



**CN Milton Logistics Hub –
Proposed Project Change to the
Sun-Canadian Pipeline Design
and Construction**

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**CN MILTON LOGISTICS HUB – PROPOSED PROJECT CHANGE TO THE SUN-CANADIAN PIPELINE
DESIGN AND CONSTRUCTION**

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1 INTRODUCTION

Canadian National Railway Company's (CN) Milton Logistics Hub (the Project) contemplates reconfiguring a portion of the existing Sun-Canadian pipeline to accommodate the construction of the proposed intermodal terminal. The preliminary design for this reconfiguration is described in Section 3.3.15 of the Environmental Impact Statement (EIS) (Canadian Impact Assessment Registry (CIAR) #57), which was submitted to the Canadian Environmental Assessment Agency (now Impact Assessment Agency of Canada) (IAAC, the Agency) pursuant to the Canadian Environmental Assessment Act, 2012 (CEAA, 2012) and ultimately approved through issuance of the Decision Statement by the Minister of the Environment and Climate Change on January 21, 2021¹.

The existing pipeline, which consists of two separate pipelines running southwest-northeast across CN's property, is located within a single right-of-way (ROW) that transects the Designated Project Development Area (PDA) within the northwest portion of the proposed intermodal terminal area, as shown on Figure 1 in Appendix A. 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, as shown on Figure 2 in Appendix A.

This refined design is consistent with and considerably less impactful than the preliminary plan.

The Agency has asked that this refined design be addressed in accordance with Condition 2.17. This report therefore provides a description of:

- the change(s);
- any predicted adverse environmental effects;
- any proposed mitigation measures and follow-up requirements to be implemented by CN in relation to any predicted adverse environmental effects; and
- the results of consultation with the Mississaugas of the Credit First Nation (MCFN), the Six Nations of the Grand River (Six Nations), the Huron-Wendat Nation (Huron-Wendat), Halton Region, Conservation Halton (CH) and other relevant authorities as required pursuant to Condition 2.16.

For reference, the assessment of the potential environmental effects associated with the preliminary design is reflected in the EIS (Section 6.5) and in CN's responses to the Joint Panel's information requests 4.1 (CIAR #632), 4.84 (CIAR#652) and 8.13 (CIAR #705).

¹ CN also received approval for the Project pursuant to section 98 of the *Canadian Transportation Act* on November 22, 2021, and authorization pursuant to the *Fisheries Act* on July 23, 2021.

2 DESCRIPTION OF REFINEMENT TO PRELIMINARY DESIGN

As described in Section 3.3.15 of the EIS, the two existing pipelines were originally proposed to be relocated/moved around the north end of the proposed work pads on property owned by CN. It was originally anticipated that the relocated pipelines would be installed via large open cut trenching **through existing agricultural fields**, along almost all of the pipeline relocation. The one exception was for the relatively short stretch proposed to cross beneath the existing mainline, where underground directional drilling would have been utilized (as further described in CN’s response to IR4.1). As noted in the EIS, CN has entered into an agreement with Sun-Canadian to reconfigure the pipelines, with CN being responsible for design and construction subject to review by Sun-Canadian to ensure they are satisfied with the proposed work.

As contemplated in the EIS, CN has continued its ongoing discussions with Sun-Canadian during the detailed design process to determine the optimum approach to reconfiguration. As a consequence, the refinements to the preliminary design described in Table 1 below are proposed.

Table 1 Summary of Refinements to the Sun-Canadian Pipeline Reconfiguration

Sun-Canadian Pipeline Component	Preliminary Design	Refinement
Location	Proposed realignment of two existing pipelines around the north end of the proposed terminal	Proposed deepening of one existing pipeline (323 mm) within the existing ROW
Pipeline Size	12"5/8 (321 mm)	NPS12 (323 mm)
Pipeline Depth	3 to 6 m below ground surface	13.8 m below ground surface
Pipeline Length	Approx. 890 m necessary for new alignment	Approx. 485 m – same as the original
Construction Method	Open cut for 800 m, with directional drill for 90 m beneath the CN mainline	No open cut trenching; directional drill for 485 m
Surface Disturbance	Approx. 800 m (full open cut, except for mainline crossing)	Limited disturbance for entry and exit points for drilling (less than 100 m)

Note that by going deeper – rather than moving the lines - a reconfiguration around the north end of the terminal would no longer be required and would avoid bends in the pipeline.

The horizontal directional drill (HDD) method involves an entry and exit pit at each end where the new alignment of pipeline will tie into the existing pipeline. The HDD will be completed in one bore from the entry pit on the south side of the PDA to the north side of the PDA crossing underneath the existing mainline and the planned terminal and tracks, following the existing alignment of the pipeline segments. The replacement segment will be installed at a maximum curved depth of approximately 13.8 m, approximately 7.8 to 10.8 m deeper than the original pipelines. Entry and exit pits will be cleared of

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vegetation, stripped of topsoil, and excavated to a maximum depth of 3 m to expose the existing pipeline, to achieve the required angle for the HDD path for construction, and to tie the replacement segment into the existing pipeline.

Upon completion, the disturbed surface areas will be restored. This disturbance is temporary and reversible. There are no permanent above-ground structures proposed in relation to the pipeline reconfiguration.

3 CONSULTATION

In accordance with Conditions 2.4.1 and 2.16, CN notified and consulted with respect to this refinement. Correspondence was delivered via email to MCFN, Six Nations, and Huron-Wendat on January 4, 2022, and to the local municipalities, including Halton Region and the Town of Milton, and Conservation Halton (CH) via email on December 23, 2021. The information provided included a description of the refinement relative to the original reconfiguration plans (design and construction) and a summary of potential environmental effects of the refinement and relevant mitigation measures. CN requested that any views or information regarding the refinement be provided to CN by January 18, 2022.

Responses were received from all parties prior to this requested date. All three Indigenous communities indicated their general support for the potential change, both by email and through conference call discussions. The Halton Region, Town of Milton, and CH also responded, identifying their interests, as follows:

- Halton Region - expressed an interest in the interaction of the pipeline with groundwater resources, and requested clarification whether the proposed reconfiguration is to one or both Sun-Canadian pipelines
- Town of Milton - expressed an interest in any new site alteration that could affect the local environment
- Conservation Halton - expressed an interest in water resources and drainage flows towards watercourses

Information regarding the specific interests expressed by the parties has been incorporated into this report. Although the Region, Town, and CH also requested additional information with respect to regulatory and jurisdictional matters, condition 2.17 does not contemplate consultation on those topics.

Copies of correspondence provided to and received from each party are provided in the consultation summary in Appendix C. A copy of this report will be provided to each of the parties who have been consulted to date at the same time it is provided to the Agency.

4 EXISTING CONDITIONS

The area within which the pipeline reconfiguration will occur is entirely within CN property on previously disturbed agricultural lands (disturbed both during original pipeline construction and through ongoing agricultural use). A small area to the northeast of the CN mainline will be temporarily disturbed during construction laydown and construction of the exit pit, which will be returned to agricultural land use when the pipeline reconfiguration work is complete.

No surface waterbodies or watercourses will be intercepted by the pipeline reconfiguration. Further, no woodlands, wetlands, or species at risk habitat will be affected by the pipeline reconfiguration. The majority of the reduced area affected by the refinement is within an area that would otherwise be disturbed during construction.

4.1 AIR QUALITY

A baseline air quality assessment was completed to describe ambient air quality in proximity to the Project, as documented in EIS Appendix E.1 and CN's response to IR3.1 (CIAR #613). A site-specific monitoring program was undertaken for one complete year, from July 2015 to August 2016, within the PDA, which included both continuous and non-continuous monitors to sample air contaminant concentrations. Monitoring for particulate matter smaller than 2.5 µm in diameter (PM_{2.5}), particulate matter smaller than 10 µm in diameter (PM₁₀), nitrogen oxides (NO_x), sulphur dioxide (SO₂), carbon monoxide (CO), and ozone (O₃) was conducted on a continuous basis, while monitoring for T total suspended particulate (TSP), polycyclic aromatic hydrocarbons (PAHs), volatile organic compounds (VOCs), and ammonia (NH₃) was conducted with non-continuous monitors. Generally, ambient air quality in the Halton area shows that the measured hourly, 24-hour and annual NO₂, CO, SO₂ and PM_{2.5} levels are all below the relevant federal or provincial air quality standards. Background levels for benzene and benzo(a)pyrene (B(a)P) show current air quality to be above some of the applicable relevant criteria, which represents current background before any project contributions are considered.

In accordance with Condition 4.21.1, an update to the baseline ambient air quality conditions was completed in 2021 based on public data available through the National Air Pollutants Surveillance (NAPS) Program as well as data collected through site-specific air quality monitoring stations installed in 2021. The updated ambient air quality concentrations for various parameters are generally less than originally measured in 2015 and 2016. With few exceptions, most contaminants meet the relevant Ambient Air Quality Criteria (AAQC).

4.2 NOISE

Baseline noise measurements were completed in support of the EIS, using data measured at points of reception throughout the local assessment area for the Project. The Noise Baseline Technical Data Report (TDR) (EIS Appendix E.9) considered the temporal variations and spatial characteristics of the existing acoustical environment in the vicinity of the Project. The major contributors to the baseline

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acoustical environment are anthropogenic sounds, including sources such as existing mainline railway traffic, urban hum associated with development located north of the Project area, and roadway traffic (EIS Appendix E.9, Section 6.0, page 15).

The background noise levels measured in the baseline study are considered typical for this area and are comparable to a suburban / urban residential area (EIS Appendix E.9, Section 5.0, page 13). While noise levels will vary during the day due to road traffic and urban hum (i.e., day vs. night), seasonal fluctuations are not anticipated.

4.3 SOIL AND TERRAIN

The topography in the general area of the PDA is relatively flat with a gradual slope downward to the southwest corner along the length of the PDA. The PDA has low-relief with an overall west facing aspect (i.e., land drains to the west).

The PDA generally consists of topsoil underlain by native sandy silty clay till and silty clay till soil. A localized stratum of silty clay was encountered overlying the silty clay till. Soil conditions below the topsoil encountered in proximity to the Sun-Canadian Pipeline alignment consisted of a clayey silt fill ranging from 0.08 m to 0.15 m and was underlain by a brown, moist, clayey silt till with some sand and trace gravels. At depths where the pipeline will be installed were very stiff to hard, clayey silt till, with possible cobbles present; consistent with the classification of the Halton Till.

4.4 GROUNDWATER

Information regarding groundwater flow rates and depth was included in the EIS (Appendix E.6, Section 4.2.2). Further, supplemental information was collected to inform the design of the pipeline (AECOM 2021).

AECOM (2021) completed three boreholes along the reconfiguration and were investigated to a maximum depth of 25 m below ground surface (bgs) to determine the subsoil type, soil properties, total depth of overburden, and groundwater elevations (non-stabilized) and informed geotechnical aspects of detailed design of and construction planning of the pipeline reconfiguration. Borehole drilling and testing was completed on all three boreholes; one borehole (SCP-02) was installed as a monitoring well, while the two remaining boreholes were backfilled. Each borehole was subject to Standard Penetration Tests at regular intervals and soil samples were collected for testing of moisture content, particle size and/or Atterberg Limits tests and corrosivity tests. Borehole logs were completed, and data was used to analyze the geotechnical and hydrogeological conditions within proximity of the pipeline reconfiguration.

Based on the three boreholes drilled along the potential pipeline reconfiguration, groundwater was encountered in boreholes SCP-02 and SCP-03 at a depth of 15.2 m bgs upon completion of drilling. Free water was not observed upon drilling completion in SCP-01, which was drilled to 24.3 m bgs (AECOM, 2021). Groundwater is not anticipated to be encountered during construction associated with the preliminary design for the pipeline reconfiguration or the proposed refinement.

