



TESORO

TESORO HIGH PLAINS PIPELINE

**NORTH DAKOTA PUBLIC SERVICE COMMISSION
DOCKET NO. _____**

**Corridor Certificate/Route Permit
BAKKEN AREA STORAGE HUB**

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Exhibits:

Exhibit A Maps

- Exhibit A-1 Tesoro High Plains Pipeline System Map
- Exhibit A-2 Bakken Area Storage Hub (BASH) Facility Map
- Exhibit A-3 Bakken Area Storage Hub (BASH) Survey Area location Map
- Exhibit A-4 Bakken Area Storage Hub (BASH) Facility location maps
Topographic and Aerial

Exhibit B Environmental Report

Exhibit C Cultural/Archeological Evaluation Report

Exhibit D Agency's Correspondence

- Exhibit D-1 U.S. Fish and Wildlife Service (FWS)
- Exhibit D-2 U.S. North Dakota Game and Fish Department (ND-GFD)



Exhibit D-3 U.S. North Dakota Parks and Recreation (ND-PRD)
Exhibit D-4 North Dakota State Historic Preservation Office (ND-SHPO)
Exhibit D-5 North Dakota Department of Health (NDDH)
Exhibit E ND-PSC Certificate of Site Compatibility for portion of BASH project which
lies within 350 ft. from the centerline of the existing THPP pipeline
Exhibit F Tesoro's 10-Year Plan

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SECTION A

DESCRIPTION OF PROPOSED FACILITY

1. Describe Type of Facility Addressed In This Application

1.1. Type of Facility

Tesoro High Plains Pipeline ("TESORO") owns and operates a 233- mile existing underground petroleum gathering and mainline pipeline system that extends from eastern Montana through North Dakota to Mandan, ND and also extends northward to the US-Canadian International Border where it ties into a pipeline system near the town of Lignite in Burke County, North Dakota. (See Exhibit A-1, Tesoro System Overview Map).

In this application, TESORO is proposing to upgrade its Bakken Area Storage Hub (BASH), previously known as New Ramberg Station, which is located in Williams County, North Dakota. The upgrade, referred to as the Bakken Area Storage Hub Project ("Project"), includes installing additional tank storage and associated piping and infrastructure, as more fully described in Section A-2 of this Application. The changes include adding additional above ground storage tanks to incrementally increase the storage capability by approximately 620,000 barrels. The Project will enable TESORO to better utilize its existing pipeline system, increase the storage capacities of its system, and provide increased flexibility in transporting Bakken production to TESORO's Mandan Refinery and other yet to be determined destinations for various Bakken Oil producers. All construction and work activities will be performed within the existing property boundaries of TESORO's BASH site (see Exhibit A-2, BASH Facility Map), which TESORO owns in fee.

1.2. Product

Product is Bakken Area Crude Oil.

2. Size and Design

2.1. Gross Design Capacity

The current BASH facilities were authorized pursuant to North Dakota siting exclusion certification PU-13-224 for the installation of three (3) 120,000 barrel (net) storage tanks, multiple pumps and interconnecting piping to TESORO's existing pipeline system (See Exhibit A-2 for BASH Facility Map).

TESORO proposed to expand the existing BASH facility located on approximately 42.47 acres in the SW $\frac{1}{4}$ of Section 32, Township 156 North, Range 95 West, Williams County, North Dakota to incorporate the entire property parcel currently owned in fee.

TESORO proposed to incrementally increase storage capacity by adding additional above ground storage tanks. It is proposed to increase capacity incrementally to increase the total storage capacity to approximately 980,000 barrels over the next



several years based on commercial market demand by Bakken area shippers.

2.2. Net Design Capacity

TESORO proposed to install one (1) 300,000 barrel and one (2) 160,000 barrel tank as shown on Exhibit A-2 (southeast corner of property). Additionally, the appropriate containment dike, additional piping manifolds and pumps will be installed as required in order to meet the commercial needs of Bakken Area shippers.

Once completed, the BASH facility is expected to provide approximately 980,000 barrels of storage capacity and the ability to handle over 100,000 BPD of crude oil.

2.3. Estimated Thermal Efficiency of the Energy Conversion Process and the Assumptions upon Which the Estimate is based

This not applicable to the process.

2.4. The number of acres that the proposed facility will occupy

TESORO has acquired approximately 40 acres as shown on Exhibit A-2.

2.5. One (1) copy of all design data reports separate from the application.

Project Facility Map is shown in Exhibit A-2

3. Time Schedule

3.1. Certificate of Site Compatibility

The Certificate of Site Compatibility is being submitted in August 2014. Approval expected on or before November 2014.

3.2. Land Acquisition

This Project will occur entirely within land owned by TESORO existing of approximately 40 acres located in the NW ¼ of Section 32, Township 156 North, Range 32 West, Williams County, North Dakota. No additional land acquisition is required for this Project.

3.3. Construction Start Date

TESORO proposes to commence construction in 2015, subject to receipt of all appropriate approvals.

3.4. Construction Complete

Estimated construction completion date is December 31, 2015.

3.5. In-Service Date

Estimated in-service date is November 1, 2015

3.5.1. Any Expansions or Additions

The Project is an expansion to the existing BASH facility.

SECTION B



STUDIES

4. Study Area

TESORO defined its survey area as a 42.47-acre parcel in the NW1/4 of township 156 north, Range 95 west, section 32, Williams County, North Dakota. The environmental analysis was conducted for the entire survey area (see Exhibit B). A field assessment was completed on April 25, 2013. The study area included the proposed property boundary and a surrounding one mile buffer in all directions.

5. Site

TESORO owns a 42.47-acre plot in the NW1/4 of township 156 north, Range 95 west, section 32, Williams County, North Dakota. The proposed project area has an existing Tesoro High Plain Pipeline (THPP) crossing through the site. This existing crude oil pipeline is a part of the THPP System, which has been in service since the 1950s. As such, the existing THPP pre-dates North Dakota's Siting Act and thereby proposed project qualifies for construction within the 350 ft. limit from the center line of the existing pipeline through the Certification Process, N.D.C.C. 49-22-03(3)(a) (2009). Therefore, the portion of BASH project which lies within 350 ft. from the centerline of the existing THPP pipeline, were approved by the certification process, N.D.C.D. 49-22-03(3) (a) (2009). This certificate (PU-13-224) is attached in Exhibit E. This application includes the portion of the project that is outside 350-ft. from the centerline of the existing THPP pipeline at west side of the proposed project site. Please see Exhibit A-2 BASH facility Map)

On Behalf of TESORO, 3rd Party sub consultants initiated consultations with the federal and state agencies identified below for the purpose of environmental resource assessment relative to the potential impacts associated with the siting and construction of the proposed project at this location. Please refer to Exhibit D for copies of these consultations.

- U.S. Fish and Wildlife Service (FWS);
- North Dakota Game and Fish Department (GFD);
- North Dakota Parks and Recreation Department (PRD);
- North Dakota State Historic Preservation Office (SHPO); and
- North Dakota Department of Health (NDDH).

Consultations and field studies are summarized as follows:

6. Environmental Analysis:

On Behalf of TESORO, KC Harvey Environmental LLC (KC Harvey) prepared the environmental report of the proposed BASH project. The copy of the report is available in Exhibit B. The BASH project was known as New Ramberg Station when KC Harvey prepared this report; therefore the proposed BASH project is referred as New Ramberg Station in environmental report.



6.1. Biological Resources:

6.1.1. Wetland Assessment:

On behalf of TESORO, in May 2013, KC Harvey Environmental LLC (KC Harvey) of Bozeman, MT, completed a wetland delineation of the survey area. During the site assessment, no wetlands were observed within the property boundaries. United States Army Corps of Engineer's wetland delineation data sheets are provided with the Environmental Report in Exhibit B. Two ephemeral drainage streams were observed on eastern and northwest corner of the site. Despite the lack of wetland, this ephemeral drainage stream impact will be avoided during construction.

6.1.2. Threatened and Endangered Species:

On behalf of TESORO, KC Harvey conducted a habitat assessment and raptor nest survey of the surveyed area in April 2013. Assessments for federally listed threatened, endangered and candidate species were conducted by evaluating historic and present occurrences, and by determining if potential habitats exist within the survey area. Determinations were made concerning direct and cumulative effects of the proposed activity on each species and their habitat. Currently, five federally listed species have been documented in Williams County, including:

1. Gray Wolf (*Canis lupus*) - federally endangered;
2. Interior Least Tern (*Sterna antillarum*) - federally endangered;
3. Pallid Sturgeon (*Scaphirhynchus albus*) - federally endangered;
4. Piping Plover (*Charadrius melodus*) - federally threatened with designated critical habitat; and
5. Whooping Crane (*Grus americana*) - federally endangered.

A synopsis of the determinations for each of these species is included below. Suitable habitat for the interior least tern and pallid sturgeon is generally limited to the Missouri River system, which is outside the project area. As such, there will be no effect on these species.

1. Gray Wolf (*Canis lupus*)

Gray wolves were not observed during the habitat assessment and there is no potential habitat located in the survey area. The proposed Project will have no effect on this species at this time.

2. Piping Plover (*Charadrius melodus*)

No individuals were sighted during the field habitat assessment, and there was no suitable habitat identified within the survey area.

3. Whooping Crane (*Grus americana*)

Whooping cranes may fly over, temporarily feed, or loaf in the area during spring and fall migration. Whooping cranes were not observed during the field survey; however, there is suitable habitat located within the survey area. The whooping cranes preferred habitat includes large marshy wetlands where whooping cranes are likely to roost, and croplands where cranes may feed. Cropland is present in the vicinity of the project. If



individuals migrate through the Project area during construction, they will likely avoid the Project area and utilize adjacent croplands or wetland complexes.

As part of pre-construction activities, if a whooping crane is sighted within one-mile of construction activities, TESORO will suspend construction at that location and contact the FWS immediately. For these reasons, the proposed Project is not likely to adversely affect this species.

6.1.3. Raptors and Migratory Birds:

The Project may affect raptor and migratory bird species through direct mortality, habitat degradation, and/or displacement of individual birds. These impacts are regulated in part through the Migratory Bird Treaty Act (916 USC 703-711) and the Bald and Golden Eagle Protection Act (BGEPA). A Raptor survey was conducted by KC Harvey on site and within 2 (two) miles of the project boundary on April 23, 2013. No raptors or raptor nests were observed during the survey.

As part of the wetland delineations, KC Harvey also conducted a habitat assessment of the survey area. The assessments did not reveal threatened and endangered species or critical habitat areas of concern. A ground survey for tree and ground raptor nests was also conducted during the on-site evaluations, and no raptor nests were observed.

6.1.4. Soils:

On Behalf of TESORO, KC Harvey reviewed the United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Soil Survey Geographic Database (SSURGO) soil data from Williams County (USDA NRCS 2012). No Prime Farmland was found within the proposed project area; however the majority of the proposed property contains Farmland of Statewide Importance (Figure 3). Soils within and surrounding the project, are described as partially hydric with no probable flood occurrence.

6.1.5. Vegetation:

The vegetation on the site consists primarily of annual wheat crop. The grassland in the northern part of the property is a mix of non-native pasture grasses (smooth brome [*Bromus inermis*] and bluegrass [*Poa spp*]) with native prairie forbs. Native shrub species including chokecherry (*Prunus virginiana*) and snowberry (*Symphoricarpos occidentalis*) are common in the drainages and slopes of the property. No trees are present. Canada thistle (*Cirsium arvense*), a noxious weed species, is present at low coverage along the drainages.

6.1.6. Land Cover and Land Uses:

Land cover from the National Land Cover Database (NLCD) from the Multi-Resolution Land Characteristics Consortium (MRCL) was evaluated in the project area (Homer, et al. 2007). According to the NLCD database, the proposed project area consists mainly of cultivated crops with grasslands on the north quarter and a small patch of shrubs on the west side.

The land cover was ground-truthed during the site assessment. The land cover assessment of the site and surrounding area (two-mile radius) was conducted by walking the site and delineating the vegetation community boundaries and plant species



within each community (Figure 4). The property consists primarily of agricultural cropland for wheat production. The northern portion of the property is mixed native and non-native grasses. There are drainages on the northeast and west portions of the property that contain shrubs. Wildlife sign was abundant indicating wildlife (e.g., deer, coyote, and upland birds) regularly use the site, particularly along the drainages and shrubs.

Adjacent land uses within two miles of the property include agricultural pasture and cropland, and industrial use.

In March 2013, letters were submitted to the U.S. Fish and Wildlife Service (FWS), North Dakota Game and Fish Department (ND-GFD) and North Dakota Parks and Recreation Department (ND-PRD) requesting review of the surveyed area and a one-half mile study area associated with the Project for concerns related to unique or rare wildlife species and their habitats. A summary of these consultations is provided below.

6.2. Cultural Resources:

On behalf of TESORO, Ethnoscience, Inc. (Ethnoscience) of Billings, MT conducted a Class III Cultural Resource Inventory in May 2013 on the survey area. No cultural resources were identified during the survey. Ethnoscience recommended a finding of "No Historic Properties Affected" as a result of the Project. A report of the survey's methods, findings, and recommendations is included as Exhibit C. The BASH project was known as New Ramberg Station when Ethnoscience prepared this report; therefore the proposed BASH project is referred as New Ramberg Station in cultural resources reports.

6.3. Agency Consultation:

6.3.1. U.S. Fish and Wildlife Service (USFWS):

The USFWS was contacted by KC Harvey on March, 2013 via letter and email. The correspondence sought data and comments related to the Endangered Species Act (ESA), the migratory Bird Treaty Act (KBTA), the Bald and Golden Eagle Protection Act (BGEPA), and other resources of concerned existing in or near project area. The reply letter stamped April 26, 2013 states that the project as described will have no significant impact on the fish and wildlife resources. Furthermore, no endangered or threatened species are known to occupy the project area. A copy of the correspondence with the USFWS is included in Exhibit D-1.

6.3.2. North Dakota Game and Fish Department (ND-GFD):

On Behalf of TESORO, KC Harvey contacted ND-GFD. The ND-GFD March 27, 2013 letter requested data and comments on Conservation Priority Species, Easements, and other resources of concern existing in or near the project area. ND-GFD responded via phone and email, stating the Agency "does not believe they (the Proposed Project) will have any significant adverse effects on wildlife or wildlife habitat based on the information provided."

A copy of the correspondence with the ND-PRD is included herein as Exhibit D-2.



6.3.3. North Dakota Parks and Recreation (ND-PRD):

On Behalf of TESORO, KC Harvey contacted ND-PRD on March 28, 2013 via letter and email. The correspondence requested data and comments on ND-PRD Natural Heritage Inventory occurrence, Natural Areas Registry resources, nature reserves, or other Department interests in or near the project area. The ND-PRD responded with letter dated May 1, 2013, no documented occurrence of the plant or animal species of concern or other significant ecological communities within or adjacent to project area. The ND-PRD recommend that the project be accomplished within minimal and that all efforts be made to ensure that critical habitat not be disturbed in the project area to help secure rare species conservation in North Dakota. ND-PRD also recommended that any impacted areas be re-vegetated with species native to the project area.

A copy of the correspondence with the ND-PRD is included herein as Exhibit D-3.

6.3.4. North Dakota State Historic Preservation Office (ND-SHPO)

On behalf of TESORO, Ethnoscience requested North Dakota State Historic Preservation Office (ND-SHPO) concurrence with the findings of the archaeological survey and Project clearance for the 40-acre parcel for BASH project. The ND-SHPO responded with Project concurrence on May 20, 2013, stating that ND-SHPO concurred with the "No Significant Sites Affected" determinations for the project, provided it remains as described and mapped in the Class III inventory.

A copy of the correspondence with the ND-PRD is included herein as Exhibit D-4.

6.3.5. Other Agency Consultations

In April 2013, on behalf of TESORO, KC Harvey consulted with the North Dakota Department of Health (NDDH) to determine the presence of protected water resources. Wellhead protection areas or any public water supply resources present within or near the project location. NDDH responded with a letter dated April 10, 2013. The letter stated the "proposed site is not located over a named groundwater aquifer or within a well head protection area." The NDDH stated that the proposed project operations would not likely impact drinking water sources. The NDDH requires a National Pollution Discharge Elimination System (NPDES) General Permit for Stormwater Discharge related to Construction Activities for any disturbance over one acre.

A copy of the correspondence with the ND-PRD is included herein as Exhibit D-5.



SECTION C

NEED FOR FACILITY

7. An Analysis Of The Need For The Proposed Facility Based On Present And Projected Demand For The Product Transmitted By The Facility, Including The Most Recent System Studies Supporting The Analysis Of The Need

7.1. Planned Use and Purpose

As demand for the crude oil production from the Williston Basin of North Dakota continues to increase, so does the demand for additional storage and pipeline capacity for crude oil transportation on the TESORO System. Basis for the BASH Upgrade Project is the continued and forecasted increase in drilling activities and produced crude volumes, coupled with the opportunity to provide an outlet to refineries and marketing hubs for this production.

BASH is strategically located near several existing crude outlets, including large rail export terminals located near Ramberg and Lignite, North Dakota.

TESORO is currently increasing its capability to increase the pipeline flow rate of its mainline system by approximately 100,000 BPD (PU-13-740) in order to meet the demand of the increasing drilling and production activity. This Project will allow TESORO to better utilize the capacity potential of the existing pipelines and provide transportation flexibility to new and existing shippers.

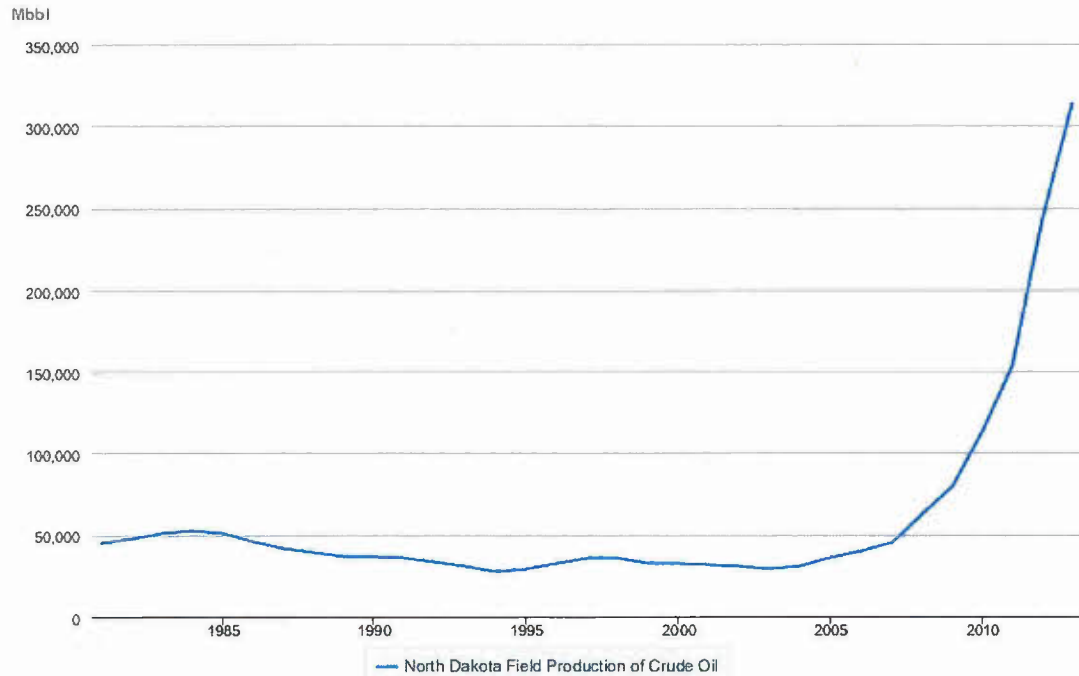
The primary producing areas that will support the Project are Williams, McKenzie and Dunn counties in northwestern North Dakota. The US Energy Information Administration indicates that crude oil production in North Dakota has more than doubled between 2011 and 2013.

Table1 Historical Oil Production – North Dakota

Historical Oil Production - North Dakota		
Year	Total Crude Oil Production, Barrel	% Gain over 2008
2008	62.8 million	-
2009	79.7 million	26.9%
2010	113.1 million	80.1%
2011	153.0 million	143.6%
2012	242.5 million	286.1%
2013	313.4 million	499.0%



Crude Oil Production



Source: U.S. Energy Information Administration

http://www.eia.gov/dnav/pet/pet_crd_crdpn_adc_mbbbl_a.htm

In June 2014, the production reached 1 million barrels a day.

The forecasts continue to indicate additional drilling and production for several years with significant upside potential and are considered more than sufficient to supply the additional capacities of this Project. Further project details are below.

- In-service date for the BASH Expansion Project is November, 2015.
- BASH Expansion Project operations will be operationally integrated with the existing TESORO System.
- Cost of the BASH Expansion Project is approximately \$31.5 million.
- Economic life of the BASH Expansion Project for this purpose is based on a 25-year depreciation cycle; but functional life of the proposed facilities is indefinite following normal maintenance and inspection practices of the federal regulated interstate pipeline system.
- TESORO's System operates year-round, round-the-clock, with the exception of planned system down-time for inspection, maintenance or repair purposes or unplanned down-time due to interruptions in receipts or refinery outages and/or operational disruptions caused by regional power outages or other reasons.



