

Northern Pipeline Agency

Annual Report

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Overview

The Northern Pipeline Agency (Agency) was established by the *Northern Pipeline Act*ⁱ (Act) in 1978 to implement the *1977 Agreement Between Canada and the United States of America on Principles Applicable to a Northern Natural Gas Pipeline*ⁱⁱ (1977 Canada-U.S. Agreement). The Agency has a mandate to carry out federal responsibilities in respect to the planning and construction of the Canadian portion of the Alaska Natural Gas Pipeline by Foothills Pipe Lines Ltd. (Foothills). The Agency plays a key role in supporting efficient and expeditious regulatory approval, while ensuring environmental protection and social and economic benefits for Canada. Figure 1 shows the proposed route of the entire pipeline system.

In keeping with this mandate, the Agency's key responsibilities are to:

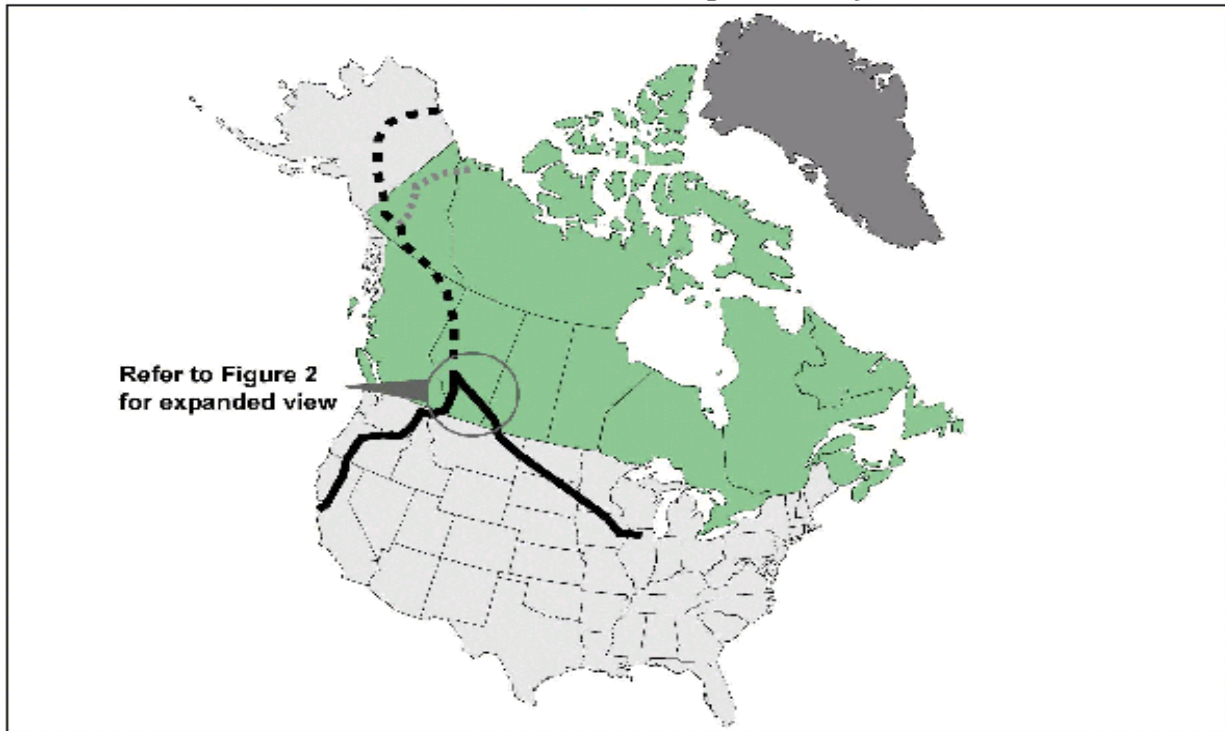
- facilitate the efficient and expeditious planning and construction of the Canadian portion of the Alaska Highway Gas Pipeline (AHGP) project, taking into account local and regional interests, the interests of the residents, particularly of Indigenous peoples, and recognizing the responsibilities of the Government of Canada and other governments, as appropriate;
- facilitate, in relation to the pipeline, consultation and coordination with the governments of the provinces, the Yukon Territory, and the Northwest Territories;
- maximize the social and economic benefits from the construction and operation of the pipeline while at the same time minimizing any adverse effect on the social and environmental conditions of the areas most directly affected by the pipeline; and
- advance national economic and energy interests, and maximize related industrial benefits.

The current priority of the Agency is to effectively administer the [Act](#) to fulfill Canada's ongoing obligations as set out in the [Act](#), and maintain the state of federal readiness should Foothills proceed with the construction of the northern portion of the AHGP project.

