

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

CLOSING REMARKS

held virtually at Toronto
Wednesday, May 18, 2022, at 9:00 a.m.

VOLUME 20

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

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Sheila Daniel	
Suraj Dave	On behalf of Pays
Raymond Belmar	Plat First Nation
Deb King	
Mayor Rick Dumas	On behalf of the town
Daryl Skworchinski	of Marathon
Tracy Zanini	On behalf of Biigtigong Nishnaabeg
Jody Duncan	
Gregory Crooks	On behalf of Stantec
Robert Clavering	On behalf of Environment
Allison Kroeze	and Climate Change Canada
Matthew LeBlanc	
Lynn McCarty	On behalf of Michipicoten
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Courtney Bice	On behalf of Transport Canada

Laura Darby Raymond McCarthy Andrea Hanson Colin Hovi Tim Cano	On behalf of Ministry of Northern Development, Mines, Natural Resources
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Marie-Eve Lenghan	On behalf of NRCan
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Sarah Newbery Kevin Morin Sara Libman	On behalf of Citizens for Responsible Industry in Northwestern Ontario and Northwatch
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Jacinth Gilliam-Price Alisdair Brown	On behalf of Ministry of the Environment, Conservation and Parks
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Victoria Stinson Tim Sinclair Alexandra Kosmides Phil Seeto	On behalf of Métis Nation of Ontario
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Luc Desroches Jason Boivert Andrea Osala-Schaaf	On behalf of Impact Assessment Agency of Canada
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Adam St. Clair	On behalf of Dept. Of Fisheries and Oceans
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Alain Bartleman	On behalf of Biigtigong Nishnaabeg
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Also Present:

JoAnne Michano
Todd
Kiersten
Dave Carruthers

Gavin Fitch	Legal counsel to the Panel
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Jason Patchell Robert Purdon Youssouf Kalogo Élyse Maisonneuve-Campbell Kierney Leach	Panel manager Panel secretariat Panel secretariat Panel secretariat Panel secretariat
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Dominic McRae	Panel secretariat
Isabelle Turcotte	Panel secretariat
Carys Burgess	Panel secretariat
Tracy Utting	Panel secretariat
Audrey Rooney	Panel secretariat
Sophie Regimbald	Panel secretariat
Jillian Smith	Panel secretariat
Frank Bohlken	
Christine Walsh	
Colin Varley	
Simone Desmoulin	
Lisa Michano-Courchene	
Paul Driben	
Chris Wedeles	
Michael Starr	
Debi Bouchie	
Donald Michano	
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 Wednesday, May 18, 2022,
3 at 9:00 a.m.

4 PANEL CHAIR: Let's get
5 started this morning. We're all in different
6 places so hopefully sounds and videos will
7 work.

8 Good morning to all of you
9 and welcome back, everyone, to the closing
10 remarks session for the public hearing,
11 Marathon Palladium Project. Good to be back.
12 My name is Debra Sikora and I am the panel
13 chair of the joint review panel, and joining
14 me are my fellow Panel Members, Gay Drescher
15 and Laurie Bruce.

16 I do have some opening
17 remarks for today but I thought I would do
18 those following our opening ceremony from
19 Biigtigong Nishnaabeg First Nations.

20 I wonder, Biigtigong, are you
21 available at this point? Good morning.

22 MS. MOSES: Good morning. So
23 I'm Brittany Moses and we're here in
24 Biigtigong. I'm not going to say too much,
25 but I'm going to invite Todd up for our

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1 opening ceremony.

2 TODD GENO: My name is Todd
3 Geno (ph) and I come from Biigtigong
4 Nishnaabeg Pic River First Nation and I'm here
5 to do the opening. And I'm going to sing a
6 song and one of my community members here is
7 going to go around and smudge the people that
8 are here.

9 But I wanted to share a
10 little story about something I remembered as
11 -- all these stories, they reflect and go back
12 to our connection with the land and everything
13 that we do on the land and reasons why things
14 happen on the land.

