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**PUBLIC SERVICE COMMISSION**

December 29, 2010

Darrell Nitschke  
North Dakota Public Service Commission  
600 E. Blvd. Dept. 408  
Bismarck, ND 58505-0480

**SUBJECT: Oliver III Transmission Line, Case No. PU-09-724**

Dear Mr. Nitschke,

On behalf of NextEra Energy Resources, Inc., Tetra Tech is pleased to provide you one original and ten copies of the following document as late-filed exhibit in support of the Application for a Certificate of Corridor Compatibility and Application for a Route Permit for the above referenced project:

- Cultural Resources Inventory Summary

Due to the sensitive nature of the information presented in this document, only a summary will be submitted in order to protect the location of these features. The full report will be submitted to the North Dakota State Historic Preservation Office for their review.

Please feel free to contact me at (617) 443-7552 or [Tracey.Martorano@tetrattech.com](mailto:Tracey.Martorano@tetrattech.com) if you have any questions.

Sincerely,

**TETRA TECH EC, INCORPORATED**

**Tracey M. Martorano, P.E.**  
Senior Project Manager

**SUMMARY OF THE CLASS III CULTURAL RESOURCES  
INVESTIGATION  
OLIVER III TRANSMISSION LINE  
  
MORTON AND OLIVER COUNTIES  
NORTH DAKOTA**



**Prepared for:**



NextEra Energy Resources, LLC  
700 Universe Boulevard  
Juno Beach, Florida 33408

**Prepared by:**



Tetra Tech  
2001 Killebrew Drive, Suite 141  
Bloomington, Minnesota 55425  
(612) 643-2200

**December 13, 2010**

This summary presents the findings of the Class III Cultural Resources Investigation for the Oliver III Transmission Line (the Project) located approximately 20 miles (mi) (32 kilometers [km]) northwest of Bismarck, in Morton and Oliver Counties, North Dakota. Work was performed by Tetra Tech under contract to NextEra Energy Resources LLC (NextEra Energy). The proposed Project includes the construction of a 9.2-mi (14.8-km) transmission line connecting the proposed Morton County Wind Energy Center to the Oliver Phase II Substation. The proposed Project also includes the expansion of the Oliver Phase II Substation. The transmission line (including a 150-foot (ft) (45.7 meter [m]) buffer where applicable) and substation expansion, herein known as the area of potential effects (APE) for direct effects, encompass approximately 132.8 acres (53.7 hectares). Two alternative routes have been identified running parallel and approximately 75 ft (22.9 m) on either side of the primary route for approximately 3,300 ft (1,005.8 m) from Poles 74 to 81. These alternative routes were included within the APE.

The Project requires a certificate of corridor compatibility and a route permit from the North Dakota Public Service Commission (PSC); therefore, the Project is subject to review by the State Historical Society of North Dakota (SHSND) under the North Dakota Century Code 55-02-07. The purpose of this investigation was to provide the necessary information for SHSND review by confirming the presence or absence of archaeological sites and architectural history properties within the APE for direct effects, and to confirm the presence or absence of architectural properties within the 1-mi (1.6 km) APE for visual impacts.

This investigation was initiated in July 2009 with a literature review performed at the SHSND. The records search included archaeological and architectural history site/property forms, previous surveys, General Land Office Maps, plat maps and atlases, and county histories. The results of the literature review indicated that no previously documented archaeological or architectural properties were located within the APE for direct effects. Thirty-five archaeological sites, eight archaeological site leads, and one architectural property have been documented within 1 mile of the proposed route; however, none of these sites or the single architectural property were listed or have been determined eligible for listing on the National Register of Historic Places (NRHP). The review of the General Land Office Maps, plat maps and atlases, and county histories indicated the area along the proposed route was sparsely populated from the area's initial Euro-American (i.e., Americans of European descent) settlement in the late 1800s to the present day.