4.5 SURFACE WATER

The Project is located within the Indian Creek sub-watershed of the Bronte Creek, which drains from its headwaters on the Niagara Escarpment and descend the slopes to the Peel Plain south of Derry Road (Conservation Halton 2002). The portion of the Sun-Canadian pipeline to be reconfigured is located within the watershed of Tributary A, which drains from residential areas north of Britannia Road across agricultural fields, past the Halton Regional Waste Management Facility, beneath the CN mainline, and into Indian Creek just west of Tremaine Road. The Tributary A subwatershed is located in the northwest portion of the PDA and drains an area of 5.6 km². There are little to no established riparian buffer zones along the existing watercourse and the ecological land classification is dominated by Graminoid Mineral Meadow Marsh Ecosite (EIS Appendix E.16, CIAR #57).

There are no surface waterbodies or watercourses, and consequently no fish habitat, located within the area affected by the refined pipeline reconfiguration. Tributary A is located more than 500 m from the area to be disturbed during construction of the refined pipeline reconfiguration (closest point = exit pit north the mainline), while Tributary D is located more than 125 m from the closest disturbance during its construction (closest point = entry pit south of the mainline).

4.6 VEGETATION AND WILDLIFE HABITAT

Consistent with the majority of the PDA, lands within and in proximity to the Sun-Canadian Pipeline reconfiguration comprise agricultural land supporting row crops (i.e., soybeans, corn, wheat, etc.). Some sparse grassy areas of vegetation occur along the CN mainline and a hedgerow is located northeast of the mainline consisting of sparse deciduous trees. No natural features (i.e., wetlands, woodlands, grasslands) or habitat for species at risk occur in the small surface area affected by the refined pipeline reconfiguration. Agricultural crops were removed within the area where the Sun-Canadian Pipeline reconfiguration will be completed at the end of the growing season in 2021 and the area within the PDA will not be planted during construction in the PDA.

While there are no woodlots or wetlands in the lands within and in proximity to the Sun-Canadian Pipeline reconfiguration, agricultural land was observed to be used by migratory birds such as Red-winged Blackbird, Bobolink and Savannah Sparrow (EIS, Section 6.3.6, CIAR #57). The grassland habitat also has representation of hedgerow or early successional species, such as Song Sparrow, Yellow Warbler, Gray Catbird and Brown Thrasher (EIS, Section 6.3.6, CIAR #57). Of these species, Bobolink is identified as threatened federally by the COSEWIC and provincially. None of these areas will be affected.

As presented in the EIS, species at risk (SAR) that had the potential to or were observed in the PDA included Little Brown Myotis, Western Chorus Frog, Midland Painted Turtle and Snapping Turtle, and Eastern Milksnake (provincially listed as species of special concern) (EIS, Section 6.3.7, CIAR #57). None of these species will be affected.

4.7 ARCHAEOLOGICAL RESOURCES

The areas potentially affected by construction were assessed in the *Stage 1-2 Archaeological Assessment* (EIS Appendix E.14, CIAR #57) and the *Stage 2 Archaeological Assessment: Milton Logistics Hub, Additional Lands*, provided to the Panel in January 2017 (CIAR #453). Additional Stage 3 archaeological assessment and Stage 4 mitigation in this area was subsequently completed in 2017. The results of the archaeological assessments (Stage 2 through Stage 4) were submitted to the Ministry of Heritage, Sport, Tourism and Cultural Industries (MHSTCI) (previously Ministry of Tourism, Culture and Sport) between 2017 and 2018. The MHSTCI confirmed that these assessments comply with ministry requirements for archaeological fieldwork and reporting (various correspondence between August 2017 and October 2018). The Stage 3 and 4 archaeological reports were also reviewed and accepted by the three Aboriginal communities that participated in the assessment – MCFN, Six Nations and Huron-Wendat– prior to submission to the MHSTCI.

5 ANALYSIS OF POTENTIAL ENVIRONMENTAL EFFECTS OF REFINEMENT

5.1 POTENTIAL ENVIRONMENTAL EFFECTS OF PIPELINE RECONFIGURATION AS ORIGINALLY PROPOSED

The potential environmental effects of the pipeline reconfiguration as originally proposed were assessed in the EIS as a component of the Project, including consideration of air and noise emissions from construction equipment, changes to groundwater and surface water quality and quantity, and changes to the terrestrial landscape, and consequential environmental effects on biophysical and socio-economic valued components, including archaeological and heritage resources. The effects assessment was further summarized in the response to IR4.1 (CIAR #632).

Additional modeling and assessment of potential noise effects of construction equipment associated with directional drilling for the pipeline relocation as originally proposed was undertaken in response to Panel IR8.12 (CIAR 705). The potential effects of vibration due to Project construction were also considered in the response to Panel IR4.84 (CIAR #652). Supplemental archaeological assessment of additional lands, including lands potentially affected by the pipeline reconfiguration, was undertaken, and provided to the Panel in January 2017 (CIAR #453).

5.2 POTENTIAL ENVIRONMENTAL EFFECTS OF REFINEMENT

The assessment of potential environmental effects of the refinement is summarized in Appendix B for each of the components considered in the original environmental assessment.

In general, based on the nature and location of the physical activities associated with the refinement and the components of the environment in proximity to these activities, the potential environment effects are expected to be reduced.

The following narrative description of potential environmental effects is focused on the physical activities and potential project-environment interactions that are different from those previously assessed in the EIS and subsequent IRs, as described in Section 2.0 above. These differences include a substantial reduction in ground disturbance as a result of avoiding the extensive open cut excavation along the originally proposed realignment around the north end of the terminal, increasing the depth of the new pipeline segment to a maximum depth of 13.8 m bgs, compared to the existing pipeline depth of 3 to 6 m bgs, and installing the new pipeline segment entirely using HDD.

Potential effects are limited to the construction phase of the Project. The interactions will be temporary (i.e., during construction resulting from the operation of construction equipment during site preparation and grading activities). Once the reconfiguration is complete, no further interactions or effects during operation are anticipated.

As with the originally proposed realignment, site preparation, grading, and other construction activities would result in stripping of existing vegetation and destabilization of existing ground surface / soils, thereby increasing erosion potential and possible sedimentation in receiving watercourses. However, such activities associated with the currently proposed pipeline reconfiguration are not located in proximity to fish habitat and no watercourse crossings are required for this work. Further, there are no woodlands, wetlands, or grassland areas that will be affected by the reconfiguration of the pipeline.

The extent of the construction footprint, and therefore the extent of soil disturbance, is expected to be substantially less with the refinement than originally anticipated in the EIS (see Table 1 above). The extent of ground disturbance associated with the pipeline reconfiguration will now be limited to the entry and exits pits rather than an extensive open cut excavation along the entire realigned segment of pipeline. This change will thereby substantially reduce the potential for soil erosion and sedimentation.

Increasing the depth of the pipeline by up to 10.8 m (compared to the existing pipeline depth) would only alter groundwater flow rates and patterns if groundwater were intercepted. As described in Section 4.2, the groundwater table occurs below the proposed installation depth of the refinement. Any dewatering necessary of the entry and exit pits due to perched water infiltration or surface water from weather events will occur as per the dewatering plan for construction of the site (already assessed during the environmental assessment). Therefore, no interactions with the existing groundwater table are anticipated and no residual adverse environmental effects to groundwater flow rate or pattern are likely to occur.

Construction activities and equipment will be similar to those originally proposed to be used for the pipeline reconfiguration in the EIS. With the refinement, the overall duration of construction activity

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associated with the pipeline reconfiguration is expected to be shorter than originally anticipated, thereby reducing the duration of equipment operations and corresponding emissions (i.e., air quality, noise) associated with such construction activities. While there will be more directional drilling involved with the potential change than originally proposed, the same equipment types (i.e., auger/drill and other construction equipment) would be used as originally planned and assessed. Further, the amount of construction equipment activity associated with the entry and exit pit excavation will be substantially less than would have been required for the originally proposed open cut method of installation. The noise modelling of construction activities carried out previously specifically included auger/drill rigs, as identified in the Noise Effects Assessment Technical Data Report (TDR) (EIS Appendix E.10, CIAR #57) and remains representative of the equipment that will be used for the pipeline reconfiguration using HDD. The response to IR 8.13 (CIAR #705) included additional noise modelling based on construction noise sources associated with pipeline reconfiguration using HDD. Based on those modelling results, taking mitigation measures into account, all points of reception met the relevant Health Canada and FTA noise criteria (EIS Appendix E.10, CIAR #57).

5.3 MITIGATION

No new mitigation measures are required to implement the pipeline reconfiguration as currently proposed. Mitigation measures to address potential environmental effects associated with pipeline reconfiguration using HDD, including the excavation of the entry and exit pits, were previously outlined in the EIS and IR responses. HDD is a standard method for installing pipelines where reducing potential environmental effects is required.

The following mitigation measures specific to HDD installation of the Sun-Canadian pipeline reconfiguration were previously identified in the EIS and IR responses and will also be applicable to the pipeline reconfiguration as currently proposed. These measures have been further refined through detailed design and construction planning:

- Entry and exit pits will be excavated to a slope 3 horizontal to 1 vertical or less above the base of the trench and shored with a 3.5 m high close boarded fence around the perimeter of the working area with gates and truck entrances at the shafts. Fence shall be removed on completion of the pipeline installation.
- Inground surface settlement monitoring will be carried out along and within an established zone of influence of the pipeline alignment. Soil types and quantity will also be monitored during excavation of the pipeline path to evaluate the settlement/movement associated with the boring within tolerable limits and to adjust tunneling as necessary.
- Excavated soils will be evaluated for use as fill material; any material to be used must be reduced to smaller than 100 mm in size and placed in thin layers and meet the moisture limits prior to being used to prevent settling.
- Engineered fill may be used for backfilling the entry and exit pits, as well as for the pipeline.
- Anti-seepage collars will be installed in the entry and exit pits, as necessary, to prevent the preferential movement of groundwater along the pipeline or boring path.

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- Dewatering of the entry and exit pits may be necessary, which will include:
 - Filtered sumps within the excavation areas
 - A float system and control panel set up for each pump, to control on / off operation
 - Primary and back-up power systems to provide continuous power to the pumps
 - A weir tank or filter bag (or equivalent) to be used to allow for sedimentation of suspended solids to be discharged to appropriate undisturbed vegetated location at least 30 m from a watercourse
 - Geotextile filter bag (or equivalent) will be checked daily and replaced as needed
 - Discharge location shall be inspected daily during dewatering to verify no erosion or sedimentation is occurring
 - Visual and olfactory inspections of the discharge location will be completed, to address any noticeable sheens, foam or discolouration of the discharge water
- Silt fencing will be installed around the entry and exit pits to minimize movement of exposed sediment from the working area
- Soil stockpiles will be separated between the topsoil and subsurface materials and will be replaced as appropriate based on the final disturbance plan for the construction of the site, e.g., the entry pit overlaps the final footprint of the terminal access road, therefore topsoil will not be placed over this area, whereas the exit pit will be returned to pre-construction conditions.
- Construction during nighttime hours and on weekends will be avoided, where practicable.
- During construction, nearby residents will be advised of substantive noise-causing activities, which will be scheduled to reduce disruption to residents.
- If noise complaints are received, they will be logged and investigated to assess whether they are linked with Project activities and addressed through the Noise Complaint Protocol established for the Project.

