

Generation PGM Inc.
Marathon Palladium-Copper Project
2024 Annual Report to the Impact Assessment Agency of Canada

Submitted To:

Impact Assessment Agency of Canada

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EXECUTIVE SUMMARY – ENGLISH

Generation PGM Inc. (GenPGM), a subsidiary of Generation Mining Limited, is planning to construct, operate and decommission the Marathon Palladium-Copper Project (the “Project”) which is located approximately 10 kilometres from Marathon, Ontario.

The Environmental Assessment for the Project was approved on November 30, 2022 in accordance with the Canadian Environmental Assessment Act (CEAA, 2012) and Ontario’s Environmental Assessment Act through a Joint Review Panel appointed pursuant to the Canada-Ontario Agreement on Environmental Assessment Cooperation (2004) and the Amended and Restated Agreement to Reestablish a Joint Review Panel (2021). The Decision Statement issued under CEAA, 2012 was amended by the federal Minister of Environment and Climate Change on July 26, 2024 to reflect amendments to the Impact Assessment Act (IAA, 2019).

As of December 2024, GenPGM has not announced a formal decision to proceed with the Project, however this is anticipated to occur in 2026 following the receipt of federal and provincial permits required to construct the Project and the finalization of Project financing. As such, the Project is currently in the pre-construction phase and no construction activities have been undertaken for the Project. During the 2024 pre-construction period, GenPGM initiated actions related to various conditions of the federal EA Decision Statement, continued with the process of obtaining federal and provincial permits, and continued to engage and consult with Indigenous groups.

This third Annual Report is submitted in compliance with condition 2.10 of the federal environmental Decision Statement issued for the Project by the Federal Minister of Environment on November 30, 2022 and amended on July 26, 2024. The Annual Report describes activities undertaken by GenPGM to comply with each of the conditions in the Decision Statement during the reporting period of January 1, 2024, to December 31, 2024.

EXECUTIVE SUMMARY / RESUME – FRANCAIS

Generation PGM Inc. (GenPGM), une filiale de Generation Mining Limited, prévoit de construire, d'exploiter et de désaffecter le projet Marathon Palladium-Copper ("le Projet") situé à environ 10 kilomètres de Marathon, en Ontario.

L'évaluation environnementale du Projet a été approuvée le 30 novembre, 2022 conformément à la Loi canadienne sur l'évaluation environnementale (2012) et la Loi sur les évaluations environnementales de l'Ontario par l'intermédiaire d'une commission d'examen conjoint (CEC) nommée conformément à l'Accord de coopération Canada-Ontario en matière d'évaluation environnementale (2004) et l'Entente modifiée et reformulée pour rétablir une commission d'examen conjoint (2021). La déclaration de décision émise en vertu de la Loi sur les évaluations environnementales (2012) a été modifiée par le ministre fédéral de l'Environnement et du Changement Climatique le 26 juillet 2024 afin de refléter les modifications apportées à la Loi sur l'évaluation d'impact (LEI, 2019).

Dès décembre 2024, GenPGM n'a pas annoncé de décision officielle de continuer le Projet, cependant ceci est prévu de se faire plus tard en 2026 après la réception des permis fédéraux et provinciaux requis pour la construction du Projet et à la finalisation du financement du Projet. À ce fait, le Projet est actuellement en phase préalable à la construction et aucune activité de construction n'a été entreprise pour le Projet. Au cours de la période préalable à la construction de 2024, GenPGM a lancé des actions liées aux diverses conditions de la déclaration de décision fédérale de L'EE, a poursuivi le processus d'obtention des permis fédéraux et provinciaux et a continué à s'engager et à consulter les groupes autochtones.

Ce troisième rapport annuel est soumis conformément à la condition 2.10 de la déclaration de décision environnementale fédérale émise pour le Projet par le ministre fédéral de l'Environnement le 30 novembre 2022, et modifiée le 26 juillet 2024. Le rapport annuel décrit les activités entreprises par GenPGM pour se conformer à chacune des conditions de la Déclaration de décision au cours de la période de déclaration du 1er janvier 2024 au 31 décembre 2024.

1.0 INTRODUCTION

Generation PGM Inc. (GenPGM), a subsidiary of Generation Mining Limited, is planning to construct, operate and decommission the Marathon Palladium-Copper Project (the Project) which is located approximately 10 kilometres from Marathon, Ontario. Figure 1-1 shows the location and general layout of the Project.

The site is accessed via Camp 19 Road which connects to Highway 17 near Marathon, Ontario. The Project includes three open pits, an ore processing plant, tailings and mine rock storage facilities, site access roads, a transmission line, explosives factory and magazines, water management facilities, ancillary mine infrastructure and associated activities. The rate of production is planned to be approximately 25,000 tonnes of ore per day with a proposed operating mine life of approximately 13 years.

The Environmental Assessment for the Project was approved on November 30, 2022, in accordance with the Canadian Environmental Assessment Act (CEAA, 2012) and Ontario's Environmental Assessment Act through a Joint Review Panel appointed pursuant to the Canada-Ontario Agreement on Environmental Assessment Cooperation (2004) and the Amended and Restated Agreement to Reestablish a Joint Review Panel (2021). The Decision Statement issued under CEAA, 2012 was amended by the federal Minister of Environment and Climate Change on July 26, 2024 to reflect amendments to the Impact Assessment Act (IAA, 2019).

As of December 2024, GenPGM has not announced a formal decision to proceed with the Project, however this is anticipated to occur in 2026 following the receipt of federal and provincial permits required to construct the Project and the finalization of Project financing. As such, the Project is currently in the pre-construction phase and no construction activities have been undertaken for the Project.

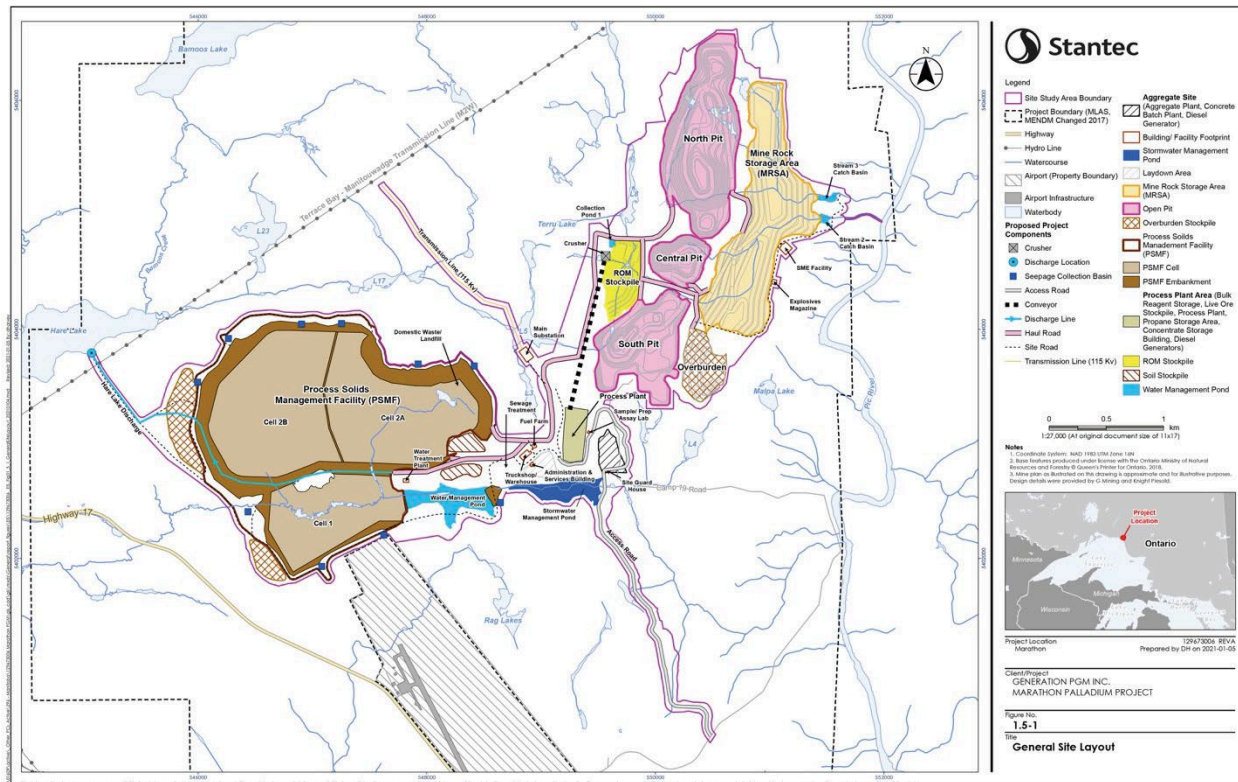
This second Annual Report is submitted in compliance with condition 2.10 of the federal environmental Decision Statement issued for the Project by the Federal Minister of Environment on November 30, 2022 and amended on July 26, 2024. The Annual Report describes activities undertaken by GenPGM to comply with each of the conditions in the Decision Statement during the reporting period of January 1, 2024, to December 31, 2024. The report is organized so that each section addresses a set of conditions specified in the Decision Statement.

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Figure 1-1: Marathon Palladium-Copper Project Location and General Layout



2.0 CONDITIONS AND COMPLIANCE REPORTING

Activities undertaken by GenPGM in 2024 to comply with each of the federal EA Decision Statement conditions (issued November 30, 2022) are described below:

A. General Conditions

A-1 Qualified Individuals / Best Practices

“2.1 The Proponent shall ensure that its actions in meeting the conditions set out in this Decision Statement during all phases of the Designated Project are considered in a careful and precautionary manner, promote sustainable development, are informed by the best information and knowledge including policies, guidelines and directives, and community and Indigenous knowledge, available at the time the Proponent takes action, are based on methods and models that are recognized by standard-setting bodies, are undertaken by qualified individuals, and have applied the best available economically and technically feasible technologies.”

Response: During 2024, GenPGM continued to engage the services of several reputable consulting companies to provide the services of qualified professionals (e.g., R.P.Bio, P.Eng., P. Geo.) to implement all activities according to the requirements of the Decision Statement, including condition 2.1. These consultants were as follows:

- WSP E&I Canada Limited;
- Stantec
- Knight Piesold Consulting
- Ecometrix Inc.
- Northern Bioscience Ecological Consulting
- Ausenco Engineering Canada ULC

In addition, GenPGM continued to undertake extensive consultation with Indigenous groups to ensure Indigenous knowledge was considered in meeting the conditions set out in the Decision Statement.

“2.2 The Proponent shall ensure that its actions in meeting the conditions set out in this Decision Statement are taken in a way that is consistent with any applicable recovery strategy and action plans for listed species at risk.”

Response: The construction, operation and decommissioning phases of the Project have been planned to be undertaken in a manner that is consistent with the applicable recovery strategy and action plans for listed species at risk identified for the Project. In 2023, GenPGM engaged with federal and provincial regulatory agencies and Indigenous groups to determine the preferred approach to provide an overall benefit to listed species at risk. In August 2023, the Ontario Ministry of Environment, Conservation and Parks issued an Endangered Species Act

permit for the Project, which incorporates the views of the consultation with the various regulatory agencies and Indigenous groups and is aligned with current recovery strategies for listed species at risk identified for the Project.

A draft Wildlife and Species at Risk Management Plan was developed for the Project in 2023 which addresses the requirements of both condition 2.2 and the Endangered Species Act permit for the Project. The plan will be finalized once consultation with relevant government agencies and Indigenous groups has been completed.

A draft Wildlife and Species at Risk Follow-Up Monitoring Program was developed for the Project in 2023. The program will be finalized once consultation with relevant government agencies and Indigenous groups has been completed.

A-2 Consultation

“2.3 The Proponent shall, where consultation is a requirement of a condition set out in this Decision Statement:

2.3.1 provide a written notice of the opportunity for the parties being consulted to present their views and information on the subject matter of the consultation, a minimum of 15 days prior to providing information to the parties for the purpose of consultation;

2.3.2 provide all information available and relevant to the scope and the subject matter of the consultation and a reasonable period of time agreed upon with the parties being consulted, not to be less than 15 days, to prepare their views and information;

2.3.3 undertake an impartial consideration of all views and information presented by the parties being consulted on the subject matter of the consultation; and

2.3.4 advise as soon as feasible the parties being consulted on how the views and information received have, or have not, been integrated into the subject matter of the consultation by the Proponent, and provide a justification.”

“2.4 The Proponent shall, where consultation with Indigenous groups is a requirement of a condition set out in this Decision Statement, discuss with each Indigenous group the manner in which to satisfy the consultation requirements referred to in condition 2.3, including:

2.4.1 methods of notification;

2.4.2 the type of information and the period of time to be provided when seeking input;

2.4.3 the process to be used by the Proponent to undertake impartial consideration of all views and information presented on the subject of the consultation; and

2.4.4 the period of time and the means to advise Indigenous groups of how their views and information were considered by the Proponent.

2.5 Where the Proponent shall seek consensus as a requirement of a condition set out in this Decision Statement, the Proponent shall report, as part of the annual report in condition 2.10, on their efforts to seek consensus with the specified party in relation to the subject matter of the condition, including:

2.5.1 whether consensus has been achieved, or if consensus has not been achieved:

2.5.1.1 a description of the actions and steps the Proponent has taken to seek consensus; and

2.5.1.2 a summary of the views of the specified party in relation to the Proponent's efforts to seek consensus. The Proponent shall provide the specified party with the opportunity to provide a summary of their views, in their own words, for inclusion in the annual report. If the specified party does not provide their views, the Proponent shall provide a description of the actions and steps they have taken to seek these views."

Response: Consultation with Indigenous groups with respect to the conditions of the Decision Statement is described as required in the other sections of this Annual Report. Throughout 2024, GenPGM continued to engage with Indigenous groups as follows:

- GenPGM continued to share information and engage with Indigenous groups following the issuance of the federal Decision Statement, including undertaking general discussions on how the consultation and consensus conditions of the Decision Statement would be met.
- Updates on project timelines and permitting requirements was provided to Indigenous groups throughout the year.
- Meetings were held to provide information and consult with Indigenous groups on the various federal and provincial permits that are required for the Project.
- Meetings were held to provide information and consult with Indigenous groups on the various follow-up monitoring programs that are required for the Project.
- Meetings were held to provide information and consult with Indigenous groups on the various management plans that are required for the Project.

