

SECTION B: STUDIES

- a. Studies and assessment**
- b. Contacted agencies – Federal/Regional**
- c. Permits**

SECTION B: STUDIES

- a. See the following studies and assessments (federal, regional, state and local).
This information is accurate; however the references concerning turbines will be Siemens 2.3 opposed to Mitsubishi 2.4.

Bart Schultz
Houston Engineering, Inc.
6901 East Fish Lake Road, Suite 140
Maple Grove, MN 55369

6 December 2007

Dear Bart,

I have examined all the Just Wind Phase I Turbine locations. This survey has included:

- Record search for known cultural resources.
- Visual Inspection of a 200m x 200m area around all turbine sites.
- Pedestrian archaeological survey at 15m walker spacing around turbine sites with surface visibility 30% or greater.
- 49 Soil Probes to determine need for subsurface testing.
- 77 Shovel Tests to check for the presence of subsurface archaeological materials.
- Survey of the proposed substation area.

I have preliminarily identified 5 areas of concern in the project area. *Please note that these are preliminary identifications. No action is needed at this time, and this interpretation may be modified in the process of completing the report. Some additional fieldwork may be necessary.*

- Turbine 31: Possible prehistoric and American Indian cultural material in area.
- Turbine 79: Possible prehistoric and American Indian cultural material in area.
- Turbine 1: Possible prehistoric / American Indian / historic cultural material in area.
- Area between Turbines 12 and 78: Possible prehistoric and American Indian cultural material in area.
- Turbine 56: Historic Structures possibly eligible for the National Register of Historic Places.

Tasks remaining are:

- Consultation with North Dakota Indian Affairs (per request from Jeff Metzger).
- Consultation with Standing Rock Sioux Tribe, Sisseton-Wahpeton Oyate Sioux, Spirit Lake Nation, Turtle Mountain Band of Chippewa (per request from Jeff Metzger).
- Report completion and submission to SHPO.

Once the layout for Wind Farm is complete, it will be necessary to survey the connector lines and access roads. The turbine survey has been conducted thoroughly to simplify and expedite that task. Please note that the tribal consultation process can lead to requests for further survey or research.

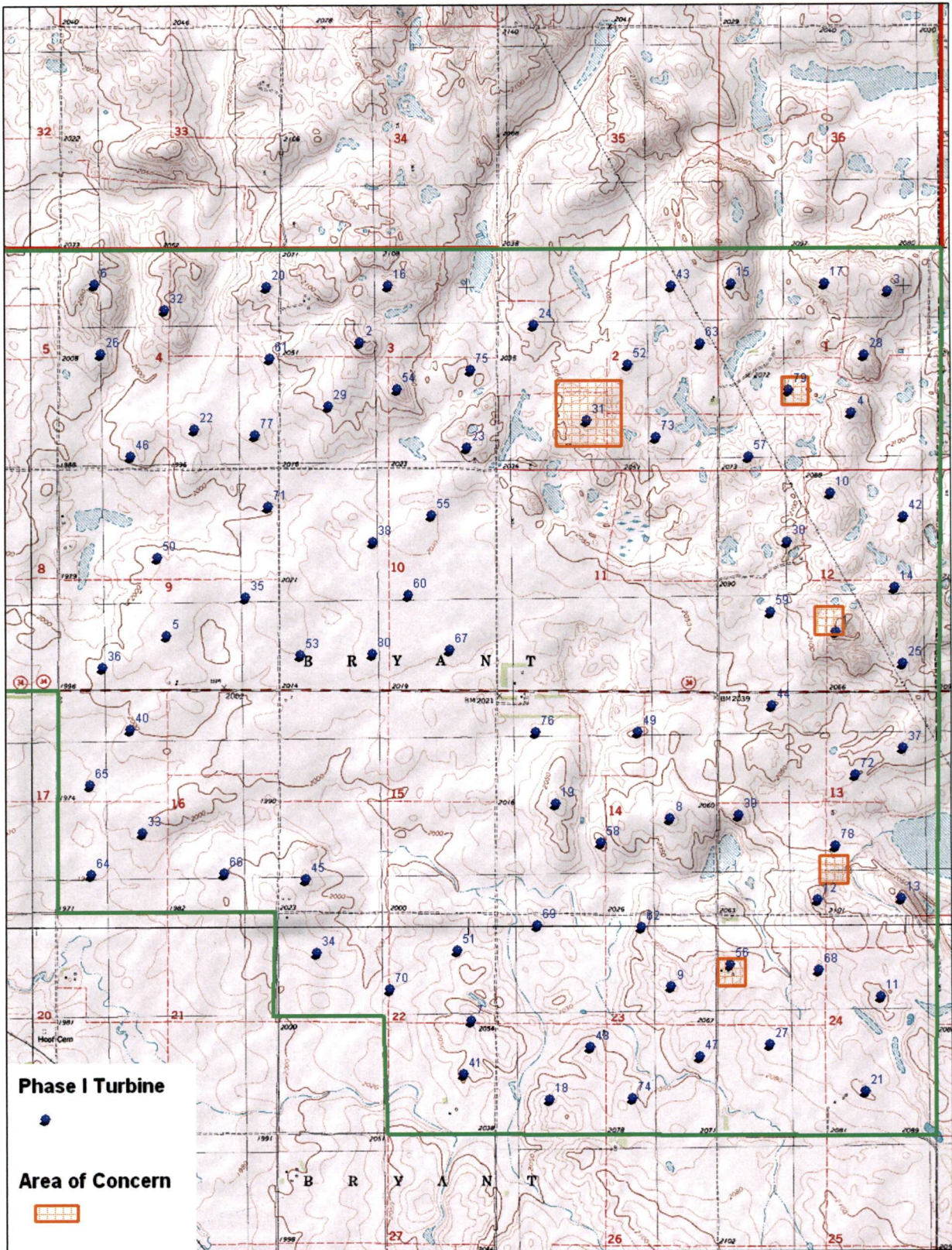
For your convenience I have attached a map of the Phase I Turbine locations and project area. Please note that North Dakota law protects information concerning the location of certain archaeological sites and this map should not be made public.

Please let me know if you have any additional questions or concerns.

Thank you,



Richard M. Rothaus, PhD
President and Principal Investigator



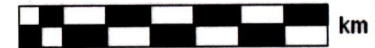
Phase I Turbine



Area of Concern



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0 1/4 1/2 3/4 1 1 1/4 1 1/2 1 3/4
 Data Zoom 12-4

Bart Schultz
Houston Engineering, Inc.
6901 East Fish Lake Road, Suite 140
Maple Grove, MN 55369

3 November 2007

Dear Bart,

To date, I have completed the following tasks for the Just Wind Cultural Resources Survey:

- Archival and background research.
- Catalog of known archaeological and architectural sites (none in project area).
- Initial Consultation with SHPO.
- Determined most efficient logistics for working in area.
- Windshield survey of Phase I and Phase II project areas.
- Survey of the proposed substation site (SW1/4 of SW1/4 of Section 26). There is a historic site here but I will recommend to SHPO that it is not eligible for the National Register of Historic Landmarks, and that nothing more is required other than my survey and documentation.
- 28 Turbine locations have been surveyed (no sites found).
- 38 Shovel Test have been made, and about 10 soil probes.
- Pedestrian Survey of 14 areas.

