

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

Basin Transload, LLC
Crude Oil Pipeline — Burke County
Siting Application

CASE NO. PU-12-775

Certification of Ray Sheldon in Support of the Application of Basin
Transload, LLC for an Amended Corridor Certificate and Route Permit

STATE OF MONTANA

COUNTY OF YELLOWSTONE

Ray Sheldon states and alleges as follows:

1. That I submit this certification in support of Basin Transload LLC's ("Basin Transload") request for an amended Certificate of Corridor Compatibility and Route Permit, filed in the above-captioned matter.

2. That I am employed by Basin Transload and I am the Project Manager with regard to Basin Transload's proposed crude oil pipeline project that is the subject of the above-captioned matter.

3. That on January 16, 2013, the North Dakota Public Service Commission ("Commission") issued its Order granting Basin Transload a Certificate of Corridor Compatibility and Route Permit for the Project.

4. That Basin Transload is requesting the Commission approve a modification of the approved Project route and corridor in Burke County, North Dakota.

5. That Basin Transload is requesting the proposed route and corridor modification to conform with potential future plans to construct additional railroad tracks on Basin Transload's property in the NE/4 of Section 3, Township 162 North, Range 93 West, Burke


County, North Dakota. Rather than build over or relocate the pipeline at a later date, Basin would prefer to reroute the pipeline at this time to a location outside of the potential rail construction area to prevent future conflict.

6. That the requested route change will not affect any exclusion or avoidance areas, and that Basin Transload has conducted field studies to confirm the same.

7. That the requested reroute that is outside of the previously approved corridor is less than one and one-half mile long.

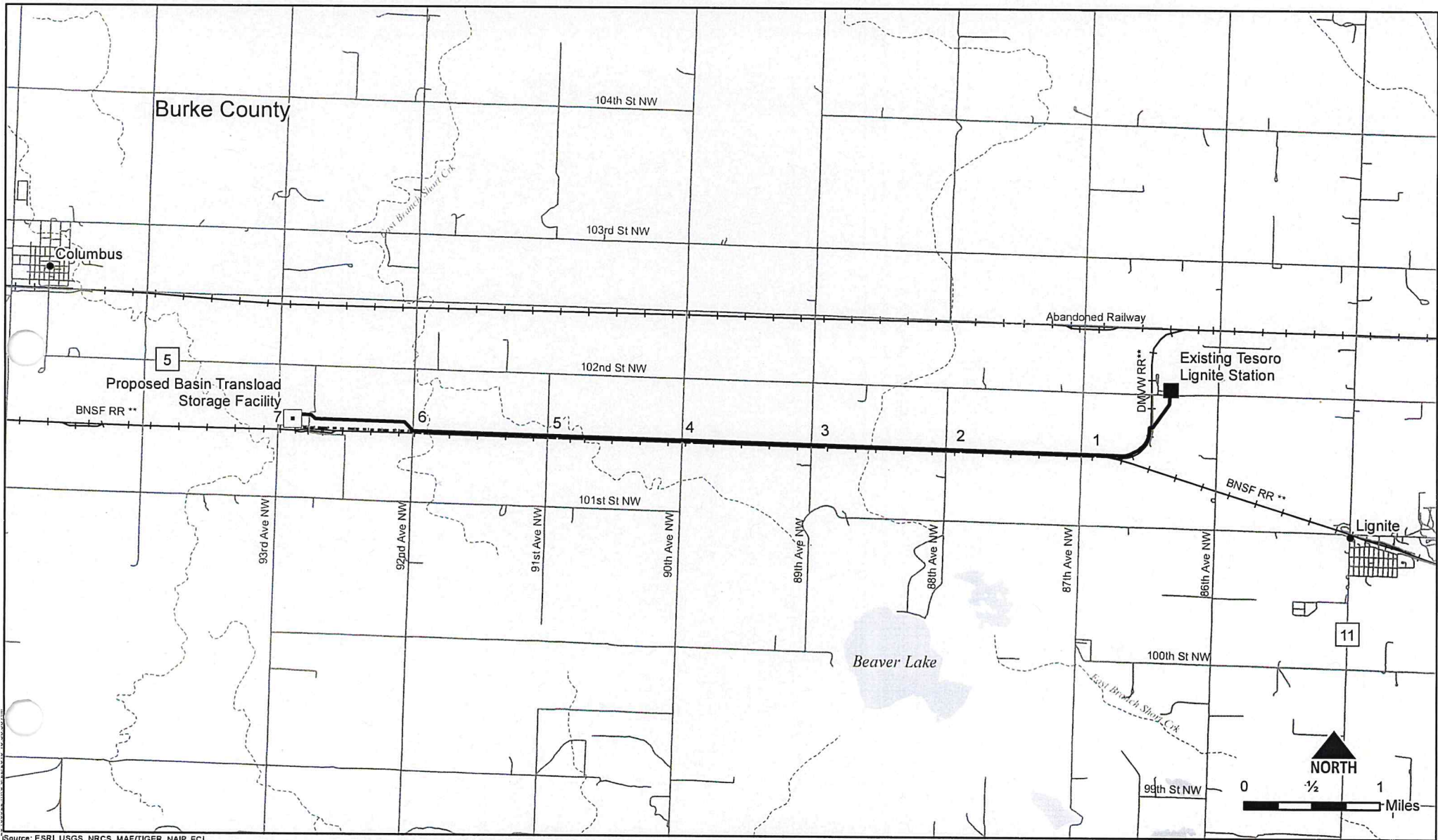
8. That Basin Transload will comply with the Public Service Commission's order, laws, and rules designating the corridor and route.