15 I was down in Pukaskwa Park
16 last night and I notice all the rabbits
17 running around, and the rabbits right now this
18 time of year they are different colour. The
19 rabbits are brown on top and they're white
20 underneath, and I was told when I was a young
21 boy why the rabbits, they look like that,
22 because it's this time of year, it's in the
23 spring. And as we know, the bears, they are
24 sleeping all throughout the winter and they
25 are fasting, and when the bears, they wake up

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1 I hope you all have a great
2 day.

3 PANEL CHAIR: Thank you so
4 very much for the opening ceremony to
5 Biigtigong Nishnaabeg First Nation. We really
6 appreciate that.

7 I will continue with my
8 opening remarks before we open it up to
9 presenters.

10 At this time I would like to
11 formally knowledge that I am participating
12 from Guelph today in Treaty 3 territory and
13 I'm on land that is the traditional territory
14 of the Mississaugas of the Credit First Nation
15 of the Nishnaabeg peoples.

16 As we are all joining from
17 different traditional territories, I do
18 encourage you to take a moment to reflect on
19 the land that you are personally on.

20 Again, my full opening
21 remarks from day 1 of the public hearing on
22 March 14th can be found on transcripts and on
23 YouTube.

24 As always, our secretariat is
25 available for support throughout the next

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1 couple of days and if you have questions about
2 the process or any procedural matters please
3 direct them to the project e-mail found the
4 public registry.

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

17 Again just a safety reminder.
18 In the event of any emergency where you are
19 please consider your safety first and exit
20 your location, if you need to, and then when
21 it's safe to do so let us know how we may
22 assist if we need to reschedule presentations.

23 We do have five presenters
24 scheduled to deliver closing marks today.
25 Unfortunately, Northwatch indicated they were

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1 unable to attend. They were our last
2 presenter today. So we do have five
3 presentations planned.

4 These closing remark sessions
5 allow participants who registered and
6 previously made submissions to the panel to
7 summarize their position on the project based
8 on information that is already on the record.
9 Participants may also summarize their position
10 on the types of conclusions or recommendations
11 the panel should make in relation to the
12 project.

13 Closing remarks sessions are
14 not to be used to present new information, and
15 unlike earlier hearing sessions, participant
16 questioning will not be permitted following
17 remarks presentations. The panel may,
18 however, ask questions of clarification of
19 presenters to ensure it has a full
20 understanding of each participants' closing
21 remarks.

22 So with that, I'll ask if
23 there are any questions or procedural matters
24 from participants before we begin. I don't
25 see any hands up. Just a reminder for all

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1 presenters today, please remember to state
2 your name and to speak clearly and concisely
3 for the court reporter who will be keeping an
4 official transcript of our proceedings.

5 Thank you very much again for
6 joining and I'll now turn it over to our first
7 presenter, Citizens for Responsible Industry
8 for Northwestern Ontario. Good morning.
9 CLOSING REMARKS BY SARAH NEWBERY:

10 MS. NEWBERY: Good morning.
11 Thank you so much. My name is Sarah Newbery.
12 I am a physician here in the community of
13 Marathon and I am pleased to offer very brief
14 closing remarks on behalf of Citizens for
15 Responsible Industry in Northern Ontario.

16 I want to say at the start
17 that we support responsible industry for
18 northern Ontario. Over the course of the
19 proceedings the panel and everyone attending
20 has had the opportunity to review content and
21 take in a lot of information about the
22 potential benefits, which are mainly economic,
23 and the potential risks, which are almost
24 entirely environmental and risks to health
25 that the project proposes. And I think we

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1 need to be clear the people who will gain most
2 substantially economically will be the
3 corporation and their shareholders who live
4 remote from this project.

5 The people who will live with
6 the risks, both during and after the close of
7 the projects, will be those who live here in
8 this local region.

