

MINNESOTA PUBLIC UTILITIES COMMISSION
PIPELINE ROUTING

**GUIDANCE FOR ROUTE PROPOSALS
SUMMARY**

Only routes which have been accepted by the Minnesota Public Utilities Commission (PUC) shall be considered at the public hearing presided over by an Administrative Law Judge later this year.

The PUC shall accept for consideration the routes and route segments proposed by the Applicant and **may** accept for consideration any other routes or route segments outside the 1.25 mile-wide Minnesota Pipe Line Company proposed route that are proposed in accord with the rules (Minn. Rule, part 4415.0075, subp. 1).

A route or route segment may have a variable width from the minimum required for the pipeline right-of-way (approximately 50 feet) up to 1.25 miles.

State agencies and the Department of Commerce (DOC) Energy Facility Permitting Staff may also make route or route segment proposals (Minn. Rule, part 4415.0075, subp. 2).

Any other person may propose a route as provided in Minnesota Rules, part 4415.0075, subp. 3.

A. The proposed route or route segment must be set out specifically on appropriate maps or aerial photos, which includes U.S. Geological Survey topographical maps (1:24,000 scale, if available), county highway maps or aerial photos.

B. The route or route segment proposal must contain a description of the existing environment along the route and an analysis of the potential human and environmental impacts that may be expected from pipeline right-of-way preparation and construction practices and operation and maintenance procedures, unless the information is substantially the same as provided by the applicant. These impacts include but are not limited to the impact for which criteria are specified in Minn. Rule, part 4415.0100 (see other side of this page for criteria).

C. The route proposal must be submitted to the PUC by 4:30 p.m. on May 30, 2006.

Route proposals must identify the project, PUC Docket No. PL5/PPL-05-2003, and be submitted to Larry Hartman, EFP Staff, Department of Commerce, 85 7th Place East, Suite 500, St. Paul, MN 55101-2198 (Tel: 651-296-5089 or email larry.hartman@state.mn.us) or contact Deborah Pile (Tel: 651-297-2375 or deborah.pile@state.mn.us), the public advisor.

Any proposer of a route or route segment which has been accepted by the PUC shall make a presentation of facts on the merits of the proposal at the public hearing.

4415.0100 CRITERIA FOR PIPELINE ROUTE SELECTION.

Subpart 1. **Scope and purpose of criteria.** The scope and purpose of this part is to specify the criteria used by the PUC in determining the route of a pipeline in Minn. Rule, parts 4415.0045 to 4415.0100. The PUC shall make a specific written finding with respect to each of the criteria. Any new easements or right-of-way agreements obtained from potentially affected landowners before issuance of a pipeline routing permit are obtained at the sole risk of the applicant. The fact that the agreements have been obtained shall not be considered by the PUC in selecting the route.

Subp. 2. **Standard.** In determining the route of a proposed pipeline, the PUC shall consider the characteristics, the potential impacts, and methods to minimize or mitigate the potential impacts of all proposed routes so that it may select a route that minimizes human and environmental impact.

Subp. 3. **Criteria.** In selecting a route for designation and issuance of a pipeline routing permit, the PUC shall consider the impact on the pipeline of the following:

A. human settlement, existence and density of populated areas, existing and planned future land use, and management plans;

B. the natural environment, public and designated lands, including but not limited to natural areas, wildlife habitat, water, and recreational lands;

C. lands of historical, archaeological, and cultural significance;

D. economies within the route, including agricultural, commercial or industrial, forestry, recreational, and mining operations;

E. pipeline cost and accessibility;

F. use of existing rights-of-way and right-of-way sharing or paralleling;

G. natural resources and features;

H. the extent to which human or environmental effects are subject to mitigation by regulatory control and by application of the permit conditions contained in Minn. Rule, part 4415.0185 for pipeline right-of-way preparation, construction, cleanup, and restoration practices;

I. cumulative potential effects of related or anticipated future pipeline construction; and

J. the relevant applicable policies, rules, and regulations of other state and federal agencies, and local government land use laws including ordinances adopted under Minnesota Statutes, section 299J.05, relating to the location, design, construction, or operation of the proposed pipeline and associated facilities.

STAT AUTH: MS § 116I.015