

Milton Logistics Hub: 2023 Q3 Report

For the period July 1 to September 30, 2023

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](#) as identified in Construction Schedule 15.2. Construction activities remain on schedule.

During the 2023 Q3 period, site activities have included: mainline track realignment; culvert replacement; preparatory and ongoing activities for Indian Creek cutover; habitat enhancements and a new channel for Tributary A; stormwater management pond 1 access road construction; eco-passage footing installation; ongoing wetland restoration; and construction of ponds and turtle nesting mounds. Efforts to plant grasses and trees to create a naturalized environment have progressed.

Lower Base Line was closed on July 4, 2023 to facilitate the mainline track realignment and the eventual construction of a road-under-rail underpass. Community notification was in place from June 16 through July 10, 2023. Roadside signage regarding the closure and detour routes remain in place around the project site.

On September 14, 2023, a filter bag associated with the downstream connection of the Indian Creek realignment malfunctioned, releasing sediment-laden water into a vegetated area more than 30 metres (m) from Indian Creek. Immediate steps were taken to prevent any further release to the environment. Repair and mitigation measures were implemented, and the Accidents and Malfunctions Communications Plan was followed. Following the incident, a site-specific best practices document was developed, and a written report was submitted to IAAC. Further description of the spill incident can be found below (2.3 – Spill Incident) and the report submitted to IAAC can be found at cnmilton.ca.

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. Isolation and Ongoing Water Management at Culvert 2A

Inset: Flow isolation and fish basket in preparation for wing walls installation



Figure 1 – July 6, 2023 and July 24, 2023 (inset)

2.1.2 Sub-Ballast Installation Along Mainline Diversion



Figure 2 – July 20, 2023

2.1.3 Several Major Rain Events Causing Flooding – Indian Creek
Downstream end of Indian Creek realignment



Figure 3 – July 27, 2023

2.1.4 Several Major Rain Events Causing Flooding – Access Road
Flooded construction access with erosion and sediment control measures in place and functioning as expected.



