



PIPESTONE PIPELINE REROUTE PROJECT

DOCKET NUMBER: PPL-23-109

APPLICANT: MAGELLAN PIPELINE COMPANY L.P.

**VOLUME II - APPENDIX F: COMMISSION DRAFT ROUTE PERMIT
TEMPLATE**



MARCH 2024

STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

**ROUTING PERMIT FOR
CONSTRUCTION OF A LARGE REFINED PRODUCTS PIPELINE
AND ASSOCIATED FACILITIES**

**IN
PIPESTONE COUNTY**

**ISSUED TO
MAGELLAN PIPELINE COMPANY, L.P.**

PUC DOCKET NO. IP7109/PPL-23-109

In accordance with the requirements of Minnesota Statutes Chapter 216G and Minnesota Rules Chapter 7852 this route permit is hereby issued to:

Magellan Pipeline Company, L.P.

Magellan Pipeline Company, L.P., is authorized by this routing permit to construct [Provide a description of the project authorized by the Minnesota Public Utilities Commission].

The pipeline and associated facilities shall be built within the route identified in this permit and as portrayed on the official route maps and in compliance with the conditions specified in this permit.

Approved and adopted this ____ day of _____

BY ORDER OF THE COMMISSION

Will Seuffert,
Executive Secretary

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Draft Site Permit

1 ROUTING PERMIT

The Minnesota Public Utilities Commission (Commission) hereby issues this routing permit to Magellan Pipeline Company, L.P., (Permittee) pursuant to Minnesota Statutes Chapter 216G and Minnesota Rules Chapter 7852. This permit authorizes Magellan Pipeline Company, L.P., to construct [Provide a brief description of the project as authorized by the Commission], and as identified in the attached routing maps, hereby incorporated into this document.

1.1 Pre-emption

Pursuant to Minn. Stat. § 216G.02, subd. 4, this permit shall be the sole route approval required to be obtained by the Permittee for construction of the pipeline facilities. This permit shall supersede and preempt all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, local and special purpose government.

1.2 Definitions

“Affected landowner,” as defined in Minn. R. 7852.0100, subp. 3, “means an owner or lessee of record of real property, any part of which is within the proposed pipeline route.”

“Associated Facilities” means all parts of those physical facilities through which hazardous liquids or gas moves in transportation, including but not limited to pipe, valves, and other appurtenances connected or attached to pipe, pumping and compressor units, fabricated assemblies associated with pumping and compressor units, metering and delivery stations, regulation stations, holders, breakout tanks, fabricated assemblies, cathodic protection equipment, telemetering equipment, and communication instrumentation located on the right-of-way. (Minn. R. 7852.0100, subp. 7).

“Construction” means any clearing of land, excavation, or other action for the purpose of constructing a new pipeline that would adversely affect the natural environment of a pipeline route. Construction does not include changes needed for temporary use of a route for purposes of maintenance, repair, or replacement of an existing pipeline and associated facilities within existing rights-of-way, or for the minor relocation of less than three-quarters of a mile of an existing pipeline or for securing survey or geological data, including necessary borings to ascertain soil conditions. (Minn. R. 7852.0100, subp. 11).

2 PIPELINE SAFETY

Pursuant to Minn. Stat. § 216G.02, subd. 3(a) this pipeline routing permit may not set safety standards for the construction of the pipeline. Pipeline safety regulations are promulgated by the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration in the Federal Code of Federal Regulations Part 195 – Transportation of Hazardous Liquids by Pipeline (49 CFR 195).

