

Milton Logistics Hub: 2022 Q2 Report

For the period April 1 to June 30, 2022

1.0 Project Overview

The Milton Logistics Hub (the “Project”) was the subject of a multi-year federal environmental assessment process, which culminated in a federal Decision Statement on January 21, 2021, Fisheries and Oceans Canada (DFO) Authorization on July 23, 2021, and a Canadian Transportation Agency (CTA) decision on November 22, 2021. It is subject to 325 legally binding conditions designed to protect the community and the environment, including a requirement to produce reports on a quarterly basis that describe how CN has addressed feedback on the Project.

2.0 Summary of Construction Activities

Project construction commenced on January 17, 2022 with [Phase One activities](#). During the 2022 Q2 period, site activities have included: excavation of the stormwater management ponds and the preparation of the enhancement areas accessible during this time of year; excavation work that did not occur over the winter months; CN-owned building removal and mitigation; work on the realignment of Indian Creek and Tributary A and habitat enhancements in off-line areas; work on access roads including the installation of a temporary bridge (access road) over Indian Creek.

All activities are being carried out in accordance with the conditions outlined in the federal decision statement.

Below are some images capturing different various construction activities that have occurred during this reporting period, dated and with a brief description of the activity.





Offline channel construction of Tributary A realignment.
April 13, 2022



Temporary Indian Creek crossing with pea gravel bags and abutment foundations.
April 28, 2022



Temporary parking area and heritage barn protection.
May 9, 2022



Temporary bridge installation with erosion control and wildlife fencing in place.
May 17, 2022

2.1 Public Comment Period on Proposed Project Change to the Sun-Canadian Pipeline Design and Construction

CN submitted to IAAC a proposal to reconfigure a portion of the existing Sun-Canadian pipeline to accommodate the construction of the proposed intermodal terminal. The existing pipeline, which consists of two separate pipelines running southwest-northeast across CN's property, is located within a single right-of-way that transects the Designated Project Development Area within the northwest portion of the proposed intermodal terminal area. Through discussions with Sun-Canadian the preliminary plan has been refined. Rather than the original plan to relocate/move part of the pipeline to the north end of the proposed terminal at a depth ranging between 3 and 6 m, the refined design proposes to maintain the existing location/alignment and instead deepen it to approximately 14 m. This refined design is considerably less impactful than the preliminary plan.

In accordance with Condition 2.17 of the federal Decision Statement, CN is required to notify IAAC in writing of proposed changes to the Project that would result in a change to the description of the Project included in the Decision Statement. CN submitted its [Proposed Project Change to the Sun-Canadian Pipeline Design and Construction](#) to IAAC on April 8, 2022.

On June 6, 2022, IAAC established a 21-day [public comment period](#) whereby interested parties could share feedback on CN's proposed refinement to the reconfiguration of a portion of the Sun-Canadian pipeline. CN's proposal was posted on the IAAC Registry Project webpage along with IAAC's *Draft Analysis of Canadian National Railway Company's Proposed Changes to the Milton Logistics Hub Project*, which concluded that the optimised approach to pipeline reconfiguration would not result in adverse environmental effects beyond those that were identified in the Joint Review Panel Report and would not cause any additional adverse environmental effects and impacts to the exercise of rights of the Indigenous groups. Comments were accepted until June 27, 2022 and published online as part of the project file. Comments submitted by Fisheries and Oceans Canada, Environment and Climate Change Canada, Natural Resources Canada, the Region of Halton and members of the public are available [online](#). IAAC will review CN's proposed project change, the submissions, and make a determination at some point in the future.

2.2 Regulatory Agencies Site Visit

On June 9, 2022, representatives from IAAC, Fisheries and Oceans Canada, and Environment and Climate Change Canada conducted a full day site visit to the Milton Project site. The visit looked at various aspects of on-site activities, including the temporary bridge and mitigation measures around the entire site. The agencies did not identify any areas of non-compliance. The visit on June 9, 2022, also included a visit to CN's Brampton Intermodal Terminal, during which representatives of IAAC and Canadian Transportation Agency attended to observe the operational terminal.

3.0 Community Engagement

Commencing in December 2021, CN notified the community of upcoming construction activities. Notification methods included: updates to the Project website, email notification, newspaper advertising, digital display advertising, and postcard delivery. These methods were determined through the 2021 community consultation to be the most important methods for CN to communicate information about the Project with the community.

CN also initiated the [Community Consultation Committee](#) in 2021, led by two [independent, third-party co-facilitators](#). The Committee held two meetings during Q2 2022: April 7 and June 9. Due to the global health pandemic, regular Committee meetings have occurred virtually.

