



Canada Energy  
Regulator

Régie de l'énergie  
du Canada

Suite 210  
517 Tenth Avenue SW  
Calgary, Alberta  
T2R 0A8

517, Dixième Avenue S.-O.  
bureau 210  
Calgary (Alberta)  
T2R 0A8

File 4274013  
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Nicole Prince  
Regulatory Project Manager  
NOVA Gas Transmission Ltd.  
450 – 1<sup>st</sup> Street SW  
Calgary, AB T2P 5H1  
Email [nicole\\_prince@tcenergy.com](mailto:nicole_prince@tcenergy.com)

Matthew Ducharme  
Senior Legal Counsel  
NOVA Gas Transmission Ltd.  
450 – 1<sup>st</sup> Street SW  
Calgary, AB T2P 5H1  
Email [matthew\\_ducharme@tcenergy.com](mailto:matthew_ducharme@tcenergy.com)

Dear Nicole Prince and Matthew Ducharme:

**NOVA Gas Transmission Ltd.  
Application for the 2022 Meter Stations and Laterals Abandonment Program  
pursuant to subsection 241(1) of the *Canadian Energy Regulator Act* and  
section 50 of the *Canadian Energy Regulator Onshore Pipeline Regulations***

NOVA Gas Transmission Ltd. (**NGTL**) filed an application (**Application**) in relation to the 2022 Meter Stations and Laterals Abandonment Program (**Project**) with the Canada Energy Regulator (**CER**) on 23 May 2023 ([C24570](#)<sup>1</sup>), pursuant to subsection 241(1) of the *Canadian Energy Regulator Act* (**CER Act**). NGTL also filed subsequent submissions on 1 June 2023 ([C24681](#)), 9 August 2023 ([C25814](#)), 19 October 2023 ([C26754](#)) and 31 October 2023 ([C27008](#)). The Project consists of abandonment of 17 meter stations, 17 associated lateral pipelines, and four producer tie-ins, six stand-alone meter stations and six stand-alone laterals (**the Facilities**) located throughout Alberta. The Commission of the CER approves the Application.

NGTL submitted that the Facilities are no longer necessary to meet customers' future natural gas transportation demands and will permanently cease operations. NGTL confirmed that all potentially affected commercial third parties, including the Tolls, Tariffs, Facilities and Procedures Committee have been notified of the abandonment program and NGTL is not aware of any issues or concerns at this time. According to NGTL, no material impact is expected on NGTL System rates or the current transportation services offered on the System. The Commission is satisfied with NGTL's rationale for abandonment as well as its ability to finance abandonment activities and notify commercial third-party.

The Commission has considered the Application and filings and has issued Order **ZO-008-2023 (Order)**, granting NGTL leave to abandon the Project Facilities, as applied for. The Order sets out the conditions that the Commission imposes on NGTL in carrying out the abandonment.

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<sup>1</sup> Or go to the website at <http://www.cer-rec.gc.ca/> and click on "Applications & hearings" under the heading "View Regulatory Documents", enter the Document Number **C24570**, and click "Search"

NGTL will continue to be liable for the abandoned pipeline under the CER Act. If there is a need to remove the pipeline or any pipe segments in future (for example, to accommodate future land use), then NGTL must apply to the CER for leave to complete that work.

### **Appropriateness of abandonment methods**

NGTL stated that for the meter stations, all aboveground facilities, including the meter station buildings, yard piping and unnecessary fencing and gravel, will be permanently removed. A cathodic protection (**CP**) ground bed and all CP test stations that are no longer required for operations, and are NGTL-owned, will be removed.

NGTL stated that, for the majority of the lateral pipelines, the most appropriate method was to abandon them in-place, remediate if required and reclaim the disturbance areas at facilities to equivalent land capability following abandonment activities<sup>2</sup>. NGTL stated that removal of the lateral pipelines would cause greater disruption to the environment than abandoning in-place. Pipeline removal would require the use of heavy equipment that would disrupt land use activities and would also increase construction traffic on local roads. Both factors have the potential to increase environmental effects and risk safety issues when compared with abandoning the pipelines in-place.

NGTL noted that there are crossings of four paved roads, one paved county road and two railways. To ensure structural integrity of the road and railway crossings and to avoid any subsidence that could create a potential safety issue, the portion of the lateral pipelines under these crossings will be cut on each side, filled with concrete, and capped on each end. NGTL provided a Pipeline Cleaning Plan and an Abandoned Pipeline Monitoring Plan and committed to implementing them.

### *Commission Analysis and Findings*

The Commission has considered the appropriateness of NGTL's proposed abandonment methods in consideration of such factors as: future land use, environment, feedback from potentially impacted stakeholders and rightsholders, including Indigenous<sup>3</sup> Peoples, safety, and economics.

The Commission finds that the proposed abandonment in-place of the majority of the lateral pipelines and removal of above-ground facilities is appropriate for the Project. Given that the CER has jurisdiction of the pipelines abandoned in-place, if future circumstances indicate a need for pipe segments to be removed (e.g., to accommodate future land use), NGTL must apply to the CER for that work. The Commission reminds NGTL that it remains liable for monitoring the pipelines abandoned in-place and associated rights-of-way (**RoWs**) and any other related events that may occur, in perpetuity.

