



United States Department of the Interior

National Park Service
Theodore Roosevelt National Park
Post Office Box 7
Medora, North Dakota 58645



L2427

October 25, 2011

North Dakota Public Service Commission
600 E Boulevard
Bismarck, North Dakota 58505



Dear Public Service Commissioners:

Congress created Theodore Roosevelt National Park in 1947 “as a public park for the benefit and enjoyment of the people.” Today the park’s North, South and Elkhorn Ranch units include over 70,000 total acres, including close to 30,000 acres of land protected as wilderness. Statutory direction for park management is found under the NPS Organic Act, 16 U.S.C § 1, *et seq.*, and 16 U.S.C. §241 – 247 (Theodore Roosevelt NP enabling statute). Under section 1 of the NPS Organic Act, Congress stated the purpose of the national parks is “to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment for future generations.”

Theodore Roosevelt National Park reviewed preliminary plans for the Bakken Link pipeline in Fall 2010 from McCain and Associates, the environmental consultants on this project. At that time, the proposed route of the pipeline was outside and just east of the boundary of Theodore Roosevelt National Park near the park’s North Unit and about two miles from the southeastern boundary of the park’s South Unit. At the time we did not have specific concerns, but asked the consultant that the park be notified of any significant changes to the route.

The park did not receive any updates, but we have recently learned that the proposed route of the pipeline has been moved at least twice, with the latest maps (September 20, 2011) showing the pipeline to be within the boundary of the North Unit of Theodore Roosevelt National Park. In discussions with the pipeline environmental consultants during the past few days, we believe that this is in error and have been assured that the proposed pipeline route would be moved back to the location east and outside of the North Unit boundary.

Theodore Roosevelt National Park is an exclusion area under the North Dakota Administrative Code. 69-06-08-02 (1) (a) N.D.A.C. The Park was not mentioned as an exclusion area in the original or amended applications nor is the park shown as such on the associated maps. Even if the pipeline is planned a few hundred feet outside of the park boundary, a portion of the corridor would still overlie the North Unit of the National Park. We strongly question the need to have any portion of the corridor within this critical exclusion area. We must ensure that the route of the pipeline remains fully outside the boundary of the park, and that there is no disturbance to the park’s resources and values should this pipeline be constructed. We request that the national park be officially acknowledged in this planning process and that the application and maps be amended to show that the national park is an exclusion area. We request that the entire pipeline corridor be moved east of the park’s administrative boundary.

In addition, the Bakken Link Pipeline is now proposed to terminate at a rail facility near Fryburg, less than two miles from the park’s South Unit boundary. We have serious concerns about the Fryburg rail facility, including impacts on the park’s viewshed as well as heavy truck traffic, light pollution, noise, and

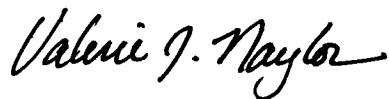
dust. Keeping industrial activity as far away as possible from our treasured national park is essential so that we can preserve this special place for future generations.

The National Park Service is participating in interagency scoping with the Bureau of Land Management, U.S. Forest Service, U.S. Army Corps of Engineers and Bureau of Indian Affairs in the preparation of an Environmental Assessment on this project. The Environmental Assessment is still in its very early stages. We believe that the environmental assessment must include and analyze a range of reasonable alternatives, as required by the National Environmental Policy Act. For example, alternatives could include such options as a pipeline corridor further to the east to exclude the national park and national grassland altogether, adjusting the pipeline corridor for other numerous avoidance areas in the badlands, and terminating the pipeline at a rail facility further from the national park, to prevent the need for construction of a Fryburg rail facility close to the South Unit. Until these alternatives are fully analyzed, we won't know whether this project is compatible with environmental preservation and the efficient use of resources, or whether it will have adverse effects on the environment and upon the welfare of the citizens of North Dakota.

Therefore, Theodore Roosevelt National Park does not support any waiver of procedures and time schedules relating to this project because there are many unanswered questions and many issues that need to be resolved through a thorough planning process.

We appreciate the opportunity to provide comments on this project. Theodore Roosevelt National Park will remain involved in all phases of project planning to ensure that it fulfills its mandate as set out by Congress. If you have any questions regarding this project please contact me directly at (701) 623-4466.

Sincerely,

A handwritten signature in black ink that reads "Valerie J. Naylor". The signature is written in a cursive, flowing style.

Valerie J. Naylor
Superintendent