9 The proponent of the mine has
10 put forth information that suggests that the
11 risks of the mine to the local environment and
12 to human health are not significant. Other
13 presenters, however, have expressed
14 substantial concern about the risks, the
15 impact of those risks, and the very limited
16 monitoring and enforcement that has
17 historically or recently historically been
18 undertaken for mining projects.

19 As a citizen organization we
20 would suggest that if the risks of the mine
21 are as limited as the proponent suggests, then
22 they should have no difficulty committing to a
23 legally binding agreement with the citizens
24 who will bear those risks to the environment
25 and to health. They would agree to very low

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1 risk targets, frequent monitoring, clear
2 mitigation, and substantial financial
3 penalties for infraction.

4 All of this should be done
5 and committed to through a community benefits
6 agreement with an oversight committee that is
7 tasked with holding the proponent accountable
8 to all that they have suggested that we should
9 expect during the course of this panel
10 hearing.

11 If the risks are
12 substantially greater than the proponent
13 suggests, as has been suggested by many of the
14 other presenters, then the community will be
15 well served by an agreement with an oversight
16 committee that identifies emerging risks early
17 and compels early mitigation and compensation.

18 We believe that the only way
19 that this mine should go forward is with a
20 substantial and legally binding assurance that
21 the economic benefits of the mine will be
22 shared and that the health and environmental
23 risks of the mine will not be borne by local
24 citizens exclusively. A community benefits
25 agreement with robust oversight and a robust

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1 arm's length oversight committee must be part
2 of any plan to move this project forward and
3 it must be in place before the project
4 commences.

5 We hope that the panel will
6 support this recommendation as you deliberate
7 your information and move forward with this.
8 Thank you.

9 PANEL CHAIR: Thank you very
10 much, Dr. Newbery. We really appreciate your
11 time today and coming to present the closing
12 remarks for CRINO. Thank you.

13 Next we have Biigtigong
14 Nishnaabeg First Nation. Welcome back.
15 CLOSING REMARKS BY CHIEF DUNCAN MICHANO:

16 CHIEF MICHANO: I'm not going
17 to stand here and try to reiterate all the
18 points that have been made already over the
19 last month and a half, two months. There
20 have been a lot of presentations done by
21 Biigtigong and I feel that we made our point
22 as clear as we can. There are a few things
23 that I would like to reiterate to keep in
24 everybody's mind.

25 Biigtigong Nishnaabeg assert

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1 exclusive rights over our territory, territory
2 which is unceded or means we own it. We have
3 never signed a treaty, I would like to
4 reinforce that, for this land is unceded land.
5 The province, the federal government, and all
6 corporate entities need to remember that, as
7 well as the general public. So as we go
8 forward with this and the panel is making a
9 decision about certain matters they got to
10 remember that as well.

11 No other First Nation has
12 rights in this territory. We have rights.
13 It's our exclusive territory. I want
14 everybody to remember that.

15 I also want to talk a little
16 bit about the closure plan, and there seems to
17 be some I guess issue in regards to whether
18 Biigtigong has the right to consent to the
19 closure plan. I'm going to state right now
20 that Biigtigong will have consent and will
21 need to consent with the closure plan before
22 that closure plan is signed off on. I make
23 that clear -- I want to make that clear to
24 both the proponents and to provincial
25 government and the Federal government that

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1 that closure plan will require Biigtigong's
2 consent.

3 The creation of a bypass
4 road. There seems to be some issue there
5 again in regards to who will have
6 responsibility for something like a bypass
7 road. And I'm going to state right now that
8 it's both the province, Federal government,
9 and the proponent; they all have a
10 responsibility to look at that. The province
11 does the permitting of these mines and if the
12 mine goes forward they have a responsibility
13 as well, as well as the proponent. So I want
14 to make that point clear.