3.1 Community Consultation Committee Meetings

Topics covered at the April 7 and June 9 Community Consultation Committee meetings included: Indigenous consultation, nearby residential development, the regional road network and road safety, vegetation removal, habitat enhancements, and heritage building maintenance and reuse.

During the June 9 Community Consultation Committee meeting, the HWN Committee representative shared that a HWN on-site field monitor confirmed a chance find of an arrowhead on the Milton site on March 9, 2022. The HWN Committee member noted that arrowheads are commonly found items and that there were no concerns about this finding. The member used the opportunity to explain to the members of the Committee the value of on-site monitors and the importance of having chance find protocols in place, as well as demonstrating how these procedures work.

Committee member interest in the heritage buildings on the Project site identified in the [Heritage Maintenance and Reuse Reports](#) resulted in establishing a Cultural Heritage Sub-Committee to develop recommendations on potential future uses. The sub-committee will meet on a regular basis to explore options for potential reuse of these structures and report on progress at scheduled Community Consultation Committee meetings.

3.2 Committee Update Report

The Community Consultation Committee, led by the Committee Co-Facilitators, developed an informational document on Committee activity in recent months that members could share with their stakeholder groups. The document provides information about the Project and areas of discussion, independent of CN's public engagement materials. Committee members found the document useful and agreed that the Committee update should be produced regularly throughout the year.

4.0 Indigenous Consultation

CN continues to meet regularly with the Mississaugas of the Credit First Nation (MCFN) through a working group that was established to share project information, and to identify ongoing economic opportunities on the project and within CN's operating area.

CN meets regularly with the Huron Wendat Nation (HWN) to share updates on the project.

A representative of the HWN is a member of the Community Consultation Committee. MCFN and Six Nations of the Grand River have standing invitations to participate in the Community Consultation Committee, such as becoming a regular member of the Committee, attending Committee meetings, or presenting to the Committee.

All three Nations are actively participating in field monitoring work. Archaeological monitors were on site until June 20, 2022, when deep excavation and opening up of new areas of disturbance on site was substantially complete. There will be a need for additional monitors for targeted excavation activities in the near future (e.g., channel tie locations, SWM Pond #1 excavation, SunCanadian pipeline excavation), which will be coordinated with each of the indigenous communities in advance to schedule and/or confirm attendance as needed.

5.0 CN Milton Website Postings

The following document was posted to the CN website during this reporting quarter:

Annual Reports

- [2022 Q1 Quarterly Report](#)

6.0 Feedback and Consideration of Input

Per the Community Liaison Communication Plan, 2.2.2., the following methods were available to potentially affected parties and the wider community for providing feedback to CN:

- a) CN Public Inquiry Line
- b) Community Consultation Committee
- c) CNMilton.ca
- d) Emergency Line
- e) Project Information Centre
- f) Local Government Engagement
- g) Social Media
- h) Noise Complaints Protocol

In addition to these methods, feedback could also be submitted through additional methods, such as via email to individual CN employees, contractors, or other divisions within CN, particularly as part of direct correspondence on specific matters.

Below is a summary of input received in 2022 Q2 (April through June 2022). The table below summarizes feedback from Potentially Affected Parties into key themes, citing the various sources of that feedback, and describes how CN has considered and addressed feedback. Per Condition 4.9.3, this includes noise complaints received (if any) and any corrective action taken during the reporting quarter relating to noise complaints.

6.1 CN's consideration of input from community and stakeholder engagement

TOPIC		
Summary of Topic	Source of Input	CN Consideration/Response
1. Communication Methods and Protocols <ul style="list-style-type: none"> • Concerns about privacy and the electronic distribution of Project updates to the Project distribution list. 	Direct correspondence	<ul style="list-style-type: none"> • CN immediately identified a distribution error and sent a follow-up message to the distribution list as follows: <i>As you know, yesterday we sent out an email update about the CN Milton Logistics Hub project. Unfortunately, we inadvertently included the email addresses of all those to whom it was distributed. We apologize for that error and will be making changes to our process to ensure it does not happen again.</i>