7.2. Future North Dakota System Expansion(s)

TESORO continually works closely with its shippers to develop long term plans that best serve the shippers' increasing oil storage and transportation requirements.

With the increasing drilling activity in the Williston Basin production area, TESORO continues to receive requests for additional capacity on its North Dakota system. TESORO is responding to those requests with a number of potential future projects that are (subject to approvals) designed to meet the shippers' needs and provide access to other pipeline systems, where shippers will have numerous refinery and marketing options via TESORO's mainline system or through other third-party pipelines.

7.3. Alternatives to the Proposed Facility

TESORO has performed a reasonable and defensible alternative analysis that involves consideration of environmental, engineering and economic factors in a multi-disciplinary and iterative fashion. This analysis resulted in the following alternatives to the Project.

7.3.1. No Action Alternative

In light of the overall increase in Williston Basin production, the shippers' requirements for increased storage and transportation capacity and the current apportionment that is being experienced on the TESORO System, a "no action" alternative is unacceptable to TESORO and its clients.

7.3.2. Truck Alternative

As an alternative to installing the equipment described above at BASH, trucks could be used to transport the additional volumes directly to various rail facility outlets. However, this alternative has multiple negative aspects, including:

- Does not fully utilize the maximum capacity of TESORO's existing pipeline system.
- Utilizing this option will significantly overburden current public road capacity, especially considering that trucks will require round-trip routing.
- Reliability of this alternative in northern climates is compromised by periodic restrictions in truck traffic due to winter storms and other uncertainties associated with travel by road.
- Public safety will be adversely affected by the increased truck traffic on local roads.
- Limits shipper access to markets within reasonable trucking distance of supply.
- Fails to provide storage and balancing required for effective dispatching volumes to account for periodic interruptions and delays.



7.3.3. Alternative TESORO Pipeline Route

Since TESORO does not propose to install a new transportation pipeline as part of the Tioga Station Upgrade Project, no alternative TESORO Pipeline route was considered.

7.4. A summary of the conclusions reached with respect to the alternatives and the reason for their rejection

The objective of the Project is to provide a cost effective and efficient method to:

- Increase pipeline flow rate to better utilize existing capacity potential
- Receive incremental supply volumes from a truck unloading facilities located along TESORO's pipeline;
- Help reduce the current reliance on long-haul truck deliveries; and
- Reduce the transportation costs borne by Williston Basin producers, allowing their savings to be immediately re-directed toward the development of the oil and gas resources in the State, resulting in additional economic benefits to North Dakota.

As proposed, this Project minimizes environmental and landowner impacts and, when integrated with the existing TESORO System, provides the safest, most efficient and cost effective alternative to link the growing demand for crude oil supplies with increased and reliable domestic supplies from North Dakota.

7.5. Statement Concerning Deviation from Most Recent 10-Year Plan

TESORO's currently filed 10-year plan with the ND-PSC is enclosed herein as Exhibit F. At the time of filing, TESORO did not anticipate the need for the proposed Project and is revising its 10-year plan accordingly.



SECTION D

LOCATION

8. Study/Survey Area

As described above in Section B, TESORO defined its survey area as a 42.47-acre parcel in the NW1/4 of township 156 north, Range 95 west, section 32, Williams County, North Dakota. Majority of the project has been built within 350' the entire property was surveyed for the purposes of this corridor certificate application. TESORO has also assessed a roughly one-half mile wide "study area" associated with this parcel (measured from the perimeter of the survey area boundary) in this application.

9. Evaluation Criteria Leading To Site Selection

Evaluation criteria as described in North Dakota Administrative Code (North Dakota Rules) Chapter 69-06-08-02 guided and governed the siting of the Project. Detailed discussions of these criteria, including descriptions, potential impacts, and mitigation measures where appropriate are provided below.

9.1. Exclusion Areas

According to the NDAC, Exclusion Areas are geographic areas where no construction activity is allowable. Buffer zones are established at designated widths in order to protect the exclusion area resource. Table 1 indicates the types of exclusion zones specified by the NDPSC and the

Table 2. Exclusion Area criteria for the proposed project area and surrounding study area

Exclusion Areas In Study Area Within Project	In Study Area	Within Project Boundary
National Monuments	No	No
National Wilderness Areas	No	No
National Wildlife Refuges	No	No
State Wild, Scenic, or Recreational Rivers	No	No
State Game Refuges	No	No
State Game Management Areas	No	No
State Management Areas	No	No
State Forests	No	No
State Forest Management Lands	No	No
State Grasslands	No	No
State Parks and Forest	No	No
State Historic Sites	No	No
State Monuments	No	No
State Historical Markers	No	No
State Archaeological Sites	No	No
State Nature Preserves	No	No
State or National Grasslands	No	No
Other Historical Resources	No	No



County Parks	No	No
County Recreational Areas	No	No
Municipal Parks	No	No
Parks owned or administered by other Governmental Subdivisions	No	No
Prime and Unique Farmlands	No	No
Critical Habitats defined by the USFWS	No	No
Irrigated Land	No	No
Areas of unique animals or plant species	No	No

9.2. Avoidance Areas

Avoidance Areas are defined by the NDAC as geographic areas which may be impacted by the proposed management, the orderly siting of the facility, system reliability and integrity, the efficient use of resources, and alternative sites. Table 2 lists the criteria and determined Avoidance Areas observed during the site assessment.

Table 3 Avoidance Area criteria for the proposed project area and surrounding study area.

Avoidance Areas	In Study Area	Within Project Boundary
Historical Resources not Designated as Exclusion Area	No	No
Areas Which Are Geologically Unstable	No	No
Within Five Hundred Feet [152.4 Meters] of a Residence, School, or Place of Business	No	No
Areas within 100-year Floodplain	No	No
Woodlands	No	No
Wetlands and Watercourses	Yes	Yes
Reservoirs and Municipal Water Supplies	No	No
Water Sources for Organized Rural Water Districts	No	No
Areas of Recreational Significance Which Are Not Designated as Exclusion Areas	No	No

9.3. Selection Criteria

Selection Criteria are those environmental resources on which the Project must have an acceptable minimum amount of impact, as determined by the ND-PSC. Table 3 below identifies Selection Criteria that were considered for the Project. A discussion of potential impacts and mitigation measures that will be implemented is provided in those instances where impacts to Selection Criteria are possible.



Table 4 Selection Criteria

Selection Criteria	Potential Impact Resulting from Project
Agricultural Production	Minimal
Family Farms and Ranches	None
Land Suitable for Irrigation	None
Surface and Groundwater Flow Patterns	Avoidance Area
Noise Sensitive Areas	None
Visual Effects	None
Extractive and Storage Resources	None
Wetlands/ Watercourses	Avoidance Area
Woodlands	None
Communication or Electric Control Facilities	None
Human Health and Safety	Future Potential
Animal Health and Safety	None
Plant Life	Minimal

9.3.1. Agricultural Production

The property is currently used for the production of annual wheat crops. The proposed development will decrease agricultural production by 29.7 acres. There are family farms within the vicinity (2 mile radius) of the proposed project location. Minimal impact to agricultural production is expected due to the development of the proposed project. (USDA 2007 Census of Agriculture)

9.3.2. Noise and Visual Effects

The surrounding and adjacent land use to the south is industrial. The New Ramberg/ Beaver Lodge Station is directly south of the proposed project location. Another industrial station is directly west of the site. In addition, a new industrial site is being developed within one mile of the eastern boundary. The proposed location is also within the Beaver Lodge Oil Field. Noise or visual effects are not foreseen due to the proposed project.

9.3.3. Wetlands

During the site assessment the presence or absence of wetlands was determined using USACE methods (USACE 1987 and 2010). No wetlands were located within the property boundaries. USACE wetland delineation data sheets are provided in Exhibit B. The site has two ephemeral drainages. Water was present and flowing during the April survey. However, wetland plants and soils were absent from the site. These areas do not meet the USACE definition of a wetland.



9.3.4. Human Health and Safety

Despite its excellent safety record, the transportation of crude oil involves some risk to the public. Perhaps the most obvious risk to human health is the potential for fire in the event of an accident and subsequent release. Toxic exposure from crude oil through skin contact, ingestion, or vapor inhalation can also be a risk from exposure to significant quantities or in confined spaces.

TESORO will design, construct, test, operate, and maintain the Project in accordance with all applicable laws and standards. The U.S. Department of Transportation's pipeline standards are published in Parts 194 and 195 of Title 49 of the Code of Federal Regulations. The regulations are intended to ensure adequate protection of the public and to prevent accidents and failures. Part 195 specifically addresses petroleum pipeline safety issues. It specifies material selection and qualification; minimum design requirements; and protection from internal, external, and atmospheric corrosion. Part 194 prescribes emergency planning to prepare for prompt shutdown, containment and cleanup to minimize the effects of a pipeline release, should one occur.

No known impacts to human health or safety besides future operation at BASH are foreseen from the development of the proposed project.

9.3.5. Plant Life

According to the KC Harvey wetland delineation and habitat assessment referenced above (see Exhibit B), Vegetation at the proposed project location consists mainly of cultivated crops with the north ¼ of the property being non-native and native grass species. Minimal impacts to the vegetation communities are expected from the development of the proposed project.

9.4. Policy Criteria

9.4.1. Location and Design

TESORO has designed the Project to maximize the use of the existing BASH facilities.

9.4.2. Training and Utilization of Available Labor in this State for the General and Specialized Skills Required

Locally hired construction workers will be dependent on the qualified contractor selected for the Project. Pipeline and station construction is a specialized market and it is unlikely that there are qualified local pipeline contractors in the immediate vicinity capable of completing the Project. If a non-local contractor is awarded this Project, it is likely that up to 75 percent of the workers may be non-local. The remaining 25 percent may be hired from the local population currently residing in nearby areas of North Dakota.

TESORO does not anticipate hiring any permanent employees to operate the



BASH Facility. Operation of this facility will be managed by TESORO's existing workforce.

9.4.3. Economies of Construction and Operation

Crude oil and natural gas are North Dakota's leading mineral products. North Dakota is the fourth largest producer of crude oil in the country. The Project will boost the State's economy and allow the State to capitalize on tax revenue gathered from increased production and extraction taxes.

State and local economies will also benefit during construction from the temporary hiring of local construction workers, and from a relatively large-scale, temporary influx of non-local construction workers. Unemployment in the area would see a temporary drop, and payroll taxes would temporarily rise.

Local businesses will benefit from the demand for goods and services generated by the temporary workforce's need for food and lodging. In addition, TESORO will purchase some of the materials necessary for construction of the Project locally. TESORO estimates that local purchases made for construction of the Project will primarily include consumables, fuel, equipment rental, and miscellaneous construction-related materials (e.g., office supplies).

9.4.4. A Commitment of a Portion of the Transmitted Product for Use in this State

TESORO does not own any of the crude oil in its system, and, as a common carrier pipeline, does not determine the destinations for the products transported by its system. TESORO's business is to provide transportation service to its customers as a common carrier, and to receive a fee for that service pursuant to tariffs authorized by the Federal Energy Regulatory Commission (FERC) pursuant to the Interstate Commerce Act.

9.4.5. Coordination of Facilities

As previously mentioned, TESORO has designed the Project to maximize use of the existing BASH facilities and site to minimize environmental impacts to the greatest extent possible.

9.4.6. Monitoring of Impacts

TESORO is committed to protecting the environment and complying with all applicable environmental laws, regulations, and standards. TESORO is proposing to implement environmental training and will designate an environmental representative to oversee the Project and to ensure and document environmental compliance throughout the course of the Project.



9.4.6.1. Environmental Training

To communicate the Project's environmental requirements to Project personnel, TESORO will require environmental training of all Project personnel prior to construction. TESORO will:

- Require environmental training of all personnel (both contractor and TESORO) visiting or working at the job site;
- Require everyone who attends training to sign an acknowledgement form and be issued, as a proof-of-training, a hardhat sticker; and
- Require all personnel to display a hardhat sticker when on a job site or dismiss personnel from the job site until it is obtained through completion of training.

9.4.6.2. Environmental Monitoring

Environmental monitoring, in the form of ongoing site inspection, will be conducted during and following construction. Contract specifications will incorporate environmental protection and mitigation measures required by regulation, TESORO specifications or environmental permits. Contractors will be expected to implement these measures in the field. Contractor training and project orientation will also be provided by TESORO.

Environmental data has been assessed, (specifically cultural resources, wetlands, and protected species), as described in Section B of this application. TESORO will continue to work with appropriate regulatory agencies and will continue to gather comprehensive information during the permitting process.

9.4.6.3. Utilization of Existing and Proposed Rights-of-Way and Corridors

As previously mentioned, TESORO has designed the Project to maximize use of the existing BASH facilities and property to Relative Value of Evaluation Criterion

9.5. Relative Value of Evaluation Criterion

The Project involves the upgrade of TESORO's existing BASH facilities. The criteria evaluated in Section 9.6 were considered in the design of the proposed upgrade facilities.

9.6. Criteria Evaluated

- Exclusion Areas
- Avoidance Areas
- Selection Criteria
- Policy Criteria
- Design and Construction Limitations
- Economic Considerations



Complete descriptions, potential impacts, and mitigation measures relevant to the six criteria cited above are provided in Section D.9 (above).

9.7. General Mitigative Measures to Be Taken

Mitigation measures to minimize adverse impacts of the Project are identified throughout this document. TESORO will develop a Storm Water Pollution Prevention Plan (SWPPP) and placed it on project site during construction to prevent the erosion control and sediment from escaping from the site. It will also help prevent impacting sensitive environmental features on site during construction. In addition, TESORO will develop a Spill Prevention, Containment and Control Plan (SPCCP) that describes planning, prevention and control measures to minimize impacts of Project-related spills. SWPPP and SPCCP are comprehensive, controlling documents that will be included in contract specifications.

9.8. Qualifications of Persons Contributing To the Study

David Cameron, PE

Degree: BS, Civil Engineering, University of Colorado

Experience: Specialist in reclamation design with 31 years of professional experience in North America, Mexico, South America, and Australasia. He also has vast experience in development and implementation of reclamation plans for mining, oil and gas, and other energy related projects.

Monica Pokorny

Degree: MS, Land Resources and Environmental Sciences, Montana State University

Experience: 17 years of experience doing biological assessments, field sampling, reclamation design and implementation, and reporting.

Loren Franklin

Degree: MS, Land Rehabilitation

Experience 6 years of experience being a reclamation scientist and her project experience emphasizes human and ecological risk assessment, environmental sampling, and reclamation planning, construction, and monitoring. Her specialties also include GPS, GIS, and database compilation.

Brad Kovach

Degree: BS, Biology

Experience: 22 years of experience in environmental services. His experience includes facility siting and permitting, resource assessments, and project management.

9.9. Maps

9.9.1. Map of Evaluation Criteria within Study Area

TESORO is enclosing herewith as Exhibit A-2, A-3 and A-4 certain plot plans showing the location of the proposed tanks within the BASH facility property as described in Section A. Also, TESORO encloses herein as Exhibit A-4, a



topographic map and aerial map showing the location of the Project.

9.9.2. Mylar Maps of Study Area

Mylar maps have not been included with this application because this map producing process is no longer in use.

Exhibit A

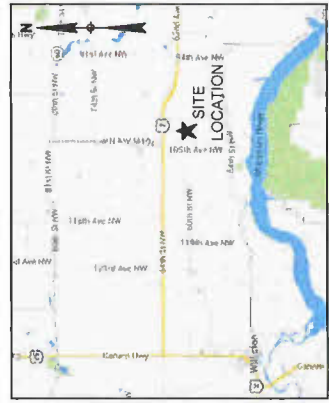
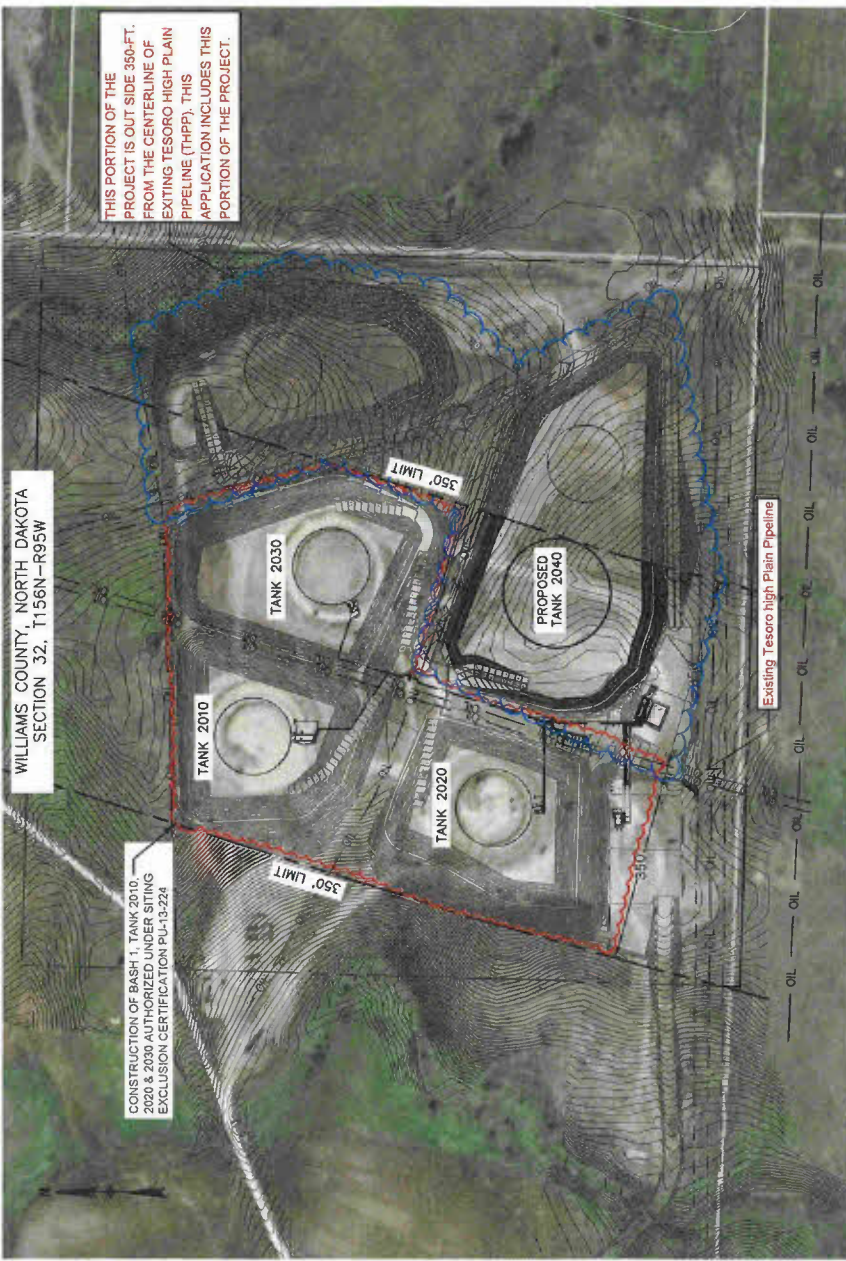
Maps

Exhibit A-1

Tesoro High Plains Pipeline System Map

Exhibit A-2

Bakken Area Storage Hub (BASH) Facility Map



NOTES:

1. PROPOSED TESORO'S BASH 2 FACILITY (TANK 2040) TO BE INSTALLED WITHIN 350' OF EITHER SIDE OF THE EXISTING PIPELINES. NO CONSTRUCTION ACTIVITIES TO TAKE PLACE OUTSIDE 350' LIMIT WITHOUT ADDITIONAL PSC APPROVAL.
2. FULL CERTIFICATE APPLICATION FOR SITE COMPATIBILITY WILL BE FILED FOR CONSTRUCTION OUTSIDE 350' CORRIDOR AND INCORPORATE TESORO'S ENTIRE PROPERTY PARCEL.

PROPOSED SITE LAYOUT

<p>TESORO LOGISTICS TESORO HIGH PLAINS PIPELINE COMPANY LLC BASH SITE</p>		<p>WOOD GROUP MUSTANGS, INC. PROJECT NO: 103638 BASH SITE FACILITY MAP (NORTH DAKOTA PSC FILING)</p>																			
<table border="1"> <tr> <th>DESIGNER</th> <th>DATE</th> </tr> <tr> <td>JSK</td> <td>5/19/14</td> </tr> </table>	DESIGNER	DATE	JSK	5/19/14	<table border="1"> <tr> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>5/23/14</td> <td>ISSUED FOR BASH 2 ND PSC FILING</td> </tr> </table>	DATE	DESCRIPTION	5/23/14	ISSUED FOR BASH 2 ND PSC FILING	<table border="1"> <tr> <th>PROJECT NUMBER</th> <th>PROJECT NAME</th> </tr> <tr> <td>103638</td> <td>BASH SITE</td> </tr> </table>	PROJECT NUMBER	PROJECT NAME	103638	BASH SITE	<table border="1"> <tr> <th>SCALE</th> <th>DATE</th> <th>REV.</th> </tr> <tr> <td>1"=200'</td> <td></td> <td>A</td> </tr> </table>	SCALE	DATE	REV.	1"=200'		A
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1"=200'		A																			
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THIS DRAWING AND THE DESIGN IT DETAILS ARE CONFIDENTIAL AND REMAIN THE PROPERTY OF THE CLIENT AND SHALL NOT BE DISCLOSED TO OTHERS OR REPRODUCED IN ANY MANNER OR USED FOR ANY PURPOSE WHATSOEVER EXCEPT BY WRITTEN PERMISSION BY THE OWNER.