If the weather holds, I should be able to survey another 20-30 turbine locations this fall. They just harvested the sunflower and corn there, so much of this can be done with pedestrian survey.

Once the ground freezes I will focus on an initial report, wrapping up the substation site, and consultation with the North Dakota Indian Affairs Council and the Tribal Historic Preservation Offices, per Jeff's request.

I have attached a map of the work I have completed to date, and an invoice.

Thank you,

Richard M. Rothaus, PhD
President and Principle Investigator



People Change the Land and the Land Changes People™

1965 W. Highview Dr.
Sauk Rapids, MN 56379
320-761-9090
rothaus@trefoilcultural.com

Jeff Metzger
Just Wind, LLC
2470 Fairview Lane
Mound, Minnesota USA 55364

26 April 2008

Dear Jeff,

Attached is the preliminary Cultural Resources report for Just Wind. This will be superseded by the next report that covers all the new turbine locations. Ulteig Engineering and Houston Engineering have received copies of the report. SHPO prefers to only receive the final report, but I talk with them regularly and everything is on track.

Please let me know if you have any additional questions or concerns.

Thank you,

Richard M. Rothaus

Richard M. Rothaus, PhD
President and Principal Investigator



People Change the Land and the Land Changes People™

**Class III Cultural Resources Inventory
Preliminary Report—Bryant Township
Just Wind Wind Farm
Logan County, North Dakota**

Reported Prepared for Just Wind, LLC and Houston Engineering, Inc.

by Richard Rothaus, PhD

15 April 2008

Locational information on sensitive areas (e.g. burials, sacred areas) should be removed from this report before public distribution. This report was compiled from the best available public and private data. The accuracy of these datasets is not warranted, and Trefoil Cultural and Environmental Heritage shall not be held liable for error or omissions in these materials or for any improper or incorrect use of the information described and/or contained herein.

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PROJECT INFORMATION

Project Type/Name: Class III Cultural Resource Inventory, Bryant Township Wind Farm.
SHPO Reference No.: 07-0098b
Legal Location: Sections 13-16, 22-24, T135N R72W.
County: Logan.
USGS Quadrangle(s): Alkaline Lake SW; Burnstad
UTM Coordinate(s): 14 T 0453930, 5153400 NAD 83 (center point).
Principle Investigator: Richard Rothaus.
Responsible Agencies: North Dakota State Historic Preservation Office. Possibly ND PSC. Possibly WAPA.
Governing Laws: North Dakota Century Code (NDCC) §55-03-00 through 07; NDCC §23-06-27. NHPA/Section 106 (16 USC 470; 36 CFR 800) will apply if Federal funding or permits are received or required.
Permitting/Licensing: North Dakota State Historic Preservation Office.
Project Area (acres/ sq. m.): 5120 acres/8 sq. m.

ENVIRONMENTAL SETTING

Landform: Predominately ground moraine superimposed on pre-glacial topography.
Land Cover: Agricultural fields, pasture, prairie grasses.
Land Use: Predominantly agricultural.
Survey Limitations: None.

PROJECT PURPOSE AND DESCRIPTION

Class III Cultural Resources Survey for the *Just Wind* Wind Farm per NDSHPO Ref 07-0098a (Exhibit A). Project area is 150 turbines in Glendale, Bryant, and Starkey townships over an area of approximately 67 square miles to the northeast and southeast of the town of Napoleon (Exhibit B). This report focuses on the 2007 initial turbine layout (Exhibit C). Turbine and access road layout for this project is not yet finalized and additional archaeological fieldwork remains to be done. The initial 2008 layout is included as Exhibit D.

A Class III survey is an intensive field inventory of cultural resources and archaeological sites that have surface indications in an entire target area. ND SHPO requested pedestrian survey with recommendations for further testing where ground disturbance will occur. To streamline the process and reduce costs, Trefoil Cultural and Environmental has been in continuous consultation with SHPO and is conducting limited subsurface testing in areas where ground disturbance will occur as part of the Class III survey

AMERICAN INDIAN CONSULTATION

Just Wind, LLC is committed to identifying American Indian groups who have ancestral, aboriginal or ceded lands in or proximate to the project area, notifying such groups of the project, and offering opportunities for consultation in cultural resources issues. This concern is extended to groups who no longer reside in or near to the project area, as historical circumstance have located some groups at great distance from their homelands.

General treaty boundaries have been derived from C.C. Royce, "The Schedule of Indian Land Cessions" (Royce 1899), although there are errors and inaccuracies in that work. The project area is proximate to areas covered by the 16 March 1875 Executive Order establishing the Standing Rock Reservation (Royce 581) and the 9 August 1879 Executive Order reducing reservation boundaries in the Dakota Territory (Royce 614) (Exhibits E and F).

The project area is not within any treaty boundaries, but is part of the 1978 Indian Claim's Commission Area 79 ((Indian Claims Commission 1980) which determined that the Teton and Yanktonai Sioux have legitimate land claims in the area.

Archaeological and historical sources indicate that the area has been used by the Yankton-Yanktonai and Teton Sioux, and the Mandan people (DeMallie 2001; DeMallie 2001; DeMallie 2001; Wood and Irwin 2001). The Cheyenne were also present in this area during the 18th century (Moore, Liberty et al. 2001). The cultural affiliations of American Indian groups in the region prior to EuroAmerican contact has not been determined.

The Native American Consultation Database of the National Park Service (National Park Service 2006) was also consulted to cross-check these sources. Trefoil Cultural and Environmental also has contacted Cheryl Kulas of the North Dakota Indian Affairs Commission and Diane Lehman Turck (U.S. Department of the Interior) for guidance and suggestions of groups and individuals to consult with (Exhibit G).

Based on these sources, the following groups have been identified for notification and consultation:

- Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana
- Cheyenne and Arapaho Tribes of Oklahoma
- Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota
- Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota
- Flandreau Santee Sioux Tribe of South Dakota
- Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota
- Lower Sioux Indian Community in the State of Minnesota
- Mandan, Hidatsa and Arikara Nation (Three Affiliated Tribes), North Dakota
- Northern Cheyenne Tribe, Montana
- Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota
- Prairie Island Indian Community in the State of Minnesota
- Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota
- Santee Sioux Nation, Nebraska
- Shakopee Mdewakanton Sioux Community of Minnesota
- Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota
- Spirit Lake Tribe, North Dakota
- Standing Rock Sioux Tribe of North & South Dakota
- Upper Sioux Community, Minnesota
- Yankton Sioux Tribe of South Dakota

A project summary and notification letter request for input and identification of areas of concern is being sent to Native American groups in April 2008. A list of groups and individuals who will receive this mailing is included as Exhibit H. A copy of the letter being sent is included as Exhibit I. Follow up communication will be made to groups expressing interest will be made in summer 2008.

