

Milton Logistics Hub: 2023 Q4 Report

For the period October 1 to December 31, 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. Site activities have been carried out as outlined in [Construction Schedule 15.2](#). All activities are being carried out in accordance with the conditions outlined in the federal [Decision Statement](#).

The primary activity during the 2023 Q4 period involved the realignment of the mainline. Other site activities during this period have included: grading, draining ditches for stormwater management systems and mainline culvert replacements; utility installation and connection and Milton Hydro pole relocation; completion of the cutover of Indian Creek; completion of Culvert 1 ecopassage footing installation; Tributary A channel realignment and diversion into the new ecopassage (Culvert 1); and preparatory work for Lower Base Line grade separation, including Tributary C channel diversion. Phase One construction activities are now complete.

No noise complaints were received during the 2023 Q4 period.

2.1 Construction Site Photos

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

2.1.1 Realigned Mainline Track Installation

Tracks being installed on new ballast parallel to mainline.



Figure 1 – October 4, 2023

2.1.2 Realigned Mainline Track Installation

Track installation approaching Lower Base Line



Figure 2 – October 31, 2023

2.1.3 Realigned Mainline Track Now Active

Temporary mainline diversion to facilitate Lower Base Line grade separation.



Figure 3 – December 7, 2023

2.1.4 Commenced Work for the Tributary C Diversion

Diversion of the roadside ditch underway to facilitate Lower Base Line grade separation.



Figure 4 – November 30, 2023

2.1.5 Culvert 1 Ecopassage Footing Installation

Arch culvert sections installed using large crane. Mixed gravel and stone material to be dispersed within the culvert to create natural substrate along Tributary A



Figure 5 – October 31, 2023

2.1.6 Tributary A Channel Realignment

Tributary A diversion into the new ecopassage (Culvert 1) has been installed. Diversion remains in place (dewatering of flooded Culvert 1 work area underway)



Figure 6 – November 10, 2023

2.1.7 Indian Creek Diversion Channel

Coffer dams set to divert flows into temporary channel



Figure 7 – October 3, 2023

2.1.8 Indian Creek Diversion Channel

Coffer dams in place and diverting flows into the temporary channel



Figure 8 – October 18, 2023

2.1.9 Indian Creek Diversion Channel

Offline wetland habitats being constructed along old channel



Figure 9 – October 23, 2023

2.1.10 Indian Creek Diversion Channel

Central connection under construction. Offline wetland habitats being constructed along old channel



Figure 10 – October 23, 2023

2.1.11 Indian Creek Activation

Coffer dam removal in progress prior to flows spilled into first riffle section of the realigned channel



Figure 11 – November 8, 2023

2.1.12 Indian Creek Activation

Water enters second riffle section after filling first pool



Figure 12 – November 8, 2023

2.1.13 Indian Creek Activation

Natural channel design riffle-pool-riffle activated with flowing water. Deep water pools provide refuge and habitat diversity.



Figure 13 – November 8, 2023

2.1.14 Indian Creek Activation

Water entering the final riffle section of the realigned channel.



Figure 14– November 8, 2023

2.1.15 Indian Creek Activation

Downstream connection at the final riffle section



Figure 15 – November 8, 2023

2.1.16 Downstream section of Indian Creek
Indian Creek backwater area and regional by-pass channel



Figure 16 – November 10, 2023

2.1.17 Indian Creek
Clear water flowing through first created riffle section downstream of a pool



Figure 17 – December 1, 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:

- September 12, 2023 (site visit)
- October 11, 2023 (virtual)
- November 14, 2023 (virtual)

DFO representatives were on the Project site to observe the November 8, 2023 cutover of Indian Creek, including post-cutover conditions.

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.