Exhibit A-3

Bakken Area Storage Hub (BASH) Survey Area location Map

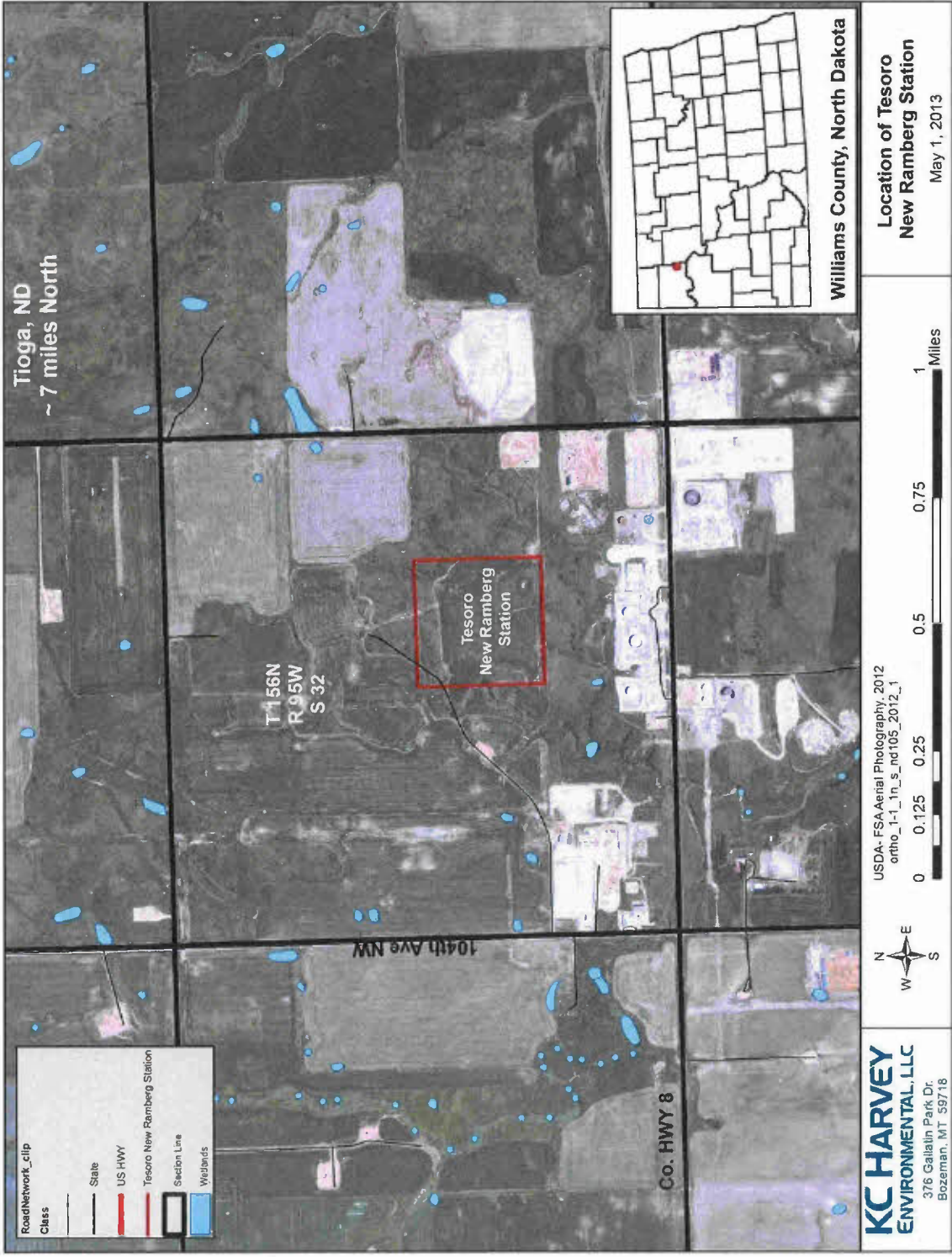


Figure 1. Proposed Tesoro New Ramberg Station project location.

KC HARVEY

KC HARVEY ENVIRONMENTAL, LLC

376 Galatin Park Dr.
Bozeman, MT 59718

KC HARVEY

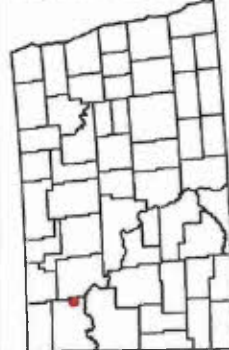
USDA- FSA Aerial Photography, 2012
ortho_1-1_in_s_nd105_2012_1



**Location of Tesoro
New Ramberg Station**

May 1, 2013

Williams County, North Dakota



Tioga, ND
~ 7 miles North

T156N
R95W
S32

104th Ave NW

Co. HWY 8

Tesoro
New Ramberg
Station

RoadNetwork_clip

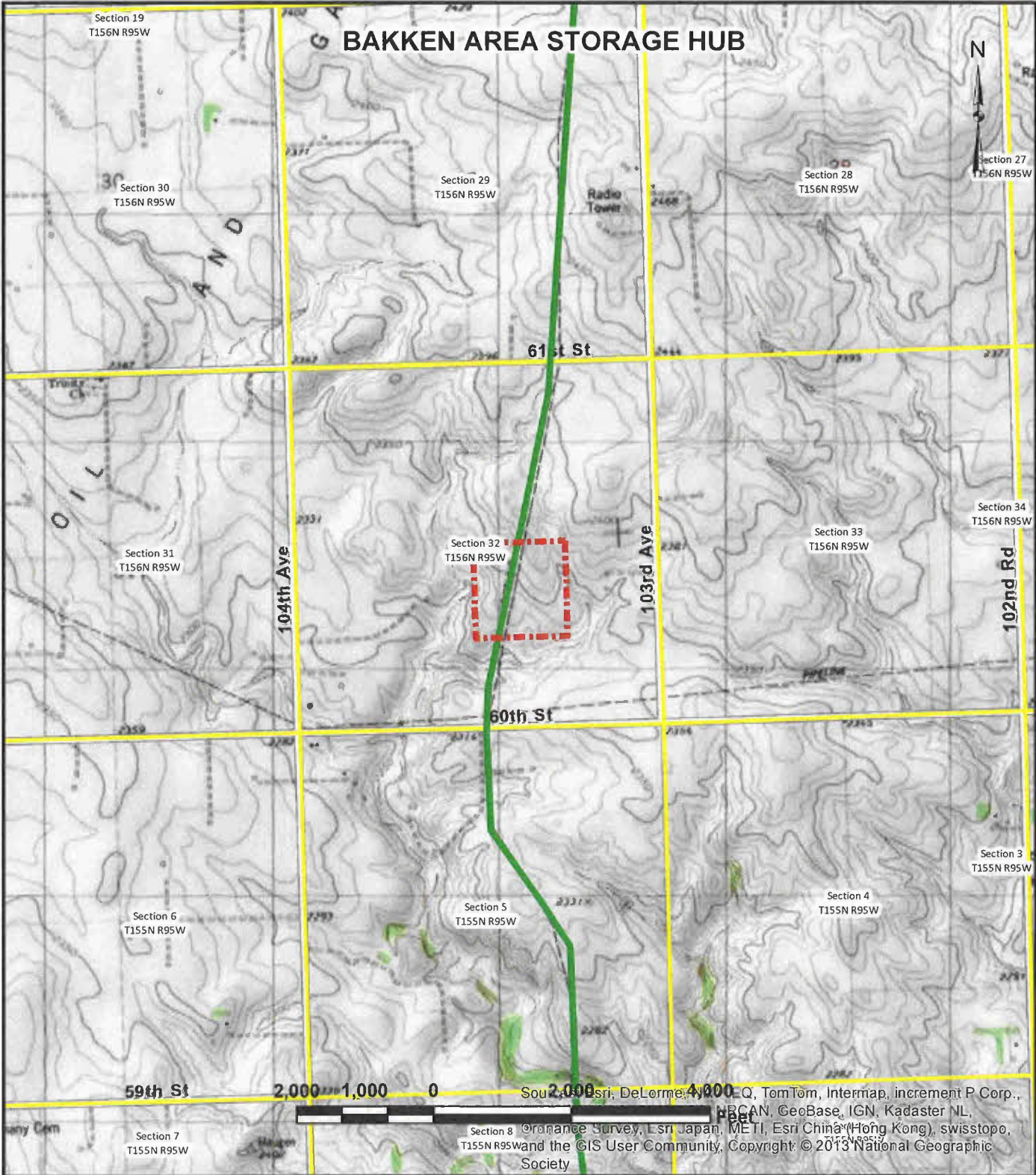
Class

- State
- US HWY
- Tesoro New Ramberg Station
- Section Line
- Wetlands

Exhibit A-4



Bakken Area Storage Hub (BASH) Facility location Maps

Topographic and Aerial




BAKKEN AREA STORAGE HUB

Legend

-  Proposed BASH Site Boundary
-  Existing Tesoro High Plain Pipeline (THPP)

Bakken Area Storage Hub (BASH)
T156N, R95W
Williams County, North Dakota




BAKKEN AREA STORAGE HUB (BASH)
Site Location Map (Topo)



Date: 08/12/13
Project #: 21235

Exhibit A-4

BAKKEN AREA STORAGE HUB



Legend

-  Proposed BASH Site Boundary
-  Existing Tesoro High Plain Pipeline (THPP)

Bakken Area Storage Hub (BASH)
T156N, R95W
Williams County, North Dakota



BAKKEN AREA STORAGE HUB (BASH)
Site Location Map (Aerial)



Date: 08/12/13

Project #: 21235

Exhibit A-4

Exhibit B
Environmental Reports

**NEW RAMBERG STATION
ENVIRONMENTAL REPORT**

Tesoro High Plains Pipeline

KC HARVEY
ENVIRONMENTAL, LLC



New Ramberg Station Environmental Report

Prepared for:

Wood Group Mustang, Inc.
410 17th Street, Suite 1260
Denver, Colorado 80202

Prepared by:

KC Harvey Environmental, LLC
376 Gallatin Park Drive
Bozeman, MT 59715

May 7, 2013

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1.0 Introduction

KC Harvey Environmental, LLC (KC Harvey) prepared this environmental report of the proposed project: Tesoro High Plains Pipeline (Tesoro) New Ramberg Station (NR Station). This report was completed to provide information for Tesoro's Application for Certification of Site Compatibility to the North Dakota Public Service Commission (NDPSC). We contacted agencies, reviewed available geographic records and databases, and completed a field site assessment pertinent to all environmental subjects in the application. The site assessment included identification of wetlands, wildlife and raptors, soils, vegetation, and land uses on and within a two-mile area around the project location.

Prior to the field assessment, KC Harvey conducted agency contacts and data reviews related to wildlife, soil, geology, vegetation and water resources. This also included identification of NDPSC identified exclusion and avoidance areas for these resources. Federal and state Agencies were consulted to identify environmental and biological resources in or within the vicinity of the project area. A field assessment was completed on April 25, 2013. The study area included the proposed property boundary and a surrounding two mile buffer in all directions.

2.0 Location

The proposed New Ramberg Station location is on the eastside of 104th Avenue NW and is accessed off an unnamed road north of 60th Street NW (Figure 1). The legal description is the NW1/4 of township 156 north, Range 95 west, section 32.

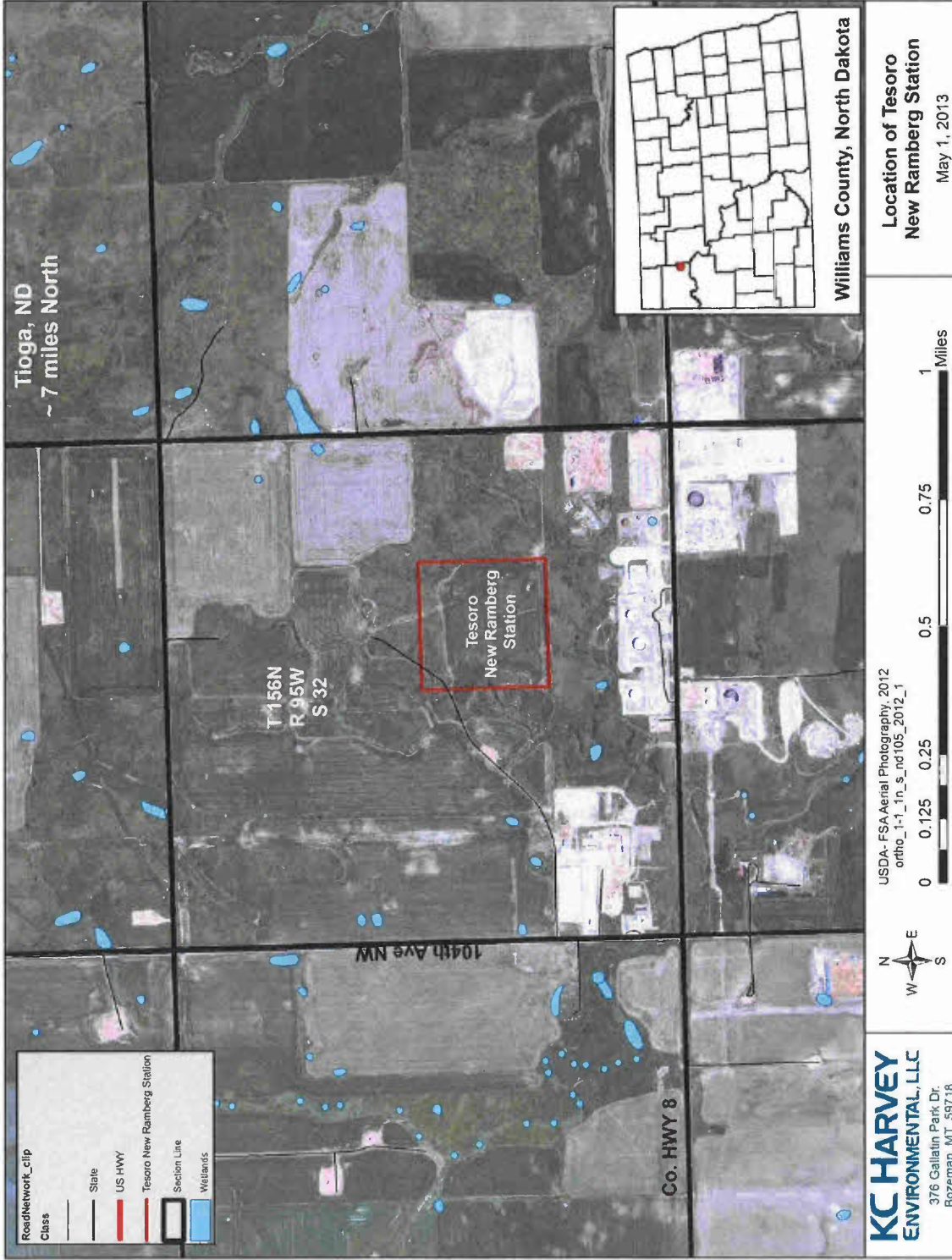


Figure 1. Proposed Tesoro New Ramberg Station project location.

KC HARVEY

3.0 Agency Consultations

Letters regarding wildlife-related topics were sent to Federal and state Agencies in March 2013. A request for agency data and comments related to the proposed project was initiated through formal letters. These include the United States Fish and Wildlife Service's North Dakota Ecological Services Office (USFWS), the North Dakota Game and Fish Department (NDGF), and the North Dakota Parks and Recreation Department (NDPR).

The North Dakota Department of Health's Division of Water Quality (NDDH) and the United States Army Corps of Engineers (USACE) were formally contacted in April 2013 for information on wetland and water resources.

The sections below summarize the data and comments received from these Agencies.

3.1.1 United States Fish and Wildlife Services (USFWS)

The USFWS was contacted March 27, 2013 via letter and email. The correspondence sought data and comments related to the Endangered Species Act (ESA), the Migratory Bird Treaty Act (MBTA), the Bald and Golden Eagle Protection Act (BGEPA), and other resources of concern existing in or near the project area. The reply letter stamped April 26, 2013 states that the project as described will have no significant impact on fish and wildlife resources. Furthermore, no endangered or threatened species are known to occupy the project area.

A copy of the correspondence with the USFWS is included in Appendix A.

3.1.2 United States Army Corps of Engineers (USACE)

KC Harvey notified the USACE of the project location in April 2013 and that a site assessment and wetland delineation would be completed if any wetlands were found on the site. KC Harvey also noted that if any wetlands were located, project construction would avoid these areas and no impacts to wetlands are anticipated.

Daniel Cimarosti, the State Program Manager from the USACE North Dakota Regulatory Office responded April 17, 2013. The response acknowledged the project and requested submittal of a wetland permit application if wetland impacts are unavoidable.

The site assessment found no wetlands on the property. KC Harvey will notify the USACE of the site assessment completion, provide them the wetland delineation data forms, and indicate that no Jurisdictional Determination is needed.

A copy of the correspondence with the USACE is in Appendix A.

3.1.3 North Dakota Game and Fish Department (NDGF)

The NDGF March 27, 2013 letter requested data and comments on Conservation Priority Species, easements, and other resources of concern existing in or near the project area. John Schumacher, Resource Biologist from the NDGF responded via phone and email, stating the

Agency “does not believe they (the proposed project) will have any significant adverse effects on wildlife or wildlife habitat based on the information provided.”

A copy of the correspondence with the NDGF is included in Appendix A.

3.1.4 North Dakota Parks and Recreation (NDPR)

KC Harvey contacted the NDPR on March 28, 2013 via letter and email. The correspondence requested data and comments on NDPR Natural Heritage Inventory occurrences, Natural Areas Registry resources, nature reserves, or other Department interests in or near the project area. The NDPR has not responded concerning the proposed project.

A copy of the correspondence letter sent to the NDPR is included in Appendix A.

3.1.5 North Dakota Department of Health (NDDH)

The NDDH was contacted in April 2013 to determine the presence of protected water resources, wellhead protection areas, or any public water supply resources present within or near the project location. Mr. Dennis Fewless, Director of the NDDH Division of Water Quality responded to our inquiry with a letter dated April 10, 2013. The letter stated the “proposed site is not located over a named groundwater aquifer or within a wellhead protection area.” The NDDH stated that the proposed project operations would not likely impact drinking water sources. The NDDH requires a National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharge related to Construction Activities for any disturbance over one acre.

A copy of the correspondence with the NDDH is included in Appendix A.

4.0 Biological Resources

The following sections describe the results and findings of the data analyses, agency correspondence, and field assessment. KC Harvey completed the field site assessment on April 25, 2013 for wetlands, wildlife and raptors, soils, vegetation, land cover, and land uses.

4.1 Wetlands

Prior to the site assessment, a review of topographic maps, satellite imagery, and the National Wetland Inventory (NWI) identified potential wetlands and surface water on the property. All identified aquatic resources were documented according to their resource type (*e.g.* wetland, streams). In addition, all features that potentially hold or convey water were determined to be either ephemeral or perennial water sources.

KC Harvey used the following US Army Corps of Engineers (USACE) methods to determine if the aquatic resources met the USACE definition of a wetland.

- USACE Wetland Delineation Manual (USACE 1987)
- USACE Regional Supplement for the Great Plains Region (USACE 2010)
- USACE National Wetland Plant List (USACE 2012)

As part of the wetland delineations, wetland determination data forms were completed in paired locations with one in a potential wetland location and one in an upland location (Appendix B).

Sample points were GPS located (Figure 2). Vegetation, hydrology and soils were assessed for wetland characteristics, and photographs documented each sample site, soil profile and soil pit.

No wetlands were delineated within the project boundary. USACE wetland delineation data sheets are provided in Appendix A. The site has ephemeral drainages that accumulate and move water (Figure 2). Water was present and flowing during the April survey following a snow event. However, wetland plants and soils were absent from the 'wetland' sample sites. These areas do not meet the USACE definition of a wetland. The vegetation community was a continuation of upland vegetation into the drainage. The water flowing in the drainage bottom is ephemeral spring runoff. The absence of any obligate or facultative wetland plant species indicates the seasonal hydrology is short-term.

Despite the lack of wetland criteria, these drainages will be avoided by construction. No dredge or fill materials will be placed in the drainages. National Pollutant Discharge Elimination System permit erosion control best management practices (BMP) will be implemented during construction. Buffers around the drainage areas are provided in Figure 2. This buffer is part of the BMPs to minimize soil erosion on the slopes and the sedimentation of surface water in the drainage.