Stone Features

Stone features are a particular concern in North Dakota as they can represent archaeological sites as well as Native American traditional use areas. Stone features can include, but are not limited to, stone circles, tipi rings, cairns (piles), linear features, and enclosures. Determining the function of stone features is particularly difficult. Because such features can mark sacred areas, and because cairns can sometimes contain burials, it is best to err on the side of caution when doing any archaeological testing in their vicinity. (Lewis 1889; Malouf 1961; Frison 2001; Olson 2007)

Trefoil Cultural and Environmental has consulted with Byron Olson, Standing Rock Sioux Tribal Archaeologist, and Paul Picha, Chief Archaeologist, State Historical Society of North Dakota to create a protocol for investigating stone features. The protocol being used to document stone features is documented below (Project Goals and Methodology) and included in the notification letter (Exhibit I).

KNOWN ARCHAEOLOGICAL SITES

A search of computerized and paper site records was conducted at the North Dakota State Historic Preservation Office in September 2007 and March 2008. No previously identified archaeological sites or historic properties are present in the project area as currently defined (Exhibit D).

ARCHIVAL RESEARCH

General Land Office Public Land Survey Maps (1883)

The U.S. General Land Office was established in 1812 to survey and manage federal and public lands. In accordance with the Land Ordinance Act of 1785, land was partitioned into grid shaped townships and sections. Each township is comprised of 36 sections and each section is one square mile (640 acres). The project area was surveyed in 1883.

The surveys were conducted by Deputy Surveyors who were contracted in a competitive bid process. In addition to demarcating townships and sections, the Deputy Surveyors were charged with mapping the physical geography of the land. Usually the surveyors noted man-made features including structures, roads, and American Indian settlements. Surveyors generated Plat maps, and kept detailed survey notes.

The Public Land Survey (PLS) maps and notes are generally reliable. Working in an era before sophisticated mapping technology, there are some errors in measurement. The quality and accuracy of the record of physical geography and man-made features is largely dependent on the talent, interest, and ethics of the individual charged with the survey. While most surveyors were honest and diligent, some records are inaccurate and there are known cases of complete fraud, where the surveyor never actually visited the area mapped.

The 1883 GLO maps of the project area do not indicate any structures or evidence of native American or Euroamerican habitation (Exhibit J).

Andreas Atlas (1884)

A.T. Andreas compiled the *Historical Atlas of Dakota* with a team of surveyors, writers and illustrators in 1884 (Andreas 1884). The project was a money-making venture and was driven by selling subscriptions to purchasers. These purchasers would have their properties listed on township maps and received a copy of the finished volume. For additional fees, subscribers could have biographical information, sketches and

additional information included in the work. The Andreas Atlas has proven to be quite accurate, but it must be remembered that it is a “vanity” history and does not represent complete coverage.

The Andreas Atlas does not indicate any structures or evidence of native American or Euroamerican habitation (Exhibit K). It does indicate a proposed line of the Bismarck South and Eastern Railroad south of the project area, but this railroad was never actually constructed.

Historic Plat Maps

Historic plat maps can be quite useful in identifying structures and farmsteads that have elements more than 50 years old and potentially of archaeological interest. The earliest Plat Map of Logan county dates to 1916 (Standard Atlas of Logan County North Dakota 1916) (Exhibit L). Structures and farmsteads dating back to 1916 would be some of the earliest in the county and would be of particular historic interest. The map indicates multiple structures in the project area, but none at or directly adjacent to turbine locations

PROJECT OBJECTIVES

Conduct a Class III Cultural Resources Survey pursuant to North Dakota State Historic Preservation Office request of 16 November 2006. The tasks include:

1. Search existing records for known archaeological sites in project area, including a 2 mile buffer zone.
2. Catalog and provide maps of known sites in area, including a 2 mile buffer zone.
3. Evaluation of regional research and preservation issues to prioritize data collection activities.
4. Assess archaeological potential of landforms based on historical and environmental data.
5. Surface examination of entire project area.
6. Standard archaeological survey of turbine locations, substations, laydown areas, underground connection lines, access roads and related features.
7. Identification of archaeological sites and areas of concern for cultural resource management in project area.
8. Map any newly discovered archaeological sites or areas of concern and assess archaeological site boundaries as possible.
9. Evaluate need for additional subsurface testing and cultural resources inventory of project area.
10. Evaluate potential impacts of project to archaeological sites, historic structures or features and traditional cultural properties, as possible.
11. Recommend additional cultural resource inventory investigations for areas of potential ground disturbance, per NDSHPO request.
12. Complete report of findings.
13. Consultation with the State Historic Preservation Office.
14. Facilitate consultation with Tribal Historic Preservation Office(s) as appropriate.

PROJECT METHODOLOGIES

Cultural Resources Survey

1. Visual inspection of a 200m x 200m area at each turbine location for above ground indicators and landscape features that may indicate earthworks, burial mounds or cemeteries.
2. Pedestrian survey of project APE by experienced crew members where surface visibility was moderate to excellent (30% to 100% ground surface exposure) using parallel transects not more than 15 meters

apart. Pedestrian survey was conducted to locate artifacts, features, architectural remains and other evidence of human occupation or utilization. Pedestrian survey was not conducted in areas with extremely steep slopes (>15%), or in areas covered with standing water.

3. Manual 3/4 inch soil probes and/or shovel testing at each turbine location to confirm adequacy of pedestrian survey. Subsurface testing was used to assess landform, assess soil integrity, and to check for buried soil horizons in areas covered by pedestrian survey. Basic stratigraphy of soils was recorded. Presence of buried soil horizons was taken as an indicator that pedestrian survey was an insufficient survey technique. Areas visibly eroded to subsoil were determined suitable for pedestrian survey with minimal of subsurface testing.
4. One to four shovel tests at turbine locations not suited to pedestrian survey because of low visibility or presence of buried soils and in areas considered high potential by investigators. Shovel tests were typically 35 to 40 centimeters (cm) in diameter, and were excavated to culturally sterile subsoil. Sterile subsoil is defined as subsolum or C-horizon, ranging from 10 to 90 centimeters in depth. All shovel test soil was screened through 1/4 inch hardware cloth and examined for artifacts and ecofacts. Soil descriptions, generalized colors and basic stratigraphy were recorded for each test, and the test holes were immediately back-filled. Artifacts were photographed, identified and left in the field. Shovel tests were not placed in areas with steep slopes (>15%), or in areas covered with standing water.
5. All tests and survey areas were mapped using GPS with an accuracy of 3m or better.
6. Identification of site boundaries (if any) using appropriate Phase I methodologies, including, but not limited to, surface collection and shovel testing.