9. That Basin Transload owns the property on which the requested route change is to be located.

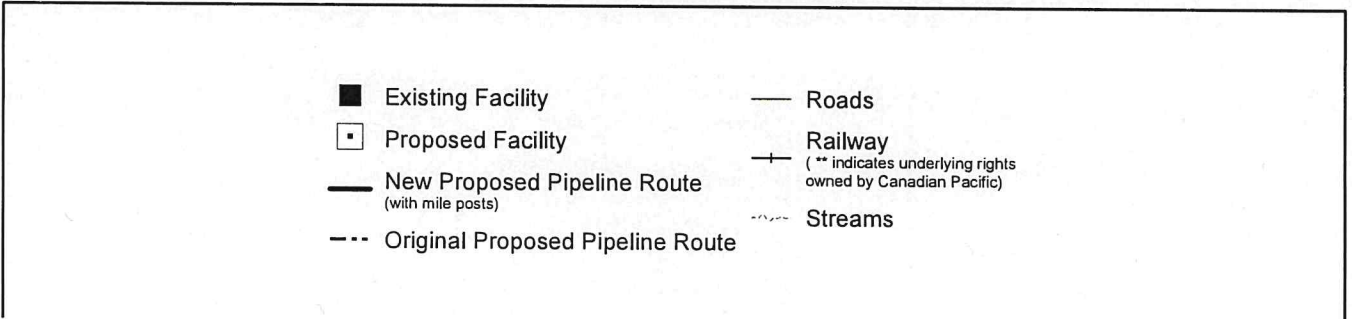
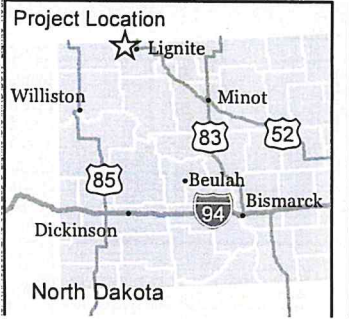


Ray Sheldon

5345780_1.DOCX



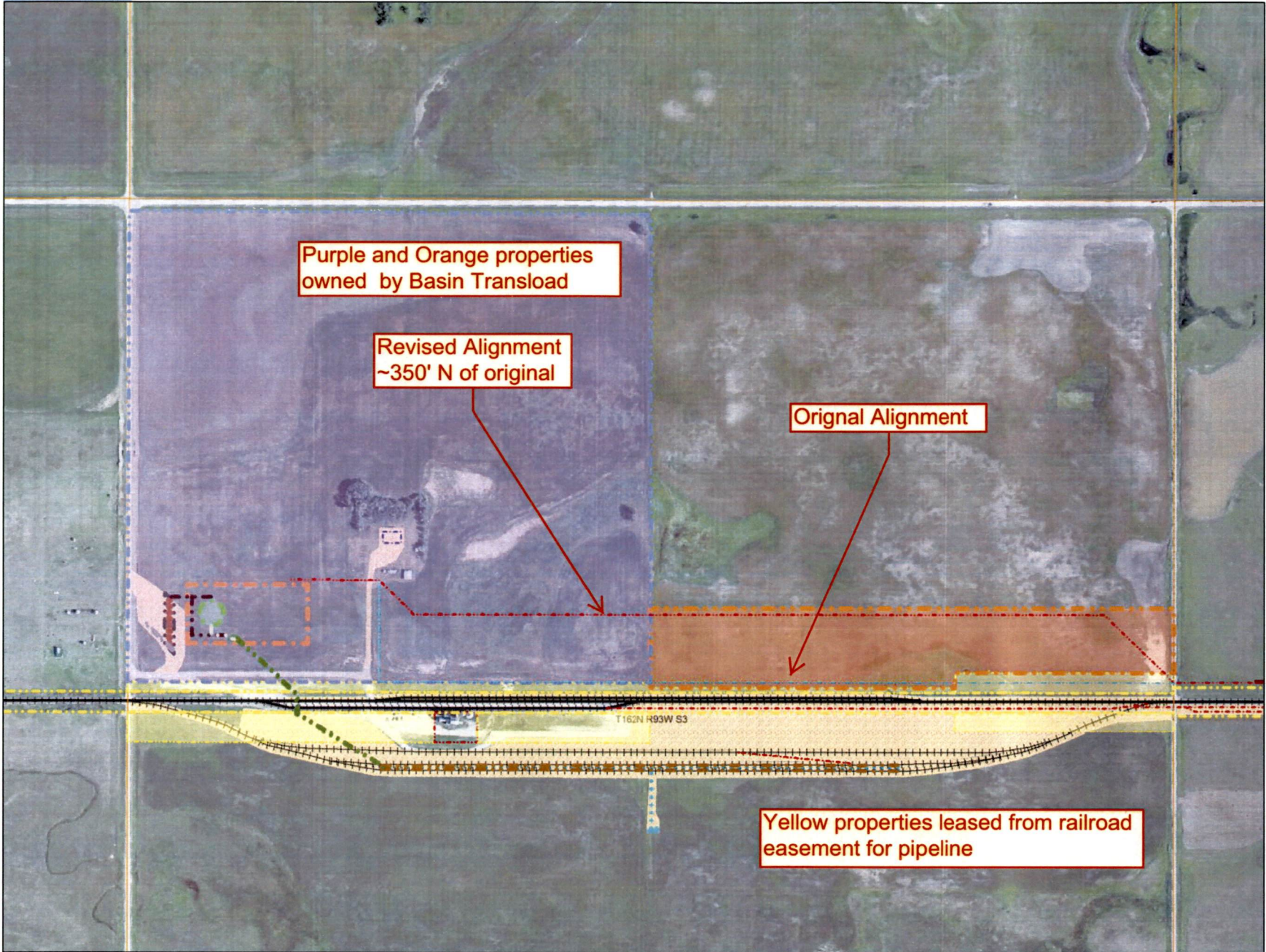
Source: ESRI, USGS, NRCS, MAF/TIGER, NAIP, ECI



THPP Lignite Lateral Pipeline Project Route




ELECTRICAL CONSULTANTS, INC.



Basin Transload: ADDENDUM to the Class III Cultural Resource Inventory of a Proposed Oil Pipeline in Burke County, North Dakota

Prepared by:

Patrick Kuntz
Ethnoscience, Inc.
4140 King Avenue East
Billings, Montana 59101

Prepared for:

Basin Transload
3529 Gabel Road
PO Box 80284
Billings, Montana 59102

*Confidential information submitted under 10 CFR 2.390. Disclosure is
limited under the National Historic Preservation Act, Section 304 (16
USC 470w-3(a))*

May 3, 2013

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INTRODUCTION

In 2012, Ethnoscience, Inc. (Ethnoscience) conducted a Class III cultural resource inventory for Basin Transload (Fandrich 2012). Basin Transload is proposing to construct a 10” diameter crude oil pipeline within Burke County, North Dakota. The project area is west of Lignite, North Dakota, within Section 34 of T163N R92W, Sections 3, 4, 5 and 6 of T162N R92W, and Sections 1, 2 and 3 of T162N R93W. Construction activities associated with the pipeline will typically impact an area less than 100 ft wide along its entire 6.881-mile length, and will extend a minimum of 4.0 feet in depth. These activities have the potential to disturb cultural deposits located within the construction corridor. The lead agency with oversight on this project is the North Dakota Public Service Commission (PSC). As part of the permitting process, the PSC is required to take into consideration what impact, if any, this undertaking will have on significant cultural resources. Basin Transload contracted Ethnoscience to conduct the necessary cultural resource investigations (Fandrich 2012).

