

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

TRANSCRIPT OF PROCEEDINGS
held virtually at Toronto
on Friday, April 8, 2022, at 9:00 a.m.

VOLUME 19

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

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Daryl Skworchinski	of Marathon
Tracy Zanini	On behalf of Biigtigong Nishnaabeg
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Matt Goodchild	
Chief Mushquash	
Shane Fugere	
Allen Johns	
Rene Wanakmik	
Raymond Goodchild	
Ida Wanakmik	
Sandra Brereton	Court reporter

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1 Virtual proceedings
2 --- Upon resuming on Friday, April 8, 2022,
3 at 9:00 a.m.

4 PANEL CHAIR: Good morning,
5 everyone. Welcome to day 5 of the community
6 sessions of the public hearing for the
7 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.

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

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

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1 on.

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

12 Live audio and video streams
13 of video recordings of this hearing will be
14 made available to the public through YouTube.
15 Anyone in the virtual hearing room with their
16 camera or microphones turned on will be
17 captured and images and recordings of you and
18 your surroundings will be broadcast on a
19 publicly available YouTube video.

20 If you have concerns about
21 this please contact the secretariat and we'll
22 do our best to accommodate any concerns while
23 considering the need to conduct an open and
24 transparent public process.

25 In the event of an emergency

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1 where you are please consider your safety
2 first and exit your location if necessary.
3 When it's safe to do so please let us now how
4 we may assist and we'll find time to
5 reschedule your presentation.

6 We plan to take a 15-minute
7 break mid-morning and afternoon, and a
8 one-hour break for lunch.

9 The purpose of the community
10 sessions is to allow Generation PGM to present
11 an overview of the project including aspects
12 of particular interest to Indigenous
13 communities. It also allows Indigenous
14 peoples and their experts to share with the
15 panel their views and concerns related to the
16 project, including on the potential
17 environmental and socioeconomic effects of the
18 project, and on the location, extent and
19 exercise of Aboriginal or treaty rights that
20 may be affected by the project, and also the
21 panel, Generation PGM and participants to ask
22 questions where appropriate regarding the
23 information shared by Indigenous people.

24 We'll begin today hearing
25 from Generation PGM followed by an opening

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1 ceremony by Pays Plat First Nation. These
2 will be followed by presentations from Pays
3 Plat First Nation and the Crown Consultation
4 Team. If there are any questions we'll do
5 those following the presentations.

6 Generation PGM will also be
7 given the opportunity to make closing remarks,
8 and following this we will have an in camera
9 session with identified participants. We are
10 going to be flexible with this proposed
11 schedule depending on the availability of
12 presenters. So we'll make sure everyone is
13 aware throughout the morning.

14 Before we begin I would like
15 to ask participants if there are any questions
16 or procedural matters that you would like to
17 raise.

18 Okay, I don't see any hands
19 up. With that, thank you once again for
20 joining, and Generation PGM I was going to
21 hand it over to you. You can let us know if
22 any remarks this morning before we begin.

23 Good morning, Mr. Barretto.

24 MR. BARRETTO: Good morning,
25 Madam Chair, Panel Members. Generation PGM

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1 prepared its presentation for the community
2 sessions, including the presentation for the
3 Pays Plat First Nation and provided it at the
4 start of the community sessions earlier this
5 week, so we will not repeat the same
6 presentation but Mr. Anwyll wanted to do a
7 brief welcome for the representatives from
8 Pays Plat today.

9 PANEL CHAIR: Welcome, Mr.
10 Anwyll. Go ahead.

11 MR. ANWYLL: Thank you very
12 much, Madam Chair, and good morning all my
13 friends from Pays Plat. Council Raymond,
14 always wonderful to see you. Hopefully we'll
15 hear some entertaining stories this morning,
16 and enjoy the day and thank you very much for
17 attending. Chief Mushquash, always a pleasure
18 to have you here as well. So I'll sit back
19 and we'll pay attention and listen. Thank you
20 very much.

21 PANEL CHAIR: Thank you, Mr.
22 Anwyll. With that I think I'm turning -- good
23 morning, Mr. Dave and participants from Pays
24 Plat First Nation. Will I turn it over to
25 you, Mr. Dave, to facilitate?

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1 MR. DAVE: Please, Madam
2 Chair. I just have a few opening remarks,
3 roadmap, so to speak, to clarify the day and
4 to give the court reporter a little bit of an
5 easier time.

6 Just for the record, this is
7 Suraj Dave and I'll be assisting to facilitate
8 the contact of Pays Plat First Nations
9 community session.

10 As we've well communicated,
11 we're conducting the session remotely, so
12 fingers crossed that the internet connectivity
13 cooperates, and, Madam Chair, please let us
14 know if any testimony is cut off and we would
15 be glad to repeat the last statement just for
16 the sake of the record.

17 I would like to thank Mr.
18 Anwyll for the presentation earlier this week
19 and kind welcome and words today.

20 For the panel's situational
21 awareness and by way of a brief roadmap, we
22 intend to hear first from esteemed community
23 members Matt Goodchild and Chief Mushquash.
24 Just to clarify, these will be remarks. Mr.
25 Goodchild will not be doing an opening

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1 really out there, whether it's like (speaking
2 Nishnaabemwin) fishing, it can't be translated
3 in English how we feel about it sometimes.

4 Our own natural way of
5 (indiscernible) that we're born with that we
6 can't speak any more still resonates with us
7 and all we see is images and pictures, but we
8 can't word that. So when we try to say that
9 in English it just does not happen. It like
10 -- the closest we can come to to say that
11 yeah, we love the area, we love how we feel
12 out there, that's just, like the tip of the
13 iceberg. It's so much deeply tied to our
14 identity as who we are as a people. You know,
15 like, not even a short time ago -- it's really
16 short, a few generations ago that we were born
17 and raised in all these areas. It's just --
18 these are homelands. These aren't just a
19 random place or something. Those are things I
20 try to share with the youth and all that.

21 It's not really that far ago.
22 We say 50 years ago, a hundred years ago.
23 That's our grandfathers, that's our great
24 grandfathers. And again, it's like -- I know
25 if I have trouble with this I'm sure our

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1 people have trouble with it when it comes to
2 trying to speak and to share stories because a
3 part of us of who we are wants to come out and
4 it can't be -- again, it can't be translated
5 into English, it's just the way of our people
6 came to be with our language, how it
7 developed.

8 When you think about land
9 it's like -- we know that everything has a
10 purpose on this what we call Mother Earth and
11 sometimes it takes -- it may take thousands of
12 years for a specific plant or something to
13 come to be that may help someone seven
14 generations down the road. That's why one of
15 the things we adopted as a people was to
16 always think of ahead of seven generations.

17 So I just hope that -- with
18 the tobacco was given, I hope that the people
19 who speak next after me and they get their
20 testimonies for these hearings, that they
21 speak from a good place, that they speak from
22 that love they have inside them, not just the
23 love for the land but the love for who they
24 are as a person and individual being, and that
25 to always thinking about the next seven

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1 generations.

2 Miigwetch. Good luck

3 everyone, thank you.

4 MR. DAVE: Thank you Mr.

5 Goodchild. Madam Chair, next to speak we have

6 Chief Mushquash.

7 PANEL CHAIR: Thank you,

8 welcome Chief Mushquash.

9 REMARKS BY CHIEF MUSHQUASH:

10 CHIEF MUSHQUASH: Good

11 morning to all the participants and Madam

12 Chair and your partners.

13 First off, we would like to

14 say we're sitting on the (indiscernible) land

15 of -- well, this particular moment of the Lac

16 Seul First Nations as part of the country that

17 I know. And I do a lot of traveling to -- as

18 chief at Pays Plat, that's where I grew up.

19 You know, the candidate lands and this general

20 PGM project, that's -- and in our discussions

21 with Mr. Anwyll, Drew, we would like to

22 participate in the project but I've said right

23 from the get-go that concern is the

24 environment and we are one smart cookie

25 working hard, and Debbie King, a member of the

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1 Pays Plat First Nation, and where we're
2 situated compared to the project PGM, Marathon
3 mine, and the effects that's going to happen
4 here at the Angler Lake area, that's huge,
5 it's terrible.

6 I think that things are going
7 to move on regardless of what we say, and
8 that's too bad. It's too bad because that
9 area there -- grandparents, my grandmother,
10 those people are born there and grew up there
11 and moved away when things started
12 progressing. The highway came on long the
13 railroad came along, everything moved to
14 bigger centres. But you've heard all that,
15 and I'm just reiterating that.

16 I wrote things down, I was
17 really sort of feeling it last night,
18 yesterday, all day yesterday, and I thought --
19 the Creator placed us Indigenous peoples here
20 on the Turtle Island, then he give us the
21 rights, responsibility as young sibling of the
22 creation to care for the land and resources.
23 From time immemorial our ancestors
24 conscientiously took that responsibility very
25 seriously.

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1 Back in the day the settlers
2 come along and we worked along with them. The
3 ancestors agreed to share what they had with
4 them, and then it moved into a paternalistic
5 relationship where the great white father was
6 going to look after you.

7 The things I read, you know,
8 the red children, we'll fix them up, we'll
9 look after them, and the result of doing that
10 made a lot of people sit there and wait with
11 their hands out and expecting stuff and --
12 gone are those days. After so many years you
13 realize that we got to fight hard to look
14 after our own stuff.

15 I keep on saying this water
16 thing, it's very important. In our
17 traditional territory Batchawana Bay to Lenny
18 (ph) Lake area to Robinson Superior Treaty
19 area, they are advising people not to eat fish
20 east of the Batchawana Bay. Not too many of
21 them, you can still eat them but you're going
22 to get sick. So we have to look after Lake
23 Superior. This is where the water comes from.
24 It doesn't come from a bottle, that a lot
25 people drink water out of the bottle, so they

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1 are not worried (indiscernible) water in the
2 lakes. It's all part of that.

3 This hearing, it's all fine
4 and dandy when I've got the connectivity. You
5 have to buy your connectivity. At Pays Plat
6 is in a whole -- the way it's situated, and
7 you young ladies don't probably never --
8 although I don't know that for sure -- never
9 travelled that country, never travelled that
10 part of the area. Fine and dandy you can go
11 to Winnipeg, BC, but you're not on the land,
12 you don't see the beauty of that.

13 But as the projects go when
14 the mines start, you fly over it and you might
15 be able to see some scarring on the land. But
16 if you're on the ground and you need a drink
17 of water, where are you going to get that
18 water. That's the most important thing, as
19 far as I'm concerned.

20 Like I say, I'll say it
21 again, that's all I talked about in our
22 discussions with the proponents, taught
23 people, Drew, Jamie, you've heard me say that
24 a lot of times.

25 But that's about all I have

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1 to say, and we hope we -- the panel got to use
2 your head and do the right thing. Our
3 environmentalist people, we know that they are
4 not going to push, bring stuff up that we
5 wanted this, that, the other thing. We're
6 told already that you can monitor anything you
7 have to do to look after stuff, that you can
8 do, look after that. And I trust that. I've
9 always said to the people I talked to that
10 don't BS me because, because then it won't
11 work out. Let us speak from here, the chest,
12 the heart, when you talk to me, because the
13 truth is always there.

14 Thanks very much, ladies, and
15 to all the participants, our brothers and
16 people in the Biigtigong area. I can't
17 imagine what you guys are going through, but
18 I'm quite sure it's quite similar. I haven't
19 listened to it every day here. I've been
20 updated. So let's have a good session today
21 and, God willing, everybody will come through
22 this. Thank you very much.

23 PANEL CHAIR: Thank you very
24 much, Chief Mushquash.

25 MR. DAVE: Thank you, Chief.

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1 Madam Chair, next up we have a series of
2 members of the community to speak. If I can
3 yield the floor to Mr. Shane Fugere. Thank
4 you.

5 REMARKS BY SHANE FUGERE:

6 MR. FUGERE: Miigwetch, Chief
7 Mushquash, for your words.

8 Hello, everybody. I'm Shane
9 Fugere, current resident of Marathon and was
10 raised in Pic Mobert First Nations. I
11 transferred to Pays Plat back in early 2000s
12 to become a band member so I could participate
13 more in the community that I was living in.