The field investigation along the proposed route was conducted in three phases. The initial phase of field survey was conducted in October 2009 and included a pedestrian survey of approximately 3.3 mi (5.3 km) of the proposed route. The remaining segment of proposed route could not be surveyed in October 2009 due to on-going negotiations for lease agreements. By April 2010, nearly the entire length of the proposed route was available to survey with the exception of the northern-most 1.25 mi (2.01 km) belonging to Minnkota Power. This second phase of the field investigation included a pedestrian survey of approximately 6.5 mi (10.5 km) of the proposed

route and identification of areas that might require subsurface testing due to an increased potential for buried archaeological sites. Only one area was identified as having an increased potential to contain buried archaeological sites; this was the valley of Square Butte Creek located in the northern portion of the Project area. Since the distance along the proposed route recommended for subsurface testing was rather long, approximately 0.7 mi (1.1 km), Tetra Tech proposed to conduct subsurface tests at the expected pole locations within the valley of Square Butte Creek. By September 2010, Tetra Tech had access to the Minnkota Property and had also received a transmission line layout indicating the expected pole locations for the primary route. In September 2010, the third phase of the field investigation was conducted, which included a pedestrian survey of the proposed route on Minnkota Property and subsurface testing at the expected pole locations along the primary route within the valley of Square Butte Creek.

During the three phases of the field investigation, Tetra Tech documented eight archaeological sites, two site leads, and four Euro-American stone piles within the current APE for direct effects. Upon the request of Mr. Paul Picha, State Historic Preservation Office Archaeologist, the four Euro-American stone piles were not recorded as archaeological sites. The eight archaeological sites include:

- Two Euro-American stone alignments (Sites 32OL588 and 32MO1094). These are interpreted as linear stone property markers and avoidance is recommended;
- Two Native American stone cairn sites (Sites 32OL586, 32OL587). Although the function of cairns often varies, Site 32OL586 consists of an east-west alignment of six small cairns that may have functioned as a trail marker. Site 32OL587, situated on top of a hill, consists of three cairns that may have functioned as a trail marker or mortuary site. Avoidance is recommended for both sites;
- Two Native American stone circles (Sites 32OL589 and 32OL591). These sites are interpreted as habitation sites. Avoidance is recommended for both sites;
- One Euro-American farmstead (32MO1091). This is an abandoned farmstead, avoidance is recommended;
- One stone pile of unknown cultural affiliation (32OL583). This is a stone pile of unknown affiliation. Avoidance is recommended; and,
- The two site leads (Sites 32OLx60 and 32OLx61). These are Native American, temporally non-diagnostic, chipped stone isolated finds. Avoidance is not necessary for the site leads.

