



August 12, 2019

Ms. Luanne Patterson  
Senior System Manager – Environmental Assessment  
Canadian National Railway Company

Ms. Patterson:

**RE: Changes to Federal Legislation and implications for the Milton  
Logistics Hub Project**

On August 28, 2019, the *Impact Assessment Act* (IAA) will come into force, repealing the *Canadian Environmental Assessment Act, 2012* (CEAA 2012). The IAA contains transitional provisions that apply to projects undergoing an environmental assessment (EA) under CEAA 2012. This letter is to inform you of the transition provisions relevant to the proposed Milton Logistics Hub Project (the Project), and next steps.

On July 20, 2015, the Canadian Environmental Assessment Agency (the Agency) posted a notice of referral for the EA of the Project under CEAA 2012. As per the transition provision described in subsection 183 of the IAA: “*Any environmental assessment of a designated project referred to a review panel under section 38 of the 2012 Act before the day on which this Act comes into force is continued under the 2012 Act as if that Act had not been repealed.*”

On August 28, 2019, the *Physical Activities Regulations* (the Regulations) of the IAA will also come into force. The Project is a designated project under the IAA as described under the following item(s) of the Regulations:

- s. 54 The construction, operation, decommissioning and abandonment of either of the following:...*
- b) a new railway yard with a total area of 50 ha or more.*

.../2



As outlined in subsection 183(3)(a), given that the review panel for the Project was appointed on December 6, 2016, that review panel is deemed to have been established, and its members to have been appointed, under section 41 of the IAA. Similarly, as per subsection 183(3)(b), the Joint Review Panel Agreement for the Project remains in effect.

***Request to be subject to IAA***

Under subsection 183(2) of the IAA, on request made to the Minister, you may request that the assessment of the Project continue under the IAA as if the impact assessment had been referred by the Minister to a review panel under subsection 36(1) of the IAA. As such, should you wish to continue the assessment of the Project under the IAA, you are requested to inform the Agency by **October 27, 2019**.

Further information on the IAA and associated processes, including opting into the IAA, is available on the Agency's website.

If you have any questions, do not hesitate to contact me by phone or email *MiltonHubPanel@ceaa.gc.ca*.

<contact information  
removed>

Sincerely,

<Original signed by>

Joseph Ronzio  
Panel Manager

c.c.: Jason Tsang, Manager – Engineering and Advisory Services,  
Canadian Transportation Agency