14 I'm a trades person. I've
15 worked in construction, pretty much done all
16 sorts of things. I've been on construction
17 sites where we built mines, such as new gold
18 mine, and currently working on Kapuskasing
19 hydro dam so I know that there are
20 environmental safeguards out there during the
21 construction phase, very confident during the
22 construction phase that environmental
23 safeguards will be met.

24 My concern is when the mine
25 is going, if it is going, what kind of

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1 concerns are we going to have with the water,
2 how it's going to be treated, those are my
3 concerns. I hunt, I fish, I go hiking quite a
4 bit, I go swimming often, I'm always swimming,
5 and I go with my family, with my grandkids in
6 the lakes and rivers all throughout
7 northwestern Ontario. We use the land
8 extensively, we go camping. How are we going
9 to leave the land for our kids? I know I've
10 been up to Bamooos Lake once or twice on the
11 sleds the previous year. This year was gated
12 off. Go up and down the Pic River, down
13 Angler Creek hiking.

14 My grandmother was from the
15 area. We great grandmother Anastasia and her
16 husband Peter, they used to stay there, they
17 would sell their fish at Coldwell, at Marathon
18 as well as trading post in Pic River. So we
19 do have long ties to these lands.

20 And the other concern I have
21 is what kind of economic spinoffs are there
22 going to be? Are there going to be rail
23 opportunities for community members? Is it
24 going to be a camp-based mine? If they are
25 not the camp-based mine -- because people

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1 aren't moving into the area with their
2 families if it's a camp-based mine, and all
3 those resources just leave the area. They
4 don't help to build the local population, they
5 don't help to contribute to the local economy,
6 the local tax base.

7 I see no -- in Canada there
8 is housing shortage, so how are we going to
9 adjust that? Marathon and surrounding areas.
10 I know the house prices in Marathon and
11 Manitowadge are pick up with more and more
12 news of this discovery and some of the other
13 potential discoveries.

14 I guess those are some of the
15 concerns I have. Miigwetch for your time.

16 PANEL CHAIR: Thank you very
17 much, Mr. Fugere.

18 MR. DAVE: Thank you. Next
19 if I can introduce Miss Deb King,
20 environmental technician. Thank you.

21 PANEL CHAIR: Good morning,
22 Ms. Kind.

23 REMARKS BY DEBBIE KING:

24 MS. KING: Good morning,
25 everybody. Good morning Madam Chair, panel

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1 members and participants.

2 For the record my name is
3 Debbie King, I'm a band member of Pays Plat
4 First Nation. I currently live about 10
5 minutes away from Pays Plat in Rosspport,
6 Ontario, and I can't imagine living anywhere
7 else. This area means so much to me. My
8 family history in Pays Plat goes back to the
9 early 1800s. I can say that my family's
10 history of the land and water use is
11 extensive.

12 My great grandfather Joseph
13 Fisher was chief of Pays Plat from 1898 to
14 1901. I'm currently working on my family tree
15 lineage and have discovered numerous
16 generations. From trappers to commercial
17 fisherman, the King and Fisher names are
18 predominant along the north shore of Lake
19 Superior.

20 Although past land use around
21 the proposed mine site may not be in our
22 written historical record it is expected that
23 my family was indeed present as the location
24 of the Hudson Bay post was along the Pic River
25 at that time. And this route was used by

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1 canoe as highways are used today.

2 It wasn't until the early
3 1900s that my family has documented history in
4 the area. My grandfather, Adolf King, and his
5 son Benny King, my uncle, made a living as
6 commercial fisherman for nearly four decades
7 until the decline of the fishery in the 1960s.
8 They fished many areas along the north shore
9 including Rosspport, Pays Plat, Les Ecris (ph),
10 old Jackfish town, Port Coldwell, Superior
11 Shoal.

12 Prior to the operation of the
13 Terrace Bay pulp mill my ancestors led a
14 fruitful career as fisherman. When the pulp
15 mill began to emit mill effluent into the
16 waters of Lake Superior in the 1940s a decline
17 of the fishery in Jackfish Bay was noted.

18 Jackfish Bay is an ongoing
19 area of concern with effluent continuing to be
20 discharged into Lake Superior. This forced my
21 grandfather and uncle to fish at Superior
22 Shoal.

23 I acknowledge that the
24 presence of the sea lamprey was also a major
25 cause of the decline of the fishery lake-wide

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1 at that time. It was due to these negative
2 impacts that forced my family and many others
3 to find other means of employment in the
4 region.

5 During the Second World War
6 the King family was living at Port Coldwell at
7 the time working as fisherman. My
8 grandfather's brother, Joe King, and his wife
9 ran a boarding house in Coldwell. At around
10 11 or 12 years of age my father, Peter King,
11 recalls the lake freezing over one winter and
12 playing hockey on the ice. He and his brother
13 Benny, a couple years younger, would play
14 hockey with the other kids living at Coldwell.
15 If a shot missed the net, one would have to
16 skate a long way to retrieve it.

17 As my father was recalling
18 these stories from his childhood I asked my
19 dad, "Did you ever go out around Angler?" He
20 replied, "No, that was all guarded and fenced
21 off, you couldn't go around near there."

22 I would like to share a story
23 that was passed down me by my father. It was
24 during wartime when my grandfather Dolf was
25 the engineer on the fishing steam tug

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1 Strathbell at Port Coldwell. As the engineer
2 he was responsible to be the first one on the
3 boat every morning to start the fire and
4 prepare for the workday ahead.

5 On one early morning he
6 entered the tug and was startled to find an
7 escaped POW hiding in his engine room. The
8 young POW couldn't speak English and my
9 grandfather couldn't speak German, but they
10 managed to communicate through sign language.
11 After guiding the POW out of the tug, the
12 guards at Angler were notified and the POW was
13 picked up and brought back to the camp.

14 My father became employed by
15 department of lands and forests and eventually
16 retired from the Ministry of Natural
17 Resources. Interestingly enough, my father
18 spent time helping to erect fire towers in the
19 Bamooos Lake area in 1953. Even as far back at
20 then my family took measures to protect and
21 manage the environment.

22 I would like to point out
23 here that my father will be 93 years young in
24 June. Both he and my mother, 91, are still
25 quite healthy and recently moved from their

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1 beloved home in RosSPORT to a Chartwell
2 retirement facilitate two years ago. I am
3 fortunate to be able to still listen to my
4 dad's stories.

5 As you can see, my family has
6 a strong connection to the land, and
7 especially Lake Superior.

8 You'll note that I
9 anthropogenized Lake Superior throughout my
10 presentation. I do this because I, like many
11 other First Nations people, consider Lake
12 Superior a living entity. I have a strong
13 personal connection with Lake Superior.
14 There's a powerful feeling I get every time I
15 go on the water. My love, respect and awe of
16 Lake Superior has been in my heart for over 50
17 years.

18 I grew up on Lake Superior
19 and was taught by my father and grandfather
20 from an early age to respect her powerfulness
21 and her purpose, her purpose being the gift of
22 life. She gives us fresh water, not only for
23 drinking but for harvesting, ceremonies and
24 recreation.

25 As a First Nation's woman it

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1 is important to consider how many people
2 utilize her waters to heal. Anybody who has
3 ever been in a troubled time in their life and
4 has gone to the water can tell you that a
5 weight has been lifted even after a few
6 minutes. We cherish all the gifts the big
7 lake has given us; water, food, recreation and
8 healing. It is my hope and my duty to ensure
9 she is well looked after.

10 Lake Superior is one of the
11 few remaining pristine fresh water sources in
12 the world. It is Pays Plat First Nation's
13 inherent duty to protect her for generations
14 to come. It is imperative that our youth can
15 enjoy and experience the waters of this inland
16 sea for many years.

17 It is worrisome that with the
18 influx of industry along its shores the future
19 of our lake is in a state of question.
20 Throughout the past century the residual
21 effects of industry have resulted in numerous
22 sections of our lake to become ecologically
23 impaired and designated as areas of concern,
24 including Jackfish Bay, Peninsula Harbour,
25 Nipigon Bay and Thunder Bay.

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1 In particular, two of these
2 sites are located quite close to the proposed
3 mine. Although the Jackfish Bay area of
4 concern was recently listed as in recovery, it
5 must be noted that the pulp mill in Terrace
6 Bay has started operations again, thus
7 effluent is re-entering the lake. The
8 currents of Lake Superior tend to run in a
9 westerly fashion; therefore, if a spill or
10 tailings pond failure were to ever occur there
11 is a possibility that this mine effluent from
12 Port Munro could make its way to the already
13 damaged Jackfish Bay, not the mention Lake
14 Superior as a whole.

15 If the project is approved it
16 is vital that Marathon PGM continue to work
17 closely with Pays Plat First Nation.
18 Environmental monitoring programs are planned
19 to be created and emergency response plans to
20 include Pays Plat as well.

21 It will be through the seven
22 sacred teachings that Marathon PGM and Pays
23 Plat will move forward together in a
24 sustainable and environmentally conscious
25 manner. The seven sacred teachings of

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1 respect, truth, honesty, bravery, love, wisdom
2 and humility can be utilized in many aspects
3 of this relationship.

4 To the panel, I ask you to
5 consider these questions: How do you get your
6 drinking water? Where do you get your
7 groceries?

8 We take our water from Lake
9 Superior. Many people drink this water with
10 no treatment, with no thought. We harvest our
11 groceries from the land and the lake with
12 little to no concern of contamination. It
13 must be noted, how long will First Nations
14 people be able to do this before our lands and
15 waters are impacted further.

16 I know one thing, I will
17 continue to do whatever it takes to be a
18 steward of these lands and ensure that any
19 industry that is looking to operate in our
20 territory be held accountable for any adverse
21 impacts.

22 To conclude I would like to
23 share with the panel, proponent and
24 participants on just how powerful Lake
25 Superior is.

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1 I have commented several
2 times in this presentation how the water
3 heals. I recently experienced a family loss.
4 It will be four years this June. My happiest
5 memories of this time on the land, hunting,
6 fishing, fishing on the inland lakes, smelt
7 fishing in the rivers, snowshoeing, but the
8 memories that will last the lifetime are the
9 memories created on the lake, fishing, ice
10 fishing, beachcombing, picnic lunches, and
11 just boating and enjoying life.

12 For four years now I have not
13 been on Lake Superior for pleasure. I've just
14 not been able to. It hurts. So why do I keep
15 preaching that the water heals? It has been
16 through this EA process that has reminded me
17 how much Lake Superior means to me and how
18 important it is to protect her.

19 For the first time in four
20 years I need to be on the lake. Not only does
21 Lake Superior heal, she let's you know when
22 it's time to heal. That is powerful.
23 Miigwetch.

24 PANEL CHAIR: Miigwetch,
25 thank you very much, Ms. King.

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1 MR. DAVE: Thank you, Deb.
2 Next up we have Mr. Johns Allen, who appears
3 is not on the call. I'll see if I can yield
4 to the floor now to Mr. Rene Wanakmik.
5 REMARKS BY RENE WANAKMIK:

6 MR. WANAKMIK: Good morning
7 all, Madam Chair and Panel Members.

8 PANEL CHAIR: Good morning.

9 MR. WANAKMIK: Everybody
10 else. Yeah, just to give you a bit of
11 background, I'm from Pays Plat First Nation,
12 I've been here all my life. I'm the water
13 treatment operator here also, look after the
14 water plant. So I'm -- a lot people
15 understand the importance of water, you know,
16 drinking water, potable water.

17 Just to give you a little of
18 a history of our connection to Angler Creek.
19 My mother was born there, my grandmother lived
20 there, my great grandmother lived there. They
21 did a lot of things there, during their time
22 mostly living off the land. (Indiscernible)
23 blueberries was a big thing back in the day
24 there. Of course there's always the fish
25 (indiscernible) that was in the area, and they

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1 really liked it because kept going back. I
2 can't say for sure the timeframe how they --
3 when they actually stayed there, but I know
4 they had a presence there because they
5 mentioned many stories over the years of them
6 being there.

7 First summer, whatever, back
8 in the day, that's how the Anishinaabe people
9 -- they moved a lot. They stay in home base
10 for a little bit, the you go over there for a
11 little bit, depending on the season, you know.

