

June 22, 2011

Paul R. Picha, Chief Archeologist  
State Historical Society of North Dakota  
Archeology & Historic Preservation Division  
612 East Boulevard Avenue  
Bismarck, ND 58505-0830

**RE: A Class I and Class III Cultural Resources Inventory of the Bear Paw Energy Natural Gas Liquids Garden Creek Pipeline, Private Lands, McKenzie County, North Dakota**

Dear Mr. Picha:

Enclosed is a copy of a report entitled *A Class I and Class III Cultural Resources Inventory of the Bear Paw Energy Natural Gas Liquids Garden Creek Pipeline, Private Lands, McKenzie County, North Dakota*. This report documents the cultural resource inventory of the Bear Paw Energy (Bear Paw) Garden Creek Pipeline project, performed by SWCA Environmental Consultants (SWCA) on behalf of E3 Environmental, Inc. (E3). E3 is assisting Bear Paw with their application to the North Dakota Public Service Commission (NDPSC) for a certificate of corridor compatibility and route permit for the project. The cultural resource inventory is required as part of Bear Paw's permit application to the NDPSC.

Ten cultural resources were newly recorded:

- 32MZ2200: historical foundation and depression site
- 32MZ2201: prehistoric stone feature site
- 32MZ2202: concentration of historical farm equipment
- 32MZ2203: historical trash dump
- 32MZ2204: prehistoric stone feature and depression
- 32MZX1131, 32MZX1132, and 32MZX1133: isolated chipped stone finds
- 32MZX1130 and 32MZX1129: isolated historical finds

Three previously recorded sites were re-identified and revisited for the project:

- 32MZ879: a historic farmstead
- 32MZ934 and 32MZ937: prehistoric lithic scatters

Attempts were made to identify two previously known sites:

- 32MZ938: prehistoric lithic scatter (not relocated)
- 32MZ1510: historic church (outside survey corridor)
- 32MZX361, 32MZX500, 32MZX506, and 32MZX510: isolated finds or site leads (not relocated)

Six sites (32MZ879, 32MZ934, 32MZ938, 32MZ2200, 32MZ2202, and 32MZ2203) and five isolated finds (32MZX1129, 32MZX1130, 32MZX1131, 32MZX1132, and 32MZX1133) are recommended not eligible for listing in the National Register of Historic Places (NRHP). Two of the sites (32MZ2201 and 32MZ2204) have been left unevaluated regarding their NRHP eligibility pending further work. No further work is recommended for the following not eligible sites and isolated finds: 32MZ879, 32MZ934, 32MZ938, 32MZ2200, 32MZ2203, 32MZX1129, 32MZX1130, 32MZX1131, 32MZX1132, and 32MZX1133. Although recommended not eligible, SWCA recommends that the farm equipment recorded at 32MZ2202 be moved outside the construction corridor prior to pipeline construction.

For 32MZ2201 and 32MZ2204, SWCA recommends that the pipeline be rerouted within the inventoried corridor and necked down to achieve at least 50 feet of avoidance. Furthermore, SWCA recommends that the edge of the necked-down construction corridor closest to each site be fenced to ensure that construction and vehicle activity remains within the approved corridor.

32MZ937 is recommended eligible for listing in the NRHP. The portion of the site that is within the proposed construction corridor falls within a previously disturbed pipeline corridor which is recommended as a non-contributing portion of this eligible resource. As proposed, the Garden Creek pipeline construction corridor would remain within the existing pipeline disturbance zone (non-contributing portion). Given the proximity of the proposed pipeline construction corridor to the site, SWCA recommends that the edge of the construction corridor be fenced to ensure that all construction activity and vehicle traffic remains within the previously disturbed corridor. Additionally, SWCA recommends that an archaeological monitor be present during ground-disturbing activities adjacent to the site. With the above stipulations, it is recommended that a determination of *No Historic Properties Adversely Affected* and *No Significant Sites Adversely Affected* be granted for the project to proceed as planned.

I have also attached the site form updates for previously recorded sites. The forms for the newly recorded sites and isolated finds have already been submitted to SHPO. Please notify SWCA of the results of your review at the address listed below.

Sincerely,



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Cc: William McCarthy, E3 Environmental, 817 Vandalia Street, St. Paul, Minnesota 55114