



Canada Energy  
Regulator

Régie de l'énergie  
du Canada

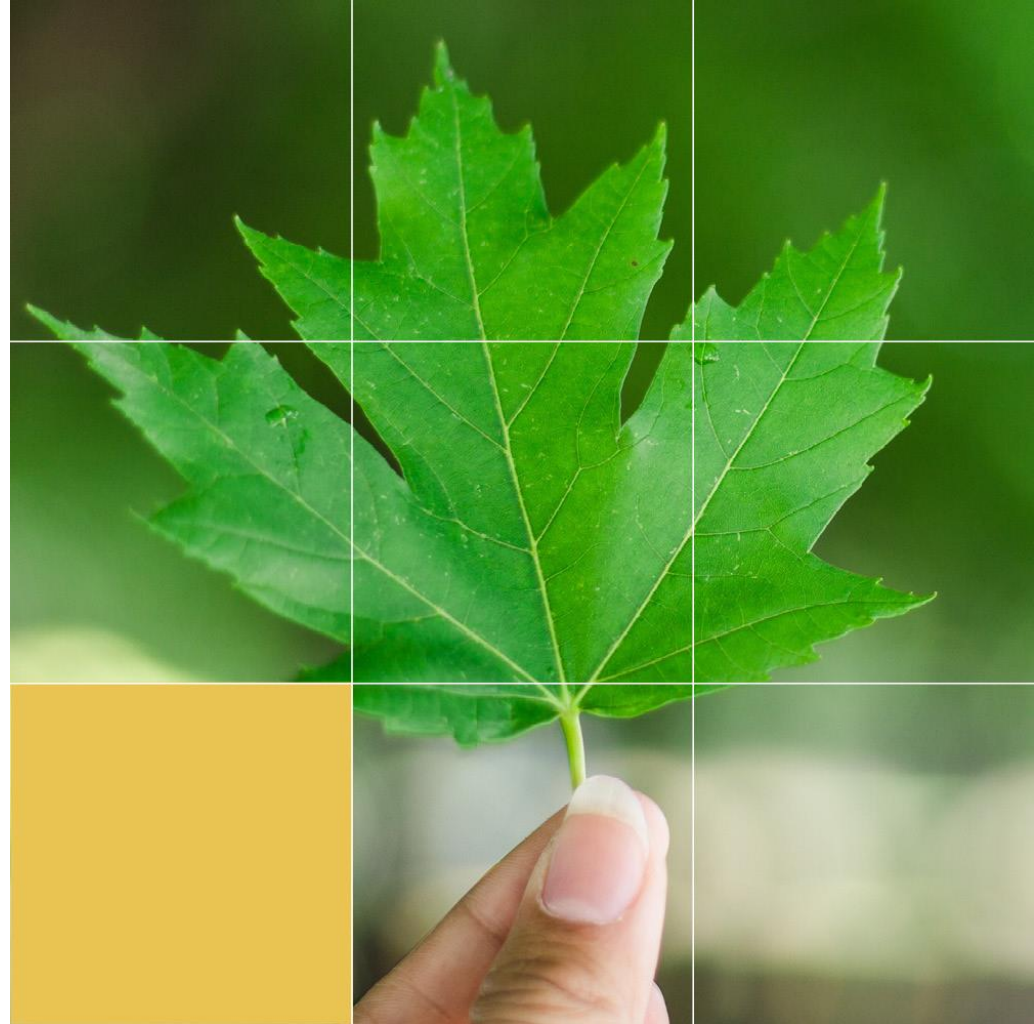
# Commission's Recommendation Report

*for*

## Pouce Coupé's Taylor to Gordondale Pipeline Project

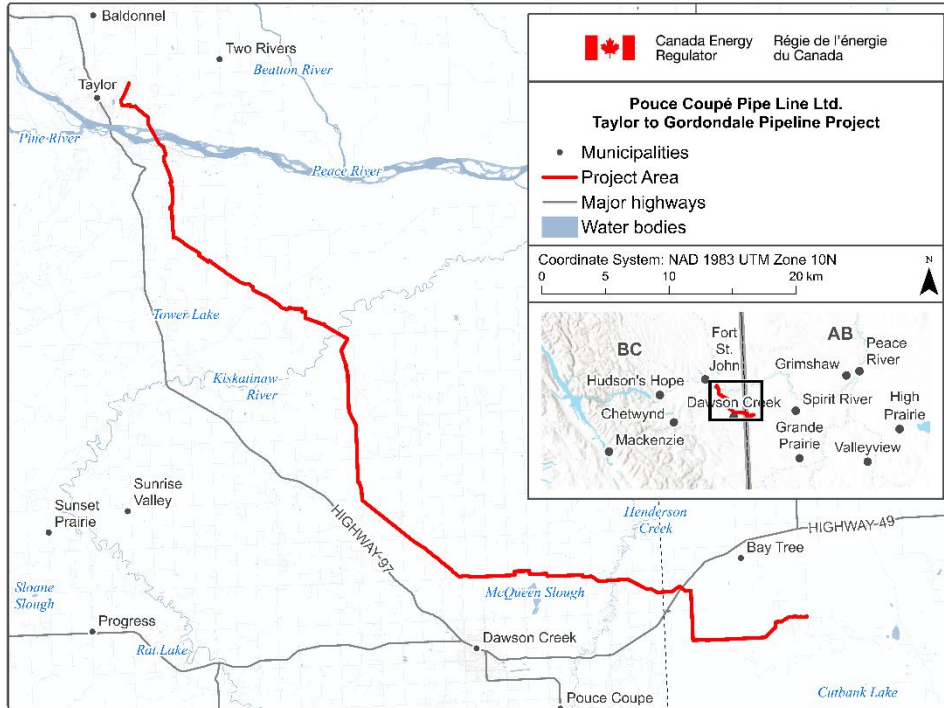
November 2025

Canada





# The Project



Source: Esri, USGS, NOAA, Statistics Canada, Natural Resources Canada, USGS, NGA, NASA, CCGAR, N Robinson, NCEAS, NLS, OS, NMA, Geobase/Geobase, Rijksdienst voor het Cultureel Erfgoed, FEMA, Intermap, and the GIS user community

The map is a graphical representation intended for general informational purposes only.

- A 16-inch diameter pipeline that is 89 km in length
- 84 km (~94%) contiguous with existing and approved linear disturbances
- Project purpose to increase market access of NGLs and condensate
- Estimated capital cost \$341 million
- Planned construction start in Q2 2026, with in-service date in Q2 2027



# Summary of the CER process

- Pouce Coupé filed its application in April 2024.
- The Commission held a process including written and oral components.
- The Commission submitted its Recommendation Report to the Governor in Council (federal government) on November 7<sup>th</sup>, 2025.
- The Commission recommended that a Certificate be issued for the Project subject to 40 conditions to mitigate potential Project impacts, including those related to Indigenous and treaty rights.
- It also issued an Order that would take effect if a Certificate is issued, which would allow certain activities to be exempt from the detailed route process.



# Participation of Indigenous Peoples

- 26 Indigenous communities registered as intervenors, and the hearing process provided numerous opportunities for them to participate
- 12 Indigenous communities shared oral Indigenous knowledge
- 35 Indigenous communities participated in consultation with the CER Crown Consultation Coordinator
- The CER provided participant funding
  - The Participant Funding Guide explains which intervenors are eligible for funding and can be found on the CER website by navigating to: Applications and hearings > Participate in a hearing > [Participant Funding Program](https://www.cer-rec.gc.ca/en/applications-hearings/participate-hearing/index.html) (<https://www.cer-rec.gc.ca/en/applications-hearings/participate-hearing/index.html>).



