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Delivered by Email

Canadian Transportation Agency
Office of the Secretariat
SECRETARIAT@OTC-CTA.GC.CA

Attn.: John Woodward

Dear Mr. Woodward :

Subject: CN Application for Approval to construct a railway line between milepoint 2.67 and 4.16 of its Champlain Spur, in the City of Quebec, province of Quebec

The following is further to your correspondence seeking additional clarification in order to complete CN's application pursuant to Section 98 of the Canada Transportation Act, for an order approving the construction of the above-noted railway line (hereinafter the "Application").

I note that at the time your correspondence was sent, you were not in receipt of the plans in relation to the Application. My understanding is that you now have a copy of the plans, and therefore, many of my responses point to the plans where the requested information can be found.

Following is the additional information requested and CN's response to each of the items.

- 1) A detailed description of the proposed railway line realignment. The description should include diagrams that clearly indicate the proposed railway lines with beginning and ending mileage points, right-of-way(s), subdivision name(s), and location(s).
 - a. As indicated at paragraphs 14-15 of the Application, Plans numbered 091-50992-01 and the 800 series of drawings are filed in support of

CN's Application. These plans collectively show the location of the proposed railway lines, the beginning and ending mileage points, the railway right-of-way, and the spur name associated with the railway line.

- 2) Timelines with respect to the commencement and duration of construction, as well as when railway operations are scheduled to re-start. CN's response should also describe the services that will be operated on the line.
 - a. Construction will commence as soon as possible after Agency approval of the line, ideally by spring of 2020 and will be completed by end of 2023. This is due to on the nature of the sequencing of construction activities, which will alternate between dismantling and construction of the railway line and the road. Given that the construction of the railway line will near the end of the project, it will be highly dependent on the CCNQ's portion of the work not being delayed.
 - b. The services operated on the line will be the same as those operated on this line before the realignment. That is, freight services to the Port of Quebec, on average six trains per week (3 return services). While services are not expected to change, services may change over time based on customer demand given CN's level of service obligations and operational requirements.
- 3) Maps illustrating the location of the proposed railway line and associated infrastructure in relation to their geographic surroundings.
 - a. Figure 1 of CN's Application provides an overview of the proposed project location in relation to the geographic surroundings.
- 4) Plans that show Roads, bridges, tunnels and private crossings that show road allowances and at grade or grade-separated crossings;
 - a. Features including road crossings are shown on the Plans numbered 091-50992-01 and the 800 series of drawings, which are filed with CN's application.
- 5) Plans that show Infrastructure, including pipelines, utility crossings, culverts, noise walls, embankments, open drains, ditches, and watercourses, showing whether they are above or below ground and any utility support structures, blow-off valves;
 - a. Infrastructure such as utility crossings, culverts, railway embankments, drainage features, and watercourses are shown in the Plans numbered

- 091-50992-01 and the 800 series of drawings which are filed with CN's application.
- b. Noise walls are not planned as part of the project considering that the noise study undertaken by the CCNQ's consultant (filed at Annex 10, as part of CN's application) demonstrates that noise and vibration levels are not expected to change as a result of the project.
- 6) Plans that show Localities, including Indigenous communities, municipalities, residents, landowners, businesses and communities in proximity to the railway line, that shows property lines and names of the owners of the land that the railway line will cross, existing and future land-use and zoning around the site of the proposed rail infrastructure, and sensitive receptors (i.e., homes, buildings, wildlife).
- a. Figure 1 of CN's Application provides an overview of the proposed project location in relation to the surrounding communities. In addition, the Plans numbered 091-50992-01 and the 800 series of drawings filed with CN's application show adjacent landowners (including sensitive receptors at the top of the cliff), property lines and names of the landowners that the proposed railway line will cross. The interests of Localities are further described in section G of CN's application.
- 7) Information related to railway operations and services including a detailed description of the proposed infrastructure and ground alterations that will be required.
- a. In order to accommodate the development of the Promenade Samuel-de-Champlain and the waterfront area, the Commission de la capitale nationale du Québec ("CCNQ") has requested that CN relocate a portion of its existing Champlain spur (located between approximately Cote Sillery and rue de l'Anse au Foulon) northwards to the foot of the cliff. This will require that the existing railway line along with all associated infrastructure be dismantled and reconstructed to the north of its existing location. The CCNQ's project will also necessitate the relocation of a portion of Route 136 / Boulevard Champlain immediately adjacent to the relocated railway line, thus allowing for the enhancement of the shore area for public recreational use.
 - b. The railway infrastructure associated with the project is shown on the Plans numbered 091-50992-01 and the 800 series of drawings filed with CN's application. This includes signals and communications

