have to add that additional responsibility  
15 of applying for programs that are not specific to  
16 some of the needs that we are -- but puts us in the  
17 mix with other communities and other First Nations  
18 and a competitive process for limited funding is  
19 not an answer to address the issues that we've  
20 identified. So we don't believe that that is a  
21 reasonable expectation on that.

22 What we would like to see is more  
23 focused effort and more focused opportunities for  
24 us to obtain funding to address some of the  
25 challenges that are going to be faced by the mine.

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1 So I think that's pretty much it. We've got a lot  
2 of responsibility and that additional would magnify  
3 our work by a huge amount.

4 MR. CARRUTHERS: Thanks, Debi. I  
5 guess just to conclude this session is we really  
6 feel as though we're way out of this Mobius loop on  
7 whose responsibility. It can only happen through  
8 dialogue, and we look forward to having that  
9 dialogue with both GenPGM and the Crowns. So thank  
10 you.

11 MS. BOUCHIE: Miigwetch.

12 PANEL CHAIR: Thank you, Ms.  
13 Bouchie. Thank you, Mr. Carruthers.

14 MS. MICHANO: Thank you, Debi and  
15 Dave.

16 This concludes our presentations  
17 for our open community sessions, and before I hand  
18 it back to the panel for any questions I just got a  
19 couple closing remarks that I would like to make.

20 So on behalf of Biigtigong  
21 Nishnaabeg we extend our appreciation to the panel  
22 for these past three days for being accommodating  
23 and providing us with this space. We've hope the  
24 material presented provided a greater understanding  
25 of Biigtigong Nishnaabeg.

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1                   Before we close our opening  
2   community sessions Biigtigong Nishnaabeg wants to  
3   knowledge the importance of our relationship with  
4   the town of Marathon, Mayor Dumas and his team, his  
5   businesses, the service providers, the volunteer  
6   clubs, but most of all the citizens. This is your  
7   home, your place of safety, your spirit-filled in  
8   place, your place of love and connection. We have  
9   been gifted with places like Craig's Pit, Mink  
10   Falls, Sturdy Cove, Neys, Fox Lake, Santoy, well,  
11   Mountain Lake to use, Biigtig, and of course,  
12   Superior. And this is where we raise our children  
13   and we raise them together. This is truly sacred.  
14   Protecting this responsibility perhaps should be  
15   legacy we continue to leave behind. Marathon is a  
16   beautiful place to live, to work, to play. Besides  
17   Biigtigong, I would be so proud to call this  
18   amazing community of Marathon my home.

19                   We love our neighbours. We  
20   profoundly care about Marathon's long-term  
21   sustainability. We always want to see Marathon  
22   thrive and we will continue to do our part to  
23   support and help grow Marathon. The health and  
24   welfare of Marathon and its people is very  
25   important to Biigtigong. This value will always be

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1 considered and protected in our vision, goals and  
2 priorities. Your children are our children and  
3 ours are yours, and hopefully we will continue to  
4 care for each other and collectively make decisions  
5 for the betterment of the Generations to follow.

6                   Biigtigong would also like to  
7 acknowledge the Crown Consultation Team. Many of  
8 you are here with us and those on the line. We  
9 really appreciate having you here with us in  
10 person, and feeling this appreciation and this  
11 gratefulness of our human connections I think is  
12 one of the really important gifts that we're  
13 walking away from out of this pandemic is to really  
14 understand the importance of our human  
15 relationships, our human connections, and the fact  
16 that that's what connects us.

17                   So we thank you for being here.  
18 Your presence here has made a big difference, and  
19 it's really nice presenting to people as opposed to  
20 sitting there on Zoom. So from the bottom of our  
21 hearts, thank you. Thank you for this work you've  
22 done and the work you will continue to do. You  
23 rock. And Miigwetch for everything you do. And  
24 Jason and -- you're a good leader. I watch your  
25 team and how they respond to you so, Miigwetch for

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1 that. On behalf of your team I think other time we  
2 probably -- never mind, I won't go there.

3 Thank you. We also want to  
4 acknowledge Marathon PGM and their staff and their  
5 team. Thank you for walking us through and hearing  
6 the concerns of the communities around you and the  
7 agencies that are speaking on behalf of the  
8 generations, that are speaking on behalf of the  
9 animals and all of that wonderful stuff. So  
10 Marathon PGM, thank you.