Stone Features Survey Protocol

Stone features are a particular concern in North Dakota as they can represent archaeological sites as well as Native American traditional use areas. For this reason a special protocol is used for these features. Stone features are any human constructed pile of stones and can include, but are not limited to, stone circles, tipi rings, cairns (piles), linear features, and enclosures.

1. Field stone piles that are obviously of recent agricultural nature are excluded from this protocol. Such piles are identified by size (generally larger than 10 feet by 10 feet), presence of extremely large stones (boulders), presence of large rocks scarred by machinery, and location on field edges or in enclosures. Absence of lichen or stones embedded in sod is not in and of itself sufficient to indicate a stone pile is of recent origin. Historic or prehistoric features that have been mechanically disturbed should not be categorized as field stone piles.
2. Stone features are not to be disturbed by moving or displacing stones. Assume the feature has traditional use or burial significance unless determined otherwise.
3. Shovel testing should not be conducted on the landform containing the stone feature. If the landform cannot be clearly defined, shovel testing should not be conducted within 250 feet of the stone feature.
4. Stone features should be photographed from several angles including a photograph that illustrates their setting in the landscape.
5. Maximum, minimum and average size of stones composing the feature should be measured.
6. Lichen growth, presence of sod build-up around stone and other indicators of aging should be made. No assumptions about age should be made, however.
7. Features should be measured and orientation noted. Sketch map should be made. If feature has figural elements (e.g. a "medicine wheel") a scale plan should be made.

8. GPS measurement of center of feature should be made. If the feature is large, multiple GPS measurements including center and perimeter should be made.
9. Identify the land owner or user and collect information as appropriate.
10. Locational and descriptive information should be treated as confidential. Do not reveal the location of these features.

PRELIMINARY SURVEY ACTIVITY

1. Visual Inspection of a 200m x 200m area around all 2007 layout turbine locations has been completed (Exhibit C).
2. Pedestrian Survey of 36 turbine locations was conducted (Exhibit M).
3. 49 soil probes were made (Exhibits N and O).
4. 77 Shovel tests were made (Exhibits P and Q).

PRELIMINARY SURVEY RESULTS

Six archaeological sites have been discovered to date (Exhibit R). While several of these were adjacent to preliminary turbine locations, the revised 2008 turbine layout avoids all of these sites (Exhibit S). All cairns have been avoided by a minimum of 500 ft.

Location (UTM 14T NAD 83)	Location (Legal)	Description	Status
0448040, 5153630	NE ¼ of SW ¼ of Sec 1, T135, R72	One prehistoric find—flake of knife river flint found during surface survey. Subsurface testing should be conducted at this location.	Needs additional testing.
0448282, 5152021	NW ¼ of SE ¼ of Sec 12, T135, R72	Rubble wall from historic structure. Small scatter of historic ceramics. Also pit to south of walls.	Avoided.
0448302, 5150226	NW ¼ of SE ¼ of Sec 13, T135, R72	4 small cairns midslope above lake. May be historic but identification uncertain.	Avoided. New turbine location to west needs testing.
0446533, 5153575	E ½ of SW ¼ of Sec 2, T135, R72	6 small cairns clustered on small rise above circular depression. Cairns are spread out of an area of about 275m. May be historic but identification uncertain.	Avoided. New turbine location to west needs testing.
0447533, 5149455	NW ¼ of NW ¼ of Sec 24, T135, R72	Several intact historic farmstead structures.	Avoided.
0448372, 5151977	NW ¼ of SW ¼ of Sec 12, T135, R72	“Dinosaurs on the Prairie.” Collection of historic threshing machine arranged on ridge line. Potentially eligible for the National Register of Historic Places.	Avoided.

PRELIMINARY RECOMMENDATIONS

The 2008 revised turbine layout identifies 150 turbine locations that still need to be surveyed. One site tested in 2007 needs additional testing. SHPO has requested that the access roads be tested using the same methodology as turbine locations.

CONTRACTOR ASSURANCE

Trefoil Cultural and Environmental Heritage hereby assures that the results of this project as reported here are correct within the limitations of the methodologies used.

- 1) Archaeological testing was performed only within the project boundaries as defined in this report. If it becomes necessary to expand the project beyond those proposed boundaries additional testing may be required.
- 2) These standard archaeological survey techniques cannot always detect buried features (e.g. pits, graves). If archaeological materials are discovered during construction, the immediate discovery area should be avoided until the significance of the find can be assessed. Inadvertent discoveries can still be encountered in areas determined by the archaeologists to have been disturbed.

EXHIBIT A: SHPO CORRESPONDENCE

Just Wind LLC

952#495#0050

p.1

206179
CN



STATE
HISTORICAL
SOCIETY
OF NORTH DAKOTA

John Hoeven
Governor of North Dakota

North Dakota
State Historical Board

Marvin L. Kaner
Williston - President

Albert I. Berger
Grand Forks - Vice President

Chester E. Nelson, Jr.
Bismarck - Secretary

Gerald Gerstholz
Valley City

A. Ruric Todd III
Jamestown

Dave K. Larson
Bismarck

John E. Von Rueden
Bismarck

Sara Orte Coleman
Director
Tourism Division

Kelly Schmidt
State Treasurer

Alvin A. Jaeger
Secretary of State

Douglas Prchal
Director
Parks and Recreation
Department

Francis Ziegler
Director
Department of
Transportation

Merlan E. Paaverud, Jr.
Director

Accredited by the
American Association
of Museums

November 16, 2006

Mr. Jeffrey L. Metzger
Just Wind-Wind Farm Development
2470 Fairview Lane
Mound, MN 55364

NDSHPO REF. : 07-0098a Bryant Township Wind Farm and Transmission
Corridor, Logan County, North Dakota (T135N R72W Sections 13-16, 22-
24)

Dear Mr. Metzger:

We have received and reviewed recent project correspondence for: "07-0098a
Bryant Township Wind Farm and Transmission Corridor, Logan County, North
Dakota."

Our NDCRS data base and file records indicate that the listed parcels (sections)
in question have not been previously inventoried for cultural resources, and as a
result there are no recorded sites in or near the project area. There is potential
for unrecorded sites in a variety of physiographic settings within the overall
project area. We recommend that a Class III Cultural Resource Inventory
(pedestrian survey) be conducted for the project area. In particular, when
turbine locations, access roads, transmission line corridors, and other areas
involving potential ground disturbance are identified we request the opportunity
to review this information and the accompanying recommendations for cultural
resource inventory investigations. Finally, if the project involves federal and/or
state monies or permits, we strongly encourage consultation with the federal
and/or state agency(ies) at the earliest stage in the process to seek their input
and recommendations regarding it.