systems, road crossings, road and railway drainage systems, utility crossings, and track materials.

- c. During construction activities, CN has negotiated a confidential agreement whereby the Quebec Gatineau Railway company will perform CN's switching activities serving customers located in the Port of Quebec by way of its separate access to the Port.
- 8) Information related to railway operations and services including a detailed description of the required modifications to lands, waterbodies and existing utilities.
- a. A summary of land modifications associated with the project is provided in response to item 7 above. As noted above, drainage systems and utility crossings are identified on the Plans numbered 091-50992-01 and the 800 series of drawings filed with CN's application.
 - b. There are no watercourses located within the project boundaries, therefore there are no modifications to ponds, channels, channel realignments, watercourses, canals.
 - c. Road work is required as part of the CCNQ's project; this work will be undertaken by parties other than CN. Demolition and reconstruction of the grade separation carrying the Boulevard Champlain over the railway line will also be undertaken by parties other than CN. CN does not anticipate any road closures or detours as part of the relocation of the railway line, though they may be required as a result of other aspects of this Samuel de Champlain, Phase III project.
- 9) Railway operational activities that will be undertaken at the proposed facilities for (a) the first year of operations and (b) when operating at full capacity and include the following information:
- a. As noted at paragraph 17 of CN's Application, the existing railway line currently sees approximately 6 freight trains per week. Train volumes, lengths, and speeds are not expected to change following completion of the project.
 - b. Trains operating on this railway line are destined to customers on Port of Quebec property and currently carry a mix of goods, which may include dangerous commodities. The project is not expected to result in a change in the type of commodity carried on the railway line.

- c. There are no at-grade crossings located on the portion of railway line that is to be relocated to accommodate the CCNQ's project. That being said, CN respects all regulatory requirements including the provisions of Transport Canada's *Grade Crossings Regulations* pertaining to crossing occupancy.
 - d. Considering that the CCNQ's project is expected to draw the public to the waterfront area in general proximity to the railway line, CN has requested, and the CCNQ has agreed to install fencing to serve as a security measure for the length of the proposed railway line on the south side of the line. In addition, should there be a need, for safety reasons, after the construction of the line, the CCNQ has also agreed to install fencing on the north side of the railway line. The proposed security measures are identified on the Plans numbered 091-50992-01 and the 800 series of drawings filed with CN's application.
- 10) Information related to railway operations and services including a detailed description of proposed construction activities, Infrastructure staging and scheduling, and Construction methods, including warning devices, truck haul routes, pile driving, and blasting activities.
- a. Subject to approval of the Agency, and as described above, construction is expected to occur between the months of approximately April until December (depending on weather conditions) beginning in 2020, continuing until 2023. Work is expected to occur primarily during daytime hours, with some work taking place in the evenings or early mornings to coincide with the tides. Night-time work will occur in exceptional cases only.
 - b. Details respecting constructions activities and methodology are not available at this time. Construction activities including the grading for the new railway corridor up to the ballast level, installation of drainage systems are the responsibility of the CCNQ. Trucks are expected to use local highways. No road or crossing closures are expected as part of the project, aside from the 2.5km portion of Boulevard Champlain that will be closed and relocated to accommodate the CCNQ's project.
 - c. There is a possibility that pile driving will be required in the construction of the grade separation near mile 3.80. Those details remain to be finalized between the parties.