12 So what I found
13 (indiscernible), I found it really interesting
14 that my family roots were from there, from
15 Angler Creek. So I had the opportunity three,
16 four years ago to go with Deb King. We went
17 to check it out. It's the first time I've
18 actually been down to the site, past the
19 tracks down by the lake and all that, and I
20 found it really, really beautiful there. You
21 know, I could almost picture how it might have
22 been back in the day when my grandmother was
23 there and all that. Whitey (ph) would have
24 been there because -- look there, it's
25 beautiful, creek is beautiful, and I liked it

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1 when I was there anyway, so I would go back
2 for another visit.

3 I guess what I'm -- my main
4 concern is the respect for the land. Our
5 people, like you have been mentioned a couple
6 times already we were in fact stewards to this
7 land. We learn to respect the land, learn to
8 take care of it and today we still do that.
9 And I do, I walk in the bush, I see a pop can
10 I pick it up. There's no need for that. I'm
11 just talking about pop can.

12 Now, this stuff putting in
13 the river does not rub me the right way, or
14 anything that area. It's called respect.
15 That's the bottom line. You treat our land
16 like the way we treated it back in the day and
17 everything will be fine.

18 I didn't come up with a big
19 speech or nothing like that. I'm just saying
20 this from my heart because I know that's where
21 my motherland is from. Great uncles,
22 grandmother, like I said (indiscernible), they
23 have a lot of history here, a lot of history,
24 and I know I see that history destroyed.
25 Doesn't mean so much -- (indiscernible).

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1 Leave it at that, and thank you so much.

2 PANEL CHAIR: Thank you, sir,
3 very much.

4 MR. DAVE: If I can call on
5 Allen Johns, and my apologies for my fault
6 last time. That was my fault.

7 REMARKS BY ALLEN JOHNS:

8 MR. JOHNS: Good morning. My
9 name is Allen Johns, I am a member of Pays
10 Plat First Nation. I'm also as a resident
11 Marathon. I've lived in the community most of
12 my life, I raised a family here as well.

13 I don't think it really
14 matters either way if you're a member of a
15 First Nation community or if you're a member
16 of a surrounding community, you're going to
17 have a connection with the land. It's one of
18 the reasons we live here, is least for that,
19 and for sustainable employment as well.

20 The north has always had a
21 strong connection to resource-based
22 industries, and I don't see that changing.

23 With the proximity to the
24 proposed mine we've always historically used
25 the area for various activities, such a

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1 fishing, hiking, hunting. It's a very diverse
2 area with many lakes and swamps, rivers,
3 creeks, that provide good fishing, amazing
4 scenery, and an abundance of wildlife.

5 Currently we continue to use
6 the area for the same activities. We're able
7 to eat the fish, the game, the berries.
8 Access to this area is very important to us,
9 if a mine is developed.

10 Our children have chosen not
11 to live in the area but do visit frequently
12 and take advantage of their time here to enjoy
13 the things they did growing up. They may
14 decide to come back one day. Their
15 expectation is that the area will still be
16 environmentally useable. They do, however,
17 realize employment will be an important part
18 of that decision.

19 My attention is to continue
20 the use the land as I always have. I realize
21 that any new industry will have an
22 environmental impact to the area. I must
23 trust the science presented and trust the
24 checks and balances are in place to protect
25 the area. We must keep in mind that fish,

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1 wildlife and vegetation are also resources and
2 demand the same attention as minerals in the
3 ground.

4 Everyone wants economic
5 benefits that come within the industry. First
6 Nations should also benefit from this. We
7 don't want to be economic-dependent, we want
8 to be economic partners. Maybe First Nations
9 could be involved with the environmental
10 process of the mine through employment, for
11 monitoring or both. It will encourage
12 education, social and mental health of the
13 community and it keeps us connected to the
14 land.

15 I would also like to mention
16 that the minerals from this mine are going to
17 potentially be used to combat other
18 environmental problem that affects this area,
19 and that would greenhouse gases.
20 (Indiscernible) and palladium are used
21 catalytic converters and also there is testing
22 for these metals to be used and batteries to
23 power electric vehicles. It is not a green
24 light to destroy the area.

25 I can support mines with

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1 strong management, strong environmental policy
2 and procedures that is transparent with
3 environmental issues, that improves
4 environmental measures and practices
5 throughout the life of the mine, that makes
6 our environmental policy public, that they
7 would satisfy all the concerns of all the
8 stakeholders, that they would comply with all
9 environmental legislation and regulations, and
10 the most important part is that they would
11 have a sound closure plan to return the land
12 to a useable state. Thank you very much.

13 PANEL CHAIR: Thank you Mr.
14 Johns.

15 MR. DAVE: Thank you, Mr.
16 Johns, Madam Chair. If I can introduce Ms.
17 Ida Wanakmik to speak, thank you.

18 REMARKS BY MS. WANAKMIK:

19 MS. WANAKMIK: Good morning.
20 My name is Ida Wanakmik, I'm a member of Pays
21 Plat First Nation. I have been living here
22 all my life. I was born in Terrace Bay and
23 I'm currently working for Pays Plat as a
24 community wellness worker for going on 21
25 years.

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1 My connection is -- as well
2 as Rene's, he's my brother. My mother was
3 born in Angler. We didn't get to go there as
4 much, Rene has visited but we were just -- we
5 were so new to this that we started to have
6 that connection again and -- which is what we
7 need. Also for Lake Superior played a big,
8 big thing in our life. My father, he fished
9 for many, many years as well as our
10 grandfather and great grandfather from Lake
11 Superior, and it was our way of life. Also
12 our great grandmother and great grandfather,
13 they were medicine people and they would
14 collect plants for sicknesses and healing and
15 wellness, which some still do today. And with
16 this re-connection we made that connection
17 because it's part that we didn't have myself
18 as a child but being there we see the beauty
19 and we can see everything that our ancestors
20 had provided for us also.

21 Also one of the things that
22 really irks me is the effluent that goes that
23 the lake. We've seen many times like, for
24 example, Terrace Bay, I know it's a mill but
25 still effluent is effluent, and I've seen the

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1 stuff that comes down that river, it smells.
2 Nothing can live in it. It was so bad that
3 they had to cover it up with cement.

4 My thought right away is what
5 is -- I'm not sure how mining works, I'm
6 hoping that things are in place, sounds like
7 it's probably going to through. But water is
8 life and we've been learning about this and
9 when (indiscernible) -- excuse me, my dog.
10 Just hold on.

11 --- (DISCUSSION OFF THE RECORD)

12 MS. WANAKTIK: One of the
13 things I'm worried about is whether -- how
14 it's going to be done, how long is it going to
15 be and even after the mine. Are we still
16 going to be able to have access to it, to the
17 medicines? Is it going to affect the
18 medicines? The fishing? And we just want to
19 make sure that nothing is harmed, you know.
20 Like many have said, you know, we are citizens
21 and our communities and being First Nations
22 people we are caretakers of this land.

23 One of the things too I
24 wanted to know is we want to keep the
25 connection and during even during the mining

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1 phase are we going to still be able to have
2 that connection. Are they going to keep us
3 away from there? I don't want to lose it, you
4 know, because it's so strong and the water is
5 so precious. We need water for everything,
6 you know, the animals, the fish, we want to
7 continue to be people to have this access. We
8 need that access because we're finally getting
9 close to it and many of the members and family
10 are feeling like we don't want to lose it.

11 Being Pays Plat, you know, we
12 are very new culturally. I grew up here and
13 we couldn't practice our culture, or we didn't
14 access to -- we didn't know -- we just lived
15 it. That was our culture.

16 My main thing is the
17 discharge and protection of the land and the
18 water, because we're going to be needing it.
19 We still need it. Lake Superior is too
20 precious to (indiscernible). And I support a
21 lot of my -- our fellow band members and what
22 they said. It really brings to heart of
23 everything. Our family hasn't still been
24 asked (ph) and we want to continue that. We
25 want to continue camping, we want to continue

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1 using the land, we want to continue using the
2 lake, islands and if we didn't have that lake
3 we couldn't survive. A lot of communities,
4 include Pays Plat and the people in Angler
5 that were from Angler, we still have that
6 connection and we want to keep it and we don't
7 want anybody to tell us no you can't, because
8 this is why we're here.

9 I want to thank everybody for
10 letting me talk, and I just got onto this
11 hearing thing and I was glad that a couple
12 members had invited me and I'm glad I'm here
13 today. Thank you.

14 PANEL CHAIR: Thank you so
15 much for sharing with us today.

16 MR. DAVE: Thank you. Madam
17 Chair, if I can introduce esteemed councillor
18 Raymond Goodchild.

19 MR. GOODCHILD: Bonjour.
20 (Speaking Nishnaabemwin). I'm honoured to
21 speak some of my language. What I said was my
22 name was bear, my totem is the bear clan.
23 They call me, English name, Raymond Goodchild.

24 This is very -- I have many
25 stories, many things that I've been told to

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1 live by my elders. I lived in a community
2 there on the spirit world right now, in the
3 spirit world. They told me many things, that
4 I grew up around Pays Plat and lived here in
5 Pays Plat.

6 I used to walk from Rossport
7 to Pays Plat, also my grandmother. I remember
8 Rainy (ph) and Ida growing here too, you know.
9 I guess what I'm trying to share is that my
10 family came from Angler, right.

11 My dad is born in 1932 and he
12 left when he was 14 years old to go to work at
13 Terrace Bay mill in 1947, right, and worked
14 there.

15 What I want to share is a
16 little about the fishing industry now. 1800s
17 there was (indiscernible) at Pic River, one at
18 Nipigon and one at Longlac. My people used to
19 be fisherman and fur traders. We used to
20 travel the rivers and the lakes to get to
21 these posts. We used to travel from Pays Plat
22 with our fish all the way down to Pic River to
23 sell fish there. We would -- the schooners
24 would come -- Hudson Bay schooners would come
25 and pick up the fish. The reason why Angler

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1 was so popular in the 1800s, that it had a
2 sandy beach, and that sandy beach you could
3 land there when there's the southwesterly
4 winds coming and the waves of the sea of Lake
5 Superior, Chicimanto (ph) and (indiscernible),
6 place to harbour up, and that's where we would
7 go.

8 In Angler there is two
9 creeks, right. Two creeks. And both of those
10 creeks has fish coming out of them, right.
11 Today you could see fish coming out of those
12 creeks if you go down there and look at them
13 today, right. We used to land there with our
14 canoes in the 1800s and travel from Pic River,
15 and every sandy piece would be another place
16 to land like Terrace Bay. That's a big beach
17 too. The points, where is Angler Bay.

18 The sandy beaches along this
19 Lake Superior shore that we would land, right,
20 and we would take our fish to the posts to
21 sell the fish. We would also take the beaver,
22 the marten and fishers to Pic River post to
23 sell, in the early 1800s. We would sell all
24 those things there and we would get flour,
25 lard, the basics.

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1 But we didn't get rich out of
2 them. That's a big company, corporation got
3 richer than us, you know. And we used to live
4 there at times, right, at the posts, because
5 winter time is hard to travel unless you have
6 dogs, right, a dog sled, you know, travel on
7 the lake.

8 What I want to talk about is
9 the water. It's a giver of life, right. I
10 seen many things about givers of life, the
11 water.

12 That open pit mine that's
13 coming is going to have three big holes dug up
14 in the ground, right, and you're going to take
15 bunch of trees out of there and these trees
16 provide oxygen for our people, for all the
17 people, right, and it helps cleanse the air.

18 But you go down in the ground
19 where the roots are, they connect and they
20 communicate and they have a source of water,
21 right. And that's a giver of life to our
22 people and you people in this area, and it
23 doesn't breathe. And it's about 20 miles, big
24 hole in the ground they are going to kill
25 poplar, birch, aspen, cedar, and these are all

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1 tools that we use and medicines we get from
2 the trees to help us, and then there's plants
3 there in this open pit mine they will be
4 removing, right. They are going to be
5 removing these plants that are givers of life
6 too.

7 Nowadays we see people going
8 to the land and making creams from certain
9 kind of plants. You go in these health stores
10 and you see natural plants, and they are
11 destroying some of those medicines in these
12 grounds, open pit mines. They are removing
13 some of the cedar, they are removing some of
14 the plants that used to help our people as
15 medicine people to stop (skipped audio), to
16 slow bleeding down, right, and it came from
17 the water, you know. (Indiscernible) was part
18 of the gives of life, right, to us. The
19 source of water was the filter and the
20 cleanser, right, and the healer of life, the
21 water.