The Commission is satisfied that the protection of the environment and public safety have been adequately addressed by NGTL. The Commission is also satisfied that the Project will be undertaken in a code compliant, safe and appropriate manner.

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<sup>2</sup> NGTL described abandonment activities as the physical work of abandoning the Facilities, whether by removal or in-place.

<sup>3</sup> The use of the term "Indigenous" has the meaning assigned by the definition of "aboriginal peoples of Canada" in subsection 35(2) of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982 (UK), 1982, c11*, which states:

In this Act, "aboriginal peoples of Canada" includes the Indian, Inuit, and Métis peoples of Canada.

## **Environment matters**

NGTL stated the physical abandonment activities include ground disturbance in 107 Project Development Areas (**PDA**s). The PDAs are largely within existing facility site boundaries and/or existing RoWs and make up a total area of 19.29 hectares (**ha**). The PDAs include meter station sites, isolation points and locations where CP test station will be removed.

NGTL conducted Phase I Environmental Site Assessments (**ESA**) for each program component and identified two areas with existing contamination and 16 areas of potential environmental concern. All areas with existing or potential contamination are associated with meter stations (which will be removed) and not with the lateral pipelines to be abandoned in-place.

NGTL filed a Phase II ESA Plan for the sites where existing contamination or areas of potential concern have been identified. NGTL committed to report to the CER any soil, groundwater, and/or surface water contamination that may cause an adverse effect on the environment via a Notice of Contamination. Furthermore, NGTL committed to address and remediate Project-related contamination following procedures outlined in the CER's [Remediation Process Guide](#).

NGTL's Abandonment Application included a Pipeline Cleaning Plan, Environmental Protection Plan (**EPP**), Abandoned Pipeline Monitoring Plan and Reclamation Monitoring Plan. The plans detail the methods for cleaning and capping the pipelines, environmental mitigation and procedures for continued monitoring of the pipelines to be abandoned in-place. With respect to reclamation monitoring of the Project where physical disturbance will occur, NGTL stated that reclamation monitoring results will be reported on or before 31 January after each of the first, third and fifth complete growing seasons following the completion of Abandonment Activities.

In the CER IR No. 1 response, NGTL stated that five PDAs totaling 1.02 ha overlap with provincially designated woodland caribou ranges (Chinchaga range) and are associated with the Lennard Creek Lateral and Receipt Meter Station (**RMS**). NGTL does not anticipate needing to clear vegetation at the Lennard Creek RMS and Lateral and only minor brushing of vegetation may be required. NGTL committed to a vegetation survey and developing a Caribou Habitat Restoration Plan (**CHRP**). NGTL also committed to ensuring that the results of engagement with interested Indigenous Peoples will inform the CHRP, where appropriate.

### *Commission Analysis and Findings*

The Commission finds that NGTL's proposed mitigation measures, Abandoned Pipeline Monitoring Plan and Reclamation Monitoring Plan are sufficient for the scope, scale and nature of the Project. The Commission finds that, with the implementation of NGTL's mitigation measures and the requirements of the Commission's conditions noted below, any potential adverse environmental effects of the Project would be of low significance, and the contribution of the Project to any cumulative effect is negligible.

For pipelines abandoned in-place, future events such as corrosion, subsidence, pipe exposure, and water conduit for contamination are unlikely to occur but if they occur the consequences are predicted to be of negligible to low significance.

Given that NGTL has committed to conduct supplemental studies, the Commission imposes **Condition 5**, which requires that NGTL must file with the CER, at least 45 days prior to commencing abandonment activities, an updated, Project-specific EPP, which NGTL must implement.

The existing and potential contamination associated with the meter stations identified in the Phase I ESAs will be further investigated by NGTL as part of the Phase II ESA Plan work and be remediated as necessary. The Commission reminds NGTL to file Notices of Contamination for all confirmed contamination identified and adhere to the CER's *Remediation Process Guide*.

The Commission has considered Environment and Climate Change Canada's (**ECCC**) comments and recommendations and note the degree of disturbance within the Chinchaga caribou range. The Commission notes that after ECCC submitted its comments, NGTL provided clarification that tree clearing is not required. Given the lack of tree clearing, the Commission is of the view that habitat offsetting is not required for this abandonment program. However, given the high level of baseline disturbance within the Chinchaga caribou range, the Commission imposes **Condition 6** requiring NGTL to file a CHRP, for Commission approval, at least 60 days prior to commencing the Abandonment Activities. In addition, the Commission imposes **Condition 7** requiring NGTL to provide Caribou Habitat Restoration Monitoring Reports after the first, third and fifth complete growing seasons following the completion of the habitat restoration activities. The Commission expects the CHRP to address the locations where physical abandonment occurred as well as along the Lennard Creek RoW restoration where vegetation management had occurred during operations. The Commission also reminds NGTL of the importance of incorporating Indigenous Peoples' traditional knowledge and participation into the CHRP. To this end, **Condition 6** requires NGTL to file a summary of engagement activities undertaken with interested Indigenous Peoples to obtain input into the CHRP, and an explanation of how this engagement informed or modified the CHRP.