4.2 Water Resources

The project area lies within the Lake Sakakawea Watershed (HUC: 10110101), which is part of the Missouri- Little Missouri Subregion and the greater Missouri Region. Surface and groundwater resource data were evaluated for the project area. An unnamed ephemeral creek runs south on the west side of the property boundary and another ephemeral drainage bisects the northeast corner of the property. Figure 3 and 4 also shows streams from the USDA NRCS National Hydrology Dataset and wetlands from the USFWS National Wetland Inventory (USDA NRCS 2011 and USFWS 2013).

The North Dakota Department of Health (NDDH) Section 303(d) List of Waters Needing Total Maximum Daily Loads (TMDL) indicated no TMDL waters in the project areas (NDDH 2010). The NDDH also responded to our Agency correspondence stating no wellhead protection areas or named groundwater aquifer exists in the proposed project location. The NDDH requires a National Pollution Discharge Elimination System (NPDES) general permit for stormwater discharges associated with construction activities (NDR10-0000) for all construction projects where land disturbance is greater than 1 acre. In addition to obtaining a NDR10-0000, TESORO would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP).

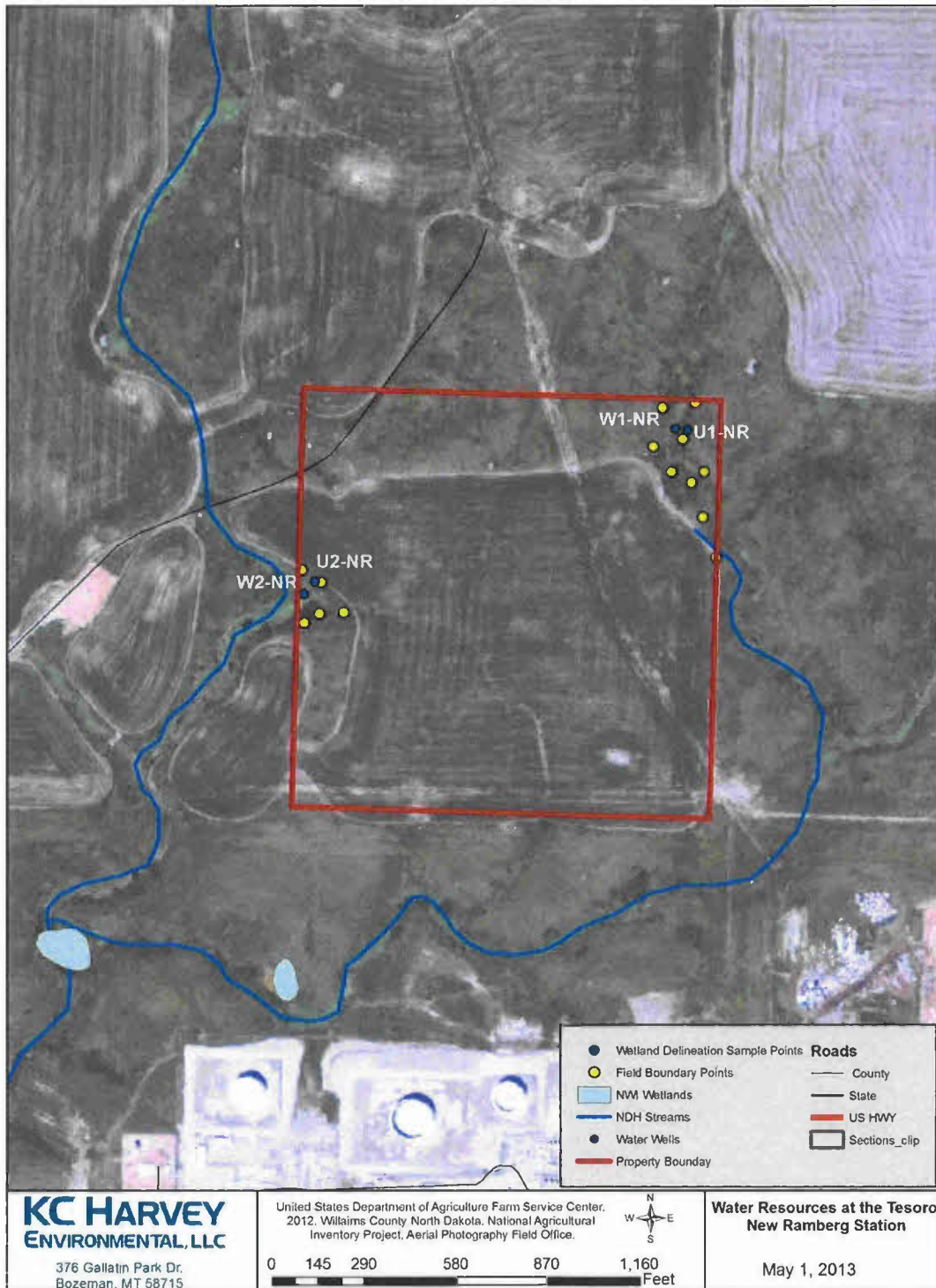


Figure 2. Wetland delineation field data points, drainage boundaries and water resources.

4.3 Raptors, Migratory Birds, and Wildlife

Raptors and migratory bird species are protected against impacts of direct mortality, habitat degradation, and/or displacement of individual birds through the MBTA, BGEPA, and ESA. A raptor survey was conducted on site and within two miles the project boundary on April 25, 2013. One red-tailed hawk (*Buteo jamaicensis*) and one Northern harrier (*Circus cyaneus*) were observed in flight but no raptors nests were found. The northern harrier is a North Dakota Level II Species of Conservation Priority. It is the only species of North Dakota's one hundred Species of Conservation Priority observed in the vicinity of the project area.

Nesting habitat of red-tailed hawks is limited to occasional cottonwood trees along drainages and planted trees in shelterbelts surrounding farmsteads. As nesters on elevated ground or in shrubs and dense grasses, nesting habitat for the northern harrier is more abundant in the project area vicinity.

Wildlife presence and sign was recorded while walking the property in April 2013. Wildlife utilizing the property includes deer, pheasants, coyotes, burrowing mammals, geese, and songbirds. Wildlife sign and songbirds were especially abundant in the shrubs within the drainages.

4.4 Threatened and Endangered Species

Assessments for federally listed threatened, endangered and candidate species were conducted by agency consultation and by determining if potential habitats exist within the project area.

Currently, five federally listed species have been documented in Williams County, including:

- Gray Wolf (*Canis lupus*)
- Interior Least Tern (*Sterna antillarum*)
- Pallid Sturgeon (*Scaphirhynchus albus*)
- Piping Plover (*Charadrius melodus*)
- Whooping Crane (*Grus americana*)

No threatened or endangered species or critical habitat areas of concern were located during the field survey.

Suitable habitat for the interior least tern and pallid sturgeon is limited to the Missouri River system which is outside the project area. There is also no potential habitat for gray wolves and none were not observed during the site assessment. Piping plover are shorebirds and no shoreline habitat is in or near the project location. These four species will not be affected by the proposed project.

Whooping cranes have the potential to fly over, temporarily feed, or loaf in the area during spring and fall migration. Whooping cranes were not observed during the field assessment; however, there is suitable habitat located near the project area. Whooping cranes preferred habitat includes large marshy wetlands and croplands. Cropland is present in the vicinity of the project. If individuals migrate through the project area, they will likely avoid the project area and utilize adjacent croplands away from the proposed development. If a whooping crane is sighted

within one-mile of project area, the USFWS will be contacted immediately. The proposed project is not likely to adversely affect this species.

4.5 Soils

KC Harvey reviewed the United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Soil Survey Geographic Database (SSURGO) soil data from Williams County (USDA NRCS 2012). No Prime Farmland was found within the proposed project area; however the majority of the proposed property contains Farmland of Statewide Importance (Figure 3). Soils within and surrounding the project are described as partially hydric with no probable flood occurrence.

4.6 Vegetation

The vegetation on the site consists primarily of annual wheat crop. The grassland in the northern part of the property is a mix of non-native pasture grasses (smooth brome [*Bromus inermis*] and bluegrass [*Poa spp*]) with native prairie forbs. Native shrub species including chokecherry (*Prunus virginiana*) and snowberry (*Symphoricarpos occidentalis*) are common in the drainages and slopes of the property. No trees are present. Canada thistle (*Cirsium arvense*), a noxious weed species, is present at low coverage along the drainages.

4.7 Land Cover and Land Uses

Land cover from the National Land Cover Database (NLCD) from the Multi-Resolution Land Characteristics Consortium (MRCL) was evaluated in the project area (Homer, et al. 2007). According to the NLCD database, the proposed project area consists mainly of cultivated crops with grasslands on the north quarter and a small patch of shrubs on the west side.

The land cover was ground-truthed during the site assessment. The land cover assessment of the site and surrounding area (two-mile radius) was conducted by walking the site and delineating the vegetation community boundaries and plant species within each community (Figure 4). The property consists primarily of agricultural cropland for wheat production. The northern portion of the property is mixed native and non-native grasses. There are drainages on the northeast and west portions of the property that contain shrubs. Wildlife sign was abundant indicating wildlife (e.g., deer, coyote, upland birds) regularly use the site, particularly along the drainages and shrubs.

Adjacent land uses within two miles of the property include agricultural pasture and cropland, and industrial use.

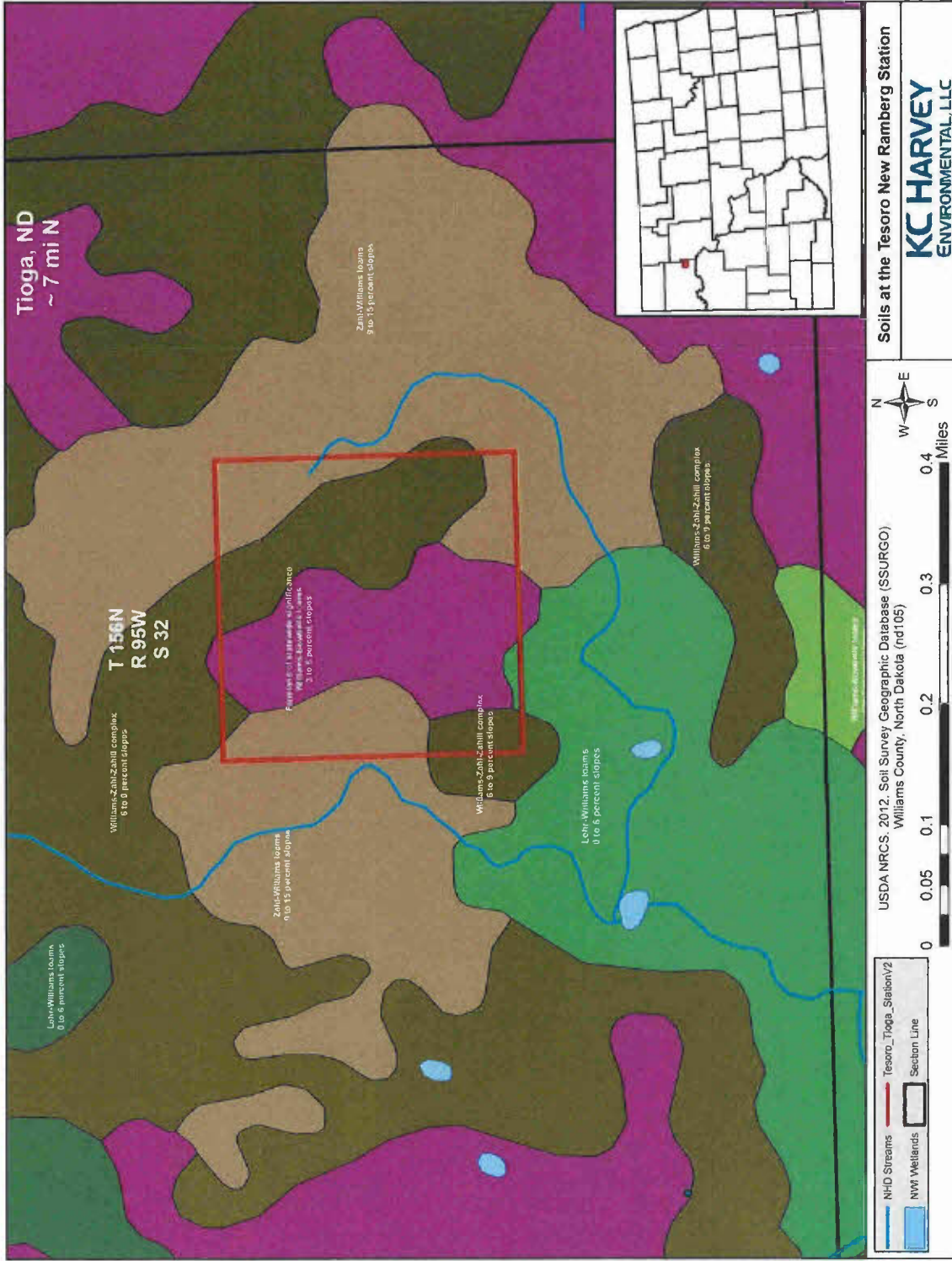


Figure 3. USDA surveyed soils at the proposed project location.

KC HARVEY

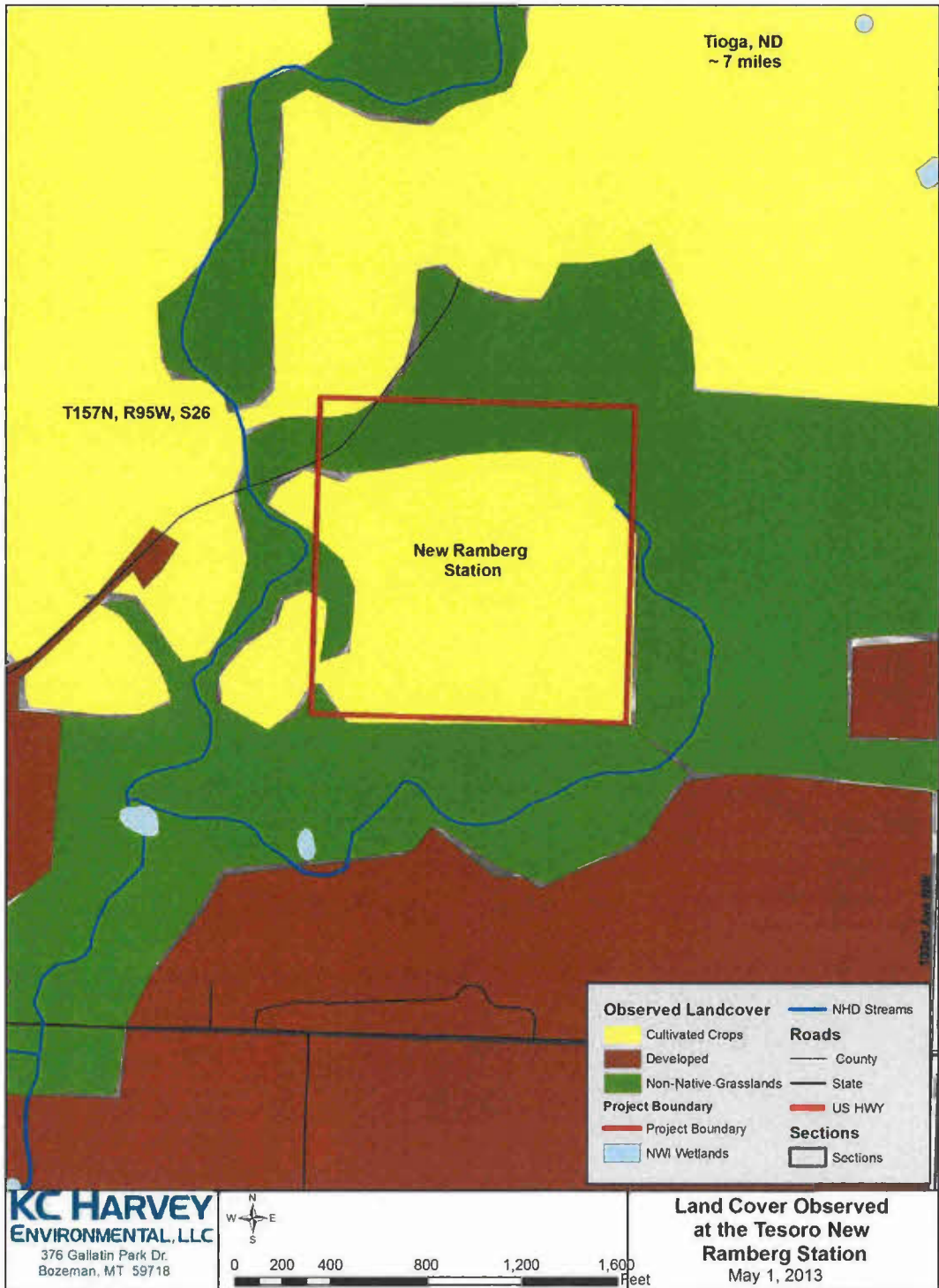


Figure 4. Land cover observed in and around the proposed project area.

5.0 Exclusion and Avoidance Conclusions

The North Dakota Administrative Code (North Dakota Century Code Laws) Chapter 69-06-08-01, Energy Conversion Facility Siting Criteria was used a guideline for determining Exclusion and Avoidance Areas in the proposed project area. Selection criteria included potential impacts, mitigation measures where appropriate are provided below.

5.1 Exclusion Areas

According to the NDAC, Exclusion Areas are geographic areas where no construction activity is allowable. Buffer zones are established at designated widths in order to protect the exclusion area resource. Table 1 indicates the types of exclusion zones specified by the NDPSC and the presence in the project and/ or the study area.

Table 1. Exclusion Area criteria for the proposed project area and surrounding study area.

Exclusion Areas	In Study Area	Within Project Boundary
National Monuments	No	No
National Wilderness Areas	No	No
National Wildlife Refuges	No	No
State Wild, Scenic, or Recreational Rivers	No	No
State Game Refuges	No	No
State Game Management Areas	No	No
State Management Areas	No	No
State Forests	No	No
State Forest Management Lands	No	No
State Grasslands	No	No
State Parks and Forest	No	No
State Historic Sites	No	No
State Monuments	No	No
State Historical Markers	No	No
State Archaeological Sites	No	No
State Nature Preserves	No	No
State or National Grasslands	No	No
Other Historical Resources	No	No

Exclusion Areas	In Study Area	Within Project Boundary
County Parks	No	No
County Recreational Areas	No	No
Municipal Parks	No	No
Parks owned or administered by other Governmental Subdivisions	No	No
Prime and Unique Farmlands	No	No
Critical Habitats defined by the USFWS	No	No
Irrigated Land	No	No
Areas of unique animals or plant species	No	No

There are no Exclusion Areas in the proposed project area.

5.2 Avoidance Areas

Avoidance Areas are defined by the NDAC as geographic areas which may be impacted by the proposed management, the orderly siting of the facility, system reliability and integrity, the efficient use of resources, and alternative sites. Table 2 lists the criteria and determined Avoidance Areas observed during the site assessment.

Table 2. Avoidance Area criteria for the proposed project area and surrounding study area.

Avoidance Areas	In Study Area	Within Project Boundary
Historical Resources not Designated as Exclusion Areas	No	No
Areas Which Are Geologically Unstable	No	No
Within Five Hundred Feet [152.4 Meters] of a Residence, School, or Place of Business	No	No
Areas within 100-year Floodplain	No	No
Woodlands	No	No
Wetlands and Watercourses	Yes	Yes
Reservoirs and Municipal Water Supplies	No	No
Water Sources for Organized Rural Water Districts	No	No
Areas of Recreational Significance Which Are Not Designated as Exclusion Areas	No	No

Figure 5 indicates the Avoidance Areas for the proposed project. Two drainages (watercourses) are present on the west and east sides of the proposed project location. The Avoidance Area on the east covers approximately 1.65 acres. The Avoidance Area on the west is approximately 0.79 acres.