22 And when you have a creek or
23 river running from that lake, Hare Lake, that
24 is a source of life. It's like you look at
25 your veins, that's like a creek and river

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1 running through your human body. But if you
2 clog it up or pollute your body, your veins
3 will start getting sick. And the same thing
4 with Hare Lake and the creeks of Angler and --
5 will be chemically imbalanced, right. The
6 little bugs, the little bugs that live there,
7 right, the little frogs that live there. The
8 beavers that live there right now at Pic
9 River, I mean at Angler, they got beaver dams
10 going on at Angler. The beaver dam in Angler,
11 and that falls, is spring cleaning water, and
12 you start putting pollutant in that water
13 you'll see white foam, big foam. That's what
14 I can imagine. But if you start seeing that
15 coming down those creeks to Angler going into
16 the Lake Superior it's going to destroy all
17 the fish that coming that those creeks, the
18 speckled trout, the rainbow trout, the smelts,
19 suckers, the smelts.

20 In that area of Angler there
21 used to be a settlement, right, before
22 Marathon even had a mill. Marathon didn't get
23 started till the late '40s when American
24 companies start opening up the pulp mills.

25 My community members, my

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1 ancestors were living at Angler. They were
2 using the beach and the safe healing, shelter,
3 you know. I could go back with my family tree
4 and connect with Pic River, and possibly
5 Moberg, and up Ginoogaming and Longlac,
6 because they used to be canoe route from the
7 Hudson Bay all the way up to Longlac by the
8 river, and the river was clean, you could see
9 the bottom clear.

10 In the late 1960 I was down
11 there when I was 10 years old to see my
12 grandmother, my great grandmother, and Waboos
13 (ph). Her name was Waboos because her father
14 came from Pays Plat, Joe Waboos, and it meant
15 (indiscernible). That's why they got lake
16 named Bamooos down there, and they also got a
17 lake called Goodchild down there. And they
18 got a lake, Hare Lake. You know where that
19 came from? That came a family that lived at
20 Marathon and they had relations in Pays Plat
21 and they hunted down there. (Indiscernible)
22 with the Métis, hunting moose up Deadhorse
23 Road, right, and over on the bridge there and
24 this truck pulls up and I said, what's going
25 on. Blue-eyed, gray haired guy came walking

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1 up to me and he says, Raymond, what are you
2 doing in my traditional territory. I started
3 laughing. I said John, I'm hunting moose.
4 Oh, I'm trying to survive. Oh. He started
5 laughing, and it was a Métis guy, you know.
6 And I said, why are you saying this is your
7 traditional territory; this is mine. You know
8 this road, Deadhorse.

9 My dad worked there cutting
10 pulp in the early '40s and '50s. My uncle
11 graded that road with the forest industries,
12 late '40s and '50s. They graded that road.
13 They even tree planted in that Deadhorse area.

14 And Angler, there was a
15 settlement there, right, was a prisoner of war
16 camp there. There was a train station there
17 in the '40s, and now the train station. In
18 the late '40s and '50s used to be a whole
19 seasonal campsite down there where people used
20 to harvest blueberries. They used to go
21 picking blueberries along the shoreline, jump
22 on the trains, right, the buckeye, the steam
23 engine trains that came through in the 1815s,
24 I think, and used to jump on the buckeye and
25 take their kids and used to go pick

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1 blueberries and sell blueberries for a living.

2 When I was -- I went down
3 there recently at Angler and there is wells,
4 foundations -- wells where people made wells
5 on the creek. They made wells there to drink
6 water from all settlements. I always try to
7 say we should get anthropology study done, you
8 know, to prove First Nation. But I don't have
9 to, I already know. Our bones are down there,
10 they are buried down there. There's
11 anthropology sites at Sucker Point. 72
12 anthropology sites, Pukaskwa pits, ceremony
13 pits.

14 And there's other sites along
15 the north shore that my people has used my
16 ancestors. We would be trapping on the Pic
17 River going all the way up to Hudson Bay
18 (garbled audio) carry canoes, you can't --
19 from the Pic River, Terrace Bay all the way up
20 Longlac before the river was dammed and
21 changed because that was modern corporation
22 that changed that, or modern industry that
23 changed the flow of the river at Terrace Bay.

24 So the mills had polluted
25 Lake Superior. Terrace Bay, Jackfish was

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1 already mentioned, right. The fishing --
2 (indiscernible) fish down by Terrace Bay. I
3 wouldn't eat any of the fish by Marathon (ph)
4 harbour because it's polluted. People always
5 covering it up with sand trying to hide the
6 mercury in there (indiscernible) from that
7 mill, right.

8 The pulp mill. That was
9 American company that brought in tax for your
10 people, and nowadays you people are saying oh,
11 we got to put a quota on moose, we got put a
12 quota on deer, oh, we got to protect our
13 caribou.

14 The early 1800s my people
15 used to see moose like -- more than what is
16 today, you know. Was more deer, more caribou
17 walking around the north shore. There's
18 pictures of caribou, there's pictures of deer,
19 there's pictures of bunch of moose. But as
20 settlements grew and towns grew in the '50s
21 and the '40s and the highways came through,
22 right, the CPR used to advertise for fishing
23 trips. That's a form of, like, the great
24 buffalo start racing out in west. Shoot a
25 buffalo from the train.

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1 The CPR industry used to
2 advertise fishing, and they wonder why in the
3 creeks, splendid creeks, splendid rivers,
4 splendid falls -- and when we used to say we
5 are caretakers of the land, we got to take
6 care of the land and how many times are you
7 going to be saying that until we all have to
8 go to a pet zoo, Algonquin Park, and look at
9 the wildlife north of Toronto.

10 So I'm saying -- and I hope
11 I'm not disrespecting anybody -- but water is
12 a giver of life because if we can't take care
13 of the water we will all be drinking water
14 from a bottle. Water comes from the ground,
15 water comes from the air, water comes from the
16 lakes, water comes from the snow. You look at
17 the snow and it's going to start melting and
18 water is going to start running into the lake,
19 into the creeks by Angler, into the Pic River,
20 into the Big Pic prairie river, right. It's
21 going to bring the water up, (indiscernible)
22 lily going to come up, as you guys call it. I
23 call mud and dirt, right.

24 But if you put chemicals in
25 there it's going to be harder to live. You

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1 got watch the snow and the rain, right,
2 because this big hole that you guys are going
3 to be making, maybe 20 miles wide and deep, I
4 don't know how deep it's going to go -- I hope
5 they fix it up. I mean they rehabilitate it,
6 I think, and put plants like -- I went to
7 school trip one time down to Ontario Place,
8 that was grade 8.

9 I was walking on the docks
10 there and I looked over into Lake Ontario and
11 I see all this dark green-ish water, and I
12 seen a bunch of fish dying. And this was in
13 the '70s. And I'm saying -- I asked my
14 teacher why. He said look at the city.
15 That's why, Raymond. They are polluting the
16 water. They are not being givers of life.

17 Once we start polluting our
18 own water and our own people how is Mother
19 Earth going to take care of itself? How are
20 Nishnaabeg (indiscernible) and women going to
21 be taking care of our future generations.

22 Maybe that's why we have
23 cancer now. Maybe it's the water, all the
24 runoff on the ground in the springtime.
25 Fertilizers, you know, the septic stuff, you

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1 know. Maybe that's what's going to be
2 destroying why we get cancer, is chemicals in
3 there in the farmers' fields.

4 So you look at the mine, you
5 say, oh, everything is going to be okay. I
6 certainly hope you people have good
7 regulations and monitoring on the plants.

8 When I went up there north of
9 Marathon up that road and seen that site I
10 said there's rabbits that are running around
11 here. Now, I'm a bush guy and I seen rabbit
12 trails. I said rabbits survived many years,
13 rabbits got ecosystems that live off rabbits,
14 right. Rabbits is a medicine to our people.

15 So I went up there with PGM
16 people and they told me, oh, we're going to
17 put this (indiscernible) in Hare Lake. The
18 first thing I thought, the beaver, muskrat,
19 the fish, moose, they all need water and they
20 all eat plants from the water, you know.

21 I was saying -- we saw moose
22 tracks up there at -- north of Marathon, and I
23 asked those guys from PGM, what are you going
24 to do with these moose. Oh, they will be
25 gone, we'll have a big hole in the ground

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1 here, they will move on.

2 I looked, I just looked,
3 that's all I could say. There are going to be
4 a big hole in this valley, going to be an open
5 pit and we're going to discharge stuff in
6 Hare Lake.

7 Hare Lake is a source of
8 clean water. It goes into Lake Superior to
9 Angler and Hare Lake creek.

10 When I was 10 years old I was
11 down at Angler living in a log cabin and pup
12 tent with my grandmother. We were eating
13 rabbit, we were eating fish, we were fishing
14 down those creeks.

15 In the 1800s, that's where
16 they used to land in canoes when the lake was
17 rough, selling fish to Hudson Bay at Pic River
18 and paddling all the way up to Nipigon,
19 meaning the schooner boats, you know. Used to
20 sell fur down there.

21 Like I said, Marathon didn't
22 start till 1950. My grandparents worked doing
23 laundry for the guards that kept Angler going.
24 Substance, sustainability they were trying to
25 achieve.

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1 In the '30s it was hard in
2 this area. I remember my dad said
3 (Nishnaabemwin word), we would be eating
4 birds, people. And then I said wait a minute,
5 there must've been a bird study here because
6 they done a new bird studies took. I hope
7 they all did this good, all did -- they are
8 not going to pollute the creeks or the rivers.

9 Pays Plat did a study one
10 time of the fish with Nishnaabeg,
11 (indiscernible) Ontario, and we sat next just
12 to see what type of fish are in that area and
13 what kind of fish are surviving. Pic River,
14 there's a river running out there. And today
15 you still could catch sturgeon here. If you
16 want to sturgeon, you go to Pic River and Big
17 Pic, you catch sturgeon there. Used to set
18 nets there which (indiscernible) fish
19 resource, see how the fish are doing, right.

20 Peary River. We used to have
21 nets set there too, right, to see sturgeon.
22 That river runs north to south, and if you
23 looked at Hare Lake and all the waters they
24 run from north to south, you run to the lake.
25 In the snow time when it starts melting the

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1 water eventually go down towards the lake, and
2 all the land is not clean, not polluted,
3 eventually destroy the lake further, right.
4 The land will be infected with disease, as I
5 call it.

6 Angler has bodies there and
7 we have people still go there and (skipped
8 audio) because of attachment of the land, the
9 attachment of the water. One person already
10 that you hear talked about water (garbled
11 audio). Water will heal you if you go to the
12 lake and rest and relax. It will take away
13 the stress and anxieties and the emotional
14 problems that are in your body. It has a
15 great spiritual calmness, the lake. Angler is
16 the sacred place like that. I don't want us
17 to let people know.

18 One of my concerns is the
19 beach was sold at Angler, and nobody told Pays
20 Plat. No one consulted with us. Bunch of
21 people bought Angler beach. Now, what person
22 or people did that without even consulting or
23 accommodating us? It's the law.

24 Now, Section 35 -- starting
25 to wonder where is reconciliation. Truth and

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1 recognition (sic), you know. A great leader,
2 the Prime Minister Trudeau, said oh,
3 reconciliation with your people. Well, not
4 with your people, you know.

5 I look at the moon, the moon
6 (Nishnaabemwin word). The sun works with the
7 water. There's a spiritual connection there
8 too in how the water works in each. The sun
9 creates more flow during a certain temperature
10 of the sun, and the moon creates whole in
11 people in their natural water. If we destroy
12 that water we're destroying our Mother Earth.
13 That's why I'm trying to share and educate you
14 people the importance of healing of the water,
15 the healing of the land, the healing of the
16 animals, the healing of the plants.

17 You people might already know
18 all this stuff, but my people been living here
19 since time immemorial.

20 I got people living in --
21 (indiscernible) was living right in Marathon,
22 right in Pic River working at the National
23 Pukaskwa Park, a federal park, and you know
24 what, they made agreement with us First
25 Nations. They sign a revenue agreement,

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1 employment, training, couple band members
2 worked there, gave them the opportunity to
3 work and have self determination. That's what
4 we're looking for. We all want to be equal.
5 We all want respect.