2.3 Sea Lamprey Encounters During 2023 Fish Rescue Operations

Nine juvenile Sea Lamprey were captured on the Project site while conducting fish and animal relocations (electrofishing) in 2023. Sea Lampreys are a parasitic fish native to the Atlantic Ocean, known as an invasive, destructive pest for the damage it inflicts on native fishery stocks. The Great Lakes Fishery Commission leads in the assessment and control of the species in Canada and the United States and Canadian efforts are implemented by Fisheries and Oceans Canada (DFO).

Fish relocation efforts on the Project site were carried out to assist with construction works—as required. Fish relocations were carried out under a Ministry of Natural Resources (MNR) Scientific Collectors Permit/Authorization that was granted to Stantec on January 17, 2023. All fish rescue and relocation efforts were carried out in accordance with the conditions of the permit and per the direction of MNR and Sea Lamprey were captured on several relocation events.

Following the confirmed identification of the Sea Lamprey, the Sea Lamprey Control Centre of DFO was contacted and advised of the capture record, which was also the first known record from this area of the Indian Creek watershed. MNR and Conservation Halton were also made aware of the captures.

The discovery of the species and proper reporting has led DFO to expand their control area and assisted in advancing the management of this invasive, destructive species.

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:

- October 3, 2023 (virtual)
- December 7, 2023 (virtual)

The focus of the October 3, 2023, in-person meeting was on CN’s sustainability efforts. Topics discussed included: CN’s target to reduce greenhouse gas emissions by 43% by 2030, including fuel efficiency initiatives and use of biodiesel and renewable diesel. Also discussed were areas of new technologies that CN is exploring, such as hydrogen fuel cell and hydrogen combustion, and retrofitting mainline and yard locomotives. Other topics discussed during the meeting included: the mainline track realignment and the Lower Base Line road closure; the Indian Creek cutover plan; the silt bag malfunction (as noted in the 2023 Q3 Quarterly Report, Section 2.3 Spill Incident); planting/landscape work on site; regulatory oversight and monitoring including IAAC site reports available online; an overview of the current legal proceedings related to the Project; and communication vehicles for Committee member to share Project information with stakeholder groups.

Topics discussed during the December 7, 2023 meeting included: Milton Hydro pole relocation and concerns of local residents; status of community group interest in the reuse of the CN-owned home at 5381 Tremaine Road and zoning regulations that might apply to the re-use of the home; night construction that occurred November 30 to December 4, 2023 as part of the mainline realignment work; culvert work to address flow issues on Lower Base Line where flooding has been problematic in the past; soil management including re-use and disposal as well as testing; construction of ecopassage near Britannia Road; restoration activities around the site and the growth of vegetation; the incorporation of recommendations from Conservation Halton’s 2002 Watershed Study report into the Project site design; truck gate design and congestion and emergency exit options; construction timeline and schedule; update on current legal proceedings related to the Project; and overall Committee process and effectiveness based on feedback from Committee members during one-on-one check-in sessions held by the Committee Co-Facilitators.

3.2 Night Construction Notification

In order to inform the nearby community of the scheduled night construction work between November 30 and December 4, 2023, notification to the community was made through the following methods:

- Notice posted on the Construction Updates section of cnmilton.ca on November 14, 2023.
- Notices were hand-delivered to 53 neighboring residences on November 14, 2023.
- By email to the Community Consultation Committee on November 14, 2023.
- By email to the Project Distribution List on December 1, 2023.

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

Due to the closure of the *Milton Canadian Champion* in September 2023, placing print advertisements in a local newspaper was not an option. Digital placement in the local online news source, *InsideHalton.com* was unavailable during the notification period.

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.

Since commencement of construction activities, environmental monitors representing these groups have been on the Project site.

