

Milton Logistics Hub: 2024 Q1 Report

For the period January 1 to March 31, 2024

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. Phase One activities as identified in Construction [Schedule 15.2](#) were completed at the end of December 2023. Phase Two activities as identified in Construction Schedule 15.2 commenced in January 2024, with a predominant focus on the construction of the Lower Base Line underpass, the truck entrance overpass at Britannia Road, and the mainline extension north of Britannia Road to Derry Road.

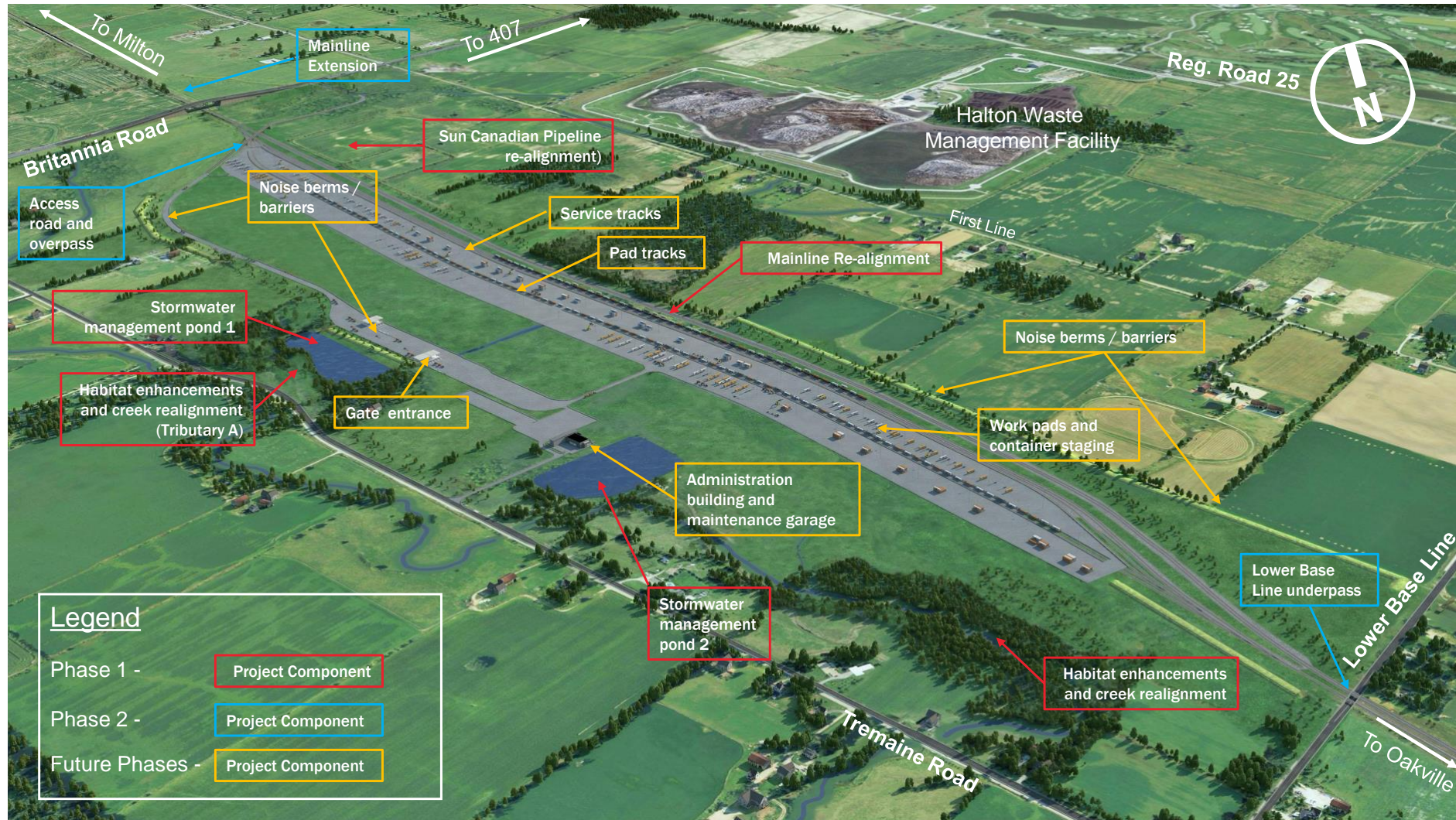
During the 2024 Q1 period, site activities included: silt fencing and wildlife fencing reconfiguration; excavation and grading; culvert installation along access roads; Britannia access road berm construction; site preparation and access construction for new laydown area 1; topsoil stockpiling, removal, and grading for laydown area 3; and Lower Base Line grade separation.