6 There was a big project that
7 went on, Wawa to Thunder Bay, Netbridge (ph)
8 putting in a line, hydro line. You know what
9 they did to accommodate our values and our
10 traditions so they don't damage the land and
11 the permits? They got permits, right, because
12 they had to go over the creeks, they had to go
13 over the rivers, right, they had to build
14 roads.

15 Angler -- there's a highway
16 down there now. (Indiscernible), and
17 Netbridge, right off the highway they built a
18 new road and used the other road, but they
19 went up there, right. But they got permits
20 and they signed agreement with Pays Plat for
21 accommodation and mitigation. We talked about
22 those creeks. We talked about how they are
23 going to put bridges over there, how they are
24 going to move the bridges, right.

25 That's all we want to do, is

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1 were hired there in that agreement. They were
2 going there.

3 So there's already been some
4 kind of impact agreement occurred from this
5 area, and I hope PGM has the same opportunity
6 for Pays Plat because we want to work
7 together, we want to try to ensure the
8 environment is safe with you people, we want
9 jobs, we want the protection of the land. I'm
10 sure we're all willing to work together in
11 this world. (Indiscernible) saying, we all
12 have respect, we all have love, we all have
13 truth, right. And like the Prime Minister of
14 Canada says, we all got to (garbled audio),
15 take care of each other and work together,
16 start taking part together.

17 I have nothing against mining
18 as long as everything is taken care of and
19 monitored and help people, because my people
20 will be breathing the air, and so will you
21 people be breathing the air. You will be
22 drinking the water as my people will be
23 drinking the water and be wondering why we are
24 getting sick.

25 I believe (indiscernible) has

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1 a very powerful mystic way of dealing with us.
2 Now Mother Earth has to start healing. This
3 area right now is pristine, right, except a
4 few areas of concerns that you people call it,
5 because we weren't too environment to take
6 care of it.

7 Now we all have to be
8 stakeholders, as I call it. We all try to fix
9 everything up or we won't be here. The global
10 climate is coming. We get different kinds of
11 hot weather, right, not enough rain, damp the
12 forest fires. That burns up medicine plants.

13 What I hope in my life -- we
14 all benefit, right, but we all got to sign an
15 agreement of some kind to work together and
16 all look for economic development, right.

17 Mr. Drew, you know, we need
18 to work together, we got to sign an agreement,
19 you know. And the environment people,
20 government people you take care of the water
21 and we will take care of the water. There's
22 many ways we do take care of the water, as you
23 see across Canada how we take care of our
24 water, by protesting, by letter writing, by
25 lobbying. The fish and hunting is our

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1 sustenance, our way of life, right.

2 Early 1800s to now we started
3 to see the fish get polluted more, right. We
4 started to see the moose, the deer and caribou
5 get less, and the bear get less. I wonder
6 why, you know. It's like I wonder if the form
7 of greed. I don't know. All I can say is
8 Angler is a sacred ground.

9 My people one time used to
10 walk from Pays Plat to Pic River by track, and
11 they used to live in -- stop at Angler. There
12 was a settlement in Angler. Peter Moses,
13 Uncle Simon Moses, and (indiscernible) Wamoos
14 used to live there, she used to be Moses. And
15 you know how I know my family tree? I was at
16 a forest conference one time putting on the
17 forest industry, and couple of guys from Pic
18 River came to me and say, hello cousin.

19 I said, ho. A light went off
20 in my head. So I started saying, I'm attached
21 to Pic River? I'm attached to that area? And
22 I ran into some other people and starting
23 saying yes, you're family, you're cousins.

24 I was a young guy, we used to
25 go eat moose down there (indiscernible),

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1 right. Moose meat and dumplings, we used to
2 have fish, walleye, right. Rainbow trout was
3 around Pic River right now. We used to eat
4 lots of that as fish dinner. They used to go
5 with their cousins and sit at their houses and
6 eat fish right from the river, and we used to
7 watch smelts go up the Hare Lake and the
8 creek, and Angler. We used to get those
9 smelts.

10 One time there was not too
11 many eagles around here right, but they all
12 got reintroduced because of a chemical. Used
13 to crush their eggs, break their eggs until
14 some (indiscernible) enthusiastic environment
15 people say this is wrong, the chemicals we're
16 putting on land and the animals and the fish
17 are destroying the eagles. They are all
18 coming back, right.

19 You walk around Lake Superior
20 and (indiscernible) eagle, go ahead eagles.
21 Please don't repeat the same thing again where
22 the chemicals in the fish and the animals will
23 start lessening, start wondering why there is
24 less stuff again.

25 There used to be a train

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1 station down in Angler called (indiscernible).
2 Used to be train guy, right. He used to run a
3 prisoner of war camp there. Run it -- used to
4 be another person called Fitzpatrick's. This
5 was all (indiscernible) people to me, and
6 sometimes they would sit and set out their
7 canoes on the beach and have a feast on moose,
8 fish, caribou. And they would do ceremonies,
9 smoke the pipe, do smudging and praying and
10 give a blessing.

11 I really truly sorry if I
12 offended anybody with my talk. I ask for
13 forgiveness for now for my (Nishnaabemwin
14 word), but I'm crying for the land and I hope
15 you people work well to create industry and
16 have a balance, right, because we all need a
17 balance. The water, the land is going to be a
18 big scar, going to be retilliated (ph). The
19 lake, Hare Lake, I'm scared it's going to get
20 polluted so bad that nothing can live in
21 there.

22 I seen that happen already.
23 There's lakes that have polluted by man,
24 lines. Now they are working on trying to
25 re-live it, bring it back to life. Tailing

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1 ponds brought it, right. The water rain,
2 didn't have the right snow amount, bunch of
3 snow melted and overflowed the tailing ponds.
4 In the wintertime we get different kinds of
5 snow here because of climate change now, and
6 different kinds of rain and different kinds of
7 hot days, you know, forest fires.

8 Everything is being shipped
9 on the lake regarding sheer (ph) and is safe.
10 We can't pollute the lake. Young ladies and
11 gentlemen, please guard our lake, don't let it
12 turn to Lake Huron, Lake Ontario, Lake
13 Michigan. We know what those lakes are like,
14 right. You can't eat anything out of that
15 lake. Even the ducks and geese rely on water
16 and lake. If we polluted that they get
17 polluted.

18 Water travels in a circle,
19 right. It goes up to the clouds, right, comes
20 down as rain, and if this rainwater is
21 polluted, it's polluting the plants, like the
22 trees gives us oxygen, right, and if we
23 destroy a bunch of trees in that area, well
24 less oxygen. But we got to plant more trees
25 after to make sure we have oxygen to breathe

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1 and (indiscernible) things in the air.

2 The leaves talk. You can
3 listen to them in the wind, you hear them, you
4 know, they talk. They talk underneath the
5 ground with each other.

6 I have to give my Nishnaabeg
7 (indiscernible) the power of the water. The
8 power of the water, we all did come from the
9 water, Mr. Anwyll, Drew, Mrs. Day, Mrs. Debi,
10 myself, we all came from that water. It runs
11 through us. It's part of our life giver. We
12 started pouring bad water in our system, we're
13 going to be hurting our future generations.

14 Look at Mother Earth as a
15 Nishnaabeg (indiscernible), a woman, please
16 have balance and respect for that. Okay.

17 I'm not against the mine
18 industry because I know they can fix
19 everything up; they can monitor everything,
20 they can replace everything, they can replace
21 fish, they can replace moose, they can replace
22 caribou, they can replace plants, they can
23 replace trees. All we have to do is ensure we
24 are watching, right. We all work together and
25 watch this is okay, you know.

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1 We get mushrooms in the form
2 of food from the earth too. And it needs
3 water, right. We get medicines from the
4 earth, right. People get medicines from the
5 earth too. Not only me, right. Everything
6 comes from water as a giver of life with
7 medicines, medicines in that area, right.
8 That's going to be a loss for everyone. But
9 I'm sure they got a list of the plants in
10 their books, in their reports. I hope they
11 put them back because some of those plants are
12 medicines, right, in that mine area.

13 I hope they have certain
14 kinds of trees that they are going to replace.
15 I'm sure they got a list of the trees there.
16 I'm sure after we -- how do you say a big
17 English word -- restore, I'll call it, bring
18 them back to life. You know, they do it down
19 in Sudbury, the big nickel plant area, you
20 know. We can fix up Mother Earth, we can fix
21 up our people, but we got to work together at
22 it and do it.

23 So far I know there's two
24 agreements that have been done about talking
25 about First Nation values, First Nation's

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1 fishing, First Nation's hunting. One was a
2 hydro line that benefit the communities in the
3 jobs, opportunities, businesses, right, and
4 Pukaskwa park, right. Agreement gives jobs
5 and opportunity and revenue. That was done by
6 Prime Minister Mr. Cartier, Don Cartier, who
7 signed a document for the First Nation, the
8 parks, national parks.

9 I say, Drew, we'll be waiting
10 for you to come and accommodate us and we'll
11 sign an agreement with us. Because the part
12 of reconciliation to work together, you know,
13 and to ensure we are part of the environment
14 people and help us because we all got -- as I
15 say, we all got to pay our bills and all got
16 to pay our food, all got to live in shelter,
17 you know.

18 Like I say, I have 15 band
19 members living in Marathon and Pic Mobert and
20 some of those people pay tax, right, and if
21 the mine is going say Pays Plat no and too far
22 away, ha, take a look, take a look. Pays Plat
23 is not far away, Pays Plat just a jump away.

24 My own people used to walk
25 from Pays Plat to Pic River and Marathon by

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1 the tracks. We used to live in
2 (indiscernible) houses in the 1800s, track
3 houses. Shimmy shacks they used to call them.
4 One of my uncle's buried here the other uncle
5 buried in Pic River. My grandmother buried in
6 Pic River. My great grandmother buried here.

7 I have opportunity to learn
8 all about my family tree. I went to the
9 Catholic Anglican diocese in Thunder Bay and
10 it was done by a priest called Father Maurice.
11 Father on black road (ph) was around here in
12 1800s, 1812s, black road. They used to write
13 down in their little books who they used to
14 see, who go married, who got blessed, you
15 know. They used to see people here. They
16 used to see people on the north shore going
17 Pic River camp, Jackfish, camped as Angler.
18 We used to have Pukaskwa pits, ceremony pits
19 because that's the only spiritual realism we
20 had before the brack road came.

21 You guys tried to influence
22 us on religion. We have our own concert, we
23 have our own language which we are losing.
24 We're losing some of our hunting is fishing
25 rights now. That's a loss, that's another

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1 loss we got to take.

2 Like I'm saying is, we on a
3 land claim negotiation with Ontario and Canada
4 right now saying this is part of our land. We
5 never surrendered the land because my people
6 never went down to Sault Ste. Marie to sign
7 the 1850 treaty, you know.

8 And what we're going to do is
9 keep saying that and keep fighting for our
10 land, keep fighting for the animals and other
11 people in this world, but we're going to work
12 in balance.

13 Used to be Don McMartin (ph)
14 Angelique living in Angler. They married to
15 the Moseses, right. The Moseses and the
16 Goodchilds and the Martins cousins through
17 marriages, and the early 1800s we used to --
18 man may die because of polio with going on in
19 early 1800s and 1930s, right. There was wars
20 going on in '45, 1918, right? There was
21 famine. This is not the only famine we had.
22 There was famine going on in the '40s, in the
23 '30s, right. COVID is a new plague, right,
24 but there was other plaques.

25 I love to learn and to work

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1 together with you people because if we work
2 together I believe there's hope for us in this
3 world. And when you look at the innocence of
4 the child and feel that child move on Mother
5 Earth, you feel him kick, that's joy, love,
6 right? We have that, and we will always have
7 that connection to the water.

8 Sometimes I wish I could
9 speak purely and willingly on this issue.
10 They used pick blueberries, and there's a
11 ceremony do the blueberries, right, before you
12 pick blueberries. All on the north shore used
13 to be, we used to go by the trains to pick
14 blueberries. Used to buy them -- and
15 Schreiber (ph) used to buy them in the '50s
16 the and early '40s. Terrace Bay -- late 40's
17 Terrace Bay started and Marathon started in
18 the '50s. Schreiber was here before Terrace
19 Bay and Marathon, and Nipigon was here too.