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		<ul style="list-style-type: none"> CN removed 14 email addresses from the Project distribution list per request by those addressees who opted to not receive further Project updates.
<p>2. Construction and Impact on Local Road Network</p> <ul style="list-style-type: none"> Interest in the widening of Lower Base Line from two to four lanes. Interest in the timing of construction on the road widening and whether the road will be closed during construction. Concerns about road closure and the response/nature of the response of an on-site employee. 	Direct correspondence	<ul style="list-style-type: none"> As part of the CN project, road widening will only occur at the location of the underpass to accommodate any future plans by the Town of Milton to widen Lower Base Line. With the exception of the underpass, the road will remain 2 lanes and any future widening will be at the initiative of the road authority. A section of Lower Base Line will need to be temporarily closed (between First Line and Tremaine Road) for a period of time to facilitate the construction of the underpass. It is anticipated that the road will be closed toward the end of 2022 and will remain closed for an extended period of time. Work will be performed between 7am and 7pm most of the time. It may exceed this period in some instances when required but not consistently. CN's representative responded to the member of public who registered concerns about an employee. CN apologized and requested further details about the incident in order to take corrective action. The file remains open pending further information from the concerned citizen.
<p>3. Road Safety</p> <ul style="list-style-type: none"> Concerns around safety and construction vehicles parked on Tremaine Road. 	Community Consultation Committee	<ul style="list-style-type: none"> CN worked with construction contractor to develop protocols regarding vehicles entering and exiting access road, to place directional and wildlife signage, and additional procedures to ensure road safety in the vicinity such as a flag person to signal safe movement of trucks to and from access roads. CN continues to monitor the area for safety and will continue to implement safety protocols and signage where necessary. CN continues to work closely with the construction contractor to ensure frequent street cleaning and inspection for debris on roadways to ensure safe passage of vehicles.

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<p>4. Heritage Building Reuse</p> <ul style="list-style-type: none"> Interest in intentions for heritage buildings on Project site, including potential relocation or reuse. 	Community Consultation Committee	<ul style="list-style-type: none"> With participation from CN, a sub-committee of the Community Consultation Committee will meet separately to explore potential options for relocation or removal. The sub-committee will report on progress at scheduled Community Consultation Committee meetings.
<p>5. Indigenous Consultation</p> <ul style="list-style-type: none"> Interest in CN's Indigenous consultation. Interest in archeological finds at the Project site. 	Community Consultation Committee	<ul style="list-style-type: none"> A Huron Wendat Nation (HWN) representative presented to the Community Consultation Committee on April 7, 2022, providing an overview of Indigenous Consultation and HWN's perspective of and interest in the CN Milton Project site. HWN monitoring of the CN Project site focuses on matters of environment, ecology, biology, and heritage interests. The representative noted that consultation is about ensuring what was once HWN land is properly treated as well as about sharing and exchanging learnings about their history with those who will become caretakers of HWN land. CN's Indigenous consultation regarding the Milton site began in 2015 and dialogue continues. Field monitors from each Indigenous group participated in Stages 1 through 4 of the archeological assessments and are on site during ground disturbance works for chance findings of archeological effects. CN has ongoing discussions with Indigenous groups regarding involvement in other areas such as employment and internship opportunities on the site. The chance finding protocol requires for work on site to stop if an artifact is found, an archeological expert will make an assessment, and establish next steps. CN ensures that all contractors are provided training to be aware of what artifacts could be on the site and the monitors' role.
<p>6. Socioeconomic</p> <ul style="list-style-type: none"> Interest in taxes that CN pays for the land to be used for the Project. Concerns about land use surrounding the Project perimeter, such as ownership and future uses. 	Community Consultation Committee	<ul style="list-style-type: none"> CN has paid agricultural property tax since purchasing the land and shared a presentation used in the 2019 CEAA Panel hearing that outlines what CN has paid to date and what CN is expected to pay in taxes in the future. CN owns 1,000 acres of land identified in the EIS and does not own properties beyond the identified perimeter. Properties surrounding the Project site are owned by independent landowners. CN is not involved with these developers and thus has

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<ul style="list-style-type: none"> Interest in how residential builders near the Project site inform potential buyers about neighboring CN project. 		<p>no input or involvement in how these lands will be developed. A map noting the property lines was shared with the Community Consultation Committee.</p> <ul style="list-style-type: none"> A Great Gulf (residential builder whose development in Milton is adjacent to the CN Project site) representative presented to the Community Consultation Committee on June 9, 2022, provided an overview of the development, context about the development review and approval process (such as municipal zoning requirements), collaboration with CN (such as berms and building setbacks), and private purchaser notifications (such as warning clauses).
<p>7. Air Quality and Noise</p> <ul style="list-style-type: none"> Concerns about air quality and noise. Concerns about increased noise/vibration along rail line north of the Project site. 	Public Inquiry Line Section 8 notice	<ul style="list-style-type: none"> A resident near Derry Road raised concerns associated with air quality, noise and vibration associated with the rail line north of the Project Site. CN investigated whether any changes had been made to the tracks along the Halton Subdivision in the area identified. The local resident was advised there had been no recent changes to the tracks. Resident along Lower Base Line raised concerns about construction noise in the submission associated with the Section 8 notice. Discussions have been held with the individual and CN has ceased major construction activities in this area and is in the process of expediting the installation of a soil berm as an interim measure during construction to address this concern.