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To:	France Moreau and Luanne Patterson Canadian National Railway	From:	Chris Powell and Andrew Taylor Stantec Consulting Ltd.
File:	CN Milton Logistics Hub	Date:	May 11, 2021

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**Reference: CN Milton Logistics Hub – Natural Feature Buffers and Setbacks (Condition 6.4)**

As part of the CN Milton Logistics Hub, CN is proposing to maintain and protect natural features through avoidance, mitigation, restoration and enhancement during construction and operation. The overall effects of the Project on the natural environment have been addressed through completion of the environmental assessment process.

The Project includes the protection of natural features (i.e., wetlands, watercourses, woodlands and riparian areas) from the direct effects of construction, such as encroachment by equipment or removal of vegetation, and the establishment and maintenance of buffers and setbacks from such features. Further, restoration of areas disturbed during construction and/or naturalization of areas to be maintained during operation will enhance the existing environmental conditions within the Project Development Area (PDA).

Some encroachment is required to implement the Project, including the realignment of portions of Indian Creek, Tributary A, and Tributary C, as well as the installation of stormwater management (SWM) infrastructure such as storm outfalls and overflows to receiving waterbodies. Mitigation measures are proposed to reduce the direct effects of such activities, including limiting the footprint of construction, implementing erosion and sediment controls, following construction timing windows, undertaking wildlife relocation and environmental monitoring during construction to confirm compliance with proposed plans and methods of construction.

Following such activities, disturbed areas will be restored and enhanced through the creation of wetlands and wildlife habitat, planting of riparian areas, establishment of grassland areas and enhancement of instream habitat. Those areas surrounding wetlands and adjacent to Indian Creek and Tributary A will function as natural buffers to enhance the natural corridor along Indian Creek and enhance the overall natural areas associated with Tributary A.

During construction, the limits of construction (i.e., area within which the contractor is permitted to operate) have been established to accommodate grading, construction, movement of vehicles, and other activities required to construct the Project while reducing the potential effects on natural features. The limits are based on establishing areas where no encroachment will be permitted, and areas where only temporary access to complete specific tasks will be permitted subject to confirmation from the environmental monitor.

Specific protections and setbacks from natural features have been established based on the following recommendations (in accordance with Condition 6.4.1 of the Decision Statement):

- Maintaining existing vegetation along riparian areas adjacent to Indian Creek and Tributary A for those portions to be retained and including riparian and floodplain planting along the proposed realigned reaches to be retained during operation
- Maintaining undisturbed vegetation around all retained wetlands within the PDA and including riparian planting around all constructed wetlands proposed along Indian Creek and Tributary A to be retained during operation

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- Defining the limits of construction within which the contractor is permitted to operate based on the establishment of restricted access areas where encroachment or access during construction will not be permitted

Further, in accordance with Condition 6.4.2 of the Decision Statement, some activities within the buffer areas are required and will correspondingly be restricted to only certain activities and times when such activities are being completed. Exceptions include work to meet engineering requirements for safe railway and facility operation (i.e., grading and construction of approved terminal infrastructure), installation and maintenance of erosion or sediment control measures, and activities associated with the channel realignment, restoration and naturalization work. Where such activities are required, the following recommendations have been implemented:

- Identifying limited access areas where encroachment or access will only be permitted for the completion of specific project activities (i.e., channel realignments, installation of stormwater infrastructure, habitat restoration and enhancement)

In establishing the restricted and limited access areas for this Project, a combination of protected areas, buffers and setbacks have been established for implementation during construction, as follows:

- Retaining treed vegetation along the outer banks of Indian Creek and other wooded areas within the PDA, including portions of the cultural woodlands, plantation, former orchard and hedgerows
- Retaining a portion of the woodland area identified by Environment and Climate Change Canada (ECCC) as potential bat habitat
- Maintaining a 20 m setback during construction from the portion of the potential bat habitat to be retained
- Maintaining a 10 m setback during construction from the dripline of other woodland areas, and maintaining construction activities outside of the dripline for hedgerows to be retained
- Maintaining a 30 m setback from the portion of Tributary B to be retained
- Maintaining a 30 m setback from Tributary C, until such time as the channel realignment and installation of Culvert 7 is required
- Maintaining a 30 m setback from Tributary A and/or construction activities outside of the floodplain associated with Tributary A (whichever is greatest) until such time as construction activities are required to realign the mainline and install Culvert 2A/2B and the corresponding connecting channel
- Maintaining a 30 m setback from the existing wetland areas to be retained along the upper reaches of Tributary A, with the exception of the encroachment required to construct the proposed access road culvert and associated drainage infrastructure near Britannia (i.e., ecopassage)
- Maintaining a 50 m setback from the existing barn known to contain nesting Barn Swallow, with the exception of activities associated with the construction of the adjacent stormwater management pond and habitat / channel restoration activities in Indian Creek, where a physical barrier will be installed around the structure to prevent entry and incidental damage or disruption during construction