Thank you for the opportunity to review the project and we look forward to
further consultation on it. If you have questions please contact either Susan
Quinnell at (701) 328-3576 or Paul Picha at (701) 328-3574.

Sincerely,

Merlan E. Paaverud, Jr.
State Historic Preservation Officer (North Dakota)
and
Director, State Historical Society of North Dakota

North Dakota Heritage Center • 612 East Boulevard Avenue, Bismarck, ND 58505-0830 • Phone 701-328-2666 • Fax 701-328-3710
Email: histsoc@state.nd.us • Web site: <http://www.nd.gov/hist> TTY: 1-800-365-6888

EXHIBIT B: PROJECT AREA

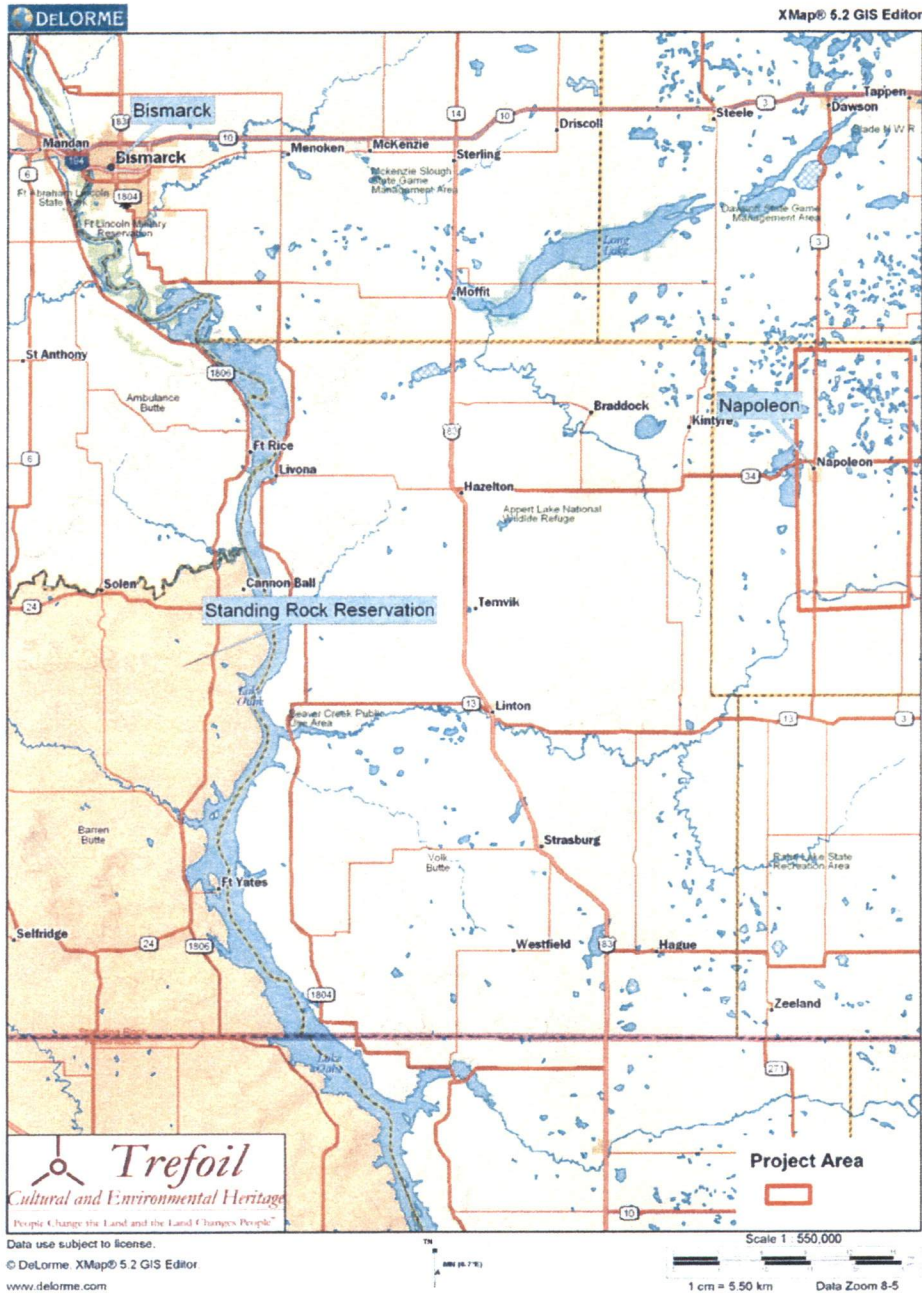


EXHIBIT C: 2007 LAYOUT

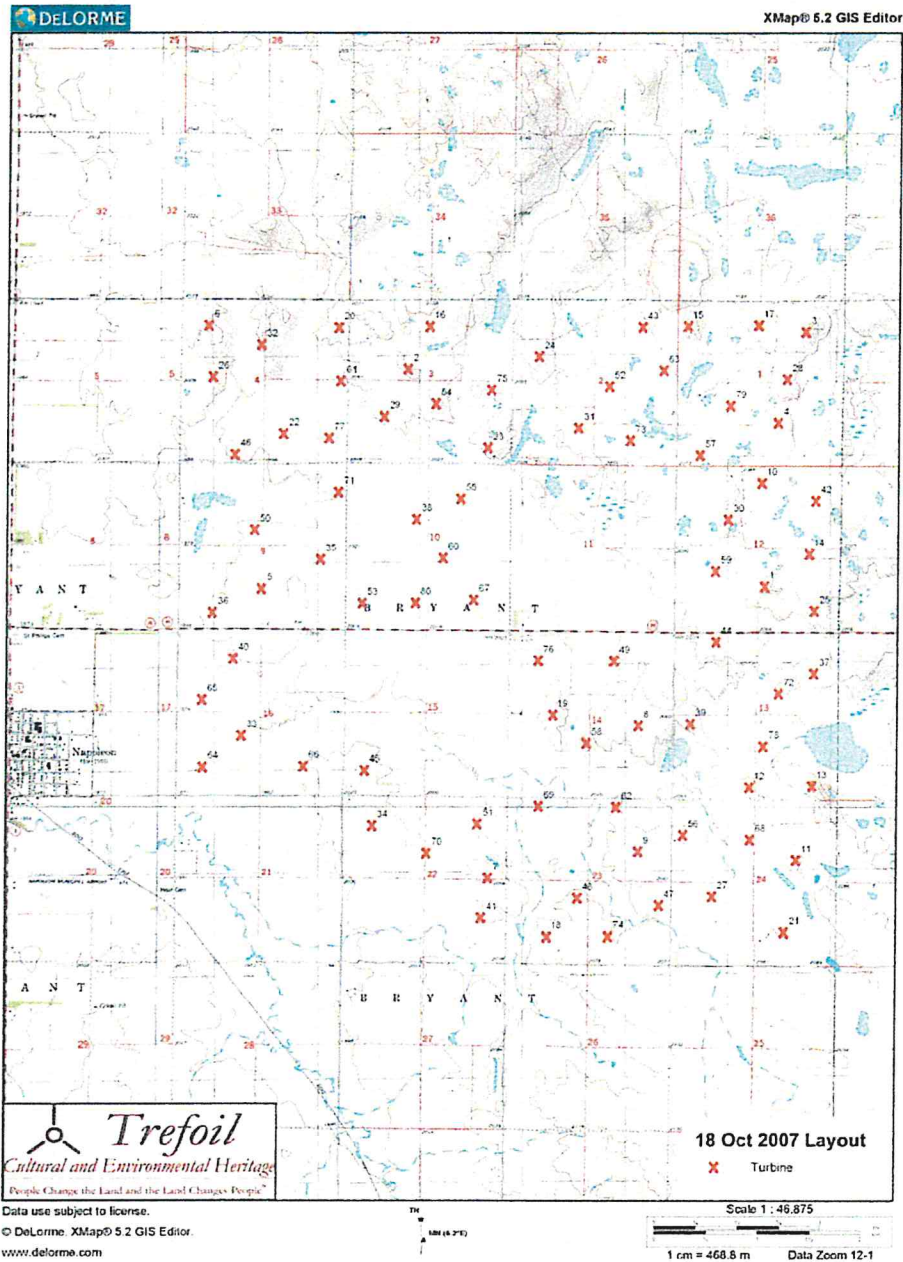


EXHIBIT D: 2008 LAYOUT

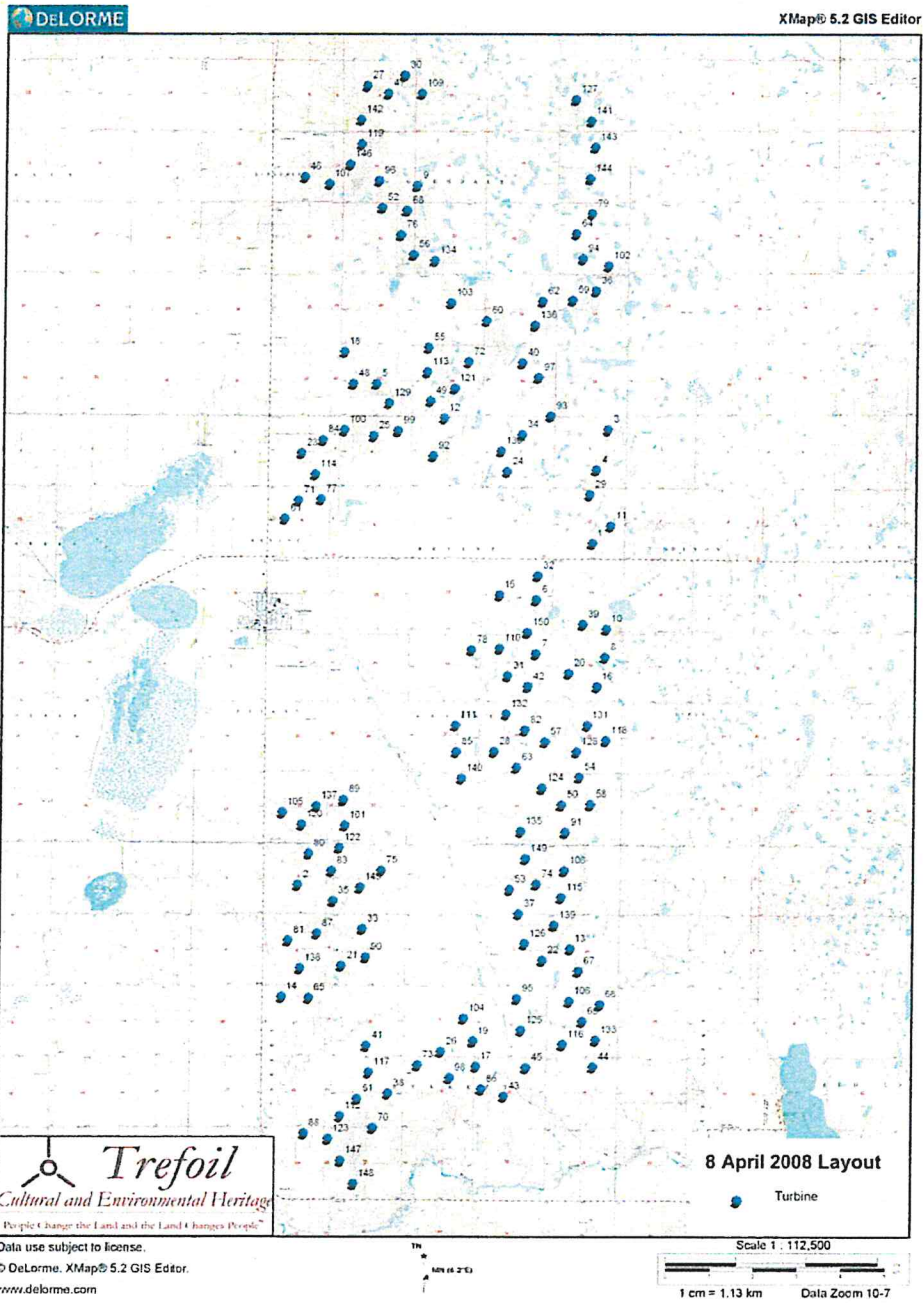
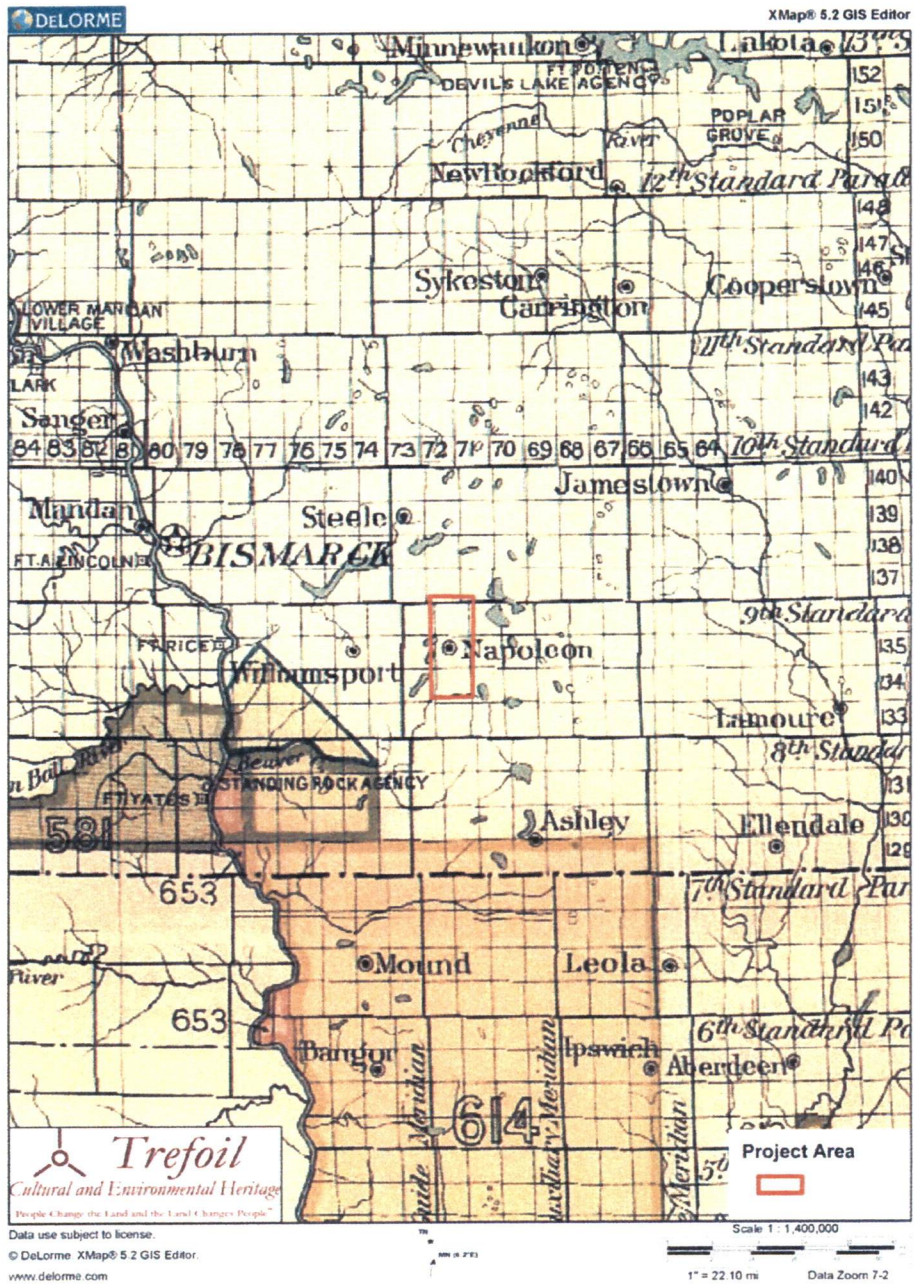