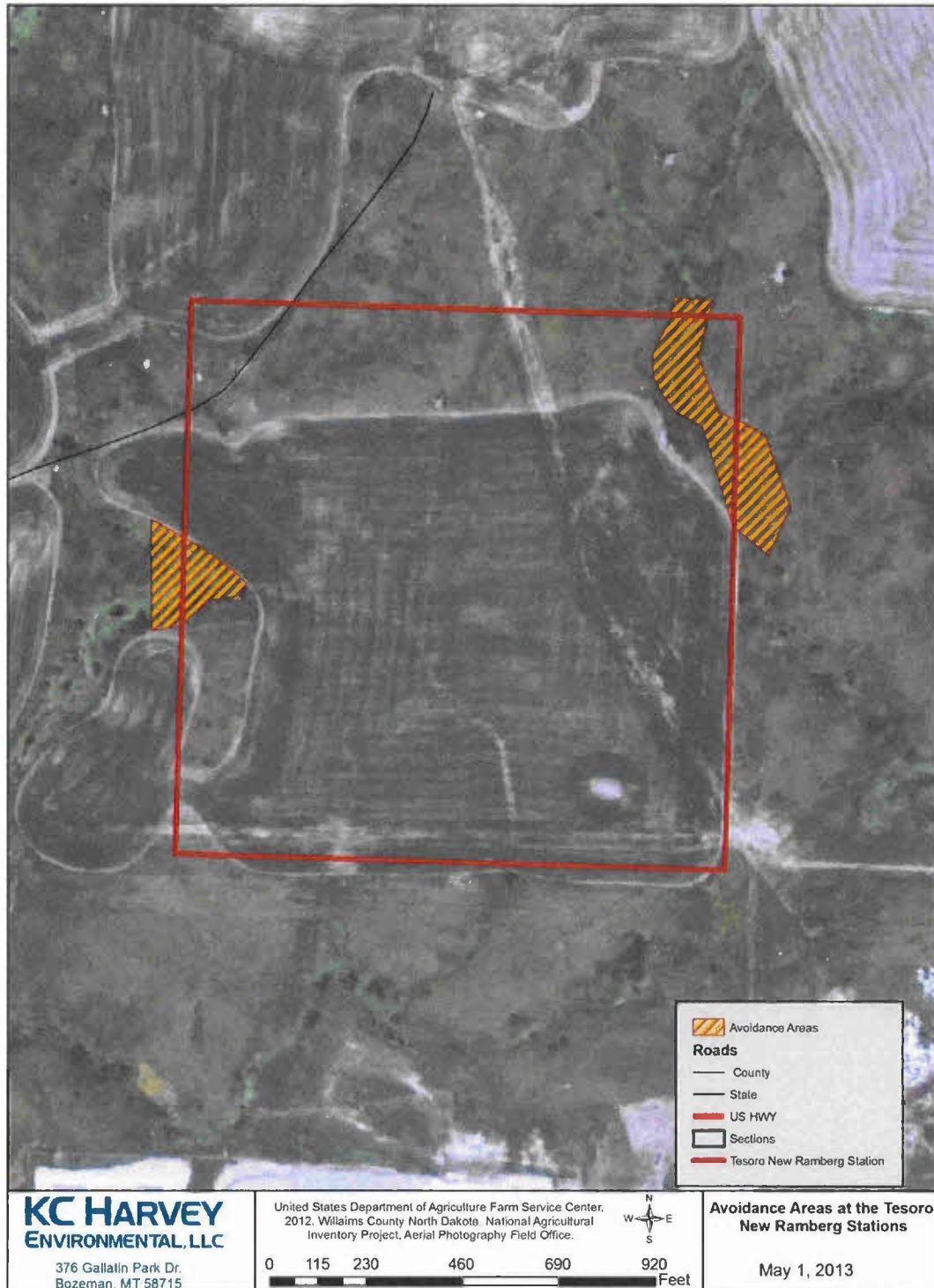


Figure 5. Avoidance Areas at the proposed project location.

5.3 Selection Criteria

Table 3 indicates the NDPSC selection criteria as defined in the NDAC and the potential impacts from the project location.

Table 3. Selection Criteria and potential impacts from the proposed project.

Selection Criteria	Potential Impacts Resulting From Project
Agricultural Production	Minimal
Family Farms and Ranches	None
Land Suitable for Irrigation	None
Surface and Groundwater Flow Patterns	Avoidance Areas
Noise Sensitive Areas	None
Visual Effects	None
Extractive and Storage Resources	None
Wetlands/ Watercourses	Avoidance Areas
Woodlands	None
Communication or Electric Control Facilities	None
Human Health and Safety	Future Potential
Animal Health and Safety	None
Plant Life	Minimal

5.4 Agricultural Production

The property is currently used for the production of annual wheat crops. The proposed development will decrease agricultural production by 29.7 acres. There are family farms within the vicinity (2 mile radius) of the proposed project location. Minimal impact to agricultural production is expected due to the development of the proposed project.

5.5 Noise and Visual Effects

The surrounding and adjacent land use to the south is industrial. The New Ramberg/ Beaver Lodge Station is directly south of the proposed project location. Another industrial station is directly west of the site. In addition, a new industrial site is being developed within one mile of the eastern boundary. The proposed location is also within the Beaver Lodge Oil Field. Noise or visual effects are not foreseen due to the proposed project.

5.6 Wetlands

During the site assessment the presence or absence of wetlands was determined using USACE methods (USACE 1987 and 2010). No wetlands were located within the property boundaries. USACE wetland delineation data sheets are provided in Appendix B. The site has two ephemeral

drainages. Water was present and flowing during the April survey. However, wetland plants and soils were absent from the site. These areas do not meet the USACE definition of a wetland.

5.7 Human Health Safety

No known impacts to human health or safety besides future operation at the New Ramberg Station are foreseen from the development of the proposed project.

5.8 Vegetation

Vegetation at the proposed project location consists mainly of cultivated crops with the north ¼ of the property being non-native and native grass species. Minimal impacts to the vegetation communities are expected from the development of the proposed project.

6.0 Qualifications of Persons Contributing to the Study

David Cameron has practiced as a professional engineer in four states and is a specialist in reclamation design with 31 years of professional experience in North America, Mexico, South America, and Australasia. David has a B.S. degree in Civil Engineering with an emphasis on geotechnical engineering from the University of Colorado. He also has vast experience in development and implementation of reclamation plans for mining, oil and gas, and other energy related projects.

Monica Pokorny has a Master of Science in Land Resources and Environmental Sciences from Montana State University. She has 17 years of experience doing biological assessments, field sampling, reclamation design and implementation, and reporting.

Loren Franklin has a Bachelor of Science in Biomedical Sciences and a Master of Science in Land Rehabilitation. She has 6 years of experience being a reclamation scientist and her project experience emphasizes human and ecological risk assessment, environmental sampling, and reclamation planning, construction, and monitoring. Her specialties also include GPS, GIS, and database compilation.

Brad Kovach has a Bachelor of Science in Biology and 22 years of experience in environmental services. His experience includes facility siting and permitting, resource assessments, and project management.

7.0 References

Homer, C., Dewitz, J., Fry, J., Coan, M., Hossain, N., Larson, C., Herold, N., McKerrow, A., VanDriel, J.N., and Wickham, J. 2007. Completion of the 2001 National Land Cover Database for the Conterminous United States. Photogrammetric Engineering and Remote Sensing, Vol. 73, No. 4, pp 337-341.

North Dakota Department of Health (NDDH). 2010. North Dakota 2010 Integrated Section 305(b) Water Quality Assessment Report and Section 303(d) List of Waters Needing Total Maximum Daily Loads. Accessed on March 29, 2013 at:

http://www.ndhealth.gov/WQ/SW/Z7_Publications/IntegratedReports/2010_Final_Approved_IntegratedReport_20100423.pdf.

U.S. Army Corps of Engineers. 1987. *Corps of Engineers Wetland Delineation Manual*. Technical Report Y-87-1. U.S. Army Research and Development Center, Vicksburg, Mississippi.

U.S. Army Corps of Engineers. 2010. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region (Version 2.0)*. U.S. Army Research and Development Center, Vicksburg, Mississippi.

U.S. Army Corps of Engineers. 2012. The National Wetland Plant List. Publication ERDC/CRREL TR-12-11. U.S. Army Research and Development Center, Vicksburg, Mississippi.

United States Department of Agriculture Farm Service Center. 2012. Williams County North Dakota. National Agricultural Inventory Project, Aerial Photography Field Office.

United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) National Geospatial Management Center. 2011. National Hydrography Dataset (NHD) - 24k. Williams County North Dakota. Accessed on March 29, 2013 at: <http://nhd.usgs.gov/>.

United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS). 2012. Soil Survey Geographic Database (SSURGO) for Williams County, North Dakota (nd105).

United States Fish and Wildlife Service (USFWS). 2013. National Wetland Inventory Wetlands Mapper. Accessed on March 29, 2013 at: <http://www.fws.gov/wetlands/Data/Mapper.html>.

8.0 Appendix A: Correspondence with Federal and State Agencies



March 27, 2013

Jeffrey Towner, Field Supervisor
U.S. Fish and Wildlife Service
North Dakota Field Office
3425 Miriam Avenue
Bismarck, North Dakota 58501-7926

RE: Request for Agency Coordination in Regards to a State of ND PSC Permit Application for a Certificate of Site Compatibility: Proposed Tesoro New Ramberg Tank Farm in Williams County, North Dakota

Dear Mr. Towner,

Tesoro High Plains Pipeline (Tesoro) proposes construction to build a new tank farm/ station located south of Tioga in Williams County, North Dakota. The proposed site is approximately 40 acres in the NW¼ of the SE¼ of Section 32, Township 156 North, Range 95 West (Figure 1). The new construction (the Project) will add crude oil storage tanks and pumping capabilities to the existing Ramberg Station. The Project area is located 7.3 miles south of Tioga, North Dakota and approximately 830 feet north of the existing Ramberg Station in the Beaver Lodge Oil Field. Tesoro is preparing an application to the State of North Dakota Public Service Commission (PSC) for a Certificate of Site Compatibility.

KC Harvey Environmental, LLC is conducting the environmental analyses and preparing the respective narrative for the PSC application. Tesoro will submit the completed application for the PSC approval process. In accordance with the PSC application guidance, we are requesting technical data and comments pursuant to your Agency's interests. This is in accordance with the North Dakota Century Code Chapter 49-22-14.1 of the Energy Conversion and Transmission Facility Siting Act outlining cooperation with state and federal agencies.

Project preliminary planning and design is currently underway. A spring 2013 site assessment will be conducted for wetlands, land cover, and biological resources. In accordance with the PSC application requirement, we are requesting preliminary comments and data from the U.S. Fish and Wildlife Service (USFWS) North Dakota Ecological Services Office in advance of the site assessment. Please provide comments related to the Endangered Species Act (ESA), the Migratory Bird Treaty Act (MBTA), the Bald and Golden Eagle Protection Act (BGEPA), and other resources of concern existing in or near the project area.

We are also contacting the North Dakota Game and Fish Department (NDGF) regarding the North Dakota Conservation Priority Species and State easements, as well as the North Dakota Parks and Recreation Department (NDPR) for Natural Heritage Species.

We will subsequently coordinate with you and other agencies if resources of concern are identified. We will also address your findings, recommendations, and the results of the site assessment in the PSC permit application. The PSC notice of filing will likely occur in the Spring of 2013. The site assessment will be completed prior to the filing.

Written responses can be sent to my attention at:

376 Gallatin Park Dr.
Bozeman, MT 59715
lbarber@kcharvey.com

Please feel free to call me at 406-585-7402, extension 19 or by email at lbarber@kcharvey.com with any questions or requests for additional information.

Thank you for your consideration in this matter.

Sincerely,



Loren M.B. Franklin, M.S.
Reclamation Scientist
KC Harvey Environmental, LLC

Kari Thorsteinson

From: Loren Barber
Sent: Thursday, March 28, 2013 3:01 PM
To: kari_thorsteinson@fws.gov
Subject: Attn: Jeffrey Towner, Re: ND PSC Application preliminary contact
Attachments: Tesoro_TankFarm_PSCletter032713_USFWS.pdf

Dear Mr. Towner,

I am contacting you regarding two North Dakota PSC Applications for Certificate of Site Compatibility. Please see my first email regarding the first proposed location (I could not send both letters in one email, sorry for the inconvenience). The second proposed project is a new tank farm near the existing Tesoro Ramberg Station (New Ramberg Tank Farm), approximately 7 miles south of Tioga.

Please see the attached letter requesting data and comments from the USFWS regarding the second proposed location. I have also sent a copy of this letter to your office via US mail. Please contact me with any questions. Thank you in advanced for your time.

Sincerely,

Loren Franklin
Reclamation Scientist

Reclamation Research Group
A Division of
KC Harvey Environmental, LLC
376 Gallatin Park Drive
Bozeman, Montana 59715 USA

Phone: 406.585.7402, ext 19
Cell: 406.570.5410
Fax: 406.585.7428
lbarber@kcharvey.com

KC HARVEY
ENVIRONMENTAL, LLC



March 27, 2013

Jeffrey Towner, Field Supervisor
U.S. Fish and Wildlife Service
North Dakota Field Office
3425 Miriam Avenue
Bismarck, North Dakota 58501-7926

U.S. FISH AND WILDLIFE SERVICE
ECOLOGICAL SERVICES
ND FIELD OFFICE

Project as described will have no significant impact on fish and wildlife resources. No endangered or threatened species are known to occupy the project area. IF PROJECT DESIGN CHANGES ARE MADE, PLEASE SUBMIT PLANS FOR REVIEW.

4-26-13
Date

Jeffrey K. Towner
Jeffrey K. Towner
Field Supervisor

RE: Request for Agency Coordination in Regards to a State of ND PSC Permit Application for a Certificate of Site Compatibility: Proposed Tesoro New Ramberg Tank Farm in Williams County, North Dakota

Dear Mr. Towner,

Tesoro High Plains Pipeline (Tesoro) proposes construction to build a new tank farm/ station located south of Tioga in Williams County, North Dakota. The proposed site is approximately 40 acres in the NW¼ of the SE¼ of Section 32, Township 156 North, Range 95 West (Figure 1). The new construction (the Project) will add crude oil storage tanks and pumping capabilities to the existing Ramberg Station. The Project area is located 7.3 miles south of Tioga, North Dakota and approximately 830 feet north of the existing Ramberg Station in the Beaver Lodge Oil Field. Tesoro is preparing an application to the State of North Dakota Public Service Commission (PSC) for a Certificate of Site Compatibility.

KC Harvey Environmental, LLC is conducting the environmental analyses and preparing the respective narrative for the PSC application. Tesoro will submit the completed application for the PSC approval process. In accordance with the PSC application guidance, we are requesting technical data and comments pursuant to your Agency's interests. This is in accordance with the North Dakota Century Code Chapter 49-22-14.1 of the Energy Conversion and Transmission Facility Siting Act outlining cooperation with state and federal agencies.

Project preliminary planning and design is currently underway. A spring 2013 site assessment will be conducted for wetlands, land cover, and biological resources. In accordance with the PSC application requirement, we are requesting preliminary comments and data from the U.S. Fish and Wildlife Service (USFWS) North Dakota Ecological Services Office in advance of the site assessment. Please provide comments related to the Endangered Species Act (ESA), the Migratory Bird Treaty Act (MBTA), the Bald and Golden Eagle Protection Act (BGEPA), and other resources of concern existing in or near the project area.

We are also contacting the North Dakota Game and Fish Department (NDGF) regarding the North Dakota Conservation Priority Species and State easements, as well as the North Dakota Parks and Recreation Department (NDPR) for Natural Heritage Species.



April 8, 2013

Dan Cimarosti, Program Manager
U.S. Army Corps of Engineers, Omaha District
North Dakota Regulatory Office
1513 South 12th Street
Bismarck, North Dakota 58504

RE: Request for Agency Coordination Regarding a PSC Permit Application for a Certificate of Site Compatibility-Proposed Tesoro New Ramberg Tank Farm ,Williams County, North Dakota

Dear Mr. Cimarosti,

Tesoro High Plains Pipeline (Tesoro) proposes construction to build a new tank farm/ station located south of Tioga in Williams County, North Dakota. The proposed site is approximately 40 acres in the NW¹/₄ of the SE¹/₄ of Section 32, Township 156 North, Range 95 West (Figure 1). The new construction will add crude oil storage tanks and pumping capabilities to the existing Ramberg Station. The project area is located 7.3 miles south of Tioga, North Dakota and approximately 830 feet north of the existing Ramberg Station in the Beaver Lodge Oil Field. Tesoro is preparing an application to the State of North Dakota Public Service Commission (PSC) for a Certificate of Site Compatibility.

KC Harvey Environmental, LLC is conducting the environmental analyses and preparing the respective narrative for the PSC application to be submitted by Tesoro. In accordance with the PSC application guidance, we are requesting any preliminary data and comments pursuant to your Agency's interests. This is in accordance with the North Dakota Century Code Chapter 49-22-14.1 of the Energy Conversion and Transmission Facility Siting Act outlining cooperation with state and federal agencies.

Project preliminary planning and design is currently underway. A spring 2013 site assessment will be conducted for wetlands, land cover, and biological resources. During this site assessment we will be conducting wetland delineation in accordance with the U.S. Army Corps of Engineers (USACE) 1987 wetland delineation manual. We will submit a completed delineation report to your office. To the greatest practicable extent, Tesoro will design the new tank station to avoid all wetlands identified within the project boundary. No permanent or temporary wetland impacts are anticipated.

The project will include pertinent evaluations and coordination with the following Agencies:

- U.S. Fish and Wildlife Service North Dakota Ecological Services Office
- North Dakota State Historic Preservation Office (SHPO)
- North Dakota Department of Health



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
1513 SOUTH 12TH STREET
BISMARCK ND 58504-6640

April 17, 2013

North Dakota Regulatory Office

Loren M.B. Franklin
KC Harvey Environmental LLC
376 Gallatin Park Drive
Bozeman, Montana 59715

Dear Loren M.B. Franklin:

This is in response to your letter dated April 8, 2013, requesting US Army Corps of Engineers (Corps) comments regarding the Tesoro New Ramberg Tank Farm project located in Section 32, Township 156 North, Range 95 West, Williams County, North Dakota.

Based on the information contained within your letter, it appears a Department of the Army permit may be required for all or part of your proposed project(s). In order for us to fully evaluate your project(s), please complete and submit the Corps permit application (copy enclosed). Be sure to accurately describe all proposed work and construction methodology. Once the application is complete, please mail it to the letterhead address.

Please be advised, Corps regulatory offices administer Section 10 of the Rivers and Harbors Act (Section 10) and Section 404 of the Clean Water Act (Section 404). Section 10 regulates work impacting navigable waters. Section 10 waters in North Dakota are the Missouri River (including Lake Sakakawea and Lake Oahe), Yellowstone River, James River south of the railroad track in Jamestown, North Dakota, Bois de Sioux River, Red River of the North, and the Upper Des Lacs Lake. Work over, in, or under navigable waters is considered to have an impact. Section 404 of the Clean Water Act regulates the discharge of dredged or fill material (temporarily or permanently) in waters of the United States. Waters of the United States may include, but are not limited to, rivers, streams, ditches, coulees, lakes, ponds, and their adjacent wetlands. Fill material includes, but is not limited to, rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mines or other excavation activities and materials used to create any structure or infrastructure in waters of the United States.

Do not hesitate to contact this office by letter or telephone (701) 255-0015 if we can be of further assistance.

Sincerely,

Daniel E. Cimarosti
State Program Manager
North Dakota Regulatory Office

Enclosure



March 27, 2013

Steve Dyke, Conservation Supervisor
North Dakota Game and Fish Department
100 N Bismarck Expressway
Bismarck, ND 58501-5095

RE: Request for Agency Coordination in Regards to a State of ND PSC Permit Application for a Certificate of Site Compatibility: Proposed Tesoro New Ramberg Tank Farm in Williams County, North Dakota.

Dear Mr. Dyke,

Tesoro High Plains Pipeline (Tesoro) proposes construction to build a new tank farm/ station located south of Tioga in Williams County, North Dakota. The proposed site is approximately 40 acres in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 32, Township 156 North, Range 95 West (Figure 1). The new construction (the Project) will add crude oil storage tanks and pumping capabilities to the existing Ramberg Station. The Project area is located 7.3 miles south of Tioga, North Dakota and approximately 830 feet north of the existing Ramberg Station in the Beaver Lodge Oil Field. Tesoro is preparing an application to the State of North Dakota Public Service Commission (PSC) for a Certificate of Site Compatibility.

KC Harvey Environmental, LLC is conducting the environmental analyses and preparing the respective narrative for the PSC application. Tesoro will submit the completed application for the PSC approval process. In accordance with the PSC application guidance, we are requesting technical data and comments pursuant to your Agency's interests. This is in accordance with the North Dakota Century Code Chapter 49-22-14.1 of the Energy Conversion and Transmission Facility Siting Act outlining cooperation with state and federal agencies.

Project preliminary planning and design is currently underway. A spring 2013 site assessment will be conducted for wetlands, land cover, and biological resources. In accordance with the PSC application requirement, we are requesting preliminary comments and data from the North Dakota Game and Fish Department (NDGF) in advance of the site assessment. This includes NDGF Conservation Priority Species, easements, and other resources of concern existing in or near the project area.

We will also contact the U.S. Fish and Wildlife Service (USFWS) North Dakota Ecological Services Office regarding the Endangered Species Act (ESA), the Migratory Bird Treaty Act (MBTA), the Bald and Golden Eagle Protection Act (BGEPA), and conservation easements and Refuge lands.

We will subsequently coordinate with you and other agencies if resources of concern are identified. We will also address your findings, recommendations, and the results of the site

assessment in the PSC permit application. The PSC notice of filing will likely occur in the Spring of 2013. The site assessment will be completed prior to the filing.

Written responses can be sent to my attention at:

376 Gallatin Park Dr.
Bozeman, MT 59715
lbarber@kcharvey.com

Please feel free to call me at 406-585-7402, extension 19 or by email at lbarber@kcharvey.com with any questions or requests for additional information.