To ensure the Project footprint (including the pipeline RoWs) has reached, or is on track to reach, equivalent land capability, the Commission imposes **Condition 8**. This condition requires NGTL to provide Reclamation Monitoring Reports to the CER after the first, third and fifth complete growing seasons following the completion of the reclamation activities. The reports should also confirm that all contamination identified has been remediated in accordance with the CER's *Remediation Process Guide*.

### **Federal lands**

The Bailey's Bottom RMS and an approximately 23.14 meter section of NPS 6 pipeline connecting the meter station to the NPS 6 Bailey's Bottom Lateral is located on the Blood 148 Reserve, which is federal lands. The Bailey's Bottom RMS will be removed and NGTL plans to apply to the Indian Oil and Gas Commission (**IOGC**) to surrender the lands, in accordance with all applicable requirements for surrender.

On 11 July 2023, as required by subsection 86(1) of the *Impact Assessment Act (IA Act)*, the CER posted a description of the Project (Reference No. [85751](#)) and a notice inviting public comment on the Canadian Impact Assessment Registry. The public comment period closed on 25 July 2023. No comments were received.

The Commission finds that, with NGTL's proposed mitigation measures, as well as **Condition 8** imposed by the Commission, the carrying out of the Project is not likely to cause significant adverse environmental or socio-economic effects to federal lands. The Commission is also satisfied that the requirements of sections 82 and 86 of the IA Act have been met.

### **Consultation and engagement**

Prior to its application, NGTL notified 44 potentially affected Indigenous communities and organizations, who have known and/or asserted traditional territory in the PDAs, of the Project. NGTL also notified approximately 132 directly affected landowners (including the Crown), and approximately 203 other land rightsholders (e.g., occupants, land users [trappers, grazing lease holders etc.] and industry parties) who are potentially impacted by the Project. NGTL began engagement work for the Project in November 2022 by distributing a notification package, followed by phone and/or email contacts. NGTL also published a Notice of the Proposed Abandonment in the *Windspeaker* (online), *Calgary Herald* and *Edmonton Journal* respectively, on 31 May 2023. The Notification outlined that statements of opposition or requests for a hearing could be filed with the CER within a thirty (30) day period.

No concerns regarding the proposed Project from potentially affected Indigenous communities and organizations, or other potentially impacted parties were received by the CER. Also, given that the CER received no statements of opposition or requests for a hearing (either within the timeline advertised, or since the public filing of the application), no public hearing was held.

In its Application, NGTL provided an overview of the engagement activities carried out with each potentially affected Indigenous community or organization from 14 November 2022 to 31 July 2023. The engagement activities included distribution of an information package by mail, follow-up calls, emails and meetings.

The Commission notes that there are requests for site visits still pending, and that NGTL has not received a response to the Notice of Proposed Abandonment from those Indigenous communities and organizations listed in Table 7 of the [Application](#)<sup>4</sup> with the exception of Ermineskin Cree Nation and the Métis Settlements General Council.

NGTL has reiterated its commitment to Indigenous engagement and confirmed its availability to discuss and address any questions or concerns raised regarding the 2022 Abandonment Program during its ongoing engagement.

### *Commission Analysis and Findings*

The Commission is satisfied that anyone potentially impacted by the Project had the opportunity to voice their concerns. The Commission finds the scope of engagement and consultation activities undertaken to be appropriate given the scope and scale of the Project.

The Commission recognizes that public involvement is an important component during each phase in the lifecycle of a project and reminds NGTL of the importance of ensuring public involvement as appropriate throughout the entire lifecycle of the Project.

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<sup>4</sup> NGTL, Application, Table 7 Indigenous Groups Who Have Not Responded to NGTL, PDF page 43 of 67, [C24570-1](#)

The Commission further reminds NGTL of the importance of establishing and maintaining strong relationships throughout the entire lifecycle of the Project with potentially affected Indigenous Peoples. Therefore, the Commission imposes **Condition 10** with respect to engagement with Indigenous Peoples, that NGTL must file with the CER, at least 30 days prior to commencing any abandonment activities, an updated engagement summary, listing NGTL's engagement activities with all potentially affected Indigenous communities and organizations since NGTL's Response to CER IR No. 1.9 of 9 August 2023. The engagement summary must include, but not be limited to: the methods, dates and locations of engagement activities, including any applicable site visits that may have occurred; a summary of any concern(s) and comments raised by the Indigenous communities and organizations; how NGTL has addressed or will address the concern(s) and comments raised including an explanation of how engagement feedback received was integrated into abandonment planning and activities; a description of any outstanding concern(s); and how NGTL intends to address any outstanding concerns, or an explanation why no further steps are required. The Commission expects the **Condition 10** filings will include an update on any pending requests for site visits. The Commission expects this update will address whether site visits have occurred and the results of the site visits, or, if the site visits have not occurred, an explanation of why they have not occurred and are not necessary in advance of the commencement of abandonment activities.