11 And finally I want to thank our  
12 Biigtigong team. I'm so proud, I'm so honoured,  
13 I'm so grateful for each and every one of you.  
14 Jody and Tracy, Tony, Harvey, Dave, Alain,  
15 Brittany, Chris, Paul, Lisa, Simone, Cassandra,  
16 Kiersten. Individually you are amazing but  
17 collectively you are absolute magic. Magic. And  
18 thanks to our tech support Donovan, Jason. And to  
19 Todd and the singers, thank you for being hear and  
20 put us in a good place. So much love to you all.

21 And with that, Panel Members, we  
22 are done here in Biigtigong, so I'm going to hand  
23 it back over to you ladies and I think we're  
24 already if you have any questions.

25 PANEL CHAIR: Thank you so very

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1 much, Ms. Michano, for your heartfelt thanks and  
2 the honour being able to hear what you've shared  
3 with us over the past number of days. And we truly  
4 appreciate the opportunity to ask questions. I'll  
5 just take one moment, if I may, and we'll be right  
6 back to you with kind next steps. Thank you.

7 --- (DISCUSSION OFF THE RECORD)

8 PANEL CHAIR: I think we do have  
9 some questions we would like to ask of presenters.  
10 I know my colleague Gay Drescher and Laurie Bruce  
11 both have questions. Perhaps I'll turn it over to  
12 Gay to begin. Ms. Drescher. Thank you so much.  
13 QUESTIONS SESSION:

14 PANEL MEMBER DRESCHER: Thank you,  
15 Madam Chair and thank you, Ms. Michano. It has  
16 been a heartfelt three days and we appreciate the  
17 opportunity and your welcoming us to share all of  
18 your feelings and your conclusions with us. It's  
19 been very, very important.

20 We would like to thank the  
21 presenters as we've had these presentations. Very  
22 informative. Miigwetch. Gives the panel a lot to  
23 consider, including powerful testimonies. If  
24 Biigtigong Nishnaabeg would allow it, we do have  
25 questions for clarification of certain things that

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1 Mr. Duncan in particular mentioned in his  
2 presentations. Would that be appropriate to do at  
3 this time?

4 MS. MICHANO: Yes.

5 PANEL MEMBER DRESCHER: Thank you.  
6 Thanks again to all at Biigtigong Nishnaabeg and  
7 Mr. Duncan for the overview of what was specific  
8 importance to Biigtigong Nishnaabeg over the last  
9 few weeks. We only ask the following questions to  
10 get further clarification on some of the issues  
11 that have been brought up. Our questions may be  
12 specific and they quite likely are, and to  
13 reference back to something you have point out many  
14 times, Ms. Michano, is we're looking at a specific  
15 dot, but if we have all these dots we're able to  
16 connect them into a much larger picture.

17 So our questions, like I say, may  
18 be specific and we really appreciate additional  
19 views to elaborate on those dots to help us to  
20 paint that larger picture.

21 First, the panel would be  
22 interested in experiences and views about changes  
23 in the health of wildlife species over time, on the  
24 land. Are there changes to wildlife health that  
25 are of particular concern to the Biigtigong

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1 Nishnaabeg, not only for harvesting purposes but  
2 also for the cultural practices, the continuation  
3 of cultural practices? So that is our first  
4 question.

5 MS. MICHANO: Assuming Jody is  
6 on....

7 MR. DUNCAN: Good morning, I was  
8 having some technical difficulties. Yes, so thank  
9 you for your question, Panel Member Drescher.

10 If I understand, you've asked  
11 about changes to the health of wildlife that have  
12 occurred within Biigtigong's exclusive title area.  
13 I can speak specifically to changes that have  
14 occurred with regard to aquatic species, and I  
15 don't know if perhaps Chris Wadeles is on the line  
16 to speak more to changes to caribou, but I'll start  
17 off here with aquatic species.

18 As we presented to you during the  
19 aquatic environment topic-specific sessions there  
20 has been a trend of increased mercury  
21 concentrations in fish tissue that have been  
22 observed through the baseline data collection that  
23 GenPGM has conducted.