3 PROJECT DESCRIPTION

[Provide a description of the project as authorized by the Commission]

3.1 Project Location

[Describe the location of the project including details such as the county, state, city, and townships, as appropriate]

County	Township Name	Township	Range	Section

3.2 Associated Facilities

[Provide a detailed description of the associated facilities authorized by the Commission]

3.3 Class Location [if applicable]

[Ensure language is consistent with specific pipeline project]

Example: *The pipeline will be designed to meet a Class 3 location designation as required by 49 CFR 192.5. The class location of a pipeline is a factor in determining the maximum allowable pressure of the pipeline and is based on the number and type of buildings intended for human occupancy that are situated in an area that extends 220 yards on either side of the centerline of any continuous 1.0-mile length of a gas pipeline. A Class 3 location is defined as 46 or more buildings or an area where the pipeline lies within 100 yards (300 feet) of either a building or a small, well-defined outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by 20 or more persons on at least 5 days a week for 10 weeks in any 12-month period.*

4 DESIGNATED ROUTE

The route designated by the Commission in this permit is the route described below and shown on the routing maps attached to this permit. The route is generally described as follows:

[Provide detailed description of the authorized route including the route widths and any other specifics relevant to each segment. Also include a reference to the relevant routing map to be attached to the permit.]

The final alignment must be located within this designated route. The identified route widths on the attached route maps provide the Permittee with flexibility for minor adjustments of the alignment or right-of-way to accommodate landowner requests and unforeseen conditions. The final alignment (*i.e.*, permanent and maintained rights-of-way) will be located within this designated route unless otherwise authorized by this permit or the Commission.

4.1 Permanent Right-of-Way

This Permit authorizes the Permittee to obtain a new permanent right-of-way for the pipeline facility up to [number] in width. The permanent right-of-way is typically [number] feet on both

sides of the pipeline measured from its centerline. [Describe any right-of-way width variations along the route, as necessary, including that needed for associated facilities]

4.2 Temporary Right-of-Way or Workspace

The Permittee is authorized by this permit to acquire a [Describe temporary right-of-way widths authorized by permit]. The Permittee shall limit temporary workspace to special construction access needs required outside of the authorized permanent right-of-way. Temporary right-of-way shall be selected to limit the removal and impacts to vegetation. Temporary easements outside of the authorized route will be obtained from affected landowners through rental agreements.

4.3 Right-of-Way Conformance

The Project's anticipated alignment is intended to minimize potential impacts relative to criteria identified in Minn. R. 7852.1900. The actual right-of-way will generally conform to the anticipated alignment identified on the routing maps unless changes are requested by individual landowners and agreed to by the Permittee or for unforeseen conditions that are encountered or as otherwise provided for by this permit.

Any right-of-way modifications within the designated route shall be located so as to have comparable overall impacts relative to the factors in Minn. R. 7852.1900, as does the right-of-way identified in this permit, and shall be specifically identified and documented in and approved as part of the plan and profile submitted pursuant to Section 8.1 of this permit.

4.4 Route Width Variations

Route width variations may be allowed to accommodate the potential site-specific constraints listed below. These constraints may arise from any of the following:

1. Unforeseen circumstances encountered during the detailed engineering and design process.
2. Federal or state agency requirements.
3. Existing infrastructure within the pipeline route, including but not limited to railroads, natural gas and liquid pipelines, high voltage electric transmission lines, or sewer and water lines.

Any alignment modifications arising from these site-specific constraints that would result in right-of-way placement outside of the designated route shall be specifically reviewed by the Commission under Minn. R. 7852.3400.

5 STATE AND FEDERAL MINIMUM DEPTH OF COVER REQUIREMENTS

Minn. Stat. § 216G.07, subd. 1, requires the pipeline trench to be excavated to a depth that sufficiently allows for at least 54 inches (4.5 feet) of backfill from ground surface to the top of pipeline in all areas where the pipeline crosses the right-of-way of any public drainage facility or any county, town, or municipal street or highway and where the pipeline crosses agricultural

land. Where the pipeline crosses the right-of-way of any drainage ditch the pipeline shall be installed with a minimum level cover of not less than 54 inches (4.5 feet) below the authorized depth of the ditch, unless waived in the manner provided in Minn. Stat. § 216G.07, subd. 2 and 3.

In agricultural land, the Permittee may seek a depth requirement waiver from the affected landowners to install the pipeline at the same depth as required by U.S. Department of Transportation regulation 49 CFR 192.327. In all cases, the pipeline trench shall be excavated to a depth that sufficiently allows for at least 36 inches (3 feet) of backfill from ground surface to the top of pipeline.