15 And then in closing, I want
16 to thank everybody from Biigtigong who did
17 such an amazing, amazing job in putting all
18 this stuff together. I mentioned this before,
19 but I want to mention it again as we close
20 this off that I am proud of each and every one
21 of these people who work with us and -- right
22 from Debbie Boucher, who is our CEO, to John
23 Michano, who is our band manager, Brittany,
24 who is our resources person, Tracy Zanini, who
25 did a tremendous amount of work, Elaine

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1 Bartleman, our legal advisor, our IT guys, and
2 all the people who worked in that resource
3 department and supporting the people who were
4 presenting.

5 So with that I want to close.
6 I'm not going to go on and talk about I guess
7 the issues that were already presented. There
8 was a lot of presentations. I think that both
9 the proponent and the panel understand where
10 we are and where we stand from all the
11 presentations that we've done. I don't need
12 to stand here and reiterate those.

13 So with that -- oh, I would
14 like to thank the panel basically for giving
15 us this one-month pause also to work with the
16 proponent to try to sort a lot of issues out.
17 That was a very much welcomed pause to try to
18 sort things out and get the relationship back
19 on track.

20 Anyways, Miigwetch, everyone.
21 Thanks, Panel. Thanks, everybody in
22 Biigtigong for all hard work you've done.
23 You're an awesome group, and as I go forward I
24 will be proud of you. I tell everybody all
25 the time you're an awesome bunch. Miigwetch.

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1 PANEL CHAIR: Miigwetch,
2 Chief Michano. Really appreciate your remarks
3 today. Thank you so much.

4 I'm now going to invite Pays
5 Plat First Nation. Do we have Pays Plat here?
6 I don't see anyone just yet. Maybe we'll --
7 since we have time maybe I'll move to the Town
8 of Marathon. Good morning. Thank you for --
9 CLOSING REMARKS BY MAYOR RICK DUMAS AND DARYL
10 SKWORCHINSKI:

11 MAYOR DUMAS: Good morning,
12 Panel Members, and thank you for the
13 opportunity to speak in the closing remarks.
14 I know that Pays Plat was just up before us,
15 but I'm sure we're ready, and myself and the
16 CEO Daryl Skworchinski are going to share the
17 closing comments from the municipality of the
18 Town of Marathon.

19 PANEL CHAIR: Thank you. I
20 will ask you to just go ahead and I will just
21 check with our secretariat for Pays Plat. But
22 please proceed. Thank you.

23 MAYOR DUMAS: Once again,
24 good morning and thank you for the opportunity
25 to address the panel today in closing remarks.

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1 Throughout this panel hearing
2 process the Town of Marathon has advocated in
3 favour of the Marathon Palladium project. Our
4 position has never been more reinforced as of
5 today. Mr. Skworchinski.

6 MR. SKWORCHINSKI: Good
7 morning. Thanks, Your Worship. Good morning,
8 panel and those on the call today. Daryl
9 Skworchinski, Town of Marathon for the record.

10 In an April 7th, 2022
11 Northern Ontario Business article, Greg
12 Rickford, Ontario's Minister of Northern
13 Development, Mines and Forestry was quoted as
14 saying "there's no such thing as a green
15 economy without mining." So if an
16 environmentalist wants to take issue with
17 mining, check your iPhone; that's critical
18 minerals. Think about your electric vehicle,
19 think about battery storage, that's coming
20 from critical minerals. We have them in
21 exquisite quantities and qualities here in the
22 north.

23 Minister Rickford is quite
24 correct in his assessment. The world relies
25 on mining, and as we move forward with

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1 addressing the issue of greenhouse gas
2 emissions as well as carbon capture it will
3 even be more so.

4 As the Town stated in its
5 opening presentation, the Marathon Project is
6 an opportunity to be world leaders in mining
7 21st Century metals, including palladium,
8 copper, platinum, and doing so in a way that
9 respects Indigenous communities, supports
10 local municipalities, and accounts for the
11 environment and local quality of life.