24 We see exceedances of mercury  
25 above fish consumption guidelines in Bamoos Lake,

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1 Hare Lake and the Pic River. Many of these  
2 guidelines result in these advisories against  
3 eating these fish for women of child bearing age  
4 and children under the age of 15. These trends are  
5 increasing over time and are likely to continue.

6                   What the cause of these increases  
7 in mercury has not been determined, although it may  
8 be linked to eutrophication, increases in nutrient  
9 concentrations in these waterbodies.

10                   We have seen the fishery in Hare  
11 Lake change from a cold water fishery to a cool  
12 water fishery, so historically fish populations in  
13 Hare Lake consisted of lake trout and lake herring,  
14 or cisco, and are now transitioning more to a  
15 northern pike and yellow perch fish community.  
16 That also could possibly be linked to  
17 eutrophication, or general warming of the water  
18 body.

19                   With regard to species at risk.  
20 Lake sturgeon of course are an important species to  
21 Biigtigong. They have been this -- Great Lakes and  
22 St. Lawrence population have been fairly impacted  
23 largely as a result of barriers to fish passage  
24 that prevent them from reaching their spawning  
25 grounds. So the Biigtig is one of approximately 12

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1 tributaries of Lake Superior that still support  
2 spawning of lake sturgeon. So it's a very  
3 important water body for that species to ensure  
4 that it persists on the landscape.

5                               With regard to brook trout. Brook  
6 trout in Ontario are generally in decline,  
7 including in northern Ontario. If I recall  
8 correctly, NDMNRF predicts there's been  
9 approximately a 30 percent reduction in brook trout  
10 populations in northern Ontario, so we're seeing a  
11 general decline of this species. Again, this could  
12 be a result of waterbodies generally becoming  
13 warmer or barriers preventing them from reaching  
14 spawning grounds or alterations to small  
15 tributaries and headwaters in which they spawn.

16                              So I would say that is largely  
17 some of the changes we have seen in the health of  
18 the aquatic species.

19                              If Chris Wadeles is on the line --  
20 sorry to put you on the spot Chris -- but if he's  
21 on the line I would invite him to speak to some of  
22 the changes that have been observed with regard to  
23 this health of caribou specifically. And if there  
24 is any other information he can provide with regard  
25 to changes in the health of terrestrial species.

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1 MR. WADELES: Yeah, I'm on the  
2 line. I think when we talked about health there's  
3 two aspects, so it can be the health of individual  
4 animals, so how their sort of physiology changes in  
5 response to environmental stressors --

6 PANEL MEMBER DRESCHER: Excuse me,  
7 can I interrupt for a second. I'm sorry to  
8 interrupt. I really do want to hear but is it  
9 possible to come on camera?

10 MR. WADELES: I thought I was,  
11 sorry. There I am.

12 PANEL MEMBER DRESCHER: Thanks  
13 very much.

14 MR. WADELES: When we talk about  
15 the health of animals I think there is two  
16 different concepts or two different ways of  
17 thinking about it. There's the health of  
18 individual animals that is a physiological response  
19 to their environment or to stressors in their  
20 environment. There's also the health of  
21 populations in general, so how does a population  
22 track over time.

23 When we think about caribou it's  
24 mostly that latter definition of health that I am  
25 attracted to, I guess, because it is so striking

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1 that the population has declined precipitously,  
2 almost being extricated in the late 2,000 teens.

3                   Thirty years ago the last caribou  
4 was seen in Pukaskwa park in 2015, I think. In the  
5 1970s they were not abundant but they were sort of  
6 at normal level, around 50 or 30 in the park, or  
7 something like that. And they have declined pretty  
8 much linearly across the landscape in the last five  
9 or six decades I would say to the point now that  
10 recent surveys have shown that there are more than  
11 likely no caribou left on the mainland. And their  
12 fortunes have waxed and waned on the offshore  
13 islands depending on both the extent to which they  
14 exhaust the resources largely because islands -- so  
15 the islands are pretty small, and the incursions by  
16 wolves.

17                   I'm not sure if that satisfies the  
18 question that you are asking. I actually don't  
19 know a lot about the physiology of wildlife  
20 species, and I don't feel it would be appropriate  
21 for me to pass the buck here again.