A proposed re-route is being considered for the last 1 mile of the proposed pipeline. This re-route in Section 3 of T162N R93W will place the pipeline about 350 feet north of the original inventoried corridor (Figure 1). This portion of pipeline corridor required additional inventory, and the results are presented in this addendum report.

SETTING

The cultural setting of the project area is within the Souris River Study Unit. The cultural setting has been adequately described in the *North Dakota Comprehensive Plan for Historic Preservation: Archaeological Component* (State Historical Society North Dakota [SHSND] 2008) and is not reiterated in this report.

The project area occurs in knob-and-kettle glaciated terrain punctuated by marshy depressions. The primary drainage in the project area is the East Branch Short Creek, west of the project area. Approximately 95 percent of the project area is previously

disturbed. The aerial photograph and topographic map show the project right-of-way occurs near cultivated fields, disturbed industrial areas and marshes (Figures 1 and 2).

Game animals that would have been found in the area prior to cultivation and fencing include bison, elk, mule deer, whitetail deer and pronghorn antelope. Moose and caribou may also have been present at certain times. Waterfowl include ducks and geese. Plant resources available to prehistoric groups include berries from chokecherry, juneberry and buffaloberry shrubs. The preferred lithic materials appear to be Knife River flint and Swan River chert. To a lesser extent, petrified wood, chert, moss agate, and jasper were used. Granite cobbles were also used for manufacturing heavy stone tools (SHSND 2008:11.11-11.12).

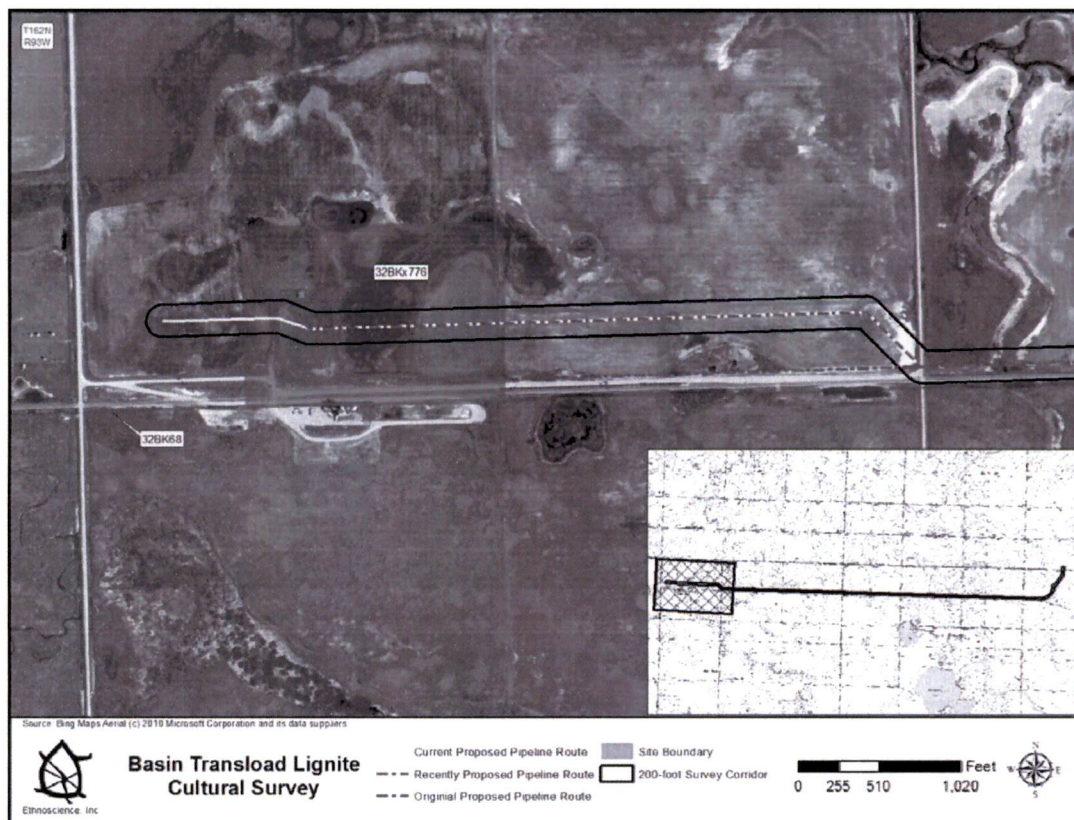
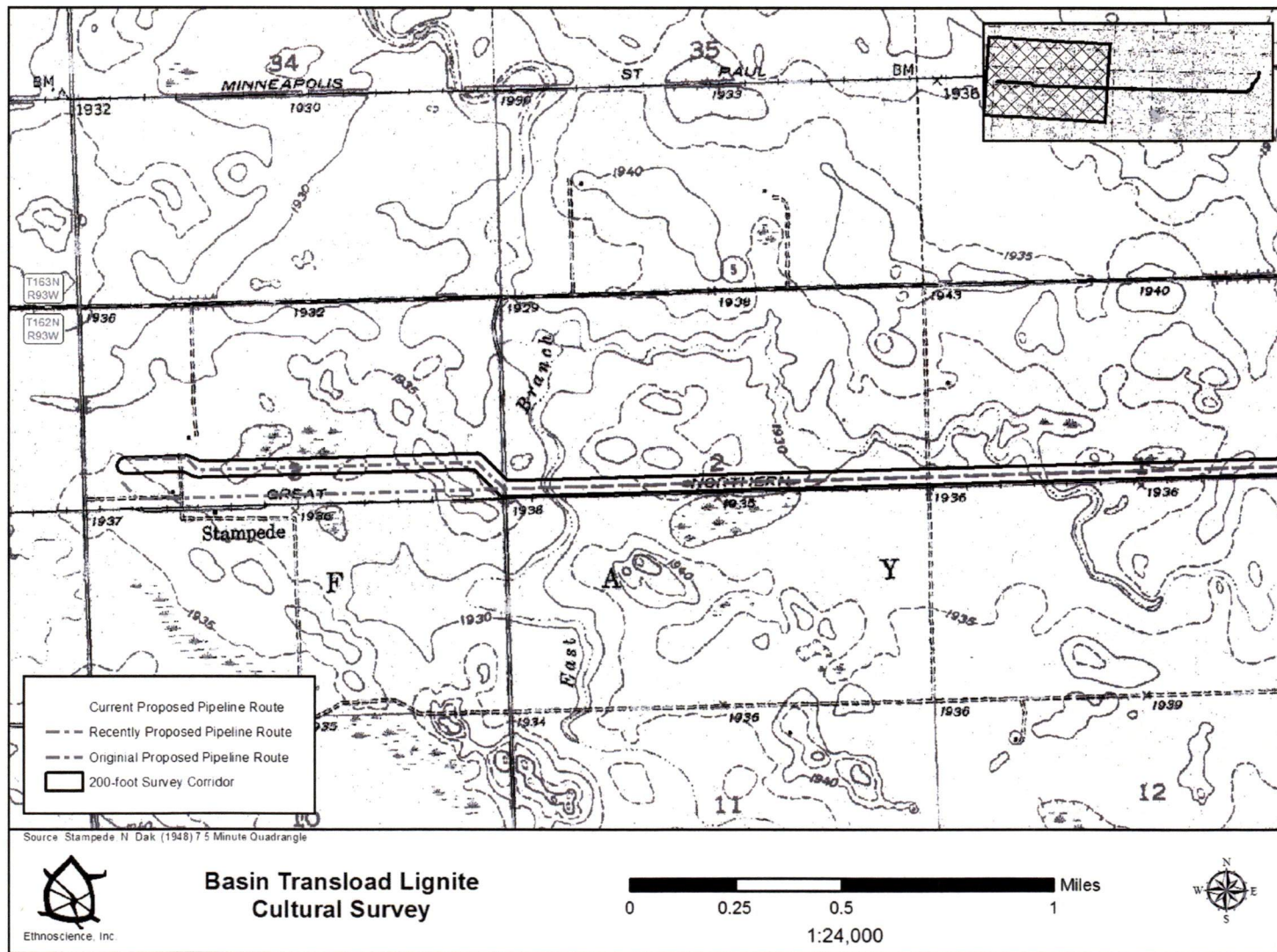