EXHIBIT E: ROYCE 1 MAP



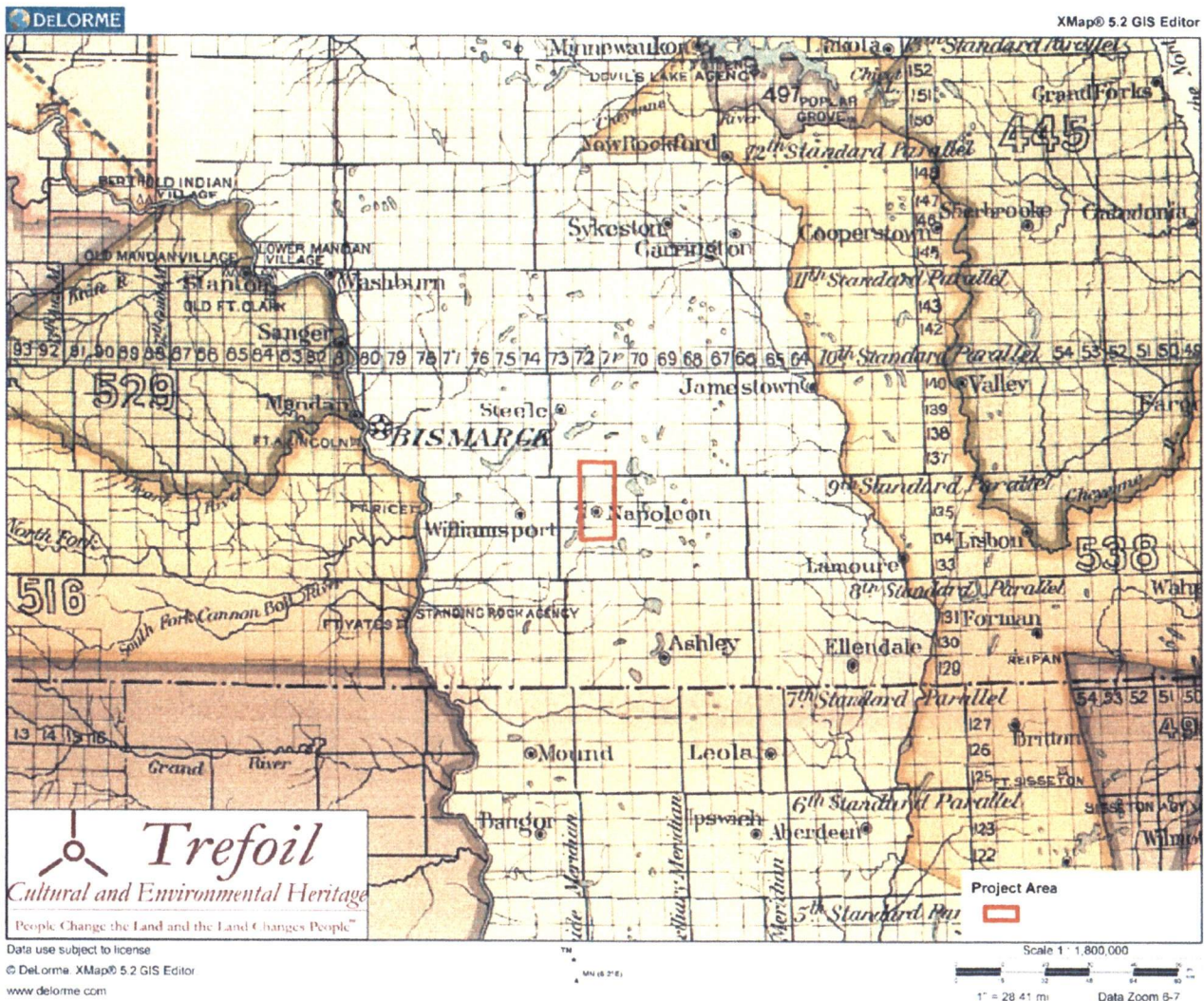


EXHIBIT F: ROYCE 2 MAP

EXHIBIT G: CORRESPONDENCE WITH NORTH DAKOTA INDIAN AFFAIRS COMMISSION

Richard M. Rothaus

From: Kulas, Cheryl M. [ckulas@nd.gov]
Sent: Monday, March 17, 2008 4:03 PM
To: rothaus@trefoilmcultural.com
Subject: RE: Meeting about Wind Farm

Mr. Rothaus: I believe there is a federal process that has to occur in issues of cultural resources and traditional properties survey. Since many historical cultural resources exist all over the state, you will need to go through the United States Department of Interior, Bureau of Reclamation to meet the requirement of for consultation under the National Historic Preservation Act.

