



MiningWatch Canada

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From: Ramsey Hart, Canada Program Coordinator, MiningWatch Canada

Date: Monday, April 12, 2010

To: Amy Liu
Canadian Environmental Assessment Agency, Ontario Regional Office
55 St-Clair Avenue East, Room 907 Toronto, Ontario M4T 1M2
Sent by email to: amy.liu@ceaa-acee.gc.ca

Re: EA determination for Marathon Copper Project

Dear Ms. Liu,

I am writing regarding the determination of the EA track for Marathon PGM's proposed Marathon Copper Mine in northern Ontario.

It would seem evident that this project requires at minimum a Comprehensive Assessment if not a Panel Review. I trust that in your determination you will be adhering to the Supreme Court's decision on the Red Chris case where the Court clearly stated that the project for determination of the EA is the project as proposed and not a subsection of the project as scoped by federal authorities. Given the production capacity of the proposed mine (22,000 tonnes per day) it clearly falls above the 3,000 tonnes per day threshold of the Comprehensive Study List.

MiningWatch Canada believes this project warrants a "bump-up" to a Panel Review due to the companies proposed alternative of using Bamooos Lake as a tailings impoundment area. This alternative raises the following concerns:

- Bamooos Lake, is a naturally sustaining Lake Trout lake – a high management and conservation priority in Ontario.
- The destruction Bamooos Lake would have implications on the fishing rights of the Pic River First Nation.
- There needs to be a more rigorous examination of alternatives tailings management options than is currently provided, which would be best accomplished through a panel review.
- There is widespread concern in Canada regarding the practice of destroying healthy lakes by reclassifying them as tailings impoundments under Schedule 2 of the MMER.
- Under the current proposal, the mine life is relatively short raising questions about how the mine

could result in a net public benefit and contribute to sustainability given the range of impacts expected from such an operation, and in particular the potential destruction of Bamooos Lake.

- The destruction of Bamooos Lake would require the development of a habitat compensation plan. Unfortunately habitat compensation projects do not have a good track record for achieving their objectives and compensation plans need to be carefully examined from a variety of perspectives to provide the greatest possible likelihood of success.

As I'm sure you are aware, there is no provision for a provincial EA of this mine so the onus will be entirely on the federal government to review the potential environmental effects and contribution to sustainable development that this project could have.

I would appreciate being kept informed about developments of this EA as the tracking decision is made, public consultations are announced etc.

Regards,

A handwritten signature in black ink, appearing to read "Ramsey Hart". The signature is fluid and cursive, with a large loop at the beginning and a long horizontal stroke extending to the right.

Ramsey Hart
Canada Program Coordinator
MiningWatch Canada

CC: Regent Dickey, Major Projects Management Office

Jamie Michano, Pic River First Nation Land and Resources Coordinator