Further, the Decision Statement for the Project already includes conditions that specify mitigation measures that would be necessary and appropriate for the pipeline reconfiguration. Relevant conditions include but are not limited to, conditions pertaining to erosion and sediment control (5.4), dewatering (5.11, 5.12), delineation of the construction area (6.5), soil management (6.6 to 6.9), timing of vegetation clearing (8.2, 8.11), emissions controls (4.11, 4.13), noise (4.6, 4.8), grassland habitat offset (8.12), procedures for protection of archaeological and cultural resources (including human remains) (11.8 to 11.10), and numerous others.

5.4 FOLLOW-UP MONITORING

No new follow-up programs or changes to the existing follow-up programs are required to implement the potential change to the Project. Monitoring associated with the existing follow-up programs required by the Decision Statement conditions will be sufficient to verify the accuracy of the environmental assessment and determine the effectiveness of mitigation measures.

6 CONCLUSION

Based on the existing environmental conditions within the area affected by the pipeline reconfiguration, and the proposed design and construction method of the pipeline reconfiguration, and through the implementation of mitigation measures proposed for the Project, the proposed refinement is not anticipated to result in significant adverse environmental effects. In fact, the refinement would further avoid and reduce potential adverse environmental effects associated with this component of the Project compared to what was originally proposed.

Once the refined reconfiguration has been completed – as with the original plan - the disturbed surface areas will be restored. Areas not needed for the Project will be returned to agricultural use. The potential environmental effects of the refinement are therefore temporary and reversible. There are no permanent above-ground structures proposed in relation to the refined pipeline reconfiguration.

The refinement will not result in adverse effects to fish and fish habitat, migratory birds, Species at Risk, human health, socio-economic conditions, and archaeological and cultural heritage, beyond those potential effects of the Project already assessed as part of the EIS and through the IR process. In fact, the potential for adverse effects would be reduced by the refinement. The Decision Statement includes conditions that specify the mitigation measures that would be necessary and appropriate for the pipeline reconfiguration, including conditions pertaining to erosion and sediment control (5.4), dewatering (5.11, 5.12), delimitation of the construction area (6.5), soil management (6.6 to 6.9), timing of vegetation clearing (8.2, 8.11), emissions controls (4.11, 4.13), noise (4.6, 4.8), grassland habitat offset (8.12), procedures for protection of archaeological and cultural resources (including human remains) (11.8 to 11.10), and numerous others.

7 REFERENCES

AECOM, 2021. *Geotechnical Data and Engineering Report – Phase I Volume 2; Sun-Canadian Pipeline Realignment*. Prepared for the Canadian National Railway Company. May 2021.

APPENDIX A

FIGURES

V:\01609\active\160960844\drawing\WXD\APC\Agency\SunCanadian\PipelineRelocation_Origine_20211004.mxd
 Revised: 2021-12-22 By: dharvey



Legend
 --- CN-Owned Property

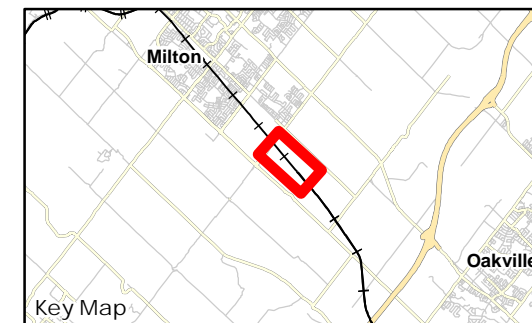
Sun-Canadian Pipeline

- GAS- Sun-Canadian Pipeline
- Pipeline to be Installed Via Directional Drill
- Pipeline to be Abandoned in Place
- Pipeline to be Installed via Open Cut Excavation
- Directional Drill Entry and Exit Pits

Approximate footprint of open excavation (open cut, entry / exit pits): 26,524 m²

Notes

1. Coordinate System: NAD 1983 UTM Zone 17N
2. Base features produced under license with the Ontario Ministry of Natural Resources and Forestry © Queen's Printer for Ontario, 2015. Site layout: July 10, 2015.
3. Orthoimagery © First Base Solutions, 2021. Imagery taken in 2019.



Client/Project
 Canadian National Railway Company
 Milton Logistics Hub

Figure No.
 1

Title
 Original Proposed Relocation
 of Sun-Canadian Pipeline

V:\01609\active\160960844\drawing\WXD\APC\Agency\SunCanadian\PipelineRelocation_Current_20211004.mxd
 Revised: 2021-12-22 By: dharvey



December 2021
160960844

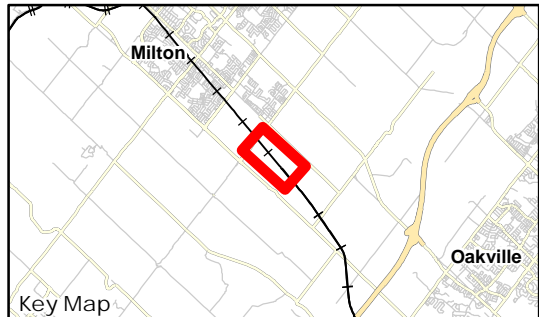


Legend
 --- CN-Owned Property

- Sun-Canadian Pipeline**
- GAS- Sun-Canadian Pipeline
 - Pipeline to be Installed Via Directional Drill; Reduces Open Excavation by 83.7%
 - Pipeline to be Abandoned in
 - Directional Drill Entry and Exit Pits

Approximate footprint of open excavation (open cut, entry / exit pits): 4,312 m²

- Notes**
- Coordinate System: NAD 1983 UTM Zone 17N
 - Base features produced under license with the Ontario Ministry of Natural Resources and Forestry © Queen's Printer for Ontario, 2015. Site layout: July 10, 2015.
 - Orthoimagery © First Base Solutions, 2021. Imagery taken in 2019.



Client/Project
 Canadian National Railway Company
 Milton Logistics Hub

Figure No.
 2

Title
 Current Proposed Relocation
 of Sun-Canadian Pipeline

APPENDIX B
PREDICTED ENVIRONMENTAL
EFFECTS ASSOCIATED WITH THE
POTENTIAL PROJECT CHANGE



Appendix B: Predicted Environmental Effects Associated with the Potential Project Change

Environmental Components	Potential Effects	Effects Assessment Summary	Relevant Reference(s)
Air Quality	<p><i>Potential effects of originally proposed pipeline reconfiguration</i></p> <ul style="list-style-type: none"> Emissions during construction, which includes the construction associated with the relocation of the Sun-Canadian pipelines, were assessed in the Air Quality TDR (EIS Appendix E.1). A reasonable worst-case prediction of emissions from the operation of on-site construction equipment was assessed (EIS Appendix E.1, Table 6.3), which included an auger/drill rig for HDD. <p><i>Potential effects of currently proposed pipeline reconfiguration</i></p> <ul style="list-style-type: none"> Emission sources during construction of the currently proposed pipeline reconfiguration are anticipated to be similar to those of the originally proposed pipeline reconfiguration as all equipment to be used for construction will be the same 	<p><i>Mitigations</i></p> <p>All mitigation measures outlined in the Decision Statement, the EIS and IR's pertaining to Air Quality will be implemented for the pipeline reconfiguration as proposed to address potential effects of air emissions, including:</p> <ul style="list-style-type: none"> Best Management Practices (BMPs) to reduce CACs, Hazardous Air Pollutants (HAPs) and greenhouse gas (GHG) emissions will be incorporated into Project design where practicable; Dust will be controlled through the use of dust suppressants (i.e., water, not oil), minimizing the area of activity, minimizing activities that generate large quantities of dust during high winds, covering truckloads of materials which could generate dust (as necessary), and paving areas as required; Materials stored on-site will be covered or wetted to prevent blowing dust, where practicable; No idling policy will be implemented during construction, unless not feasible for health or safety concerns; Zero-emission or diesel engines using low-carbon diesel fuel (Tier 4 emissions standard or Tier 3 emission standards equipped with verified diesel particulate filters) will be used during construction; and, Access and on-site roads will be watered as required to control fugitive dust emissions. <p>No additional mitigation measures are proposed.</p> <p><i>Implications of Project Change - Effects Assessment</i></p> <p>Emissions resulting from the potential change are expected to be less than originally predicted due to the reduced duration of the associated construction activities.</p>	<p>Existing conditions related to air quality are described in Section 6.3.1.1 and Appendix E.9 of the EIS.</p> <p>The effects assessment for air quality, including consideration of activities associated with the pipeline, are described in Appendix E.1 of the EIS.</p>
Noise and Vibration	<p><i>Potential effects of originally proposed pipeline reconfiguration</i></p> <ul style="list-style-type: none"> Potential for damage to other structures including pipelines and utilities; and Impacts on humans as well as wildlife receptors as a result of noise and vibration <p><i>Potential effects of currently proposed pipeline reconfiguration</i></p> <ul style="list-style-type: none"> Potential effects on the currently proposed pipeline reconfiguration would be similar to the originally proposed pipeline configuration listed above. 	<p><i>Mitigations</i></p> <p>All mitigation measures outlined in the Decision Statement, the EIS and IR's pertaining to Noise and Vibration will be implemented for the pipeline reconfiguration as proposed to address potential effects of noise and vibration, including:</p> <ul style="list-style-type: none"> Noise-dampening technology on construction vehicles and equipment; Contractor will abide by best practices for noise reduction during construction; A zone of influence assessment will be completed based on specific construction equipment and its proximity to existing pipelines or utilities. The potential for construction vibration impacts to existing pipelines and utilities will be assessed, and any additional mitigation measures, if needed, will be identified at that time. <p>Any potential utility or pipeline identified that may be impacted by construction vibration will be monitored during construction.</p>	<p>Existing conditions related to noise and vibration are described in Section 6.3.1.3 and Appendix E.9 of the EIS.</p> <p>The effects assessment for noise and vibration, including consideration of activities associated with the pipeline, are described in Appendix E.10 and E.18 of the EIS.</p>

Appendix B: Predicted Environmental Effects Associated with the Potential Project Change

Environmental Components	Potential Effects	Effects Assessment Summary	Relevant Reference(s)
		<p>No additional mitigation measures are proposed.</p> <p><i>Implications of Project Change - Effects Assessment</i> Noise and vibration effects from installation of the currently proposed pipeline reconfiguration are anticipated to be the same as those originally predicted as the same equipment will be used for construction, however, they will be reduced in duration as construction is expected to take less time.</p>	
Groundwater	<p><i>Potential effects of originally proposed pipeline reconfiguration</i></p> <ul style="list-style-type: none"> Effects on groundwater quantity and quality have the potential to occur based on potential dewatering activities during construction and HDD of the pipeline to allow for preferential groundwater flow along the pipeline. <p><i>Potential effects of currently proposed pipeline reconfiguration</i></p> <ul style="list-style-type: none"> Potential effects on the currently proposed pipeline reconfiguration would be similar to the originally proposed pipeline configuration listed above. 	<p><i>Mitigations</i> All mitigation measures outlined in the Decision Statement, the EIS and IR's pertaining to groundwater will be implemented for the pipeline reconfiguration as proposed to address potential effects on groundwater, including:</p> <ul style="list-style-type: none"> Dewatering will be completed as outlined in the contractor dewatering plan using best practices Implement measures to maintain baseline groundwater flow and prevent the preferential movement of groundwater along pipeline alignments Drilling mud used during HDD will be limited to bentonite-based systems. All bentonite-based systems shall meet applicable regulatory requirements and shall be limited to those that in its composition and concentration that is not harmful to the environment. <p>No additional mitigation measures are proposed.</p> <p><i>Implications of Project Change - Effects Assessment</i> While increasing the depth of a pipeline by up to 10.8 m (compared to the existing pipeline depth) has the potential to alter groundwater flow rates and patterns by creating a preferential flow pathway along the currently proposed pipeline reconfiguration, such effects would only occur if free water were intercepted. As described in Section 4.4, the groundwater along the pipeline alignment for the currently proposed pipeline reconfiguration was encountered below the proposed installation depth. Further, sediment at the proposed depth of the currently proposed pipeline reconfiguration is consistent with the original assessment as very stiff to hard, clayey silt till, which has limited water movement.</p> <p>Any dewatering necessary for the entry and exit pits due to perched water infiltration or surface water from weather events will occur as per the dewatering plan for construction of the site, as originally assessed during the environmental assessment. Therefore, no interactions with the existing groundwater table are anticipated and no residual adverse environmental effects to groundwater flow rate or pattern are likely to occur.</p>	<p>Existing conditions related to groundwater are described in Section 6.3.4.1 and Appendix E.5 of the EIS Geotechnical Data and Engineering Report – Phase I Volume 2; SunCanadian Pipeline Realignment (AECOM, May 2021).</p>