Considering the engagement undertaken by NGTL, the Commission's assessment of the Project Application, and the conditions contained in the attached Order, the Commission finds that there has been adequate consultation with Indigenous Peoples for the purpose of the Commission's decision to approve the Project.

#### **Socio-economic and land matters**

The Facilities included in the 2022 Abandonment Program are wholly within the province of Alberta, located on freehold lands, Blood Tribe – Kainai Nation (Blood 148) Reserve lands (where certain matters related to oil and gas resources are administered by the IOGC), Special Areas lands, and Provincial Crown lands (Alberta Environment and Protected Areas, the regulatory authority on provincial Crown lands). Accordingly, NGTL engaged the potentially affected municipalities, the province, landowners, occupants, land users, and rightsholders. It stated that it notified approximately 132 directly affected landowners (including the Crown), and approximately 203 other land rightsholders (e.g., occupants, land users [trappers, grazing lease holders etc.] and industry parties) who are potentially impacted by the Project. NGTL stated that it intends to make use of existing land rights for the work associated with the proposed abandonment activities. NGTL stated it does not anticipate the need for temporary workspace (**TWS**), however if required NGTL will seek necessary TWS from landowners and occupants. NGTL stated that each abandonment in the program would have a relatively limited scope, with a small workforce and short activity duration, usually two to four weeks for each site. It also expects to minimize impacts of the work by means of standard and site-specific mitigation measures, including providing an intended Project schedule before the start of abandonment activities to avoid or reduce Project-related impacts.

NGTL identified nine Project components located on lands with Historical Resource Value (**HRV**), two of which are 4a (contains a historic resource that may require avoidance) and seven of which are 5a (believed to contain a historic resource). NGTL intends to abandon four of the seven 5a HRV components by removal, while the other 5a and 4a HRV components will be abandoned in-place.

NGTL stated that a Historical Resource Application and a Statement of Justification for all PDAs and any required temporary access will be submitted to the [Alberta Ministry of Arts, Culture and Status of Women \(Alberta Culture\)](#). NGTL also stated that ground disturbance and Abandonment Activities at the PDAs will be largely limited to previously disturbed areas, and that interactions with heritage resources are not predicted as a result of abandonment in place for the majority of the program components. To mitigate the risk of impact to heritage resources, NGTL stated it will also provide an orientation to all program personnel on Project-specific environmental requirements and sensitivities. Additionally, NGTL will prohibit collection of historical resources, and apply its Cultural Resource Discovery Contingency (CRDC) Plan in the event any previously unidentified traditional land and resource use, heritage, historic, archaeological, or paleontological sites or materials are found. NGTL stated it will implement the CRDC Plan, as appropriate, to ensure that any sites not previously identified are properly recorded and mapped, and the potential disturbance of those sites from construction activities is addressed before continuing with abandonment activities.

Gift Lake Métis Settlement raised specific concerns with NGTL regarding heritage resources and potential disturbance to historic, burial, or spiritual sites. Kainai First Nation (Blood Tribe) indicated there are culturally significant sites in the area of the Bailey's Bottom RMS, including medicine wheels, burial sites along the river, and dinosaur bones. NGTL described how it addressed these concerns by providing capacity funding for Indigenous communities, including funding for review of the Application and potential site visits as indicated by the community. As part of the CRDC Plan, NGTL committed to contacting any potentially affected Indigenous communities and organizations if an unreported heritage resource or traditional land and resource use site is found during abandonment activities.

#### *Commission Analysis and Findings*

The Commission is satisfied that NGTL has identified and appropriately addressed the potential socio-economic impacts associated with the Project. The abandonment activities to be undertaken by NGTL will take place on previously disturbed lands. The Commission is of the view that, with mitigations in place, any potential adverse socio-economic effects from the Project would be of low significance.

With respect to minimizing impacts to heritage resources, NGTL must file with the CER, at least 30 days prior to commencing any abandonment activities for sites where heritage/historical resource clearances are required under the Province of Alberta's [Historical Resources Act](#), confirmation that it has received the permits and clearances required for the abandonment activities from Alberta Culture. Therefore, the Commission imposes **Condition 9** directing NGTL to file confirmation that it has received the permits and clearances required for the abandonment activities from Alberta Culture.

The Commission is of the view that potential impacts of the proposed Project to heritage resources will be minimized in light of NGTL's planned mitigation measures, its commitment to ongoing engagement with potentially affected Indigenous Peoples, and the imposition of **Conditions 9 and 10**.

#### **Rights of Indigenous Peoples**

Indigenous and Treaty rights are recognized and affirmed in section 35 of the [Constitution Act, 1982](#), and the Commission must uphold the honour of the Crown in all its dealings with Indigenous Peoples. In addition to the constitutional obligation to uphold the honour of the Crown, the CER Act contains specific references and requirements regarding

the consideration of the rights of Canada's Indigenous Peoples, including section 56, which requires the Commission to consider the effects of proposed applications on the rights of Indigenous Peoples.