Figure 4 – July 27, 2023

2.1.5 Tributary A Diversion around Culvert 1 Construction Area

Diverted Tributary A isolated from construction area

Inset: Successful fish rescue conducted to dewater flooded work area

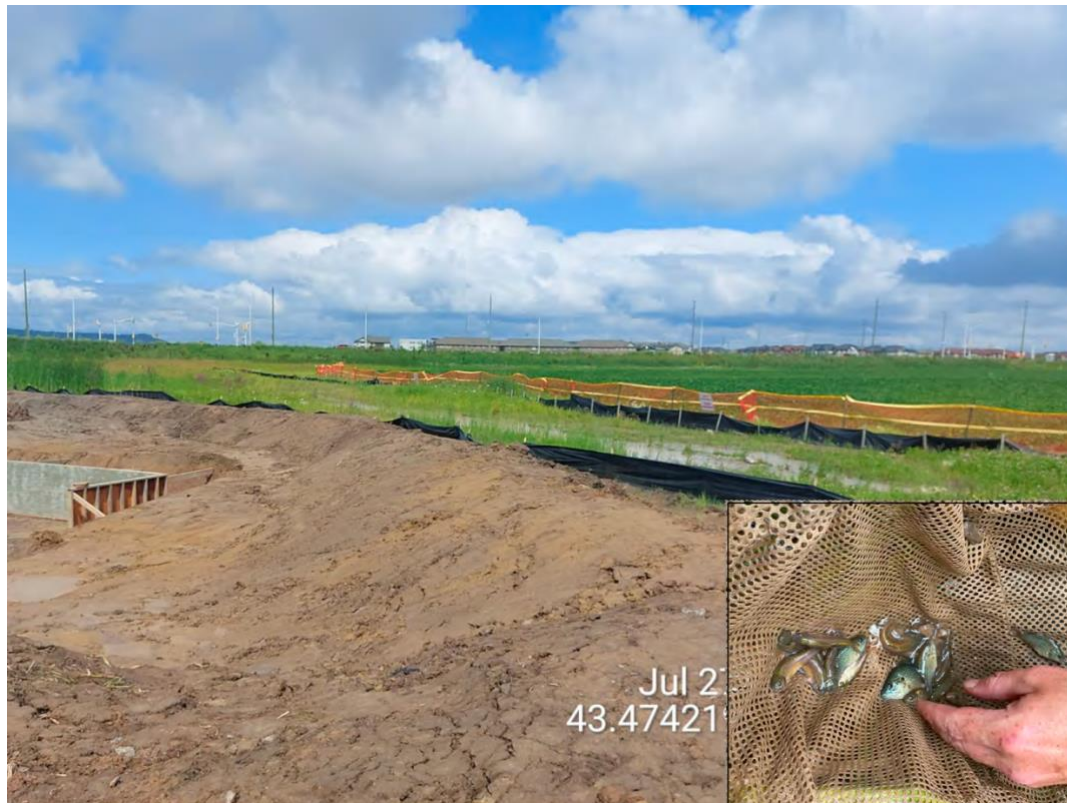


Figure 5 – July 27, 2023

2.1.6 Topsoil and Seeding of the Mainline Ditches

Topsoil and seed will promote vegetation growth to stabilize ditches



Figure 6 – July 10, 2023

2.1.7 Culvert 1 Eco passage Footing Installation

Isolation and containment of the construction area, with trenching, sumps, pumps, and mobile treatment containment to manage dewatering.



Figure 7 – August 14, 2023

2.1.8 Installation of Temporary Culvert for Diversion Track

Regrading for track construction and temporary culvert south of Lower Base Line



Figure 8 – August 3, 2023

2.1.9 Wildlife Returning to the Tributary A Naturalization Area



Figure 9 – August 22, 2023

2.1.10 Indian Creek Naturalization and Bank Stabilization

Planted milkweed growing in naturalized areas to diversify grasslands for Monarch habitat.