Appendix B: Predicted Environmental Effects Associated with the Potential Project Change

Environmental Components	Potential Effects	Effects Assessment Summary	Relevant Reference(s)
Fish and Fish Habitat	<p><i>Potential effects of originally proposed pipeline configuration</i></p> <ul style="list-style-type: none"> Site preparation and excavation activities associated with the originally proposed pipeline configuration may result in a potential change in water quality that could affect fish habitat Removal of vegetation and destabilization of existing ground surface / soils, has the potential for an increase in erosion and sedimentation in receiving watercourses frequented by fish <p><i>Potential effects of currently proposed pipeline reconfiguration</i></p> <ul style="list-style-type: none"> Activities associated with the pipeline HDD are not located in proximity to fish habitat and no watercourse crossings are required for this work; however, they were considered as part of the larger site preparation and grading activities across the PDA. Potential effects on the currently proposed pipeline reconfiguration would be the same as the originally proposed pipeline configuration listed above. 	<p><i>Mitigations</i></p> <p>Relevant proposed mitigation measures outlined in EIS Section 6.5.1.9.5 (p. 185) will be implemented for the pipeline HDD to address water quality, including:</p> <ul style="list-style-type: none"> Appropriate temporary erosion and sediment control structures shall be installed and maintained through all phases of construction; and Dewatering (if required) will be completed in a manner that does not cause erosion or allow sediment to re-enter a watercourse or water body through the use of appropriate sediment control devices. <p>No additional mitigation measures are proposed.</p> <p><i>Implications of Project Change - Effects Assessment</i></p> <p>No fish or fish habitat is located within the area affected by the pipeline reconfiguration as currently proposed. Site preparation and grading, as well as other construction activities associated with the HDD entry and exit points, are smaller in extent than site preparation, grading, and construction activities that were originally assessed in the EIS and IR's.</p> <p>With the implementation of appropriate mitigation measures, the pipeline HDD is not anticipated to result in changes to surface water quality or adverse effects on fish and fish habitat.</p>	<p>Existing conditions related to fish and fish habitats are described in Section 6.3.5 and Appendix E.4. of the EIS. Predicted changes that may affect fish and fish habitat are described in Section 6.4.2 of the EIS.</p> <p>Project-related effects on change fish and fish habitat are described in the EIS, Section 6.5.1, Fish and Fish Habitat.</p>
Migratory Birds	<p><i>Potential effects of originally proposed pipeline reconfiguration</i></p> <ul style="list-style-type: none"> Activities associated with the Project have potential to interact with migratory birds through the following effect pathways: <ul style="list-style-type: none"> change in migratory bird mortality change in migratory bird habitat sensory disturbance of migratory birds <p>The EIS, Table 6.21 (updated in response to CEEA IR2 (Attachment IR2, CIAR #72)) indicates a potential interaction between utilities and migratory bird habitat that could result in a change in migratory bird habitat, including habitat for SAR birds (i.e., Bobolink and Eastern Meadowlark). This potential interaction would be temporary during construction activities, more specifically during site grading activities within the agricultural fields that are considered to be grassland habitat for migratory birds. The physical activities associated with relocation of the Sun-Canadian pipelines as originally proposed were noted to be a small component of the 50.9 ha loss of grassland habitat used by migratory bird species. At present, these agricultural fields consist of row crops not conducive to grassland bird habitat.</p> <p><i>Potential effects of currently proposed pipeline reconfiguration</i></p>	<p><i>Mitigations</i></p> <p>Relevant proposed mitigation measures outlined in the Decision Statement, EIS and IR's will be implemented for the pipeline relocation to address potential effects on migratory bird habitat, including:</p> <ul style="list-style-type: none"> The disturbance footprint will be minimized. Unnecessary vegetation clearing around the PDA, access roads and rail will be avoided wherever practicable; Off-site grassland habitat will be created or protected as an offset for loss of grassland habitat; and, Construction work areas will be demarcated to avoid incidental encroachment into adjacent areas. <p>No additional mitigation measures are proposed.</p> <p><i>Implications of Project Change - Effects Assessment</i></p> <p>While no migratory bird habitat is located within the area affected by the currently proposed pipeline reconfiguration, potential environmental effects associated with this activity would be the same as previously predicted.</p> <p>To compensate for clearing of habitat during site preparation, off-setting grassland habitat will be implemented resulting in no net loss of habitat (EIS Section 6.5.2.9.2). Therefore, taking into account the implementation of mitigation, and recognizing the existing conditions of the agricultural fields within which and at the time that the pipeline reconfiguration is proposed, the</p>	<p>Existing conditions related to migratory birds and their habitat are described in Section 6.3.6 and Appendix E.16 of the EIS. Predicted changes that may affect migratory birds are described in Section 6.4.3 of the EIS.</p> <p>Project-related effects on changes to migratory birds are in Section 6.5.2 of the EIS.</p> <p>See the response to IR4.56 and Attachment IR4.56-1 for a further description of proposed grassland compensation.</p>

Appendix B: Predicted Environmental Effects Associated with the Potential Project Change

Environmental Components	Potential Effects	Effects Assessment Summary	Relevant Reference(s)
	<ul style="list-style-type: none"> Potential effects on the currently proposed pipeline reconfiguration would be the same as the originally proposed pipeline configuration listed above Any potential interactions are the same as for the pipeline HDD; however, pipeline HDD will result in substantially less disturbance to grassland habitat than previously proposed. 	<p>pipeline reconfiguration is not expected to have any residual adverse effect on migratory birds.</p>	
Species at Risk	<p><i>Potential effects of originally proposed pipeline reconfiguration</i></p> <ul style="list-style-type: none"> The potential mortality of SAR was also identified as a potential effect resulting from interactions between utilities (pipeline relocation) and SAR bird species (i.e., Bobolink and Eastern Meadowlark) during site preparation activities. Potential mortality of SAR birds could occur during vegetation removal within agricultural fields identified as grassland habitat during field surveys (e.g., through nest destruction). However, at present, these types of agricultural fields consist of row crops not conducive to SAR habitat. Further, no crops are being planted during construction. <p><i>Potential effects of currently proposed pipeline reconfiguration</i></p> <ul style="list-style-type: none"> The potential effects identified for SAR for the originally proposed pipeline reconfiguration would be the same as the currently proposed pipeline reconfiguration 	<p><i>Mitigations</i></p> <p>Relevant mitigation measures outlined in the Decision Statement, EIS and IR's will be implemented for the pipeline reconfiguration to address potential effects on migratory bird habitat, including:</p> <ul style="list-style-type: none"> Clearing of vegetation within habitat of Bobolink and Eastern Meadowlark will occur outside of the breeding season (end of March to end of August) in accordance with Environment Canada recommendations (Environment Canada 2014); and, Speed limits will be implemented and enforced on internal roads. The risk of SAR mortality during construction, including site preparation, is anticipated to be negligible with the implementation of mitigation such as timing windows for birds. <p>No additional mitigation measures are proposed.</p> <p><i>Implications of Project Change - Effects Assessment</i></p> <p>There is no species at risk habitat located within the area affected by the pipeline reconfiguration, therefore pipeline HDD would result in the same effect as previously proposed. Consequently, potential environmental effects associated with the currently proposed pipeline reconfiguration would be the same as previously predicted for the originally proposed pipeline reconfiguration.</p>	<p>Existing conditions related to species at risk and their habitat are described in Section 6.3.7 and Appendix E.16 of the EIS. Predicted changes that may affect species at risk are described in Section 6.4.3 of the EIS. Project-related effects on changes to SAR are in Section 6.5.3 of the EIS.</p>
Traditional Land and Resource Use (TLRU) by Indigenous Peoples	<p>TLRU by Indigenous peoples identified in the vicinity of the Project will not be affected by Project-related activities (including the realignment of the Sun-Canadian pipeline) because they occur outside of the PDA and the Local Assessment Area (LAA).</p>	<p>While the traditional territories for the consulted Indigenous peoples overlap with the Project, no identified TLRU activities occur within the PDA or LAA. Project-related interactions with TLRU would not occur.</p>	<p>Existing conditions related to traditional land and resource use for Indigenous peoples are described in Section 5.6 and 6.3.8 of the EIS.</p>
Socio-Economic Conditions	<p><i>Potential effects of originally proposed pipeline reconfiguration</i></p> <p>As assessed, no interactions were anticipated between the relocation of the Sun-Canadian pipelines and socio-economic conditions, including demand for community services and infrastructure or land and resource use.</p> <p><i>Potential effects of currently proposed pipeline reconfiguration</i></p> <p>Review of the currently proposed pipeline reconfiguration will have no new interactions related to the demand for community services or infrastructure which would result in a potential effect to socio-economic conditions.</p>	<p><i>Mitigation</i></p> <p>No mitigation measures are proposed to address socio-economic conditions.</p> <p><i>Implications of Project Change - Effects Assessment</i></p> <p>With no potential effects from either the originally proposed pipeline reconfiguration or the currently proposed pipeline reconfiguration, there is no effects assessment to evaluate.</p>	<p>Existing conditions related to the transportation infrastructure are described in Appendix E.17. Existing conditions regarding fish species present in Indian Creek and Tributary A are described in Appendix E.4. Existing conditions regarding wildlife species present in the area are described in Appendix E.16. Project-related effects on change in community services and infrastructure; change in quantity and quality of land and resource use are assessed in Section 6.5.5 of the EIS. Cumulative environmental effects are assessed for Socio-Economic Conditions VC in Section 6.6.1 of the EIS.</p>

Appendix B: Predicted Environmental Effects Associated with the Potential Project Change