### *Commission Analysis and Findings*

The Commission received sufficient information during the proceeding to allow it to assess the potential effects of the Project on the rights of Indigenous Peoples. This information included evidence from NGTL about its early and ongoing engagement activities with First Nations and Métis communities and organizations, information from NGTL about concerns raised by Indigenous Peoples about potential effects of the Project on the environment, on traditional land and resources use, and any related potential impacts to rights, as well as the mitigation measures proposed by NGTL to address any potential impacts. The Commission has considered NGTL's submission that there are no outstanding concerns related to the Project and has taken into consideration the fact that no concerns by potentially impacted Indigenous Peoples were raised directly with the Commission. In the context of this Project, the Commission considers that the potential adverse effects of the Project on the Rights of Indigenous Peoples will be effectively addressed.

The Commission concludes that its findings on this Project are consistent with the requirements of section 35 of the *Constitution Act, 1982* and the honour of the Crown.

### **Abandonment funding**

The Commission reminds NGTL that the abandonment cost estimate for a pipeline assumed to be abandoned in-place includes costs related to the abandoned pipeline, and that a company's set-aside funds for abandonment includes these costs<sup>5</sup>. After activities to abandon the pipeline are complete, the Company may apply to the CER for a revised abandonment cost estimate and related amount of set-aside funds for the pipeline.

The Commission issues Order **ZO-008-2023** to grant NGTL leave to abandon the Facilities, as applied for. The Order sets out the conditions that the Commission imposes on NGTL in relation to both abandoning the pipeline and the abandoned pipeline. **Condition 11** requires NGTL to file actual costs to abandon the pipeline to help the Commission to improve the accuracy of abandonment cost estimates over time.

The Commission directs NGTL to serve a copy of this letter and the attached Order on all interested parties.

Yours sincerely,

*Signed by*

Ramona Sladic  
Secretary of the Commission

Attachment

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<sup>5</sup> For more information on pipeline abandonment including Abandonment Funding documents, visit: <https://www.cer-rec.gc.ca/en/applications-hearings/pipeline-abandonment/index.html>.





## ORDER ZO-008-2023

**IN THE MATTER OF** the *Canadian Energy Regulator Act* (**CER Act**) and the regulations made thereunder; and

**IN THE MATTER OF** an application made by NOVA Gas Transmission Ltd. (**NGTL**), pursuant to subsection 241(1) of the CER Act and section 50 of the *Canadian Energy Regulator Onshore Pipeline Regulations* (**OPR**), dated 23 May 2023, filed with the Canada Energy Regulator (**CER**) under File 4274013.

**BEFORE** the Commission of the CER on 5 December 2023.

**WHEREAS** NGTL filed an application (**Application**) on 23 May 2023, for leave to abandon 17 meter stations, 17 associated lateral pipelines, and four producer tie-ins, six stand-alone meter stations and six stand-alone laterals located throughout Alberta as identified in its Application at an estimated cost of \$23.4 million (**Project**);

**AND WHEREAS** the information about the Project is set out in Schedule A, attached to and forming part of this Order;

**AND WHEREAS** NGTL served a Notice of Proposed Abandonment on 31 May 2023 on all owners of lands, inclusive of Indigenous Peoples, through which the pipeline passes, insofar as they could be ascertained, as well as Indigenous Peoples with known or asserted traditional territory in the area of the pipeline, informing recipients that they had thirty (30) days to file a statement of opposition or a request for a hearing with the CER;

**AND WHEREAS** NGTL also published a Notice of Proposed Abandonment on 31 May 2023, in English in the Calgary Herald, Edmonton Journal and Windspeaker (online) and in French in the same publications, which informed readers that they had thirty (30) days to file a statement of opposition or a request for a hearing with the CER;

**AND WHEREAS** the CER received no statements of opposition or requests for a hearing in relation to the proposed abandonment;

**AND WHEREAS** the Project occurs partially on federal lands and section 82 of the *Impact Assessment Act* (**IA Act**) requires that a project must not be carried out on federal lands, unless it is determined that the carrying out of the project is not likely to cause significant adverse environmental effects;

**AND WHEREAS** the CER published a notice on the Canadian Impact Assessment Registry (**Notice**) on 11 July 2023 pursuant to subsection 86(1) of the IA Act, providing a fifteen (15) day period for public comment;

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**AND WHEREAS** the CER received no comments in response to the Notice from interested persons;

**AND WHEREAS** pursuant to section 82 of the IA Act, the Commission determined that the carrying out of the Project is not likely to cause significant adverse environmental effects;

**AND WHEREAS** NGTL filed subsequent submissions on 1 June 2023, 9 August 2023, 19 October 2023 and 31 October 2023;

**AND WHEREAS** the Commission has had regard to all considerations that are relevant and directly related to the Application, including matters under section 56 of the CER Act;

**AND WHEREAS** the Commission has considered the Application and subsequent filings and considers it to be in the public interest to grant the requested relief;

**IT IS ORDERED** that, pursuant to subsections 241(1) and 68(1) of the CER Act, NGTL is granted leave to abandon the pipeline and that the pipeline will not be considered to be abandoned until the Commission is satisfied that NGTL has fulfilled the following conditions:

1. NGTL must comply with all of the conditions contained in this Order unless the Commission otherwise directs.
2. NGTL must implement or cause to be implemented all of the policies, practices, programs, mitigation measures, recommendations, procedures, and its commitments for the protection of the environment included in or referred to in the Application and related submissions.
3. NGTL must undertake all activities to abandon the pipeline in accordance with the specifications, standards, commitments, and other information referred to in the Application and related submissions.
4. NGTL must, **at least 14 days before commencing any activities to abandon the pipeline**, file with the CER a detailed schedule or schedules identifying major abandonment activities. NGTL must notify the CER of any modifications to the schedule or the schedules as they occur.
5. NGTL must file with the CER, **at least 45 days prior to commencing abandonment activities** an updated, Project-specific Environmental Protection Plan (**EPP**), which NGTL must implement. The EPP must describe all environmental protection procedures, mitigation measures and commitments that will be implemented to avoid or minimize potential adverse environmental and socio-economic effects during the abandonment activities. The updated EPP must include the following:
  - a) Any additional mitigation measures resulting from supplemental studies and consultation with Alberta Environment and Protected Areas (such as, vegetation and native grassland surveys, or any studies undertaken by Indigenous Peoples, if applicable);
  - b) Updated Environment Site Information Sheets that reflect the results of supplemental studies from a) and showing known locations of existing contamination and heritage or cultural resources;

6. NGTL must file with the CER, **at least 60 days prior to commencing any abandonment activities within the Chinchaga caribou range**, for **Commission approval**, a Caribou Habitat Restoration Plan (**CHRP**). The CHRP must outline the restoration measures that NGTL will implement to accelerate the succession of vegetation regeneration, enhance caribou habitat attributes and prevent access to the Project footprint within the Chinchaga caribou range. The CHRP must include the following:
  - a) the goals and measurable objectives of the CHRP;
  - b) the decision-making framework that was used to identify and select the measures to be implemented based on the site-specific characteristics, including a list of the potential measures considered, the scientific literature and Indigenous knowledge that supports their use and the criteria that was used to select the measures to be implemented;
  - c) specification drawings for the measures to be implemented;
  - d) identification of the proposed restoration measures, including:
    - i. a table describing the restoration measures to be implemented, including location and spatial extent;
    - ii. maps or environmental alignment sheets showing the locations of the caribou habitat restoration measures;
  - e) a schedule indicating when the measures will be implemented;
  - f) the quantifiable targets and performance measures that will be used to evaluate and determine success of the measures during the monitoring program, as required by **Condition 7**;
  - g) a summary of engagement activities undertaken with interested Indigenous Peoples to obtain input into the CHRP. The summary must also include a list of Indigenous Peoples engaged, methods, dates, and location; and an explanation of how this engagement informed or modified the CHRP; and
  - h) a summary of engagement activities with Environment and Climate Change Canada and any applicable provincial authorities regarding the CHRP, including an explanation of how engagement informed or modified the CHRP.
  
7. NGTL must file with the CER **on or before 31 January after each of the first (1st), third (3rd) and fifth (5th) complete growing seasons following the completion of restoration activities**, Caribou Habitat Restoration Monitoring Reports.
  - a) The reports must include:
    - i. the goals and measurable objectives of restoration as identified in the CHRP;
    - ii. a description of the restoration measures that were implemented, the monitoring methodology and how these measures are evaluated to determine their success;
    - iii. a description of any issues identified, the current status of the issues (resolved or unresolved), and the corrective actions taken or planned to be taken to resolve the issues;
    - iv. information or documentation, including high resolution photographs of the landscape on and off the Project footprint, demonstrating that the restoration measures have met the goals in part a), or is on the trajectory of reaching those goals;
  - b) If the restoration goals have not yet been achieved or there are issues identified with respect to the success of the restoration measures implemented by the fifth (5th) year report, a reporting schedule for monitoring progress towards those goals.

