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November 10, 2008

Peggy J. Boden
Cultural Resources Specialist
Mergent, Inc.
615 First Avenue NE, Suite 425
Minneapolis, MN 55413

**NDSHPO REF. : 08-1277a PSC Mergent/Whiting Robinson Lake Pipeline
Class I CRI and Identification Efforts (Class III CRI): Executive Summary**

Dear Peggy:

We have received and reviewed project correspondence and documentation of November 5 for **08-1277a**: "Executive Summary: Class III Intensive Inventory Robinson Lake Pipeline Project, Mountrail County, North Dakota," (Peggy J. Boden, Mergent, November 2008) and find it acceptable. We concur with the scope and level of identification efforts for the project.

The management recommendations regarding site avoidance strategies for unevaluated-undetermined sites are acceptable as specified in the Executive Summary (pp. 5-7) and as listed in Table 2. We concur that the isolated finds listed in Table 2 are not significant and are not eligible for listing in the National Register of Historic Places. Likewise, we concur that the seven (7) historic sites/components described and listed in Table 2 are not significant and are not eligible for listing in the National Register of Historic Places. *We look forward to reviewing the final report covering the investigations with NDCRS SITS assignments, and with final significance and effect determinations provided.*

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

Sincerely,

Merlan E. Paaverud, Jr.
State Historic Preservation Officer (North Dakota)
and

Director, State Historical Society of North Dakota
c: Susan E. Wefald, President, Commissioner, PSC

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**Letter re. Class I CRI and Identification Efforts -
Executive Summary**

State Historical Society of North Dakota

Merlan Paaverud

the Class III project were prepared to discover stone circle sites and material scatters, the two most common site types identified during the Class I Literature Search and known from the region.

Class III Intensive Inventory

Between September 23 and October 10, 2008 Metcalf Archaeology Consultants (Metcalf) conducted the Class III Intensive Inventory field survey along the proposed oil pipeline route. Damita Hiemstra supervised the field work for the approximate southern half of the linear route and Ed Stine supervised the field work for the northern half, including the survey of approximately 240 acres in Section 27. Ed and his crew also conducted limited shovel testing at two sites (MAC-RLS-3 and MAC-RLS-4). Also, Ed's crew surveyed an additional 100 feet east of the location of site MAC-RLS-6 for a possible pipeline re-route.

The Class III Intensive Inventory was a 100% pedestrian field survey, with shovel probes limited to specific site testing. When archaeological sites were encountered, the field crews thoroughly recorded them with drawings, photographs, and written descriptions. GPS readings for sites, and features within a site were taken using a hand-held Garmin unit.

If sites were encountered within or very near the 45-foot pipeline route, Metcalf field crew notified Merjent. During the field survey, Merjent consulted with NDSHPO about potential impacts to archaeological resources and avoidance treatments (P. Boden memo to P. Picha dated Oct. 1, 2008).

Post field work, archaeological sites were plotted on digital topographic maps, and field drawings were also digitized. Deed research was undertaken for historic sites in order to determine if any significant persons lived there, or if former land use suggested that significant information might be gained from the site.

During the course of the Class III field survey, Metcalf revisited two previously recorded archaeological sites, and recorded 17 new sites and six isolated finds. The findings of the Class III field survey are summarized in Table 2, along with recommended treatment during pipeline construction. The North Dakota site forms should be consulted for details such as field drawings, feature and artifact descriptions, and photographs.

Table 2. Summary of archaeological resources recorded along the Robinson Lake pipeline route, Class III Intensive Inventory.

Field Site No.	Description	NRHP eligibility recommendation	Treatment recommendation
<i>Previously recorded archaeological sites</i>			
32MN460	Prehistoric stone circles	Undetermined	Not in pipeline route, no treatment
32MN461	Stone circles, hearths, ground depressions	Undetermined	Pipeline re-routed to avoid this site, no treatment