Figure 1: Aerial photo showing original route and proposed re-route.

Figure 2: Topographic map of inventory area.



FILE SEARCH

Ethnoscience contracted Amy Sakariassen to perform a files search at the North Dakota State Historical Society (Appendix A). The current inventory area has not been previously inventoried. The files search identified one site lead (32BKx776) and one previously recorded site near the project area. Site lead 32BKx776 is the Stampede Post Office. The Stampede post office (32BKx776) site lead boundary extends into the project area in Section 3 of T162N R93W (see Figure 1). As a “site lead”, this location was not visited by the person who originally recorded it, but rather was very generally recorded based on library research. The original recorder did not ground-truth the location, so the location was given only as the southeast corner of the northwest corner of Section 3. The community of Stampede had a population of 15 circa 1920 (Wick 1988:183). Although the community was located along the Great Northern (GN) Railroad branch line to Crosby, it failed to thrive because of competition from the town of Columbus, located two miles northwest along the Minneapolis, St. Paul and Sault Ste. Marie (Soo Line) railroad branch line to Whitetail, Montana. By the mid 1930s, Stampede had diminished to the point where it was not even mentioned in the Works Progress Administration (WPA) guide to North Dakota (SHSND 1990). The Stampede post office operated from 1908 to 1919 (Wick 1988:183). No evidence of the post office site was identified within the inventory area. The area is also been impacted by a modern oil storage tank facility and gravel access roads. Although the entire portion of the southeast quarter of the northwest quarter of Section 3 outside of the current survey corridor was not inventoried, it is believed no significant evidence of the site remains.

Site 32BK68 is the former GN railroad branch line to Crosby, now operated by the Dakota, Missouri Valley and Western railroad (DMVW). It is south of and outside of the project inventory corridor.

FIELD METHODS

Patrick Kuntz of Ethnoscience conducted the inventory on April 29, 2013. The inventory consisted of a two-pedestrian transects spaced at 100 ft (~30 m) intervals within the defined project right-of-way, which is 200 ft (~60 m) wide. No subsurface testing was conducted during the project.

RESULTS

The inventory area was free of snow at the time of survey. Most (approximately 95% to 100%) of the inventory area has been previously disturbed, either by agricultural cultivation or industrial development. The west edge of the project area is occupied by a large storage tank and diesel fueling station and associated ground disturbance (Figure 3).

The inventory examined 1 mile by 200 feet (24.29 acres). Ground surface visibility was generally fair (5-10 percent) within formerly plowed fields (Figure 4), which make up half of the inventory area. Surface visibility was excellent (near 100%) in industrially disturbed areas (see Figure 3), which make up about 25% of the inventory area. Ground surface visibility was poor (0-5 percent) in marshy areas and areas with dense weeds, particularly Russian thistle (Figures 5 and 6).



Figure 3: *West end of inventory area marked by industrial disturbance. View to the west.*



Figure 4: *Formerly cultivated area with fair ground surface visibility. View to the east.*



Figure 5: *Marshy area on inventory corridor. View to the east.*



Figure 6: *Disturbed area of dense weed growth. View to the east.*

The Class III cultural resource inventory identified no sites or isolated finds. The area around the site lead (32BKx776) has been heavily disturbed. Although the aerial photo

shows what appears to be a house just north of the west end of the inventory corridor, this structure is no longer present, and has been replaced by a modern building and the area surrounding it is a dirt parking lot (Figure 7). This area is also 100 feet north of, and outside of the inventory corridor.



Figure 7: *Area of presumed former location of 32BKx776 near modern shop building.
View northwest from inventory corridor.*

Site 32BK68, the historic railroad Great Northern branch line (Figure 8) is 300 feet south of the current project corridor and will not be impacted by this undertaking.



Figure 8: *Historic Great Northern Railroad branch line (32BK68), south of inventory corridor.*

CONCLUSION AND RECOMMENDATIONS

Based on the results of inventory, Ethnoscience recommends a finding of *No Historic Properties Affected* for the proposed project as inventoried within the defined right-of-way. No cultural resources were identified in the inventory corridor and the shallow nature of the glaciated environment indicates there is little potential for intact buried deposits. Ethnoscience recommends no further cultural resource work prior to construction.