6 PRE-CONSTRUCTION CONDITIONS

The following pre-construction conditions require submissions to the Commission. All submissions must be made by electronic filing.

6.1 Permit Distribution

Within 30 days of permit issuance, the Permittee shall send a copy of the permit to the office of each regional development commission, soil and water conservation district, watershed district, watershed management district, office of the auditor of each county, and the clerk of each city and township crossed by the designated route.

Within 30 days of permit issuance, the Permittee shall provide all affected landowners with a copy of this permit and the complaint procedures. In no case shall the landowner receive this route permit and complaint procedures less than five days prior to the start of construction on their property. An affected landowner is any landowner or designee that is within or adjacent to the permitted route.

The Permittee shall provide all affected landowners with complete information about the project keeping them informed throughout the initial survey, right-of-way acquisition, right-of-way preparation, construction, restoration, and future operation and maintenance. As provided by applicable laws and regulations the Permittee shall provide educational materials about the project and any restrictions or dangers associated with the project to landowners within the route whose land is crossed by the pipeline and, upon request, to any interested persons.

6.2 Plan and Profile

At least 30 days before right-of-way preparation for construction begins on any segment or portion of the project, the Permittee shall provide the Commission with a plan and profile of the right-of-way and the specifications and drawings for right-of-way preparation, construction, cleanup, and restoration for the segment of pipeline for which construction is scheduled. The documentation shall include maps depicting the plan and profile including the designated route, right-of-way, and pipeline alignment approved per this permit.

The Permittee may not commence construction until the 30 days has expired or until the Commission has advised the Permittee in writing that it has completed its review of the plan and profile documents and determined that the planned construction is consistent with this permit. If the Permittee intends to make any significant changes in its plan and profile or the specifications and drawings after submission to the Commission the Permittee shall notify the Commission at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this permit.

The Permittee shall also provide the Minnesota Office of Pipeline Safety with the same information provided to the Commission. The Permittee's plan and profile and specifications and drawings shall become a condition of this permit and shall be complied with by the Permittee in accordance with Minn. R. 7852.3500.

6.3 Status Reports

The Permittee shall report to the Commission on progress during finalization of the route and construction of the pipeline. The Permittee shall report weekly. Reports shall begin with the submittal of the plan and profile for the project and continue until completion of restoration.

6.4 Agricultural Protection Plan

The Permittee shall comply with the Agricultural Protection Plan (APP) that is attached to this permit (Appendix XX) and incorporated herein. The obligation to comply with the APP as a condition of this permit shall expire with the termination of Commission jurisdiction over this permit as prescribed by Minn. R. 7852.3900, unless otherwise specified in the APP. The Minnesota Department of Agriculture must approve of any amendments to the APP. The Permittee shall file the amended APP with the Commission within 10 days of Minnesota Department of Agriculture approval.

6.5 Environmental Mitigation Plan

The Permittee shall comply with the Environmental Mitigation Plan that is attached to this permit (Appendix XX) and incorporated herein. The Permittee shall also comply with all additional conditions that may be added as a result of permits issued by other agencies or governmental units.

7 CONSTRUCTION CONDITIONS

The Permittee shall comply with the following conditions during pipeline right-of-way preparation, construction, cleanup, and restoration over the life of this permit.

7.1 Notification

The Permittee shall notify landowners or their designee at least 14 days in advance but not greater than 60 days in advance of entering the property.

7.2 Access to Property for Construction

The Permittee shall obtain all necessary permits authorizing access to public rights-of-way prior to any construction. The Permittee shall obtain approval of the landowners for access to private property prior to any construction. The Permittee shall consult with property owners to identify and address any special problems the landowners may have that are associated with the pipeline prior to any construction.

The Permittee shall work with landowners to provide access to their property, to locate the pipeline on their property to minimize the loss of agricultural land, forest, and wetlands, with due regard for proximity to homes and water supplies, even if the deviations will increase the cost of the pipeline, so long as the landowner's requested relocation does not adversely affect environmentally sensitive areas.

The Permittee shall negotiate agreements with landowners that will give the landowners access to their property; minimize the impact on planned future development of the property; and to assume any additional costs for such development that may be the result of installing roads, driveways and utilities that must cross the right-of-way. The Permittee shall not unreasonably deny a landowner's request to cross the easement to access the landowner's property.