22                   I know that Rob is on the line,  
23 Rob Foster, and this is something that I think Rob  
24 has considerably more expertise in than I do and I  
25 know he's -- I know Rob will not -- is not a

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1 representative of Biigtigong on this, but I know he  
2 has expertise on this and he looked into this in  
3 his work for GenPGM. Is it appropriate to see what  
4 Rob has to say on that?

5 PANEL MEMBER DRESCHER: Thank you,  
6 Mr. Wadeles. Yes, certainly. If he -- from a  
7 biology perspective, generally speaking, that would  
8 be appropriate. Thank you.

9 MR. WADELES: Thanks. I see he's  
10 on the line but he may not be -- oh. I think he's  
11 coming on. Hi Rob.

12 DR. FOSTER: Rob Foster for the  
13 record.

14 I echo what Chris had to say in  
15 that, broadly speaking, from ecological  
16 perspective, there's sort of the two perspectives  
17 on wildlife health with the individual level and  
18 the population level. Most of our characterization  
19 for the EIS deals with the population level, so  
20 population and health, so particularly the species  
21 at risk such as caribou, like Chris mentioned, but  
22 Canada warblers, blackbirds, lake sturgeon was  
23 mentioned as well, so health of the populations and  
24 where those populations are tracking through time.

25 In terms of individual health of

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1 wildlife species. We have less information  
2 available on that. Those generally require  
3 dedicated sampling regime, and it's usually with  
4 respect to human health, particular fish with  
5 mercury, as was mentioned earlier.

6                   There used to be more effort  
7 placed into sampling moose by MNRF in the past, or  
8 samples by hunters, but that program hasn't been in  
9 action for a long time. There is efforts through  
10 the community traditional food program that if the  
11 project is approved that there will be monitoring  
12 of some of the contaminants of concern in some of  
13 the plants and/or animals that are harvested by the  
14 community. But I can't speak to the details at  
15 this stage.

16                   I don't know if that answers the  
17 question. I can't speak from a traditional  
18 ecological perspective as a member of BN.

19                   PANEL MEMBER DRESCHER: That's  
20 fine. Thank you very much, Dr. Foster. Thank you.

21                   Ms. Michano, I do have two more  
22 questions for Mr. Duncan, if that works. Thank  
23 you.

24                   MR. DUNCAN: I'm a little a bit  
25 confused when you say Mr. Duncan, if you are

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1 referring to chief or myself. I am here, I'm aware  
2 now. Thank you.

3 PANEL MEMBER DRESCHER: Sorry  
4 about that.

5 So the question that I have is  
6 specifically with Hare Lake. You had in your  
7 presentation on Hare lake, and it was actually I  
8 think in the topic-specific, during the  
9 topic-specific days. You had touched on concern  
10 about sulphate levels and you had expressed the  
11 concern that -- back up for a second.

12 GenPGM mentioned that Hare Lake's  
13 natural mixing cycle would prevent the anoxic  
14 conditions that could lead to mercury mobilization  
15 if sulphate levels were to increase.

16 Does this statement change your  
17 views about the possible link between sulphate and  
18 mercury in Hare Lake?

19 MR. DUNCAN: Thank you for the  
20 question, Panel Member Drescher. Jody Duncan for  
21 the record.

22 It may slightly change our views,  
23 however we do recognize that the area of discharge  
24 for the effluent is rather shallow and there's  
25 likely to be a lot of atmospheric mixing in that

1 area and the ability to get oxygen deeper into the  
2 water column.

3                               However, as you move into some of  
4 the deeper basins of Hare Lake where anoxic  
5 conditions may develop likely in later summer,  
6 perhaps August and September, once the lake has  
7 been stratified for quite some time, as well as in  
8 late winter when there's been a fairly long period  
9 of ice cover, it's during those periods that we're  
10 concerned that anoxic conditions could develop  
11 within the lake at that point is when methylmercury  
12 production would occur.

13                              So we don't expect it to occur  
14 throughout the year but during those periods when  
15 anoxic conditions typically develop within a lake  
16 such as, you know, late summer or late winter.

17                              PANEL MEMBER DRESCHER: That's  
18 great. Thanks very much for that clarification.  
19 That's very helpful.

20                              My next question now is to Ms.  
21 Michano, if I could, please. Thank you, Ms.  
22 Michano.