A-3 Follow-Up Programs

"2.6 The Proponent shall, where a follow-up program is a requirement of a condition set out in this Decision Statement, determine, as part of the development of each follow-up program and in consultation with the parties being consulted during the development, the following information, unless otherwise specified in the condition:

2.6.1 the methodology, location, frequency, timing and duration of monitoring associated with the follow-up program;

2.6.2 the scope, content and frequency of reporting of the results of the follow-up program to the parties consulted for the development of the follow-up program;

2.6.3 the minimum frequency at which the follow-up program must be reviewed and, if necessary, updated;

2.6.4 the levels of environmental change relative to baseline that would require the Proponent to implement modified or additional mitigation measure(s), including instances where the Proponent may require Designated Project activities causing the environmental change to be stopped;

2.6.5 the technically and economically feasible mitigation measures to be implemented by the Proponent if monitoring conducted as part of the follow-up program shows that the levels of environmental change referred to in condition 2.6.4 have been reached or exceeded in order to return environmental changes to levels below those referred to in condition 2.6.4; and

2.6.6 the specific and measureable end points that must be achieved before the follow-up program can end. Those end points should indicate that the accuracy of the environmental assessment has been verified and/or that the mitigation measures are effective."

Response: As of December 2024, GenPGM has not announced a formal decision to proceed with the Project. As such, the Project is currently in the pre-construction phase and no construction activities have been undertaken for the Project. In 2023, several draft Follow-Up Monitoring programs were developed which address the requirements of condition 2.6 and associated sub-conditions. These plans are listed below:

- Groundwater Follow-Up Monitoring Program;
- Surface Water Follow-Up Monitoring Program;
- Aquatic Resources Follow-Up Monitoring Program;
- Wildlife and Species at Risk Follow-Up Monitoring Program;
- Atmospheric Quality Follow-Up Monitoring Program; and
- Country Foods Follow-Up Monitoring Program.
- Hare Lake Thermal Follow-Up Monitoring Program
- Noise Follow-Up Monitoring Program

These programs will be finalized once consultation with relevant government agencies and Indigenous groups has been completed. Implementation of these programs will occur concurrent with the start of the construction of the Project.

“2.7 The Proponent shall update the information determined for each follow-up program pursuant to condition 2.6 during the implementation of each follow-up program, at the minimum frequency determined pursuant to condition 2.6.3 and in consultation with the parties being consulted during the development of each follow-up program.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 2.7 during 2024.

“2.8 The Proponent shall provide the details of the follow-up programs referred to in conditions 3.12 through 3.17, 4.5, 5.3, 6.3, 6.6, 6.7, 6.9, 6.12, 7.8, 7.9, 9.2, 10.6, 10.8.3, and 11.2.3, including the information determined for each follow-up program pursuant to condition 2.6, to the Agency and to the parties being consulted during the development of each follow-up program prior to the implementation of each follow-up program. The Proponent shall also provide any update made pursuant to condition 2.7 to the Agency and to the parties being consulted during the development of each follow-up program within 30 days of the follow-up program being updated.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 2.8 during 2024.

“2.9 The Proponent shall, where a follow-up program is a requirement of a condition set out in this Decision Statement:

2.9.1 implement the follow-up program according to the information determined pursuant to condition 2.6;

2.9.2 conduct monitoring and analysis to verify the accuracy of the environmental assessment as it pertains to the particular condition and/or to determine the effectiveness of any mitigation measure;

2.9.3 determine whether modified or additional mitigation measure(s) are required based on the monitoring and analysis undertaken pursuant to condition 2.9.2;
2.9.4 if modified or additional mitigation measure(s) are required pursuant to condition 2.9.3, develop and implement these mitigation measure(s) as soon as feasible and monitor them pursuant to condition 2.9.2. The Proponent shall notify the Agency within 24 hours of any modified or additional mitigation measure being implemented. If the Proponent implements any additional or modified mitigation measure not previously submitted to the Agency pursuant to condition 2.6, the Proponent shall submit a detailed description of the measure(s) to the Agency within 7 days of their implementation; and
2.9.5 report all results of the follow-up program to the Agency no later than April 30 following each reporting year during which the follow-up program is implemented and, subject to information determined pursuant to 2.6.2, to the parties being consulted during the development of the follow-up program.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 2.9 and associated sub-conditions during 2024.

A-4 Annual Reporting

“2.10 The Proponent shall prepare an annual report for each reporting year that sets out:
2.10.1 the activities undertaken by the Proponent to comply with each of the conditions set out in this Decision Statement;
2.10.2 how the Proponent complied with condition 2.1;
2.10.3 for conditions set out in this Decision Statement for which consultation is a requirement, how the Proponent considered any views and information that the Proponent received during or as a result of the consultation;
2.10.4 the information referred to in conditions 2.6 for each follow-up program and any update to that information made pursuant to condition 2.7;
2.10.5 the summary of available results of the follow-up program requirements identified in conditions 3.12 through 3.17, 4.5, 5.3, 6.3, 6.6, 6.7, 6.9, 6.12, 7.8, 7.9, 9.2, 10.6, 10.8.3, and 11.2.3;
2.10.6 for any plan that is a requirement of a condition set out in this Decision Statement, any update(s) to the plan that have been made during the reporting year; and
2.10.7 any modified or additional mitigation measure implemented or proposed to be implemented by the Proponent, as determined pursuant to condition 2.9.”

“2.11 The Proponent shall submit the annual report referred to in condition 2.10 to the Agency, including a plain language executive summary in both official languages, no later than April 30 following the reporting year to which the annual report applies.”

“2.12 The first reporting year for which the Proponent shall prepare an annual report pursuant to condition 2.10 shall start on the day the Minister of the Environment issues the Decision Statement pursuant to subsection 54 (1) of the Canadian Environmental Assessment Act, 2012.”

Response: This Annual Report is submitted in compliance with conditions 2.10, 2.11 and 2.12 of the federal assessment Decision Statement issued on November 30, 2022 and amended on July 26, 2024.

A-5 Information Sharing

“2.13 The Proponent shall publish on the Internet, or any medium which is publicly available, the annual reports and the executive summaries referred to in conditions 2.10 and 2.11, the reports related to accidents and malfunctions referred to in conditions 15.7.4 and 15.7.5, the communication plan for accident and malfunction referred to in condition 15.8, the schedules referred to in conditions 16.1 and 16.2, and any update or revision to the above documents, upon submission of these documents to the parties consulted for the respective conditions. The Proponent shall keep these documents publicly available for 25 years following the end of operation, or until the end of decommissioning of the Designated Project, whichever comes first. The Proponent shall notify the Agency and Indigenous groups of the availability of these documents within 48 hours of their publication. The Proponent shall provide Indigenous groups with a written copy of any of these documents, at the Indigenous groups’ request.”

“2.14 When the development of any plan is a requirement of a condition set out in this Decision Statement, the Proponent shall submit the plan to the Agency prior to construction, unless otherwise required through the condition.”

Response: Except for this Annual Report, which will be publicly available on the internet at www.genmining.com, the specified reports, plans, and schedules referred to in EA conditions 2.13 and 2.14 are yet to be prepared for the Project. Therefore, they were not shared with Agency, Indigenous groups, or any other party in 2024. Additional detail is provided in this Annual Report in the response to each EA condition.

A-6 Change of Proponent

“2.15 The Proponent shall notify the Agency and Indigenous groups in writing no later than 30 days after the day on which there is any transfer of ownership, care, control or management of the Designated Project in whole or in part.”

Response: There was no transfer of ownership, care, control, or management of the Project in whole or in part; as such no related notifications were made in 2024.

A-7 Change to the Designated Project

“2.16 If the Proponent is proposing to carry out the Designated Project in a manner other than described in condition 1.7, the Proponent shall notify the Agency in writing in advance of carrying out the proposed activities. As part of the notification, the Proponent shall provide:

2.16.1 a description of the proposed change(s) to the Designated Project and the environmental effects that may result from the proposed change(s);

2.16.2 any modified or additional measure to mitigate any environmental effect that may result from the proposed change(s) and any modified or additional follow-up requirement; and

2.16.3 an explanation of how, taking into account any modified or additional mitigation measure referred to in condition 2.16.2, the environmental effects that may result from the proposed change(s) may differ from the environmental effects of the Designated Project identified during the environmental assessment.”

“2.17 The Proponent shall submit to the Agency any additional information required by the Agency about the proposed change(s) referred to in condition 2.16, which may include the results of consultation with Indigenous groups and relevant authorities on the proposed change(s) and environmental effects referred to in condition 2.16.1 and the modified or additional mitigation measures and follow-up requirements referred to in condition 2.16.2.”

Response: There was no change to the Designated Project that may result in adverse environmental effects; as such no related notifications were made in 2024.

B. Fish and Fish Habitat

“ 3.1 The Proponent shall conduct field-scale geochemical testing of waste rock and process solids to verify the magnitude and onset of potential metal leaching, including platinum group metals and mercury, and acid rock drainage in waste rock and tailings during construction and operation.

3.2 The Proponent shall implement measures to mitigate the adverse environmental effects of generated mine rock and process solids, including potentially acid generating and metal leaching materials, on fish and fish habitat during all phases of the Designated Project taking into account the geochemical testing conducted pursuant to condition 3.1. In doing so, the Proponent shall:

3.2.1 only use Type 1 materials, including mine rock, for construction purposes and other infrastructure development;

3.2.2 ensure that stockpiles of Type 1 mine rock not being used for construction and other infrastructure development are ultimately placed in the mine rock storage area or open pits;

3.2.3 store Type 2 process solids in the process solids management facility and the central pit and ensure it is permanently placed in a saturated state during post-closure;

3.2.4 permanently place all Type 2 mine rock in a saturated state prior to the onset of any acid rock drainage;

3.2.5 place all Type 2 mine rock in the process solids management facility and open pits during operation, unless not technically feasible. If the Proponent must store Type 2 mine rock outside these locations during operations, the Proponent shall ensure that the temporary storage area is located within the catchment area of the process solids management facility or open pit, has sufficient capacity for the volume of Type 2 mine rock, and that the stormwater management pond has sufficient capacity for the volume of leachate collected from the temporary storage area;

3.2.6 undertake seepage control from the process solids management facility by:

3.2.6.1 installing, prior to the deposition of any process solids into the facility, and maintaining, during all phases of the Designated Project, a liner or barrier that limits seepage on the upstream face of the perimeter embankments of the facility that is tied to the bedrock; and

3.2.6.2 grouting fractured bedrock prior to the deposition of any process solids into the facility.”

Response: An Acid Rock Drainage/Metal Leaching Management Plan was developed in 2023 for implementation during the construction and operation phase of the project.

As the Project is still in the pre-construction phase, there was no specific action taken on EA conditions 3.1 and 3.2 or associated sub-conditions during 2024.

“3.3 The Proponent shall collect contact water from the Designated Project area, including seepage from the process solids management facility and any temporary storage areas for Type 2 mine rock, and water associated with the mine rock storage area, during all phases of the Designated Project and treat, as necessary, before it is deposited into the receiving environment to ensure that any deposits are made in accordance with the Metal and Diamond Mining Effluent Regulations and the pollution prevention provisions of the Fisheries Act.”

“3.4 When treating contact water pursuant to condition 3.3, and releasing it into the receiving environment the Proponent shall:

3.4.1 operate a diffuser at the contact water outlet into Hare Lake whenever contact water is being released;

3.4.2 release contact water into Hare Lake only under ice-free conditions to mitigate impacts on stratification unless water flow within the lake is sufficient to prevent stratification from occurring;

3.4.3 determine, in consultation with Fisheries and Oceans Canada, Ontario Ministry of Environment, Conservation and Parks, and other relevant authorities, contact water discharge rate limits into Hare Lake applicable when there is a potential for anoxia in the lake, and adhere to these discharge limits during those times; and

3.4.4 terminate active water management and restore natural drainage from the pit lakes to the receiving environment only once water quality in the pit lakes will not adversely impact fish and fish habitat in the receiving environment.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA conditions 3.3 and 3.4 or associated sub-conditions during 2024.

“3.5 The Proponent shall implement measures to mitigate Designated Project-related effects on surface water quantity and levels during all phases of the Designated Project. In doing so, the Proponent shall:

3.5.1 maximize the recycling of contact water from the water management pond for use in processing ore in the processing plant to the extent that it is technically and economically feasible;

3.5.2 identify, prior to construction, and implement during construction and operation, in consultation with Biigtigong Nishnaabeg, Pays Plat First Nation, and any other Indigenous groups and relevant authorities, any technically and economically feasible measures to supplement water for Stream 6 (Angler Creek) that will not adversely impact other natural water sources, unless otherwise authorized;

3.5.3 develop, prior to the start of operation and in consultation with Biigtigong Nishnaabeg, any other Indigenous groups and relevant authorities, and implement, during operation, a protocol for withdrawing water from Biigtig Zibi during low-flow conditions that is in accordance with provincial and federal requirements. As part of the development of the protocol, the Proponent shall:

3.5.3.1 establish low-flow thresholds;

3.5.3.2 identify the actions the Proponent will take to modify water withdrawal rates when low-flow thresholds are reached; and

3.5.3.3 establish the methodology, location, frequency, and duration of flow monitoring in the Biigtig Zibi during operation.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA conditions 3.5 or associated sub-conditions during 2024.

“3.6 The Proponent shall develop, prior to construction, and implement, during all phases of the Designated Project, erosion and sediment control measures, including applicable measures described in Fisheries and Oceans Canada’s Measures to Protect Fish and Fish Habitat, to prevent harmful alteration, disruption, or destruction of fish habitat, and death of fish. The Proponent shall submit the measures to the Agency prior to implementing them. In doing so, the Proponent shall:

3.6.1 include measures to mitigate scouring and erosion in downstream watercourses, including in subwatersheds 103 and 112 identified in Figure 8-1 of the Joint Review Panel Report;

3.6.2 take into account current and future climate scenarios relevant to the Designated Project, including periods of flooding, heavy rainfall and frost, when designing and implementing these measures; and

3.6.3 maintain and regularly inspect, subject to safety requirements, all erosion and sediment control measures, and document and repair any defective or damaged control measure as soon as circumstances permit.”

Response: A draft Erosion Prevention and Sediment Control Plan was developed for the Project in 2023. The plan will be finalized once consultation with relevant government agencies and Indigenous groups has been completed.

