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May 18, 2022

Your file *Votre référence*
54755

Our file *Notre référence*
20-HCAA-01879

Joint Review Panel for the Marathon Palladium Project
Debra Sikora – Chair, Joint Review Panel
c/o Impact Assessment Agency of Canada
Sent via email: marathonminereview-examenminemarathon@iaac-aeic.gc.ca

Subject: Marathon Palladium Project – DFO Closing Statement

Dear Debra Sikora:

Fisheries and Oceans Canada (DFO) would like to thank the Joint Review Panel (the Panel) for the opportunity to present its views on the proposed Marathon Palladium Project (the Project) with respect to the effects of the Project on fish and fish habitat, including aquatic species at risk, on March 21, 2022. Please consider this document as DFO's closing statement for the Public Hearing. The intent of this statement is to provide updated views as a result of information provided during the hearing sessions. Please refer to the written submission and oral presentation transcript (([CIAR 1082](#), and [CIAR 1160](#) respectively) for a fulsome summary of DFO's conclusions regarding the Project's effects on fish and fish habitat.

Based on the information presented during the Public Hearing, and provided to DFO by the Proponent, DFO is providing an adjustment to the recommendations in its written submission (summarized on pages 25-27 of [CIAR 1082](#)). The second bullet point of Recommendation #1 stated that further assessment was required on several watercourses that are depicted on page 391 of [CIAR 227 - Supporting Information Document 11](#). This recommendation indicated a number of streams shown in that map (and others from the original Environmental Impact Statement) that were not shown in updated maps. The Proponent has provided sufficient rationale for why these streams are not found in updated maps, as discussed during the hearing on March 21, 2022 (pages 157-158 of the transcript, [CIAR 1160](#)). DFO accepts this explanation, and therefore no longer requires additional information on those watercourses. It should be noted that DFO still recommends assessment of the streams noted in the first bullet of Recommendation #1. The recommendation should therefore read:

Recommendation 1: Provide data describing fish presence or absence on any waterbody or watercourse that is not shown on updated maps displaying project impacts. Where fish are present, data should also characterize the habitat that may be impacted. If deemed unnecessary, a rationale must be provided for why these watercourses do not require assessment. Alternatively, account for this area as though it



supports life history processes of nearby confirmed fish species. Watercourses requiring assessment include:

- Displayed on maps on pdf pages 17 and 30 in [CIAR 722](#) Updated Baseline Studies 4. Aquatic Habitat;
 - Three streams in subwatershed 101 that flow into Stream 1 between S2 and S27;
 - A stream in subwatershed 106 that flows into Stream 6 from the north, between S12 and S14;
 - Two streams in subwatershed 106 that flows into Stream 6 from the south, between S14 and S42;
 - A stream in subwatershed 106 that flows into Stream 6 from the north, downstream of S42;

Based on information presented in the response to Undertaking #7 ([CIAR 1178](#)), DFO is providing an additional recommendation:

Recommendation 12: Undertake a sampling program specifically designed to increase confidence that Northern Brook Lamprey are absent in streams that may be affected by the Project, and that drain into the Pic River. This sampling program should take into consideration most recent available science, in consultation with DFO, on effective methods to capture ammocoetes, including targeted habitat components, electrofishing settings, and seasonal knowledge of life history of the species. Should Northern Brook Lamprey be found, generate an effects assessment and update the offsetting plan as appropriate.

Other than these two updates, no new commitments or updated information were provided during the hearing or in response to Undertaking #31 that alter any of our original conclusions and recommendations. Therefore, we refer the Panel to the recommendations and conclusions made in our original submission.

Having expertise related to the administration of relevant provisions of the *Fisheries Act* and *Species At Risk Act*, DFO is available to continue working with the proponent to ensure that these items are addressed before any works, undertakings, or activities that may impact fish and fish habitat occur, if the project is approved. As such, if appropriate mitigation measures are more fully developed, DFO remains of the opinion that project impacts are not likely to cause significant adverse effects to fish and fish habitat.

Yours sincerely,
<Original signed by>

C. Thomas Hoggarth
Regional Director, Aquatic Ecosystems
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Fisheries and Oceans Canada