Figure 10 – August 9, 2023

2.1.11 Ditching and Ballast for Realigned Mainline at Ash Junction
Upper portion of mainline storm sewer visible



Figure 11 – August 19, 2023

2.1.12 Realigned Mainline Track Installation Underway
Track diversion installed at SunCanadian Access Road

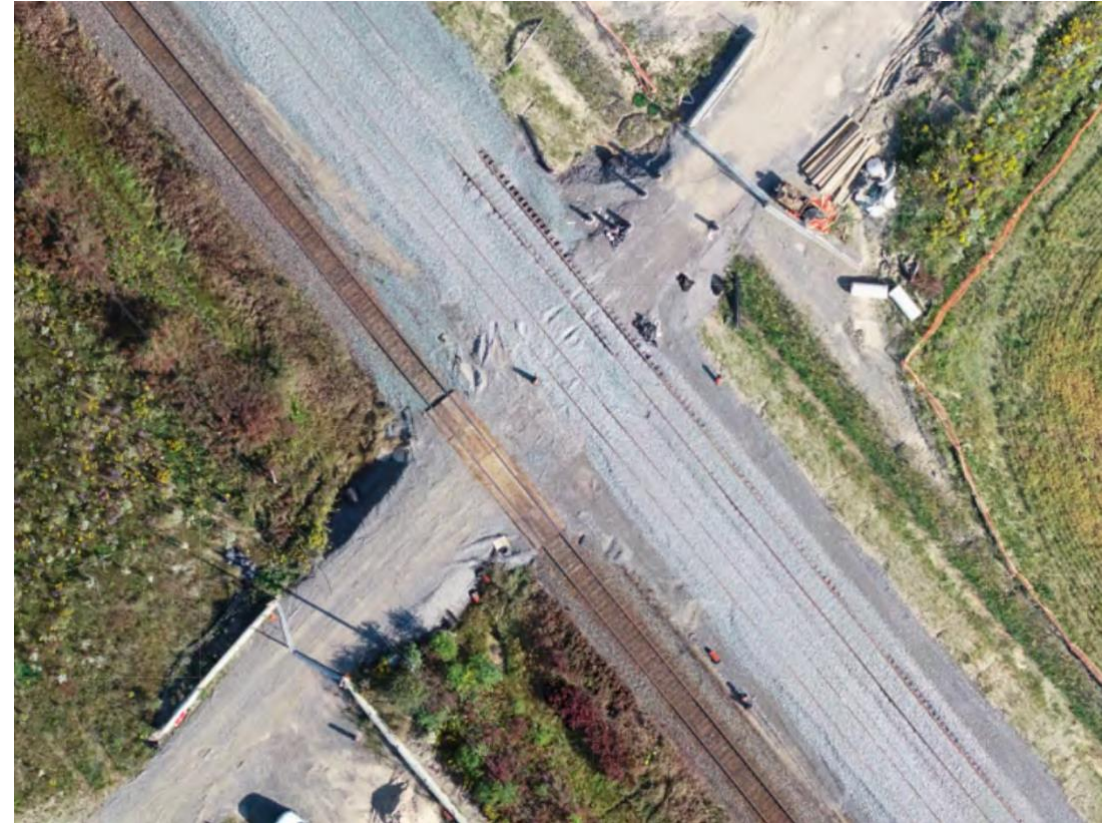


Figure 12 – September 20, 2023

2.1.13 Offline Indian Creek Realignment Area



Figure 13 – September 20, 2023

2.1.14 Preparation for Indian Creek Cutover

Coffer dam, pumps, silt fence, and flume all operational to protect Indian Creek; isolation and dewatering work area while water quality and flow is maintained.



Figure 14 – September 20, 2023

2.2 Meetings with Regulatory Agencies

CN regularly meets in person or virtually with representatives from the relevant regulatory agencies: Impact Assessment Agency of Canada (IAAC), Fisheries and Oceans Canada (DFO), Health Canada, Canadian Transportation Agency (CTA), and Environment and Climate Change Canada (ECCC).

Meetings with regulatory agencies occurred on:

- July 25, 2023
- September 12, 2023

When not meeting on site, participating agencies were provided with a virtual tour/photo log of the site. No areas of non-compliance or violations were identified by the agencies during these meetings. Information requests from IAAC during their visits were responded to by CN.

2.3 Spill Incident

On September 14, 2023, a filter bag being used to dewater the isolation area (i.e., work area behind the coffer dam) associated with the downstream connection of the Indian Creek realignment malfunctioned, releasing sediment-laden water into a vegetated area more than 30 metres (m) from Indian Creek. A portion of the contents (sediment from upstream flows) of that mixture made it through the secondary containment system, which consisted of straw bales, silt fence, and wildlife fencing, and was observed entering the creek, causing a visible, cloudy plume. All activities occurred on CN property.

Following the incident, immediate steps were taken to prevent any further release to the environment, including the following actions: Pumps were shut-off immediately to prevent further discharge of sediment laden water to the environment; and Dufferin Construction Company mobilized to repair the damaged filter bag.

Prior to any repair, discussions occurred on-site between Dufferin Construction Company, Cambridge Landscaping, Stantec, and CN to identify repairs and determine additional or modified mitigation measures. Based on this conversation, the following measures were carried out by Dufferin Construction Company on September 14, 2023:

- Removed the existing filter bag and the damaged containment area, consisting of a layer of strawbales and layer of silt fence.
- Left existing wildlife fencing intact and it was not removed as part of the repairs.
- Installed a double row of strawbales to create a sediment basin within which the filter bag is located.
- Lined the sediment basin created by the strawbales with filter fabric.
- Installed a new, longer filter bag (10 m long) to replace the failed filter bag (5 m long).
- Replaced a row of strawbales located downstream of the discharge point from the sediment basin with new bales.
- Installed a second row of silt fence at the discharge location.

- Installed a row of strawbales between the two rows of silt fencing.

Environmental Monitors were present during the implementation of the above described measures and monitoring of turbidity levels within Indian Creek continued throughout the day. The environmental monitor inspected the area prior to initiating pumping activities on September 15. Periodic pumping of the isolation area continued over the weekend by DCC to maintain water levels. The environmental monitor was also present over the weekend to monitor proper functioning of the filter bag containment area during isolations pumping activities.

Subsequent to the implementation of the above measures, and at the request of CN, DCC developed a Site Specific Best Practices Document for Pumping Basins / Silt Bag Maintenance to document protocols and procedures for the use of filter bags and pumping of construction water on site.

2.3.1 Residual Effects and Modified Mitigation Measures

Residual adverse effects to water quality, fish, and fish habitat within Indian Creek are expected to be negligible. While sediment laden water entered the creek causing elevated turbidity levels, the influx was short in duration (instantaneous, not continuous), as the pumps were shut off immediately, and turbidity levels returned to background levels within a few hours of the incident.