Thank you for your consideration in this matter.

Sincerely,



Loren M.B. Franklin, M.S.
Reclamation Scientist
KC Harvey Environmental, LLC

From: [Schumacher, John D.](#)
To: [Loren Barber](#)
Subject: Tesoro Projects in Williams Co -- Tioga Truck Station & Ramberg Tank Farm
Date: Wednesday, April 24, 2013 5:10:44 PM

Hi Loren,

This is a follow-up to our phone conversation.

The North Dakota Game and Fish Department has reviewed these projects for wildlife concerns. We do not believe they will have any significant adverse effects on wildlife or wildlife habitat based on the information provided.

If you have any questions please let me know.

JOHN SCHUMACHER
RESOURCE BIOLOGIST
ND GAME AND FISH DEPT
701.328.6321



March 28, 2013

Mark Zimmerman, Director
North Dakota Parks and Recreation Department
1600 E. Century Avenue, Suite 3
Bismarck, ND 58503-0649

RE: Request for Agency Coordination in Regards to a State of ND PSC Permit Application for a Certificate of Site Compatibility: Proposed Tesoro New Ramberg Tank Farm in Williams County, North Dakota

Dear Mr. Zimmerman,

Tesoro High Plains Pipeline (Tesoro) proposes construction to build a new tank farm/ station located south of Tioga in Williams County, North Dakota. The proposed site is approximately 40 acres in the NW¹/₄ of the SE¹/₄ of Section 32, Township 156 North, Range 95 West (Figure 1). The new construction (the Project) will add crude oil storage tanks and pumping capabilities to the existing Ramberg Station. The Project area is located 7.3 miles south of Tioga, North Dakota and approximately 830 feet north of the existing Ramberg Station in the Beaver Lodge Oil Field. Tesoro is preparing an application to the State of North Dakota Public Service Commission (PSC) for a Certificate of Site Compatibility.

KC Harvey Environmental, LLC is conducting the environmental analyses and preparing the respective narrative for the PSC application. Tesoro will submit the completed application for the PSC approval process. In accordance with the PSC application guidance, we are requesting technical data and comments pursuant to your Agency's interests. This is in accordance with the North Dakota Century Code Chapter 49-22-14.1 of the Energy Conversion and Transmission Facility Siting Act outlining cooperation with state and federal agencies.

Project preliminary planning and design is currently underway. A spring 2013 site assessment will be conducted for wetlands, land cover, and biological resources. In accordance with the PSC application requirement, we are requesting preliminary comments and data from North Dakota Parks and Recreation Department in advance of the site assessment. Please provide comments and data on project area North Dakota Natural Heritage Inventory occurrences, Natural Areas Registry resources, nature reserves, or other Department interests.

We are also contacting the U.S. Fish and Wildlife Service (USFWS) North Dakota Ecological Services Office regarding the Endangered Species Act (ESA), the Migratory Bird Treaty Act (MBTA), the Bald and Golden Eagle Protection Act (BGEPA), and conservation easements and Refuge lands. In addition, we are contacting the North Dakota Game and Fish Department (NDGF) regarding the North Dakota Conservation Priority Species and State easements.

We will subsequently coordinate with you and other agencies if resources of concern are identified. We will also address your findings, recommendations, and the results of the site

assessment in the PSC permit application. The PSC notice of filing will likely occur in the Spring of 2013. The site assessment will be completed prior to the filing.

Written responses can be sent to my attention at:

376 Gallatin Park Dr.
Bozeman, MT 59715
lbarber@kcharvey.com

Please feel free to call me at 406-585-7402, extension 19 or by email at lbarber@kcharvey.com with any questions or requests for additional information.

Thank you for your consideration in this matter.

Sincerely,



Loren M.B. Franklin, M.S.
Reclamation Scientist
KC Harvey Environmental, LLC



April 4, 2013

Dennis Fewless, Director
North Dakota Department of Health
Division of Water Quality
918 East Divide Avenue, 4th Floor
Bismarck, ND 58501-1947

RE: Request for Agency Coordination in Regards to a State of ND PSC Permit Application for a Certificate of Site Compatibility: Proposed Tesoro New Ramberg Tank Farm in Williams County, North Dakota

Dear Mr. Fewless,

Tesoro High Plains Pipeline (Tesoro) proposes construction to build a new tank farm/ station located south of Tioga in Williams County, North Dakota. The proposed site is approximately 40 acres in the NW¼ of the SE¼ of Section 32, Township 156 North, Range 95 West (Figure 1). The new construction (the Project) will add crude oil storage tanks and pumping capabilities to the existing Ramberg Station. The Project area is located 7.3 miles south of Tioga, North Dakota and approximately 830 feet north of the existing Ramberg Station in the Beaver Lodge Oil Field. Tesoro is preparing an application to the State of North Dakota Public Service Commission (PSC) for a Certificate of Site Compatibility.

KC Harvey Environmental, LLC is conducting the environmental analyses and preparing the respective narrative for the PSC application. Tesoro will submit the completed application for the PSC approval process. In accordance with the PSC application guidance, we are requesting technical data and comments pursuant to your Agency's interests. This is in accordance with the North Dakota Century Code Chapter 49-22-14.1 of the Energy Conversion and Transmission Facility Siting Act outlining cooperation with state and federal agencies.

Project preliminary planning and design is currently underway. A spring 2013 site assessment will be conducted for wetlands/ water resources, land cover, and biological resources. In accordance with the PSC application requirement, we are requesting preliminary comments and data from the North Dakota Department of Health (NDDH), Division of Water Quality in advance of the site assessment. Please provide comments related to any protected surface waters, groundwater, well head protection areas, and other resources of concern existing in or near the project area.

We will subsequently coordinate with you and other agencies if resources of concern are identified. We will also address your findings, recommendations, and the results of the site assessment in the PSC permit application. The PSC notice of filing will likely occur in the Spring of 2013. The site assessment will be completed prior to the filing.

Written responses can be sent to my attention at:

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Bozeman, MT 59715
lbarber@kcharvey.com

Please feel free to call me at 406-585-7402, extension 19 or by email at lbarber@kcharvey.com with any questions or requests for additional information.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Loren M.B. Franklin". The signature is fluid and cursive, with the first name "Loren" being the most prominent part.

Loren M.B. Franklin, M.S.
Reclamation Scientist
KC Harvey Environmental, LLC



NORTH DAKOTA
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION
Gold Seal Center, 918 E. Divide Ave.
Bismarck, ND 58501-1947
701.328.5200 (fax)
www.ndhealth.gov



April 10, 2013

Mr. Loren M.B. Franklin, M.S.
KC Harvey Environmental, LLC
376 Gallatin Park Drive
Bozeman, MT 59715

Re: Proposed Tesoro New Ramberg Tank Farm, Williams County, North Dakota

Mr. Franklin,

The North Dakota Department of Health (NDDH) has reviewed your April 4, 2013 Request for Agency Coordination letter regarding the Proposed Tesoro New Ramberg Tank Farm. In your letter, you requested our comments related to any protected surface waters, groundwater resources, wellhead protection areas, and other resources of concern at, or in the vicinity of, the proposed project area.

The proposed site is not located over a named groundwater aquifer or within a wellhead protection area (see Figure 1); several wells are located south and southwest of the proposed site. Based on a review of available groundwater information, it does not appear that site operations would impact underground sources of drinking water.

Projects disturbing one or more acres are required to have a permit to discharge storm water runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. An industrial storm water discharge permit also may be required based on the type of industrial activity at the facility. A wastewater discharge permit is required if the facility will discharge process wastewater to waters of the state. Further information on the discharge permits may be obtained from the Department's website or by calling the Division of Water Quality at 701-328-5210.

Other state and federal agencies may require notification or permits for your project; some of these agencies are listed on the enclosed Environmental Contact Information for Water Related Development sheet. In addition, cities or counties may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system, and may require provisions to address the quality of post-construction storm water runoff from new development and redevelopment projects. Check with the local officials to be sure any local storm water management considerations are addressed.

Please feel free to contact me at 701-328-5210 if you have any questions or require any additional information from the NDDH.

Sincerely,

Dennis Fewless, Director
NDDH – Division of Water Quality

Encl.

Environmental Health
Section Chief's Office
701.328.5160

Division of
Air Quality
701.328.5188

Division of
Municipal Facilities
701.328.5211

Division of
Waste Management
701.328.5166

Division of
Water Quality
701.328.5210

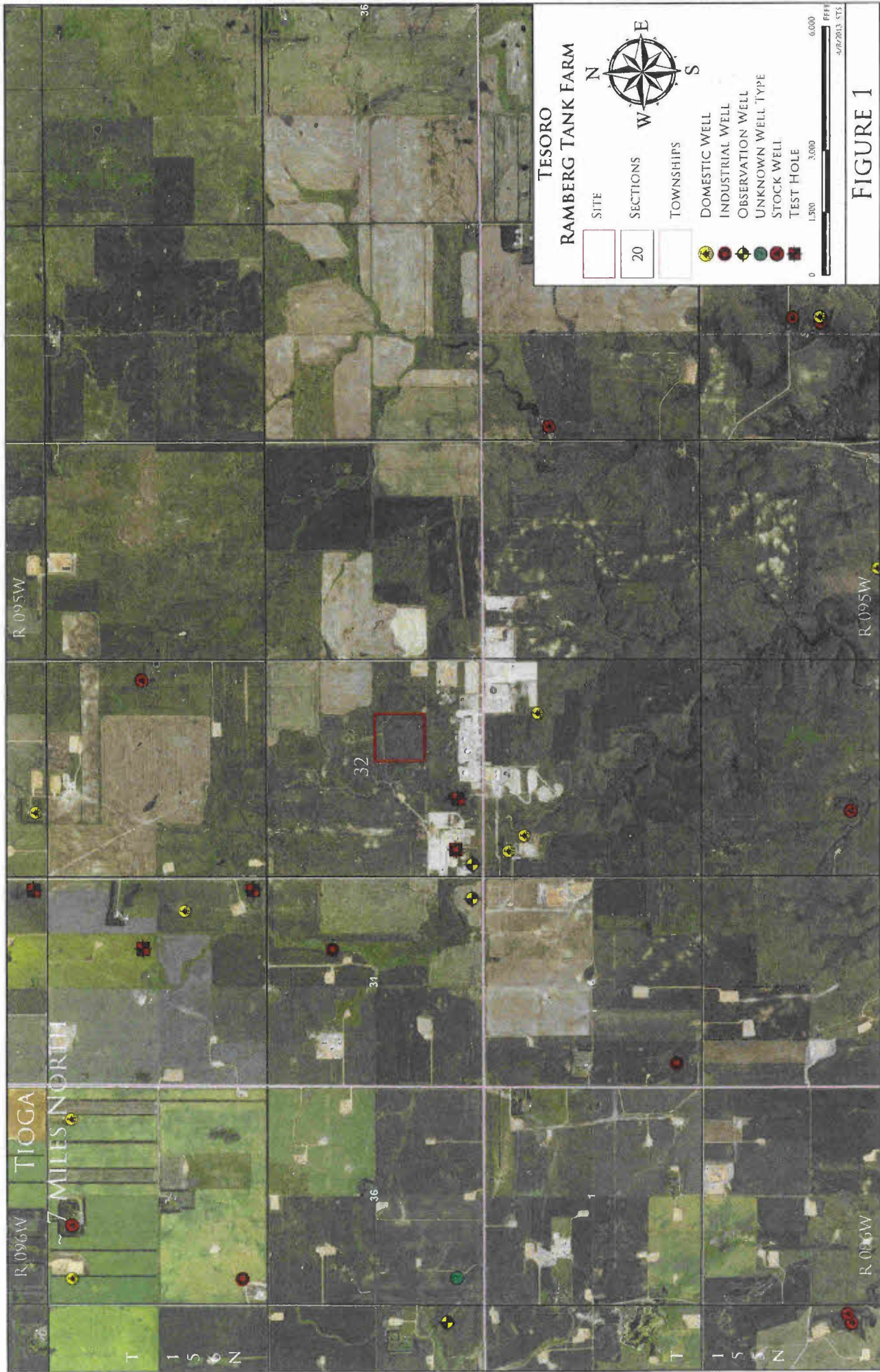


FIGURE 1

9.0 Appendix B: US Army Corps of Engineers Wetland Assessment Forms

WETLAND DETERMINATION DATA FORM – Great Plains Regional Supplement

Project/Site: New Ramberg Station City/County: Williams Sampling Date: 4-25-13
 Applicant/Owner: Tesoro High Plains Pipeline State: ND Sampling Point: U1-NR
 Investigator(s): Monica Pokorny, Dave Cameron Section, Township, Range: 32, 156N, 95W
 Landform (hillslope, terrace, etc.): upland Local relief (concave, convex, none): hillside Slope (%): 15%
 Subregion (LRR): _____ Lat: 48.2911 N Long: -102.9207 Datum: NAD 1983
 Soil Map Unit Name: Zahl-Williams loams, 9 to 15% - partially hydric soil NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks.)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Hydric Soil Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Wetland Hydrology Present? Yes <input type="radio"/> No <input checked="" type="radio"/>	Is the Sampled Area within a Wetland? Yes <input type="radio"/> No <input checked="" type="radio"/>
Remarks: _____ _____ _____	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status	
1. --				Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): <u>0</u> (A) Total Number of Dominant Species Across All Strata: <u>2</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A/B)
2. _____				
3. _____				
4. _____				
_____ = Total Cover				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
Sapling/Shrub Stratum (Plot size: _____)				
1. <u>Symphoricarpos occidentalis</u>	<u>10%</u>		<u>UPL</u>	
2. _____				
3. _____				
_____ = Total Cover				
Herb Stratum (Plot size: _____)				
1. <u>Bromus inermis</u>	<u>95%</u>		<u>UPL</u>	
2. <u>Cirsium arvense</u>	<u>5%</u>		<u>FACU</u>	
3. _____				
4. _____				
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				
10. _____				
_____ = Total Cover				
Woody Vine Stratum (Plot size: _____)				
1. --				
2. _____				
_____ = Total Cover				
% Bare Ground in Herb Stratum _____				
_____ = Total Cover				
Remarks: _____ _____ _____				

Hydrophytic Vegetation Indicators:

1 - Rapid Test for Hydrophytic Vegetation

2 - Dominance Test is >50%

3 - Prevalence Index is ≤3.0¹

4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)

Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes No

SOIL

Sampling Point: U1-NR

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-8	5YR 2.5/1							fine roots with clay and organic
2-12	2.5YR 3/2						clay loam	more green / yellow

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- | | |
|--|--|
| <input type="checkbox"/> Histic Sol (A1) | <input type="checkbox"/> Sandy Gleyed Matrix (S4) |
| <input type="checkbox"/> Histic Epipedon (A2) | <input type="checkbox"/> Sandy Redox (S5) |
| <input type="checkbox"/> Black Histic (A3) | <input type="checkbox"/> Stripped Matrix (S6) |
| <input type="checkbox"/> Hydrogen Sulfide (A4) | <input type="checkbox"/> Loamy Mucky Mineral (F1) |
| <input type="checkbox"/> Stratified Layers (A5) (LRR F) | <input type="checkbox"/> Loamy Gleyed Matrix (F2) |
| <input type="checkbox"/> 1 cm Muck (A9) (LRR F, G, H) | <input type="checkbox"/> Depleted Matrix (F3) |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Redox Dark Surface (F6) |
| <input type="checkbox"/> Thick Dark Surface (A12) | <input type="checkbox"/> Depleted Dark Surface (F7) |
| <input type="checkbox"/> Sandy Mucky Mineral (S1) | <input type="checkbox"/> Redox Depressions (F8) |
| <input type="checkbox"/> 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) | <input type="checkbox"/> High Plains Depressions (F16) |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) (LRR F) | |

Indicators for Problematic Hydric Soils³:

- 1 cm Muck (A9) (LRR I, J)
- Coast Prairie Redox (A16) (LRR F, G, H)
- Dark Surface (S7) (LRR G)
- High Plains Depressions (F16) (LRR H outside of MLRA 72 & 73)
- Reduced Vertic (F18)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____
Depth (inches): _____

Hydric Soil Present? Yes No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Surface Water (A1) | <input type="checkbox"/> Salt Crust (B11) |
| <input type="checkbox"/> High Water Table (A2) | <input type="checkbox"/> Aquatic Invertebrates (B13) |
| <input type="checkbox"/> Saturation (A3) | <input type="checkbox"/> Hydrogen Sulfide Odor (C1) |
| <input type="checkbox"/> Water Marks (B1) | <input type="checkbox"/> Dry-Season Water Table (C2) |
| <input type="checkbox"/> Sediment Deposits (B2) | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) (where not tilled) |
| <input type="checkbox"/> Drift Deposits (B3) | <input type="checkbox"/> Presence of Reduced Iron (C4) |
| <input type="checkbox"/> Algal Mat or Crust (B4) | <input type="checkbox"/> Thin Muck Surface (C7) |
| <input type="checkbox"/> Iron Deposits (B5) | <input type="checkbox"/> Other (Explain in Remarks) |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) | |
| <input type="checkbox"/> Water-Stained Leaves (B9) | |

Secondary Indicators (minimum of two required)

- Surface Soil Cracks (B6)
- Sparsely Vegetated Concave Surface (B8)
- Drainage Patterns (B10)
- Oxidized Rhizospheres on Living Roots (C3) (where tilled)
- Crayfish Burrows (C8)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- FAC-Neutral Test (D5)
- Frost-Heave Hummocks (D7) (LRR F)

Field Observations:

Surface Water Present? Yes No Depth (inches): _____
 Water Table Present? Yes No Depth (inches): _____
 Saturation Present? Yes No Depth (inches): _____
 (includes capillary fringe)

Wetland Hydrology Present? Yes No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

above break in shrubs along the draw

WETLAND DETERMINATION DATA FORM – Great Plains Regional Supplement

Project/Site: New Ramberg Station City/County: Williams Sampling Date: 4-25-13
 Applicant/Owner: Tesoro High Plains Pipeline State: ND Sampling Point: W1-NR
 Investigator(s): Monica Pokorny, Dave Cameron Section, Township, Range: 32, 156N, 95W
 Landform (hillslope, terrace, etc.): drainage Local relief (concave, convex, none): concave Slope (%): 8%
 Subregion (LRR): _____ Lat: 48.2911 N Long: -102.9209 W Datum: NAD 1983
 Soil Map Unit Name: Zahl-Williams loam, 9 to 15% - partially hydric soil NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks.)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Hydric Soil Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Wetland Hydrology Present? Yes <input type="radio"/> No <input checked="" type="radio"/>	Is the Sampled Area within a Wetland? Yes <input type="radio"/> No <input checked="" type="radio"/>
Remarks:	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. --				Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): <u>0</u> (A) Total Number of Dominant Species Across All Strata: <u>2</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A/B)
2. _____				
3. _____				
4. _____				
_____ = Total Cover				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
Sapling/Shrub Stratum (Plot size: _____)				
1. <i>Prunus virginiana</i>	20%		FACU	
2. <i>Symphoricarpos occidentalis</i>	5%		UPL	
3. _____				
4. _____				
5. _____				
_____ = Total Cover				Hydrophytic Vegetation Indicators: <input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input type="checkbox"/> 2 - Dominance Test is >50% <input type="checkbox"/> 3 - Prevalence Index is ≤3.0 ¹ <input type="checkbox"/> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Herb Stratum (Plot size: _____)				
1. <i>Bromus inermis</i>	100%		UPL	
2. _____				
3. _____				
4. _____				
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				
10. _____				
_____ = Total Cover				Hydrophytic Vegetation Present? Yes <input type="radio"/> No <input checked="" type="radio"/>
Woody Vine Stratum (Plot size: _____)				
1. --				
2. _____				
_____ = Total Cover				
% Bare Ground in Herb Stratum _____				
Remarks:				

SOIL

Sampling Point: W1-NR

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-2								organic duff
2-12	5YR 2.5/1						loam	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- | | |
|--|--|
| <input type="checkbox"/> Histosol (A1) | <input type="checkbox"/> Sandy Gleyed Matrix (S4) |
| <input type="checkbox"/> Histic Epipedon (A2) | <input type="checkbox"/> Sandy Redox (S5) |
| <input type="checkbox"/> Black Histic (A3) | <input type="checkbox"/> Stripped Matrix (S6) |
| <input type="checkbox"/> Hydrogen Sulfide (A4) | <input type="checkbox"/> Loamy Mucky Mineral (F1) |
| <input type="checkbox"/> Stratified Layers (A5) (LRR F) | <input type="checkbox"/> Loamy Gleyed Matrix (F2) |
| <input type="checkbox"/> 1 cm Muck (A9) (LRR F, G, H) | <input type="checkbox"/> Depleted Matrix (F3) |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Redox Dark Surface (F6) |
| <input type="checkbox"/> Thick Dark Surface (A12) | <input type="checkbox"/> Depleted Dark Surface (F7) |
| <input type="checkbox"/> Sandy Mucky Mineral (S1) | <input type="checkbox"/> Redox Depressions (F8) |
| <input type="checkbox"/> 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) | <input type="checkbox"/> High Plains Depressions (F16) |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) (LRR F) | |
- (MLRA 72 & 73 of LRR H)

Indicators for Problematic Hydric Soils³:

- 1 cm Muck (A9) (LRR I, J)
- Coast Prairie Redox (A16) (LRR F, G, H)
- Dark Surface (S7) (LRR G)
- High Plains Depressions (F16) (LRR H outside of MLRA 72 & 73)
- Reduced Vertic (F18)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes No

Remarks:

soil pit 4 feet from water flow line

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Surface Water (A1) | <input type="checkbox"/> Salt Crust (B11) |
| <input type="checkbox"/> High Water Table (A2) | <input type="checkbox"/> Aquatic Invertebrates (B13) |
| <input type="checkbox"/> Saturation (A3) | <input type="checkbox"/> Hydrogen Sulfide Odor (C1) |
| <input type="checkbox"/> Water Marks (B1) | <input type="checkbox"/> Dry-Season Water Table (C2) |
| <input type="checkbox"/> Sediment Deposits (B2) | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) (where not tilled) |
| <input type="checkbox"/> Drift Deposits (B3) | <input type="checkbox"/> Presence of Reduced Iron (C4) |
| <input type="checkbox"/> Algal Mat or Crust (B4) | <input type="checkbox"/> Thin Muck Surface (C7) |
| <input type="checkbox"/> Iron Deposits (B5) | <input type="checkbox"/> Other (Explain in Remarks) |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) | |
| <input type="checkbox"/> Water-Stained Leaves (B9) | |

Secondary Indicators (minimum of two required)

- Surface Soil Cracks (B6)
- Sparsely Vegetated Concave Surface (B8)
- Drainage Patterns (B10)
- Oxidized Rhizospheres on Living Roots (C3) (where tilled)
- Crayfish Burrows (C8)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- FAC-Neutral Test (D5)
- Frost-Heave Hummocks (D7) (LRR F)

Field Observations:

Surface Water Present? Yes No Depth (inches): _____

Water Table Present? Yes No Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes No Depth (inches): _____

Wetland Hydrology Present? Yes No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

no saturation or high water table; seasonal flow of water in drainage.