8. NGTL must file with the CER:
  - a) **within 6 months of completing reclamation activities**, a schedule outlining anticipated filing year for each Reclamation Monitoring Report based on a 1, 3, 5-year schedule as outlined in part (b);
  - b) **on or before 31 January after each of the first (1st), third (3rd) and fifth (5th) complete growing seasons following the completion of reclamation activities**, a Reclamation Monitoring Report for the Project. The report must include the following:
    - i. the desired end reclamation goals;
    - ii. a description of the monitoring methodology, including factors and criteria considered, used to evaluate equivalent land capability of the Project footprint;
    - iii. a description of reclamation measures and how these measures are evaluated to determine their success;
    - iv. a description of any issues identified, the current status of the issues (resolved or unresolved), and the corrective actions taken or planned to be taken to resolve the issues;
    - v. confirmation that all contamination identified has been remediated to the most stringent applicable federal or provincial remediation criteria, or site-specific remediation objectives, where justified, in accordance with the CER's [Remediation Process Guide](#); and
    - vi. information or documentation, including high resolution photographs of the landscape on and off the Project footprint, either demonstrating that the state of land for the entire Project footprint has reached equivalent land capability or is on the trajectory of reaching the reclamation goal;
  - c) If equivalent land capability has not yet been achieved for any part of the Project footprint or there are issues identified with respect to the success of the reclamation measures implemented by the fifth (5th) year report, a reporting schedule for monitoring progress towards those objectives.
9. NGTL must file with the CER, **at least 30 days prior to commencing any abandonment activities for sites where heritage/historical resource clearances are required** under the Province of Alberta [Historical Resources Act](#), confirmation that it has received the permits and clearances required for the abandonment activities from [Alberta Ministry of Arts, Culture and Status of Women](#).
10. NGTL must file with the CER, **at least 30 days prior to commencing any abandonment activities**, an updated engagement summary, listing NGTL's engagement activities with all potentially affected Indigenous communities and organizations since NGTL's Response to CER Information Request No. 1.9 of 9 August 2023. The engagement summary must include, but not limited to, the following:
  - a) the methods, dates, and locations of engagement activities, including any site visits that have occurred, if applicable;
  - b) a summary of any concern(s) and comments raised by the Indigenous communities or organizations;
  - c) how NGTL has addressed or will address the concern(s) and comments raised including an explanation of how consultation feedback received was integrated into abandonment planning and activities;
  - d) a description of any outstanding concern(s); and
  - e) how NGTL intends to address any outstanding concerns, or an explanation why no further steps are required.

11. Upon commencement of activities to abandon the pipeline, NGTL must file cost reports with the CER annually on 31 January, until the pipeline is abandoned. Each report must include:
  - a) information about the activities carried out during the reporting period; and
  - b) actual costs associated with those activities, as well as the total of actual costs by cost category to date, in table form Estimate and Set-Aside and Collection Mechanisms 2021 Report.<sup>1</sup>
  
12. NGTL must file with the CER, **within 30 days of the date of completing activities to abandon the pipeline**, confirmation that the activities are complete and were conducted in compliance with all applicable conditions in this Order. If compliance with any of these conditions cannot be confirmed, NGTL must file with the CER details as to why compliance cannot be confirmed. The filing required by this condition must include a statement confirming that the signatory to the filing is the accountable officer of NGTL, appointed as Accountable Officer pursuant to section 6.2 of the OPR.
  
13. This Order will expire on 31 December 2026, unless activities to abandon the pipeline have commenced by that date.

**IT IS FURTHER ORDERED** that, pursuant to subsections 241(5) and 68(1) of the CER Act, following the completion of activities to abandon the pipeline, NGTL must perpetually maintain the abandoned pipeline as committed to in all of the policies, practices, programs, mitigation measures, recommendations, procedures, and its commitments for the protection of the environment included in or referred to in its Application and related submissions, unless the Commission otherwise directs.

THE COMMISSION OF THE CANADA ENERGY REGULATOR

*Signed by*

Ramona Sladic  
Secretary of the Commission

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<sup>1</sup> The current reporting form is located at: <https://www.cer-rec.gc.ca/en/applications-hearings/pipeline-abandonment/forms/tables-reporting-actual-costs-abandonment-decommissioning.pdf>.

**SCHEDULE A**  
**Order ZO-008-2023**

**NOVA Gas Transmission Ltd.**  
**Application dated 23 May 2023**  
**assessed pursuant to subsection 241(1) of the *Canadian Energy Regulator Act* and section 50**  
**of the *Canadian Energy Regulator Onshore Pipeline Regulations***

**NGTL 2022 Metter Stations and Laterals Abandonment Program Project**  
**File 4274013**

Pipeline and Meter Stations Specifications – Abandonment

Meter Station Details		Meter Station Abandonment Method	Lateral Pipeline Details				Lateral Abandonment Method
Name	Legal Subdivisions (LSD)		Name	Diameter (NPS) Diameter (mm)	Approximate Length (km)	Start Point LSD to End Point LSD	
N/A	---	---	AECO C Lateral	8 219.1	6.78	SE 02-019-10 W4M to SE 03-019-09 W4M	In-place
N/A	---	---	AECO C Lateral Loop (heavier wall)	12 323.9	2.56	SE 02-019-10 W4M to SW 05-019-09 W4M	Primarily In-place
N/A	---	---	AECO C Lateral Loop (light wall)	12 323.9	4.26	SW 05-019-10 W4M to SE 04-019-09 W4M	
Ansell Receipt	SE 29-053-17 W5M	Remove	N/A	---	---	---	---
Bailey's Bottom Receipt	SE 21-007-22 W4M	Remove	N/A	---	---	---	---