No residual accumulation of silt was observed within Indian Creek. Conditions returned to baseline levels shortly (i.e., within a few hours) after the incident. The incident occurred outside of the restricted activities period (March 15 to June 30) when fish are more susceptible to adverse water quality impacts. No fish mortality was observed. No long-term impacts on water quality, fish, or fish habitat are anticipated. No other valued components of the environment are expected to have been impacted by this spill as the release to the environment was isolated and contained to Indian Creek.

2.3.2 Spill Incident Communications

In accordance with the Accident and Malfunction Communication Plan, the incident was reported to various parties via phone call and email. Notification was provided to IAAC, Fisheries and Oceans Canada (DFO), Mississaugas of the Credit First Nation, the Six Nations of the Grand River, the Ontario Ministry of the Environment, Conservation and Parks (MECP) Spills Action Centre (ECCC representative in Ontario), the Region of Halton and the Town of Milton, and downstream landowners.

In accordance with Conditions 14.5.4 and 14.5.5 of the amended Decision Statement issued July 26, 2022, a 30-Day Report was submitted to IAAC on October 13, 2023 and a 90-Day Report was submitted to IAAC on December 8, 2023. Both reports were posted on cnmilton.ca and can be retrieved [here](#) under Construction Notices.

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.

3.1 Community Consultation Committee Meetings

The Community Consultation Committee met on:

- August 3, 2023 (site tour followed by in-person meeting)

The focus of the in-person meeting was on CN’s Safety and Emergency Response Program Review and Environmental Emergency Response Program. Topics discussed included: CN’s safety management system; emergency planning and preparedness; Transport Canada’s regulations and inspections; intermodal facility operations, how dangerous goods are classified and how they are moved through intermodal facilities; the work of CN’s Dangerous Goods officers; community outreach/safety efforts; CN’s Incident Command System and application; engagement with local authorities prior to and during incidents; and engagement with regulatory bodies regarding containment, remediation, and restoration after an incident.

General discussion focused on: continued activities of the Cultural Heritage Sub-Committee to identify re-use of 5381 Tremaine Road and salvage opportunities for other buildings; habitat enhancements progress (e.g., construction associated with Indian Creek cutover); discussions with the Toronto Zoo for collaborative work on bats and further research collaboration; temporary closure of Lower Base Line for mainline realignment and underpass (see 3.2); and general Committee communication tools.

3.2 Night Construction Notification

In order to inform the nearby community of the scheduled night construction work on August 10 to August 11, 2023, notification to the community was made through the following methods:

- Advertisement in the *Milton Canadian Champion* on July 27, August 3, and August 10 2023.
- Notice posted on the Construction Updates section of [cnmilton.ca](#) on July 26, 2023.
- Notices were hand-delivered to 25 neighboring residences on July 28, 2023.
- By email to the Community Consultation Committee on July 27, 2023.

See **Appendix A** for Night Construction Notification.

Notification of the Lower Base Line closure (see [2023 Q2 Quarterly Report](#)) commenced on June 16, 2023 and continued through to July 10, 2023.

See **Appendix B** for Road Closure Notification.

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

The following new documents were posted to the CN website during this reporting quarter:

Annual Reports

- [2023 Q2 Quarterly Report](#)

Construction Updates

- [Notice of Night Construction \(August 10-11 2023\)](#)

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 2023 Q3 (July 1 to September 30 2023). 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. Lower Base Line <ul style="list-style-type: none"> • Concerns about CN's authorization to close a road. • Concerns about barricades and signage at the intersection of Lower Base Line and First 	Direct correspondence	<ul style="list-style-type: none"> • The Project was fully approved, after an extensive federal process that lasted several years and included a full public hearing in Milton by an independent panel of experts. The Town of Milton and Halton Region and local members of the public fully participated in that multi-year process. The result was the issuance of formal approvals to proceed, which together contain numerous restrictive protections, many of them in