Environmental Components	Potential Effects	Effects Assessment Summary	Relevant Reference(s)
			Environmental effects of potential accidents and malfunctions on all VCs are assessed in Section 6.6.2 of the EIS.
Human Health	<p><i>Potential effects of originally proposed pipeline reconfiguration</i></p> <p>Emissions during construction, which includes the construction associated with the relocation of the Sun-Canadian pipelines, were assessed for air quality and the potential resultant effects to human health.</p> <p><i>Potential effects of currently proposed pipeline reconfiguration</i></p> <p>As identified in the Air Quality section above, emission sources associated with the currently proposed pipeline reconfiguration would be the same or less than originally assessed for the pipeline configuration based on the use of the same equipment for construction evaluated and the less time to complete the relocation of the currently proposed pipeline reconfiguration.</p>	<p><i>Mitigations</i></p> <p>Mitigations associated with reduction of potential effects to air quality are provided above.</p> <p>No additional mitigation measures are proposed.</p> <p><i>Implications of Project Change - Effects Assessment</i></p> <p>As emissions from the pipeline reconfiguration as currently proposed would be less than what would have resulted from the pipeline reconfiguration as originally proposed, no change in human health would be expected.</p>	<p>Existing conditions related to human health are described in Section 6.3.10 and Appendix E.7 of the EIS.</p> <p>Predicted changes that may affect human health are described in Section 6.4.1 of the EIS.</p> <p>Project-related effects on changes to human health are in Section 6.5.4 Human Health of the EIS.</p>
Archaeological and Heritage Resources	<p><i>Potential effects of originally proposed pipeline reconfiguration</i></p> <p>The EIS, Table 6.41 (p. 289) indicates a potential interaction between archaeological and cultural heritage resources and construction of utilities, including the Sun-Canadian pipelines.</p> <p>The areas potentially affected by construction were assessed in the <i>Stage 1-2 Archaeological Assessment</i> (EIS Appendix E.14) and the <i>Stage 2 Archaeological Assessment: Milton Logistics Hub, Additional Lands</i>, provided to the Panel in January 2017 (CIAR #453). Additional Stage 3 archaeological assessment and Stage 4 mitigation in this area was subsequently completed in 2017.</p> <p><i>Potential effects of currently proposed pipeline reconfiguration</i></p> <p>As all areas for the currently proposed pipeline reconfiguration are located in areas already assessed for the originally proposed pipeline reconfiguration, the potential effects are the same as described in the originally proposed pipeline reconfiguration.</p>	<p><i>Mitigations</i></p> <ul style="list-style-type: none"> Appropriate Stage 2, 3 and 4 archaeological assessments of the area anticipated to be disturbed during construction have been completed, including lands to be used for the pipeline HDD. If and as appropriate, Stage 4 (mitigation) has been completed for all areas affected by construction activities (i.e., ground disturbance). <p>No additional mitigation measures are proposed.</p> <p><i>Implications of Project Change - Effects Assessment</i></p> <p>The results of the archaeological assessments (Stage 2 through Stage 4) were submitted to the Ministry of Heritage, Sport, Tourism and Cultural Industries (MHSTCI) (previously Ministry of Tourism, Culture and Sport) between 2017 and 2018. The MHSTCI confirmed that these assessments comply with ministry requirements for archaeological fieldwork and reporting (various correspondence between August 2017 and October 2018). The Stage 3 and 4 archaeological reports were also reviewed and accepted by the three Aboriginal communities that participated in the assessment – MCFN, Six Nations, and Huron-Wendat – prior to submission to the MHSTCI.</p>	<p>Existing conditions related to archaeological resources are described in Section 6.3.12 and Appendix E.14</p> <p>Existing conditions related to cultural heritage resources are described in Section 6.3.11 and Appendix E.14</p> <p>Predicted changes that may affect archaeological and cultural heritage resources are in Section 6.4.3.</p> <p>Project-related effects on changes to archaeological and cultural heritage resources are in Section 6.5.6 Archaeological and Heritage Resources</p>

APPENDIX C
RECORD OF CONSULTATIONS



**CN Milton Logistics Hub:
Proposed Project Change to the Sun-Canadian Pipeline Design and Construction**

Appendix C: Consultation Record

Date	Communication Method	Community Representatives	Project Team Members	Communication Summary
INDIGENOUS COMMUNITIES				
Huron-Wendat Nation (HWN)				
01/04/2022	Letter – Outgoing (via email)	Maxime Picard	Darren Reynolds Danielle Van Huizen	CN provided HWN with a letter regarding a potential Project component change. Attachments: - LTR HW SCP 2022-01-04 - LTR Fig01 SCP Original 2021-12-23 - LTR Fig02 SCP Proposed 2021-12-23
04/02/2022	Conference Call	Lori-Jeanne Bolduc Dominic Ste Marie	Darren Reynolds Danielle Van Huizen	HWN noted that they reviewed the Project component change and have no concerns at this time. One request from HWN was whether Sun-Canadian could remove the old pipe in the future if open excavation was required for maintenance purposes. CN to bring this forward to Sun-Canadian.
Mississaugas of the Credit First Nation (MCFN)				
01/04/2022	Letter – Outgoing (via email)	Fawn Sault	Darren Reynolds Danielle Van Huizen	CN provided MCFN with a letter regarding a potential Project component change. Attachments: - LTR MCFN SCP 2022-01-04 - LTR Fig01 SCP Original 2021-12-23 - LTR Fig02 SCP Proposed 2021-12-23
01/11/2022	Email – Incoming	Adam LaForme	Darren Reynolds Danielle Van Huizen	MCFN noted that they reviewed the Project component change and have no questions at this time, but would be open to discussion.
Six Nations of the Grand River (SNGR)				
01/04/2022	Letter – Outgoing (via email)	Robbin Vanstone	Darren Reynolds Danielle Van Huizen	CN provided SNGR with a letter regarding a potential Project component change. Attachments: - LTR SNGR SCP 2022-01-04 - LTR Fig01 SCP Original 2021-12-23 - LTR Fig02 SCP Proposed 2021-12-23
01/07/2022	Email – Incoming	Robbin Vanstone	Darren Reynolds Danielle Van Huizen	SNGR indicated that the information in the letter was sufficient and are pleased the pipeline reconfiguration results in less impacts. SNGR reiterated their interest in being notified if any issues arise, particularly with any archaeological finds.
MUNICIPALITIES				
Town of Milton (ML)				
12/23/2021	Letter – Outgoing (via email)	Andrew Siltala Barb Koopmans Rodney Northey	Darren Reynolds Eric Harvey Andrew Bernstein	CN notified ML that CN is considering an adjustment to the Sun Canadian Pipeline reconfiguration aspect of the Project and notified ML of the opportunity to present their views and information regarding this potential change, in accordance with condition 2.16 of the federal Decision Statement. CN noted that the comment period would be 15 days. Attachments: - LTR Milton SC 2021-12-23 - LTR Fig 01 SCP Original 2021-12-23 - LTR Fig 02 SCP Proposed 2021-12-23
01/19/2022	Letter – Incoming (via email)	Jill Hogan Rodney Northey Andrew Siltala	Darren Reynolds Eric Harvey Andrew Bernstein	ML provided a response to CN's December 23, 2021 letter. It is ML's understanding that Sun-Canadian's pipeline is a matter of provincial interest regulated by the OEB and the TSSA. HR states that their interest in the pipeline includes its interaction with groundwater resources. ML requested a copy of all available information on the required Ontario approvals, including any existing and/or anticipated application(s) for approval by Sun-Canadian and/or CN.

CN Milton Logistics Hub:

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

Appendix C: Consultation Record

Date	Communication Method	Community Representatives	Project Team Members	Communication Summary
Halton Region (HR)				
12/23/2021	Letter – Outgoing (via email)	Bob Gray Jane MacCaskill Rodney Northey	Darren Reynolds Eric Harvey Andrew Bernstein	CN notified HR that CN is considering an adjustment to the Sun Canadian Pipeline reconfiguration aspect of the Project and notified HR of the opportunity to present their views and information regarding this potential change, in accordance with condition 2.16 of the federal Decision Statement. CN noted that the comment period would be 15 days. Attachments: - LTR Halton SCP 2021-12-23 - LTR Fig 01 SCP Original 2021-12-23 - LTR Fig 02 SCP Proposed 2021-12-23
01/18/2022	Letter – Incoming (via email)	Bob Gray Jane MacCaskill Rodney Northey	Eric Harvey Andrew Bernstein Darren Reynolds	HR provided a response to CN's December 23, 2021 letter. It is HR's understanding that Sun-Canadian's pipeline is a matter of provincial interest regulated by the OEB and the TSSA. HR states that their interest in the pipeline includes its interaction with groundwater resources. HR requested a copy of all available information on the required Ontario approvals, including any existing and/or anticipated application(s) for approval by Sun-Canadian and/or CN.
CONSERVATION AUTHORITY				
Conservation Halton (CH)				
12/23/2021	Letter – Outgoing (via email)	Hassaan Basit Rodney Northey	Darren Reynolds Andrew Bernstein	CN notified CH that CN is considering an adjustment to the Sun Canadian Pipeline reconfiguration aspect of the Project and notified CH of the opportunity to present their views and information regarding this potential change, in accordance with condition 2.16 of the federal Decision Statement. CN noted that the comment period would be 15 days. Attachments: - LTR CH SC 2021-12-23 - LTR Fig 01 SCP Original 2021-12-23 - LTR Fig 02 SCP Proposed 2021-12-23
01/18/2022	Letter – Incoming (via email)	Hassaan Basit Barbara Veale Rodney Northey	Darren Reynolds Eric Harvey Andrew Bernstein	CH provided a response to CN's December 23, 2021 letter. It is CH's understanding that Sun-Canadian's pipeline is a matter of provincial interest regulated by the OEB and the TSSA. CH states that their interest in the pipeline relates to water resources and drainage flows towards watercourses. CH requested a copy of all available information on the required Ontario approvals, including any existing and/or anticipated application(s) for approval by Sun-Canadian and/or CN.

From: [Adam LaForme](#)
To: [Danielle Van Huizen](#)
Cc: [Darren Reynolds](#)
Subject: RE: Milton Logistics Hub Project - Pipeline Reconfiguration Adjustment
Date: Tuesday, January 11, 2022 3:00:59 PM
Attachments: [image001.png](#)

Hi Danielle,

Thank you for the invite, my day is full with other meetings tomorrow. I don't have any concerns at this time in regards to the proposed changes, so a follow up is not necessary.

Adam LaForme (he/him)
Archeological Operations Supervisor



Mississaugas of the Credit First Nation (MCFN)
Department of Consultation and Accommodation (DOCA)
4065 Highway 6 North, Hagersville, ON N0A 1H0
Cell [REDACTED]

From: Danielle Van Huizen <[REDACTED]@kirkandco.ca>
Sent: January 11, 2022 2:31 PM
To: Adam LaForme <[REDACTED]@mncfn.ca>
Cc: darren.reynolds <[REDACTED]@cn.ca>
Subject: RE: Milton Logistics Hub Project - Pipeline Reconfiguration Adjustment

Hi Adam,

The following people come to the MCFN-CN meetings: Fawn Sault, Hilary Harrison, Leonard Rickard, Chris LeFebvre. We have it on the agenda for tomorrow's meeting. I can connect with you after the meeting if there were questions or concerns that may require follow up. Does that work? Otherwise, perhaps you would like to attend the meeting tomorrow?

Danielle

Danielle Van Huizen
Vice President, Client Services
[REDACTED]
[kirkandco.ca](#)

From: Adam LaForme <[REDACTED]@mncfn.ca>
Sent: January 11, 2022 11:15 AM
To: Danielle Van Huizen <[REDACTED]@kirkandco.ca>

Cc: darren.reynolds <[REDACTED]@cn.ca>

Subject: RE: Milton Logistics Hub Project - Pipeline Reconfiguration Adjustment

Good Afternoon Danielle,

I have reviewed the potential project component change. I do not have any questions at this time, but am open to discussion if you'd like.

Which MCFN team members are involved with the recurring meeting?

Regards,

Adam LaForme (he/him)
Archeological Operations Supervisor



Mississaugas of the Credit First Nation (MCFN)
Department of Consultation and Accommodation (DOCA)
4065 Highway 6 North, Hagersville, ON N0A 1H0
[REDACTED]

From: Danielle Van Huizen <[REDACTED]@kirkandco.ca>

Sent: January 7, 2022 1:51 PM

To: Adam LaForme <[REDACTED]@mncfn.ca>

Cc: darren.reynolds <[REDACTED]@cn.ca>; Danielle Van Huizen <[REDACTED]@kirkandco.ca>

Subject: FW: Milton Logistics Hub Project - Pipeline Reconfiguration Adjustment

Hi Adam,

I received Fawn's bounce back email that she is no longer checking her emails at the address below as she has moved on to her role on Council. I wanted to share the attached letter Darren Reynolds, Project Director for the Milton project sent earlier this week. We will discuss with the MCFN team next week in our recurring working group meeting but wanted to ensure you also had a copy.