12 Generation Mining's project
13 represents a significant economic opportunity
14 for Marathon, Biigtigong and other
15 neighbouring communities, businesses and
16 industry to make a meaningful contribution to
17 Canada's low carbon future.

18 In March 2022 the Ontario
19 government released its first ever critical
20 mineral strategy. In the 2022 federal budget
21 the Federal government announced it is
22 investing \$3.8 billion to support and
23 implement Canada's first critical mineral
24 strategy. It is not by fluke nor coincidence
25 that both levels of senior government are

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1 moving forward with critical mineral
2 strategies. This is a highly strategic move
3 considering that every day we use and rely on
4 products that contain critical minerals.
5 These products include smart phones,
6 computers, cardiac implants, MRI machines, and
7 batteries. Electric vehicles, information and
8 communications technology and clean
9 technologies to reduce greenhouse gas
10 emissions also rely on critical minerals.

11 Geopolitical instability is
12 yet another example of why a made-in-Canada
13 solution is the best course of action in 2022.
14 The overreliance on a select few countries
15 that supply critical minerals worldwide is a
16 daunting overture.

17 We must ensure to protect our
18 collective national future by investing in
19 ourselves and not being reliant on others to
20 manufacture wealth from critical minerals. We
21 would propose that a made-in-Marathon solution
22 is the best solution.

23 With that, I'll ask Mayor
24 Dumas to close the town's remarks.

25 MAYOR DUMAS: Thank you,

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1 Daryl. As community leaders we believe that
2 this project has been properly studied by all
3 the experts. The thousands of pages of
4 documents, data and information on the public
5 registry supports this.

6 The Town of Marathon had
7 ongoing numerous conversations and updates
8 with Generation PGM throughout this entire
9 process.

10 I'd like to add as well, not
11 only with Generation PGM, but Marathon PGM
12 when it started this project in 2010 as well
13 as Stillwater, Canada.

14 This project that we are
15 looking at, we are 100 percent confident in
16 their commitment to Marathon, Biigtigong,
17 regional communities and the environment. As
18 we stated in our opening panel remarks, the
19 Town of Marathon has never been approached by
20 any group or organization presenting as part
21 of this panel process to discuss this project
22 or asked if we had any project concerns,
23 except for our neighbours, BN of course, and
24 of course Generation Mining.

25 BN and the Town of Marathon

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1 are the two stakeholder communities truly
2 impacted by this project. We ultimately have
3 the most to gain or lose. Our project
4 positions should carry a higher level impact
5 as the panel writes its final report.

6 In closing, the time for this
7 project is now. It is important for Ontario
8 and Canada as well. Let's not be afraid of
9 this opportunity and hide from the criticism
10 that will come any development project. Let
11 us all be responsible stewards of our future
12 to ensure that the economic and social
13 sustainability for our grandchildren and
14 children -- sorry, our children and
15 grandchildren and the future generations are
16 at force, while at the same time we're
17 representing the lands which we live upon. It
18 is through this vision that Marathon supports
19 mining.

20 Before I do close I want to
21 share a bit of my personal thoughts on this as
22 well.

23 I've been a member of this
24 council since 1991, 28 years. I ran for
25 counsel originally to make Marathon a better

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1 place, to live, work and play for myself and
2 my family and my children to come, and of
3 course ultimately my grandchildren. I'm
4 expecting another grandchild today in Thunder
5 Bay Regional Hospital.

6 I've been mayor since 2006.
7 I've always been and worked hard in the
8 vestige of our community, as well as the
9 region. I stood as the Thunder Bay District
10 municipal president for the last seven years.
11 I sat on NOMA, which is Northwestern Ontario
12 Municipal Association, for the last 16 years
13 as a vice president or member of the board. I
14 also sit on OMA board of directors, which is
15 Ontario Municipal Association, for the last
16 two years representing all of Ontario
17 communities municipalities, 454 of us.

18 I speak for the north and
19 northern voice, northern lance. I want to
20 make our communities, our region prosperous.