WETLAND DETERMINATION DATA FORM – Great Plains Regional Supplement

Project/Site: New Ramberg Station City/County: Williams Sampling Date: 4-25-13
 Applicant/Owner: Tesoro High Plains Pipeline State: ND Sampling Point: U2-NR
 Investigator(s): Monica Pokorny, Dave Cameron Section, Township, Range: 32, 156N, 95W
 Landform (hillslope, terrace, etc.): upland Local relief (concave, convex, none): hillside Slope (%): 15%
 Subregion (LRR): _____ Lat: 48.2897 N Long: -102.92553 W Datum: NAD 1983
 Soil Map Unit Name: Zahl-Williams loams, 9 to 15% - partially hydric soil NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks.)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Hydric Soil Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Wetland Hydrology Present? Yes <input type="radio"/> No <input checked="" type="radio"/>	Is the Sampled Area within a Wetland? Yes <input type="radio"/> No <input checked="" type="radio"/>
Remarks: _____ _____ _____	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:																
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): <u>0</u> (A) Total Number of Dominant Species Across All Strata: <u>2</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A/B)																
2. _____	_____	_____	_____																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
_____ = Total Cover				Prevalence Index worksheet: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Total % Cover of:</td> <td style="width: 50%;">Multiply by:</td> </tr> <tr> <td>OBL species _____</td> <td>x 1 = _____</td> </tr> <tr> <td>FACW species _____</td> <td>x 2 = _____</td> </tr> <tr> <td>FAC species _____</td> <td>x 3 = _____</td> </tr> <tr> <td>FACU species _____</td> <td>x 4 = _____</td> </tr> <tr> <td>UPL species _____</td> <td>x 5 = _____</td> </tr> <tr> <td>Column Totals: _____</td> <td>(A) _____ (B) _____</td> </tr> <tr> <td colspan="2" style="text-align: center;">Prevalence Index = B/A = _____</td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species _____	x 1 = _____	FACW species _____	x 2 = _____	FAC species _____	x 3 = _____	FACU species _____	x 4 = _____	UPL species _____	x 5 = _____	Column Totals: _____	(A) _____ (B) _____	Prevalence Index = B/A = _____	
Total % Cover of:	Multiply by:																			
OBL species _____	x 1 = _____																			
FACW species _____	x 2 = _____																			
FAC species _____	x 3 = _____																			
FACU species _____	x 4 = _____																			
UPL species _____	x 5 = _____																			
Column Totals: _____	(A) _____ (B) _____																			
Prevalence Index = B/A = _____																				
Sapling/Shrub Stratum (Plot size: _____)																				
1. <u>Prunus virginiana</u>	10%	_____	FACU																	
2. _____	_____	_____	_____																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
_____ = Total Cover																				
Herb Stratum (Plot size: _____)																				
1. <u>Bromus inermis</u>	100%	_____	UPL																	
2. _____	_____	_____	_____																	
3. _____	_____	_____	_____																	
4. _____	_____	_____	_____																	
5. _____	_____	_____	_____																	
6. _____	_____	_____	_____																	
7. _____	_____	_____	_____																	
8. _____	_____	_____	_____																	
9. _____	_____	_____	_____																	
10. _____	_____	_____	_____																	
_____ = Total Cover																				
Woody Vine Stratum (Plot size: _____)																				
1. _____	_____	_____	_____																	
2. _____	_____	_____	_____																	
_____ = Total Cover																				
% Bare Ground in Herb Stratum _____																				
Hydrophytic Vegetation Present? Yes <input type="radio"/> No <input checked="" type="radio"/>																				
Remarks: _____ _____ _____																				

SOIL

Sampling Point: U2-NR

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-3	duff							fine roots with clay and organic
3-12	5YR 3/1						clay loam	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- | | |
|--|--|
| <input type="checkbox"/> Histosol (A1) | <input type="checkbox"/> Sandy Gleyed Matrix (S4) |
| <input type="checkbox"/> Histic Epipedon (A2) | <input type="checkbox"/> Sandy Redox (S5) |
| <input type="checkbox"/> Black Histic (A3) | <input type="checkbox"/> Stripped Matrix (S6) |
| <input type="checkbox"/> Hydrogen Sulfide (A4) | <input type="checkbox"/> Loamy Mucky Mineral (F1) |
| <input type="checkbox"/> Stratified Layers (A5) (LRR F) | <input type="checkbox"/> Loamy Gleyed Matrix (F2) |
| <input type="checkbox"/> 1 cm Muck (A9) (LRR F, G, H) | <input type="checkbox"/> Depleted Matrix (F3) |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Redox Dark Surface (F6) |
| <input type="checkbox"/> Thick Dark Surface (A12) | <input type="checkbox"/> Depleted Dark Surface (F7) |
| <input type="checkbox"/> Sandy Mucky Mineral (S1) | <input type="checkbox"/> Redox Depressions (F8) |
| <input type="checkbox"/> 2.5 cm Mucky Peat or Peat (S2) (LRR G, H) | <input type="checkbox"/> High Plains Depressions (F16) |
| <input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) (LRR F) | |
- (MLRA 72 & 73 of LRR H)

Indicators for Problematic Hydric Soils³:

- 1 cm Muck (A9) (LRR I, J)
- Coast Prairie Redox (A16) (LRR F, G, H)
- Dark Surface (S7) (LRR G)
- High Plains Depressions (F16) (LRR H outside of MLRA 72 & 73)
- Reduced Vertic (F18)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Surface Water (A1) | <input type="checkbox"/> Salt Crust (B11) |
| <input type="checkbox"/> High Water Table (A2) | <input type="checkbox"/> Aquatic Invertebrates (B13) |
| <input type="checkbox"/> Saturation (A3) | <input type="checkbox"/> Hydrogen Sulfide Odor (C1) |
| <input type="checkbox"/> Water Marks (B1) | <input type="checkbox"/> Dry-Season Water Table (C2) |
| <input type="checkbox"/> Sediment Deposits (B2) | <input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) (where not tilled) |
| <input type="checkbox"/> Drift Deposits (B3) | <input type="checkbox"/> Presence of Reduced Iron (C4) |
| <input type="checkbox"/> Algal Mat or Crust (B4) | <input type="checkbox"/> Thin Muck Surface (C7) |
| <input type="checkbox"/> Iron Deposits (B5) | <input type="checkbox"/> Other (Explain in Remarks) |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) | |
| <input type="checkbox"/> Water-Stained Leaves (B9) | |

Secondary Indicators (minimum of two required)

- Surface Soil Cracks (B6)
- Sparsely Vegetated Concave Surface (B8)
- Drainage Patterns (B10)
- Oxidized Rhizospheres on Living Roots (C3) (where tilled)
- Crayfish Burrows (C8)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- FAC-Neutral Test (D5)
- Frost-Heave Hummocks (D7) (LRR F)

Field Observations:

Surface Water Present? Yes No Depth (inches): _____
 Water Table Present? Yes No Depth (inches): _____
 Saturation Present? Yes No Depth (inches): _____
 (includes capillary fringe)

Wetland Hydrology Present? Yes No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

above break in shrubs along the draw

WETLAND DETERMINATION DATA FORM – Great Plains Regional Supplement

Project/Site: New Ramberg Station City/County: Williams Sampling Date: 4-25-13
 Applicant/Owner: Tesoro High Plains Pipeline State: ND Sampling Point: W2-NR
 Investigator(s): Monica Pokorny, Dave Cameron Section, Township, Range: 32, 156N, 95W
 Landform (hillslope, terrace, etc.): drainage Local relief (concave, convex, none): concave Slope (%): 5%
 Subregion (LRR): _____ Lat: 48.2896 N Long: -102.9257W Datum: NAD 1983
 Soil Map Unit Name: Zahl-Williams loams, 9 to 15% - partially hydric soil NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks.)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Hydric Soil Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Wetland Hydrology Present? Yes <input checked="" type="radio"/> No <input type="radio"/>	Is the Sampled Area within a Wetland? Yes <input type="radio"/> No <input checked="" type="radio"/>
Remarks:	

VEGETATION – Use scientific names of plants.

<u>Tree Stratum</u> (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status	
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
_____ = Total Cover				
<u>Sapling/Shrub Stratum</u> (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status	
1. <u>Prunus virginiana</u>	10%	_____	FACU	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
_____ = Total Cover				
<u>Herb Stratum</u> (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status	
1. <u>Bromus inermis</u>	95%	_____	UPL	
2. <u>Cirsium arvense</u>	5%	_____	FACU	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
_____ = Total Cover				
<u>Woody Vine Stratum</u> (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status	
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
_____ = Total Cover				
% Bare Ground in Herb Stratum _____				

Dominance Test worksheet:
 Number of Dominant Species That Are OBL, FACW, or FAC (excluding FAC-): 0 (A)
 Total Number of Dominant Species Across All Strata: 2 (B)
 Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

Prevalence Index worksheet:
 Total % Cover of: _____ Multiply by: _____
 OBL species _____ x 1 = _____
 FACW species _____ x 2 = _____
 FAC species _____ x 3 = _____
 FACU species _____ x 4 = _____
 UPL species _____ x 5 = _____
 Column Totals: _____ (A) _____ (B)
 Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:
 1 - Rapid Test for Hydrophytic Vegetation
 2 - Dominance Test is >50%
 3 - Prevalence Index is ≤3.0¹
 4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)
 Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes No

Remarks:

SOIL

Sampling Point: W2-NR

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-12	2.5 YR 3/2						loam	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Gleyed Matrix (S4)	Indicators for Problematic Hydric Soils³:
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Sandy Redox (S5)	
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Stripped Matrix (S6)	
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Mucky Mineral (F1)	
<input type="checkbox"/> Stratified Layers (A5) (LRR F)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	
<input type="checkbox"/> 1 cm Muck (A9) (LRR F, G, H)	<input type="checkbox"/> Depleted Matrix (F3)	
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Depleted Dark Surface (F7)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Redox Depressions (F8)	
<input type="checkbox"/> 2.5 cm Mucky Peat or Peat (S2) (LRR G, H)	<input type="checkbox"/> High Plains Depressions (F16)	
<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3) (LRR F)		

(MLRA 72 & 73 of LRR H)

Indicators for Problematic Hydric Soils³:

- 1 cm Muck (A9) (LRR I, J)
- Coast Prairie Redox (A16) (LRR F, G, H)
- Dark Surface (S7) (LRR G)
- High Plains Depressions (F16) (LRR H outside of MLRA 72 & 73)
- Reduced Vertic (F18)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

<input checked="" type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Salt Crust (B11)	<u>Secondary Indicators (minimum of two required)</u>
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Aquatic Invertebrates (B13)	
<input checked="" type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Dry-Season Water Table (C2)	
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3) (where not tilled)	
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Thin Muck Surface (C7)	
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Other (Explain in Remarks)	
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)		
<input type="checkbox"/> Water-Stained Leaves (B9)		

Field Observations:

Surface Water Present? Yes No Depth (inches): _____

Water Table Present? Yes No Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes No Depth (inches): _____

Wetland Hydrology Present? Yes No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Exhibit C

Cultural/ Archeological Evaluation Report

Tesoro High Plains Pipeline: A Class III Inventory of 40 Acres for the Proposed New Ramberg Station Project, Williams County, North Dakota

Prepared by:

Jennifer Thomas
and
Patrick Kuntz

Ethnoscience, Inc.
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Billings, Montana 59101

Prepared for:

Wood Group Mustang, Inc.
410 17th Street, Suite 1260
Denver, Colorado 80202

*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 7, 2013

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INTRODUCTION

Tesoro High Plains Pipeline (Tesoro) proposes to construct a crude oil storage facility roughly seven miles south of Tioga in Williams County, North Dakota (Figure 1). The project will include multiple crude oil storage tanks, pipeline pumps and ancillary equipment. The project area is located in the southeast quarter of Section 32 of T156N R95W and consists of just under 40 acres situated on private land. The North Dakota Public Service Commission is the lead agency on this project. Tesoro contacted Wood Group Mustang, Inc. (WGMI) to complete the environmental assessment. Prior to construction, a cultural resource inventory is required to ascertain whether the proposed undertaking will adversely affect culturally significant resources. WGMI contracted Ethnoscience, Inc. (Ethnoscience) to complete the necessary resource investigations. The following report is the result of this investigation. Attached is a Class I cultural resource background review for the area (Stokes 2012- Appendix A).

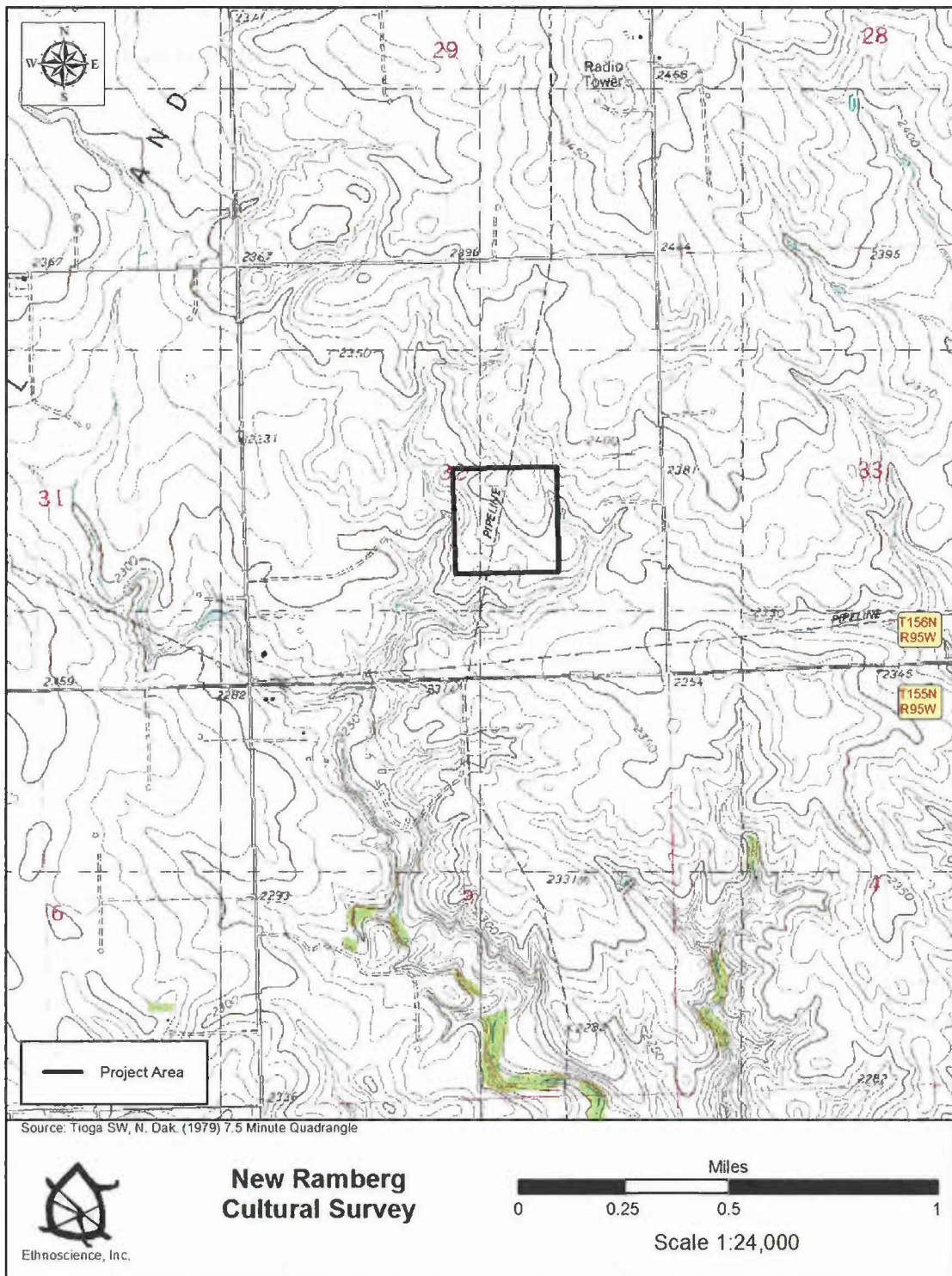


Figure 1: Topographic Project Area Map.

ENVIRONMENT

The project area is located within the glaciated plains of the Missouri Plateau. The general terrain is characterized by undulating hills intersected with numerous kettle ponds and creeks. The Missouri River, the primary water source of this region, flows less than 10 miles to the south of the project area. Soils in this region are comprised of well-drained clay loams (USDA 2013). The project area is situated in a cultivated field. Ground surface visibility at the time of survey was 50 percent.

CULTURAL SETTING

The project area is situated in the Garrison Study Unit. The North Dakota Comprehensive Plan for Historic Preservation (SHSND 2008) provides a detailed description of the cultural setting of the general area and will not be repeated here. Archaeological Consulting Services, Ltd. completed a Class I cultural resource background review for this project with a detailed culture history (Stokes 2012). Their report is attached to this report as Appendix A.

METHODS

Ethnoscience archaeologist Patrick Kuntz conducted a Class III cultural resource inventory of the project area on April 30, 2013. Prior to fieldwork, the shape files of the proposed construction area, as well as the location of previously recorded sites and isolates, were loaded onto a hand-held global positioning system (GPS) unit. This GPS unit was used in the field to identify the project area and aid in the identification of previously recorded sites and isolates. The inventory consisted of a 100 percent pedestrian survey utilizing 30-m transects across the project area. The project area was photographed and notes were taken during the inventory.

PREVIOUS INVESTIGATIONS

Prior to fieldwork, a record and literature search was conducted for previously recorded cultural properties and inventories within the proposed project area. The files search, obtained from the North Dakota State Historical Society, indicates there have been ten inventories within Section 32 of T156N R95W (Table 1). From these inventories, only one site was identified. Site 32WI1141 does not fall within the current project area.

