

April 15, 2019

Milton Logistics Hub Project - Notice of Sufficiency of Information

As required in its Terms of Reference (CEAR #391), the Review Panel established for the joint process for the review of the proposed Milton Logistics Hub Project (the Review Panel), having read and considered the information on its record, has concluded that the environmental impact statement (EIS) and additional supplemental information provided by the Canadian National Railway Company (CN) contain sufficient information to proceed to the public hearing stage of its review. The Review Panel encourages all interested parties to participate in the public hearing.

Process for determining sufficiency

In order to determine sufficiency, the Review Panel first reviewed the EIS (CEAR #57), additional information that CN had provided to the Canadian Environmental Assessment Agency prior to the establishment of the Review Panel, and CN's application to the Canadian Transportation Agency under section 98 of the *Canada Transportation Act*. The Review Panel also opened a 75-day comment period to allow participants to review and comment on their understanding of the sufficiency of these documents.

Based on its review of information provided by CN and comments from participants in the joint process, the Review Panel issued a series of eight Information Request packages in two rounds with the following timelines:

April 2017-October 2017	Review Panel issues Information Request packages 1-5 (first round)
May 2017-June 2018	CN provides responses to first round of Information Requests
June 2017	Review Panel opens comment period on responses to first round of Information Requests
July 2018	Review Panel closes comment period on responses to first round of Information Requests
February-September 2018	Review Panel issues Information Request packages 6-8 (second round), and opens second comment period
August 2018-March 2019	CN provides responses to second round of Information Requests
April 2019	Review Panel closes comment period on responses to second round of Information Requests

The topics covered in Information Request packages 1 through 8 included: fish and fish habitat; wildlife species; regulatory framework; purpose; alternative means; project description; air quality; water; terrestrial issues; light; socio-economic; human health; physical and cultural heritage; indigenous matters; truck traffic, noise; vibration; mitigation measures; cumulative effects; follow-up programs and reporting; accidents and malfunctions; and environmental management.

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CN's responses to the Information Requests are available on the Canadian Environmental Assessment Registry:

- Package 1 - #[561](#) #[574](#)
- Package 2 - #[592](#)
- Package 3 - #[613](#) #[643](#)
- Package 4.1 - #[632](#) #[646](#) #[656](#)
- Package 4.2 - #[652](#) #[654](#)
- Package 5 - #[647](#) #[655](#)
- Package 6 - #[714](#)
- Package 7 - #[680](#)
- Package 8 - #[705](#), #[714](#), #[722](#) #[732](#)

Determination of sufficiency

The Review Panel has carefully considered all of the information provided by CN as well as the extensive comments provided by participants. The Review Panel has concluded that it now has sufficient information to proceed to the public hearing. The Review Panel has based its conclusion on information related to various aspects of its mandate, including details of the Project, its environmental effects, proposed mitigation measures, and requirements for follow-up programs. The conclusion also involved consideration of information regarding the requirements for railway operations and services and the interests of the localities that may be affected by the railway lines, which may be used for the purpose of a potential future determination by the Canadian Transportation Agency.

The Review Panel reminds participants that this determination does not mean the Project has been approved or that the Review Panel has reached conclusions about the effects of the Project, but merely that the process can now move forward to the next stage – the public hearing. The Review Panel will continue to accept additional information and views from participants in preparation for, and at, the public hearing.

The Review Panel acknowledges the time and effort expended by participants in providing detailed comments. The Review Panel has used these comments extensively to prepare the eight Information Request packages and will continue to draw on this material as it prepares for the general and technical hearing sessions. In cases where comments reflect differences of opinion on CN's methodologies and conclusions, the Review Panel is of the view that it will be more effective to seek clarification and test information at the public hearing than to issue further information requests.

Next steps

In accordance with its Terms of Reference, the Review Panel will schedule and announce the start of the public hearing. The Review Panel will provide additional details on the hearing process in that announcement including the start date, timing and location of the hearing.

Additional information

If you have any questions regarding the process please contact Joseph Ronzio, Panel Manager at (613) 699-6778 or MiltonHubPanel@ceaa.gc.ca.

The proposed project and the joint process for the review

The Canadian National Railway Company is proposing the construction and operation of a logistics hub, designed to transfer containers between trucks and railcars. The project would be located in Milton, Ontario on 400-acres of CN-owned land, and would include a railway yard with more than 20 km of track.

The joint process for the review of the Milton Logistics Hub was established to ensure an efficient single window process for the federal environmental assessment under the *Canadian Environmental Assessment Act, 2012* and the collection of information that may be used for a potential decision on the project by the Canadian Transportation Agency. To find out more about the process and the Review Panel's mandate see the [Agreement](#) between the Minister of the Environment and Climate Change and the Chair of the Canadian Transportation Agency to establish the joint process for the review.

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Milton Logistics Hub Project Environmental Assessment Information Requests and Key Submissions

The information listed below is provided to facilitate access by participants in the joint process for the review of the Milton Logistics Hub Project to key submissions made by the CN. Between December 2016 and April 2019 the Review Panel held comment periods for participants to comment on the sufficiency of the information below in relation to whether the Review Panel should proceed to the public hearing stage of its process.

The referenced information below is to assist participants in preparing for the hearing, to provide their own views on matters within the mandate of the Review Panel. Such matters include the anticipated residual environmental effects of the Project (including cumulative effects and those resulting from accidents and malfunctions), mitigation measures and follow-up programs, as well as information regarding railway operations and services and other interests of the localities that would be affected by the railway line.