The Permittee shall follow those specific construction practices and material specifications described in Magellan Pipeline Company, L.P., Application to the Commission for a route permit for the Pipestone Reroute Project and Route Permit Application Before the Minnesota Public Utilities Commission, dated April 2023, and the record of the proceedings unless this permit establishes a different requirement in which case this permit shall prevail. The Permittee shall comply with the conditions for right-of-way preparation, construction, cleanup, and restoration contained in Minn. R. 7852.3600.

7.3 Field Representative

The Permittee shall designate a field representative responsible for overseeing compliance with the conditions of this permit during construction of the project. This person shall be accessible by telephone or other means during normal business hours throughout site preparation, construction, cleanup, and restoration.

The Permittee shall file with the Commission the name, address, email, phone number, and emergency phone number of the field representative 14 days prior to commencing construction. The Permittee shall provide the field representative's contact information to affected landowners, residents, local government units and other interested persons 14 days prior to commencing construction. The Permittee may change the field representative at any time upon notice to the Commission, affected landowners, residents, local government units and other interested persons.

7.4 Agricultural Monitor and County Inspector Notification Requirements

The Permittee shall at least 14 days prior to the start of construction provide notice to all landowners affected by construction with the name, telephone number and email address of the Agricultural Monitor and County inspector designated by the County, if appointed.

7.5 Employee Training and Education of Permit Terms and Conditions

The Permittee shall inform all employees, contractors, and other persons involved in construction of the terms and conditions of this permit.

7.6 Public Services, Public Utilities, and Existing Easements

During construction, the Permittee shall minimize any disruption to public services or public utilities. To the extent disruptions to public services or public utilities occur these would be temporary, and the Permittee will restore service promptly. Where any impacts to utilities have the potential to occur the Permittee will work with both landowners and local agencies to determine the most appropriate mitigation measures if not already considered as part of this permit.

The Permittee shall cooperate with all entities that have existing easements or infrastructure within the pipeline route to ensure minimal disturbance to existing or planned developments.

7.7 Noise

The Permittee shall comply with noise standards established under Minn. R. 7030.0100 to 7030.0080, at all times at all appropriate locations during operation of the facility. Construction and maintenance activities shall be limited to daytime working hours to the extent practicable to ensure nighttime noise level standards will not be exceeded.

7.8 Site Sediment and Erosion Control

The Permittee shall implement those erosion prevention and sediment control practices recommended by the Minnesota Pollution Control Agency (MPCA) Construction Stormwater Program. If construction of the facility disturbs more than one acre of land or is sited in an area designated by the MPCA as having potential for impacts to water resources, the Permittee shall obtain a National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater Permit from the MPCA that provides for the development of a Stormwater Pollution Prevention Plan (SWPPP) that describes methods to control erosion and runoff.

The Permittee shall implement reasonable measures to minimize erosion and sedimentation during construction and shall employ perimeter sediment controls, protect exposed soil by promptly planting, seeding, using erosion control blankets and turf reinforcement mats, stabilizing slopes, protecting storm drain inlets, protecting soil stockpiles, and controlling vehicle tracking. Contours shall be graded as required so that all surfaces provide for proper drainage, blend with the natural terrain, and are left in a condition that will facilitate re-

vegetation and prevent erosion. All areas disturbed during construction of the facilities shall be returned to pre-construction conditions.

7.9 Topsoil Protection

The Permittee shall take precautions to minimize mixing of topsoil and subsoil during excavation of the trench for the pipe unless otherwise negotiated with the affected landowner.

7.10 Soil Compaction

Compaction of agricultural lands by the Permittee must be kept to a minimum and mitigated in accordance with its agricultural protection plan.

7.11 Landscape Preservation

Care shall be used to preserve the natural landscape, minimize tree removal, and prevent any unnecessary destruction of the natural surroundings in the vicinity of all pipeline construction and restoration activities.

7.12 Sensitive Areas

The Permittee shall stabilize stream banks and other sensitive areas disturbed by pipeline construction in accordance with the requirements of applicable state or federal permits.

