

Milton Logistics Hub: 2022 Q3 Report

For the period July 1 to September 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 over 300 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](#) (See Construction Schedule 15.2). During the 2022 Q3 period, site activities have included: site grading activities, continued construction of stormwater management pond two and outlet structures, offline construction of the Tributary A realignment channel and associated habitat structures, as well as portions of culvert 2A and 2B, offline construction of the Indian Creek realignment channel and associated habitat structures, construction of an interim noise berm along Lower Base Line and the eastern property boundary. As part of the environmental enhancement works to date, just over 300 trees have been planted on-site. Environmental monitoring and follow-up and monitoring programs continue, including those related to surface water, groundwater, air quality, wildlife, and vegetation.

All activities are being carried out in accordance with the conditions outlined in the federal [Decision Statement](#).

2.1 Construction Site Photos

The following are images of various construction activities that have occurred during this reporting period.



2.1.1 Tributary A Realignment – Figures 1a, 1b, and 1c



Figure 1a – September 1, 2022



Figure 1b – September 1, 2022



Figure 1c – September 1, 2022

2.1.2 Removed Beaver Dam – Figures 2a, 2b, 2c, and 2d



Figure 2a – August 24, 2022



Figure 2b – August 24, 2022



Figure 2c – September 1, 2022



Figure 2d – September 1, 2022

2.1.3 Indian Creek Realignment – Figures 3a, 3b, 3c, and 3d



Figure 3a – August 9, 2022



Figure 3b – August 9, 2022



Figure 3c – August 26, 2022



Figure 3d – August 11, 2022

2.1.4 Farm Pond Cofferddam – Figures 4a and 4b



Figure 4a – August 10, 2022



Figure 4b – September 1, 2022

2.2 Proposed Project Change to the Sun-Canadian Pipeline Design and Construction

As indicated in the 2022 Q3 Quarterly Report, on April 8, 2022, CN submitted to the Impact Assessment Agency of Canada (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 reviewed CN's proposed Project change and the submissions received during the comment period. On July 26, 2022, IAAC issued its [approval](#) of the proposed change and subsequent amended Environmental Assessment [Decision Statement](#).

Site preparation work on the Sun-Canadian pipeline commenced in early September, with initial drilling beneath the mainline commencing on September 9.

2.3 Meetings with Regulatory Agencies

CN regularly meets in person or virtually with representatives from the relevant regulatory agencies: IAAC, Fisheries and Oceans Canada, Health Canada, Canadian Transportation Agency, and Environment and Climate Change Canada.

Meetings with regulatory agencies occurred on July 12, 2022, August 9, 2022, and September 13, 2022. When not meeting on site, participating agencies were provided with a virtual tour/photo log of the site. No areas of concern or non-compliance were identified by the agencies.

Meetings with Environment and Climate Change Canada also occurred on July 15 and September 26 to discuss technical information on topics of mutual interest, including a review of mitigation and turtle observations during construction and exclusion fencing specifications.

2.4 Section 8 Notifications

In accordance with Section 8 of the Transport Canada’s *Railway Safety Act*, CN notified potentially affected parties of the commencement of Lower Base Line underpass construction activity on July 18, 2022. Notices of the proposed works were sent to the Town of Milton and to the owners of residential properties adjacent to the Project site, which outlined the scope of work for the underpass construction activity and where to direct enquiries about the work being undertaken. Per the *Railway Safety Act*, recipients were given the opportunity to register objections to the proposed works based on concerns about their personal safety or to their property within 60 days of receiving the notice. The Town of Milton registered comments on September 12, 2022.

Section 8 notification regarding drainage on the Project site was issued to potentially affected parties on January 17, 2022. The 60-day comment period ended March 17, 2022. CN responded in writing to Transport Canada with respect to drainage queries and concerns on July 15, 2022, per Section 10 of the *Railway Safety Act*.

3.0 Community Engagement

In 2021, CN announced the establishment of the Community Consultation Committee (the “Committee”) for the Milton Logistics Hub as part of its ongoing community communication and engagement related to the Project. CN elected to form the Committee as a component of the federally mandated [Community Liaison Communication Process](#) (See Project Documents). The Committee is led by independent third-party co-facilitators and its membership represents environmental, business, community, post-secondary education, and other interests in Milton and across Halton. The Community Consultation Committee serves as a community feedback forum to CN from Indigenous groups and local stakeholders prior to construction, throughout construction, and into operation of the Project.