“3.7 The Proponent shall implement measures to protect fish and fish habitat when undertaking activities in or near water, including applicable measures described by Fisheries and Oceans Canada’s Measures to Protect Fish and Fish Habitat. The Proponent shall implement these measures during all phases of the Designated Project. In doing so, the Proponent shall:

3.7.1 carry out any construction activities in fish habitat during timing windows of least risk for Ontario’s northwest region for species present in the local study area, as identified in Ontario’s In-Water Work Timing Window Guidelines, unless not technically or economically feasible. If the Proponent must carry out any such construction activity outside of any timing window of least risk, the Proponent shall do so in such a way that the work does not cause harmful alteration, disruption, or destruction of fish habitat, and death of fish, unless otherwise authorized;

3.7.2 develop, in consultation with Biigtigong Nishnaabeg and other Indigenous groups and relevant authorities, and implement, prior to conducting any authorized Designated Project activity requiring the removal of fish habitat, a protocol to salvage and relocate fish in a manner that complies with any authorization issued under the Fisheries Act and provincial requirements; and

3.7.3 when using explosives, ensure an overpressure of 50 kilopascals (kPa) is not exceeded in fish habitat to avoid lethal or sub-lethal effects on fish and, unless otherwise authorized under the Fisheries Act, do so in locations that are not fish habitat.”

Response: A draft Aquatic Resources Management Plan was developed for the Project in 2023. The plan will be finalized once consultation with relevant government agencies and Indigenous groups has been completed.

“3.8 The Proponent shall establish and maintain during construction and operation a minimum 30 metre buffer zone along all fish habitat that are not being removed as part of the Designated Project, and shall not conduct any work within this buffer zone that disturbs vegetation. If the Proponent must conduct any such work in that buffer zone, the Proponent shall develop and implement additional measures to protect fish and fish habitat, including conducting the work within the timing windows of least risk referred to in condition 3.7.1 and shall include a description of the additional measures used as part of the annual report.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 3.8 during 2024.

“3.9 The Proponent shall develop, to the satisfaction of Fisheries and Oceans Canada and in consultation with Biigtigong Nishnaabeg, other Indigenous groups, and other relevant authorities, including provincial authorities, and implement any offsetting plan related to the harmful alteration, disruption, or destruction of fish habitat, and death of fish associated with the carrying out of the Designated Project. The Proponent shall submit the approved offsetting plan(s) to the Agency prior to implementation. As part of the offsetting plan, the Proponent shall include:

3.9.1 a detailed description of monitoring measures to be implemented to verify the effectiveness of offsetting and the modified or additional measures to be implemented should monitoring indicate offsetting objectives are not met.”

Response: During 2024 GenPGM developed a *Metal and Diamond Mining Effluent Regulations* (MDMER) Schedule 2 Fish Habitat Compensation Plan and *Fisheries Act* Paragraph 35(2)(b) Authorization Offset Plan (the Plan) to mitigate harm to fish and fish habitat associated with carrying out the Project. The Plan was developed in coordination with the Department of Fisheries and Oceans (DFO) / Fisheries and Oceans Canada and Environment and Climate Change Canada (ECCC) and in consultation with Indigenous groups and the Ontario Ministry of Natural Resources and Forestry (MNRF). Comments from DFO, ECCC, Indigenous groups and MNRF were incorporated into the Plan. The Fisheries Act Authorization [Paragraphs 34.4(2)(b) and 35(2)(b)] for the Project was received from Fisheries and Oceans Canada on August 2, 2024, which included approval of the offsetting measures in the Plan. The Plan will be submitted to the Agency prior to implementation.

3.10 The Proponent shall, for any fish habitat offsetting measure proposed in any offsetting plan referred to in condition 3.9 that may cause adverse environmental effects not considered in the environmental assessment, develop and implement, following consultation with Biigtigong Nishnaabeg, other Indigenous groups and relevant authorities, measures to mitigate those effects. The Proponent shall submit these measures to the Agency before implementing them.

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 3.10 during 2024.

*“3.11 The Proponent shall conduct, prior to construction and in consultation with Indigenous groups, Fisheries and Oceans Canada, Ontario Ministry of Natural Resources and Forestry and other relevant authorities, surveys to confirm the presence of Northern brook lamprey (*Ichthyomyzon fossor*) in Streams 1, 2 and 3. In doing so, the Proponent shall:*

3.11.1 identify the methodology, location, frequency, timing and duration of surveys based on current available science for capturing ammocoetes; and

3.11.2 use the results of the surveys to inform the Proponent’s proposed offsetting plan referred to in condition 3.9.”

Response: During 2022, GenPGM completed surveys to confirm the presence of Northern brook lamprey (*Ichthyomyzon fossor*) in Streams 1, 2 and 3. The surveys utilized available science for capturing ammocoetes. The results of the surveys indicated there were no Northern brook lamprey (*Ichthyomyzon fossor*) in Streams 1, 2 and 3. As such, there was no need to include the results of the surveys in the offsetting plan referred to in Condition 3.9.

“3.12 The Proponent shall develop, prior to construction and in consultation with Biigtigong Nishnaabeg, other Indigenous groups and relevant authorities, and implement, during all phases of the Designated Project, a follow-up program to verify the accuracy of the environmental assessment and determine the effectiveness of the mitigation measures as it pertains to adverse environmental effects of the Designated Project on groundwater quality and quantity. In doing so, the Proponent shall:

3.12.1 monitor groundwater quality, including concentrations of all parameters modelled in Appendix D4 Hydrogeology Updated Effects Assessment Report of the environmental impact statement addendum, and groundwater quantity prior to construction;

3.12.2 characterize baseline platinum group metal concentrations in groundwater beginning prior to the start of construction, and, taking into account the results of this baseline characterization, monitor platinum group metals in groundwater from construction through post-closure;

3.12.3 update groundwater modeling and effects predictions in Appendix D4 Hydrogeology Updated Effects Assessment Report of the environmental impact statement addendum (Canadian Impact Assessment Registry Reference Number 54755, Document Number 727), including groundwater travel times, based on monitoring data collected pursuant to condition 3.12.1 within 180 days of the issuance of the Decision Statement;

3.12.4 monitor for changes in groundwater levels and flows in response to the dewatering of the open pits during operation; and

3.12.5 monitor, during all phases of the Designated Project, groundwater quality, groundwater level and pumped volumes in wells located upgradient, downgradient and cross gradient of the mine rock storage area, process solids management facility and open pits and in wells located along the predicted flow paths of any seepage from these mine features.

Response: Monitoring of baseline groundwater quality, including concentrations of all parameters modelled in Appendix D4 Hydrogeology Updated Effects Assessment Report of the environmental impact statement addendum, and groundwater quantity was initiated in 2023. Characterization of baseline platinum group metal concentrations in groundwater was initiated in 2023. Groundwater quality monitoring, including characterization of baseline platinum group metal concentrations, continued to be undertaken in 2024.

The groundwater modeling and effects predictions in Appendix D4 Hydrogeology Updated Effects Assessment Report of the environmental impact statement addendum (Canadian Impact Assessment Registry Reference Number 54755, Document Number 727) were updated in 2023, including groundwater travel times, based on monitoring data collected pursuant to condition 3.12.1. The updated predictions verified that the current groundwater monitoring program is appropriate to assess the effectiveness of mitigation measures from the Project on groundwater quality and quantity.

A draft Groundwater Follow-Up Monitoring Program was developed for the Project in 2023. The program will be finalized once consultation with relevant government agencies and Indigenous groups has been completed. Implementation of the program will occur concurrently with the start of construction of the Project.

“3.13 The Proponent shall monitor baseline water levels in Hare Lake, Terru Lake in subwatershed 102, and Lake 8 in subwatershed 102 and flow rates at S-10 on the inlet to Hare Lake and S-11 on the Hare Lake outlet creek prior to construction to inform the follow-up program in condition 3.14 and shall determine the methodologies, location, frequency, timing and duration of monitoring in consultation with Biigtigong Nishnaabeg, other Indigenous groups and relevant authorities prior to beginning monitoring.”

Response: Monitoring of baseline water levels in Hare Lake, Terru Lake in subwatershed 102, and Lake 8 in subwatershed 102 and flow rates at S-10 on the inlet to Hare Lake and S-11 on the Hare Lake outlet creek was initiated in 2023. Surface water monitoring at these locations continued to be undertaken in 2024. A draft Surface Water Follow-up Monitoring Program was developed for the Project in 2023. The plan will be finalized once consultation with relevant government agencies and Indigenous groups has been completed.

“3.14 The Proponent shall develop, within 180 days of the issuance of the Decision Statement, and in consultation with Biigtigong Nishnaabeg, other Indigenous groups and relevant authorities, and implement, during all phases of the Designated Project, a follow-up program to verify the accuracy of the environmental assessment and determine the effectiveness of the mitigation measures as it pertains to adverse environmental effects of the Designated Project on surface water quantity. In doing so, the Proponent shall:

3.14.1 monitor baseline water levels in, Lake 12 in subwatershed 103, Lake 5 in subwatershed 105, Lake 19 in subwatershed 104, station S-24 at the outlet of subwatershed 113 to the Biigtig Zibi, and station S-25 at the outlet of subwatershed 110 to the Biigtig Zibi within 270 days of the issuance of the Decision Statement and prior to conducting any work that will impact water levels at these locations;

3.14.2 monitor baseline flow rates at stations S-8 on the stream in subwatershed 104 flowing to the Biigtig Zibi, station S-24 at the outlet of subwatershed 113 to the Biigtig Zibi, and station S-25 at the outlet of subwatershed 110 to the Biigtig Zibi within 270 days of the issuance of the Decision Statement and prior to conducting any work that will impact water levels at these locations;

3.14.3 develop rating curves for the relationship between water levels and flow rates for station S-24 at the outlet of subwatershed 113 to the Biigtig Zibi and station S-25 at the outlet of subwatershed 110 to the Biigtig Zibi based on the monitoring data collected pursuant to conditions 3.14.1 and 3.14.2;

3.14.4 monitor, from construction through the end of post-closure, water quantity, levels, flow gauging and depth and flow profiling at point-source discharge locations and receiving water bodies, including Lake 1, Lake 2, Lake 8, Malpa Lake, Hare Creek, Stream 6 (Angler Creek), and flow or water level as indicated at locations identified in Table 1 of Responses to Information Request #7: Hydrological Monitoring and Follow-up submitted in Responses to Information Request Package of August 20, 2021 (Package 5) (Canadian Impact Assessment Registry Reference Number 54755, Document Number 950);

3.14.5 implement modified or additional mitigation measures pursuant to condition 2.6.5 if the results of the monitoring referred to in condition 3.14.4 are greater than what was predicted during the environmental assessment or indicate at any time that either of the following triggers have been reached:

3.14.5.1 increases in flow have exceeded 100-year flood flows as referenced in Table 6.9 in Appendix D3 of the environmental impact statement addendum; or
3.14.5.2 the difference in daily flows between reference stations and non-reference stations as a result of Designated Project activities has exceeded 20% for two consecutive months.”

Response: Monitoring of baseline water levels in, Lake 12 in subwatershed 103, Lake 5 in subwatershed 105, Lake 19 in subwatershed 104, station S-24 at the outlet of subwatershed 113 to the Biigtig Zibi, and station S-25 at the outlet of subwatershed 110 to the Biigtig Zibi was initiated in 2023. Monitoring of baseline flow rates at stations S-8 on the stream in subwatershed 104 flowing to the Biigtig Zibi, station S-24 at the outlet of subwatershed 113 to the Biigtig Zibi, and station S-25 at the outlet of subwatershed 110 to the Biigtig Zibi was initiated in 2023. The development of baseline rating curves for the relationship between water levels and flow rates for station S-24 at the outlet of subwatershed 113 to the Biigtig Zibi and station S-25 at the outlet of subwatershed 110 to the Biigtig Zibi, based on the monitoring data collected pursuant to conditions 3.14.1 and 3.14.2, was initiated in 2023. Surface water monitoring at these locations continued to be undertaken in 2024.

A draft Surface Water Follow-Up Monitoring Program was developed for the Project in 2023. The program will be finalized once consultation with relevant government agencies and Indigenous groups has been completed. Implementation of the program will occur concurrently with the start of construction of the Project.

“3.15 The Proponent shall develop, prior to construction and in consultation with Biigtigong Nishnaabeg, other Indigenous groups, Environment and Climate Change Canada, and other relevant authorities, and implement, during all phases of the Designated Project, a follow-up program to verify the accuracy of the environmental assessment and determine the effectiveness of the mitigation measures as it pertains to adverse environmental effects of the Designated Project on surface water quality. The Proponent shall seek consensus with Biigtigong Nishnaabeg on the content of the follow-up program and its implementation. As part of the follow-up program, the Proponent shall:

3.15.1 monitor water quality for the parameters measured during the 2008-2012 and 2013-2019 sampling campaigns in Marathon Palladium Project- Water Quality Baseline Report Update (Canadian Impact Assessment Registry Reference Number 54755, Document Number 722), methylmercury and benthic communities prior to construction in Hare Lake, Biigtig Zibi, Stream 6 (Angler Creek), and Stream 5 (Hare Creek);

3.15.2 characterize baseline platinum group metal concentrations in surface water prior to the start of construction in Hare Lake, Biigtig Zibi, Stream 6 (Angler Creek), and Stream 5 (Hare Creek) and, taking into account the results of this baseline characterization, monitor platinum group metals in surface water from construction through post-closure;

3.15.3 monitor water quality in Hare Lake, Biigtig Zibi between the Designated Project area and the mouth of Lake Superior, Stream 5 (Hare Creek) between the Designated Project area and its outlet at Port Munro, and Stream 6 (Angler Creek) between the Designated Project area and its outlet at Sturdee Cove during all phases of the Designated Project, including:

3.15.3.1 total ammonia and un-ionized ammonia in Hare Lake; and

3.15.3.2 dissolved oxygen and methylmercury in Hare Lake, Biigtig Zibi and Stream 6 (Angler Creek);

3.15.4 monitor quality of contact water stored in water management ponds, including phosphorus, total suspended solids, mercury, total and dissolved concentrations of all other heavy metals, chemical reagents used in processing, alkalinity, total ammonia, acidity, dissolved organic carbon, total dissolved solids, nitrate, pH, conductivity, chloride, sulphate, total hardness, temperature, un-ionized ammonia, and platinum group metals;

3.15.5 monitor water quality, including platinum group metals, in the mine rock catch basins during decommissioning; and

3.15.6 monitor water quality of the pit lakes, from the beginning of filling until the end of post-closure, and conduct water quality modelling of each pit lake separately during filling.”