Hope all is well with you.

Danielle

Danielle Van Huizen

Vice President, Client Services



kirkandco.ca

From: Danielle Van Huizen <[REDACTED]@kirkandco.ca>
Sent: January 7, 2022 10:47 AM
To: Fawn Sault <[REDACTED]@mncfn.ca>
Cc: darren.reynolds <[REDACTED]@cn.ca>; Danielle Van Huizen <[REDACTED]@kirkandco.ca>
Subject: RE: Milton Logistics Hub Project - Pipeline Reconfiguration Adjustment

Hi Fawn,

Happy new year to you! Following up on Darren's note below, I am going to add this to the meeting agenda next week so we can discuss the reconfiguration together and any potential concerns MCFN may have.

[REDACTED]

Thanks,
Danielle

Danielle Van Huizen

Vice President, Client Services

[REDACTED]

kirkandco.ca

From: Darren Reynolds <[REDACTED]@cn.ca>
Sent: January 4, 2022 1:38 PM
To: Fawn Sault <[REDACTED]@mncfn.ca>
Cc: Danielle Van Huizen <[REDACTED]@kirkandco.ca>
Subject: Milton Logistics Hub Project - Pipeline Reconfiguration Adjustment

Hello Fawn,

Please see attached letter regarding a potential project component change for the Milton Logistics Hub project.

Would be great to touch base and walk through this change with you and anyone else on your end who should be aware.

Thanks,
Darren

Darren Reynolds

Director Business Development

935 de la Gauchetière Street West |
10th Floor | Montréal | Qc, H3B 2M9





Canadian National

Darren Reynolds
Project Director – Milton
Logistics Hub

January 4, 2022

Fawn Sault
Mississaugas of the Credit First Nation
4065 Hwy. 6
Hagersville, ON
N0A 1H0

Dear Ms. Sault:

RE: Milton Logistics Hub Project – Pipeline Reconfiguration Adjustment

The Canadian National Railway Company (CN) is considering a beneficial adjustment to the Sun Canadian Pipeline reconfiguration aspect of the Milton Logistics Hub Project (the Project) as outlined further below. The purpose of this letter is to notify you of the opportunity to present your views and information regarding this potential change, in accordance with condition 2.16 of the federal Decision Statement issued in respect of the Project by the Minister of Environment and Climate Change on January 21, 2021. We invite you to present any views and information you may have regarding the potential change. We will look to arrange a call with yourselves sometime in the first couple weeks of January convenient to you.

Execution of Sun Canadian Pipeline Reconfiguration

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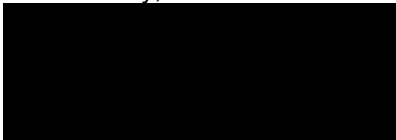
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Closure

The potential change being considered by CN would further avoid and reduce potential adverse environmental effects associated with this component of the Project.

Sincerely,



Darren Reynolds
Milton Logistics Hub Project Director

cc:

Danielle Van Huizen

From: [Darren Reynolds](#)
To: [Little, Elaine](#)
Cc: [Danielle Van Huizen](#); [Mahony, Dennis](#); [Celesa Horvath](#); [Luanne Patterson](#); [France Moreau](#); [Powell, Chris \(Guelph\)](#)
Subject: FW: Milton Logistics Hub Project - Pipeline Reconfiguration Adjustment
Date: Friday, January 7, 2022 2:39:13 PM

Hello Elaine,

See feedback below from Six Nations regarding the Sun Canadian Pipeline change to incorporate into the mini EA.

Thanks,
Darren

From: Darren Reynolds
Sent: Friday, January 07, 2022 2:37 PM
To: Danielle Van Huizen <[REDACTED]@kirkandco.ca>; [REDACTED]@sixnations.ca
Subject: RE: Milton Logistics Hub Project - Pipeline Reconfiguration Adjustment

Absolutely, thank Danielle.

And that you Robbin for taking the time to review, it's much appreciated.

Darren

From: Danielle Van Huizen <[REDACTED]@kirkandco.ca>
Sent: Friday, January 07, 2022 1:29 PM
To: Darren Reynolds <[REDACTED]@cn.ca>; [REDACTED]@sixnations.ca
Cc: Danielle Van Huizen <[REDACTED]@kirkandco.ca>
Subject: RE: Milton Logistics Hub Project - Pipeline Reconfiguration Adjustment

CAUTION: This email originated from outside CN: DO NOT click links or open attachments unless you recognize the sender AND KNOW the content is safe.

AVERTISSEMENT : ce courriel provient d'une source externe au CN : NE CLIQUEZ SUR AUCUN lien ou pièce jointe à moins de reconnaître l'expéditeur et d'avoir VÉRIFIÉ la sécurité du contenu.

Hi Robbin,

Thank you for the brief chat earlier.

Darren, Robbin indicated that the information in the letter was sufficient enough for her and she is pleased the pipeline reconfiguration results in less impacts. As always, Six Nations will be notified if any issues arise particularly with any unknown arch finds.

All the best,
Danielle

Danielle Van Huizen
Vice President, Client Services
[REDACTED]
[kirkandco.ca](#)

From: Darren Reynolds <[REDACTED]@cn.ca>
Sent: January 4, 2022 1:43 PM
To: [REDACTED]@sixnations.ca
Cc: Danielle Van Huizen <[REDACTED]@kirkandco.ca>
Subject: Milton Logistics Hub Project - Pipeline Reconfiguration Adjustment

Hello Robinn,

Please see attached letter regarding a potential project component change for the Milton Logistics Hub project.

Would be great to touch base and walk through this change with you and anyone else on your end who should be aware.

Thanks,
Darren

Darren Reynolds
Director Business Development
935 de la Gauchetière Street West |
10th Floor | Montréal | Qc, H3B 2M9
[REDACTED]



Canadian National

Darren Reynolds
Project Director – Milton
Logistics Hub

January 4, 2022

Robinn Vanstone
Six Nations of the Grand River
Lands and Resources

Dear Ms. Vanstone:

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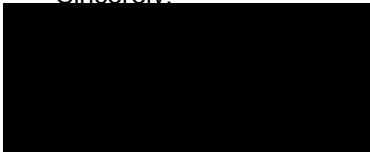
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Sincerely,



Milton Logistics Hub Project Director

cc:

Danielle Van Huizen

From: [Danielle Van Huizen](#)
To: [Darren Reynolds](#); [Powell, Chris \(Guelph\)](#); [France Moreau](#); [Luanne Patterson](#)
Cc: [Danielle Van Huizen](#)
Subject: HWN-CN Meeting, Fen 4, 2022
Date: Friday, February 4, 2022 1:21:13 PM
Attachments: [image001.png](#)

Hi all, just sharing notes from our meeting with HWN re Sun-Canadian pipeline reconfiguration. No concerns.

Re. pipeline reconfiguration

Participants, Lori-Jeanne Bolduc, Dominic Ste Marie, Darren Reynolds, Danielle Van Huizen

Darren reviewed the Sun-Canadian pipeline reconfiguration with HWN, including reviewing maps, purpose of the change and the notification, and impacts (minimized impacts).

They had a few questions but overall had no concerns.

One request for consideration raised by Dominic is if there is open excavation for maintenance purposes perhaps Sun Canadian could consider removing old pipe. Darren said he would bring that forward but the likelihood of doing maintenance is low in the first place as there are minimal stress points on the pipeline route in question.

Danielle Van Huizen

Vice President, Client Services



Kirk & Co. Consulting Ltd.

[610 – 999 West Hastings Street, Vancouver B.C. V6C 2W2](#)



kirkandco.ca

Kirk & Co.'s Vancouver office is located within the traditional territories of the xʷməθkʷəy̓əm (Musqueam), Sk̓wx̓wú7mesh (Squamish), and səliwətał (Tseil-Waututh) peoples.

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Canadian National

Darren Reynolds
Project Director – Milton
Logistics Hub

January 4, 2022

Maxime Picard, B. Sc. A.
Directeur développement économique et projets majeurs
255, place Chef Michel Laveau
Wendake, Québec
G0A 4V0

Dear Mr. Picard:

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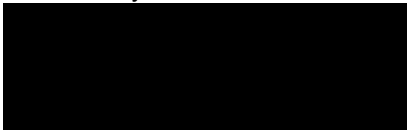
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Sincerely,



Darren Reynolds
Milton Logistics Hub Project Director

cc:

Danielle Van Huizen



Canadian National

Darren Reynolds
Project Director – Milton
Logistics Hub

December 23, 2021

Bob Gray
Halton Region
1151 Bronte Road, Oakville
Ontario, Canada, L6M 3L1

Dear Mr. Gray:

RE: Milton Logistics Hub Project – Pipeline Reconfiguration Adjustment

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Closure

The potential change being considered by CN would further avoid and reduce potential adverse environmental effects associated with this component of the Project. Please provide any views or information you may have regarding this potential change to CN by January 18, 2021.

Sincerely,



Darren Reynolds
Milton Logistics Hub Project Director

cc:

Jane MacCaskill – Chief Administrative Officer, Halton Region

Rodney Northey – Gowling WLG (Canada) LLP

Eric Harvey – Eric Harvey - Senior Regulatory Counsel, CN

Andrew Bernstein – Torys LLP



Privileged & Confidential

January 18, 2022

Darren Reynolds
Project Director - Milton Logistics Hub Project
Canadian National (CN) Railway

By email: Darren.reynolds@cn.ca

Office of the Commissioner
Legislative & Planning Services
1151 Bronte Rd
Oakville, ON L6M 3L1

Dear Mr. Reynolds:

RE: Milton Logistics Hub Project – Pipeline Reconfiguration Adjustment

I am responding to your letter of December 23, 2021 inviting Halton Region to provide comment to you by January 18, 2022 pursuant to this aspect of the Milton Logistics Hub Project. I understand that you have sent similar letters to the Town of Milton and Conservation Halton. Your letter begins by referencing the federal Decision Statement issued to CN regarding this Designated Project and Condition 2.16 regarding any potential change to this Project. You also reference Condition 2.4 of this Statement regarding consultation.

Your letter describes this aspect of CN's Designated Project as the proposed adjustment on CN lands of an existing Ontario pipeline owned by the Sun-Canadian Pipe Line Company Limited ("Sun-Canadian"). The description provided in your Environmental Impact Statement that is referenced in the definition of the Designated Project in the Decision Statement advises that CN has existing agreements with utility entities and that the majority of existing utility crossings are located at an appropriate depth to not interact with the Project. On the other hand, the EIS advises of not one, but two Sun-Canadian pipelines (EIS, s.3.3, Table 3.1, p.56) – a 16-inch (406 mm) pipeline and a 12 5/8 inch (321 mm) pipeline. It is not clear from your letter whether the proposed adjustment is to one or both Sun-Canadian pipelines.

Though your letter does not address the applicable law, it is my understanding that Sun-Canadian's pipeline is a matter of provincial interest regulated by the Ontario Energy Board (OEB) and Ontario's Technical Standards and Safety Authority (TSSA). The Region's interest in this pipeline includes its interaction with groundwater resources.

Your letter does not identify or address the provincial approval(s) required for the proposed reconfiguration. Nor does your letter advise what role CN is playing regarding approval(s) required by the owner of this pipeline, Sun-Canadian. Does CN have the agreement of Sun-Canadian to apply for required provincial approval(s) or is Sun-Canadian the sole applicant?

Section 2.4 of the Decision Statement provides that where consultation is required, CN shall provide all information "available and relevant" to the scope of consultation. We hereby request a copy of all available information on the required Ontario approvals, including any existing and/or anticipated application(s) for approval by Sun-Canadian and/or CN.