7.13 Wetlands and Water Resources

Wetlands and riparian areas shall be accessed using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts. No temporary workspace areas shall be placed within or adjacent to wetlands or water resources, as practicable. To minimize impacts, construction in wetland areas shall occur during frozen ground conditions where practicable and shall be according to permit requirements by the applicable permitting authority. When construction during winter is not possible, wooden or composite mats shall be used to protect wetland vegetation. Soil excavated from the wetlands and riparian areas shall be contained and not placed back into the wetland or riparian area.

Dewatering during periods of excessive precipitation or in areas where the natural groundwater table intersects the pipeline trench will not be directed into wetlands or water bodies.

Dewatering discharges will be directed toward well vegetated upland areas. Should discharge activities need to be directed off the right-of-way landowner consent will be obtained, and locations will be chosen to minimize impacts. All discharge activities will comply with applicable agency permits or approvals.

Areas disturbed by construction activities shall be restored to pre-construction conditions.

Restoration of the wetlands will be performed by Permittee in accordance with the requirements of applicable state and federal permits or laws and landowner agreements.

Wetland and water resource areas disturbed by construction activities shall be restored to pre-construction conditions in accordance with the requirements of applicable state and federal permits or laws and landowner agreements. All requirements of the U.S. Army Corps of

Engineers (USACE), Minnesota Department of Natural Resources, and local units of government shall be met.

7.14 Vegetation Management

The Permittee shall clear the permanent right-of-way and temporary right-of-way preserving to the maximum extent practicable windbreaks, shelterbelts, living snow fences, and vegetation in areas such as trail and stream crossings where vegetative screening may minimize aesthetic impacts, to the extent that such actions do not impact the safe operation, maintenance, and inspection of the pipeline and are in compliance with all applicable laws and regulations.

Tree stumps will be removed at the landowner's request or when necessitated due to trench location. The Permittee will dispose of all debris created by clearing at a licensed disposal facility.

7.15 Application of Pesticides

The Permittee shall restrict pesticide use to those pesticides and methods of application approved by the Minnesota Department of Agriculture, Department of Natural Resources, and the U.S. Environmental Protection Agency. Selective foliage or basal application shall be used when practicable. All pesticides shall be applied in a safe and cautious manner so as not to damage adjacent properties including crops, orchards, tree farms, apiaries, or gardens. The Permittee shall contact the landowner or designee to obtain approval for the use of pesticide at least 14 days prior to any application on their property. The landowner may request that there be no application of pesticides on any part of the site within the landowner's property. The Permittee shall provide notice of pesticide application to affected landowners and known beekeepers operating apiaries within three miles of the project site at least 14 days prior to such application.

7.16 Invasive Species

The Permittee shall employ best management practices to avoid the potential spread of invasive species on lands disturbed by project construction activities.

7.17 Noxious Weeds

The Permittee shall take all reasonable precautions against the spread of noxious weeds during all phases of construction. When utilizing seed to establish temporary and permanent vegetative cover on exposed soil the Permittee shall select a site appropriate seed certified to be free of noxious weeds. To the extent possible, the Permittee shall use native seed mixes. The Permittee shall consult with landowners on the selection and use of seed for replanting.

7.18 Roads

The Permittee shall advise the appropriate governing bodies having jurisdiction over all state, county, city or township roads that will be used during the construction phase of the project. Where practical, existing roadways shall be used for all activities associated with construction

of the facility. Oversize or overweight loads associated with the facility shall not be hauled across public roads without required permits and approvals.

The Permittee shall construct the least number of site access roads it can. Access roads shall not be constructed across streams and drainage ways without the required permits and approvals. Access roads shall be constructed in accordance with all necessary township, county or state road requirements and permits.

The Permittee shall promptly repair private roads or lanes damaged when moving equipment or when accessing construction workspace, unless otherwise negotiated with the affected landowner.