Response: Monitoring of baseline water quality for the parameters measured during the 2008-2012 and 2013-2019 sampling campaigns in Marathon Palladium Project- Water Quality Baseline Report Update (Canadian Impact Assessment Registry Reference Number 54755, Document Number 722), methylmercury and benthic communities in Hare Lake, Biigtig Zibi, Stream 6 (Angler Creek), and Stream 5 (Hare Creek) was initiated in 2023. Characterization of baseline platinum group metal concentrations in surface water in Hare Lake, Biigtig Zibi, Stream 6 (Angler Creek), and Stream 5 (Hare Creek) was initiated in 2023. Monitoring of baseline water quality in Hare Lake, Biigtig Zibi between the Designated Project area and the mouth of Lake Superior, Stream 5 (Hare Creek) between the Designated Project area and its outlet at Port Munro, and Stream 6 (Angler Creek) between the Designated Project area and its outlet at Sturdee Cove was initiated in 2023. Surface water quality monitoring at these locations continued to be undertaken in 2024.

A draft Surface Water Follow-Up Monitoring Program was developed for the Project in 2023. The program will be finalized once consultation with relevant government agencies and Indigenous groups has been completed. Implementation of the program will occur concurrently with the start of construction of the Project.

“3.16 The Proponent shall develop, prior to construction and in consultation with Indigenous groups and relevant authorities, and implement during all phases of the Designated Project, a follow-up program to verify the accuracy of the environmental assessment and determine the effectiveness of the mitigation measures as it pertains to adverse environmental effects of the Designated Project on the thermal regime of Hare Lake, including the seasonal processes of temperature stratification and mixing.”

Response: Monitoring of the baseline thermal regime of Hare Lake, including the seasonal processes of temperature stratification and mixing was completed in 2023.

A draft Hare Lake Thermal Follow-Up Monitoring Program was developed for the Project in 2023. The program will be finalized once consultation with relevant government agencies and Indigenous groups has been completed. Implementation of the program will occur concurrently with the start of construction of the Project.

*“3.17 The Proponent shall develop, prior to construction and in consultation with Biigtigong Nishnaabeg, other Indigenous groups and relevant authorities, and implement, during all phases of the Designated Project, a follow-up program to verify the accuracy of the environmental assessment and determine the effectiveness of the mitigation measures as they pertain to adverse environmental effects of the Designated Project on fish and fish habitat, including lake sturgeon (*Acipenser fulvescens*) and its habitat. The Proponent shall seek consensus with Biigtigong Nishnaabeg on the content of the follow-up program and its implementation. As part of the follow-up program, the Proponent shall:*

*3.17.1 identify fish species to be monitored in addition to lake sturgeon (*Acipenser fulvescens*) and including species of interest to Indigenous groups;*

*3.17.2 characterize the morphology of lake sturgeon (*Acipenser fulvescens*) habitat in the lower rapid area of Biigtig Zibi, including the shape of the riverbed, width of the cross axial profile and substrate composition prior to conducting any in-water construction work on stream 1, 2, or 3 that would impact flow rates to the Biigtig Zibi;*

3.17.3 monitor fish species identified pursuant to condition 3.17.1 from operation through post-closure in Hare Lake, Biigtig Zibi between the Designated Project and the mouth of Lake Superior, Stream 5 (Hare Creek) between the Designated Project and its outlet at Port Munro, and Stream 6 (Angler Creek) between the Designated Project and its outlet at Sturdee Cove, unless the species does not occur in that water body; and

3.17.4 monitor the morphology characterized pursuant to condition 3.17.2 during construction and operation.”

Response: Baseline characterization of the morphology of lake sturgeon (*Acipenser fulvescens*) habitat in the lower rapid area of Biigtig Zibi, including the shape of the riverbed, width of the cross-axial profile and substrate composition was initiated in 2023.

A draft Aquatic Resources Follow-Up Monitoring Program was developed for the Project in 2023. The program will be finalized once consultation with relevant government agencies and Indigenous groups has been completed. Implementation of the program will occur concurrently with the start of construction of the Project.

C. Migratory Birds

“4.1 The Proponent shall carry out the Designated Project, including vegetation clearing and blasting, in a manner that protects migratory birds and avoids harming, killing or disturbing migratory birds or destroying, disturbing or taking their nests or eggs. In this regard, the Proponent shall take into account Environment and Climate Change Canada’s Guidelines to avoid harm to migratory birds.”

“4.2 The Proponent shall schedule vegetation clearing required for the Designated Project outside of the applicable regional nesting periods for the Designated Project area. In the event that vegetation clearing outside regional nesting periods is not technically or economically feasible, the Proponent shall ensure it continues to carry out vegetation clearing in a manner described in condition 4.1 by developing and implementing additional mitigation measures. The Proponent shall submit these measures to the Agency prior to implementing them and shall include a description of these additional measures as part of the annual report pursuant to condition 2.10.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA conditions 4.1 and 4.2 during 2024.

“4.3 The Proponent shall deter migratory birds, including migratory birds that are listed species at risk, from using the process solids management facility. In doing so, the Proponent shall:

4.3.1 maintain the embankments of the process solids management facility free of vegetation during operation; and

4.3.2 employ visual or auditory deterrents to discourage migratory birds from using the process solids management facility from the beginning of its operation until a vegetation cover is established during decommissioning as part of reclamation.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 4.3 or associated sub-conditions during 2024.

“4.4 The Proponent shall implement, at the time transmission lines are built, measures to increase the visibility of the transmission lines over Canoe Lake for migratory birds and migratory birds that are listed species at risk, taking into account the Avian Power Line Interaction Committee’s Suggested Practices for Avian Protection on Power Lines. The Proponent shall maintain these measures at all times until the transmission lines are decommissioned and shall submit these measures to the Agency prior to implementing them.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 4.4 during 2024.

“4.5 The Proponent shall develop, prior to construction and in consultation with Indigenous groups, Environment and Climate Change Canada, and other relevant authorities, a follow-up program to verify the accuracy of the environmental assessment and to determine the effectiveness of all mitigation measures to avoid harm to migratory birds, including migratory birds that are listed species at risk, their eggs and nests. The Proponent shall implement the follow-up program during all phases of the Designated Project. In doing so, the Proponent shall:

*4.5.1 conduct pre-construction habitat characterization for Canada warbler (*Cardellina Canadensis*), eastern wood-pewee (*Contopus virens*), olive-sided flycatcher (*Contopus cooperi*), evening grosbeak (*Coccothraustes vespertinus*), eastern whip-poor-will (*Antrostomus vociferous*), and common nighthawk (*Chordeiles minor*);*

*4.5.2 determine need for additional modelling for habitat suitability to verify the accuracy of the environmental assessment on Canada warbler (*Cardellina Canadensis*) as summarized in section 6.2.8.1.11 of the environmental impact statement addendum and if it is determined there is a need, conduct the additional modelling;*

*4.5.3 monitor migratory birds, including eastern whip-poor-will (*Antrostomus vociferous*), common nighthawk (*Chordeiles minor*), forest bird and waterfowl populations, during construction and operation at locations identified based on baseline surveys conducted as part of the environmental assessment as indicated in section 4.2.2 of the Terrestrial Environmental Baseline Report Update (Canadian Impact Assessment Registry Reference Number 54755, Document Number 722) and pre-construction habitat characterization results in 4.5.1;*

4.5.4 monitor the process solids management facility for use by migratory birds, including waterfowl, from the beginning of its operation until a vegetation cover is established during decommissioning as part of reclamation; and

4.5.5 monitor bird collisions with Designated Project transmission lines and building windows during construction and operation. If the number of window strikes recorded exceeds 50 bird deaths in a year, the Proponent shall implement modified or additional mitigation measures.”

Response: Pre-construction habitat characterization for Canada warbler (*Cardellina Canadensis*), eastern wood-pewee (*Contopus virens*), olive-sided flycatcher (*Contopus cooperi*), evening grosbeak (*Coccothraustes vespertinus*), eastern whip-poor-will (*Antrostomus vociferous*), and common nighthawk (*Chordeiles minor*) was conducted in 2023. It was determined that there was no need for additional modelling for habitat suitability to verify the accuracy of the environmental assessment on Canada warbler (*Cardellina Canadensis*) as summarized in section 6.2.8.1.11 of the environmental impact statement addendum.

A draft Wildlife and Species at Risk Follow-Up Monitoring Program was developed for the Project in 2023. The program will be finalized once consultation with relevant government agencies and Indigenous groups has been completed. Implementation of the program will occur concurrently with the start of construction of the Project.

D. Greenhouse Gas Emissions

“5.1 [Removed, Budget Implementation Act, 2024]:

5.1.1 [Moved to condition 6.14, Budget Implementation Act, 2024]; and

5.1.2 [Moved to condition 6.15, Budget Implementation Act, 2024].”

Response: The Decision Statement issued for the Project by the Federal Minister of Environment on November 30, 2022 was amended on July 26, 2024.

“5.2 [Removed, Budget Implementation Act, 2024]:

5.2.1 [Removed, Budget Implementation Act, 2024];

5.2.2 [Removed, Budget Implementation Act, 2024]

5.2.3 [Removed, Budget Implementation Act, 2024]:

5.2.3.1 [Removed, Budget Implementation Act, 2024];

5.2.4 [Removed, Budget Implementation Act, 2024];

5.2.5 [Removed, Budget Implementation Act, 2024];

5.2.6 [Removed, Budget Implementation Act, 2024]:

5.2.6.1 [Removed, Budget Implementation Act, 2024]; and

5.2.6.2 [Removed, Budget Implementation Act, 2024].”

Response: The Decision Statement issued for the Project by the Federal Minister of Environment on November 30, 2022 was amended on July 26, 2024.

“5.3 [Removed, Budget Implementation Act, 2024].”

Response: The Decision Statement issued for the Project by the Federal Minister of Environment on November 30, 2022 was amended on July 26, 2024.

E. Health and Socioeconomic Conditions of Indigenous Peoples

“6.1 The Proponent shall implement, during construction and operation, measures to mitigate fugitive dust emissions attributable to the Designated Project, including from Designated Project roads, concentrate handling facilities and mine rock storage facilities, haul trucks and rail cars, and stockpiles, taking into account the best management practices outlined in Technical bulletin – Management Approaches for Industrial Fugitive Dust Sources published by the government of Ontario. As part of these measures, the Proponent shall:

6.1.1 load trucks and rail cars with ore concentrate in a covered environment;

6.1.2 locate the primary crusher, excluding the dump pocket, within an enclosed area that isolates it from the surrounding environment and operate a dust collection system to filter the dust out of the air when operating the crusher;

6.1.3 use water sprays on aggregate crushing systems and unpaved Designated Project roads as necessary to suppress fugitive dust;

6.1.4 cover the crushed-ore stockpile to prevent the formation of fugitive dust from wind; and

6.1.5 ensure the mine off-road equipment used for the Designated Project, including those that are listed as Tier IV in Appendix D of the Air Quality Updated Effects Assessment (Canadian Impact Assessment Registry Reference Number 54755, Document Number 727) are compliant with, at a minimum, Canada’s Tier IV emissions standards for off-road compression ignition engines, to the extent that the Tier IV equipment is available. If specific Tier IV equipment is not available, the Proponent shall provide a justification for why and include this justification as part of the annual report in condition 2.10. The Proponent shall ensure all Tier IV equipment is maintained in accordance with engine maintenance instructions provided by the manufacturer to meet the emissions standards.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 6.1 or associated sub-conditions during 2024.

“6.2 The Proponent shall identify, prior to construction and in consultation with Biigtigong Nishnaabeg, any groundwater springs used by Biigtigong Nishnaabeg that could be adversely impacted by the Designated Project within the local study area for hydrology identified in Figure 2.4-3 of Appendix 6 of the Joint Review Panel Report.”

Response: In 2022, GenPGM consulted with Biigtigong Nishnaabeg regarding any groundwater springs used by Biigtigong Nishnaabeg that could be adversely impacted by the Project within the local study area for hydrology identified in Figure 2.4-3 of Appendix 6 of the Joint Review Panel Report. It was determined that there were no groundwater springs that would be adversely impacted by the Project.

“6.3 The Proponent shall develop, prior to construction and in consultation with Biigtigong Nishnaabeg, other Indigenous groups and relevant authorities, and implement, during all phases of the Designated

Project, a follow-up program to verify the accuracy of the environmental assessment and determine the effectiveness of the mitigation measures as they pertain to adverse environmental effects of the Designated Project on the health of Indigenous Peoples caused by changes in concentrations of contaminants of potential concern in water, including Hare Lake and any groundwater springs identified pursuant to condition 6.2. The Proponent shall seek consensus with Biigtigong Nishnaabeg on the content of the follow-up program and its implementation. As part of the follow-up program, the Proponent shall:

6.3.1 review the locations of the existing groundwater monitoring well network used to comply with condition 3.12 and add additional wells as needed to monitor predicted groundwater flow paths from the mine rock storage area, process solids management facility and open pits to the groundwater springs;

6.3.2 identify contaminants of concern to be monitored and locations for monitoring, including within Hare Lake and any groundwater springs, and monitor the identified contaminants at these locations; and

6.3.3 if water quality monitoring results exceed the thresholds in Health Canada's Guidelines for Canadian Drinking Water Quality, predictions made in Appendix D4 Hydrogeology Updated Effects Assessment Report of the environmental impact statement addendum or in the human health risk assessment described in Appendix D10 of the environmental impact statement addendum, the Proponent shall update the human health risk assessment using the results of monitoring and implement modified or additional measures pursuant to condition 2.6.5."

Response: A draft Groundwater Follow-Up Monitoring Program was developed for the Project in 2023. The program will be finalized once consultation with relevant government agencies and Indigenous groups has been completed. Implementation of the program will occur concurrently with the start of construction of the Project.

"6.4 The Proponent shall analyze the silt content of unpaved roads as soon as the roads have been built and, if the silt content is higher than 5.8 percent, the Proponent shall update the air quality modelling described in section 5.3 of Appendix D1 of the environmental impact statement addendum with these updated values."

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 6.4 during 2024.