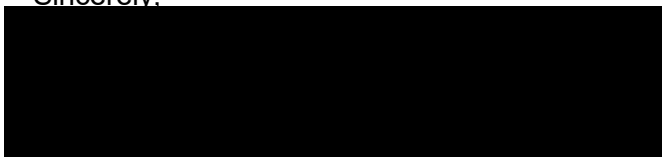
We also request contact information for Sun-Canadian so that we may understand who is directly responsible for this matter at Sun-Canadian.

Regional Municipality of Halton

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1
905-825-6000 | Toll free: 1-866-442-5866

On receipt of the requested information and contact information, we will be pleased to provide further responding comments.

Sincerely,



Bob Gray
Commissioner, Legislative and Planning Services and Corporate Counsel

cc: Jane MacCaskill – Chief Administrative Officer, Halton Region
Rodney Northey – Gowling WLG (Canada) LLP
Eric Harvey – Eric Harvey - Senior Regulatory Counsel, CN
Andrew Bernstein – Torys LLP



Canadian National

Darren Reynolds
Project Director – Milton
Logistics Hub

December 23, 2021

Town of Milton

Andrew Siltala
Chief Administrative Officer
150 Mary Street
Milton, ON
L9T 6Z5

Dear Mr. Siltala:

RE: Milton Logistics Hub Project – Pipeline Reconfiguration Adjustment

The Canadian National Railway Company (CN) is considering a beneficial adjustment to the Sun Canadian Pipeline reconfiguration aspect of the Milton Logistics Hub Project (the Project) as outlined further below. The purpose of this letter is to notify you of the opportunity to present your views and information regarding this potential change, in accordance with condition 2.16 of the federal Decision Statement issued in respect of the Project by the Minister of Environment and Climate Change on January 21, 2021. In accordance with condition 2.4.2 of the Decision Statement, the period for providing your views and information is 15 days. In light of the holiday season, we have extended the consultation period to January 18, 2022. We invite you to present any views and information you may have regarding the potential change by that date.

Execution of Sun Canadian Pipeline Reconfiguration

CN is considering a beneficial adjustment in how the reconfiguration of Sun-Canadian Pipeline Limited's (Sun-Canadian) existing pipeline in the vicinity of the Project would be executed. The change would further reduce the already manageable environmental effects that may result from the reconfiguration.

Existing Pipeline Location

Sun-Canadian's existing pipeline runs southwest-northeast in a single right-of-way and transects the northwest portion of the proposed intermodal terminal area.

Pipeline reconfiguration considered in environmental assessment

The need to reconfigure to accommodate the terminal was identified in Section 3.3.15 of the EIS. The potential environmental effects of the pipeline reconfiguration were assessed in the EIS, including consideration of air and noise emissions from construction equipment, changes to groundwater and surface water quality and quantity, and changes to the terrestrial landscape, and consequential environmental effects on biophysical and socio-economic valued components, including archaeological and heritage resources. The effects assessment was further summarized in the response to the Joint Review Panel's (the Panel) Information Request (IR) 4.1 (CIAR #632). Additional modeling and assessment of potential noise effects of construction equipment associated with directional drilling for the pipeline relocation was undertaken in response to Panel IR 8.12 (CIAR 705). The potential effects of vibration due to Project construction were also considered in the response to Panel IR 4.84 (CIAR #652). Supplemental archaeological assessment of additional lands, including lands potentially affected by the pipeline reconfiguration, was undertaken and provided to the Panel in January 2017 (CIAR #453).

Pipeline reconfiguration location

The physical works and activities associated with pipeline reconfiguration are located on CN property.

The originally proposed diversion (shown in Figure 1) of the Sun-Canadian pipelines ran from a point on the southwest edge of CN's property northward and around the northwest end of the proposed terminal, under the existing mainline tracks, and then eastward to a point on the northeast side of CN's property. The diversion route on the southwest side of the terminal/tracks largely parallels the proposed terminal access road, while the diversion route on the northeast side of the terminal/tracks cuts across agricultural fields. The described method of construction was open cut excavation and directional drilling.

As indicated in the EIS and in the response to Panel IR 4.1, CN has continued its ongoing discussions with Sun-Canadian during the detailed design process for the Project to determine the optimum approach to reconfiguration. Through that process, refinements to further reduce the potential environmental effects of this activity were achieved. The refined approach will involve maintaining the current pipeline route (rather than diverting it) by deepening it along its existing route (shown in Figure 2). This approach will eliminate almost all of the open cut excavation that would have been required to divert the pipeline around the northwest end of the terminal, with the exception of the required directional drilling entry and exit pits at either end of the reconfigured pipelines. As part of the installation, the new piping will be laid down on CN property along the pipeline right-of-way on the northeast side of the terminal/tracks. This activity does not require excavation.

Same Construction Methods

Pipeline reconfiguration has consistently been proposed to be achieved through a combination of open cut excavation and directional drilling. It was anticipated, as outlined in the response to IR 4.1, that the work would involve primarily open cut excavations within existing agricultural fields, with directional drilling limited to the crossing of the existing mainline tracks. However, through design refinement, most of the open cut excavation will be replaced with environmentally preferable directional drilling. The use of open cut excavation is now proposed to be limited to the entry and exit points of the directional drilling. This approach will substantially reduce the amount of ground disturbance associated with pipeline reconfiguration, which will reduce the potential environmental effects on surface water and groundwater, vegetation, wildlife habitat, soils, and agricultural uses.

Potential Environmental Effects Reduced

The area within which this activity would occur is entirely within CN property, on previously disturbed agricultural lands (disturbed both during original pipeline construction and through ongoing agricultural use). No surface water bodies or watercourses would be intercepted by the pipeline reconfiguration work. Further, no woodlands, wetlands or species at risk habitat would be affected by the reconfiguration. The potentially affected area was assessed in the supplemental archaeological assessment of additional lands noted above (see Figures 1 and 4 in *Stage 2 Archaeological Assessment: Milton Logistics Hub, Additional Lands*, provided to the Panel in January 2017 (CIAR #453). Additional Stage 3 archaeological assessment and Stage 4 mitigation in this area was subsequently completed in 2017. The results of the archaeological assessments (Stage 2 and Stage 4) were submitted to the Ministry of Heritage, Sport, Tourism and Cultural Industries (MHSTCI) (previously Ministry of Tourism, Culture and Sport) between 2017 and 2018. The MHSTCI confirmed that these assessments comply with ministry requirements for archaeological fieldwork and reporting (various correspondence between August 2017 and October 2018). The Stage 3 and 4 archaeological reports were also reviewed and accepted by the three Aboriginal communities that participated in the assessment – the Mississaugas of the Credit First Nation, the Six Nations of the Grand River, and the Huron-Wendat Nation – prior to submission to the MHSTCI. No further archaeological assessment work is required in this area.

As a result of these refinements, the extent of ground disturbance associated with realignment of the pipeline will be less than the extent that would otherwise have been disturbed, which has already been assessed and taken into consideration in the development of the grassland habitat offset.



Once the pipeline reconfiguration has been completed, the disturbed surface areas will be restored. Areas not needed for the Project will be returned to agricultural use. The potential environmental effects of the pipeline reconfiguration are therefore temporary and reversible. There are no permanent above-ground structures proposed in relation to the pipeline reconfiguration.

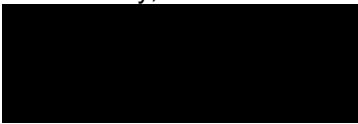
Conditions already contemplate relevant mitigation measures

The Decision Statement for the Project already includes conditions that address the mitigation measures that would be necessary and appropriate for the pipeline reconfiguration. Relevant conditions include but are not limited to, conditions pertaining to erosion and sediment control (5.4), dewatering (5.11, 5.12), delimitation of the construction area (6.5), soil management (6.6 to 6.9), timing of vegetation clearing (8.2, 8.11), emissions controls (4.11, 4.13), noise (4.6, 4.8), grassland habitat offset (8.12), procedures for protection of archaeological and cultural resources (including human remains) (11.8 to 11.10), and numerous others.

Closure

The potential change being considered by CN would further avoid and reduce potential adverse environmental effects associated with this component of the Project. Please provide any views or information you may have regarding this potential change to CN by January 18, 2021.

Sincerely,



Darren Reynolds
Milton Logistics Hub Project Director

cc:

Barbara Koopmans – Commissioner Planning and Development, Town of Milton

Rodney Northey – Gowling WLG (Canada) LLP

Eric Harvey – Senior Regulatory Counsel, CN

Andrew Bernstein – Torys LLP



Town of Milton
150 Mary Street
Milton, ON L9T 6Z5

T 905-878-7252
www.milton.ca

January 19, 2022

Darren Reynolds
Milton Logistics Hub Project Director
Canadian National (CN) Railway

By email: [REDACTED]@cn.ca

Dear Mr. Reynolds:

RE: Milton Logistics Hub Project - Pipeline Reconfiguration Adjustment

On behalf of the Town of Milton, I am responding to your letter of December 23, 2021 regarding the proposed Sun Canadian Pipeline reconfiguration aspect of the Milton Logistics Hub Project. I understand that you have provided similar letters to the Region of Halton and to Conservation Halton.

It is the Town's understanding that the pipeline is a matter of provincial interest regulated by the Ontario Energy Board (OEB) and the Technical Standards and Safety Authority (TSSA). Your letter does not mention the provincial regulatory regime, nor the required provincial approval(s). The Town's interest in this matter relates to site alteration that affects the local environment.

We have reviewed Halton Region's response to your December 23rd letter and agree with the Region's concerns.

As requested by the Region, the Town requests a copy of all available information on the required Ontario approvals, including any existing and/or anticipated application(s) for approval by Sun-Canadian and/or CN. The Town also requests contact information for Sun-Canadian so that we may understand who is directly responsible for this matter at Sun-Canadian.

On receipt of the requested information and contact information, we would be pleased to provide further responding comments.

Sincerely,

Jill Hogan
Acting Commissioner, Development Services, Town of Milton

Andrew Sitala, Chief Administrative Officer, Town of Milton
Rodney Northey - Gowling WLG (Canada) LLP
Eric Harvey - Eric Harvey - Senior Regulatory Counsel, CN
Andrew Bernstein - Torys LLP



Canadian National

Darren Reynolds
Project Director – Milton
Logistics Hub

December 23, 2021

Mr. Hassaan Basit
President & Chief Executive Officer

Conservation Halton
2596 Britannia Road West
Burlington, ON
L7P 0G3

Dear Mr. Basit:

RE: Milton Logistics Hub Project – Pipeline Reconfiguration Adjustment

The Canadian National Railway Company (CN) is considering a beneficial adjustment to the Sun Canadian Pipeline reconfiguration aspect of the Milton Logistics Hub Project (the Project) as outlined further below. The purpose of this letter is to notify you of the opportunity to present your views and information regarding this potential change, in accordance with condition 2.16 of the federal Decision Statement issued in respect of the Project by the Minister of Environment and Climate Change on January 21, 2021. In accordance with condition 2.4.2 of the Decision Statement, the period for providing your views and information is 15 days. In light of the holiday season, we have extended the consultation period to January 18, 2022. We invite you to present any views and information you may have regarding the potential change by that date.

Execution of Sun Canadian Pipeline Reconfiguration

CN is considering a beneficial adjustment in how the reconfiguration of Sun-Canadian Pipeline Limited's (Sun-Canadian) existing pipeline in the vicinity of the Project would be executed. The change would further reduce the already manageable environmental effects that may result from the reconfiguration.