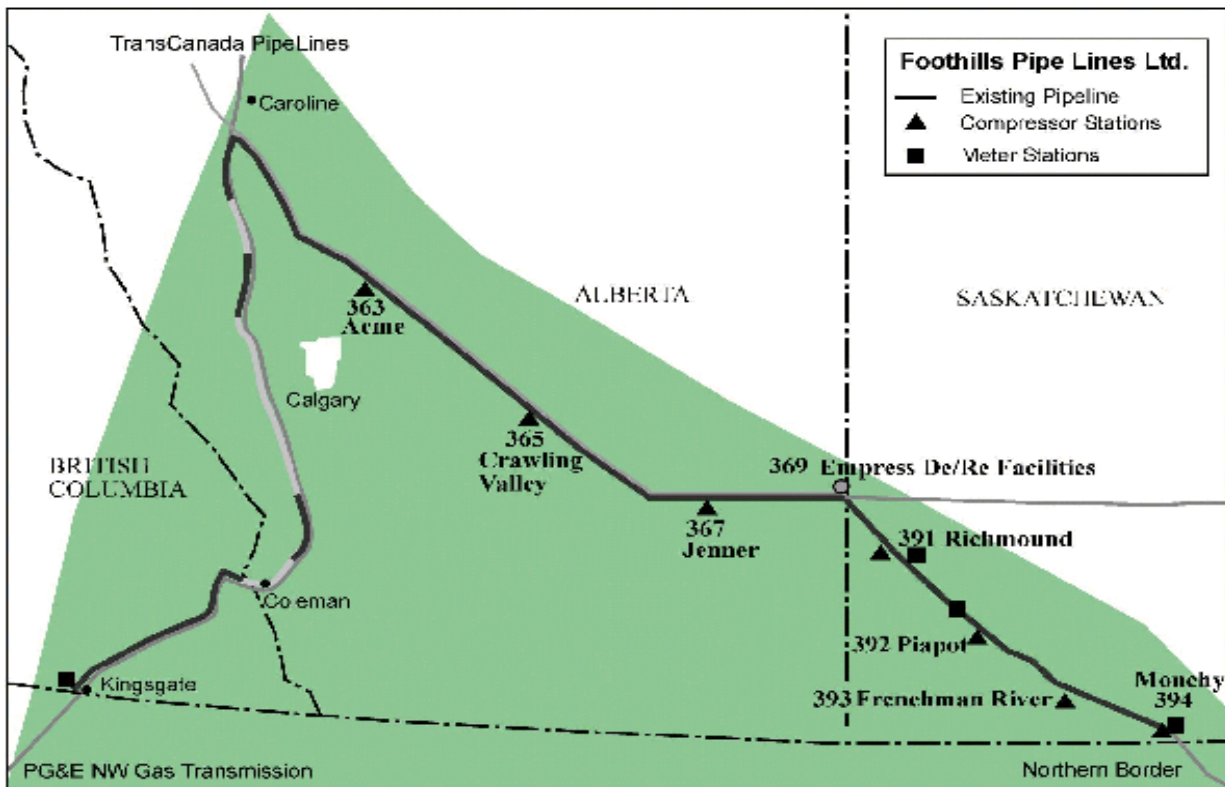
Background Information

The Agency was responsible for the regulatory oversight of the construction of Phase I (the southern portion) of the AHGP (also known as the Prebuild) in 1981-82 for the initial purpose of transporting gas sourced from Western Canada to the United States (U.S.). These facilities, located in southern British Columbia, Alberta and Saskatchewan, were expanded five times between 1985 and 1998 under the authority of the Act. The current flow capacity of the Prebuild is approximately 94.5 million cubic metres per day (3.3 billion cubic feet per day). Figure 2 shows the details of the existing Prebuild facilities in Canada.

**Figure 1:
The Alaska Natural Gas Transportation System**



**Figure 2:
The Foothills Prebuild**



Phase II (the northern portion) of the AHGP would link the Prebuild with U.S. natural gas reserves at Prudhoe Bay in Alaska. Fluctuating market and economic conditions since 1982 have led to several delays in the completion of the AHGP, and subsequent fluctuating activity levels for the Agency.

In 2008, TransCanada PipeLines Limited (now TC Energy), which owns Foothills, was selected by the State of Alaska under the *Alaska Gasline Inducement Act* to receive up to \$500 million (USD) in State assistance to pursue an Alaska gas pipeline. This large-scale project of 2,762 km would transport 4.5 to 5.9 Bcf/d of natural gas in a buried 48-inch, high-pressure pipeline from Prudhoe Bay, Alaska, to markets in Canada and the lower 48 states. Project costs were estimated at \$32-41 billion (2009 USD) by TC Energy. On March 30, 2012, ExxonMobil, ConocoPhillips, BP and TC Energy announced that they were working together on a work plan to assess liquefied natural gas exports from south-central Alaska as an alternative to a natural gas pipeline through Canada. In February 2013, Foothills/TC Energy notified the Agency that no further work is planned on the AHGP for now, and of their intentions to maintain the AHGP assets in Canada.

Prior to commencing construction of the northern portion of the pipeline, Foothills is required to obtain a comprehensive series of specific approvals from the Agency as set out under the [Act](#). These approvals relate to socio-economic and environmental requirements, routing, technical and engineering design and other matters, such as the demonstration of project financing.