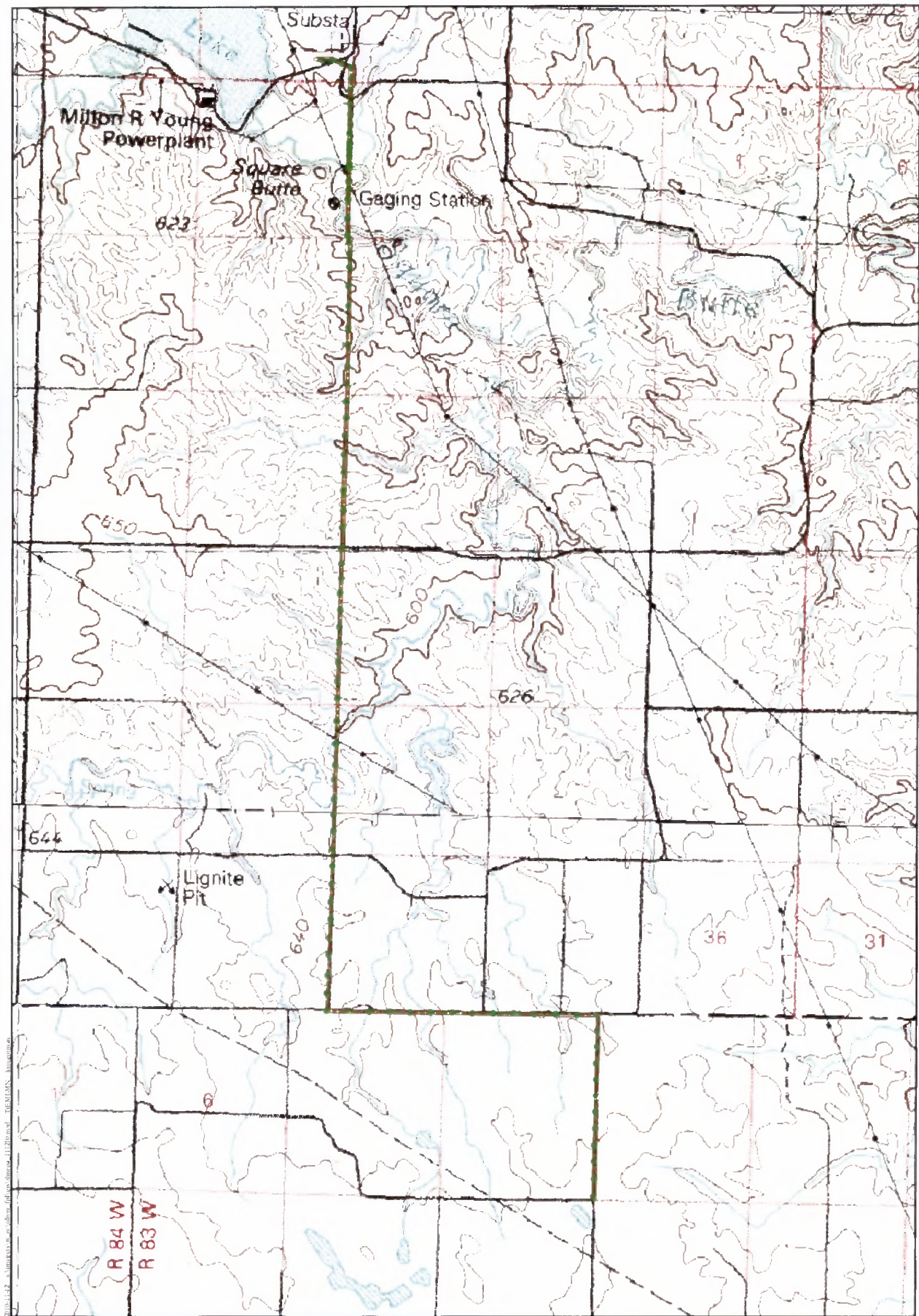
Tetra Tech documented the locations of the four Euro-American stone piles (Field Numbers 979.015, 979.018, 979.020, and 979.021). These stone piles were created during field clearing activities; however, some regional Native American tribes believe that field clearing piles may have been placed over Native American cairns. In effort to be culturally sensitive to the beliefs of regional Native American tribes, Tetra Tech recommends avoidance of the Euro-American stone piles.

It has been NextEra Energy's practice to avoid all potentially significant archaeological sites in terms of NRHP eligibility and cultural significance. In an effort to avoid any impacts to potentially significant cultural resources, Tetra Tech has developed avoidance buffers that include 100-ft (30.5 m) buffers around Native American stone cairns, 50-ft (15.2 m) buffers around Native American tipi rings, and 16-ft (4.9 m) buffers around Euro-American stone alignments and stone piles, and stone piles of unknown cultural affiliation. It is Tetra Tech's opinion that the historical extent of the Euro-American farmstead will serve as a suitable buffer and that no buffer is required for the two Native American isolated finds.