5.0 CN Milton Website Postings

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

- [September 14, 2023 Spill 90-Day Report](#)
- [Notice of Night Construction \(November 28-December 4 2023\)](#)
- [2023 Q3 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 2023 Q4 (October 1 to December 31, 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
<p>1. Lower Base Line</p> <ul style="list-style-type: none"> • Interest in CN's infrastructure construction on Lower Base Line • Concerns about road closure and communication protocols with Town of Milton. • Concerns about turnaround areas for Town maintenance vehicles on Lower Base Line. 	<p>Community Consultation Committee</p> <p>Direct correspondence</p>	<ul style="list-style-type: none"> • The road closure is a necessary step in order to facilitate the realignment of our main line, which includes the wholly 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. • The top of rail for the diversion track will be 2.5m higher than the current road; the final underpass road elevation will be 4.5m lower than the existing road. • The CN Milton Logistics Hub project was fully approved after an extensive federal process that lasted several years and included a full public hearing by an independent panel of experts. The Town of Milton and Halton Region as well as members of the public fully participated in the multi-year process. The authorized work included closure of the Town road. CN did not need Town permission to close the road but approached the Town in May 2023 to confirm the timing of the closure and specifically ask for their technical input on the draft written closure plan. • CN completed two turnarounds, one for each direction along Lower Base Line.
<p>2. Milton Hydro Pole Relocation</p> <ul style="list-style-type: none"> • Concerns raised about the hydro pole relocation work on Lower Base Line. 	<p>Direct contact on site</p>	<ul style="list-style-type: none"> • CN spoke with Town of Milton after receiving feedback from neighboring residents regarding where Milton Hydro placed the guyed wire locations relative to adjacent properties; Town of Milton confirmed the locations are on Town property. • Hydro pole relocation work is complete; Milton Hydro has demobilized from the site.
<p>3. Trespasser Damage</p> <ul style="list-style-type: none"> • Concerns about trespassing incident involving farm equipment operator at tenanted CN-owned property and neighbour that caused property damage. 	<p>Direct contact on site</p>	<ul style="list-style-type: none"> • CN foreman was approached by the site neighbour and was informed of the situation. The CN foreman spoke with both the site neighbour and the farm equipment operator. CN assessed the property damage, which was deemed minimal. • Site neighbour called the police to report trespassing incident and property damage; it is unknown what/if discussions ensued with police on this matter.

TOPIC		
Summary of Topic	Source of Input	CN Consideration/Response
		<ul style="list-style-type: none"> Tenant was not cooperative with neighbour's request to repair the damage done to the property; CN undertook the repairs; Site neighbour was pleased with the repairs CN undertook following the damage caused by the operator of the farm equipment.
4. Environmental Impacts and Enhancements <ul style="list-style-type: none"> Suggestion that CN plant trees in the community beyond the Project site. Interest in CN's efforts to reduce greenhouse gas emissions in Halton region. Interest in CN's sustainability efforts as well as CN's climate action plan Interest in electric vehicle charging stations on site and concerns about EMF radiation from charging stations. 	Community Consultation Committee	<ul style="list-style-type: none"> CN works with Tree Canada in communities across Canada. Tree Canada identifies areas for planting, based on municipal participation in the program. Throughout construction in 2023, CN continued to implement the stringent conditions imposed in the Decision Statement, to reduce air emissions, including GHGs. CN works to reduce emissions across the broader CN network. The Milton Logistics Hub is the most regulated among its terminals within its network, using cutting edge technological advancements and environmental enhancements. Information about CN's sustainability efforts and climate action plan can be found at: <ul style="list-style-type: none"> CN Delivering Responsibly CN Management Information and Climate Action Plan (see pages 42-44) 2022 Sustainability Data Supplement CN intends to install EV charging stations on site to promote the use of electric vehicles, including electric trucks. To date, CN's research has not found areas of concern with EMF charging stations but welcomes insight for consideration.
5. Regulatory Oversight <ul style="list-style-type: none"> Interest in the regulatory oversight process and reports available to the public 	Community Consultation Committee	<ul style="list-style-type: none"> CN regularly meets in person or virtually with representatives from the relevant regulatory agencies: IAAC, DFO, CTA, as well as Health Canada and Environment and Climate Change Canada. IAAC inspection reports are available online.
6. Cultural Heritage Properties <ul style="list-style-type: none"> Interest in engagement with community groups for the re-use of the CN-owned buildings at 5381 Tremaine Road 	Community Consultation Committee	<ul style="list-style-type: none"> CN has been involved in discussions with two local not-for-profit community organizations for the potential re-use of the home at 5381 Tremaine Road. CN toured the home with both community groups and discussed opportunities for collaboration on the re-use of this home.