23                              Sometime again over the last three  
24 weeks we had a session, a topic-specific session on  
25 noise and we asked GenPGM what the level or what

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1 the noise experience would be for somebody on the  
2 Pic River from the mine. And they pointed out to  
3 us that there would be a quiet, consistent droning  
4 equivalent to about 40 decibels that would be  
5 experienced by somebody on the Pic River who is  
6 seeking solitude using the river in the manner that  
7 has been traditional current use approaches.

8                               Would this kind of noise affect  
9 how you use the area and how you perceive the area  
10 for your traditional uses that have been going on  
11 and you anticipate to go on, as well as the quality  
12 of life for the community?

13                           MS. MICHANO: Thank you for the  
14 question. I think Chief Michano is better to  
15 answer this. Unfortunately, he's not with us so  
16 I'll take a crack at it, unless there is a member  
17 of our team who wants to do this, they can raise  
18 their hands. All right, ladies, you're stuck with  
19 me.

20                           When we look at -- and I think all  
21 of us who live in northern Ontario or in their  
22 communities really appreciate the silence that  
23 comes from the land. And when I speak of silence I  
24 speak of another kind of silence, and that silence  
25 usually does not include human beings, our

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1 connection with the land, that connection of  
2 paddling that river. We really go there as a  
3 retreat from basically the human activity and the  
4 craziness that our humans cause in the world and  
5 our own lives.

6 So to say that noise is not going  
7 to make a difference there, it will make a  
8 difference. It will definitely change when you're  
9 paddling down that river, when you are used to  
10 hearing silence and birds and natural activities  
11 happening on the land. So yes, it will impact it.

12 What did you say, 40 decibels?  
13 Don't look at me, I'm not going to tell my story of  
14 66 decibels.

15 So there will be impacts,  
16 absolutely. And for me, I don't know what 40  
17 decibels sounds like and -- so it's difficult to  
18 say.

19 PANEL MEMBER DRESCHER: Thank you  
20 very much for that explanation. Thank you. I'm  
21 going to now turn it back to Ms. Bruce who has  
22 another question. Thank you.

23 PANEL MEMBER BRUCE: Thank you.  
24 My question is directed to Ms. Bouchie and Mr.  
25 Carruthers. So thank you for your presentations

1 this morning.

2 I just want to seek clarification  
3 on a statement that was made, and I believe it was  
4 Mr. Carruthers that made it, although I do suspect  
5 Ms. Bouchie was suggesting the same thing.

6 The question is, we heard that it  
7 was important that if there is a CBA that it be in  
8 place before permitting. So I just want to clarify  
9 if you are specifically referring to the window of  
10 time, should this project be going forward based on  
11 the panel report, so the window of time after the  
12 panel report but before the regulatory process is  
13 complete.

14 MS. MICHANO: Dave?

15 MR. CARRUTHERS: Hi, David  
16 Carruthers for the record. Thank you for your  
17 question, and it's a good one.

18 We have no clear timelines on the  
19 completion of the CBA, and I think that was really  
20 -- that was my comment, is that it's difficult to  
21 see the panel conclude with its recommendations  
22 without knowing the full content and commitments  
23 that will be contained within the CBA. So it was  
24 more just a comment about the process that's  
25 unfolding and at what point do we engage in

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1 commitments to see that those commitments are part  
2 of the permitting processes.

3 I'm not sure if that answers your  
4 question, but it's more of a question about the  
5 timing and sequencing, and we will certainly not  
6 have the CBA drafted by the time the panel  
7 completes its report.

8 PANEL MEMBER BRUCE: Thank you for  
9 your answer. I turn it back to Panel Chair Sikora.

10 PANEL CHAIR: Thank you, Ms.  
11 Bruce. I think Ms. Drescher, do you have some  
12 additional questions or closing? Thank you. I'm  
13 turn it over to you. Thank you, Ms. Bruce.

14 PANEL MEMBER DRESCHER: Thank you  
15 very much, Panel Chair Sikora. Thank you, Ms.  
16 Michano.

17 So this is a bit of a lead-in  
18 question. I have to read the context out to frame  
19 the question for you, and I'd appreciate your  
20 response.