Environmental Impact Statement

Document Title	CEAR # and Date
Environmental Impact Statement	57 December 7, 2015
Environmental Impact Statement Summary	58 December 7, 2015

Project Application to the Canadian Transportation Agency

Document Title	CEAR # and Date
Application to the Canadian Transportation Agency (CTA)	395 December 16, 2016

Pre-Panel Additional Information Requirements from the Canadian Environmental Assessment Agency and Responses of the Canadian National Railway Company

Additional Information Requirements from the Canadian Environmental Assessment Agency and Main Topics	CN Response CEAR # and Date
Additional Information Requirements #1 71 <ul style="list-style-type: none"> - Presentation of the EIS - Clarifications - Project Description - Alternative Means - Aboriginal Interests - Physical and Cultural Heritage - Atmospheric Environment 	72 (Part 1 all topics) May 18, 2016 81 (Part 2 Greenhouse Gases) June 17, 2016

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	<ul style="list-style-type: none"> - Groundwater and Surface Water - Terrestrial Landscape - Wildlife Species and Habitat - Fish and Fish Habitat - Mitigation Measures, Follow-up and Reporting - Cumulative Effects 	
Additional Information Requirements #2 357	<ul style="list-style-type: none"> - Alternative Means - Physical and Cultural Heritage - Atmospheric Environment - Groundwater and Surface Water - Terrestrial Landscape - Wildlife Species and Habitat - Fish and Fish Habitat - Cumulative Effects 	375 <i>September 30, 2016</i>

Review Panel Information Requests and Responses from the Canadian National Railway Company

Information Requests (IR) from the Review Panel and Main Topics		CN Response CEAR # and Date
Panel IR Package 1 555 <i>April 5, 2017</i>	<ul style="list-style-type: none"> - Fish and Fish Habitat - Wildlife Species and Habitat 	561 (Part 1) <i>April 21, 2017</i> 574 (Part 2) <i>June 19, 2017</i>
Panel IR Package 2 563 <i>May 5, 2017</i>	<ul style="list-style-type: none"> - Regulatory Framework - Purpose - Alternative Means - Project Description 	592 (all topics) <i>August 31, 2017</i>
Panel IR Package 3 593 <i>September 6, 2017</i>	<ul style="list-style-type: none"> - Air Quality - Water - Terrestrial - Wildlife Species and Habitat 	613 (all topics) <i>January 24, 2018</i> 643 (Response to Health Canada on Diesel Particulate Matter) <i>May 14, 2018</i>

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<p>Panel IR Package 4.1 600 <i>October 11, 2017</i></p>	<ul style="list-style-type: none"> - Project Components - Light - Socio-economic - Human Health - Physical and Cultural Heritage - Indigenous Matters - Fish and Fish Habitat - Wildlife Species and Habitat 	<p>632 (Group 1) – All other package 4.1 topics <i>March 21, 2018</i></p> <p>646 (Group 2) - Light <i>May 18, 2018</i></p> <p>656 (Group 3) – Socio Economic <i>June 15, 2018</i></p>
<p>Panel IR Package 4.2 602 <i>October 31, 2017</i></p>	<ul style="list-style-type: none"> - Truck Traffic - Noise - Vibration 	<p>652 (Group 1) - Noise <i>June 1, 2018</i></p> <p>654 (Group 2) – Truck Traffic <i>June 12, 2018</i></p>
<p>Panel IR Package 5 602 <i>October 31, 2017</i></p>	<ul style="list-style-type: none"> - Mitigation Measures - Cumulative Effects - Follow-up Programs and Reporting - Environmental Management - Accidents and Malfunctions 	<p>647 (Group 1) – Cumulative effects, Follow-up programs, Reporting, Environmental Management <i>May 18, 2018</i></p> <p>655 (Group 2) – Mitigation Measures and Commitments, Accidents and Malfunctions <i>June 12, 2018</i></p>
<p>Panel IR Package 6 615 <i>February 6, 2018</i></p>	<ul style="list-style-type: none"> - Regulatory Framework 	<p>714 (all topics) <i>February 15, 2019</i></p>
<p>Panel IR Package 7 644 <i>May 17, 2018</i></p>	<ul style="list-style-type: none"> - Air Quality - Water - Physical and Cultural Heritage - Socio-economic 	<p>680 (all topics) <i>August 20, 2018</i></p>
<p>Panel IR Package 8 685 <i>September 25, 2018</i></p>	<ul style="list-style-type: none"> - Referenced Documents - Air Quality - Human Health - Truck Traffic - Light - Noise & Vibration - Socio-economic - Wildlife 	<p>705 (Group 1) – Referenced documents, Light, Noise and Vibration, Socio-economic <i>December 19, 2018</i></p> <p>714 (Group 2) – Human Health, Noise & Vibration, Wildlife <i>February 15, 2019</i></p> <p>722 (Group 3) – Air quality, Truck traffic</p>

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		<p><i>March 1, 2019</i></p> <p>732 (Group 4) – Air Quality, Truck traffic, Noise and Vibration</p> <p><i>March 22, 2019</i></p>
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Other CN Submissions to the Review Panel

Document Title	CEAR # and Date
CN Report on Stage 2 Archaeological Assessment	<p>452 (Correspondence to Indigenous Groups) <i>January 18, 2017</i></p> <p>453 (Archaeological Report) <i>January 18, 2017</i></p>
Results of CN's additional public consultation from Fall 2017	<p>620 <i>February 9, 2018</i></p>
CN Amendment to the EIS following Engagement with Aboriginal Communities	<p>684 September 21, 2018</p>