

**DOCKET NO. IP-7109/PPL-23-109**

**In the Matter of the Application of Magellan Pipeline Co., L.P. for a Routing Permit for the Pipestone Reroute Project in Pipestone County, Minnesota**

**Decision option – Modified 3**

Rescind the Commission’s decision to grant a route permit for Route RA-01 and require the applicant to complete full cultural, archaeological and historical resources inventories (“the Inventories”) for each alternative route RA-01, RA-02 and RA-03 in coordination with the following Tribal Nations and Tribal entities:

- Brave Heart Society
- Cheyenne River Sioux Tribe
- Flandreau Santee Sioux Tribe
- Lower Brule Sioux Tribe
- Lower Sioux Indian Community
- Mille Lacs Band of Ojibwe
- Otoe-Missouria Tribe
- Prairie Island Indian Community
- Rosebud Sioux Tribe
- Santee Sioux Nation
- Shakopee Mdewakanton Sioux Community
- Standing Rock Sioux Tribe
- Upper Sioux Community
- White Earth Band of Minnesota Chippewa Tribe
- Yankton Sioux Tribe

The applicant shall coordinate with the Minnesota Indian Affairs Council (MIAC) to select a contractor(s) with the appropriate knowledge to perform the work associated with the Inventories.

The applicant shall prepare the Inventories for each route alternative including any additional workspaces, such as temporary workspace, laydown/pipe yards, access roads, and bore holes, to identify and avoid impacts to cultural, archaeological, and historic resources. The Inventories shall be developed in accordance with standards established by relevant THPOs, the Minnesota State Historic Preservation Office (MnSHPO), the Minnesota State Archaeologist (MnOSA), and the Secretary of Interior’s Standards and Guidelines for Archaeology and Historic Preservation. The Inventories shall include specific mitigation and avoidance procedures for each cultural, archaeological and historic resource identified.

After completion of the Inventories, the applicant shall send the results to the Tribal Nations and entities listed above and engage in additional coordination. Such coordination shall at a minimum consist of one in-person or online meeting with each Tribal representative to occur no later than 30

days after completion of the Inventories. The applicant shall also confer with MnSHPO, the relevant THPO representatives, and MnOSA regarding the results of the surveys.

The applicant shall file a compliance filing providing the results of the Inventories, all comments from MnSHPO, MnOSA, and the Secretary of Interior, a summary of other feedback received, and a statement certifying that coordination with the Tribal Nations and entities has been completed or attempted.

After receipt of the compliance filing the Commission will schedule the matter for a final permitting decision. Further decisions on this docket shall continue at that time.