The office you would contact is: The US Department of Interior, Bureau of Reclamation, Dakotas Area Office, PO Box 1017, Bismarck, North Dakota, 58502. Ms. Diane L. Lehman Turck, who is the Area Archeologist and would direct you on how to undertake the process. Their telephone # is: 701-221-1287.

Regards,

Cheryl M. Kulas, Executive Director
North Dakota Indian Affairs Commission
600 E. Boulevard Avenue, 1st Floor, Judicial Wing
Bismarck, North Dakota 58505-0300
Phone: 701.328.2432
Fax: 701. 328.1537
Email: ckulas@nd.gov
Homepage: www.health.state.nd.us/ndiac

From: Richard Rothaus [mailto:rothaus@trefoilmcultural.com]
Sent: Monday, March 17, 2008 3:51 PM
To: Kulas, Cheryl M.
Subject: Meeting about Wind Farm

I am an archaeologist working on the Just Wind wind farm project in Napoleon, ND. I would like to meet with you or the appropriate staff member to discuss how we are approaching the cultural resource and traditional properties survey. I will be in the Bismarck area Tuesday to mid day on Friday and hope we can set up a meeting. As I am on the road, the best way to reach me is my cell phone—320-761-9090, and I do check email each evening as well.

Thank you,

Richard M. Rothaus, PhD
President and Principal Investigator

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EXHIBIT H: NATIVE AMERICAN NOTIFICATION MAILING LIST

Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana	Assiniboine & Sioux Tribes Cultural Resource Committee Attention: Curley Yupee PO Box 1027 Fort Peck Agency Poplar, Mt 5925
Cheyenne and Arapaho Tribes of Oklahoma	Gordon Yellowman Coordinator, Culture and Heritage Program Cheyenne and Arapaho Tribes of Oklahoma 700 North Black Kettle Blvd. Concho, OK 73022
Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota	Albert M. LeBeau, III, THPO CRST Preservation Office PO Box 590 Eagle Butte, SD 57625
Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota	Chairman Lester Thompson, Jr. Crow Creek Sioux Tribe PO Box 50 Ft. Thompson, SD 57339-0050
Flandreau Santee Sioux Tribe of South Dakota	Sam Allen Flandreau Santee Sioux Tribe P.O. Box 283, 603 W. Broad Avenue Flandreau, South Dakota 57028
Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota	Scott Jones Cultural Resource Director Lower Brule Sioux Tribe 187 Oyate Circle Lower Brule, South Dakota 57548
Lower Sioux Indian Community in the State of Minnesota	Pam Halverson, THPO Lower Sioux Indian Community 39527 Res. Highway 1 P.O. Box 3078 Morton, MN 56270
Mandan, Hidatsa and Arikara Nation (Three Affiliated Tribes), North Dakota	Perry Brady, THPO Three Affiliated Tribes 404 Frontage Road New Town ND 58763
Northern Cheyenne Tribe, Montana	Conrad Fisher, THPO Northern Cheyenne Tribe PO Box 128 Lame Deer, MT 59043
Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota	Mr. Edgar Bear Runner Tribal Historic Preservation Officer Oglala Sioux Tribe P.O. Box 2070

	Pine Ridge, SD 57770
Prairie Island Indian Community in the State of Minnesota	Audrey Bennett, President Prairie Island Indian Community 5636 Sturgeon Lake Road Welch, MN 55089
Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota	Russell Eagle Bear, THPO Rosebud Sioux Tribe PO Box 809 Rosebud, SD 57570
Santee Sioux Nation, Nebraska	Roger Trudell, Chairman Santee Sioux Nation 108 Spirit Lake Ave. West Niobrara, NE 68760-7219
Shakopee Mdewakanton Sioux Community of Minnesota	Leonard Wabasha Shakopee Mdewakanton Sioux Community 2230 Sioux Trail NW Prior Lake, MN 55372-9077
Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota	Dianne Desrosiers, THPO Sisseton-Wahpeton Oyate Old Agency Box 509 Agency Village, SD 57262-0509
Spirit Lake Tribe, North Dakota	Myra Pearson Chairperson Spirit Lake Sioux Tribe P.O. Box 359 Fort Totten, ND 58335
Standing Rock Sioux Tribe of North & South Dakota	Tim Mentz, Sr., THPO Standing Rock Sioux Tribe PO Box D Fort Yates, ND 58538
Upper Sioux Community, Minnesota	Kevin Jensvold, Chairman Upper Sioux Indian Community P.O. Box 147 Granite Falls, MN 56241-0417
Yankton Sioux Tribe of South Dakota	Chairperson Robert Cournoyer Yankton Sioux Tribe PO Box 248 Marty, SD 57361-0248

EXHIBIT I: SAMPLE TRIBAL NOTIFICATION LETTER



1965 W. Highview Dr.
Sauk Rapids, MN 56379
320-761-9090
rothaus@trefoilcultural.com

THPO
Tribe
Address

April 2008

This notification is being made on behalf of my client, Just Wind, LLC (Mound, MN). Just Wind, LLC is constructing a large wind farm near the town of Napoleon, North Dakota. Currently there is no federal involvement in this project and it is not subject to the Section 106 process. The project leaders, however, still wish to notify the appropriate Tribal Historic Preservation Officers or appropriate representatives and create an opportunity for informal consultation for those who wish.

The Just Wind Wind Farm will be located southeast of Bismarck, ND and is adjacent to the town of Napoleon, ND (see attached map). Background research is complete and there are no known archaeological sites or properties eligible or potentially eligible for the National Register of Historic Places in or adjacent to the project area. The wind farm will have approximately 150 turbines and associated access roads and transmission lines. We conducted a preliminary cultural resources survey in fall of 2007, and we will be doing the main cultural resources survey during the summer of 2008. We have already noted one prehistoric site and several historic sites in the project area. We identified several possible stone features (cairns) in the project area, and local informants have reported the presence of "tipi rings" in the northern part of the project area.

For your information I have enclosed a copy of our normal archaeological survey methodology for wind farms, and also the protocol we will be following when we encounter stone features. We certainly welcome your comments and suggestions on the research method. Just Wind is committed to an avoidance approach, and as we have identified sites or areas of concerns, they have moved turbine to other locations. If you are aware of traditional use properties or other areas of concern in or adjacent to the project area, please notify me so that project plans can be modified appropriately.

Please contact me if you have any comments, questions or concerns or wish to receive additional information.

Respectfully yours,

Richard M. Rothaus, PhD
President and Principal Investigator

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