BIBLIOGRAPHY

Fandrich, Blain

2012 *Basin Transload: A Class III Cultural Resource Inventory of a Proposed Oil Pipeline in Burke County, North Dakota*. Ethnoscience for Basin Transload, Billings, Montana.

State Historical Society North Dakota (SHSND)

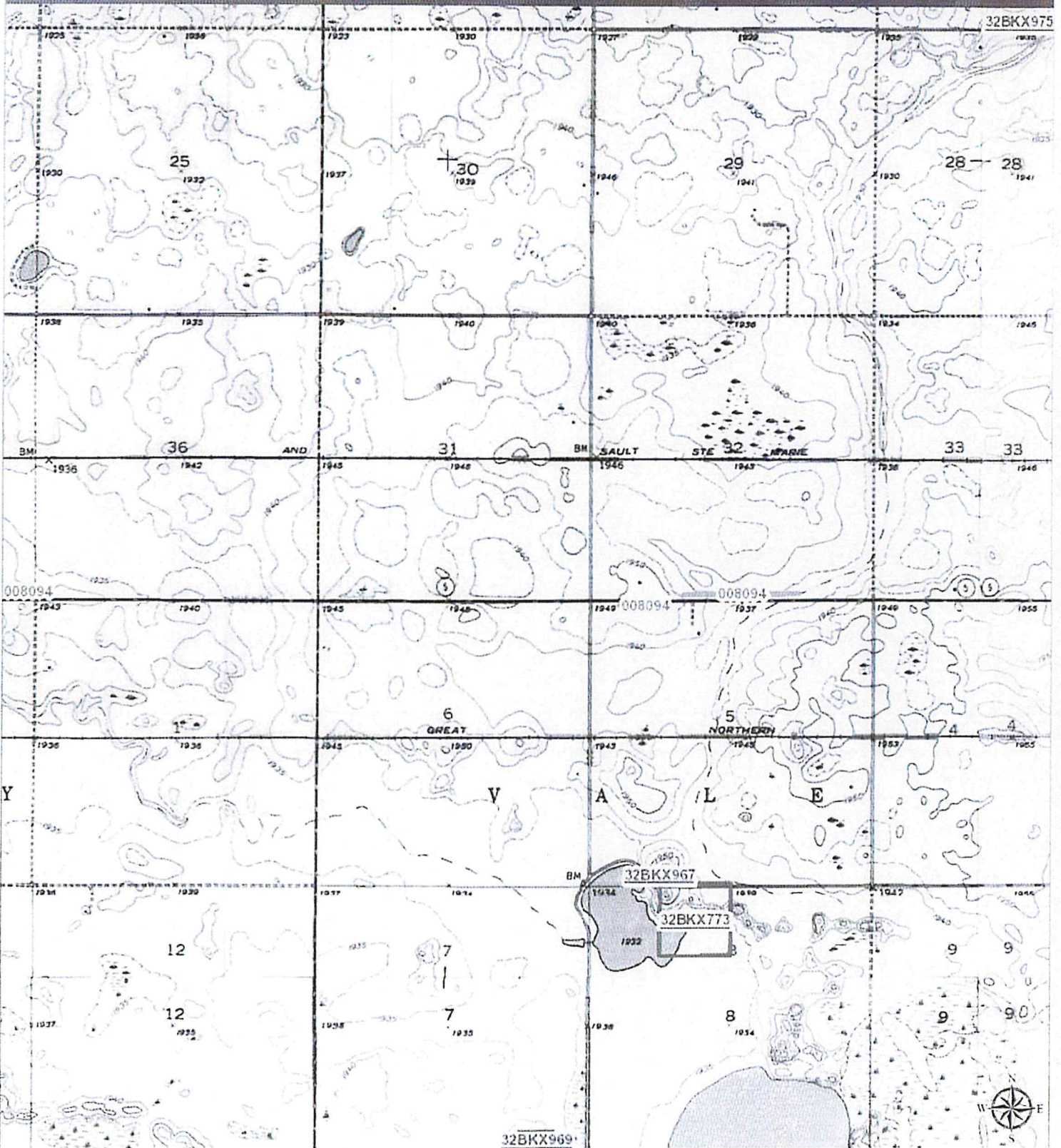
1990 *The WPA Guide to 1930s North Dakota*. State Historical Society of North Dakota, Bismarck.

2008 *North Dakota Comprehensive Plan for Historic Preservation: Archaeological Component*. State Historical Society of North Dakota, Bismarck.

Wick, Douglas A.

1988 *North Dakota Place Names*. Hedemarken Collectibles, Bismarck, North Dakota.

Appendix A: File Search Results



Legend

- ▲ NDCRS Architecture
- ★ NDCRS Isolates
- AHP Manuscripts
- NDCRS Sites and Leads

Legals Search

<i>County</i>	<i>Site</i>	<i>Township</i>	<i>Range</i>	<i>Section</i>	<i>AreaSig1</i>	<i>Update</i>
BK	X0967	162	092	05	Architectural SE SWSW SW SESW	George Dahl House, built 1902. rec. BM 7/96

Legals Search

<i>County</i>	<i>Site</i>	<i>Township</i>	<i>Range</i>	<i>Section</i>	<i>AreaSig1</i>	<i>Update</i>
BK	X0843	163	092	34	Historical SWNW	Rural Post Office rec. Reap 1980
BK	X0978	163	092	34	Architectural NW ² SW	Rural Elevator. rec BM. 7/96
BK	X0981	163	092	34	Architectural SE	old Grandpa Art's Home Chain Shade w. BM 7/96

A & H P MANUSCRIPT REPORT

Date: 10/24/2012

Selected by: Township 163
Range 092
Section 34

Page 1 of 1

TOWNSHIP: 163 RANGE: 092 SECTION: 34
MANUSCRIPT_NO:011992 YEAR: 2010
TITLE: Bakken Pipeline Project US: A Class III Cultural Resource Inventory, Burke Co., ND
AUTHOR(s): Shropshire, M. D. Klinner J. Harty