TOPIC		
Summary of Topic	Source of Input	CN Consideration/Response
<p>Line posed difficulties for a school bus trying to gain access to a home on Lower Base Line.</p> <ul style="list-style-type: none"> Interest in underpass infrastructure, including its size and scale once complete. 	<p>Community Consultation Committee</p>	<p>response to Town and Region submissions. The authorized work included the road closure, which is an unavoidable part of construction of the facility. CN did not need the Town's permission to close the road but sought the Town's technical input on the draft written closure plan. The Town asked for a specific change to the detour plan, which CN accommodated.</p> <ul style="list-style-type: none"> The road closure is a necessary step in order to facilitate the realignment of CN's main line, which includes the fully CN-funded construction of an underpass. In its final configuration, it will be a road under rail structure. This underpass will improve traffic flow and facilitate east-west passage for all users of Lower Base Line. To address school bus access to Lower Base Line, CN staff inspected the area and advised Dufferin Construction to move the barricades and signage northward to provide larger vehicles easier access to Lower Base Line. The issue was addressed immediately and CN staff continued to monitor the area; there have been no subsequent issues reported. The top of rail for the diversion track will be 2.5m higher than the existing/current Lower Base Line; once complete, the underpass road elevation will be 4.5m lower compared to the existing Lower Base Line.
<p>2. Environmental Impacts and Enhancements</p> <ul style="list-style-type: none"> Interest in the proportion of CN's overall Project costs are applied to environmental enhancements. Interest in native plants on site with medicinal purposes for animals. Concerns about health impacts associated with the Project. 	<p>Community Consultation Committee</p>	<ul style="list-style-type: none"> Approximately 15-25% of the cost of the Project is related to environmental aspects, such as the creek enhancements, monitoring, planting, charging stations, and mitigation efforts. Needs will vary at different stages of the Project; currently a large portion of the work being done on site is related to environmental enhancements. Plants with medicinal uses were identified by a representative of one of the participating Indigenous groups. A list of plants and their purposes will be shared with Committee members once available. There are more than 40 mitigation measures in place to help control air emissions at the site to address the air quality and human health impact. In addition, the


TOPIC		
Summary of Topic	Source of Input	CN Consideration/Response
		<p>Government of Canada intends to work with the Government of Ontario to develop a regional air quality management strategy that would “address air pollution from key sources in and around the region” and “support long-term health and environmental benefits to the seven million Canadians that live in the area, including in Milton.” (Impact Assessment Agency of Canada (2021, January 21). <i>Government of Canada Approves Milton Logistics Hub Project</i> [News Release] https://iaac-aeic.gc.ca/050/evaluations/document/137907)</p> <ul style="list-style-type: none"> The Review Panel in their report concluded that the air quality in the area is already affected due to existing development and activity unrelated to the Project.
<p>3. Safety Protocols and Emergency Management</p> <ul style="list-style-type: none"> Interest in CN’s safety record in Halton and area. Interest in how dangerous goods are identified and who is responsible for documenting how goods are classified. Interest in the collaboration between CN and local authorities/first responders in the case of an incident/emergency. Interest in whether Halton Region/Town of Milton resistance to CN MLH has been a barrier to working collaboratively on emergency management exercises/drills. Interest in the extent of CN’s responsibility for land remediation after a spill. 	<p>Community Consultation Committee</p>	<p><i>Safety Record</i></p> <ul style="list-style-type: none"> Links to reports regarding CN’s safety record discussed during the 2019 Review Panel hearing: <ul style="list-style-type: none"> Undertaking 9: During the June 29, 2019 hearing session CN responded. CEAR #879 https://ceaa-acee.gc.ca/050/documents/p80100/130632E.pdf *see 1500 line 20 (PDF page 387) Undertaking 10: From Transport Canada - History of Incidents Involving Dangerous Goods. July 3, 2019 CEAR #917 https://www.ceaa-acee.gc.ca/050/documents/p80100/130758E.pdf Undertaking 26: From CN - Information on 20 Dangerous Goods. July 9, 2019 CEAR #919 https://www.ceaa-acee.gc.ca/050/documents/p80100/130808E.pdf <p><i>Goods Movement</i></p> <ul style="list-style-type: none"> Transport Canada has full access to all CN facilities and operations; all containers moving in and out of a terminal have detailed paperwork; Transport Canada takes the lead on inspections as it is their regulations and they determined whether standards are being met; the onus is on the shipper to prepare documentation correctly; Transport Canada and CN’s Dangerous Goods officers can open and inspect any