TOPIC		
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		<ul style="list-style-type: none"> The community groups are exploring renovation costs to suit their needs as well as municipal zoning rules. Discussions continue.
<p>7. Soil management on realigned mainline</p> <ul style="list-style-type: none"> Interest in the soil quality and its reuse/disposal Suggestion that CN commit to testing soil after mainline realignment complete and share the results publicly. 	Community Consultation Committee	<ul style="list-style-type: none"> Material (rails, rail ties, soil etc.) removed from the site is tested for contamination levels and anything not fit for reuse is taken to a licensed landfill, accredited to handle contaminated soils; such items are classified by type (Type 1 to 4) and there are vendors who deal with each classification. Rail ties will be assessed for reuse in other areas of the CN network or repurposed through licensed suppliers, such as cement factories, who will use them in energy generation. The Project soil management program captures how site materials are handled; the soil management program will be addressed at a future Community Consultation Committee meeting. Soil sampling is part of the general construction process; materials excavated or taken off site will be tested to determine whether it can be reused. CN is participating with the Greenbelt Foundation's soil analysis initiative since learning about the initiative during the May 2023 presentation to the Halton Region Federation of Agriculture (see 2023 Q2 Quarterly Report, Section 3.1).
<p>8. Committee Communications</p> <ul style="list-style-type: none"> Interest in getting information about the Project out in the public. Concerns about repeating CN information and the potential for being subject to legal action by individuals opposed to the Project. 	Community Consultation Committee	<ul style="list-style-type: none"> Conversations led by the Committee Co-Facilitators identified interest in informing the public of the work being undertaken by CN from the Committee's perspective. Suggested communication methods from Committee members included: information sheets to share with stakeholder groups, social media, in-person information sessions. A semi-annual newsletter is produced by the Committee Co-Facilitators for distribution to stakeholder groups and other interested parties. The intent of the Committee is not to advocate on behalf of CN nor to justify the Project; the Committee comprises independent representatives who can ask questions

TOPIC		
Summary of Topic	Source of Input	CN Consideration/Response
		<p>about the Project and help ensure CN is following the conditions of the Project by monitoring and observing CN's activities.</p> <ul style="list-style-type: none"> • CN welcomes invitations to speak to local interest groups about the Project.
<p>9. Student Interest</p> <ul style="list-style-type: none"> • An area high school class expressed interest in a site visit to learn more about the environmental enhancements. • A local student enquired about the size and scale of the Project, including traffic implications, for a school project. 	<p>Direct correspondence</p>	<ul style="list-style-type: none"> • Due to concerns over site safety and accountability, CN encouraged the school to host a CN representative to discuss the Project in class. No further contact has been made. • Student was provided with 2023 Fall/Winter Project Update and a link to the Project documents available online.

Appendix A – Night Construction Notification

Notice posted on the Construction Updates section of cnmilton.ca and hand-delivered to 53 neighboring residences on November 14, 2023



Milton Logistics Hub | November 14, 2023

Notice of Night Construction

November 28 – December 4, 2023

Construction Activity
CN will be performing track realignment work at three locations along the existing CN mainline within the Milton Logistics Hub project site:

- South of Britannia Road (Area 1)
- South of Britannia Road (Area 2)
- South of Lower Base Line (Area 3)

Please see the map to the right for location details.

Night work is required to minimize the 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

Berms installed on the project site will help mitigate impacts on nearby residents from noise.

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 Tuesday, November 28, 2023 and 8:00 a.m. on Monday, December 4, 2023.



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