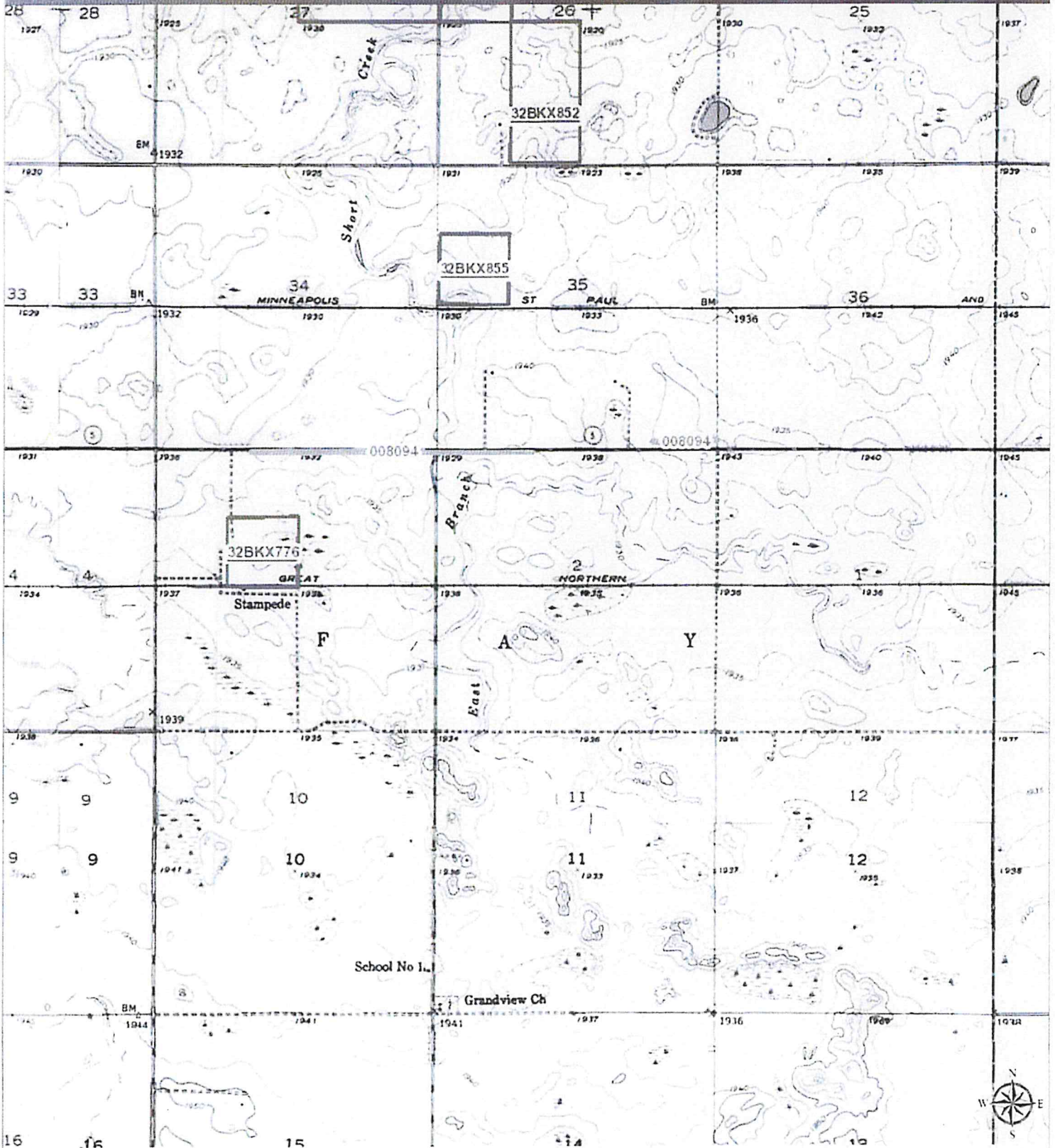
TOWNSHIP: 163 RANGE: 092 SECTION: 34
MANUSCRIPT_NO:011977 YEAR: 2011
TITLE: Kenaston and Lignite Pumping Stations: A Class III Cultural Resource Inventory, Ward and Burke Counties, ND
AUTHOR(s): Randall, I.

TOWNSHIP: 163 RANGE: 092 SECTION: 34
MANUSCRIPT_NO:011663 YEAR: 2010
TITLE: Bakken Expansion Pipeline: A Class III Cultural Resource Inventory, Burke Co., ND
AUTHOR(s): Klinner, D. J. Harty

TOWNSHIP: 163 RANGE: 092 SECTION: 34
MANUSCRIPT_NO:008094 YEAR: 2002
TITLE: Highway 5, E Jct. 40 East to W Jct. 52, Highway 89, Lignite Spur, Class II Inventory Report, Burke Co., ND
AUTHOR(s): Borchert, J.