6.5 The Proponent shall monitor, in consultation with Biigtigong Nishnaabeg, other Indigenous groups, Environment and Climate Change Canada, Ontario Ministry of Environment, Conservation and Park and other relevant authorities, beginning within 40 days of the issuance of the Decision Statement, baseline concentrations of benzo(a)pyrene, benzene, dustfall, crystalline silica, total suspended particulates and metals, particulate matter (PM10), fine particulate matter (PM2.5) and nitrogen dioxide in air. In doing so, the Proponent shall, in consultation with Biigtigong Nishnaabeg, other Indigenous groups, Environment and Climate Change Canada, Ontario Ministry of Environment, Conservation and Park and other relevant authorities:

6.5.1 determine the methodology, frequency, and timing of monitoring, which shall include monitoring fine particulate matter (PM2.5) particulate matter (PM10) and nitrogen dioxide continuously;

6.5.2 determine the locations where parameters will be monitored, including:

6.5.2.1 the locations that are predicted to exceed the standards and criteria set out in the Canadian Council of Ministers of the Environment's Canadian Ambient Air Quality Standards and Ontario's Ambient

Air Quality Criteria as indicated by the air quality modelling described in section 5.3 of Appendix D1 of the environmental impact statement addendum; and

6.5.2.2 locations within areas used by Biigtigong Nishnaabeg, and other Indigenous groups for traditional purposes, as determined in consultation with Biigtigong Nishnaabeg and other Indigenous groups; and 6.5.3 should the monitoring indicate values for benzo(a)pyrene, benzene, dustfall and crystalline silica that exceed the values predicted in section 6 of Appendix D1 of the environmental impact statement addendum update the air quality modelling described in section 5.3 of Appendix D1 of the environmental impact statement addendum with these updated values.

Response: GenPGM initiated monitoring of baseline concentrations of benzo(a)pyrene, benzene, dustfall, crystalline silica, total suspended particulates and metals, particulate matter (PM10), fine particulate matter (PM2.5) and nitrogen dioxide in air in December 2022, at a monitoring station located within the site study area, near the GMS Camp on Highway 17. Baseline monitoring for these parameters continued throughout 2023.

In September 2023, the Ontario Ministry of Environment, Conservation and Parks issued an Environmental Compliance Approval (Air) for the Project, which incorporates the views of the consultation with various regulatory agencies and Indigenous groups.

In April 2024, GenPGM updated the air quality modelling using data collected in 2023. Monitoring data collected verified that there were no exceedences compared to the predicted values in the EIS addendum.

“6.6 The Proponent shall develop, within 180 days of the issuance of the Decision Statement in consultation with Biigtigong Nishnaabeg, other Indigenous groups, Environment and Climate Change Canada, Ontario Ministry of Environment, Conservation and Park and other relevant authorities, a follow-up program to verify the accuracy of the environmental assessment and to determine the effectiveness of the mitigation measures as they pertain to the adverse environmental effects on the health of Indigenous Peoples caused by changes to air quality. The Proponent shall implement the follow-up program beginning during construction and continuing until the end of decommissioning. As part of the follow-up program, the Proponent shall:

6.6.1 identify any additional locations that shall be monitored beyond those identified in condition 6.5 and based on any updates to the modelling done pursuant to condition 6.4 and 6.5;

6.6.2 continue monitoring parameters as described in condition 6.5 and at any additional locations identified in condition 6.6.1 through the remainder of construction, operations and decommissioning; and

6.6.3 implement additional or modified mitigation measures and update the human health risk assessment described in Appendix D10 of the environmental impact statement addendum if monitoring referred to in condition 6.6.2 indicates that nitrogen dioxide concentrations exceed the Canadian Council of Ministers of the Environment’s Canadian Ambient Air Quality Standards or if any other parameters exceed the concentrations predicted in either the environmental assessment or the thresholds set out in the Canadian Council of Ministers of the Environment’s Canadian Ambient Air Quality Standards or Ontario’s Ambient Air Quality Criteria.”

Response: A draft Atmospheric Quality Follow-Up Monitoring Program was developed for the Project in 2023. The program will be finalized once consultation with relevant government

agencies and Indigenous groups has been completed. Implementation of the program will occur concurrently with the start of construction of the Project.

“6.7 The Proponent shall develop, prior to construction and in consultation with Biigtigong Nishnaabeg, other Indigenous groups, Health Canada, Ontario Ministry of the Environment, Conservation and Parks, and other relevant authorities, a follow-up program to verify the accuracy of the environmental assessment and determine the effectiveness of the mitigation measures as it pertains to adverse environmental effects of the Designated Project on the health of Indigenous Peoples caused by changes in concentrations of contaminants of potential concern in country food, including vegetation, fungi, fish and other wildlife. The Proponent shall seek consensus with Biigtigong Nishnaabeg on the content of the follow-up program and its implementation, and shall implement the follow-up program during all phases of the Designated Project. In doing so, the Proponent shall:

6.7.1 determine, in consultation with Indigenous groups, the species to monitor (including vegetation, fungi, and fish and other wildlife used as country food);

6.7.2 determine the contaminants of potential concern to monitor from those listed in Table 5-1 and Table 5-13 of the human health risk assessment, Appendix D10 of the environmental impact statement addendum for the species identified in condition 6.7.1 which shall include:

6.7.2.1 mercury in identified species;

6.7.2.2 methylmercury in the tissue of fish; and

6.7.2.3 polycyclic aromatic hydrocarbons in vegetation, including blueberries;

6.7.3 monitor, prior to construction contaminants of potential concern identified in condition 6.7.2;

6.7.4 monitor methylmercury in the tissue of fish identified in condition 6.7.1 from construction through post-closure;

6.7.5 for all other contaminants of potential concern in species identified pursuant to condition 6.7.2 other than methylmercury in fish monitor these contaminants in the species identified pursuant to condition 6.7.2 from construction through post-closure, if measured concentrations of contaminants of potential concern in air or water pursuant to condition 6.3 and 6.6 exceed predicted values; and

6.7.6 if the results of country food monitoring referred to in condition 6.7.4. or 6.7.5 indicate that contaminants of potential concern are increasing over time relative to pre-construction concentrations determined pursuant to condition 6.7.3, the Proponent shall update the human health risk assessment using the results of monitoring and implement modified or additional measures.”

Response: A draft Country Foods Follow-Up Monitoring Program was developed for the Project in 2023. The program will be finalized once consultation with relevant government agencies and Indigenous groups has been completed. Implementation of the program will occur concurrently with the start of construction of the Project.

“6.8 The Proponent shall develop, prior to construction and in consultation with Biigtigong Nishnaabeg and other relevant authorities, measures to mitigate adverse impacts on the socio-economic conditions of Biigtigong Nishnaabeg from changes to the environment caused by the Designated Project. Measures shall include those that mitigate the adverse socio-economic impacts on Biigtigong Nishnaabeg harvesters and trappers related to the loss of or changes to access to trapping and harvesting sites, including the Community Trapline. The Proponent shall seek consensus with Biigtigong Nishnaabeg on the identification and implementation of measures and shall implement the measures during all phases of the Designated Project. The Proponent shall submit these measures to the Agency prior to construction.”

Response: GenPGM and Biigtigong Nishnaabeg signed a Community Benefits Agreement (CBA) in November 2022. The CBA, which was ratified by community members, describes the benefits that Biigtigong Nishnaabeg will receive from the Project and details how the Project's impacts on the community will be mitigated, including the adverse socio-economic impacts on Biigtigong Nishnaabeg harvesters and trappers related to the loss of or changes to access to trapping and harvesting sites, including the Community Trapline. The CBA includes commitments from GenPGM regarding environmental management, employment, training and education, business opportunities, social and cultural support, and financial participation.

"6.9 Proponent shall develop, prior to construction and in consultation with Biigtigong Nishnaabeg, and implement during all phases of the Designated Project, a follow-up program to verify the accuracy of the environmental assessment and determine the effectiveness of the mitigation measures described in condition 6.8 as it pertains to adverse environmental effects on the socio-economic conditions of Biigtigong Nishnaabeg from changes to the environment caused by the Designated Project. The Proponent shall seek consensus with Biigtigong Nishnaabeg on the content of the follow-up program and its implementation. As part of the follow-up program the Proponent shall monitor, based on information provided by Biigtigong Nishnaabeg:

6.9.1 the ability of harvesters and trappers to relocate to new harvesting and trapping sites;

6.9.2 changes in harvesting and trapping yields within the local study areas for fish, vegetation and wildlife in Figure 2.4-2 of Appendix 6 of the Joint Review Panel Report;

6.9.3 the socio-economic costs associated with the results of monitoring in condition 6.9.1 and 6.9.2, including the financial costs incurred by Biigtigong Nishnaabeg as a result of having to relocate trapping activities away from their existing Community Trapline; and

6.9.4 the effectiveness of mitigation measures in condition 6.8 in mitigating the costs in condition 6.9.3."

Response: The requirement for a Socio-economic Follow-Up Monitoring Program was communicated to Biigtigong Nishnaabeg in 2023. Consultation with Biigtigong Nishnaabeg is planned for 2025. The follow-up monitoring program will be developed in partnership with Biigtigong Nishnaabeg. Implementation of the program will occur concurrently with the start of construction of the Project.

"6.10 The Proponent shall conduct pre-construction surveys, in consultation with the Jackfish Métis Association, Métis Nation of Ontario- Region 2, and Red Sky Métis Independent Nation, to confirm the extent and nature of harvesting practices by these Indigenous groups in the local study areas for fish, vegetation and wildlife identified in Figure 2.4-2 of Appendix 6 of the Joint Review Panel Report."

Response: A Country Foods Follow-Up Monitoring Program was proposed for the Project in 2023. The program will be finalized once consultation with Jackfish Métis Association, Métis Nation of Ontario- Region 2, and Red Sky Métis Independent Nation has been completed. Implementation of the program will occur concurrently with the start of construction of the Project.

"6.11 The Proponent shall develop, no later than two months following the start of construction and in consultation with Jackfish Métis Association, Métis Nation of Ontario- Region 2, Pays Plat First Nation,

and Red Sky Métis Independent Nation, and implement measures to mitigate adverse environmental effects on the socio-economic conditions of Indigenous groups from changes to the environment caused by the Designated Project. The Proponent shall take into account the results of the surveys referred to in condition 6.10, and the impacts determined during the environmental assessment when developing and implementing these measures.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 6.11 during 2024.

“6.12 The Proponent shall develop, within 150 days of the issuance of the Decision Statement and in consultation with Jackfish Métis Association, Métis Nation of Ontario - Region 2, Pays Plat First Nation, and Red Sky Métis Independent Nation, a follow-up program to verify the accuracy of the environmental assessment and determine the effectiveness of the mitigation measures as they pertain to adverse environmental effects on the socio-economic conditions of these Indigenous groups from changes to the environment caused by the Designated Project. The Proponent shall implement the follow-up program during all phases of the Designated Project.”

Response: The requirement for a Socio-economic Follow-Up Monitoring Program was communicated to Jackfish Métis Association, Métis Nation of Ontario - Region 2, Pays Plat First Nation, and Red Sky Métis Independent Nation in 2023. Consultation with these Indigenous communities is planned for 2025. The follow-up monitoring program will be developed in partnership with Jackfish Métis Association, Métis Nation of Ontario - Region 2, Pays Plat First Nation, and Red Sky Métis Independent Nation. Implementation of the program will occur concurrently with the start of construction of the Project.

“6.13 The Proponent shall communicate to the Indigenous groups named in condition 6.9 and 6.12, the results of the follow-up programs that pertain to each Indigenous group and shall determine, in consultation with each group, the procedures, including timing and methods, for sharing this information.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 6.13 during 2024.

“6.14 The Proponent shall develop and implement an anti-idling policy for all vehicles and motorized equipment operating within the Designated Project area. The Proponent shall require that all persons abide by this policy, unless not technically feasible or not feasible for health or safety reasons or under the circumstances described in condition 7.3.1.4.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 6.14 during 2024.

6.15 The Proponent shall monitor fuel usage of Designated Project-related vehicles and mobile motorized equipment through fuel tracking policies to identify anomalies in fuel use and implement measures to mitigate any identified anomalies, including by reducing distances travelled by these vehicles and mobile equipment.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 6.15 during 2024.

F. Current Use of Lands and Resources for Traditional Purposes

“7.1 The Proponent shall implement measures to avoid the introduction and spread of invasive and noxious vegetation within the Designated Project area during all phases of the Designated Project. In doing so, the Proponent shall:

7.1.1 monitor the Designated Project area for invasive and noxious plants using methods and a monitoring frequency determined in consultation with Biigtigong Nishnaabeg, other Indigenous groups and relevant authorities; and

7.1.2 remove the plants identified through monitoring in condition 7.1.1 without the use of herbicides, unless the Proponent determines, in consultation with Biigtigong Nishnaabeg and other Indigenous groups, that the removal methods used are ineffective and removal with the use of herbicides necessary.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 7.1 or associated sub-conditions during 2024.

“7.2 The Proponent shall develop, prior to construction and in consultation with Biigtigong Nishnaabeg and other Indigenous groups, mitigation measures to reduce ambient lighting within the Designated Project area to mitigate adverse environmental effects of the Designated Project, including on the current use of lands and resources for traditional purposes and migratory birds. The Proponent shall implement these measures during all phases of the Designated Project in a manner that does not interfere with operation and safety requirements. As part of these measures, the Proponent shall:

7.2.1 optimize lighting design to reduce the total amount of lighting needed;

7.2.2 use directional lighting that targets only the areas where lighting is required;

7.2.3 use shielded fixtures to reduce glare and light leakage in directions where light is not required; and

7.2.4 place light fixtures on poles or buildings at the lowest possible height.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 7.2 or associated sub-conditions during 2024.

“7.3 The Proponent shall develop in consultation with Biigtigong Nishnaabeg and other Indigenous groups, and implement measures to mitigate the impacts of noise from the Designated Project on the current use of lands and resources for traditional purposes. As part of these measures, the Proponent shall:

7.3.1 reduce noise-generating activities between 11 p.m. and 7 a.m., including by implementing the following measures during these times:

7.3.1.1 prohibiting all Designated Project-related haul truck traffic from utilizing Highway 17 and the town of Marathon transportation corridors described in section 6.2.2.1 and Figure 5.3-1 of the environmental impact statement;

7.3.1.2 operating compactors and bulldozers in areas outside the southern portion of the process solids management facility;

7.3.1.3 ensuring the frequency of haul trucks arriving in the southern portion of the process solids management facility does not exceed an average of four per hour; and
7.3.1.4 requiring that all other heavy equipment in the southern portion of the process solids management facility idle while haul trucks are dumping mine rock in this area.
7.3.2 restrict noise-generating activities at the rail load-out facility such that:
7.3.2.1 rail coupling only occurs between 7 a.m. and 7 p.m.;
7.3.2.2 a maximum of three coupling events occur per hour;
7.3.2.3 other noise-generating activities occur between 7 a.m. and 11 p.m.; and
7.3.3 prohibit employees and contractors associated with the Designated Project from slamming haul truck tailgates within the Designated Project area, and install signage at the entrance of the Designated Project area informing employees and contractors of this prohibition.”