Tetra Tech reviewed the Project layout dated September 3, 2010, against the documented cultural resources within the APE for direct effects and did not identify any proposed pole locations (i.e., locations with permanent ground disturbance) within the boundaries of the archaeological sites, site leads, or Euro-American stone piles. However, five proposed pole locations were within site avoidance buffers. Tetra Tech recommended that these five pole locations be shifted outside the avoidance buffers. An updated Project layout was received on October 14, 2010; this new layout contained no proposed pole locations within the site avoidance buffers. On November 1, 2010, an additional updated layout was received. A review of this layout indicated that no proposed pole locations were located within site avoidance buffers.

Recommendations for site avoidance also include associated activities such as driving machinery to the pole locations and the hanging of the cable. Tetra Tech recommends delineating the site avoidance buffers with snow fence prior to construction. This will reduce the potential that these sites will be inadvertently disturbed. If areas beyond the currently surveyed APE for direct effects are to be utilized during construction, Tetra Tech recommends that a Class III cultural resource survey be conducted to determine the presence of cultural resources within these areas. The potential also exists that deeply buried (greater than 3 ft [0.9 m]) archaeological sites may be present within the valley of Square Butte Creek. Tetra Tech recommends on-site monitoring as well as the development of an unanticipated discoveries plan to accommodate any archaeological materials that may be excavated during the installation of transmission line poles.

The two alternative routes presented running parallel to the preferred route from Pole 74 to Pole 81 were located within areas previously pedestrian surveyed. However, the proposed pole locations along the two alternative routes were not shovel tested, and if one of the alternatives is chosen, Tetra Tech recommends shovel testing at pole locations that are within the valley of Square Butte Creek.



Source: USGS 100K Topographic Maps, Hazen and Coon T10s, North property data dated 11/07/10, and Tetra Tech field survey data collected through 09/10/10



- Proposed Pole Location
- Proposed Transmission Line
- ▭ Proposed Substation Expansion
- Area Surveyed for Cultural Resources through 9/10/2010



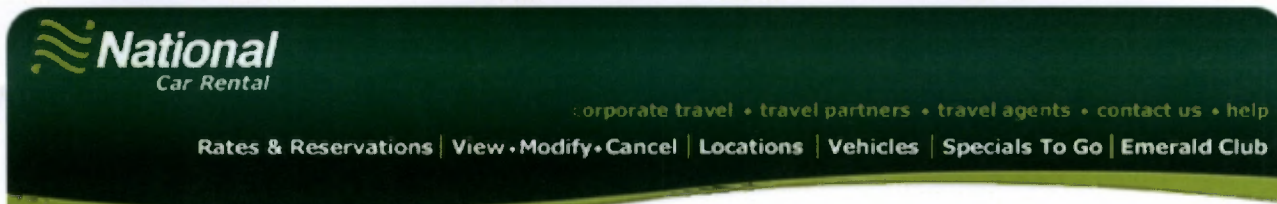
Figure 1  
 Project Area  
 Oliver III Transmission Line  
 Morton and Oliver Counties  
 North Dakota



## Kalapinski, Erik

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**From:** reservations@nationalcar.com  
**Sent:** Tuesday, December 28, 2010 3:22 PM  
**To:** Kalapinski, Erik  
**Subject:** National Car Rental Reservation Confirmation 863723666 for Detroit Metro Arpt



Dear Erik,

Thank you for using Nationalcar.com to make your reservation.  
**Your confirmation number is: 863723666**

Reserved rate reflects the pick up date and time, return date and time, and car class quoted at time of reservation. Any changes to the reservation may affect the rates quoted herein.

Your level of service is Emerald Reserve. Please proceed directly to the rental lot and the car class reserved to choose your vehicle.

