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February 24, 2012

Dr. Kimball M. Banks  
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Bismarck, North Dakota 58502-2154

**RECEIVED**

FEB 24 2012

**PUBLIC SERVICE COMMISSION**

ND SHPO Ref: 11-0238b PSC/BLM BakkenLink Pipeline Reporting:  
Class II/Class III CRI Report; Scope-of-Work for Evaluating Three Sites

Dear Kimball:

We have received and reviewed 11-0238b BSC/BLM Bakken Link Pipeline Reporting documentation: "BakkenLink Pipeline: A Class II and Class III Cultural Resources Inventory in Billings, Stark, Dunn, McKenzie and Williams County, North Dakota," by Andrea Kulevsky and Ed Stine (MAC, February 2012) and find it acceptable. Second, for the three unevaluated sites where avoidance has not been achieved, we find the accompanying scope-for-work pertaining to their National Register evaluation for significance in "Site Testing Plans: 32MZ2303, 32MZ2304, and 32MZ1461 BakkenLink Pipeline," by (MAC, February 2012) acceptable. Third, as discussed (pp. 87-91) and summarized in Table 4 (attached), where cultural resource management recommendations for avoidance and monitoring (p. 91) are followed we find these proposed recommendations acceptable, if consulted by a federal agency, and provided the project is of the nature stated and it takes place in the locations plotted and mapped in the report and project documentation. Fourth, compliance with lead federal agency (e.g., BLM) regulations and attendant federal agency review, comment, recommendations, and permitting also is a contingent condition that applies in this case, and that action awaits agency determination of project effect and SHPO concurrence on findings. Thank you for the opportunity to review this project. Please include the ND SHPO reference number listed above in future correspondence for this specific project. If you have any questions, please contact either Paul Picha at (701) 328-3574 or [ppicha@nd.gov](mailto:ppicha@nd.gov) or Susan Quinnell at (701) 328-3576 or [squinnell@nd.gov](mailto:squinnell@nd.gov)

Sincerely,

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

and

Director, State Historical Society of North Dakota  
c: Patrick Fahn, North Dakota Public Service Commission  
c: Jame Todd, Bartlett & West, Bismarck  
c: Justin Peters, BLM-Dickinson  
enc. as stated

70 **PU-10-218** Filed: 2/24/2012 Pages: 4  
**Letter concurrence with cultural resources inventory**

**Table 4:** Recommendations for Cultural Resources Along the BakkenLink Pipeline

SITS #	Temp #	Location	Site Type	NRHP Recommendation	Management Recommendation	Comments
32BI453		141/99-27	Prehistoric	Undetermined	No further work	Shovel probed; all negative; no evidence of site in ROW
32BI1098	MAC-BL-AK-3	143/99-34	Historic	Not eligible	No further work	
32BI1099	MAC-BL-AK-4	143/99-27	Prehistoric	Undetermined	Avoid	Rerouted-the centerline is now approximately 80 meters from the site
32BI1100	MAC-BL-ES-8	144/99-25, 26	Prehistoric	Undetermined	Avoid	Restrict construction to the east side of the section line fence
32BIx896	MAC-BL-AK-2	141/99-22	IF	Not eligible	No further work	
32BIx897	MAC-BL-AK-5	144/99-11	IF	Not eligible	No further work	
32BIx898	MAC-BL-AK-16	139/100-2	IF	Not eligible	No further work	
32BIx899	MAC-BL-AK-17	139/100-2	IF	Not eligible	No further work	
32BIx900	MAC-BL-ES-1	139/100-10	IF	Not eligible	No further work	
32BIx901	MAC-BL-ES-4	142/99-15	IF	Not eligible	No further work	
32BIx902	MAC-BL-ES-5	143/99-22	IF	Not eligible	No further work	
32BIx903	MAC-BL-ES-6	143/99-22	IF	Not eligible	No further work	
32BIx904	MAC-BL-ES-7	143/99-22	IF	Not eligible	No further work	
32DU1703	MAC-BL-AK-40	145/96-28	Prehistoric	Undetermined	Avoid	The site can be avoided within 200-foot ROW; neck down and fence site
32DUx925	MAC-BL-AK-26	145/97-31	IF	Not eligible	No further work	
32MZ303	MAC-BL-AK-8	145/98-33, 34	Prehistoric	Undetermined	Test	
32MZ304	MAC-BL-ES-11	145/99-34	Prehistoric	Undetermined	Test	
32MZ859		149/98-6	Prehistoric	Undetermined	Avoid	The site is approximately 30 meters east of the centerline, outside the construction ROW. Fence
32MZ1311		147/98-18	Prehistoric	Undetermined	Avoid	Rerouted-the centerline is now approximately 30 meters from the site
32MZ1312		147/98-18	Prehistoric	Undetermined	Avoid	Rerouted-the centerline is now approximately 50 meters from the site at its
32MZ1313		147/98-18	Prehistoric	Undetermined	Avoid	Rerouted-the centerline is now approximately 100 meters from the site
32MZ1314		147/98-18	Historic	Eligible	Avoid	Rerouted-the centerline is now approximately 40 meters from the site
32MZ1461		145/98-33, 34	Prehistoric	Undetermined	Test	
32MZ1560	MAC-BL-AK-28	148/97-11	Historic	Eligible	Restore grade/re-contour post-construction	