21 Saying that, I want to leave
22 a legacy to my community and the region as
23 well as my neighbour, BN, and of course they
24 utilize all our facilities in Marathon and the
25 activity that we promote will benefit them as

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1 well.

2 I don't want to leave a
3 legacy from myself as a leader in this
4 community of a community that's not future
5 economic stability strong and vibrant. I want
6 to leave the community as vibrant, strong,
7 economically stable and with great health
8 care, recreation facilities, parks, outdoor
9 activities. We can achieve this with the
10 continuation of promoting and working with our
11 mining communities, our forestry communities,
12 so we want the panel to make this endeavor
13 happen, and of course this process has been
14 going on a long time, as the panel knows.

15 As I stated, not only that
16 Marathon PGM started this process in 2010,
17 this property was looked at back in the
18 fifties and sixties by Anaconda and other
19 various mining companies come along.

20 Today we are here the final
21 process in the panel hearing. You have the
22 closing remarks from other agencies and
23 community groups and groups. We would
24 encourage the panel to expedite their decision
25 and then report off to the federal and

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1 provincial ministries with full support of
2 this project going forward.

3 I think it's a great
4 opportunity for the future of our communities
5 and region, and nobody can argue that we don't
6 have economic stability in our communities, we
7 don't have a community, we don't have health
8 care, we don't have recreation and we don't
9 have vibrant schools for our children to learn
10 in. So we want to leave a legacy -- I want to
11 leave a legacy of a strong vibrant community
12 for the Town of Marathon and the residents and
13 of course our regional members and neighbours.

14 Thank you very much for
15 hearing the Town of Marathon's closing
16 remarks.

17 PANEL CHAIR: Thank you so
18 much, Mayor Dumas and Mr. Skworchinski. Thank
19 you.

20 I have heard that Pays Plat
21 First Nation will not be joining us for oral
22 remarks, they will submit written remarks. So
23 our final presenter for this morning is
24 MiningWatch Canada. Do we have MiningWatch?
25 Good morning.

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1 CLOSING REMARKS BY JAMIE KNEEN:

2 MR. KNEEN: Good morning.

3 Thank you for the opportunity to present
4 closing remarks on this process.

5 I would like to commend and
6 congratulate the panel for your commitment and
7 your thorough and conscientious handling of
8 this review and the hearing process. At the
9 same time, we want to emphasize that
10 difficulties that this process has occasioned
11 for participants. It's probably not original
12 to point out the irony of a project called
13 Marathon to have taken over a decade to get
14 through an environmental assessment process,
15 but for those of us in organizations and
16 communities were involved in the first joint
17 panel process, it feels like this project has
18 taken up an inordinate amount of people's time
19 and attention just to get to this stage.

20 While we did gratefully
21 receive funding to participate in the process,
22 it could not possibly cover the full cost of
23 staff time or compensate the time commitment
24 taken away from other work, not being able to
25 attend hearings in person due to public health

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1 restrictions. While it did allow for a
2 welcome level of flexibility, thanks to
3 YouTube broadcast and transcripts, it has also
4 made it impossible to have the same level of
5 engagement and interaction with the Panel and
6 other participants.

7 We raise these issues because
8 despite all efforts to ensure the regular
9 in-depth of this review, it seems inevitable
10 under the circumstances that it will be less
11 so than it would have been. This is
12 unfortunate because it has become abundantly
13 clear that there remains serious gaps and
14 deficiencies in Generation PGM's submissions.

15 The panel did work to
16 interrogate those materials, expose their
17 flaws and seek answers, and certainly some
18 people did watch proceedings. But there could
19 not be the kind of public engagement and
20 participation that is really needed and the
21 broad community could not really gain a deeper
22 understanding of the community's plans and
23 their potential implications and impacts.

24 We submit that the gaps and
25 deficiencies in Gen PGM's submissions that

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1 were exposed and explored during the hearings
2 are sufficiently serious as to raise real
3 doubt about whether this project should be
4 allowed to proceed even with conditions.