If you need to make a change to this reservation, please use your reservation number as a reference.

e-Receipt

**Confirmation # 863723666**



**Status: Booked**



**Here's what you do to pick up your car:**

**From Interstate 94**

- Take I-94 Exit at Middlebelt Rd (Exit #198)
- Take Middlebelt South to Lucas Drive
- Turn right onto Lucas

### Rental Information

**Name:** Erik Kalapinski  
**E-mail:** erik.kalapinski@tetrattech.com

Emerald ID: 647905016

**Vehicle Type:** Fullsize SUV - 5-Door/Automatic/Air - Chevrolet Tahoe Or Similar

**Pickup Information**

**Location:** Detroit Metro Arpt (DTWT01)

**Date & Time:** Monday, January 17, 2011 @ 12:00 PM

**Address:** Bldg 338, Lucas Drive  
Detroit, MI 48242

**Phone:** (888)826-6890 ext:MAIN

**Fax:** (734)941-9048

**Hours:** Sun-Sat: 12:00 am - 11:59 pm

**Dropoff Information**

**Location:** Detroit Metro Arpt (DTWT01)

**Date & Time:** Thursday, January 20, 2011 @ 12:00 PM

Rate Information

Item: Prices  
(USD)

Car Class: Fullsize SUV 5-Door/Automatic/Air

Rates:

Time & distance	3	DAY	@	\$98.00	\$294.00
Time & distance	0	HOUR	@	\$45.00	\$0.00
Time & distance	0	WEEK	@	\$539.00	\$0.00
Time & distance	0	MONTH	@	\$2,156.00	\$0.00
No charge distance	0	DISTANCE	@	\$0.00	\$0.00

Contract I.D. 5411238

Inclusive Rate Items

(3) Loss damage waiver full	Included
(9) Additional Driver	Included
Unlimited Miles	Included

Sub total.....\$294.00

Special Equipment:

(1) Gps Navigation Device (\$11.99/day; \$69.65/week; \$179.99/max Amt) \$35.97

Coverages:

Loss Damage Waiver Full \$0.00

Surcharges:

Arpt Cost Recovery Fee 11.11 Pct	\$36.88
Wayne County Stadium Tax 2 Pct	\$7.38
Veh License Recovery Fee .65/day	\$1.95

Taxes:

State Tax (6.0%) \$22.57

Total Estimate.....\$398.75

(Country of Residence: US) (USD)

Approximate Estimated Conversion: \$398.75

Total may vary at time of rental based on the election of prepaid gas, optional coverage items or changes in taxes, surcharges and fees.

## Thank you again for using Nationalcar.com to make your reservation.

Click below to View, Modify or Cancel your Reservation using the Web site.

<http://www.nationalcar.com/index.do?action=/resFetch.do&resNumber=863723666&lastName=Kalapinski&pickUpMonthYr=JAN-2011&pickUpDay=17>

Please note that if you experience any problems with the link, you can visit <http://www.nationalcar.com> and click on 'Existing reservations' right from the home page, or you can call 1-800-CAR-RENT.

Click here to use Infuzer and add this itinerary to your calendar:

Use Infuzer technology for free by following the link provided below. Look for the Infuzer icon located to the left of the Reservation Details information.

<http://www.nationalcar.com/index.do?action=/resFetch.do&resNumber=863723666&lastName=Kalapinski&pickUpMonthYr=JAN-2011&pickUpDay=17>

Important Policy Information: All renters and additional drivers must meet the minimum age requirements for the renting location. A major credit card or debit card and a valid driver's license both in the name of the renter will be required at the time of rental. Debit and check cards, considered to be any non-credit card bearing the VISA or MasterCard logo (except for gift/prepaid cards) may only be used in conjunction with proof of round trip ticket (airline, cruise ship and the like). Without proof of roundtrip ticket, debit or check cards are only accepted on return. Any other non-credit card without the VISA or MasterCard logo is not accepted. Customers planning to rent with cash must bring the following documentation to the rental counter: valid Driver's License, a return ticket from an airline, cruise ship or train, verifiable employment, verifiable home phone number or a current verifiable gas or electric bill with the renter's name and address. All documentation must be in the renter's name. A cash deposit will be required in addition to the cost of rental.

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