# Highlights of the Report

## Hearing process highlights

- Two rounds of IRs from participants to Pouce Coupé, oral Indigenous knowledge sessions, cross-examination, and argument
- Conditions workshop held for participants
- Supplementary CER Crown consultation activities were summarized on the hearing record through three Crown Consultation Coordinator (CCC) submissions

## Report structure highlights

- A timetable of events in Appendix 1 sets out all the hearing process steps and opportunities to participate
- Appendix 2 lists the conditions
- Appendix 5 summarizes submissions from Indigenous communities



# Overview (Chapter 1)

- The Commission recommends that a certificate be issued
- The Commission decided that it is in the public interest to issue Order XO-002-2025, pursuant to section 214 of the CER Act, to exempt some activities from certain requirements under the CER Act.
- The Commissions recommends imposing 40 conditions
- The construction footprint would total **26.8 ha on Crown land** and **36.8 ha on private land**.
  - The 10-metre-wide RoW (**6 ha of Crown land** and **6 ha of private land**) would remain cleared during operations and would undergo vegetation maintenance
- The Commission finds that the selected route and the route selection process to be appropriate because the route reasonably minimizes impacts on the environment, Indigenous Peoples, landowners, and land users, while also providing the most efficient design for construction and operations.



## Engagement and consultation with Indigenous Peoples (Chapter 2)

- Engagement between Pouce Coupé and potentially impacted Indigenous Peoples, the Commission's hearing process, the CCC's supplemental consultation activities, and the Report, all form part of the overall consultation process in relation to the Crown's duty to consult and accommodate.
- The Commission is satisfied that the Crown's duty to consult and accommodate is met in relation to its recommendation and decision for the Project.
- The Commission's analyses and findings throughout the Report were influenced by Indigenous knowledge received. Indigenous knowledge shaped the potential conditions and helped refine the recommended conditions.



## Project is needed and is economically feasible (Chapter 3)

- The Commission finds that the Project is needed and is likely to be used at a reasonable level and the Commission recognizes that the Project would benefit Canadian oil and gas producers because:
  - sufficient supply and market demand support the need for the Project;
  - the agreements with shippers provide some support that the Project would be reasonably used over its economic life; and
  - no other transportation options, including existing pipeline systems and other options, are sufficient to transport the volume of natural gas liquids (NGLs) that could otherwise be transported by the Project efficiently and effectively.
- The Commission considers necessary two conditions regarding financial resource requirements and abandonment funding obligations.



# Project's effects on the environment (Chapter 4)

- The Commission used a valued component (**VC**) based approach to assess the Project's environment and socio-economic effects, including cumulative effects:
  - Environmental effects VCs - soil and soil productivity; vegetation and wetlands; fish and fish habitat and water quality and quantity; wildlife and wildlife habitat; and air quality and greenhouse gases
- The Commission concluded that with the implementation of Pouce Coupé's mitigation measures, and the Commission's conditions, the potential adverse effects of the Project on individual VCs **ranged from low to medium significance.**



## Effects of the Project on the rights of Indigenous Peoples (Chapter 5)

- The Commission considered the effects of the Project on Indigenous and treaty rights based on the methodology in the Filing Manual.
- The Commission found that the Project would result in residual impact on rights through four effects pathways:
  - Change in the quality, quantity, or distribution of resources involved in or required for exercise of rights
  - Change in access to the resources used or required to exercise rights
  - Change to specific areas of cultural importance where rights are exercised
  - Change to cultural traditions, laws, and governance systems that inform the way rights are exercised



## Effects of the Project on the rights of Indigenous Peoples (Chapter 5)

- The Commission heard about effects of the Project on Indigenous and treaty rights and associated recommendations in relation to wildlife, fish, vegetation, medicines, weeds, wetlands, reclamation, river crossings, water quality, spills, soil, monitoring, cultural sites, access management, offsets, etc.
- The Commission finds that existing cumulative effects on Indigenous Peoples' rights in the Project area are high, and, with the addition of the Project's residual effects, **total cumulative effects would be high (adverse)**.
- The Commission finds **that the Project's potential effects on the rights of Indigenous Peoples would be of high (adverse) severity**.
- Given the Commission's finding of high (adverse) severity, the Commission is of the view that additional mitigation measures are necessary to accommodate Indigenous Peoples' rights:
  - Condition 17 requiring Pouce Coupé to establish an Indigenous Project Committee
  - Condition 39 requiring the submission of an offset measures plan.