Response: An Atmospheric Quality Management Plan was developed for the Project in 2023 which addresses the requirements of both condition 7.3 and associated sub-conditions and the Environmental Compliance Approval (Air) for the Project.

“7.4 The Proponent shall develop, prior to construction and in consultation with Biigtigong Nishnaabeg and other Indigenous groups, and implement an Indigenous health and current use communication plan to share information with Indigenous groups on adverse environmental effects of Designated Project activities as they relate to impacts on Indigenous health and the current use of lands and resources for traditional purposes. The Proponent shall implement and maintain the communication plan during all phases of the Designated Project. The communication plan shall include:
7.4.1 a description of how the Proponent shall maintain, at the request of Indigenous groups, the existing environmental committees established by the Proponent for the purpose of engaging with Indigenous groups;
7.4.2 procedures, including timing and methods, for sharing information on the following:
7.4.2.1 the location and timing of Designated Project activities, including blasting, that may affect quality of experience related to current use of lands and resources for traditional purposes caused by changes in noise within the Designated Project area;
7.4.2.2 the results of the follow-up and monitoring programs referred to in conditions 3.12 through 3.17, 4.5, 5.3, 6.3, 6.6, 6.7, 7.8, 7.9, 9.2, 10.6, 10.8.3 and 11.2.3, including any potential health risks, in plain language, and the modified or additional mitigation measures developed and implemented by the Proponent pursuant to condition 2.6 for each follow-up program; and
7.4.3 procedures for Indigenous groups to provide feedback to the Proponent about adverse environmental effects on current use of lands and resources for traditional purposes related to noise caused by the Designated Project, and procedures for the Proponent to document and respond in a timely manner to the feedback received and demonstrate how issues have been addressed, including through the implementation of additional or modified mitigation measures. The Proponent shall acknowledge receipt of any complaints within 48 hours.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 7.4 or associated sub-conditions during 2024.

“7.5 The Proponent shall develop, prior to construction and in consultation with Biigtigong Nishnaabeg and relevant authorities, and implement, during construction and operation, measures to mitigate the adverse effects of the Designated Project on Biigtigong Nishnaabeg as a result of restricted access to

current use of lands and resources for traditional purposes via the Camp 19 Road segment that passes through the Designated Project area. As part of these measures, the Proponent shall participate in initiatives to develop a bypass road, at the request of relevant authorities responsible for these initiatives.”

Response: GenPGM and Biigtigong Nishnaabeg signed a Community Benefits Agreement in November 2022. The CBA, which was ratified by community members, describes the benefits that Biigtigong Nishnaabeg will receive from the Project and details how the Project’s impacts on the community will be mitigated, including the restriction of access to current use of lands and resources for traditional purposes via the Camp 19 Road segment that passes through the Project area. The CBA includes commitments from GenPGM regarding environmental management, employment, training and education, business opportunities, social and cultural support, and financial participation.

GenPGM also participated in discussions regarding the development of a bypass road as requested by relevant authorities responsible for these initiatives.

“7.6 The Proponent shall, at the request of Biigtigong Nishnaabeg, participate in a Biigtigong Nishnaabeg fish hatchery program. If requested to participate in such a program, the Proponent shall consult with Biigtigong Nishnaabeg, Ontario Ministry of Natural Resources and Forestry and other relevant authorities, on the nature of its participation.”

Response: GenPGM was not requested by Biigtigong Nishnaabeg to participate in a Biigtigong Nishnaabeg fish hatchery program during 2024.

“7.7 The Proponent shall develop, prior to construction and in consultation with Indigenous groups, and implement measures to mitigate adverse environmental effects of the Designated Project on the harvesting of vegetation for traditional purposes, including impacts on the sharing of intergenerational traditional knowledge related to vegetation harvesting. The Proponent shall submit these measures to the Agency prior to implementing them.”

Response: The requirement to develop a Traditional Land Use Management Plan was communicated to Indigenous Groups in 2023. Consultation with Indigenous groups is planned for 2025.

“7.8 The Proponent shall develop, prior to construction and in consultation with Biigtigong Nishnaabeg, and other Indigenous groups, and implement, during construction and operations, a follow-up program to verify the accuracy of the environmental assessment as it pertains to adverse environmental effects of the Designated Project on current use of lands and resources for traditional purposes related to noise-generating activities, including near-surface blasting activities.”

Response: A draft Atmospheric Quality Follow-Up Monitoring Program was developed for the Project in 2023. The program will be finalized once consultation with relevant government agencies and Indigenous groups has been completed. Implementation of the program will occur concurrently with the start of construction of the Project.

“7.9 The Proponent shall develop, prior to construction and in consultation with Biigtigong Nishnaabeg, Pays Plat First Nation, and other Indigenous groups, and implement, during all phases of the Designated Project, a follow-up program to verify the accuracy of the environmental assessment and the effectiveness of any mitigation measures, including measures in condition 3.5, as it pertains to adverse environmental effects of the Designated Project on current use of lands and resources for traditional purposes and the cultural heritage of Indigenous groups related to Stream 6 (Angler Creek), not already addressed by follow-up programs referred to in conditions 3.14, 3.15 and 3.17.”

Response: The requirement to develop a Traditional Land Use Management Plan was communicated to Indigenous Groups in 2023. Consultation with Indigenous groups is planned for 2025.

G. Physical and Cultural Heritage

“8.1 The Proponent shall have an archaeologist licensed under the Ontario Heritage Act conduct, in consultation with Biigtigong Nishnaabeg and Pays Plat First Nation, a stage 2 archaeological assessment prior to construction and in accordance with Ontario’s Standards and Guidelines for Consultant Archaeologists where the final discharge pipeline will be located within the area of archaeological potential on Hare Lake identified in Map 4 of the Supporting Information Document No. 27 of the environmental impact statement.”

Response: During 2022, and in consultation with Biigtigong Nishnaabeg and Pays Plat First Nation, GenPGM engaged an archaeologist licensed under the Ontario Heritage Act to conduct a stage 2 archaeological assessment in accordance with Ontario’s Standards and Guidelines for Consultant Archaeologists at the location of the discharge pipeline at Hare Lake, as shown within the area of archaeological potential on Hare Lake identified in Map 4 of the Supporting Information Document No. 27 of the environmental impact statement in 2022. There were no structures, sites, or things of historical, archaeological, paleontological, or architectural significance identified during the assessment.

“8.2 The Proponent shall develop, in consultation with Biigtigong Nishnaabeg, Pays Plat First Nation and Ontario Ministry of Citizenship and Multiculturalism, and implement measures to mitigate adverse environmental effects of the Designated Project on any structures, sites or things of historical, archaeological, paleontological or architectural significance identified through the archaeological assessment(s) referred to in condition 8.1.”

Response: There were no structures, sites, or things of historical, archaeological, paleontological, or architectural significance identified through the archaeological assessment referred to in condition 8.1. As such, the development and implementation of measures to mitigate adverse effects is not required.

“8.3 For any previously unidentified structures, sites or things of historical, archaeological, paleontological or architectural significance discovered within the Designated Project area by the Proponent, or brought

to the attention of the Proponent by a Biigtigong Nishnaabeg and Pays Plat First Nation or another party during any phase of the Designated Project, the Proponent shall:

8.3.1 immediately halt work at the location of the discovery, except for actions required to be undertaken to protect the integrity of the discovery;

8.3.2 delineate an area around the discovery as a no-work zone;

8.3.3 inform the Agency, the Ontario Ministry of Citizenship and Multiculturalism and Indigenous groups within 24 hours of the discovery, and allow Indigenous groups to monitor archaeological works;

8.3.4 have an archaeologist licensed under the Ontario Heritage Act conduct an assessment at the location of the discovery; and

8.3.5 consult with Biigtigong Nishnaabeg, Pays Plat First Nation, the Ontario Ministry of Citizenship and Multiculturalism and any other relevant authorities on the manner by which the Proponent shall comply with all applicable legislative or legal requirements and associated regulations and protocols respecting the discovery, recording, transferring and safekeeping of previously unidentified structures, sites or things of historical, archaeological, paleontological or architectural significance.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 8.3 or associated sub-conditions during 2024.

“8.4 The Proponent shall develop, prior to construction and in consultation with Biigtigong Nishnaabeg, and implement measures to address the adverse effects caused by the construction and operation of the Designated Project on cultural heritage and resulting impacts on mental health on Biigtigong Nishnaabeg. The Proponent shall implement the measures during all phases of the Designated Project and submit these measures to the Agency prior to implementing them. In doing so, the Proponent shall develop and implement measures that:

*8.4.1 facilitate, beginning prior to construction, the intergenerational transfer of knowledge related to the Community Trapline, Stream 6 (Angler Creek) and woodland caribou (*Rangifer tarandus caribou*), including historical and current uses and cultural, social, and spiritual knowledge;*

8.4.2 create or expand on existing physical spaces for the transfer of intergenerational knowledge among Biigtigong Nishnaabeg community members. In doing so, the Proponent shall consider the creation or expansion of land-based educational infrastructure, including outdoor classrooms or a fish hatchery learning facility; and

8.4.3 complement or enhance existing or planned programs related to health and social services by consulting relevant authorities responsible for these programs.”

Response: GenPGM and Biigtigong Nishnaabeg signed a Community Benefits Agreement in November 2022. The CBA, which was ratified by community members, describes the benefits that Biigtigong Nishnaabeg will receive from the Project and details how the Project’s impacts on the community will be mitigated, including adverse effects on cultural heritage, and resulting impacts on mental health of Biigtigong Nishnaabeg. The CBA includes commitments from GenPGM regarding environmental management, employment, training and education, business opportunities, social and cultural support, and financial participation.

“8.5 The Proponent shall participate in the replacement of the Biigtigong Nishnaabeg Community Trapline at the request of relevant authorities. In doing so, the Proponent shall determine the nature of its participation, in consultation with Biigtigong Nishnaabeg and relevant authorities responsible.”

Response: GenPGM was not requested by relevant authorities to participate in the replacement of the Biigtigong Nishnaabeg Community Trapline during 2024.

H. Wildlife

“9.1 The Proponent shall implement measures, during all phases of the Designated Project, to mitigate interactions between wildlife and Designated Project employees and contractors within the Designated Project area. In doing so, the Proponent shall:

*9.1.1 mitigate the risks of collisions between vehicles and black bear (*Ursus americanus*), grey wolf (*Canis lupus lycaon*), beaver (*Castor canadensis*), American martin (*Martes Americana*), moose (*Alces alces*), and woodland caribou (*Rangifer tarandus caribou*). In doing so the Proponent shall determine, in consultation with Biigtigong Nishnaabeg, other Indigenous groups and relevant authorities, and maintain during all phases of the Designated Project:*

9.1.1.1 speed limits on Designated Project roads, that take into account the potential for collisions with wildlife. The Proponent shall post these speed limits on Designated Project roads and require all persons to abide by these speed limits;

9.1.1.2 maximum vegetation height and vegetation composition along the Designated Project roads to increase sight lines for drivers and visibility of wildlife; and

9.1.1.3 maximum snow bank heights along Designated Project roads and size and spacing of escape pathways through which wildlife can exit the plowed roads in winter;

*“9.1.2 store waste, including food refuse and substances toxic to wildlife, in such a manner that it is inaccessible to wildlife, including black bears (*Ursus americanus*), and dispose of this waste outside of the Designated Project area in a manner consistent with legislative or regulatory requirements.”*

“9.1.3 prohibit employees and contractors associated with the Designated Project from fishing, hunting, trapping, gathering and using recreational vehicles for any purposes not associated with the Designated Project, within the Designated Project area, or using the Designated Project area to access lands outside the Designated Project area for fishing, hunting, trapping, gathering and using recreational vehicles, unless an employee or contractor is provided access by the Proponent as a member of an Indigenous group for traditional purposes or for exercising Aboriginal rights, to the extent that such access is safe.”

“9.1.4 develop and implement a protocol for documenting interactions between wildlife and Designated Project employees and contractors, including collisions with wildlife on Designated Project roads. As part of the protocol, the Proponent shall require employees and contractors to self-report observed interactions with and fatality of wildlife and shall require all employees and contractors to apply this protocol.”

“9.1.5 develop, in consultation with Biigtigong Nishnaabeg, other Indigenous groups and relevant authorities, and implement training for employees and contractors associated with the Designated Project on practices that reduce wildlife-human interactions within the Designated Project, including collisions with wildlife on Designated Project roads.”

Response: A draft Wildlife and Species at Risk Management Plan was developed for the Project in 2023 which addresses the requirements of both condition 9.1 and associated sub-conditions and the Endangered Species Act permit for the Project. The plan will be finalized once consultation with relevant government agencies and Indigenous groups has been completed.

“9.2 The Proponent shall develop, prior to construction and in consultation with Biigtigong Nishnaabeg and other Indigenous groups and relevant authorities, and implement, during all phases of the Designated Project, a follow-up program to verify the accuracy of the environmental assessment and the effectiveness of measures as they pertain to human interactions with wildlife in the Designated Project area. In doing so, the Proponent shall:

9.2.1 monitor the information reported pursuant to condition 9.1.4, including collisions with wildlife on Designated Project roads; and

9.2.2 if multiple collisions are identified in a specific area or location, implement modified or additional measures.”

Response: A draft Wildlife and Species at Risk Follow-Up Monitoring Program was developed for the Project in 2023. The program will be finalized once consultation with relevant government agencies and Indigenous groups has been completed. Implementation of the program will occur concurrently with the start of construction of the Project.

I. Species at Risk

*“10.1 The Proponent shall conduct, in consultation with Environment and Climate Change Canada and Ontario Ministry of Environment, Conservation and Parks, surveys to determine whether tri-colored bat (*Perimyotis subflavus*) is present within the Designated Project area within 190 days of the issuance of the Decision Statement.”*

Response: Baseline surveys for tri-colored bat (*Perimyotis subflavus*) were undertaken within the Designated Project area in 2023. It was determined that tri-colored bats were present in the area.

*“10.2 The Proponent shall give preference to avoiding vegetation clearing required for the Designated Project during periods when little brown myotis (*Myotis lucifugus*) and Northern myotis (*Myotis septentrionalis*) are establishing and occupying maternity roosts between April 15 and August 31. Where the Proponent plans to undertake vegetation clearing during these periods, the Proponent shall conduct pre-vegetation clearing surveys to identify if any active hibernacula or maternity roost site is present in any of the areas to be cleared using methods determined in consultation with Ontario Ministry of Environment, Conservation and Parks.”*

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 10.2 during 2024.