TOPIC		
Summary of Topic	Source of Input	CN Consideration/Response
		<p>container at any time; under Transport Canada’s lead CN works with Transport Canada to determine where compliance breakdowns occur.</p> <p><i>Emergency Management and Restoration Efforts</i></p> <ul style="list-style-type: none"> • In the event of an incident, CN’s emergency management protocol involves a process of notifying all relevant stakeholders; CN Police engage local fire departments and police, who take the lead in managing the incident including determining evacuation orders; CN engages local municipalities and collaborate on communications. CN Police work collaboratively with local authorities for non-CN activities such as missing persons. • CN’s environmental response team is a large component of CN’s biodiversity strategy; the clean-up of an incident is not the only work CN is doing, but also seeking to not just repair the site to its previous condition but to find opportunities to make an area better, depending on the situation.
<p>4. Community Engagement</p> <ul style="list-style-type: none"> • Interest in CN presenting its sustainability efforts to local community group. • Interest in ways CCC can create broader awareness of the work they are doing. 	<p>Community Consultation Committee</p>	<ul style="list-style-type: none"> • CN welcomes the opportunity to speak to local community groups about initiatives such as sustainability; a meeting date in 2024 will be arranged by the interested community group. • Committee Co-Facilitators continue to explore avenues and tools to assist Committee members with ways to communicate to their stakeholder groups; the semi-annual newsletter is considered a helpful tool.

Appendix A – Night Construction Notification

Notice posted on the Construction Updates section of cnmilton.ca on July 26, 2023 and hand-delivered to 25 neighboring residences on July 28, 2023.

Print advertisement in the *Milton Canadian Champion* on July 27, August 3, and August 10, 2023.



Milton Logistics Hub

Notice of Night Construction

AUGUST 10–AUGUST 11, 2023

Construction Activity
Construction crews will be installing culverts to ensure consistent and efficient drainage throughout the site during construction. Night work is required to minimize disruption to mainline rail operations.


What to Expect
Anticipated impacts in the vicinity of the project site while work is being performed might include:

- Noise from construction equipment and machinery
- Beeping from backup alarms on construction equipment and vehicles
- Lighting in the work area

Lighting will be positioned away from residential areas to help mitigate light impacts in the vicinity.

Efforts will be made to complete the night construction activity as quickly as possible.

Hours of Night Work
Work will occur between 8:00 p.m. on Thursday, August 10 and 8:00 a.m. on Friday, August 11, 2023.





Milton Logistics Hub

Notice of Overnight Construction

August 10–August 11, 2023

Construction Activity
Construction crews will be installing culverts to ensure consistent and efficient drainage throughout the site during construction. Night work is required to minimize disruption to mainline rail operations.

Hours of Night Work
Work will occur between 8:00 p.m. on Thursday, August 10 and 8:00 a.m. on Friday, August 11, 2023.

What to Expect
Lighting will be positioned away from residential areas to help mitigate light impacts in the vicinity.

Efforts will be made to complete the night construction activity as quickly as possible.


For more information about this project:
Visit: cnmilton.ca
Email: milton@cn.ca
Call: 1.800.216.9466





Appendix B – Road Closure Notification

Notice posted on the Construction Updates section of cnmilton.ca on June 15 and hand-delivered to 53 neighboring residences on June 15, 2023.


CN Milton Logistics Hub | July 2023

Notice of Road Closure

CN will be commencing work on mainline realignment on Lower Base Line

Lower Base Line between First Line and Tremaine Road will be closed to through traffic in order to facilitate CN's mainline track realignment construction.

During the construction period, only local traffic (residents between First Line and Tremaine Road) will have access to Lower Base Line. For residents west of the CN track, access will be provided via Tremaine Road. For residents east of the CN track, access will be provided via First Line.

All other traffic will be detoured around the construction area via Tremaine Road, Britannia Road, First Line, Regional Road 25, and Burnhamthorpe Road. Please see the detour route map on the reverse page for more information. Please abide by all road signage and follow designated traffic routes.

The closure is scheduled to commence July 4, 2023 and will continue for approximately two years.

We apologize for any inconvenience this may cause.

For questions or concerns regarding this notice, contact:

CN Public Inquiry Line
Tel: 1.888.888.5909
Email: milton@cn.ca

For more information about the CN Milton Logistics Hub or to sign up for updates, please visit cnmilton.ca

Front


CN Milton Logistics Hub | July 2023


Detour Routes – Lower Base Line Road Closure



Name	From	To
D-1	East on Britannia Road or North on First Line	Lower Base Line West of railway tracks
D-2	Lower Base Line East of railway tracks	Lower Base Line East of railway tracks
D-3	Lower Base Line West of railway tracks	Lower Base Line East of railway tracks
D-4	West on Britannia Road or North on Tremaine Road	Lower Base Line East of railway tracks

Back

Print advertisement in the *Milton Canadian Champion*,
Oakville Beaver and *Burlington Post* on June 22, 2023.