## Interests and concerns of Indigenous Peoples (Chapter 5)

- The Commission used a valued component (**VC**) based approach to assess the Project's effects, including cumulative effects, on the following:
  - Health of Indigenous Peoples
  - Heritage resources
  - Social and cultural well-being
  - Employment and economy for Indigenous Peoples
- The Commission concluded that with the implementation of Pouce Coupé's mitigation measures, and the Commission's conditions, the potential adverse effects of the Project on individual VCs **ranged from negligible to medium (adverse) significance to medium (positive) significance** for employment and economy.



# Health, social and economic effects (Chapter 6)

- Similar to environmental effects, the Commission used a VC-based approach to assess the Project's health, social and economic effects, including cumulative effects, on the following:
  - employment and economy,
  - human health,
  - human occupancy and resource use,
  - infrastructure and services, and
  - navigation and navigation safety
- The Commission concluded that with the implementation of Pouce Coupé's mitigation measures, and the Commission's conditions, the potential adverse effects of the Project on individual VCs **would be of low (adverse) significance to low (positive) significance** for employment and economy.



# Pipeline design, construction, and operations (Chapter 7)

- The Commission finds that Pouce Coupé can construct and operate the Project safely because:
  - the design of the Pipeline and facilities meets applicable safety requirements;
  - the construction methods and oversight for the Project meet applicable safety requirements; and
  - the plans and programs for the operation of the Project meet applicable safety requirements.
- The Commission considers necessary numerous conditions related to pipeline design, construction, and operations. Conditions include:
  - emergency response exercise
  - emergency procedures manual
  - valve location and spacing
  - documented risk assessment for high vapour pressure products



## Public interest (Chapter 8)

- Having regard to all considerations that were relevant and directly related to the Project, and for the reasons outlined in the Report, the Commission finds that the Project is and will be **required by the present and future public convenience and necessity**.
- The Commission balanced the relative magnitude of the burdens and benefits, but also considered whether and how the burdens could be reduced through additional measures such as regulatory conditions.
- The Commission recognizes that the Project would result in effects to Indigenous rights in a geographic area in which cumulative effects are already high. The Commission set out a comprehensive set of conditions which includes additional mitigation measures to accommodate these rights.
- Conditions relating to mitigating impacts to the rights and interests of Indigenous peoples and cumulative effects were a critical component in the balancing of interests.



## Necessary conditions (Appendix 2)

- Regardless of the recommendation that the Commission makes, the Commission must set out all the conditions that it considers necessary or in the public interest if the GIC were to direct that the certificate be issued.
- Input from potentially affected Indigenous Peoples played a crucial role in shaping conditions.
- The 40 conditions set out in the Report are related to construction, safety, environmental protection, offsets, employment, and monitoring by Indigenous Peoples.
- A key feature of many conditions is the requirement for Pouce Coupé to submit a summary of its engagement with potentially affected Indigenous Peoples.



## Conditions: Environment/Socio-economic/ Indigenous matters/Duty to consult & accommodate

- Some of the recommended conditions relate to environment, socio-ec and/or Indigenous matters, including:
  - Environmental Protection Plan (EPP)
  - Indigenous Project Committee and Offset Measures Plan
  - Indigenous Peoples' participation in construction and post-construction monitoring
  - Support for Indigenous Peoples to review Pouce Coupé's condition filings
  - Outstanding TLRU investigations and consultation, concerns and response tables
  - Socio-economic effects monitoring plan and final report
  - Reclamation and restoration plan, post-construction environmental monitoring reports
  - Canadian participation in engineering and construction



## Condition 17 Indigenous Project Committee

- Pouce Coupé is to establish an Indigenous Project Committee to provide oversight and participation in Project activities.
- Temporally limited scope: intended to operate beginning in pre-construction period through to the end of the first year of Project operations, with operating expenses covered by Pouce Coupé.
- Purpose: to provide a forum for Pouce Coupe and Indigenous communities to discuss and develop opportunities and activities for ongoing oversight and meaningful participation in Project construction and post-construction activities and provide advice and recommendations relative to the Indigenous Monitoring (Condition 12) and Offsets (Condition 39) Conditions.