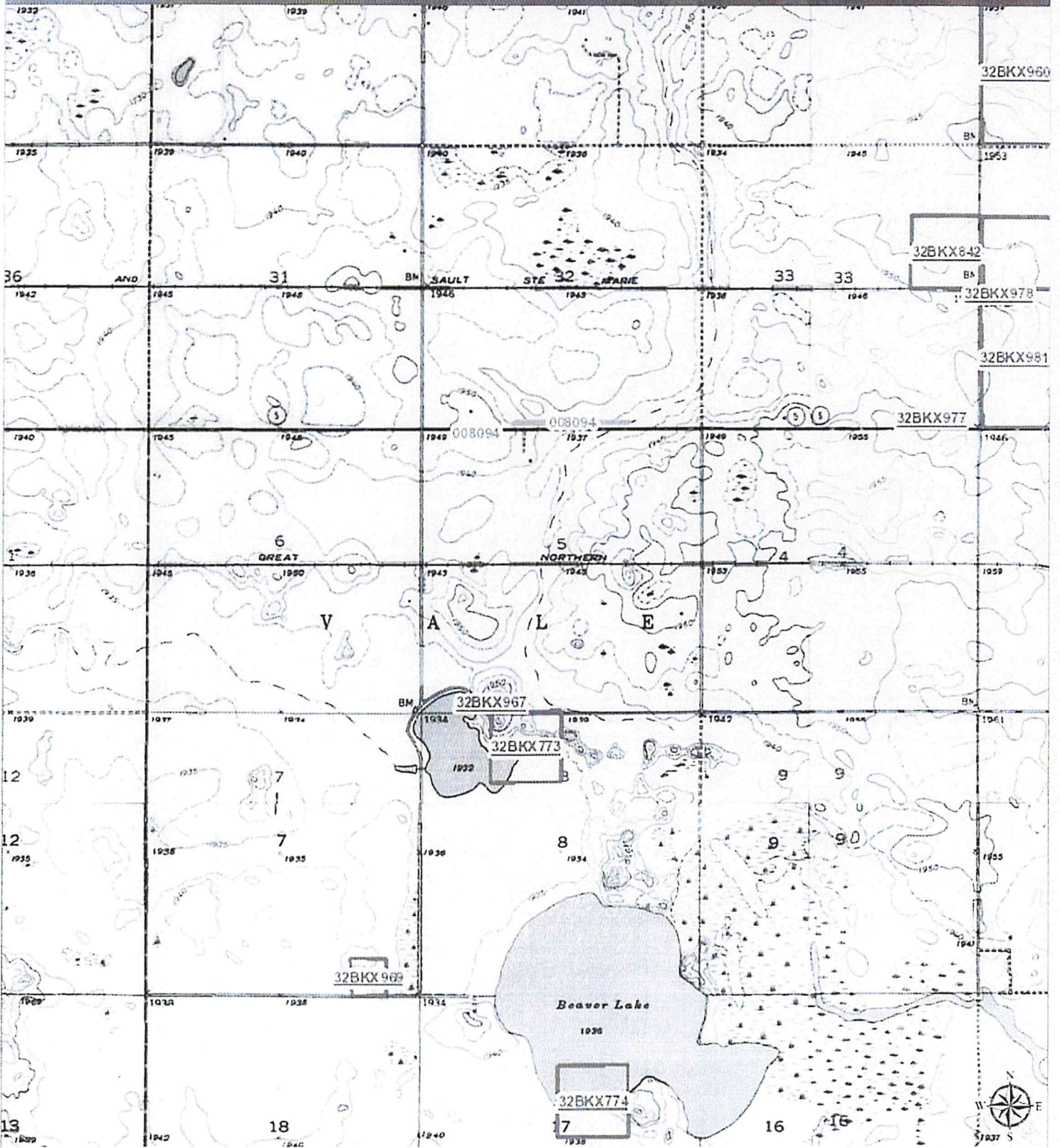
TOWNSHIP: 163 RANGE: 092 SECTION: 34
MANUSCRIPT_NO:006470 YEAR: 1995
TITLE: Portal Pipeline Cultural Resources Inventory Burke County, North Dakota
AUTHOR(s): Olson, B.

TOWNSHIP: 163 RANGE: 092 SECTION: 34
MANUSCRIPT_NO:005995 YEAR: 1993
TITLE: Lignite To Ramberg Canadian Crude Project Cultural Resource Reconnaissance, Burke and Mountrail Counties, North Dakota
AUTHOR(s): Stine, E.



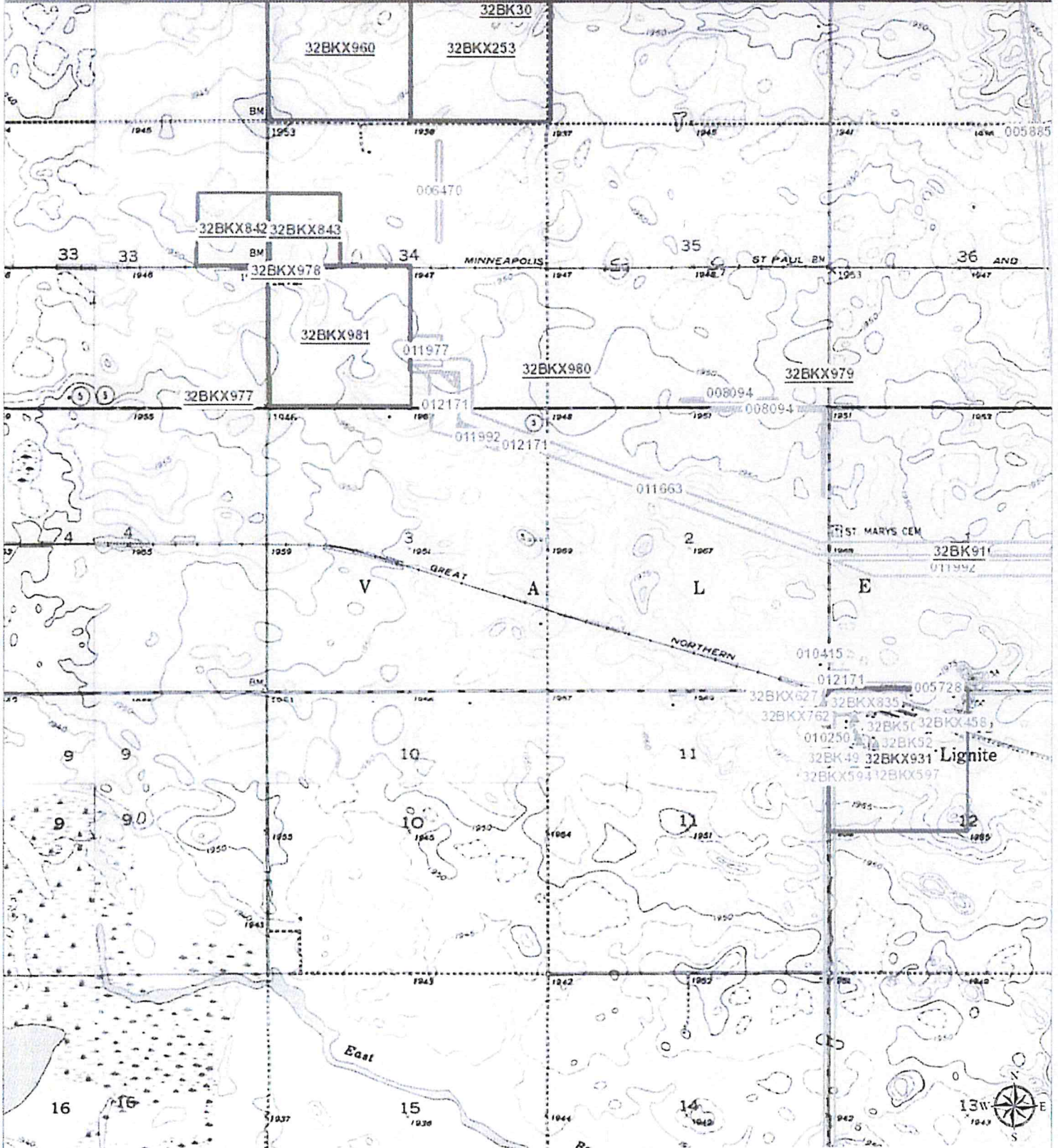
Legend

- ▲ NDCRS Architecture
- AHP Manuscripts
- ✦ NDCRS Isolates
- ▭ NDCRS Sites and Leads



