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April 08, 2022

**Delivered via email:** <email address removed>

Generation Mining  
7010-100 King Street West  
P.O. Box 70  
Toronto, ON M5X 1B1

Attn: Cathryn Moffatt, Manager of Community Consultation

Dear Ms. Moffat:

**RE: Pays Plat First Nation Engagement – Undertaking 31**

Pays Plat First Nation (“PPFN”) is writing to address GenPGM’s response to the Panel’s requests for comments on the possibility of deferring closing remarks ([CIAR 1253](#)).

In their response, GenPGM noted that it had “...completed its initial engagement with Pays Plat with respect to its Undertaking 31 response. Pays Plat said that its concerns focus on environmental matters, as highlighted in their presentations to the Panel, which GenPGM will consider”.

Respectfully, this is a gross under-estimate of what we have requested and discussed through the course of the Hearing, but understandably we ought to have spelt out our concerns clearly and explicitly. We apologize for the confusion.

For clarity, our interest in Undertaking 31 is for GenPGM to substantially engage and consult with PPFN as they provide a revised list of commitments regarding the mitigation measures, monitoring plans, follow-up programs, and associated EMPs that they have committed to during the course of the EIS, IR Responses, and Hearing, as it pertains to the well-communicated concerns that PPFN has raised.

This is far beyond ‘environmental matters, as highlighted in [PPFN’s] presentations to the Panel’. PPFN’s interest relate to relevant and specific commitments that GenPGM has made during – at the very least, the course of the Hearing.

Specifically, on March 17 it was noted on the Record that the Proponent had committed to:

- Measures such as additional effluent treatment as needed to address outstanding issues pertaining to changes in water quality parameters with regards to Hare Lake;
- The mitigation of phosphorus at the source to ensure that phosphorus levels at Hare Lake remain at or below the provincial water quality objectives;
- A comprehensive monitoring program for the purpose of investigating the potential change in mercury and methylmercury in the aquatic environment through the construction, operation and closure phases of the Project;
  - o It was further noted by the Ontario Ministry of Environment, Conservation and Parks that this is to include service and groundwater quality, soil and sediment monitoring, as well as the collection of analysis of fish tissue;
- Increase the mine rock storage area catch basin to a one in a 100-year rainfall event, but had neglected to provide a value for the new design;
- Develop a water quality monitoring program for Hare Lake specific to identifying signs of the onset of meromictic conditions;
- Mr. Fraser, on behalf of the Proponent, confirmed they are committed to meeting numbers, meeting water quality constituent values that are protective.

Additionally, on March 18, it was noted on the Record that the Proponent committed to:

- The mitigation of containing the water and surface water with regard to mercury mobilization;
- Developing a methylmercury monitoring plan for Hare Lake;
- Meeting a lower concentration of phosphorus regarding water treatment;
- Ensuring that detection limits with further analysis would meet the low detection limit below Federal guidelines.

At the risk of belabouring the point, on March 21 it was noted on the Record that the Proponent committed to:

- Working with Indigenous communities to complete and submit a fulsome offsetting and compensation plan;
- Developing a treatment strategy that is responsive to the results of the water quality analysis indicated in the EIS;
- Ensuring that Hare Lake is not adversely affected by the discharge during operations.

A cursory examination of many of the Hearing Transcripts would show similar commitments. In fact, I would encourage Participants to pull Hearing Transcripts relevant to their interests and search 'commit'. It will soon become clear that there is more than one Participant interest engaged in Undertaking 31.

To finish, Pays Plat First Nation is requesting fulsome engagement and consultation regarding the aforementioned commitments as they pertain to updates to the aquatic baseline sampling, fishery offsetting plan, water treatment, and monitoring plans for Hare Lake, Angler Creek, and the surrounding area.

Clearly there have been a number of commitments made with regard to our communicated interests, and we naturally are requesting to be a part of them moving forward.

Considering PPFN's well-communicated interest in these commitments – and the likely interest of other Participants, I would point to our original request and offer these additional details for the Panel's consideration in deferring the closing remarks. I would also emphasize the procedural fairness of having all information updated and accessible in making a fulsome and informed closing remark.

I hope this clarifies the issue.

Regards,

<Original signed by>

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Deb King

Environmental Monitor  
Pays Plat First Nation

CC: [Marathonminereview-examenminemarathon@iaac-aeic.gc.ca](mailto:Marathonminereview-examenminemarathon@iaac-aeic.gc.ca)