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<b>Table 4: Recommendations for Cultural Resources Along the BakkenLink Pipeline</b>						
SITS #	Temp #	Location	Site Type	NRHP Recommendation	Management Recommendation	Comments
32MZ2307	MAC-BL-AK-6	145/98-33	Prehistoric	Undetermined	Avoid	The site is approximately 30 meters from the centerline; restrict construction to the east side of the ½ section line fence
32MZ2308	MAC-BL-AK-15	153/95-4	Historic	Not eligible	No further work	
32MZ2309	MAC-BL-AK-20	150/95-6	Historic	Not eligible	No further work	
32MZ2310	MAC-BL-AK-21	150/95-6	Historic	Not eligible	No further work	
32MZ2311	MAC-BL-AK-23	146/99-1	Prehistoric	Undetermined	Avoid	Neck down/fence/monitor
32MZ2312	MAC-BL-AK-25	148/99-3	Prehistoric	Undetermined	Avoid	Rerouted-the centerline is now approximately 80 meters from the site
32MZ2313	MAC-BL-AK-27	148/99-10	Prehistoric	Undetermined	Avoid	Neck down/fence
32MZ2314	MAC-BL-AK-30	150/97-18	Prehistoric	Undetermined	Avoid	The centerline has been routed to the south; neck down and fence, monitor
32MZ2315	MAC-BL-AK-31	150/97-17	Prehistoric	Undetermined	Avoid	The centerline has been routed to the north; neck down and fence, monitor
32MZ2316	MAC-BL-AK-32	150/97-13	Prehistoric	Undetermined	Avoid	The centerline has been routed approximately 50 meters to the north; fence, monitor
32MZ2317	MAC-BL-ES-10	145/98-34	Prehistoric	Undetermined	Avoid	Keep to the south of the 200 foot ROW; neck down and fence, monitor
32MZx1181	MAC-BL-AK-7	145/98-35	IF	Not eligible	No further work	
32MZx1182	MAC-BL-AK-9	145/98-33	IF	Not eligible	No further work	
32MZx1183	MAC-BL-AK-10	145/98-33	IF	Not eligible	No further work	
32MZx1184	MAC-BL-AK-11	145/98-34	IF	Not eligible	No further work	
32MZx1185	MAC-BL-AK-18	151/95-30	IF	Not eligible	No further work	
32MZx1186	MAC-BL-AK-19	150/95-6	IF	Not eligible	No further work	
32MZx1187	MAC-BL-AK-22	149/98-19	IF	Not eligible	No further work	
32MZx1188	MAC-BL-AK-24	150/95-6	IF	Not eligible	No further work	
32MZx1189	MAC-BL-AK-29	148/97-11	IF	Not eligible	No further work	
32MZx1190	MAC-BL-AK-39	150/96-24	IF	Not eligible	No further work	
32MZx1191	MAC-BL-AK-41	150/95-7	IF	Not eligible	No further work	
32MZx1192	MAC-BL-AK-42	148/99-10	IF	Not eligible	No further work	
32SKx340	MAC-BL-AK-1	140/99-30	IF	Not eligible	No further work	
32SKx341	MAC-BL-ES-2	140/99-19	IF	Not eligible	No further work	
32WI132		154/95-16	Prehistoric	Undetermined	Avoid	Fence features, monitor
32WI338		154/95-16	Prehistoric	Undetermined	Avoid	Neck down/fence feature, monitor

**Table 4:** Recommendations for Cultural Resources Along the BakkenLink Pipeline

SITS #	Temp #	Location	Site Type	NRHP Recommendation	Management Recommendation	Comments
32WI1215	MAC-BL-AK-13	155/95-29	Historic	Not eligible	No further work	
32WI1237	MAC-BL-AK-12	155/95-12	Prehistoric	Undetermined	Avoid	Rerouted-the centerline is now approximately 60 meters from the site
32WI1238	MAC-BL-AK-38	154/95-16	Prehistoric	Undetermined	Avoid	2 possible avoidance routes-see text; monitor
32WI1239	MAC-BL-AK-14	155/95-32	Prehistoric	Undetermined	Avoid	Rerouted-the centerline is now approximately 100 meters from the site
32WI1240	MAC-BL-AK-33	155/97-7	Historic	Not eligible	No further work	
32WI1241	MAC-BL-AK-34	155/97-7	Prehistoric	Undetermined	Avoid	Rerouted-the centerline is now approximately 110 meters from the site
32WI1242	MAC-BL-AK-35	155/97-7	Prehistoric	Undetermined	Avoid	Rerouted-the centerline is now approximately 50 meters from the site
32WI1243	MAC-BL-AK-36	155/95-17	Prehistoric	Undetermined	Avoid	The site is at the edge of the survey ROW-neck down and fence; monitor
32WI1244	MAC-BL-AK-37	155/95-17	Historic	Not eligible	No further work	
32WI1245	MAC-BL-AK-43	155/95-20	Prehistoric	Undetermined	Avoid	Rerouted-the centerline is now approximately 30 meters from the site; fence the nearest features
32WI1246	MAC-BL-MK-1	154/95-16	Prehistoric	Undetermined	Avoid	The site is at the edge of the survey ROW-fence