5 While attaching conditions to
6 the Panel's recommendations may allow some of
7 the deficiencies to be addressed, in other
8 areas the potential impact are too grave and
9 the uncertainties around mitigation are too
10 great.

11 At the same time such
12 conditions, no matter how carefully framed,
13 are all too often weakened or simply ignored
14 in implementation and regulatory enforcement.
15 There is no legal requirement for the operator
16 to make good on promises and commitments, and
17 where real damage is being done in any sphere,
18 and even where there are regulatory
19 requirements, there is a tendency that borders
20 on certainty that only additional mitigation
21 measures and/or minor fines will be imposed.

22 Once it is up and running the
23 mine will not stop just because its impacts
24 are found to be too severe until the impacts
25 can be rectified.

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1 The questions we raised about
2 the history of the mine's promoters that
3 remain unanswered are germane to this issue as
4 they go to their perspectives on
5 accountability, whether that's to stakeholders
6 or to legal and regulatory authorities, and
7 whether these views have changed or evolved
8 through experience.

9 The hearings have exposed a
10 distressing lack preparedness on the part of
11 the proponent, especially considering the
12 extremely long lead time. As noted by many
13 interveners, it's an environmental and
14 socioeconomic baseline (skipped audio) even or
15 incomplete than unusual this business.

16 Even basic design elements
17 like water management, which watershed it will
18 be dumped into, for example, and basic
19 feasibility issues, like how concentrate will
20 be transported and where it will be smelted,
21 are undetermined. Reclamation commitments
22 remain vague. Impact assessment process
23 cannot cover detailed design plans for every
24 aspect of the project and nor should it, but
25 it does have to demonstrate an adequate

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1 understanding of the potential impacts and
2 contingencies to show with confidence that
3 they be properly managed. Through this
4 process Gen PGM has not done that.

5 In our submissions we focus
6 on the economic viability of the project and
7 the potential to fulfill the promises the
8 proponent holds out, whether in revenue,
9 employment or economic spinoffs, as tradeoff
10 for the inevitable immediate and long term
11 damage it will cause to habitat and watersheds
12 and the disruption it will inevitably bring to
13 the local community, whether that's in
14 streams, social services, boom/bust dynamics,
15 risks of violence so on.

16 We highlighted a number of
17 areas where the proponent's information
18 lacking and potentially misleading, and we
19 raised questions about the proponent's ability
20 to bring the project to production or for it
21 to remain in production for its full potential
22 life. These questions were not well answered.

23 This concern goes to whether
24 there really is a need for the project, how
25 long favourable market conditions will last

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1 and how the uncertain economic benefits
2 compare to the serious concerns raised by
3 several intervenors about the negative impacts
4 of the project on the local environment and
5 social infrastructure.

6 The company has also not even
7 explained the assumptions behind its projected
8 tax payments.

9 The implications are serious.
10 If Gen PGM is planning to sell the project on
11 once it has its environmental approvals in
12 place, there will be a real lack of continuity
13 and accountability for any commitments that
14 the company makes now, irregardless of who
15 owns it.

16 If market conditions are not
17 favourable, the mine is not viable within a
18 few years of operation the flow of expected
19 benefits to the local communities will in turn
20 -- will instead turn into more disruption and
21 potential cleanup liabilities. And provincial
22 officials never confirmed either the amounts
23 or calculations for financial assurance.

24 As well, the viability of
25 this project is clearly not overwhelming or

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1 else it would not would have been shelved by
2 Stillwater in 2014 and Gen PGM would not need
3 to mortgage its production stream to
4 (indiscernible) precious minerals to raise
5 capital now.

6 If, on the other hand, the
7 mine expands to include the Jority (ph) and
8 Sally deposits there is the potential impacts
9 to deepen beyond what is contemplated in this
10 review. And there is real potential for the
11 mine to be developed by installment, an
12 expansion small enough to avoid triggering a
13 new environmental assessment. The company has
14 not refuted this but it claims the project is
15 economically feasible even without mining
16 these deposits.