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- Limiting vegetation removal and encroachment during construction into natural features that are not required to be removed until the second year of construction, so that such features will be retained in the interim (i.e., phasing removals and restricting encroachment to when necessary)
- All storage and temporary laydown areas will be located a minimum of 30 metres from all watercourses and wetlands, and will be located outside of the floodplain areas
- Restricting access during construction for the completion of in-stream habitat enhancements on Indian Creek (i.e., upstream of the realigned section and downstream of Tremaine Road) to only those activities and along alignments to be determined through discussions with the channel realignment contractor in order to identify the pathway that reduces potential effects on existing riparian vegetation
- Retaining wildlife trees around the perimeter of the PDA
- Incorporating a temporary construction access location within a portion of the proposed restoration area downstream of the agricultural pond on Tributary A (upstream of Tremaine Road) using an existing farm access location while avoiding encroachment into the wetland and watercourse, and incorporating additional measures for the restoration of the gravel access road following construction

The limits of construction, including the appropriate setback areas, will be delineated in the field using a combination of stakes and fencing based on the sensitivity of adjacent habitats / features and timing of proposed construction activities. The limits of construction have been delineated on the various construction drawings, including Figure 1 (see attached).

Additional buffers and/or setback areas may also be established during construction in the event that certain species are observed. For example, CN will establish and maintain buffer zones and setbacks if the contractor encounters a Barn Swallow or Bank Swallow nest during the removal of a culvert or if nesting occurs within exposed banks (i.e., stockpiles, slopes). This measure complies with Condition 8.23.4 of the Decision Statement. Further, in the event that isolated vegetation clearing is required during the breeding season, any active nests observed while conducting a nest sweep of the area will be identified and an appropriate setback established based on the species-specific recommendations of an ecologist (per Condition 8.2.2).

These measures are consistent with commitments made by CN during the environmental assessment, as outlined in the Updated Consolidated Table of Mitigation Measures and Proponent Commitments (CIAR#981), including the following:

- buffer wetland and riparian areas by up to 30 m
- maintain buffers between construction activities / grading and natural areas (i.e., wetlands, watercourses) to reduce potential disruption (disturbance) to species and existing vegetative cover that acts to stabilize riparian areas, filter nutrients and minimize erosion of fish habitat
- establish and clearly identify a riparian buffer before the start of clearing activities
- demarcate construction work area to avoid incidental encroachment