## Condition 17 Indigenous Project Committee

- Committee scope: scope of the committee's functions may include:
  - Oversight responsibilities and protocol advice for culturally sensitive and sacred areas further to Pouce Coupe's Cultural Resource Discovery Contingency Plan;
  - Reviewing Indigenous monitoring updates provided for Condition 12 and providing advice to Pouce Coupe about Indigenous monitoring; and
  - Providing advice and recommendations to Pouce Coupe on offsets for Condition 39.
- Parties may develop further responsibilities via mutual agreement if desired.
- Directly responsive to multiple Indigenous communities' requests for meaningful involvement in Project-specific oversight throughout its lifecycle.
- Consistent with articles 25 and 32 of the UN Declaration.



## Condition 39: Offset measures plan

- Requires an offset measures plan to address the Project's contribution to cumulative effects on Indigenous rights.
- Plan may include three kinds of approaches for offsets, including biophysical restoration offsets, funded restoration offsets, and alternative offset measures.
- Requires the plan to address impacts to the operational RoW in Alberta and BC, using minimum offset ratios of:
  - 4-to-1 for undisturbed Crown land,
  - 2-to-1 for disturbed Crown land,
  - 0.75-to-1 for undisturbed private land, and
  - 0.5-to-1 for disturbed private land.



## Community-specific tables (Appendix 5)

- Presents community-specific summaries of the knowledge, concerns, and recommendations shared by Indigenous communities and organizations who participated in the hearing process for the Project
  - Context for participation
  - Effects of the Project on Indigenous and treaty rights
  - Key recommendations and conditions of each community



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## Appendix 2 - Conditions by topic

Topic of Interest	Certificate Condition No.
Economics and financial matters	5, 27
Pipeline design, construction and operations	2, 8, 9, 14, 15, 16, 23, 24, 25, 28, 29, 36, 37
Matters related to Indigenous Peoples	7, 10, 12, 13, 17**, 20, 21, 32, 33, 39
Environmental effects	3, 6, 11, 19, 26, 34, 28, 29, 40**
Health, social and economic effects	18, 22, 30, 35

\*\* Administrative errors in initial PDF/printed version



## Hearing process and public participation

- **4 December 2023** – Pouce Coupé files its Project Notification
- **6 December 2023** – CCC notifies Indigenous Peoples about early engagement
- **23 April 2024** – Pouce Coupé files its Application
- **26 July 2024** – Commission directs Pouce Coupé to publish the notice of hearing and opens comment process on completeness
- **27 September 2024** – Commission issues its completeness determination, list of issues, and list of participants
- **27 November 2024** – Commission issues the Hearing Order
- **17-24 March 2025** – Indigenous participants share oral Indigenous knowledge (in-person)
- **29 April 2025** – Commission issues draft potential conditions for comment
- **13-14 May 2025** – CER hosts virtual conditions workshop
- **17-18 June 2025** – Oral cross-examination (in-person)
- **5 August 2025** – Oral summary argument (in-person)
- **7 November 2025** – Commission submits its Recommendation Report



## *Canadian Energy Regulator Act*

- Pouce Coupé applied for a Certificate to construct and operate the Project pursuant to section 182 of the CER Act.
- **Factors** under subsection 183(2) that the Commission considered include economic, technical, and financial feasibility; environmental and socio-economic effects; and any impacts on Indigenous Peoples. The Commission also took into account Indigenous knowledge and scientific information and data.
- **CER Act preamble** refers to Canada's commitment to enhancing Canada's global competitiveness; achieving Reconciliation; implementing the United Nations Declaration on the Rights of Indigenous Peoples (**UN Declaration**); and using transparent processes.