7.19 Archaeological and Historic Resources

The Permittee shall make every effort to avoid impacts to identified archaeological and historic resources when constructing the transmission facility. In the event that a resource is encountered, the Permittee shall contact and consult with the State Historic Preservation Office and the State Archaeologist. Where feasible, avoidance of the resource is required. Where not feasible, mitigation must include an effort to minimize project impacts on the resource consistent with State Historic Preservation Office and State Archaeologist requirements.

Prior to construction, workers shall be trained about the need to avoid cultural properties, how to identify cultural properties, and procedures to follow if undocumented cultural properties, including gravesites, are found during construction. If human remains are encountered during construction, the Permittee shall immediately halt construction and promptly notify local law enforcement and the State Archaeologist. Construction at such location shall not proceed until authorized by local law enforcement or the State Archaeologist.

7.20 Livestock

Precautions to protect livestock must be taken by the Permittee unless otherwise negotiated with the affected landowner.

7.21 Security

The Permittee will install temporary gates or similar barriers, as needed, to prohibit public access to the right-of-way during construction.

7.22 Pollution and Hazardous Wastes

All appropriate precautions to protect against the pollution of the environment must be taken by the Permittee. The Permittee shall be responsible for compliance with all laws applicable to the generation, storage, transportation, clean up and disposal of all wastes generated during pipeline construction and restoration of the right-of-way.

7.23 Cleanup

All waste and scrap that is the product of construction shall be removed from the right-of-way and all premises on which construction activities were conducted and properly disposed of

upon completion of each task. Personal litter, including bottles, cans, and paper from construction activities shall be removed on a daily basis.

7.24 Restoration

The Permittee shall restore the right-of-way, temporary workspaces, access roads, abandoned right-of-way, and other public or private lands affected by construction of the pipeline to the natural conditions that existed immediately before construction of the pipeline and as required by other federal and state agency permits. Restoration must be compatible with the safe operation, maintenance, and inspection of the pipeline. Within 60 days after completion of all restoration activities the Permittee shall advise the Commission in writing of the completion of such activities.

7.25 Damages

The Permittee shall fairly restore or compensate landowners for damage to crops, fences, private roads and lanes, landscaping, drain tile, or other damage sustained during construction.

8 OTHER PERMITS AND REGULATIONS

The Permittee shall comply with all applicable state rules and statutes. The Permittee shall obtain all required permits for the project and comply with the conditions of those permits unless those permits conflict with or are preempted by federal or state permits and regulations. A list of the permits known to be required is included in the permit application. The Permittee shall submit a copy of such permits to the Commission upon request.

9 SPECIAL CONDITIONS

The special conditions shall take precedence over other conditions of this permit should there be a conflict.

9.1 Cultural Resources

The Permittee must coordinate construction activities to avoid ceremonial uses of the Pipestone National Monument.

The Permittee shall sponsor a cultural and archaeological resources inventory of the selected route (including extra work spaces, bore holes, access roads, and pipe yard) to standards established by the Minnesota Office of the State Archaeologist, Minnesota State Historic Preservation Office, and Secretary of Interior's Standards and Guidelines for Archaeology and Historic Preservation.

The Permittee shall invite tribal cultural resource specialists to assist with the cultural resources inventory and to monitor all phases of construction of the selected alternative.

The Permittee must consult with tribal cultural resource specialists and tribal historic preservation offices, Minnesota Office of the State Archaeologist, Pipestone County Sheriff, and

Minnesota State Historic Preservation Office for the identification, recovery, and culturally appropriate re-interment/repatriation of potential burials of students from the Pipestone Indian School who may be interred outside the defined boundaries of the St. Leo and New Woodlawn cemeteries.

9.2 Threatened, Endangered, and Other Special Status Species

The Permittee shall confer with the U.S. Fish and Wildlife Service and Minnesota Department of Natural Resources to determine the need for, and the extent of, any species surveys prior to construction.

The Permittee shall follow U.S. Fish and Wildlife Service’s Recommendations for Construction Projects Affecting Waters Inhabited by Topeka Shiners in Minnesota. The Permittee shall keep records of compliance with this section and provide them upon the request of Department of Commerce or Commission staff.

9.3 Accidents and Spills

The Permittee shall conduct emergency preparedness in collaboration with local first responders and practice drills for live incidents.