*“10.3 The Proponent shall develop, in consultation with Environment and Climate Change Canada and Ontario Ministry of Environment, Conservation and Parks, and implement modified or additional measures to protect tri-colored bat (*Perimyotis subflavus*), little brown myotis (*Myotis lucifugus*) or Northern myotis (*Myotis septentrionalis*), if the Proponent discovers the presence of tri-colored bat (*Perimyotis subflavus*) through surveys in condition 10.1, or active hibernacula or maternity roosting sites for little brown myotis (*Myotis lucifugus*) or Northern myotis (*Myotis septentrionalis*) within the Designated Project area through surveys referred to in condition 10.2 or during site clearing.”*

Response: A Wildlife and Species at Risk Management Plan was developed for the Project in 2023 which addresses the requirements of both condition 10.3 and the Endangered Species Act permit for the Project.

“10.4 The Proponent shall have a qualified individual with knowledge of bat biology, identify measures to mitigate sensory disturbance from blasting on bats, taking into account British Columbia’s Best Management Practices for Bats in British Columbia, and implement these measures during blasting activities. In doing, the Proponent shall have the qualified individual:

10.4.1 ensure that sound concussion, shock wave and peak particle velocity resulting from blasting do not exceed the thresholds listed in British Columbia’s Best Management Practices for Bats in British Columbia at the location of any occupied maternity roosts or hibernacula.”

Response: A draft Wildlife and Species at Risk Management Plan was developed for the Project in 2023 which addresses the requirements of both condition 10.4 and associated sub-conditions and the Endangered Species Act permit for the Project.

*“10.5 The Proponent shall develop, prior to construction and in consultation with Environment and Climate Change Canada and Ontario Ministry of Environment, Conservation and Parks, and other relevant authorities, a compensation plan for any loss of little brown myotis (*Myotis lucifugus*), Northern myotis (*Myotis septentrionalis*), or tri-colored bat (*Perimyotis subflavus*) habitat, including active maternity roosting and hibernacula sites, as a result of Designated Project activities. The Proponent shall implement the compensation plan beginning at the start of construction through post-closure.”*

Response: In August 2023, the Ontario Ministry of Environment, Conservation and Parks issued an Endangered Species Act permit for the Project, which incorporates the views of the consultation with various regulatory agencies and Indigenous groups.

A draft Wildlife and Species at Risk Management Plan was developed for the Project in 2023 which addresses the requirements of both condition 10.5 and associated sub-conditions and the Endangered Species Act permit for the Project. The plan will be finalized once consultation with relevant government agencies and Indigenous groups has been completed.

*“10.6 The Proponent shall develop within 270 days of the issuance of the Decision statement, in consultation with Indigenous groups, Environment and Climate Change Canada, Ontario Ministry of Environment, Conservation and Parks and other relevant authorities, and implement, during construction and operation, a follow-up program to verify the accuracy of the environmental assessment and determine the effectiveness of the mitigation measures as they pertain to the adverse effects of the Designated Project on little brown myotis (*Myotis lucifugus*), Northern myotis (*Myotis septentrionalis*), and tri-colored bat (*Perimyotis subflavus*).”*

Response: A draft Wildlife and Species at Risk Follow-Up Monitoring Program was developed for the Project in 2023. The program will be finalized once consultation with relevant government agencies and Indigenous groups has been completed. Implementation of the program will occur concurrently with the start of construction of the Project.

*“10.7 The Proponent shall mitigate, during all phases of the Designated Project and in consultation with Biigtigong Nishnaabeg and other Indigenous groups, Environment and Climate Change Canada, Ontario Ministry of the Environment, Conservation and Parks and other relevant authorities, adverse environmental effects on woodland caribou (*Rangifer tarandus caribou*) and its critical habitat. In doing so, the Proponent shall:*

10.7.1 give preference to avoiding the destruction or alteration of critical habitat over minimizing the destruction or alteration of critical habitat, to minimizing the destruction or alteration of critical habitat over restoring altered or destroyed critical habitat on-site, and to restoring altered or destroyed critical habitat on-site over offsetting; and

*10.7.2 develop, prior to construction, and implement, during construction and operation, a caribou monitoring and response protocol to determine when woodland caribou (*Rangifer tarandus caribou*) are within 500 meters of the Designated Project area, and suspend or delay tree clearing, blasting, drilling and crushing activities when woodland caribou (*Rangifer tarandus caribou*) is observed within 500 meters of the Designated Project area. The Proponent shall resume activities only once woodland caribou (*Rangifer tarandus caribou*) are no longer within 500 meters of the Designated Project area.”*

Response: GenPGM has designed the Project with the objective of avoiding the destruction or alteration of critical habitat over minimizing the destruction or alteration of critical habitat, minimizing the destruction or alteration of critical habitat over restoring altered or destroyed critical habitat on-site, and restoring altered or destroyed critical habitat on-site over offsetting.

A draft Wildlife and Species at Risk Management Plan was developed for the Project in 2023 which addresses the requirements of both condition 10.4 and associated sub-conditions and the Endangered Species Act permit for the Project. The plan will be finalized once consultation with relevant government agencies and Indigenous groups has been completed.

*“10.8 The Proponent shall develop, prior to construction, and in consultation with Biigtigong Nishnaabeg, other Indigenous groups, Environment and Climate Change Canada, Ontario Ministry of the Environment, Conservation and Parks and other relevant authorities, a compensation plan for woodland caribou (*Rangifer tarandus caribou*) critical habitat that will be altered or destroyed by the Designated Project and which has not been mitigated pursuant to condition 10.7 and 11.2. The Proponent shall implement the plan from the beginning of construction. When developing the compensation plan, the Proponent shall take into account Biigtigong Nishnaabeg’s Caribou Strategy, Environment and Climate Change Canada’s Operational Framework for Conservation Allowances and the Ontario Ministry of the Environment, Conservation and Parks requirements under section 17 of Ontario’s Endangered Species Act. As part of the compensation plan, the Proponent shall:*

*10.8.1 identify and describe the measures to be implemented outside the Designated Project area to mitigate the loss of intra-range connectivity caused by the Designated Project during construction and operation. The measures and their implementation shall be consistent with the Recovery Strategy for the Woodland Caribou (*Rangifer tarandus caribou*), Boreal population. In doing so, the Proponent shall provide a detailed description of how these measures individually or collectively:*

10.8.1.1 address habitat quantity and quality;

*10.8.1.2 account for the level of risk the Designated Project poses to Woodland Caribou (*Rangifer tarandus caribou*), time lags, and probability of success; and*

10.8.1.3 ensure the Designated Project does not negatively impact the population and distribution objectives established in the Recovery Strategy for the Woodland Caribou (*Rangifer tarandus caribou*), Boreal population;

10.8.2 identify the performance indicators to be used by the Proponent to evaluate the effectiveness of compensation measures; and

10.8.3 develop a follow-up program to evaluate the effectiveness of the measures included in the compensation plan using the performance indicators described in condition 10.8.2.”

Response: Measures to mitigate Project related effects on woodland caribou (*Rangifer tarandus caribou*) and its critical habitat are part of the Endangered Species Act permit and the Mine Closure Plan approval received for the Project in 2023.

In addition, a draft Wildlife and Species at Risk Follow-Up Monitoring Program was developed for the Project in 2023. The program will be finalized once consultation with relevant government agencies and Indigenous groups has been completed. Implementation of the program will occur concurrently with the start of construction of the Project.

J. Reclamation

“11.1 The Proponent shall conduct progressive reclamation of areas disturbed by the Designated Project. As part of progressive reclamation, the Proponent shall:

11.1.1 identify, in consultation with Indigenous groups, Environment and Climate Change Canada, and other relevant authorities, including provincial authorities, a diverse mixture of native plant species for revegetation that prioritizes reforestation and includes:

11.1.1.1 trees and shrubs;

11.1.1.2 species of value to migratory birds, including migratory bird species at risk and waterfowl, including Canada warbler (*Cardellina Canadensis*), eastern wood-pewee (*Contopus virens*), olive-sided flycatcher (*Contopus cooperi*), evening grosbeak (*Coccothraustes vespertinus*), eastern whip-poor-will (*Antrostomus vociferous*), and common nighthawk (*Chordeiles minor*);

11.1.1.3 species of value to moose (*Alces alces*) and other mammals of interest to Indigenous groups, as identified by Indigenous groups;

11.1.1.4 species of value to woodland caribou (*Rangifer tarandus caribou*)

11.1.1.5 species of value to Indigenous groups, as identified by Indigenous groups; and

11.1.1.6 species known to aid in the reestablishment of ecosystems by improving the physical environment through their contributions to shade, litter accumulation, and moisture retention.”

Response: In November 2023, the Ontario Ministry of Mines issued the Mine Closure Plan approval for the Project, which incorporates the views of the consultation with the various regulatory agencies and Indigenous groups and addresses the requirements of condition 11.1.

“11.2 The Proponent shall develop, prior to operation, and in consultation with Biigtigong Nishnaabeg, other Indigenous groups, Environment and Climate Change Canada, Ontario Ministry of Mines, and other relevant authorities, a final reclamation plan for the Designated Project, taking into account Ontario Ministry of Mines requirements for a closure plan and Ontario’s Best Management Practices for Mineral Exploration and Development Activities and Woodland Caribou in Ontario. The Proponent shall seek

consensus with Biigtigong Nishnaabeg on the content of the final reclamation plan and its implementation. The Proponent shall implement the plan during decommissioning and post-closure and shall submit the plan to the Agency before implementing it. As part of the final reclamation plan, the Proponent shall:

11.2.1 establish the performance standards to be used by the Proponent to evaluate the effectiveness of final reclamation activities, including standards that require:

11.2.1.1 restoration of natural drainage patterns within the Designated Project area to as close to baseline as technically and economically feasible;

11.2.1.2 self-sustaining ecosystems;

11.2.1.3 the provision of habitat for moose (*Alces alces*) and other mammals of interest to Biigtigong Nishnaabeg and other Indigenous groups, as identified by Indigenous groups;

11.2.1.4 the provision of habitat for woodland caribou (*Rangifer tarandus caribou*) as close to the baseline forest stand as technically feasible, including a minimum of 80% of the trees in the reforested area(s) that have reached a minimum height of 2 metres;

11.2.1.5 the provision of habitat for migratory birds, including migratory birds that are species at risk, forest birds and waterfowl, informed by forest bird and waterfowl survey results collected pursuant to condition 4.5; and

11.2.1.6 the provision of habitat for little brown myotis (*Myotis lucifugus*) and Northern myotis (*Myotis septentrionalis*);

11.2.2 identify and describe final reclamation measures to be implemented, including how these measures will address performance standards identified in condition 11.2.1, including:

11.2.2.1 revegetating with species identified pursuant to condition 11.1.1;

11.2.2.2 planting of jack pine or spruce seedlings at a minimum density of 1,000 stems per hectare, conducting aerial seeding of jack pine at 20,000 viable seeds per hectare, or using an equivalent alternative reforestation method;

11.2.2.3 implement reforestation measures in 11.2.2.2 in all areas that are suitable to support the establishment and growth of jackpine or spruce, not to be less than 40% of the Designated Project area, including a minimum 1 km wide corridor that connects the adjacent woodland caribou habitat (*Rangifer tarandus caribou*) east and west of the Designated Project area. If the Proponent is unable to implement reforestation measures in a minimum of 40% of the Designated Project area, the Proponent shall provide a detailed justification for why this is not technically feasible;

11.2.2.4 identify and implement any technically and economically feasible alternative location for discharging water from the north pit lake into the Biigtig Zibi during post-closure. If a technically and economically feasible alternative location is identified, the Proponent shall notify the Agency in writing pursuant to condition 2.16 of the change to the Designated Project before implementing the alternative. If a technically and economically feasible alternative is not identified, the Proponent shall report to Biigtigong Nishnaabeg and the Agency on the options considered and why they were determined not to be technically or economically feasible; and

11.2.3 develop a follow-up program to verify the effectiveness of the reclamation measures referred to in 11.2.2, including whether performance standards referred to in condition 11.2.1 are met. In doing so, the Proponent shall:

11.2.3.1 monitor the quantity and quality of tree seedlings planted for each square kilometer of area reforested and map this data to assess the success of plant recovery annually for the first five years, and subsequently at year 7, 10, 15, and 20 to inform the implementation of modified or additional measures should performance standards not be met.”

Response: In November 2023, the Ontario Ministry of Mines issued the Mine Closure Plan approval for the Project, which incorporates the views of the consultation with the various regulatory agencies and Indigenous groups and addresses the requirements of condition 11.2.

K. Indigenous Monitors

“12.1 The Proponent shall retain, prior to construction, the services of Indigenous monitors to participate in follow-up monitoring set out in condition 3.12 through 3.17, 4.5, 6.3, 6.6, 6.7, 6.9, 6.12, 7.8, 7.9, 9.2, 10.6, 10.8.3, and 11.2.3. Prior to retaining the services of Indigenous monitors, the Proponent shall undertake a collaborative process to determine, in consultation with Biigtigong Nishnaabeg and other Indigenous groups, the scope, purpose, objectives, details of the participation of Indigenous monitors, and procedures for the Proponent to receive and respond to feedback related to Indigenous monitors. The Proponent shall provide this information to the Agency prior to construction. In doing so, the Proponent shall determine:

12.1.1 how each Indigenous monitor shall be involved in follow-up monitoring related to their area of interest, including the location, frequency, timing and duration of their participation. If opportunities for Indigenous monitor participation in specific monitoring activities do not exist, provide justification for why; and

12.1.2 how the Proponent shall support the participation of Indigenous monitors, including through the provision of training, equipment and access to the Designated Project area.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 10.4 or associated sub-conditions during 2024.