**SCHEDULE A (continued)**  
**Order ZO-008-2023**

N/A	---	---	Bigstone Lateral	12 323.9	11.63	NW 14-061-19 W5M to SW 15-061-20 W5M	In-place
		---	Bigstone Lateral	12 323.9	0.29	SE 10-061-22 W5M to SE 10-061-22 W5M	Remove
Bruce Receipt	SW 06-047-15 W4M	Remove	Bruce Lateral	8 219.1	0.12	SE 06-047-15 W4M to SW 06-047-15 W4M	Remove
Bruce North Receipt	SW 01-048-15 W4M	Remove	Bruce North MS Producer Tie-In (PTI)	4 114.3	1.24	SW 01-048-15 W4M to NE 01-048-15 W4M	In-place
		---	Bruce North Lateral	4 114.3	5.70	SE 05-048-15 W4M to SW 01-048-15 W4M	In-place
Josephine Receipt	NW 36-082-10 W6M	Remove	Josephine MS PTI	10 273.1	1.17	NW 36-082-10 W6M to NE 01-083-10 W6M	In-place
Kehiwin Receipt	SE 25-059-07 W4M	Remove	N/A	---	---		---
Kemp River Receipt	SE 28-102-03 W6M	Remove	N/A	---	---		---
Lennard Creek Receipt	NW 23-107-06 W6M	Remove	Lennard Creek Lateral	6 168.3	8.80	NE 14-108-06 W6M to NW 23-107-06 W6M	In-place

**SCHEDULE A (continued)**  
**Order ZO-008-2023**

N/A	---	---	Tide Lake MS PTI	4 114.3	0.69	NE 10- 018-10 W4M to SW 14- 018-10 W4M	In-place
Louisiana Lake Receipt	SW 03-018-11 W4M	Remove	Louisiana Lake MS PTI	6 168.3	0.06	SE 04- 018-11 W4M to SW 03- 018-11 W4M	Remove
		---	Louisiana Lake Lateral	6 168.3	11.70	SW 02- 018-10 W4M to SW 03- 018-11 W4M	Primarily In- place
		---	Louisiana Lake Lateral Loop	4 114.3	11.70	SW 02- 018-10 W4M to SW 03- 018-11 W4M	In-place
Maddenville Receipt	SE 15-063-25 W5M	Remove	N/A	---	---		---
Minburn Receipt	SE 24-051-10 W4M	Remove	Minburn Lateral	4 114.3	9.30	NE 24- 050-10 W4M to SE 24- 051-10 W4M	In-place
Osborne Lake Receipt	NE 01-064-07 W4M	Remove	Osborne Lake Lateral	6 168.3	7.37	SW 05- 064-07 W4M to NE 01- 064-07 W4M	In-place
Pioneer East Receipt	NE 16-055-13 W5M	Remove	Pioneer East Lateral	4 114.3	10.38	SW 26- 054-14 W5M to NE 16- 055-13 W5M	In-place



**SCHEDULE A (continued)**  
**Order ZO-008-2023**

		---	Pioneer East Lateral Loop	8 219.1	10.38	SW 26-054-14 W5M to NE 16-055-13 W5M	In-place
Ranfurly Receipt	SE 28-050-09 W4M	Remove	Ranfurly MS PTI	12 323.9	0.41	SW 27-050-09 W4M to SE 28-050-09 W4M	In-place
Rochester Receipt	NE 27-062-24 W4M	Remove	Rochester Lateral	4 114.3	6.11	SW 09-062-24 W4M to NE 27-062-24 W4M	In-place
Scotfield Receipt	NW 16-030-10 W4M	Remove	Scotfield Lateral	4 114.3	1.06	SW 21-030-10 W4M to NW 16-030-10 W4M	In-place
Sedgewick East Receipt	NW 23-043-11 W4M	Remove	N/A	---	---	---	---
Silver Valley Sales	NE 22-081-11 W6M	Remove	Silver Valley Lateral	6 168.3	16.50	NW 20-081-09 W6M to NE 22-081-11 W6M	In-place
N/A	---	---	Simonette MS PTI	8 219.1	0.33	NE 06-063-25 W5M to NW 05-063-25 W5M	In-place
N/A	---	---	Tide Lake North Lateral	67 168.3	0.64	SE 26-019-10 W4M to NW 23-019-10 W4M	In-place
N/A	---	---	Tilliebrook MS PTI	6 168.3	0.58	NW 20-018-13 W4M to NE 20-018-13 W4M	In-place

**SCHEDULE A (continued)**  
**Order ZO-008-2023**

Ukalta Receipt	SE 25-057-17 W4M	Remove	Ukalta Lateral	6 168.3	10.30	NW 31-057-15 W4M to SE 25-057-17 W4M	In-place
Ukalta East Receipt	NE 35-057-16 W4M	Remove	Ukalta Lateral Loop	6 168.3	2.66	NW 31-057-15 W4M to NE 35-057-16 W4M	In-place
Viking North Receipt	NW 31-049-13 W4M	Remove	Viking North Lateral	4 114.3	6.18	SE 04-050-13 W4M to SW 36-049-14 W4M	In-place
Weasel Creek Receipt	NW 06-060-19 W4M	Remove	Weasel Creek Lateral	4 114.3	2.97	NW 30-059-19 W4M to NW 06-060-19 W4M	In-place
Whitford Receipt	SE 20-056-15 W4M	Remove	Whitford Lateral	6 168.3	2.03	SW/NW 22-056-15 W4M to SE 20-056-15 W4M	In-place