Existing Pipeline Location

Sun-Canadian's existing pipeline runs southwest-northeast in a single right-of-way and transects the northwest portion of the proposed intermodal terminal area.

Pipeline reconfiguration considered in environmental assessment

The need to reconfigure to accommodate the terminal was identified in Section 3.3.15 of the EIS. The potential environmental effects of the pipeline reconfiguration were assessed in the EIS, including consideration of air and noise emissions from construction equipment, changes to groundwater and surface water quality and quantity, and changes to the terrestrial landscape, and consequential environmental effects on biophysical and socio-economic valued components, including archaeological and heritage resources. The effects assessment was further summarized in the response to the Joint Review Panel's (the Panel) Information Request (IR) 4.1 (CIAR #[632](#)). Additional modeling and assessment of potential noise effects of construction equipment associated with directional drilling for the pipeline relocation was undertaken in response to Panel IR 8.12 (CIAR [705](#)). The potential effects of vibration due to Project construction were also considered in the response to Panel IR 4.84 (CIAR #[652](#)). Supplemental archaeological assessment of additional lands, including lands potentially affected by the pipeline reconfiguration, was undertaken and provided to the Panel in January 2017 (CIAR #[453](#)).

Pipeline reconfiguration location

The physical works and activities associated with pipeline reconfiguration are located on CN property.

The originally proposed diversion (shown in Figure 1) of the Sun-Canadian pipelines ran from a point on the southwest edge of CN's property northward and around the northwest end of the proposed terminal, under the existing mainline tracks, and then eastward to a point on the northeast side of CN's property. The diversion route on the southwest side of the terminal/tracks largely parallels the proposed terminal access road, while the diversion route on the northeast side of the terminal/tracks cuts across agricultural fields. The described method of construction was open cut excavation and directional drilling.

As indicated in the EIS and in the response to Panel IR 4.1, CN has continued its ongoing discussions with Sun-Canadian during the detailed design process for the Project to determine the optimum approach to reconfiguration. Through that process, refinements to further reduce the potential environmental effects of this activity were achieved. The refined approach will involve maintaining the current pipeline route (rather than diverting it) by deepening it along its existing route (shown in Figure 2). This approach will eliminate almost all of the open cut excavation that would have been required to divert the pipeline around the northwest end of the terminal, with the exception of the required directional drilling entry and exit pits at either end of the reconfigured pipelines. As part of the installation, the new piping will be laid down on CN property along the pipeline right-of-way on the northeast side of the terminal/tracks. This activity does not require excavation.

Same Construction Methods

Pipeline reconfiguration has consistently been proposed to be achieved through a combination of open cut excavation and directional drilling. It was anticipated, as outlined in the response to IR 4.1, that the work would involve primarily open cut excavations within existing agricultural fields, with directional drilling limited to the crossing of the existing mainline tracks. However, through design refinement, most of the open cut excavation will be replaced with environmentally preferable directional drilling. The use of open cut excavation is now proposed to be limited to the entry and exit points of the directional drilling. This approach will substantially reduce the amount of ground disturbance associated with pipeline reconfiguration, which will reduce the potential environmental effects on surface water and groundwater, vegetation, wildlife habitat, soils, and agricultural uses.

Potential Environmental Effects Reduced

The area within which this activity would occur is entirely within CN property, on previously disturbed agricultural lands (disturbed both during original pipeline construction and through ongoing agricultural use). No surface water bodies or watercourses would be intercepted by the pipeline reconfiguration work. Further, no woodlands, wetlands or species at risk habitat would be affected by the reconfiguration. The potentially affected area was assessed in the supplemental archaeological assessment of additional lands noted above (see Figures 1 and 4 in *Stage 2 Archaeological Assessment: Milton Logistics Hub, Additional Lands*, provided to the Panel in January 2017 (CIAR #453). Additional Stage 3 archaeological assessment and Stage 4 mitigation in this area was subsequently completed in 2017. The results of the archaeological assessments (Stage 2 and Stage 4) were submitted to the Ministry of Heritage, Sport, Tourism and Cultural Industries (MHSTCI) (previously Ministry of Tourism, Culture and Sport) between 2017 and 2018. The MHSTCI confirmed that these assessments comply with ministry requirements for archaeological fieldwork and reporting (various correspondence between August 2017 and October 2018). The Stage 3 and 4 archaeological reports were also reviewed and accepted by the three Aboriginal communities that participated in the assessment – the Mississaugas of the Credit First Nation, the Six Nations of the Grand River, and the Huron-Wendat Nation – prior to submission to the MHSTCI. No further archaeological assessment work is required in this area.

As a result of these refinements, the extent of ground disturbance associated with realignment of the pipeline will be less than the extent that would otherwise have been disturbed, which has already been assessed and taken into consideration in the development of the grassland habitat offset.

Once the pipeline reconfiguration has been completed, the disturbed surface areas will be restored. Areas not needed for the Project will be returned to agricultural use. The potential environmental effects of the pipeline reconfiguration are therefore temporary and reversible. There are no permanent above-ground structures proposed in relation to the pipeline reconfiguration.



Conditions already contemplate relevant mitigation measures

The Decision Statement for the Project already includes conditions that address the mitigation measures that would be necessary and appropriate for the pipeline reconfiguration. Relevant conditions include but are not limited to, conditions pertaining to erosion and sediment control (5.4), dewatering (5.11, 5.12), delimitation of the construction area (6.5), soil management (6.6 to 6.9), timing of vegetation clearing (8.2, 8.11), emissions controls (4.11, 4.13), noise (4.6, 4.8), grassland habitat offset (8.12), procedures for protection of archaeological and cultural resources (including human remains) (11.8 to 11.10), and numerous others.

Closure

The potential change being considered by CN would further avoid and reduce potential adverse environmental effects associated with this component of the Project. Please provide any views or information you may have regarding this potential change to CN by January 18, 2021.

Sincerely,



Darren Reynolds
Milton Logistics Hub Project Director

Cc: Rod Northey, Gowling WLG (Canada) LLP
Andrew Berstein, Torys LLP





905.336.1158
Fax: 905.336.7014
2596 Britannia Road West
Burlington, Ontario L7P 0G3
conservationhalton.ca

Protecting the Natural
Environment from
Lake to Escarpment

January 18, 2022

Darren Reynolds
Milton Logistics Hub Project Director
Canadian National (CN) Railway

Dear Mr. Reynolds:

RE: Milton Logistics Hub Project – Pipeline Reconfiguration Adjustment

On behalf of Conservation Halton, I am responding to your letter of December 23, 2021 regarding the proposed Sun Canadian Pipeline reconfiguration aspect of the Milton Logistics Hub Project. I understand that you have provided similar letters to the Region of Halton and the Town of Milton.

It is Conservation Halton's understanding that the pipeline is a matter of provincial interest regulated by the Ontario Energy Board (OEB) and the Technical Standards and Safety Authority (TSSA). Your letter does not mention the provincial regulatory regime, nor the required provincial approval(s). Conservation Halton's interest in this matter relates to water resources and drainage flows towards watercourses.

We have reviewed Halton Region's response to your letter dated December 23, 2021. As requested by the Region, Conservation Halton also requests a copy of all available information on the required Ontario approvals, including any existing and/or anticipated application(s) for approval by Sun-Canadian and/or CN. Conservation Halton also requests contact information for Sun-Canadian so that we may understand who is directly responsible for this matter at Sun-Canadian.

On receipt of the requested information and contact information, we would be pleased to provide further responding comments.

Please ensure that all future correspondence in this specific matter from you or Sun-Canadian is directed to Barbara Veale, Director, Planning and Watershed Management, who is the appropriate contact ([REDACTED] ext. [REDACTED] [REDACTED] [@hrca.on.ca](mailto:[REDACTED]@hrca.on.ca)).

Sincerely,

Hassaan Basit
[REDACTED]

Chief Executive Officer
Conservation Halton
2596 Britannia Road West, Burlington, ON L7P 0G3
905.336.1158 | conservationhalton.ca

cc:

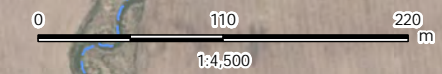
Barbara Veale, Director, Planning and Watershed Management, Conservation Halton

Rodney Northey – Gowling WLG (Canada) LLP

Eric Harvey – Eric Harvey - Senior Regulatory Counsel, CN

Andrew Bernstein – Torys LLP

V:\01609\active\160960844\drawing\WXD\APC\Agency\SunCanadian\PipelineRelocation_Original_20211004.mxd
 Revised: 2021-12-22 By: dharvey



December 2021
160960844



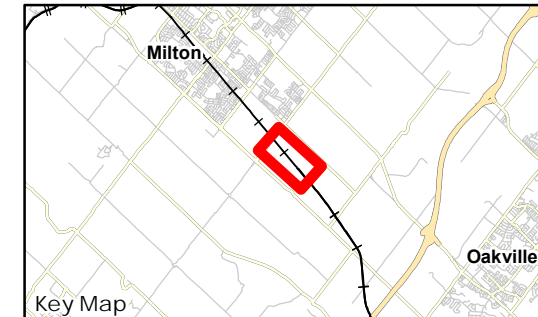
Legend
 --- CN-Owned Property

- Sun-Canadian Pipeline**
- GAS- Sun-Canadian Pipeline
 - Pipeline to be Installed Via Directional Drill
 - Pipeline to be Abandoned in Place
 - Pipeline to be Installed via Open Cut Excavation
 - Directional Drill Entry and Exit Pits

Approximate footprint of open excavation (open cut, entry / exit pits): 26,524 m²

Notes

1. Coordinate System: NAD 1983 UTM Zone 17N
2. Base features produced under license with the Ontario Ministry of Natural Resources and Forestry © Queen's Printer for Ontario, 2015. Site layout: July 10, 2015.
3. Orthoimagery © First Base Solutions, 2021. Imagery taken in 2019.



Client/Project
 Canadian National Railway Company
 Milton Logistics Hub

Figure No.
 1

Title
 Original Proposed Relocation
 of Sun-Canadian Pipeline

V:\01609\active\160960844\drawing\WXD\APC\Agency\SunCanadian\160960844_Fig02_SunCanadianPipelineRelocation_Current_20211004.mxd
 Revised: 2021-12-22 By: dharvey



December 2021
160960844

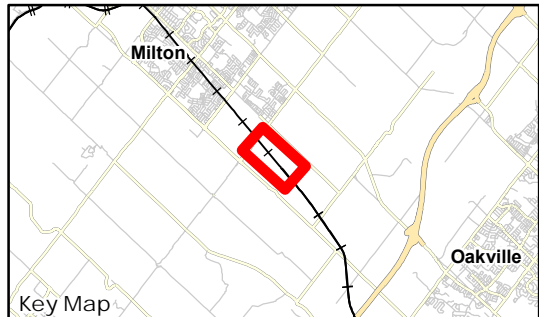


Legend
 --- CN-Owned Property

- Sun-Canadian Pipeline**
- GAS- Sun-Canadian Pipeline
 - Pipeline to be Installed Via Directional Drill; Reduces Open Excavation by 83.7%
 - Pipeline to be Abandoned in
 - Directional Drill Entry and Exit Pits

Approximate footprint of open excavation (open cut, entry / exit pits): 4,312 m²

- Notes**
- Coordinate System: NAD 1983 UTM Zone 17N
 - Base features produced under license with the Ontario Ministry of Natural Resources and Forestry © Queen's Printer for Ontario, 2015. Site layout: July 10, 2015.
 - Orthoimagery © First Base Solutions, 2021. Imagery taken in 2019.



Client/Project
 Canadian National Railway Company
 Milton Logistics Hub

Figure No.
 2

Title
 Current Proposed Relocation
 of Sun-Canadian Pipeline