20 We all lived one
21 (indiscernible), black road, my father,
22 Maurice, and Pic River people used to tell me
23 that. Go up to the diocese, go ask them for
24 your family tree. They can give you your
25 family tree. Write it all down, attach and

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1 how we are connected.

2 I was talking to that guy
3 when I went to see him there. You know what
4 he told me? If you ever need me come tell
5 people about your family tree and when you
6 were here and how you guys were here. I will
7 come and talk to you guys and talk to people
8 to show you guys we're here before us. Couple
9 anthropologists too, and they even told me
10 that. This land was only First Nation people
11 land.

12 Now 1850 Robinson and
13 Williams missed us. They were too scared to
14 come into the islands. They drove right by us
15 on a schooner going up to Thunder Bay. We
16 used to live in Angler because this was
17 (indiscernible) beach. There's a great reason
18 why we live in Angler. If you live by river,
19 and the environment people know what happens
20 in the spring time in the summer when the
21 water is clean, right. I live by a creek.
22 There's no age that form in (indiscernible) on
23 the water, right. Certain time in July and
24 June, right, and they come alive on those
25 creeks and rivers in June and July. First

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1 thing they try and do is get water again.
2 They call them mosquitoes and bugs, right.
3 They come while we live by beaches is the
4 wind, the wind blow those bugs away, right,
5 and they keep us from not getting eaten alive,
6 right, in the early 1800s. That's why we live
7 by the beaches too, in the points and the
8 shoal, because of fish.

9 Well, all I'm trying to say
10 is I hope I shared the best concerns that I
11 have and I hope I didn't talk too much. I
12 hope I got everything in there I remember
13 about how we are connected to Angler and how
14 my people live in Marathon. And we have maybe
15 a higher impact statement than when people
16 think we got a low impact statement to that
17 land, you know.

18 People are connected by
19 blood, by the book (ph), by schood (ph) and
20 some of those lakes down there are named by
21 ancestor, Goodchild, Bamooos and Hare. That's
22 Nishnaabeg English names, right.

23 I would like to say I'm
24 looking forward to work with you people and
25 looking forward to sign impact agreement

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1 revenue with Mr. PGMN, and I would like to say
2 thank you, ladies, for allowing me to share a
3 little bit about the water of life as a
4 healing thing.

5 One other thing about water
6 as a healer. If we have diabetes, you --
7 plenty of water that heals you, and flushes
8 out the sugar, right. That's why some doctors
9 say drink eight cups of water. But you got to
10 be near the washroom, going to the washroom
11 quite a bit. Heals you too that way.

12 This area is beautiful. You
13 ladies should come up here and see this area
14 so you know how we are with heart talking
15 about this lake and those creeks. We see the
16 falls coming down from Angler. We could feel
17 spirit, that water. It's alive, giver of
18 life, givers of the trees, givers of the
19 plants, givers of the human beings. We all
20 got to work together in balance and take care
21 of this. I hope Pays Plat is part of this and
22 honour this and work together to make this
23 environment-friendly mine.

24 (Speaking Nishnaabemwin).

25 Thank you, ladies. Thank you very much

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1 people, miigwetch.

2 PANEL CHAIR: Thank you very
3 much Councillor Goodchild. We really
4 appreciate all you've shared with us this
5 morning.

6 MR. DAVE: Thank you
7 Councillor Goodchild.

8 Madam Chair, at this point we
9 have one member left, it's the in camera
10 session. I'm not quite sure how you would
11 like to proceed, whether you wish to use the
12 separate link I submitted last night or if you
13 have another alternative in mind. I'm in your
14 hands.

15 PANEL CHAIR: Thank you. I
16 wonder if we could take a 15-minute break,
17 would that work timewise, and then we'll come
18 right back to you and organize the time for
19 the rest of the day?

20 MR. DAVE: Sounds like a
21 plan.

22 PANEL CHAIR: Thank you. So
23 why don't we return at 11:20.

24 --- Recess taken at 11:04 a.m.

25 --- Upon resuming at 11:20 a.m.

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1 PANEL CHAIR: Welcome back,
2 everyone. Thank you for the presentations and
3 sharing information this morning. Very much
4 appreciated by the panel and participants.

5 Mr. Dave, thank you for the
6 break. At this point we are going to go into
7 an in camera portion of the proceedings today.
8 So we're going to let the technical folks take
9 care of that. We will be returning to the
10 hearings proceedings out of camera following
11 this session. I don't have a specific time
12 for that, so if folks could just be monitoring
13 -- what you'll see on the screen is that the
14 regular session is on a break, and we'll make
15 sure to connect with folks when we resume the
16 out of camera hearings.

17 So if you could just give us
18 a moment or two to go into camera.

19 --- (IN CAMERA PROCEEDINGS)

20 --- Recess taken at 12:25 p.m.

21 --- Upon resuming at 1:25 p.m.

22 PANEL CHAIR: Good afternoon,
23 welcome back, everyone. Mr. Dave, I wanted to
24 make sure that we -- I wasn't sure if I was
25 handing over to you or if that completes your

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1 presentations for today. Let me know.

2 MR. DAVE: Not quite. We've
3 two more remaining, Madam Chair. So pending
4 obviously any comments or anything from the
5 panel, if I could yield the floor, or
6 introduce Deb King to do a presentation, as a
7 rule, as an environmental technician.

8 PANEL CHAIR: Thank you Mr.
9 Dave, and welcome Ms. King.

10 MS. KING: Good afternoon,
11 everybody. I think I may have -- can you guys
12 see me?

13 PANEL CHAIR: We can see you
14 just fine. We have a technical issue at this
15 end. Could you give us a couple of minutes,
16 please.

17 MS. KING: Sure.

18 --- (DISCUSSION OFF THE RECORD)

19 PANEL CHAIR: Okay, I think
20 we're good at this end, Ms. King. Are you
21 able to hear us okay?

22 MS. KING: Yes, I can hear
23 you fine. I wasn't sure if you can see me.

24 PANEL CHAIR: We can. Thank
25 you.

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1 PRESENTATION BY DEB KING:

2 MS. KING: I'll start. Good
3 afternoon, Madam Chair, Panel Members and
4 participants. My name is Deb King for the
5 record.

6 I've been the environmental
7 technician for Pays Plat First Nation since
8 2013 after graduating from Confederation
9 College's environmental technician program.
10 This is a second career for me and one that
11 I'm very passionate about.

12 Through my work with Pays
13 Plat I've been involved with many different
14 types of projects over the past nine years.
15 One of the largest projects I've been working
16 on is through ECCC's Great Lakes Protection
17 Initiative Indigenous Engagement, titled Pays
18 Plat First Nation -- Protecting Gitche Gumee.

19 The focus of the project has
20 been to collect baseline data to aid and
21 monitor changes over time on Lake Superior,
22 its tributaries and local island areas. Since
23 2018 we have collected yearly samples of
24 water, soil and sediments in our study area.
25 This ongoing work has given me a privileged

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1 understanding of the quality of the
2 environment surrounding Pays Plat First
3 Nation, and it my duty, and that the Pays
4 Plat, to use this knowledge in the protection
5 of our land.

6 An additional component of
7 our Great Lakes project included documenting
8 wetland areas on the shore lines of the main
9 land the islands near Pays Plat First Nation.
10 We conducted vegetation surveys and used it to
11 results (sic) to create a medicinal plant
12 database to access the shoreline biodiversity
13 as an essential component to partner
14 environmental monitoring.

15 I must note here the
16 importance of collecting baseline data. Our
17 land changes over time, just as yours do. And
18 our land is also different from that of
19 someone living elsewhere. Because we
20 understand this, we know that baseline
21 conditions are not a fixed characteristic of
22 the ecosystems, and we made great efforts to
23 design sampling strategies and methodologies
24 based on the best available science incapable
25 of reflecting the changing nature of our

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1 environment.

2 It was also important that
3 the methodology used was robust to all
4 confidence in our work. For example, in our
5 field studies we always sampled the same exact
6 location, during the same time period and
7 using the exact same instruments. To
8 understand changes over time it is vital to
9 keep constant these and other factors that may
10 introduce error in our measures.

11 Through our work in the Great
12 Lakes project we understand that when samples
13 are taken at different locations, different
14 times and using different techniques, one will
15 not achieve a true baseline. It will be near
16 impossible to identify how parameters are
17 changing when there is no true measure of the
18 natural variation in our ecosystem to compare
19 it to.

20 The funding received in
21 support of our Great Lakes project has been
22 very important to Pays Plat. However, this
23 funding expired this year and we don't know
24 yet whether this vital work for Pays Plat will
25 be able to continue.

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1 Pays Plat is also concerned
2 about climate change and its ability to adapt
3 to it. Between 2017 and 2020, and thanks to
4 funding provided by Health Canada, I worked on
5 creating a climate change adaptation plan
6 specific to our community. It was during this
7 project that we learned the importance of
8 noting changes over time.

9 Through numerous community
10 interviews with elders, youth, hunters,
11 fisherman and gatherers, we were able to
12 identify many changes on the land and water
13 due to climate change. Animal movements, ice
14 safety, an invasive species were only a few
15 commonalities revealed in our findings.

16 Understanding climate change
17 and the potential shifts on our temperature
18 and precipitation regimes are crucial to learn
19 how to successfully adapt to a dynamic
20 environment. Marathon PGM has designed a mine
21 with consideration to one in 100-year
22 prescription events. We suggest that now is
23 the time to further consider structing (sic)
24 infrastructure with these new numbers.

25 The latest report from the

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1 intergovernmental panel on climate change
2 indicates that a one in 20-year annual maximum
3 24-hour precipitation rate is likely to become
4 a one in 5- to one in 15-year event by the end
5 of the 21st Century in many regions. Don't
6 wait for the inevitable. Protect our lands
7 and waters now from those events.

8 I have a citation attached to
9 this bit of information for the written
10 submission.

11 Pays Plat looks forward to
12 working closely with Marathon PGM to help
13 collect baseline data and create a monitoring
14 schedule utilizing Pays Plat's environmental
15 monitors. Further, we look forward to seeing
16 this reflected in the commitments that will be
17 presented in undertaking 31.

18 Pays Plat has also expressed
19 concerns regarding the fisheries offsetting
20 plan. While we understand that this plan is
21 still being developed it, must be noted that
22 Pays Plat would prefer to see the offsetting
23 occur in proximity to the mine site. We note
24 that the Thunder Bay fine papers location
25 previously identified is too far away to

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1 adequately offset the loss of fish
2 productivity within our territory. In
3 meetings with Marathon PGM it has been agreed
4 that they will be working with us to find a
5 suitable site closer to the mine location.

6 Regarding the mercury and
7 methylmercury effects from de-forestation, we
8 appreciate from undertaking number 4 that
9 Natural Resources and Forestry has determined
10 that, and I quote:

11 "The proposed development
12 area is relatively low in wetland coverage and
13 is dominated by thin, well drained soils. As
14 such, the Ministry would expect this area to
15 be at low risk of increased mercury
16 mobilization from forest harvest. However,
17 Natural Resources and Forestry recommends that
18 an effective mitigation strategy be required.
19 These mitigations include: Minimize clearing,
20 establishing vegetated buffer zones, and
21 controlling erosion and sediment moving to
22 water bodies to reduce risk of mercury
23 mobilization.

24 "However, mercury
25 mobilization following forest harvest is

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1 complex with both dissolved and particulate
2 organic matter, thus controlling and/or
3 containing surface water runoff as sediment
4 around the area is being cleared and the
5 resultant overburden stockpiles should be
6 implemented." End quote.

7 Pays Plat brought forward
8 this concern on day 4. We look forward to
9 working with Marathon PGM on this issue if the
10 project is permitted.

11 The potential introduction of
12 phosphorus into Hare Lake from process
13 operations is concerning. We understand that
14 PGM is studying to identify the correct best
15 water treatment application specific to the
16 palladium process.

17 Pays Plat suggests that with
18 the proper treatment facility in place
19 phosphorus removal can be optimized. Excess
20 phosphorus can lead to eutrophication which
21 may potentially result in a dead lake.

22 In today's technical world
23 there must be a variety of treatment measures
24 that can be utilized. Again, Pays Plat would
25 like the opportunity to stay informed on this

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1 matter should the project progress.

2 Another topic that Pays Plat
3 has brought up to PGM in our biweekly meetings
4 is the Jackfish Bay area of concern. Jackfish
5 Bay is located on Lake Superior just west of
6 the proposed mine site.