If a spill were to occur, all nearby water wells shall be identified as potential receptors and monitored until the extent of groundwater contamination is known. Drinking water receptors such as municipal water intakes and private water wells used for drinking water should take priority with protective measures beginning with the downgradient wells nearest the point of release.

10 DELAY IN CONSTRUCTION

If the Permittee has not commenced construction or improvement of the route within four years after the date of issuance of this permit the Commission shall suspend the permit in accordance with Minn. R. 7852.3300. If at the time of suspension, or at a later time, the Permittee decides to construct the pipeline, it shall certify to the Commission that there have been no significant changes in any material aspects of the conditions or circumstances existing when the permit was issued. If the Commission determines that there are no significant changes, it shall reinstate the permit. If the Commission determines that there is a significant change, it may order public information meetings or a new hearing and consider the matter further, or it may require the Permittee to submit a new application.

11 COMPLAINT PROCEDURES

Prior to the start of construction, the Permittee shall submit to the Commission the procedures that will be used to receive and respond to complaints. The procedures shall be in accordance with the requirements of Minn. R. 7829.1500 or Minn. R. 7829.1700, and as set forth in the complaint procedures attached to this permit.

Upon request, the Permittee shall assist the Commission with the disposition of unresolved or longstanding complaints. This assistance shall include, but is not limited to, the submittal of complaint correspondence and complaint resolution efforts.

12 POST-CONSTRUCTION CONDITIONS

Failure to timely and properly make compliance filings required by this permit is a failure to comply with the conditions of this permit. Compliance filings must be electronically filed with the Commission.

12.1 In-Service Date

At least three days before the pipeline is to be placed into service, the Permittee shall notify the Commission of the date on which the pipeline will be placed into service and the date on which construction was complete.

12.2 As-Builts

Within 90 days after completion of construction, the Permittee shall submit copies of all final as-built plans and specifications developed during the project.

12.3 GPS Data

Within 90 days after completion of construction, the Permittee shall submit to the Commission, in the format requested by the Commission, geo-spatial information (e.g., ArcGIS compatible map files, GPS coordinates, associated database of characteristics) for the pipeline and associated facilities.

13 RIGHT OF ENTRY

The Permittee shall allow Commission designated representatives to perform the following, upon reasonable notice, upon presentation of credentials and at all times in compliance with the Permittee's site safety standards:

- a. To enter upon the facilities easement of the property for the purpose of obtaining information, examining records, and conducting surveys or investigations.
- b. To bring such equipment upon the facilities easement of the property as is necessary to conduct such surveys and investigations.
- c. To sample and monitor upon the facilities easement of the property.
- d. To examine and copy any documents pertaining to compliance with the conditions of this permit.

14 PERMIT AMENDMENT

The Permittee may apply to the Commission for an amendment of the route designation or to conditions specified in the permit in accordance with the requirements and procedures of Minn. R. 7852.3400.

15 PERMIT MODIFICATION OR SUSPENSION

If the Commission determines that substantial evidence supports a finding that a violation of the terms or conditions of this pipeline routing permit has occurred or is likely to occur, it may

take action to modify or suspend this permit in accordance with Minn. R. 7852.3800. The Commission may at any time re-consider modification or suspension of this permit if the Permittee has undertaken effective measures to correct the violations.

16 PIPELINE CONSTRUCTION COMPLETION CERTIFICATE

In accordance with Minn. R. 7852.3900, the Permittee shall file with the Commission a written certification that the construction and remediation of the permitted pipeline has been completed in compliance with all permit conditions and landowner agreements. The certification shall be considered by the Commission within 60 days of its filing. The Commission shall accept or reject the certification of completion and make a final determination regarding cost or reimbursements due. If the certification is rejected, the Commission shall inform the Permittee in writing which deficiencies, if corrected, will allow the certification to be accepted. When corrections to the deficiencies are completed, the Permittee shall notify the Commission, and the certification shall be reconsidered as soon as possible. After acceptance of the certification, the Commission's jurisdiction over the Permittee's pipeline routing permit shall be terminated.

Draft Site Permit