- d. Blasting activities are not expected to occur as part of his project, however should they be required, such activities would be undertaken by specialised contractors.
 - e. As noted above, CN has requested, and the CCNQ has agreed to install fencing to serve as a security measure for the length of the proposed railway line. These measures may be put in place, if required, during construction so as to limit access to the construction area.
- 11) Information related to railway operations and services including a detailed description of construction phases.
- a. As noted above, construction activities are expected to occur between the months of approximately April until December (depending on weather conditions) beginning in 2020, continuing until 2023. Work is expected to occur primarily during daytime hours, with some work taking place in the evenings or early mornings to coincide with the tides. Night-time work will occur in exceptional cases only.
 - b. The overall CCNQ project has been divided into several phases, including:

Under the CCNQ's responsibility:
 - Lot A5.1: Parking area at the base of côte de Sillery;
 - Lot Blvd/A.1: Construction of the newly relocated Boulevard Champlain and grading for the new railway corridor up to the ballast level;
 - Lot A2: Construction of water features;
 - Lot A3: Works outside the limits of the project (in proximity to the Yacht club de Québec); and
 - Lot B1, B4 and B5: Buildings associated with the overall revitalization of the Promenade Samuel-de-Champlain and the waterfront area.
Under CN's responsibility:
 - Removal of the existing portion of the Champlain Spur as well as final grading on the new railway corridor and installation of track and associated infrastructure.

- 12) Information related to railway operations and services including a detailed description of preliminary works such as clearing, grubbing, demolition, pre-loading.
 - a. There is only minimal preliminary work required for the project. Given that the future line will be moved to an area that is already developed (mostly an area where there is an existing roadway), clearing, grubbing, demolition and pre-loading is minimal or non-existent.
- 13) Information related to railway operations and services including a detailed description of facilities for construction crews (e.g. offices, washrooms, lunchrooms and parking);
 - a. The CCNQ is currently undertaking certain works associated with the larger project of revitalizing the waterfront area but unrelated to the relocation of the railway line. In support of this work, the CCNQ has 3 construction trailers set up at the site for use by the project manager, consultants, and other stakeholders such as the SQI, ville de Quebec, etc. Additional support facilities include a parking area, and washrooms facilities. The CCNQ expects to maintain those facilities on site until project completion.
 - b. In addition, there will be smaller construction zones associated with the various activities identified in item 11 (b) above; the contractor responsible for each of those sites will be responsible for ensuring that there are trailers, washrooms, and parking available for workers in that area.
- 14) Information related to railway operations and services including a detailed description of on-site/off-site temporary staging
 - a. As noted above, the CCNQ anticipates a general staging area, as well as local areas in specific work zones. All staging is expected to occur on-site.
- 15) Information related to railway operations and services including a detailed description of off-site disposal facilities or containment areas for excavated materials;
 - a. The CCNQ intends to recover as much material currently on the site as possible. For any materials that must be transported off-site (excavation equipment, debris, waste, etc.), such materials will be sent to an approved site according to their nature and particularities.

- 16) Information related to railway operations and services including a detailed description of temporary works (e.g. dykes, berms, pumps, shoring, etc.);
 - a. It is not expected that railway operations and services will require temporary works such as dykes, berms, pumps, shoring, etc. However, for the larger Promenade Samuel de Champlain, Phase III project, which is taking place on the river's edge, pumping, and water control measures may be required. These will also support the railway line relocation, if this becomes necessary. These will be managed by contractors.

- 17) Information related to railway operations and services including a detailed description of security facilities, including security systems, site supervisors and construction fencing required for site security and to prevent trespassing.
 - a. As the project is not located in a high density population area, we would not expect to see large numbers of private citizens visiting the area during construction. Nevertheless, the CCNQ has arranged for a security officer to be present at all times on the site. Although work is expected to occur primarily during daytime hours, a second agent may be added should work hours be extended. This on-site security officer will patrol each work zone in order to review safe working practices and ensure that there is no trespassing on-site.
 - b. In addition, if required, the CCNQ is prepared to install security fences so as to protect areas that are identified as being more at risk from a safety perspective.

We trust that the above has addressed your questions. Please do not hesitate to contact the undersigned with any additional questions.

Yours truly,



Rachel Heft
Counsel