21 The last question that we have is  
22 about significance. As noted by several  
23 participants in the last few days, the panel must  
24 conclude on whether the project is likely to cause  
25 significant adverse environmental effects. And we

1 appreciate the comments that we have received from  
2 BN, Biigtigong Nishnaabeg, and others on the  
3 narrowness of the definition of environment,  
4 particularly as it relates to Indigenous. However,  
5 we have been assigned this within the context of  
6 the legislation of the 2012 and so that is what we  
7 work within.

8                   The panel uses several criteria,  
9 or can use several criteria to assess significance,  
10 terms that are commonly referred as magnitude,  
11 duration, extent and social and ecological context.

12                   Today the panel would welcome  
13 views from the Biigtigong Nishnaabeg on what this  
14 determination of significance means to you, but in  
15 particular what I would really like to have your  
16 views on, or we would like to have your views on,  
17 is are there potentially significant effects from  
18 the project that in your view cannot be mitigated?

19                   MS. MICHANO: Thank you for the  
20 question. So my response right now is going to be,  
21 very slowly, (speaking Nishnaabemwin). We're going  
22 to take some time and talk about that, so if you  
23 can give us a few minutes we'll get back to you.  
24 --- (DISCUSSION OFF THE RECORD)

25                   MS. MICHANO: Thank you, panel,

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1 for giving us an opportunity for getting together.  
2 We're going to answer your question via Alain  
3 Bartleman.

4 MR. BARTLEMAN: Good morning  
5 members of the panel. For the record, Alain  
6 Bartleman, B-A-R-T-L-E-M-A-N, first initial A.

7 Members of the panel, I understand  
8 that the question related to mitigation measures,  
9 or unacceptable mitigations for the proponent.

10 Biigtigong Nishnaabeg and  
11 Generation PGM have committed to working  
12 extensively throughout the contemplated four-week  
13 extension period that we requested. In our  
14 opinion, issues of significant concern include  
15 those articulated by Mr. Duncan in his presentation  
16 yesterday. They include the passive discharge of  
17 excess water from pit lakes to Biigtig Zibi during  
18 the post-closure phase, issues surrounding  
19 alterations to the flow in Angler Creek, and  
20 proponent support for community fish hatchery  
21 programs.

22 In the opinion of Biigtigong  
23 Nishnaabeg, the four-week extension period that we  
24 have requested will allow both the proponent and  
25 Biigtigong Nishnaabeg to make more informed

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1 decisions with respect to the consequences of  
2 what's just been outlined and, consequently, inform  
3 the panel through closing remarks at the end of  
4 those four weeks.

5                   As Mr. Duncan has articulated,  
6 once the mine is closed the pit lakes will remain  
7 as a permanent feature on the community's exclusive  
8 Aboriginal title territory. Proponents come and  
9 go, members of the panel, but the community has  
10 been here since time immemorial and will remain  
11 here.

12                   Any potential long term risk that  
13 may arise with effluent quality of the pit lakes  
14 would have a profound effect on the community's  
15 spiritual and cultural heritage and in the  
16 community's ability to continue practicing the  
17 rights associated with its assertion of Aboriginal  
18 title.

19                   As Mr. Duncan has articulated, the  
20 discharge at pit lake waters into the Biigtig Zibi  
21 is a matter of serious concern for the community,  
22 and permitting such a design would result in a  
23 serious adverse impact to the community's  
24 Aboriginal title area and interests within its  
25 exclusive title area.

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1                   Members of the panel, does that  
2     address the question?

3                   PANEL MEMBER DRESCHER: Thank you  
4     very much, Mr. Bartleman. That certainly has  
5     provided us with some more information and allowed  
6     us to fully narrow down on the specific  
7     significant, significant issues that remain. The  
8     next four weeks will hopefully allow for some  
9     resolution and we look forward to a conclusion of  
10    that.

11                  So thank you very much for your  
12    time, and thank you to the Biigtigong Nishnaabeg  
13    for allowing us to ask these questions.

14                  MR. BARTLEMAN: Miigwetch, Madam  
15    Drescher.

16                  PANEL MEMBER DRESCHER: Miigwetch.

17                  PANEL CHAIR: Thank you, Mr.  
18    Bartleman and Ms. Drescher, Ms. Bruce for your  
19    questions.