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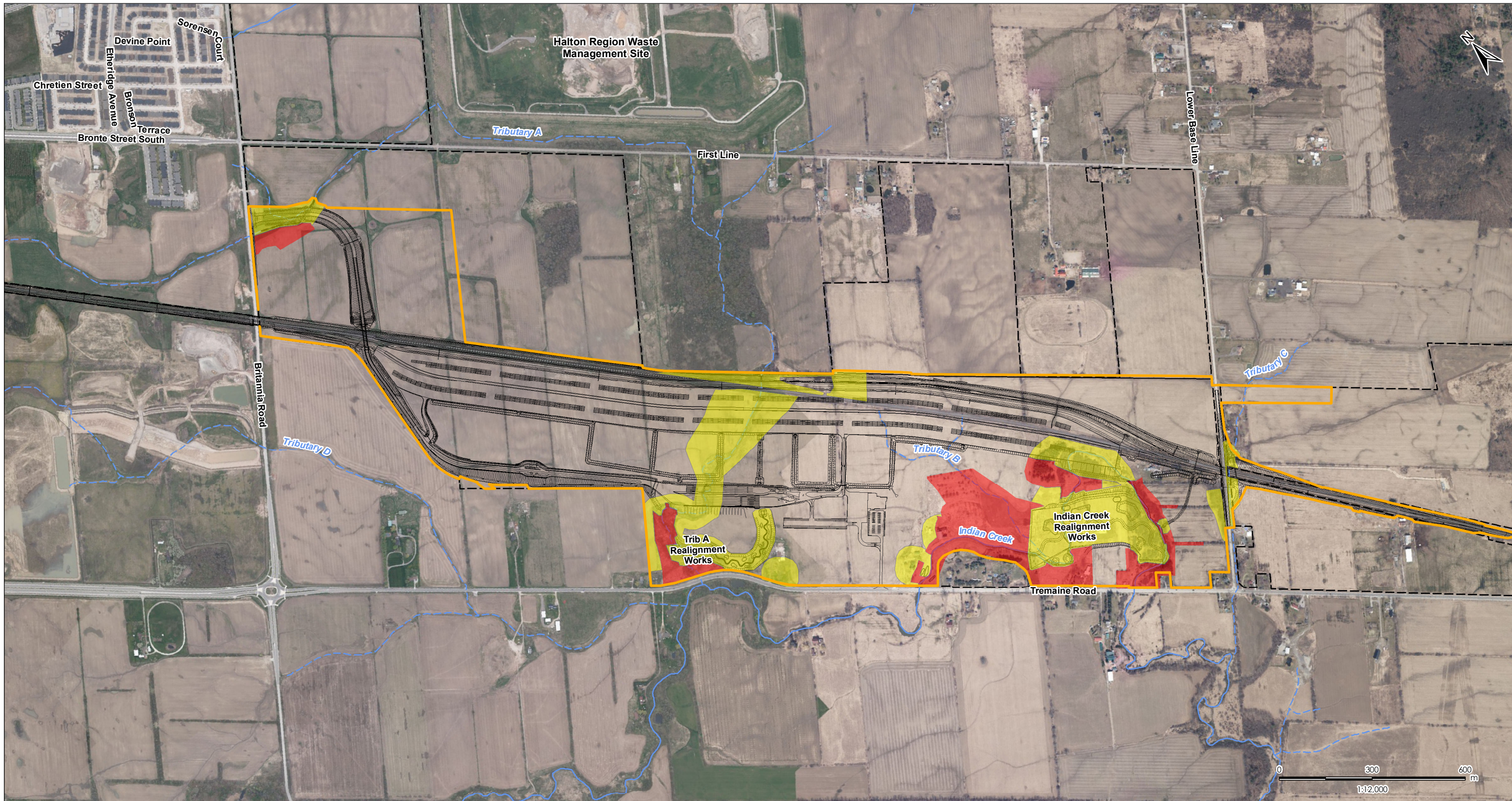
- reduce the size and extent of disturbed soil and vegetation during construction, including brushing, pruning and clearing activities, and preserve existing habitat conditions where possible
- disturbance in riparian buffer areas will be restricted to activities associated with realignment, restoration and naturalization
- avoid vegetation clearing, cutting or maintenance in areas proposed for restoration and naturalization to reduce disturbance and rehabilitation requirements
- reduce the project footprint and avoid unnecessary vegetation clearing around the Terminal, access roads and rail
- retain natural vegetation along the boundaries of the Project to provide noise buffers and to limit noise associated with clearing

The above description of proposed buffers and setbacks proposed during construction and establishment of natural areas (buffers) adjacent to wetlands and watercourses to be maintained during operation has been prepared in partial fulfillment of Condition 6.4 of the Decision Statement. These areas (buffers and setbacks, limits of construction, restricted access areas, limited access areas) have been incorporated onto the relevant construction drawings and restoration plans, as appropriate, for implementation during construction.

Consultation with relevant authorities is required per Condition 6.4.1, which in the case of buffers would include ECCC and Conservation Halton, and as such this memo is intended to be circulated to these agencies for review and comment, as appropriate.

We trust that this information is of assistance and adequately documents how the buffers have been established for the protection of wetland, watercourses, riparian areas and other natural features associated with the construction and operation of the CN Milton Logistics Hub.



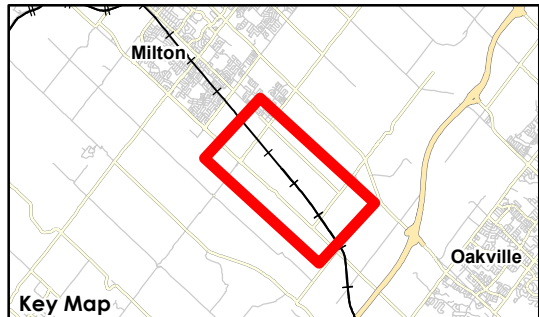


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 Revised: 2021-05-19 By: dharvey



- Legend**
- CN-Owned Property
  - Assumed Site Plan Line Work (AECOM 20210326)
  - Limit of Construction
  - Protected Sensitive Natural Area- Work Prohibited
  - Temporarily Protected Area- Work Permitted With Conditions and Approval of CN Environmental Monitor

- 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  
 Environmental Impact Statement

Figure No.  
**1**

Title  
**Temporary and Permanent Restricted Areas for Natural Features**