7 As I mentioned in my
8 presentation this morning, Jackfish Bay was
9 irreparably damaged by effluent outputs from
10 the pulp mill located in Terrace Bay in the
11 1940s to present. Although the Jackfish Bay
12 area of concern was recently listed as in
13 recovery, it must be noted the pulp mill in
14 Terrace Bay has started operations again, thus
15 effluent is re-entering the lake.

16 It is acknowledged that the
17 mill has improved the potency of the effluent
18 being discharged, however Jackfish Bay is
19 still a long way from being considered a
20 healthy area.

21 The currents on Lake Superior
22 tend to run in a westerly fashion, therefore
23 if a spill or tailings pond failure were to
24 ever occur there's a possibility that this
25 mine effluent from Port Monroe to make its way

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1 to the already damaged Jackfish Bay, not to
2 mention Lake Superior as a whole.

3 We have discussed the
4 importance of this site and it is documented
5 in the EA in the cumulative effects section.

6 Pays Plat feels strongly that
7 this area needs to be monitored on a frequent
8 basis. Jackfish Bay will not survive if
9 further damaged.

10 I'm currently enrolled in an
11 on-line course through the University of
12 Alberta, the course name is Indigenous Canada
13 and, if I may, I would like to share a quote
14 from one of the lessons regarding Indigenous
15 world view. And I quote:

16 "Land is the heart of
17 creation. It is not a supplier of resources
18 but an environment to be looked after for the
19 next generation. The idea that the land is a
20 commodity to be exploited or owned cannot be
21 perceived. The land is only borrowed from
22 future generations."

23 Please understand I'm not
24 pointing fingers, I'm just stating our views
25 regarding lands and waters. We're optimistic

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1 with the commitments that the proponent has
2 undertaken through the course of the hearing.

3 As undertaking 31 is
4 completed by Marathon PGM we will have a idea
5 better of how our concerns regarding baseline
6 data, the fisheries offsetting plan,
7 phosphorus and mercury and methylmercury
8 effects will be addressed.

9 Nonetheless, I want to flag
10 these concerns for the panel. We've
11 consistently raised these issues and, as
12 you've heard from the community, they
13 represent key areas of concern for the nation.

14 This concludes my
15 presentation. Thank you, Madam Chair, and
16 thank you members of the panel and
17 participants for your time and consideration.
18 Miigwetch.

19 PANEL CHAIR: Miigwetch,
20 thank you Ms. King very much.

21 MR. DAVE: Thank you, Madam
22 Chair. If I may?

23 PANEL CHAIR: Yes, please.

24 CLOSING REMARKS BY PAYS PLAT FIRST NATION:

25 MR. DAVE: I'm here to conclude

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1 the day. I'll be doing some brief legal remarks.
2 Just for the record, it's Suraj Dave.

3 I just want to start by
4 thanking everyone today for their time and
5 their contributions. Before I proceed in
6 substance with these remarks, I did have an
7 important note I did want to ask the panel
8 forthright.

9 So through the course of the
10 day I've noticed that various place names for
11 locations were referred to. Now, I'm not
12 entirely confident that these locations as
13 they were specifically referred to are
14 identified on the various maps provided in the
15 2013 and 2022 reports. To that effect, we
16 would be glad to provide a map to the panel
17 noting any locations which the panel wishes to
18 have clarified. Is this something that, Madam
19 Chair, the handle would like done?

20 PANEL CHAIR: Yes, if you
21 have that map available that would be helpful.
22 Thank you.

23 MR. DAVE: At this point we
24 don't have one specifically available but we
25 would be glad to create one with any locations

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1 that the panel would like clarified. So
2 perhaps if -- maybe if the secretariat could
3 provide a list at some point in the future we
4 can endeavor to post a map on the registry in
5 the coming days, if that is satisfactory.

6 PANEL CHAIR: Yes, I'll get
7 the secretariat to reach out then, if that's
8 helpful for you. Thank you.

9 MR. DAVE: Tremendously. So
10 thank you, Madam Chair.

11 I'm going to continue here.

12 So through the course of the
13 day we've heard from many community members.
14 We've heard their connection to the
15 traditional territories of Pays Plat, their
16 use of the land and what the area means to
17 them. In like manner to Chief Mushquash and
18 Councillor Goodchild, I wish the panel had the
19 opportunity to visit the area and experience
20 the breathtaking landscape, whose impact upon
21 which we're assessing. As a resident of
22 northwestern Ontario I can assure you that I
23 am fan.

24 Now, thorough the course of
25 the day we also heard from community members

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1 who have mixed feelings regarding the project,
2 and this is understandable. The project
3 brings with it both considerable economic
4 benefits as well as potentially serious
5 environmental consequences. To that effect,
6 Pays Plat has been committed to advocating for
7 the environment while actively participating
8 in the hearing.

9 As we heard from Ms. King,
10 the various technical environmental concerns
11 that have been raised over the course of the
12 hearing are a testament to Pays Plat's
13 participation.

14 I would also point out that
15 today we've not heard from community members
16 who are potentially not comfortable with the
17 traditional knowledge likely imbedded in their
18 testimony being made public as a default.
19 Under the current procedures these members
20 would have to have had evidence harm caused by
21 the disclosure of their testimony in order to
22 have it made confidential.

23 This discomfort is a direct
24 consequence of the panel choosing to proceed
25 under the 2012 Environment -- the *Canadian*

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1 *Environmental Assessment Act* rather than the
2 *2019 Impact Assessment Act*. So it's no
3 surprise that some members of the community
4 may have been reluctant to participate in the
5 process that chose to disregard a decade of
6 advancement in the treatment of First Nations
7 and Indigenous traditional knowledge.

8 Speaking more broadly,
9 Indigenous rights have their legislative
10 source in the Royal Proclamation which
11 acknowledges that Indigenous persons have
12 special rights of land usage. This was
13 further recognized and affirmed in Section
14 35(1) of the 1982 *Constitution Act* and has
15 been further upheld by Supreme Court of Canada
16 decisions, executive commitments and
17 legislative guarantees.

18 As I'm sure the panel well
19 knows, these sources of Indigenous rights
20 impose limits on how land subject to a strong
21 prima facie unextinguished Indigenous title
22 Statement of Claim treated. The result is to
23 protect Indigenous rights while also allowing
24 the reconciliation of Indigenous interests
25 with those of broader society. This

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1 protection encompasses the rights of Pays Plat
2 members to hunt, fish, gather in their
3 traditional territory, as well as the right to
4 participate in any project which would impact
5 the exercise of those rights.

6 Notwithstanding the barrier
7 to participation I mentioned earlier, today
8 we've heard a number of community members
9 exercise their constitutional right to
10 participate in this hearing. We've also
11 gained a significantly better understanding of
12 the rights' practices of the community and
13 what the project's area of impact means to the
14 nation.

15 Having heard today's
16 testimony I would implore the panel, Crown
17 Consultation Team and interested participants
18 to review the 2013 Traditional Land Usage
19 Report which we've recently posted on the
20 registry and made public. It is our sincere
21 hope that this assists in a better
22 understanding of the stake that the nation has
23 in this project and the significant impact it
24 will have on the rights' practices.

25 To this effect, I would also

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1 ask the panel to consider the nature of the
2 rights' practices of Pays Plat, including
3 their integral role in the collective identity
4 of the First Nation and that of the
5 individuals therein, as they move forward to
6 weigh the considerable economic benefits of
7 the project with the potentially serious
8 environmental consequences that can occur.

9 Let me reiterate that Pays
10 Plat is committed to cooperatively
11 participating in this hearing and EA process
12 while also steadfastly advocating for the
13 environment. However, as today's testimony
14 demonstrates, the rights' practices of Pays
15 Plat will be significantly impacted by the
16 project, and there are a number of serious
17 outstanding environmental concerns. We hope
18 that the panel will consider these concerns
19 carefully as a process continues.

20 Barring any questions those
21 are my remarks, and I believe this concludes
22 the submissions of Pays Plat during this
23 community session. Thank you.

24 PANEL CHAIR: Thank you very
25 much, Mr. Dave, really appreciate both your

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1 remarks and those of Pays Plat First Nations
2 that we've heard throughout the day.

3 I think our next presenter is
4 the Impact Assessment Agency, Crown
5 consultation division. I wonder if we can of
6 Mr. Boisvert -- good afternoon.

7 PRESENTATION BY JASON BOISVERT:

8 MR. BOISVERT: Good
9 afternoon. So good afternoon, Panel, Pays
10 Plat members and all participants joining the
11 hearing today.

12 For the record, my name is
13 Jason Boisvert with the Impact Assessment
14 Agency of Canada. I'll be the representative
15 from the Crown Consultation Team, then CCT,
16 who will be speaking to you today.

17 I would ask that you please
18 pull up CIAR reference number 1190. Thank
19 you.

20 So I'm joined today by a
21 number of other team members from the agency,
22 the Ministry of Northern Development, Mines,
23 Natural Resources and Forestry and the
24 Ministry of the Environment, Conservation and
25 Parks.

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1 We would like as a team to
2 thank you Chief Mushquash and Pays Plat First
3 Nation members for making the room for our
4 presentation today in their community session.

5 The CCT would like to thank
6 all the Pays Plat First Nation community
7 members who shared their stories about the
8 importance of the land and concerns about the
9 project's potential impacts to it in today's
10 session. It was very informative and much
11 appreciated by our team. We understand that
12 this virtual platform is not the preferred
13 means to communicate this type of information,
14 I want to thank you all for your flexibility
15 in this regard.

16 Before diving in the actual
17 presentation on behalf of the CCT, I would
18 like to acknowledge that the proposed project
19 is located in close proximity to Biigtigong
20 Nishnaabeg within its asserted exclusive title
21 area. We also want to that acknowledge that
22 the project is located on lands that Pays Plat
23 First Nation have expressed are of deep
24 significance to the community and on lands
25 traditionally occupied by other First Nations

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1 in Métis people in the area covered by
2 Robinson Superior Treaty of 1850.

3 Our presentation today is
4 intended to summarize the Crown's preliminary
5 assessment of potential impacts on Pays Plat
6 First Nations established or asserted Section
7 35 rights.

8 At this juncture I would like
9 to reiterate the CCT is not here to speak on
10 behalf of the Pays Plat First Nation. We're
11 here to summarize the views of the Crown
12 Consultation Team, the CCT.

13 I would now ask you please to
14 move to slide number 19 in the presentation.
15 Again, that was slide number 19, please, in
16 CIAR (skipped audio) 1190. Perfect. Thank
17 you.

18 Pays Plat First Nation have
19 been quite active in consultation activities
20 with the CCT since the resumption of the EA
21 process in 2020. They've provided a number of
22 technical concerns regarding the project's
23 potential environmental effects that limited
24 information regarding its impacts on their
25 established or asserted Section 35 rights up

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1 until today.

2 The three primary concerns
3 raised by Pays Plat First Nation related to
4 the projects potential impacts on their
5 Section 35 rights are those associated with
6 water and fishing, culture and harvesting.

7 The CCT's preliminary
8 conclusions found in its written submission
9 CIAR reference number 1083 on the project's
10 potential impacts on these rights range from
11 low to moderate for all rights or values
12 assessed for Pays Plat First Nation. The CCT
13 does note that Pays Plat First Nations updated
14 traditional knowledge study was not provided
15 in time to inform the proponent's assessment
16 presented in the EIS addendum or in their IR
17 responses. The updated Pays Plat First
18 Nation's traditional knowledge was also not
19 received in time by the CCT to integrate into
20 its written submission.

21 We do know that Pays Plat's
22 First Nation 2013 traditional study was just
23 post-closed on the registry today, CIAR
24 reference number 1264. The CCT will work with
25 Pays Plat First Nation to ensure this

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1 information is incorporated as appropriate
2 into the final assessment of the severity of
3 impacts on their Section 35 rights.