20                  Before we conclude for the day I  
21    wonder if we might just take a break and come back.  
22    Since we are at the close of the open sessions for  
23    community session with Biigtigong Nishnaabeg First  
24    Nation, I ask if Generation PGM will be doing  
25    closing remarks for the session as they have done

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1 for others.

2 Mr. Barretto, I see you on camera.

3 MR. BARRETTO: Yes, thank you

4 Madam Chair.

5 Generation PGM is planning to do  
6 closing remarks for the public Biigtigong sessions  
7 at the conclusion of the hearing today, and as a  
8 result we request that the panel have a slightly  
9 longer break, if this is the last step in the day.  
10 We request approximately 30 minutes. Thank you.

11 PANEL CHAIR: That sounds  
12 reasonable. Why don't we return back at 11 o'clock  
13 for close of day and hearing from Generation PGM.  
14 Does that work, Ms. Michano, for your group at  
15 Biigtigong Nishnaabeg?

16 MS. MICHANO: Yes, chair.

17 PANEL CHAIR: Thank you. So we'll  
18 see everybody here at 11. Thank you.

19 --- Recess taken at 10:27 a.m.

20 --- Upon resuming at 10:59 a.m.

21 PANEL CHAIR: Welcome back,  
22 everyone, and thank you so much for your  
23 flexibility in allowing us this time. I think  
24 we're turning it over to Generation PGM for closing  
25 remarks before we close out the day.

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1 Welcome, Mr. Anwyll.

2 CLOSING REMARKS BY GENERATION PGM:

3 MR. ANWYLL: Thank you for the  
4 question, Madam Chair, and thank you Panel Members,  
5 Indigenous communities and other participants. As  
6 many of you know, my name is Drew Anwyll, for the  
7 record.

8 I would like to start by thanking  
9 everybody for being here today and over the past  
10 couple of days and for sharing your knowledge and  
11 experience in this process.

12 Todd, Michelle, Donald, Julie  
13 Michano for the opening sessions, the drumming and  
14 the opening sessions are always very important and  
15 moving and it's unfortunate we can't smudge in the  
16 offices here, as I expect they would chase us out  
17 quickly.

18 I would also like to thank Chief  
19 Michano for participating. Certainly I know he has  
20 challenges right now with the travel that he's  
21 underway with. JoAnne Michano, of course, one of  
22 my favourite people. Debi Bouchie, Lisa  
23 Michano-Courchene, Jason and the Crown Consultation  
24 Team, John Paul Montano. This is a wonderful  
25 presentation and it is so insightful to hear.

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1 While it is language, it's genuinely more than  
2 language, so I really do appreciate that as well.

3 David Carruthers, as always, Jody  
4 Duncan and Tracy Zinini, thanks for your ongoing  
5 contributions to the project. Professor Driben and  
6 Chris Wadeles, and overall the entire BN community,  
7 thank you for attending and participating.

8 Again, we do know that BN  
9 asserts exclusive Aboriginal title over this  
10 territory where the project is located. Gen  
11 recognizes that BN did not enter into the Robinson  
12 Superior Treaty of 1850. The significance of this  
13 isn't under-appreciated by us.

14 I appreciate the thoughtful  
15 presentations we heard throughout the session, and  
16 for clarity what we heard from BN, from all the  
17 presentations, was that the water, the land, is  
18 more than the identity of BN, it is BN. I don't  
19 know how I can articulate this correctly, but my  
20 understanding is the importance is not just  
21 physical, it's -- I'm not a spiritual man myself  
22 but certainly you can recognize that this goes  
23 beyond the physical importance of the land. It's  
24 cultural and spiritual. I genuinely appreciate the  
25 understanding, my version of that understanding,

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1    which you communicated.

2                   The Biigtig Zibi carries a  
3    particular importance to BN, and we do not  
4    under-appreciate that fact. In particular, I would  
5    like to thank Chief Duncan for his participation.

6                   Personally, I genuinely appreciate  
7    his history, his very person details of the past  
8    and his stories. They form the history and also  
9    the future. To learn the history or to hear the  
10   history firsthand is not to be, again, undervalued  
11   by us.

12                  On the sessions over the past  
13   three days it was heartfelt. Again, feelings are  
14   not one of my strong suits, but this moved me and  
15   I'm genuinely honoured for everybody at BN to share  
16   those stories.