<i>Archaeological sites recorded during Class III field survey</i>			
MAC-RLS-1	Historic road bed	Not eligible	No treatment
MAC-RLS-2	Historic ground depressions/ Undetermined affiliation rock platform	Ground depressions not eligible, deed research complete/ Rock platform undetermined	Rock platform not near proposed pipeline route; avoid platform (possible burial) if route changes.
MAC-RLS-3	Historic ground depressions	Not eligible, deed research complete	No treatment
MAC-RLS-4	Prehistoric stone circles Historic habitation The gas pipeline was constructed through the site. Pile of rocks near construction trench probable site disturbance.	Historic component not eligible (deed research completed; Prehistoric component undetermined	Avoid stone circles with a minimum 50-ft buffer; monitor as needed.
MAC-RLS-5	Prehistoric stone circle/artifact scatter	Undetermined	Avoid stone circle with a minimum 50-ft buffer; monitor as needed.
MAC-RLS-6	Prehistoric stone circles Construction of gas pipeline damaged eastern-most stone circle	Undetermined	Avoid stone circles with a minimum 50-ft buffer; re-route as needed laterally to east; monitor as needed.
MAC-RLS-7	Prehistoric stone circles	Undetermined	Not near proposed pipeline route; avoid stone circles if route changes.
MAC-RLS-8	Historic foundations	Not eligible, deed research completed	Not near proposed pipeline route; avoid feature 2 (possible grave) if route changes.
MAC-RLS-9	Prehistoric stone circle	Undetermined	Not near proposed pipeline route; avoid stone circles if route changes.
MAC-RLS-10	Prehistoric stone circle	Undetermined	Not near proposed pipeline route; avoid stone circles if route changes.
MAC-RLS-11	Prehistoric cairn	Undetermined	Not near proposed pipeline route; avoid cairn if route changes.
MAC-RLS-12	Prehistoric stone circle	Undetermined	Not near proposed pipeline route; avoid stone circle if route changes.
MAC-RLS-13	Prehistoric cairn	Undetermined	Not near proposed pipeline route; avoid cairn if route changes.
MAC-RLS-14	Prehistoric stone circles	Undetermined	Not near proposed pipeline route; avoid stone circles if route changes.
MAC-RLS-15	Prehistoric cairn	Undetermined	Not near proposed pipeline route; avoid cairn if route changes.
MAC-RLS-16	Historic foundation	Not eligible, deed research complete	No treatment

MAC-RLS-17	Architectural corral	Not eligible, deed research complete	No treatment
<i>Isolated finds</i>			
MAC-RLS-x1	2 KRF flakes Prehistoric isolated find	Not eligible	No treatment
MAC-RLS-x2	1 KRF flake Prehistoric isolated find	Not eligible	No treatment
MAC-RLS-x3	1 KRF flake Prehistoric isolated find	Not eligible	No treatment
MAC-RLS-x4	1 Swan River Chert flake Prehistoric isolate find	Not eligible	No treatment
MAC-RLS-x6	1 lithic flake Prehistoric isolated find	Not eligible	No treatment
MAC-RLS-x7	1 lithic flake Prehistoric isolated find	Not eligible	No treatment

A total of 19 archaeological sites were documented in the field; two previously recorded sites and 17 newly discovered sites. Of these, 12 date to the prehistoric period and five date to the historic period. The 12 prehistoric sites are dominated by stone circles, with a few stone cairns and just one artifact scatter. The historic sites are deteriorated buildings, generally just a ground depression left to show where a dug out building once stood, or in the case of MAC-RLS-17, the deteriorated remnants of a shed and an animal corral. No standing structures were recorded within 50 feet of either the proposed oil pipeline route, or the constructed natural gas pipeline trench.

Two sites are multi-component: MAC-RLS-2 is a ground depression that represents a former historic dwelling and a roughly rectangular rock platform that may date to the prehistoric period. MAC-RLS-4 is a former historic habitation site, with stone foundations, an earthen berm foundation and a dump, along with a series of four stone circles and a possible cairn that date to the prehistoric period.

Six isolated finds were recorded during the field survey. These are all lithic flakes found on the surface. As isolated artifacts found outside of any meaningful context, these are not eligible for listing on the NRHP and require no treatment during ground disturbing activity.

Prehistoric stone circles are the dominant site type discovered during the inventory. These sites represent temporary occupation by Native American peoples and are a tangible reminder of their nomadic tribal life. As such they are important to living American Indian groups. Stone circles are ubiquitous throughout this region, and although every isolated circle or small group of circles and associated features such as cairns and hearths, does not meet the criteria for listing on the NRHP, each stone circle site can contribute as an element of a multiple property nomination, or as a part of a landscape study. Stone circles and associated features should be protected.

Recommendations

The goals of this cultural resources project are to avoid impacts to significant historic properties during construction of the pipeline, and to assess impacts from construction of