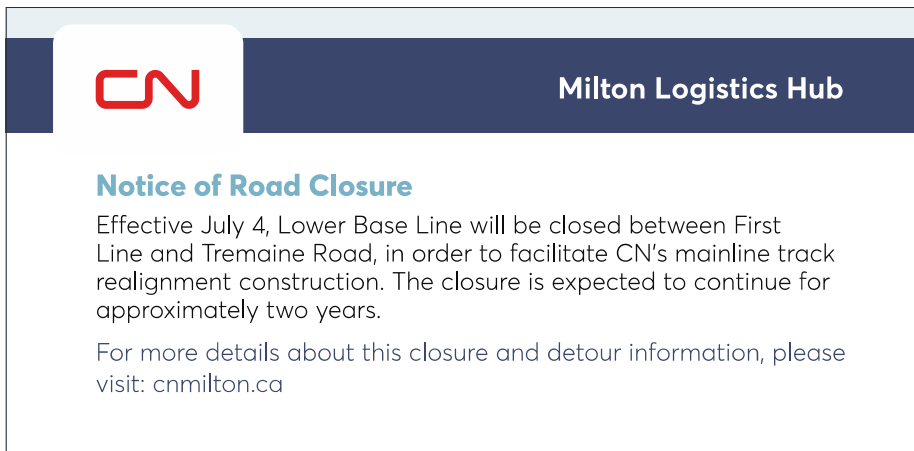
Milton Logistics Hub

Notice of Road Closure

Commencing as early as the week of July 4, Lower Base Line will be closed between First Line and Tremaine Road, in order to facilitate CN's mainline track realignment construction. The closure is expected to continue for approximately two years.

For more details about this closure and detour information, please visit: cnmilton.ca

Print advertisement in the *Milton Canadian Champion*, *Oakville Beaver* and *Burlington Post* on June 29 and July 6, 2023.



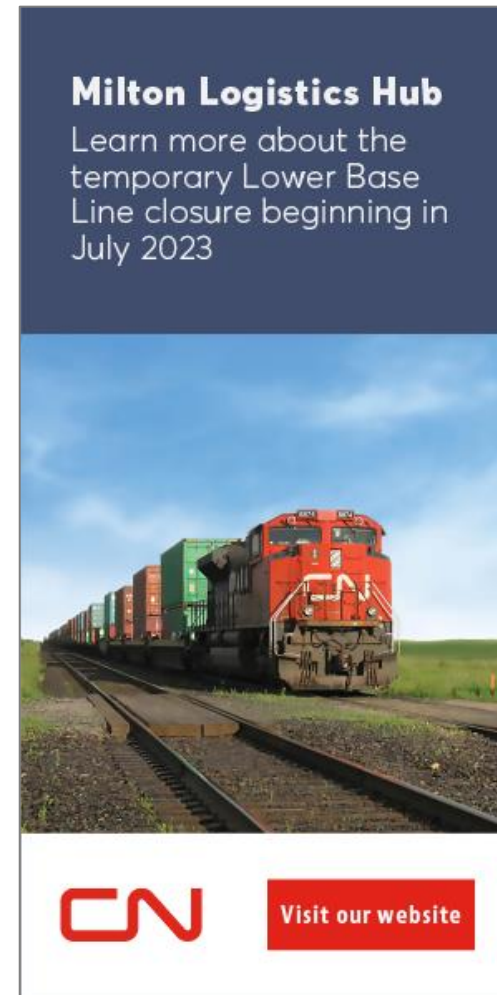
Milton Logistics Hub

Notice of Road Closure

Effective July 4, Lower Base Line will be closed between First Line and Tremaine Road, in order to facilitate CN's mainline track realignment construction. The closure is expected to continue for approximately two years.


For more details about this closure and detour information, please visit: cnmilton.ca

Digital placements on InsideHalton.com from June 16 to July 10, 2023.



Milton Logistics Hub

Learn more about the temporary Lower Base Line closure beginning in July 2023



Milton Logistics Hub

Learn more about the temporary Lower Base Line closure beginning in July 2023

[Visit our website](http://cnmilton.ca)



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