17                  It was moving to listen to the  
18   history and the past, and for me the understanding  
19   of the past genuinely helps us form the future.  
20   Those decisions that we make, now and the team  
21   together, inform the future of the relationship.

22                  So JoAnne, I would like to go  
23   thank you directly, the BN team for the powerful  
24   and important contributions to the hearings, the  
25   firsthand comments of your community and the people

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1    there.  The word grateful under-appreciates the  
2    value that you shared with us.

3                               I don't think it's appropriate for  
4    me to go over the summary of what I'd heard over  
5    the past couple of days, be it on the  
6    socioeconomics aspects of the project, but we agree  
7    with BN.  They are not in this alone.  We are the  
8    partners of BN to make this project successful, and  
9    that being said we need other people to contribute,  
10   including the government agents, to help out to  
11   make this successful going ahead.

12                            I won't go on any more because I  
13   think it's largely inappropriate for me to speak  
14   too much here, but I would like to take the words  
15   that Todd used in the smudge this morning.  We look  
16   forward to good healthy discussions for the future  
17   and we will progress the relationship for success.  
18   I may be paraphrasing, but thanks Todd.

19                            Thank you BN, Madam Chair and  
20   Panel Members.

21                            PANEL CHAIR:  Thank you very much,  
22   Mr. Anwyl, I really appreciate your remarks.

23                            Before we close out the day, we  
24   certainly on behalf of myself and Ms. Drescher and  
25   Ms. Bruce, as the panel, our heartfelt thanks to

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1 Chief Michano and to you, Ms. Michano, and all of  
2 your community at Biigtigong Nishnaabeg.

3 The eloquence and depth of emotion  
4 you bring to sharing your experiences with us has  
5 certainly moved us greatly and we thank you again  
6 for allowing us to be part of the past couple of  
7 days.

8 So thank you very much once again.  
9 Some of you we will see again on Saturday, and we  
10 wish you the best of the rest of the day, and thank  
11 you again for all of the participants for joining  
12 today.

13 Before we close out, Ms. Michano,  
14 did you have any final words you would like to  
15 share with us and our participants?

16 MS. MICHANO: Thank you. I don't  
17 have anything say but I forgot to mention that  
18 Jason from the CCT team wanted to make some closing  
19 remarks. My apologies, because he asked earlier, I  
20 forgot, so if it's okay with the panel if we can  
21 give Jason a few minutes.

22 PANEL CHAIR: Yes.

23 MS. MICHANO: My apologies.

24 PANEL CHAIR: Not to be concerned.  
25 Thank you.

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1 MR. BOISVERT: I won't take too  
2 much time, and I feel awkward. I hope these will  
3 be the final words of the day.

4 I just wanted express our entire  
5 team's deep, deep gratitude for how open you've  
6 been to working with our team through this process.  
7 We understand that we carry a very complicated  
8 legacy as representatives from the Crown and the  
9 way you've welcomed us into your community in this  
10 relationship in the context of the project is  
11 actually incredible. It's like nothing else I've  
12 experienced in my time with the federal government  
13 in this job. So I can't thank you enough for that.

14 Much of what you've shared with us  
15 is very difficult, it comes from the heart, and we  
16 understand that that's difficult to do with  
17 bureaucrats you just met a few months ago.

18 We're acknowledging that there's  
19 much, much more work ahead between ourselves, BN  
20 and the proponent to find solutions to the real  
21 concerns that you've raised over these past few  
22 days and in our relationship together over the past  
23 few months. So once again, thank you so, so much.  
24 It's again such a privilege to get to work with you  
25 and learn from you. I mean that that from the

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1 bottom of my heart. Thank you. Miigwetch.

2 PANEL CHAIR: Thank you, Mr.

3 Boisvert, appreciate that.

4 MS. MICHANO: That's it for us,  
5 panel chair, and miigwetch, ladies, and everybody  
6 else around. Good luck.

7 PANEL CHAIR: Miigwetch. Thank  
8 you so very much, see you again soon.

9 --- Whereupon at 1:11 p.m. the proceedings were  
10 adjourned till Friday, April 8, 2022,  
11 at 9:00 a.m.