Activities related to the construction of the Project were temporarily halted as of March 1, 2024 after the federal Decision Statement that authorized CN to build the CN Milton Logistics Hub was set aside following a judicial review application by the Halton Municipalities. While Project construction was temporarily halted, the following activities took place for care and maintenance of the Project site: site stabilization and repairs to erosion control measures; backfill stripped area and drainage swale installation to Culvert 2A; grade slopes of stockpiles to deter bird nesting; backfill open excavations; monitor track and piles at Lower Base Line; installation of protection guard rail for shoring wall at Lower Base Line; Lower Base Line roadway sweep; and the removal of equipment and materials from the site (for security reasons). Environmental monitoring and follow-up programs continued as scheduled.

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



Construction Phases



2.1 Construction Site Photos

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

2.1.1 Lower Base Line – Lagging Work and Anchor Testing February 15 to March 1, 2024



2.1.2 Lower Base Line – 450mm Culvert Installation
March 1, 2024



2.1.3 Lower Base Line – Excavation and Install for 600mm Culverts
March 1, 2024



**2.1.4 Lower Base Line Grade Separation – Forming works
south wing wall**
March 1 to March 4, 2024



**2.1.5 Britannia Access Road – Continued vegetation removal for berm
construction preparation**
February 12 to February 20, 2024



2.1.6 Tremaine Access Road
February 13 to 15, 2024

Completion of vegetation removal



Placement of geotextile and grid



Placement and compaction of granular



2.1.7 Mile 38.5 Crossing – Temporary 900mm culvert installation
February 23, 2024



5750 First Line, Milton, ON L9T 2X5, Canada
February 23, 2024, 12:33 p.m.



5750 First Line, Milton, ON L9T 2X5, Canada
February 26, 2024 12:54 p.m.



5750 First Line, Milton, ON L9T 2X5, Canada
February 26, 2024 12:14 p.m.

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:

- January 9, 2024 (virtual)
- February 13, 2024 (virtual)
- March 25, 2024 (virtual)

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.

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:

- February 1, 2024 (virtual)
- March 11, 2024 (virtual)

Topics discussed at the February 1, 2024 meeting included: an overview of the completion of construction activities in Phase 1, such as the realignment of the mainline, and construction of the eco-passage near Britannia Road; an overview of the regional bypass drainage system; an overview with site photos of the value of the creation of the floodplain to manage high water flows from rain events; and an overview of Phase 2 activities. The Committee Co-Facilitators led a discussion on communications vehicles that could be developed to support Committee members’ efforts to convey information to their stakeholder groups, such as an independent Committee website.

The March 11, 2024 special meeting provided Committee members with an overview and update of current legal proceedings with respect to the project. The March 1, 2024 federal judicial review decision was the focus of the discussion, with an explanation of the decision and its impact on Project construction activities. Committee members were advised that some staff would remain on site throughout the temporary shutdown to continue with environmental monitoring and follow-up programs and to ensure the site remained safe and secure. Discussion included CN's desire for the Committee to continue to meet throughout the construction shutdown. A status update on the Ontario Superior Court decision (March 7, 2024) and the Canadian Transportation Agency decision (heard on June 7, 2023) were also discussed during this special meeting of the Committee.

3.2 Community Engagement

On January 18, 2024 CN was invited to present an overview of the Project to the Halton Hills Chamber of Commerce's Board of Directors. CN representatives provided an overview of the purpose and need for the Project, background on the environmental assessment process and panel hearing, and discussed supply chain fluidity. Topics discussed included truck routes, truck storage lots, and comparisons to other CN intermodal facilities and the impact on design.

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.

The Mississaugas of the Credit First Nation, Six Nations of the Grand River, and the Huron Wendat Nation 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. Since the commencement of construction activities, environmental monitors representing these groups have been on the Project site.