Legend

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- AHP Manuscripts
- NDCRS Sites and Leads



Legend

- ▲ NDCRS Architecture
- AHP Manuscripts
- ★ NDCRS Isolates
- NDCRS Sites and Leads

Legals Search

<i>County</i>	<i>Site</i>	<i>Township</i>	<i>Range</i>	<i>Section</i>	<i>AreaSig1</i>	<i>Update</i>
BK	X0776	162	093	03	Historical	

A & H P MANUSCRIPT REPORT

Date: 10/5/2012

Selected by: Township 162

Range 093

Section 01

Page 1 of 1

TOWNSHIP: 162 RANGE: 093 SECTION: 01

MANUSCRIPT_NO:008094 YEAR: 2002

TITLE: Highway 5, E Jct. 40 East to W Jct. 52, Highway 89, Lignite Spur, Class II Inventory Report, Burke Co., ND

AUTHOR(s): Borchert, J.

A & H P MANUSCRIPT REPORT

Date: 10/5/2012

Selected by: Township 162

Range 093

Section 02

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TOWNSHIP: 162

RANGE: 093

SECTION: 02

MANUSCRIPT_NO:008094

YEAR: 2002

TITLE: Highway 5, E Jct. 40 East to W Jct. 52, Highway 89, Lignite Spur, Class II Inventory Report, Burke Co., ND

AUTHOR(s): Borchert, J.

A & H P MANUSCRIPT REPORT

Date: 10/5/2012

Selected by: Township 162

Range 093

Section 03

Page 1 of 1

TOWNSHIP: 162 RANGE: 093 SECTION: 03

MANUSCRIPT_NO:008094 YEAR: 2002

TITLE: Highway 5, E Jct. 40 East to W Jct. 52, Highway 89, Lignite Spur, Class II Inventory Report, Burke Co., ND

AUTHOR(s): Borchert, J.

A & H P MANUSCRIPT REPORT

Date: 10/5/2012

Selected by: Township 162
Range 092
Section 03

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TOWNSHIP: 162 RANGE: 092 SECTION: 03
MANUSCRIPT_NO:012171 YEAR: 2011
TITLE: Enbridge's Bakken Pipeline US Reroute and Lignite Pipe Yard: A Class III Cultural Resource Inventory in Burke Co., ND
AUTHOR(s): Reinhart, D.

TOWNSHIP: 162 RANGE: 092 SECTION: 03
MANUSCRIPT_NO:011992 YEAR: 2010
TITLE: Bakken Pipeline Project US: A Class III Cultural Resource Inventory, Burke Co., ND
AUTHOR(s): Shropshire, M. D. Klinner J. Harty

TOWNSHIP: 162 RANGE: 092 SECTION: 03
MANUSCRIPT_NO:011663 YEAR: 2010
TITLE: Bakken Expansion Pipeline: A Class III Cultural Resource Inventory, Burke Co., ND
AUTHOR(s): Klinner, D. J. Harty

TOWNSHIP: 162 RANGE: 092 SECTION: 03
MANUSCRIPT_NO:008094 YEAR: 2002
TITLE: Highway 5, E Jct. 40 East to W Jct. 52, Highway 89, Lignite Spur, Class II Inventory Report, Burke Co., ND
AUTHOR(s): Borchert, J.

A & H P MANUSCRIPT REPORT

Date: 10/5/2012

Selected by: Township 162

Range 092

Section 04

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TOWNSHIP: 162

RANGE: 092

SECTION: 04

MANUSCRIPT_NO:008094

YEAR: 2002

TITLE: Highway 5, E Jct. 40 East to W Jct. 52, Highway 89, Lignite Spur, Class II Inventory Report, Burke Co., ND

AUTHOR(s): Borchert, J.

A & H P MANUSCRIPT REPORT

Date: 10/5/2012

Selected by: Township 162
Range 092
Section 05

Page 1 of 1

TOWNSHIP: 162 RANGE: 092 SECTION: 05
MANUSCRIPT_NO:008094 YEAR: 2002
TITLE: Highway 5, E Jct. 40 East to W Jct. 52, Highway 89, Lignite Spur, Class II Inventory Report, Burke Co., ND
AUTHOR(s): Borchert, J.

A & H P MANUSCRIPT REPORT

Date: 10/5/2012

Selected by: Township 162
Range 092
Section 06

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TOWNSHIP: 162 RANGE: 092 SECTION: 06
MANUSCRIPT_NO:008094 YEAR: 2002
TITLE: Highway 5, E Jct. 40 East to W Jct. 52, Highway 89, Lignite Spur, Class II Inventory Report, Burke Co., ND
AUTHOR(s): Borchert, J.

TOWNSHIP: 162 RANGE: 092 SECTION: 06
MANUSCRIPT_NO:005728 YEAR: 1992
TITLE: Burke County Road Improvement Class III Cultural Resource Inventory Final Report (Project #DPI-0182(001)0701)
UW#1518
AUTHOR(s): Foster, J. G. Wermers J. Borchert



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Ms. Rebecca Spring
ECI Environmental Services
Electrical Consultants, Inc.
3521 Gabel Road
Billings MT 59102

NDSHPO REF.: 13-0008A PSC Docket Number 12-675
"Basin Transload: ADDENDUM to the Class III Cultural Resource Inventory
of a Proposed Oil Pipeline in Burke County, North Dakota" (Ethnoscience,
May 3, 2013)

Dear Ms. Spring,

We reviewed NDSHPO REF.: 13-0008A PSC Docket Number 12-675 "Basin
Transload: ADDENDUM to the Class III Cultural Resource Inventory of a
Proposed Oil Pipeline in Burke County, North Dakota" (Ethnoscience, May 3,
2013), and find it acceptable.

We concur with "*No Historic Properties Affected*" and "*No Significant Sites
Affected*" determinations provided that the project is of the nature stated, and
that it takes place in plotted location in the report documentation.

Thank you for the opportunity to review this project. If you have questions please
contact Susan Quinnell at squinnell@nd.gov or (701) 328-3576.

Sincerely,

Merlan E. Paaverud, Jr.
State Historic Preservation Officer (North Dakota)
and
Director, State Historical Society of North Dakota

c: Patrick Fahn, ND PSC