The Agency is also responsible for the administration of the Yukon easement agreement, which was entered into on November 24, 1983 with Foothills. Pursuant to the decision under the [Act](#), a grant of easement was issued by Order in Council on November 28, 1983. The easement follows the Alaska Highway from the Yukon-Alaska border near Beaver Creek, Yukon, to the Yukon-British Columbia border near Watson Lake, Yukon. The easement agreement allows Foothills to conduct investigative work on easement lands; however, the company requires the approval of the minister responsible for the Agency before it can begin pipeline construction. Unless the term is once again amended, the agreement will expire on September 20, 2022. In addition to the easement, the Agency holds approximately 220 reserves of land along the pipeline route that could be used to support the construction and operation of the pipeline system.

To align with the reduction in the AHGP project activities for the foreseeable future, the Agency has scaled down its operations to a minimal level to fulfill Canada's ongoing obligations as set out in the [Act](#). During this time of reduced activities, the Agency will also respond to any incoming inquiries from other government agencies, Indigenous peoples and the public. The future of the northern portion of the AHGP continues to rest with its proponents and the commercial marketplace.

Organizational Structure

The Agency's organizational structure is defined by the [Act](#), where the Minister responsible for the Agency is the Minister for Natural Resources. During 2018-19 and part of 2019-20, this position was held by the Honourable Amarjeet Sohi. On 20 November 2019, the Honourable Seamus O'Regan Jr. was appointed as Minister for Natural Resources.

The [Act](#) provides for the Agency Deputy Head, called the Commissioner, to be appointed by Governor in Council. A September 8, 2005 [Order-in-Council](#) currently appoints the Deputy Minister of Natural Resources as the Commissioner of the Northern Pipeline Agency, to serve in an *ex-officio* capacity.ⁱⁱⁱ During 2019-20, Mme Christyne Tremblay was the Deputy Minister of Natural Resources Canada, and therefore the Commissioner of the Northern Pipeline Agency. On 21 September 2020, Mr. Jean-François Tremblay became the Deputy Minister of Natural Resources Canada and therefore Commissioner of the Northern Pipeline Agency.

To obtain the necessary staff resources to support the Agency activities, the Agency has entered into inter-agency agreements with the Department of Justice and the Canada Energy Regulator (formerly the National Energy Board). Through a Services Agreement, Natural Resources Canada provides internal services support, such as administrative, financial, and information technology assistance, to the Agency.

Key 2019-20 Activities

During 2019-20, the Agency continued to deliver on the responsibilities of the Government of Canada embodied in the [Act](#) and the 1977 Canada-U.S. Agreement by working, as needed, with other federal departments, provincial and territorial governments, Indigenous peoples, the U.S. Federal Energy Regulatory Commission, and the project proponent, Foothills.

To align with the reduction in the AHGP project activities, the Agency has reduced its staff levels and its overall activity level.

Financial Matters

The Agency requested and received an appropriation level of \$1,084,070 for 2019-20 from the Government of Canada. During this period, the total authorities used by the Agency were \$238,467. This is an increase of \$7,986 from the previous fiscal year of 2018-19. This expenditure reflects the reduced level of Agency activities required to be undertaken as a direct result of the project status and the ramp down of the Agency staff levels.

The recoverable expenses of the Agency to carry out federal responsibilities for the planning and construction of the Alaska Highway Natural Gas Pipeline project are fully recovered from Foothills, the project proponent. The [Act](#) was amended on December 14, 2017 and the cost recovery mechanism was adjusted to allow the Agency to annually collect an amount equivalent to its total recoverable expenses from Foothills. Payments made by Foothills are deposited directly into the Consolidated Revenue Fund of Canada.

In 2012, the [Act](#) was amended to eliminate the requirement for the Agency to have an annual audit of the accounts and financial transactions by the Auditor General of Canada. For the 2019-20 fiscal year, the Agency carried out a review of its financial transactions. The Northern Pipeline Agency's unaudited Financial Statements for the year ended March 31st, 2020, may be accessed through the Agency [website](#).^{iv}

Organizational Contact Information

Further background information and details on the Agency's authority, mandate and programs are available in the Agency's [2019-20 Departmental Results Report](#)^v. This report and additional information may also be accessed through the Agency's [website](#).^{vi}

The Agency's contact information is as follows:

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Endnotes

ⁱ Northern Pipeline Act, <https://laws-lois.justice.gc.ca/eng/acts/N-26/index.html>

ⁱⁱ Agreement Between Canada and the United States of America on Principles Applicable to a Northern Natural Gas Pipeline, <https://laws-lois.justice.gc.ca/eng/acts/N-26/page-6.html#h-366528>

ⁱⁱⁱ P.C. 2005-1615, <https://orders-in-council.canada.ca/attachment.php?attach=12494&lang=en>

^{iv} Northern Pipeline Agency Financial Statements 2019-2020, <https://npa.gc.ca/publications/statement-management-responsibility-including-internal-control-over-financial-reporting>

^v NPA Departmental Results Report 2019-2020, <https://npa.gc.ca/departmental-results-report-drr-2019-2020/448>

^{vi} NPA Website, <https://npa.gc.ca/home>