5.0 CN Milton Website Postings

Annual Reports

- [2023 Q3 Quarterly Report](#)
- [2023 Q4 Quarterly Report](#)
- [2023 Annual 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 2024 Q1 (January 1 to March 31, 2024). 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 | | |
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| Summary of Topic | Source of Input | CN Consideration/Response |
| 1. Train Noise <ul style="list-style-type: none"> Concern about increase in noise from trains moving through Derry Road area. | Community Consultation Committee | <ul style="list-style-type: none"> CN stated there have been no changes to operations and that it is a heavily used corridor. CN will continue to monitor for changes. |
| 2. Impact of Construction on Nearby Residences <ul style="list-style-type: none"> Suggestion to provide community notification to nearby residents as construction progress through more populated neighborhoods. Concerns about noise and vibration impacts on residences on Lower Base Line, including property damage. | Community Consultation Committee Direct Correspondence | <ul style="list-style-type: none"> When construction resumes and work commences north of Britannia Road towards Derry Road (i.e., more populated neighborhood), CN will provide notification to the community of increased construction activities through that corridor. CN representatives investigated complaints about driveway damages raised by two property owners on Lower Base Line. CN determined that the damage was unlikely caused directly from the Project construction activity. In consultation with the property owners, CN made the repairs at no cost to the homeowners. |
| 3. Terminal Design <ul style="list-style-type: none"> Interest in rest areas, access to facilities, and overflow parking for drivers to be incorporated into the terminal design. Concerns about truck parking and the lack of truck storage lots in vicinity. | Community Consultation Committee | <ul style="list-style-type: none"> The terminal design is currently in progress. CN continues to engage stakeholders on the terminal design to reflect customer and community interests. The 1.7 km driveway will help address queuing concerns by removing trucks waiting to enter the facility from nearby roads. Truck storage lots nearby terminals is infrastructure provided by third parties. |

| TOPIC | | |
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| Summary of Topic | Source of Input | CN Consideration/Response |
| <p>4. Cultural Heritage Property (5381 Tremaine Road)</p> <ul style="list-style-type: none"> Concerns about whether the house has been checked for asbestos. Interest in progress on conversations with community groups for potential re-use in situ. | Community Consultation Committee | <ul style="list-style-type: none"> CN confirmed the house does not contain asbestos. Conversations for potential re-use of the house by a Milton-based community organization continue; concerns about residential zoning classification for desired re-use are being explored by the community organization. |
| <p>5. Legal Matters</p> <ul style="list-style-type: none"> Interest in status of legal activities. Interest in impact of legal activities on construction activities, timelines, and Committee meeting frequency. Concerns that federal cabinet approved Project without sufficient information on impact on human health. Interest in whether Lower Base Line would be reopened while construction temporarily halted. | Community Consultation Committee | <ul style="list-style-type: none"> There are three legal proceedings related to the CN Milton Logistics Hub, brought forward by the Halton Municipalities: (1) federal judicial review of the Project approval from the federal environment minister and cabinet (remanded for redetermination on March 1, 2024); (2) appeal of the Ontario Superior Court (dismissed on March 7, 2024); and (3) appeal of the approval of Canadian Transportation Agency's Section 98 (pending). CN filed a motion to stay to allow CN to continue construction activities during the appeal process. All construction activities were temporarily halted after the March 1, 2024 judicial review decision; environmental monitoring and follow-up programs continued. CN encouraged Committee meetings to continue throughout the construction pause as there were topics that could still be discussed throughout this period. All information was presented to the Minister of the Environment and Cabinet for consideration in their approval; the redetermination will not be reviewing new material. A significant amount of the grade separation construction on Lower Base Line had been underway when construction was paused, making the road unusable and therefore the road will remain closed until the work could be completed. |

| TOPIC | | |
|--|---|---|
| Summary of Topic | Source of Input | CN Consideration/Response |
| <p>6. Community Outreach</p> <ul style="list-style-type: none"> • Interest in increasing diversity by expanding stakeholder group representation on the Committee. • Interest in developing communication vehicles to share Project information independent of CN. • Interest in having environmental monitors representing Indigenous groups on site participate in CCC meetings on occasion. | <p>Community Consultation Committee</p> | <ul style="list-style-type: none"> • Committee Co-Facilitators have explored inviting local stakeholder and interest groups to join the Committee, including multicultural organizations and homebuilder groups, to ensure the interests and perspectives of diverse groups are represented. CN remains supportive of the independent Co-Facilitators determining the makeup of the Committee. • The Committee Co-Facilitators produce a twice annually newsletter that can be shared by Committee members to convey information to their stakeholder groups. After extensive discussions, the Committee determined a website (independent of CN) could be established to store a range of documents on Committee discussions of interest to the public. CN is supportive of the Committee initiative. • Committee Co-Facilitators will work with CN to invite environmental monitors representing Indigenous groups on site to participate in Committee meetings. |