17 At the same time Gen PGM has
18 not provided any clarity or detail on its
19 projected job creation either in terms of how
20 it will handle the current labour shortages in
21 all sectors from construction to operations,
22 or in the related question of how many net
23 jobs will be created and to what extent the
24 project will just contribute to regional job
25 churn and labour shortages.

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1 Such shortages, in turn,
2 contribute to potential labour costs and cost
3 vulnerability, for example, the availability
4 of skilled labour or even trainees, or the
5 fact diesel prices are more than double what
6 they were a year ago, which Gen PGM has
7 brushed off as insignificant in the face of
8 increasing metal prices. While in fact the
9 price of palladium has doubled over the past
10 five years, but is actually lower now than it
11 was a year ago.

12 In summary, the proponent
13 doesn't have adequate baselines or analysis
14 for key environmental questions such as water
15 quality and quantity and water flows, aquatic
16 and terrestrial habitat and so on. The
17 proponent doesn't have adequate plans or
18 engineering for important process questions
19 ranging from ore and concentrate processing to
20 decommissioning. And the proponent doesn't
21 have adequate baselines or analysis for basic
22 socioeconomic questions such as workforce,
23 social services and market dynamics.

24 The environmental review
25 process has exposed serious shortcomings in

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1 the proponent's preparedness and capacity to
2 safely build, operate and close this mine.
3 Its commitments to rectify those shortcomings
4 remain vague and largely unenforceable. The
5 available information and analysis are
6 inadequate to address a large number of
7 important concerns and significant potentially
8 irreversible impact. The project should not
9 be approved under these conditions.

10 Thank you. I would be happy
11 to answer any questions.

12 PANEL CHAIR: Thank you so
13 much, Mr. Kneen. I don't know if I've
14 pronounced your last name appropriately.

15 MR. KNEEN: The 'K' is
16 silent. Thank you.

17 PANEL CHAIR: Thank you so
18 much. Appreciate your time today for your
19 closing remarks. Thank you very much.

20 I think that concludes
21 today's session of closing remarks. Really
22 appreciate everyone's time this morning.

23 As you will know, we will
24 look to Generation PGM for their remarks
25 tomorrow at 2 o'clock and a closing ceremony I

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1 understand by Biigtigong Nishnaabeg First
2 Nation. So unless there are any questions
3 before we close out this morning...

4 MAYOR DUMAS: Madam Chair,
5 are we allowed to ask questions in the closing
6 remarks?

7 PANEL CHAIR: Unfortunately
8 not, it's not the time for questions. Thank
9 you though. Mr. Barretto?

10 MR. BARRETTO: Good morning,
11 Madam Chair, panel members. Jeremy Barretto
12 for the record.

13 Madam Chair, we just noticed
14 that Member Drescher wasn't on video for the
15 last few minutes. I just wanted to make sure
16 that she was able to I guess hear the last
17 presentation, either live or on the recording.
18 I just wanted to note that for the panel
19 before we conclude. Thank you.

20 PANEL CHAIR: Thank you, Mr.
21 Barretto. Yes, I've been in touch with the
22 secretariat. I understand Ms. Drescher did
23 miss a couple of minutes. She will review on
24 YouTube and will make sure that that is
25 included for the record.

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1 MR. BARRETTO: Thank you,
2 Madam Chair.

3 PANEL CHAIR: Thank you, Mr.
4 Barretto.

5 Well, thank you very much
6 everyone. Appreciate again your time this
7 morning, and we'll see everyone back here at 2
8 p.m. tomorrow. Thank you, have a good rest of
9 the day.

10 --- Whereupon at 9:41 a.m. the proceedings
11 were adjourned until Thursday, May 19,
12 2022, at 2 p.m.