L. Independent Tailings Review Board

“13.1 The Proponent shall establish, prior to construction and in consultation with Indigenous groups and relevant authorities, and implement, during all phases of the Designated Project, an Independent Tailings Review Board (ITRB) to review and advise on the design, construction (including dam raises) and decommissioning of the process solids management facility. The Proponent shall invite qualified individuals in tailing facility design and operation from the fields of geotechnical engineering, hydrogeology, and geochemistry to participate as board members and shall develop Terms of Reference for the board in consultation with the board members, Biigtigong Nishnaabeg, other Indigenous groups and relevant authorities. The Proponent shall strive to agree on the Terms of Reference with the consulted parties. The Proponent shall submit the final Terms of Reference to the Agency prior to construction. As part of the Terms of Reference, the Proponent shall include:

13.1.1 the frequency, timing and location of the ITRB meetings during each phase of the Designated Project and the means by which the Proponent shall document meeting minutes;

13.1.2 the means by which the Proponent shall consult the ITRB regarding the design, construction and decommissioning of process solids management facility;

13.1.3 the information that the Proponent will share with the ITRB related to the design, construction (including dam raises) and decommissioning of the process solids management facility, including when and how the information will be shared;

13.1.4 the means by which the Proponent shall document the activities of the ITRB, including all views and information received through the ITRB from ITRB participants; and

13.1.5 how the Proponent shall consider all views and information received through the ITRB from ITRB participants;

13.1.6 the means by which the Proponent shall share the information documented by the Proponent pursuant to condition 13.1.4 and 13.1.5 with ITRB members, Indigenous groups and with the Agency, including when and how this information shall be shared; and

13.1.7 the means by which the Proponent shall review, in consultation with ITRB members, the Terms of Reference throughout construction and operation to determine whether administrative or management improvements are required to increase the efficiency and effectiveness of the committee.

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 13.1 or associated sub-conditions during 2024.

“13.2 The Proponent shall advise the Agency pursuant to condition 2.16, if it is proposing any changes to the design, construction, or decommissioning of the process solids management facility beyond what is described pursuant to condition 1.7, including any changes resulting from recommendations of the ITRB in condition 13.1.”

Response: GenPGM has not proposed any changes to the design, construction, or decommissioning of the process solids management facility beyond what is described pursuant to condition 1.7 during 2024.

M. Principles Based Monitoring Committee

“14.1 The Proponent shall participate, during all phases of the Designated Project and at the request of Biigtigong Nishnaabeg, in any Principles-Based Monitoring Committee (PBMC), established in relation to the Designated Project.

14.2 The Proponent shall provide to the PBMC, upon request, information relating to the mitigation measures and follow-up programs set out in this Decision Statement. If requested by the PBMC, the Proponent shall also provide non-proprietary data files of the results of the follow-up programs.

14.3 When provided with a written recommendation by the PBMC, the Proponent shall provide a response in writing to the PBMC, which sets out whether the Proponent accepts the recommendation, and if it does not, the reasons for not accepting the recommendation.

14.4 The Proponent shall report to the Agency, as part of the annual report referred to in condition 2.10, or more frequently if required by the Agency, on the Proponent’s actions with respect to the PBMC and the associated outcomes of the Proponent’s actions.

14.5 The Proponent shall allow access to the Designated Project area, to the extent that such access is safe, to any monitor(s) established as part of the PBMC. The Proponent shall communicate with monitor(s) regarding coordination of monitoring activities.”

Response: GenPGM was not requested by Biigtigong Nishnaabeg to participate in a Principles-Based Monitoring Committee during 2024.

N. Accidents and Malfunctions

“15.1 The Proponent shall update, within 150 days of the issuance of the Decision Statement, the climate change projections relevant for the Designated Project area described in the environmental impact statement using best available science and guidance, including the methods described in the Government of Canada’s Strategic Assessment of Climate Change, and available associated technical guidance and the Canadian Standards Association’s Technical Guide: Development, interpretation, and use of rainfall intensity-duration-frequency (IDF) information: Guideline for Canadian water resources practitioners (CSA PLUS 4013-12, 2019) and use these projections to inform the final design measures to prevent accidents and malfunctions pursuant to condition 15.4.1.”

Response: The climate change projections relevant for the Project area described in the environmental impact statement were updated in 2023 using best available science and guidance, including the methods described in the Government of Canada’s Strategic Assessment of Climate Change, and available associated technical guidance and the Canadian Standards Association’s Technical Guide: Development, interpretation, and use of rainfall intensity-duration-frequency (IDF) information: Guideline for Canadian water resources practitioners (CSA PLUS 4013-12, 2019). This information has been used to inform the final design measures for the Project to prevent accidents and malfunctions pursuant to condition 15.4.1.

“15.2 The Proponent shall conduct, prior to construction, a quantitative risk assessment of the likelihood and severity of potential hazards associated with a release of mill process chemicals during transport using a risk matrix system or other equivalent approach, and assign risk ratings.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 15.2 during 2024.

“15.3 The Proponent shall take all reasonable measures to prevent accidents and malfunctions that may result in adverse environmental effects and shall mitigate any adverse environmental effect from accidents and malfunctions that does occur.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 15.3 during 2024.

“15.4 The Proponent shall identify, prior to construction and in consultation with Indigenous groups and relevant authorities, measures to be implemented to prevent accidents and malfunctions, and shall implement these measures during all phases of the Designated Project. In doing so, the Proponent shall: 15.4.1 finalize the detailed design of the Designated Project, taking into account the updated projections in condition 15.1, including by ensuring that the mine rock storage area catch basins and associated pumps are designed in a manner that minimizes the risk of overflows to Biigtig Zibi; and 15.4.2 identify and implement measures to reduce the risk of chemical release during transport based on the quantitative risk assessment results referred to in condition 15.2.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA conditions 15.1 and 15.2 during 2024. Thus, there was no specific action taken on EA condition 15.4 during 2024. Once conditions 15.1 and 15.2 have been addressed, GenPGM plans to identify measures to prevent accidents and malfunctions and implement these measures during all phases of the Project as appropriate.

15.5 The Proponent shall develop, prior to construction and in consultation with Indigenous groups, the Town of Marathon and relevant authorities, an accident and malfunction response plan in relation to each phase of the Designated Project. The accident and malfunction response plan for each phase shall include:

15.5.1 a description of the types of accidents and malfunctions that may cause adverse environmental effects during that phase, including a process solids management facility dam breach and a worst-case scenario chemical release during transport based on the results of the quantitative risk assessment referred to in condition 15.2;

15.5.2 the measures to be implemented in response to each type of accident and malfunction referred to in condition 15.5.1 to mitigate any adverse environmental effect caused by the accident or malfunction, including an evacuation plan for a potential process solids management facility dam breach developed in consultation with Biigtigong Nishnaabeg and any other Indigenous groups that may be affected that includes:

15.5.2.1 an up-to-date map highlighting the areas that could be flooded during a dam breach; and

15.5.2.2 the frequency with which the evacuation plan shall be reviewed in consultation with Biigtigong Nishnaabeg and any other Indigenous groups that may be affected, and updated as necessary;

15.5.3 for each type of accident and malfunction referred to in condition 15.5.1, the roles and responsibilities of the Proponent and each relevant authority in implementing the measures referred to in condition 15.5.2, including those of third party contractors and municipal departments.

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 15.5 during 2024.

“15.6 The Proponent shall maintain the accident and malfunction response plan referred to in condition 15.5 up-to-date during the applicable phase of the Designated Project. The Proponent shall submit any updated accident and malfunction response plan to the Agency, Indigenous groups and the relevant authorities involved in its implementation within 30 days of the plan being updated.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 15.6 during 2024.

“15.7 In the event of an accident or malfunction with the potential to cause adverse environmental effects, including an accident or a malfunction referred to in condition 15.5.1, the Proponent shall immediately implement the measures appropriate to the accident or malfunction, including any measure referred to in condition 15.5.2, and shall:

15.7.1 implement the communication plan referred to in condition 15.8;

15.7.2 notify relevant authorities with responsibilities related to emergency response (including environmental emergencies) in accordance with applicable legislative and regulatory requirements;

15.7.3 notify, as soon as possible and pursuant to the communication plan referred to in condition 15.8, Indigenous groups of the accident or malfunction, and notify the Agency in writing no later than 24 hours following the accident or malfunction. When notifying Indigenous groups and the Agency, the Proponent shall specify:

15.7.3.1 the date and time when and location within the Designated Project area where the accident or malfunction occurred;

15.7.3.2 a summary description of the accident or malfunction;

15.7.3.3 a list of any substance potentially released into the environment as a result of the accident or malfunction;

15.7.3.4 the relevant authorities notified pursuant to condition 15.7.2;

15.7.4 submit a written report to the Agency no later than 30 days after the day on which the accident or malfunction occurred. The written report shall include:

15.7.4.1 a detailed description of the accident or malfunction and of its adverse environmental effects;

15.7.4.2 a description of the measures that were taken by the Proponent to mitigate the adverse environmental effects caused by the accident or malfunction;

15.7.4.3 any view from Indigenous groups and advice from relevant authorities received with respect to the accident or malfunction, its adverse environmental effects and the measures taken by the Proponent to mitigate these adverse environmental effects;

15.7.4.4 a description of any residual adverse environmental effect and any modified or additional measure required by the Proponent to mitigate residual adverse environmental effects; and

15.7.4.5 details concerning the implementation of the accident or malfunction response plan referred to in condition 15.5.2.”

15.7.5 submit a written report to the Agency no later than 90 days after the day on which the accident or malfunction occurred, taking into account the information submitted in the written report pursuant to condition 15.7.4, that includes:

15.7.5.1 a description of the changes made to avoid a subsequent occurrence of the accident or malfunction;

15.7.5.2 a description of the modified or additional measure(s) implemented by the Proponent to mitigate and monitor residual adverse environmental effects and to carry out any required progressive reclamation; and

15.7.5.3 all additional views from Indigenous groups and advice from relevant authorities received by the Proponent since the views and advice referred to in condition 15.7.4.3 were received by the Proponent.

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 15.7 during 2024.

“15.8 The Proponent shall develop, in consultation with Indigenous groups, an accident and malfunction communication plan for Designated Project. The Proponent shall develop the communication plan prior to construction and shall implement and keep it up to date during all phases of the Designated Project. The plan shall include:

15.8.1 the types of accidents and malfunctions requiring the Proponent to notify the Indigenous groups;

15.8.2 the timing and manner by which Indigenous groups shall be notified by the Proponent of an accident or malfunction and of any opportunity for the Indigenous groups to assist in the response to the accident or malfunction; and

15.8.3 the contact information that Indigenous groups may use to communicate with the Proponent and the contact information for each Indigenous group that the Proponent shall use to provide notification.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 15.8 during 2024.

O. Schedules

“16.1 The Proponent shall submit to the Agency and Indigenous groups a schedule for all conditions set out in this Decision Statement no later than 30 days prior to the start of construction. This schedule shall detail all activities planned to fulfill each condition set out in this Decision Statement and the commencement and estimated completion month(s) and year(s) for each of these activities.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 16.1 during 2024.

“16.2 The Proponent shall submit to the Agency and Indigenous groups a schedule outlining all activities required to carry out all phases of the Designated Project no later than 60 days prior to the start of construction. The schedule shall indicate the commencement and estimated completion month(s) and year(s) and duration of each of these activities.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 16.2 during 2024.

“16.3 The Proponent shall submit to the Agency and Indigenous groups in writing an update to schedules referred to in conditions 16.1 and 16.2 every year no later than April 30, until completion of all activities referred to in each schedule.”

Response: As the Project is still in the pre-construction phase there was no specific action taken on EA condition 16.3 during 2024.

P. Record Keeping

“17.1 The Proponent shall maintain all records relevant to the implementation of the conditions set out in this Decision Statement. The Proponent shall retain the records and make them available to the Agency throughout construction and operation and for 25 years following the end of operation or until the end of decommissioning of the Designated Project, whichever comes first. The Proponent shall provide the aforementioned records to the Agency upon demand within a timeframe specified by the Agency.

17.2 The Proponent shall retain all records referred to in condition 17.1 at a facility in Canada and shall provide the address of the facility to the Agency. The Proponent shall notify the Agency at least 30 days prior to any change to the physical location of the facility where the records are retained, and shall provide to the Agency the address of the new location.

17.3 The Proponent shall notify the Agency of any change to the contact information of the Proponent included in this Decision Statement.”

Response: GenPGM has maintained all records relevant to the implementation of the conditions set out in the November 30, 2022 Decision Statement. In 2024, these records were maintained at Generation Mining Limited's Toronto Office:

First Canada Place
Suite 7010, PO Box 70
Toronto, Ontario
M5X 1B1 Canada

These records are also maintained at the Project office site:

90 Peninsula Road
P.O. Box 1508
Marathon, ON
P0T 2E0 Canada

There was no change in the physical location of the facility(ies) where records are retained for the Project during 2024. The contact information for GenPGM noted in the Decision Statement has been revised as follows:

Proponent Contact Information:

*Jeremy Dart
Environmental Manager
Marathon Palladium-Copper Project
jdart@genpgm.com
Generation PGM Inc.
90 Peninsula Road
P.O. Box 1508
Marathon, ON
P0T 2E0 Canada*

APPENDIX A: Concordance Table – EA Conditions (November 2022) vs. Annual Report Sections (2024)

November 30, 2022 EA Conditions July 26, 2024 Amended EA Conditions Applicable Sections	EA Condition(s)	2024 Annual Report Section / Page #
General Conditions		
Qualified Individuals / Best Practices	Conditions 2.1-2.2	Section 2.A-1/page 6
Consultation	Conditions 2.3-2.5	Section 2.A-2/page 7
Follow-Up Programs	Conditions 2.6-2.9	Section 2.A-3/page 8
Annual Reporting	Conditions 2.10-2.12	Section 2.A-4/page 10
Information Sharing	Conditions 2.13-2.14	Section 2.A-5/page 11
Change of Proponent	Condition 2.15	Section 2.A-6/page 11
Change to the Designated Project	Conditions 2.16-2.17	Section 2.A-7/page 11
Fish and Fish Habitat	Conditions 3.1-3.17	Section 2.B/page 12
Migratory Birds	Conditions 4.1-4.5	Section 2.C/page 20
Greenhouse Gas Emissions	Conditions 5.1-5.3	Section 2.D/page 22
Health and Socioeconomic Conditions of Indigenous Peoples	Conditions 6.1-6.15	Section 2.E/page 23
Current Use of Land and Resources for Traditional Purposes	Conditions 7.1-7.9	Section 2.F/page 29
Physical and Cultural Heritage	Conditions 8.1-8.5	Section 2.G/page 32
Wildlife	Conditions 9.1-9.2	Section 2.H/page 34
Species at Risk	Conditions 10.1-10.8	Section 2.I/page 35
Reclamation	Conditions 11.1-11.2	Section 2.J/page 38
Indigenous Monitors	Condition 12.1	Section 2.K/page 40
Independent Tailings Review Board	Conditions 13.1-13.2	Section 2.L/page 40
Principles Based Monitoring Committee	Conditions 14.1-14.5	Section 2.M/page 41
Accidents and Malfunctions	Conditions 15.1-15.8	Section 2.N/page 42
Schedule	Conditions 16.1-16.3	Section 2.O/page 45
Record Keeping	Conditions 17.1-17.3	Section 2.P/page 45