Community Consultation Committee activity during Q3 included virtual and in-person meetings. The meetings were as follows:

Date	Activity	Format
August 4, 2022	Community Consultation Committee meeting	Virtual
July 14, 2022	Cultural Heritage Sub-Committee meeting	Virtual
August 31, 2022	Cultural Heritage Sub-Committee site tour	In person
September 22, 2022	Cultural Heritage Sub-Committee meeting	Virtual

3.1 Community Consultation Committee Meetings

Topics covered at the August 4, 2022, Community Consultation Committee meeting included: CN's proposed change to the Sun-Canadian pipeline reconfiguration, the construction of noise mitigation berms along the eastern edge of CN's property and Lower Base Line, and wildlife removal and relocation. CN provided aerial site photos that captured: Tributary A realignment; habitat enhancements; stormwater pond management 2 (completed) with some seeding and planting work; installation of a culvert where the terminal will be situated; Indian Creek realignment and the protective work part of this realignment, noting that this is a larger task than the Tributary A diversion; and the laydown area for the Sun-Canadian pipeline relocation. The Cultural Heritage Sub-Committee provided an overview of the issues and areas of work currently being explored with respect to future uses of four properties as identified in the [Heritage Maintenance and Reuse Reports](#).

In response to Committee member requests for further insight into transportation planning, two representatives from Halton Region joined the meeting as guests to provide a general overview of Halton Region's planning process. As agreed in advance by all parties, CN representatives departed the meeting prior to the guest presenters. Topics discussed in the presentation included:

- Overview of Transportation Planning Administration and Process
- Growth in Milton 2011 to 2021
- Post-ROPA 38 – Halton's transportation planning to address growth across the Region to 2031
- Regional Official Plan Amendment (ROPA 38) 38
- Transportation Master Plan – The Road to Change (2011)
- Active Transportation Master Plan (2015)
- Development Charges
- Municipal Class Environmental Assessment (MCEA) Process and Studies
- Looking ahead to continued growth in Milton and forecasted construction of transportation improvements in Milton to 2031
- Looking further ahead – Updating Halton's Official Plan (new ROPA) and Integrated Master Plan
- Development Review for Transportation: how, what, and when as well as guidance

3.2 Cultural Heritage Sub-Committee Meetings

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 met three times during this reporting period (July 14, August 31, and September 22, 2022) to discuss options regarding the potential reuse, relocation, and/or documentation of these structures. The sub-committee reported on its progress at the August

4, 2022, Community Consultation Committee meeting and continues to explore options. Members of the sub-committee, the Committee co-facilitators, a representative from CN, and a representative from Stantec participated in a site tour of the structures identified in the Heritage Maintenance and Reuse Reports on August 31.

3.3 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. The second edition of this report was finalized for member use on August 22, 2022.

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, provide opportunities for members to participate in field programs, and to identify ongoing economic opportunities on the Project and within CN's operating area.

CN continues to engage with Six Nations of the Grand River (Six Nations) on the Project and provide opportunities for members to participate in field programs.

CN meets regularly with the Huron Wendat Nation (HWN) to share updates on the Project and provide opportunities for members to participate in field programs.

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.

5.0 CN Milton Website Postings

In September, CN updated cnmilton.ca to integrate the Project website on CN's main website, cn.ca. The updated website layout took into consideration Committee feedback regarding concerns about the functionality of cnmilton.ca. The Project URL will continue to be used for all external communications; however, some previously shared URL links are no longer available.

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

Annual Reports

- [2022 Q2 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 Q3 (July through September 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. Project Site Activity <ul style="list-style-type: none"> Interest in a tower on Britannia Road and its connection to site construction activity. 	Community Consultation Committee	<ul style="list-style-type: none"> CN clarified that the tower is owned by a wireless infrastructure firm SBA who lease the land from CN. The tower is not connected to CN or the Project.
2. Project Design and Location <ul style="list-style-type: none"> Interest in the truck access to the facility. Interest in the location of the project site in relation to the town overall. 	Direct Correspondence	<ul style="list-style-type: none"> CN responded to queries by providing URL links to a range of site maps on IAAC site.
3. Wildlife Management and Removal <ul style="list-style-type: none"> Interest in the removal of the beaver dam in Indian Creek and the trapping of beavers. 	Community Consultation Committee	<ul style="list-style-type: none"> CN advised that the relocation of beavers is challenging because of their territorial nature and do not often survive in a new location, causing stress to the animal being relocated as well as to the animal located in the new location. A licensed trapper was retained by the contractor to trap the beaver prior to removal of the beaver dam. CN will pursue options for re-use of beaver pelts, per suggestions from Committee members.
4. Habitat <ul style="list-style-type: none"> Suggestion to include the flood line in photographs depicting habitat enhancements along creek alignment to gain an understanding over time of how the plant life withstand periodic flooding. 	Community Consultation Committee	<ul style="list-style-type: none"> CN continues to monitor habitat development and will conduct regular site updates that capture vegetation establishment within floodplain areas.