4 Next slide, please.

5 In relation to this CCT's
6 assessment of the project's potential impacts
7 on Pays Plat's First Nations Section 35 rights
8 associated with water and fishing, the
9 following key factors were considered:

10 The considerable volume of
11 technical concerns and information provided by
12 Pays Plat First Nation, both in submissions to
13 the panel and the CCT regarding the project's
14 effects on water quality, quantity, fish and
15 fish habitat; the considerable information
16 brought forward regarding the potential
17 cumulative effects on fish and fish habitat
18 from a history of previous development in Pays
19 Plat First Nation's asserted traditional
20 territory. The proponent's analysis did
21 reference that Pays Plat First Nation conducts
22 fishing activities on a number water bodies in
23 the vicinity of the project including Angler
24 Creek, however Pays Plat First Nation have not
25 provided direct information to the Crown

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1 Consultation Team related to these project's
2 impacts on these or other preferred sites used
3 for fishing.

4 Regarding Pays Plat First
5 Nation concerns that mine effluent will impact
6 areas of concern on Lake Superior, such as
7 Peninsula Harbor, Environment and Climate
8 Change Canada stated through this EA process
9 that the project's potential discharge is
10 outside of the boundary of the Peninsula
11 Harbour area of concern and if these
12 discharges are maintained within regulatory
13 limits no impacts on this area of concern are
14 expected.

15 Limited information has been
16 received by Pays Plat First Nation regarding
17 project components or activities which could
18 compromise access to specific sites or areas
19 used for fishing. This information is
20 necessary to support the CCT in accurately
21 assessing the project's potential impacts on
22 Pays Plat First Nation's established or
23 asserted right to fish.

24 The CCT did also consider and
25 acknowledge the proponent's efforts and

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1 commitments to continue working with Pays Plat
2 to address their concerns through the
3 environmental committee and ongoing
4 negotiation a number of agreements. The
5 proponent has also committed to implementing a
6 fish habitat offsetting plan in consultation
7 with DFO and other interested parties, such as
8 Pays Plat First Nation.

9 Next slide, please.

10 In relation to the CCT's
11 assessment of the project's potential impacts
12 on Pays Plat First Nation Section 35 rights
13 associated with culture, the following key
14 factors were considered:

15 The CCT appreciates the
16 information shared by Pays Plat First Nation
17 regarding their history in the project area,
18 including the historic semi-permanent
19 community at Angler Creek. Through
20 consultation activities some Pays Plat First
21 Nation members have shared a number of stories
22 and memories with the Crown Consultation Team
23 of having visited this site with the family.

24 Although no project
25 components are planned to directly overlap

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1 with this important site, there is potential
2 for the cultural value and experience of this
3 site to be diminished for Pays Plat First
4 Nation and its members due to the perception
5 that the site would be spoiled.

6 The Ministry of Heritage,
7 Sport, Tourism and Culture Industries, MHSTCI,
8 noted that a stage one and a partial stage 2
9 archeological assessment were undertaken by
10 the proponent in 2008 and 2009 and
11 subsequently accepted by the MHSTCI. The
12 MHSTCI accepted these reports again in 2020
13 and confirmed that they are still valid.

14 Differing views have been
15 provided through this EA process whether or
16 not Pays Plat First Nation had the opportunity
17 to view these reports or were invited to
18 comment on these reports.

19 The MHSTCI noted that a stage
20 2 archeological assessment is required for the
21 discharge pipeline project component area and
22 other project components that may be located
23 in this same area. Further stages of the
24 archeological assessment may be required
25 depending on the findings of this stage 2

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1 assessment.

2 Next slide, please.

3 In relation to this CCT's
4 assessment of the project's potential impacts
5 on Pays Plat First Nation Section 35 rights
6 associated with harvesting, the following key
7 factors were considered:

8 No information has been
9 received that clearly connects the project
10 impacts on resources of concern or harvesting
11 practices of Pays Plat First Nations in the
12 vicinity of the project. Pays Plat First
13 Nation have not identified project components
14 or activities that would compromise access to
15 key areas used for trapping, hunting or
16 harvesting activities or important cultural
17 practices such as transfer of knowledge, for
18 example.

19 The CCT maintains that there
20 will be future opportunities to potentially
21 address a number of the concerns raised by
22 First Nation. These include some of the
23 proponent's commitments to continue working
24 with Pays Plat First Nation in a collaborative
25 regional environmental committee.

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1 Next slide, please.

2 In addition to the standard
3 list of recommendations that are outlined in
4 the appendix of our written submissions, CIAR
5 1083, the CCT does have a some suggestions for
6 the panel to consider that could address
7 specific issues to Pays Plat First Nation.

8 Related to potential impacts
9 are rights associated with water and fishing,
10 should opportunities exist Pays Plat First
11 Nation should continue to monitor Lake
12 Superior bays and estuaries in collaboration
13 with Environment and Climate Change Canada and
14 other potential partners under programs tied
15 to the Great Lakes management that Ms. Debbie
16 King referenced earlier today.

17 Related to impacts on rights
18 associated with culture, the CCT would
19 recommend that the proponent implement
20 recommendations from the previous staging and
21 1 and 2 archeological assessments.

22 In the area of the project
23 the proponent commit to engage Pays Plat First
24 Nation in a further stage 2 -- in a further
25 stage 2 archeological assessment that is

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1 required and in a development of protocol that
2 would be orchestrated to respond to potential
3 chance finds. Also, that the proponent in
4 consultation with Pays Plat First Nation
5 develop an awareness training program about
6 the procedures related to the discovery and
7 protection of archeological resources.

8 The CCT will collaborate with
9 Pays Plat First Nation on the final assessment
10 of the severity of impacts from the project on
11 their rights. The Crown will continue to
12 consider all the information provided by Pays
13 Plat First Nation, including the information
14 provided -- the wealth of information that was
15 provided today in this hearing session and in
16 the future.

17 The Crown will consider the
18 panel's report and recommendation's existing
19 programs, the proponent's commitments and
20 potential project conditions as tools that
21 might be used to address concerns raised by
22 Pays Plat and other Indigenous groups
23 throughout this EA process.

24 That concludes the CCT's
25 presentation for today. Thank you for your

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1 time.

2 PANEL CHAIR: Thank you very
3 much, Mr. Boisvert. We appreciate your
4 presentation.

5 We were going to move on to
6 questions. I would ask Pays Plat if you have
7 any questions you would like to ask of the
8 presenters today.

9 MR. DAVE: So Madam Chair, at
10 least on my end specifically, there are no
11 questions, but I just ask we canvas -- keep an
12 eye out for hands up, broadly speaking.

13 PANEL CHAIR: Thank you.
14 I'll watch for some hands up.

15 Crown Consultation, do you
16 have any questions for presenters today?

17 MR. BOISVERT: Madam Chair,
18 no, Crown Consultation Team does not have any
19 questions for any of the presenters today, and
20 just once again I would like to thank them for
21 the information they shared with us today.

22 PANEL CHAIR: Thank you.
23 GenPGM, do you have any questions for
24 presenters today?

25 MR. BARRETTO: Thank you

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1 Madam Chair. Jeremy Barretto for the record
2 for the record.

3 Generation PGM has no
4 questions. We would like to thank the
5 presenters from the Pays Plat First Nation,
6 and particularly chief. Thank you.

7 PANEL CHAIR: Thank you.
8 Panel Members, Ms. Bruce, Ms. Drescher, do you
9 have any questions? For presenters. Ms.
10 Drescher. Thank you.

11 PANEL MEMBER DRESCHER: Thank
12 you Madam Chair.

13 I would like to -- probably a
14 first for us, but indicate we do not have any
15 questions. We did have questions prepared but
16 after listening to you and to your community
17 and the stories all of these questions have
18 been answered, and then some.

19 We heard you throughout the
20 day tell us very clearly what is significant
21 to you and your clear expectations for
22 mitigation from the project. We simply wish
23 to express our gratitude to all members of the
24 Pays Plat for sharing with us today about the
25 connection that you have to the land, the

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1 importance of the water as a giver of life,
2 about Lake Superior as a healing place, as
3 well as Angler Creek in particular, and your
4 heartfelt family stories. We are honoured to
5 have received your testimonies. Thank you.

6 PANEL CHAIR: Thank you, Ms.
7 Drescher. That concludes our questions for
8 today.

9 I was going to ask Generation
10 PGM if you had closing remarks and whether you
11 would like some time to prepare those.

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

14 Yes, we have closing remarks.
15 If we could get approximately 10 minutes that
16 would be appreciated.

17 And one more matter, Madam
18 Chair. If just there are any updates
19 regarding the closing remarks for the hearing.
20 I know there was a comment process but we
21 would appreciate any update about the status
22 of the panel's ruling on that as well. Thank
23 you.

24 PANEL CHAIR: Thank you very
25 much. Why don't we return at 2:20 and we will

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1 cover those two items. Thank you.

2 --- Recess taken at 2:09 p.m.

3 --- Upon resuming at 2:21 p.m.

4 PANEL CHAIR: Welcome back
5 everyone.

6 Just before I hand it over to
7 you, Mr. Anwyll, the panel will have its
8 decision out on undertaking number 31 before
9 end of day today. And with that, I will hand
10 it over to you for closing remarks. Thank
11 you.

12 CLOSING REMARKS BY GENERATION PGM:

13 MR. ANWYLL: Thank you very
14 much, Madam Chair and members of the joint
15 review panel and Pays Plat members that
16 participated and communicated today.

17 As many of you will know me
18 as Drew Anwyll, or Mr. Drew as tagged by
19 Councillor Raymond, thanks Raymond, I would
20 like to thank everyone for being here today
21 and sharing your knowledge and experiences and
22 participating in the hearing.

23 Matt Goodchild, your words
24 and opening remarks; Chief Mushquash, as
25 always I genuinely enjoy your direct

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1 conversations; Deb King for your insight and
2 overall wonderful knowledge; Shane Fugere, and
3 I hope I pronounced that correctly; Ida
4 Wanakmik and Rene Wanakmik -- again, I
5 apologize if I pronounced that incorrectly;
6 Allen Johns; Councillor Ray; and the members
7 of the Pays Plat community as a whole; of
8 course Jason Boisvert from the CCT for their
9 presentation.

10 I really appreciate what
11 we've heard in the sessions, and I don't
12 intend to summarize or use your words but
13 today was a day that I truly appreciated and
14 it allowed us to listen and, frankly, learn.

15 What we did hear today was
16 how you are connected to the land and how it
17 makes you feel. You are on the land and the
18 water. We heard that water is life, it's the
19 giver of life.

20 Matthew, you mentioned in
21 your opening statement that you couldn't
22 communicate it in English, but at least from
23 my takeaway I understand and I hear -- I hear
24 you communicated clearly to me. Thank you for
25 that.

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1 Ms. King, Deb, I enjoyed the
2 stories of the escaped POW on the tugboat that
3 your grandfather found, and more importantly
4 you communicated to us and the Panel Members,
5 and as Panel Member Drescher noted, the
6 importance of and the healing ability of Lake
7 Superior and that it's a living being almost
8 and that it's central to your life and your
9 community.

10 We also heard from Ms. King
11 about the environmental measures that Pays
12 Plat is seeking for the project. We will
13 absolutely review these and continue to keep
14 you and the community informed.

15 Deb, I appreciate your words
16 and that of Councillor Raymond's, that Pays
17 Plat and GenPGM should continue to work
18 together and take care of each other and the
19 environment. We're on the same page with
20 that.

21 Chief Mushquash. As the
22 leader of Pays Plat community it means a lot
23 that you're here today. I appreciate your
24 involvement and the acknowledgement that your
25 community wants to participate in the project

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1 and that clearly the environment needs to be
2 protected. I further appreciate your direct
3 words. And as you know from our
4 conversations, I will uncharacteristically
5 refrain from using my normal colourful
6 language, and I can assure you that we will
7 continue to speak directly, respectfully and
8 always truthfully to you.

9 This was a day for the Pays
10 Plat individuals and the community to share
11 what's important to them and for us to listen,
12 and I was honoured to be part of that.

13 So I thank you. Thank you,
14 Chief Mushquash. Thank you Pays Plat folks
15 that participated, and all the members of Pays
16 Plat that listened online, and thank you Chair
17 folks and Panel Chair. Thank you very much.

18 PANEL CHAIR: Thank you very
19 much, Mr. Anwyll, and thank you to all of Pays
20 Plat First Nations community today. We have
21 very much appreciated everyone's input today,
22 and for some we will see you for in camera
23 tomorrow at 9 a.m. Thank you very much.
24 --- Whereupon at 2:26 p.m. the proceedings were
25 adjourned sine die.

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