Table 1: Previous Investigations

Date	Author	Title	Associated Sites	Manuscript Number
1984	Kuehn, D. and J. Borchert	Archaeological Investigations Along the Portal Beaver Lodge to Alexander Pipeline Williams and McKenzie Counties, ND.		3251
1987	Metcalf, M. and K. Schweigert	Cultural Resources Investigations on the North Dakota Segment of the Exxon Company, USA Bairoil-Dakota CO2 Pipeline Project, Golden Valley, Billings, Stark, Dunn, McKenzie, and Williams Counties, Western North Dakota Vols 1 and 2.		4319
1992	Olson, B.	Amerada Hess Corporation, 10 inch Natural Gas Pipeline Project Cultural Resources Inventory McKenzie and Williams Counties, North Dakota and Final Report.		5749
2006	Harty, J., P. Heiner, and J. Morrison	Enbridge Pipelines (North Dakota) LLC, North Dakota Pipeline Expansion Project: A Class II and III Cultural Resource Inventory and Evaluative Testing of Three Sites, Williams County, ND.		9856
2009	Markman, J., A. Hutchinson, and A. Wuenschel	A Class I and Class III Cultural Resource inventory of the Red Sky Oil Pipeline in Mountrail and Williams Counties, ND.		11243
2010	Harty, J., M. Shropshire, and D. Klinner	SORTI and Dunn Pipeline Projects: A Class III Cultural Resource Inventory, Williams and McKenzie County, ND.		11790
2010	Klinner, D., J. Harty, and M. Shropshire	Beaver Lodge to Berthold Pipeline: A Class III Cultural Resource Inventory, Mountrail, Ward, and Williams Counties, ND.		11686
2011	Lechert, S. and C. Herson	A Class I and Class III Cultural Resource Inventory of the Hess Ramberg Crude Stabilization Facility, Williams County, North Dakota.	32WI1141	12260
2012	Altizer, K. and D. Reinhart	A Class I and Class III Cultural Resource Inventory of the Hess RTF Tie-in Project, Williams County, North Dakota.		13339

2012	Riordan, C.	Addendum to the Class I and Class III Cultural Resource Inventory of the Hess RTF Tie-in Project, Williams County, North Dakota.	13743
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RESULTS AND RECOMENDATIONS

The Class III cultural resource inventory identified no sites or isolated finds. Based on the results of inventory, Ethnoscience recommends a finding of *No Historic Properties Affected* for the proposed project as inventoried within the defined inventory. No cultural resources were identified in the inventory area 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

State Historical Society North Dakota (SHSND)

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

**APPENDIX A: CLASS I CULTURAL RESOURCE
BACKGROUND REVIEW**

**CLASS I CULTURAL RESOURCE BACKGROUND REVIEW
FOR TESORO'S PROPOSED NEW RAMBERG STATION NEAR
TIOGA, WILLIAMS COUNTY, NORTH DAKOTA**



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CULTURAL RESOURCE, ENVIRONMENTAL MANAGEMENT AND GIS SERVICES

**CLASS I CULTURAL RESOURCE BACKGROUND REVIEW FOR TESORO'S
PROPOSED NEW RAMBERG STATION NEAR TIOGA, WILLIAMS COUNTY,
NORTH DAKOTA**

DRAFT

Prepared by

Robert J. Stokes, Ph.D., RPA
Cultural Principal Investigator

Prepared for

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On behalf of

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Submitted by

Robert J. Stokes, Ph.D., RPA
Archaeological Consulting Services, Ltd. (ACS)
424 W. Broadway Road
Tempe, AZ 85282
ACS Project No. 12-256-LRVW(b)

November 20, 2012



Report Abstract

REPORT TITLE: Class I Cultural Resource Background Review for Tesoro's Proposed New Ramberg Station near Tioga, Williams County, North Dakota

DATE OF REPORT: November 20, 2012

AGENCY: North Dakota Public Service Commission

AGENCY NO.: Unassigned

ACS PROJECT NO.: 12-256-LRVW(b)

PROJECT DESCRIPTION: Tesoro High Plains Pipeline (Tesoro) plans to develop its proposed New Ramberg Station. Tesoro owns and operates a 233-mile-long existing underground petroleum gathering and mainline pipeline system that extends from eastern Montana through North Dakota to Mandan, Morton County, and also extends northward to the US-Canadian International Border where a Tesoro transmission line ties into a pipeline system near the town of Lignite in Burke County, North Dakota.

Specifically, Tesoro proposes to construct a new a new crude oil storage and pumping facility near their existing Ramberg Station located in Williams County, North Dakota. Initial storage capacity will consist of two 120,000 barrel storage tanks with the capability to accept crude oil from the existing 6" and 8" pipelines and subsequently transport this same crude throughout the Tesoro pipeline system located within North Dakota.

LOCATION: NW ¼ of the SE ¼ in Section 32, Township 156 North, Range 95 West of the 5th Principal Meridian, Williams County, North Dakota

NO. OF PARCEL ACRES: 39.95

METHODOLOGY: Sources examined include the North Dakota State Historic Preservation Office (SHPO)/State Historical Society archives, National Register of Historic Places website, and historic General Land Office (GLO) maps

NUMBER OF SITES: 5
Within project area: 0
Within review area but outside project area: 5

ELIGIBLE SITES: 0
Within project area: 0
Within review area but outside project area: 0

SITES OF UNKNOWN ELIGIBILITY: 3
Within project area: 0
Within review area but outside project area: 3:
(32W1100, 32W1138, and 32W1141)

NOT ELIGIBLE SITES: 2
Within project area: 0
Within review area but outside of project area: 2
(32W199 and 32W11212)

COMMENTS: ACS' background research review for the Tesoro High Plains Pipeline proposed New Ramberg Station development project documented 13 previous projects and 5 previously recorded cultural resources within the project's one mile buffer review area. However, none of the cultural resources occur directly within the New Ramberg Station project area. The records check also revealed that the



project area has not been surveyed at the Class III level. The cultural resources indicate that the general area has a prehistoric/protohistoric Native American presence, although the sites appear to be related to resource procurement and processing and not longer-term habitation. The later Historic period sites are all related to post-1880 Euroamerican settlement and expansion into the Tioga area, including farm/ranching related architectural features and cultural artifacts. ACS recommends that previous survey coverage should be viewed as moderately dense and known cultural resources as low, although site density increases greatly just to the south along an incised drainage channel and its tributaries.

As a result of this Class I background research, ACS recommends that the New Ramberg Station project area should be surveyed at the Class III level. The presence of known Native American sites in the review area and the presence of an incised drainage channel and tributaries with higher density of sites just to the south, indicate that previously unrecorded cultural resources may be present. In fact, the New Ramberg Station is located between two of the northern tributaries of this drainage system, indicating that the possibility for unrecorded sites is at least moderate in the project area. Based on a conversation between the report author and Paul Picha, Chief Archaeologist at the NDSHPO, on November 2, the state's position is that intact cultural resources may exist beneath plow zones and should be taken into consideration when making recommendations for any additional cultural resource investigation.



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Table 2. Summary of Previously Recorded Cultural Resources in the One Mile Buffer Review Area (see Appendix A for map).9



Introduction

Tesoro High Plains Pipeline (Tesoro) plans to develop its New Ramberg Station near its existing Ramberg facility near Tioga in Williams County, North Dakota. Tesoro owns and operates a 233-mile-long existing underground petroleum gathering and mainline pipeline system that extends from eastern Montana through North Dakota to Mandan, Morton County, and also extends northward to the US-Canadian International Border where a Tesoro transmission line ties into a pipeline system near the town of Lignite in Burke County, North Dakota. As part of the expansion process, Tesoro is utilizing the North Dakota Public Service Commission's certification process to undertake construction of facilities at the proposed New Ramberg Station. As part of the process, a cultural resources Class I records check and overview was undertaken for the project area; the Class I document will assess the potential for significant cultural resources in the project area and provide recommendations for resource management.

Specifically, Tesoro proposes construct a new a new crude oil storage and pumping facility near their existing Ramberg Station located in Williams County, North Dakota. Initial storage capacity will consist of two 120,000 barrel storage tanks with the capability to accept crude oil from the existing 6" and 8" pipelines and subsequently transport this same crude throughout the Tesoro pipeline system located within North Dakota.

At the request of Ms. Teresa Harris of GES, Inc., who is preparing the North Dakota Public Service Commission documentation on behalf of Tesoro, Archaeological Consulting Services, Ltd. (ACS) of Tempe, Arizona, was asked to perform the Class I research for this project. ACS applied to the North Dakota Secretary of State office for a "Foreign Business" license and to the State Historic Society of North Dakota/State Historic Preservation Office (SHSND/SHPO) for a cultural resources state permit; both were granted to ACS, with Dr. Robert J. Stokes listed as the ACS qualified and permitted archaeologist. Dr. Stokes conducted the records check at the SHSND office on October 19, 2012 focusing on the project area and a one-mile review buffer around it.

The results indicate that the project area has not been previously surveyed and that no known cultural resources occur within it; however, ACS recommends that the project area should be surveyed at the Class III level prior to ground-disturbing activities associated with this project.

Project and Review Buffer Areas

The project area occurs in portions of NW¼ of the SE¼ in Section 32, Township 156 North, Range 95 West of the 5th Principal Meridian, Williams County, North Dakota as shown on the USGS 7.5' Tioga SW, North Dakota topographic quadrangle (Figure 1). The one-mile review buffer surrounding the project area occurs in portions of Sections 30–32 of Township 156 North, Range 95 West and Sections 4–6 of Township 155 North, Range 95 West, which occurs several miles south of the City of Tioga. No state, federal, or tribal lands appear to be in the review area. The parcel is currently used for farming.

The project area lies within the Garrison Study Unit (GSU) as defined in the North Dakota Statewide Historic Preservation Plan (NDSHPP) (Gregg and Swenson 2008). Vegetation in the GSU is part of the Northern Temperate Grassland biome (Gregg and Swenson 2008; Shelford 1963:329), which is a semi-arid climate that fosters extensive development of mixed grass prairie (blue grama grass, needle-and-thread grass, and western wheatgrass) (Dodds 1979; Whitman and Wali 1975). Forests occur along the major rivers and streams, with mixed overstory and understory species in transitional zones; elevation and exposure are the two most important components of determining vegetation biomes. Nonnative species occur within towns and on farms and ranches as a result of modern landscaping and agriculture. Fauna species typically supported in this biome includes pronghorn and bison in the grasslands, and white-tail deer, otter, porcupine, and other mammal species along the rivers, streams, and forests/woodlands.

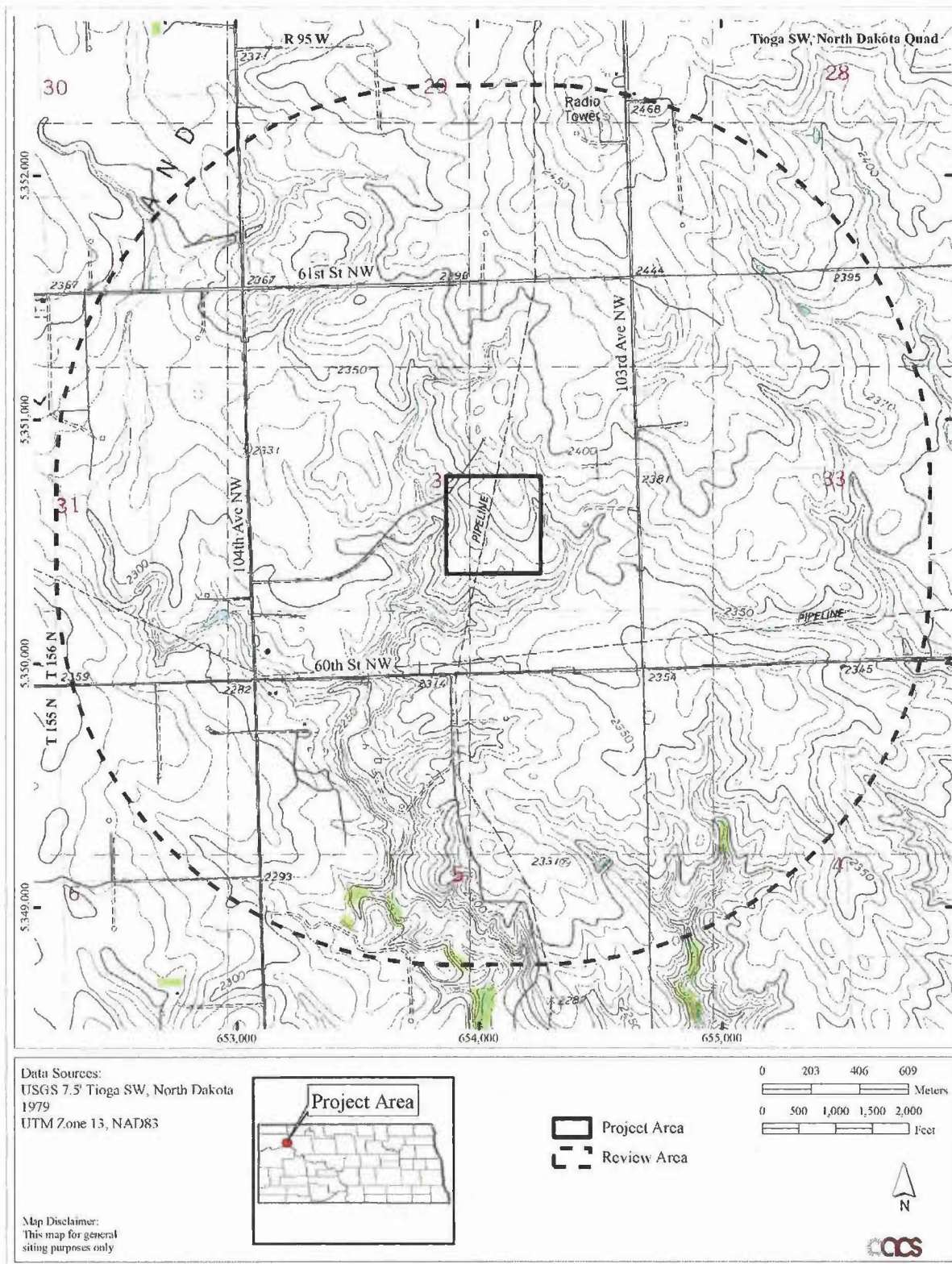


Figure 1. Portion of the USGS 7.5' Tioga SW, North Dakota topographic quadrangle showing the location of the project area and review area.



Culture History

The NDSHPP (Gregg and Swenson 2008:B13–B49) provides a concise cultural background for the state, with specific discussions of sites recorded, survey coverage, and research themes, contexts, and questions for individual study units, including the GSU. The summary below is largely adapted from that document and is supplemented with information specific to the general project area as appropriate.

Prehistoric Periods

Prehistoric site and artifact remains found in North Dakota span the entire continuum of human occupation of North America, from the ancient Paleo-Indian and Archaic periods to the transitional Plains Woodland and Plains Village periods, to the transformative Protohistoric and Historic periods (Equestrian/Fur Trade, Euroamerican) in the Northern Plains (described as “lifeways” in the NDSHPP). Identifiable Native American tribal groups who occupied lands in central and western North Dakota include the Mandan, Arikara, Hidatsa, Assiniboine, and Sioux; these groups represent both the precontact hunting and gathering/farming societies and post-contact nomadic equestrian societies from the 1700s to late 1800s prior to the destruction of bison herds and resettlement onto reservations, and the subsequent expansion of Euroamerican settlement.

Paleo-Indian Period

The earliest well-documented and generally accepted human presence in the interior portions of North America (that is, below Alaska) belongs to a nomadic big-game hunting culture called Clovis, named after the type site of Blackwater Draw located near Clovis, New Mexico (Sellards 1952). Based on radiocarbon dates that tightly cluster from a variety of sites across most of North America below Canada (Haynes 1966), Clovis is dated from 11,500 to 11,000 B.P. (9500 to 9000 B.C.). Clovis sites are identified when butchered remains of large extinct megafauna, such as mammoths (Frison 1978), are found in association with distinctive large lanceolate spear points with fluted bases, although the number of such finds in North Dakota is low (Huckell and Kilby 2008). The Clovis Paleo-Indians also likely made use of plant foods, but direct evidence is much more limited compared to faunal remains.

In the Central and Northern Plains, the Goshen Complex appears to overlap terminal Clovis, and may represent a transition from Clovis to the better known Folsom Complex, at least in some parts of the western United States and Canada (Frison 1986). As the larger Ice Age mammals became extinct, human hunters increasingly turned to hunting bison and smaller surviving mammals during post-Clovis times. By the time of the final Paleo-Indian traditions in the Northern Plains (ca. 5500–5000 B.C.), such as Hell Gap, Cody, and Pryor Stemmed (Gregg and Swenson 2008), post-Pleistocene environmental and biotic changes were complete, turning the former tundras and boreal forests of the north into extensive grasslands with patchy woodlands along rivers.

Plains Archaic Period

The Plains Archaic period (5500 B.C.–A.D. 700) represents post-Pleistocene adaptations across the Northern Plains, with many groups turning more heavily towards hunting a wider variety of smaller animals (although bison remained important) and making extensive use of plant resources, such as grasses, nuts, tubers, aquatic plants, and fruits in North Dakota and adjacent areas, such as the Canadian Plains (Clark and Wilson 1981; Dyck and Morlan 2001). New tools appear during the Archaic, including ground stone tools for processing seeds and nuts into ground meal. In general, projectile points became smaller, less well-crafted, and more regionalized with regard to styles than seen previously. Groups still moved frequently, but largely within recognized territories, setting the stage for the later identifiable indigenous Native American groups of the later periods.

Plains Woodland Period

The Plains Woodland period across the Northern Plains represents an increased level of settling down into small hamlets and restricted resource territories as more groups began to experiment with gardening of



domesticated plants, in addition to producing pottery and increasing use of bow and arrow technology for hunting towards the end of the period (Gregg 1985; Johnson 2001). Across North Dakota, the Plains Woodland tradition varies, as some groups along major rivers experimented more with gardening while other nomadic groups continued Plains Archaic lifeways; as a result, the Plains Woodland period spans the time frame beginning ca. A.D. 700 and terminating ca. 1500—that is, towards the end of the period, some groups adopted heavier use of agriculture (Plains Village period) while others relied heavily on hunting and gathering with opportunistic gardening. During the Plains Woodland, pottery is generally poorly made and undecorated, reflecting its occasional use. Small hamlets also appear along rivers and sheltered areas, although none likely contain more than several extended families. In some areas, mound burials appear, which may indicate some level of contact or knowledge of “Moundbuilder” practices of the far-flung Hopewell Culture and its northwestern Mississippi/Missouri River variants (Johnson 1976).

Plains Village Period

The Plains Village period in North Dakota (A.D. 1000–1850) represents the adoption of an agricultural lifestyle among the groups living along the major rivers, including the Middle and eventually Upper Missouri River valley (Lehmer 1971; Wood 2001). Although scientific studies of Plains Village sites demonstrates the increasing reliance on agriculture, domesticated foods never amounted to more than 50 percent of the diet; that is, hunting and gathering wild resources was still an important subsistence pattern. The small Plains Woodland hamlets became larger semi-permanent to permanent villages composed of earthlodges, storage features, fortifications, and sometimes plazas and other public features. At many villages, large trash mounds began to appear, attesting to an increasingly settled lifestyle and growing population. Ceramic technology improves and distinctive pottery styles and decorations begin to appear; these traditions often correlate with identifiable bands and tribes (i.e., ethnic groups), such as the Archaic Mandan and Coalescent Hidatsa. Bison scapula hoes are ubiquitous at Plains Village sites, as are end scrapers and arrow points.

The extended Middle Missouri Variant (A.D. 1100–1550), also referred as the “Archaic Mandan,” represents a Plains Village tradition in south-central North Dakota, primarily focused along the Middle Missouri River and its tributaries (Wood 2001). This variant represents the first well-documented Plains Village tradition in North Dakota and likely represents an extension northward of groups from the south. The North Dakota villages tend to be smaller than their southern counterparts, with an average of 10 to 15 homes (earthlodges) per village compared to over 30 to the south. Sites are common in the river valleys and some may have grown in size as time passed. A new pottery attribute is introduced, comprised of a rounded lip/rim and a smooth curved neck. The succeeding Terminal Middle Missouri Variant (A.D. 1550–1675) represents an increase in village size and the use of central plazas, and the introduction of extensive fortifications surrounding the unprotected sides of the village (e.g., the Huff Site [32MO11]). The number of villages appears to decrease as populations aggregate at these larger protected sites. Houses tended to be more square in shape and were built in alignments with storage pits both inside and outside houses. It is not until the later stages of the Terminal Missouri Variant that round houses that resemble the well-known earthlodges begin to appear. Pottery tends to be thicker and occasionally make use of a fillet design element.

The Initial Coalescent Variant (A.D. 1450–1550) represents another episode of southern migrants moving northward into the Upper Missouri River of North Dakota, most likely the ancestral Arikara (Krause 2001; Lehmer 1971). It is thought that this push into the Missouri River valley sparked conflict among the settled groups already present and explains the appearance of fortifications at many villages; the Crow Site (39BF11) has produced evidence of conflict. The Extended Coalescent Variant (A.D. 1500–1700) represents a continued push further up the Missouri River valley. Sites of this period tend to decrease, while the size of occupied villages increases. These sites also remain heavily fortified. The Extended Coalescent/Terminal Coalescent represents an important transition with regard to the ancestral Mandan and Arikara as the traits comprising the Coalescent (Arikara) and Middle Missouri (Mandan) merge,



creating what appears to be a single cultural tradition to archaeologists, although clearly the ethnic identities of these groups remained intact.

Historic Period

Direct contact with Europeans eventually reached the indigenous groups of North Dakota in the 1700s, although European goods and horses had already filtered into the Great Plains from the east, southwest, and Great Lakes/Canada. This period is often referred to as the Post-Contact Coalescent period (A.D. 1700–1850), with the existing villages becoming involved with the European/Euroamerican trade network (Lehmer 1971), especially the fur trade. Pierre Gaultier de Varennes Siure de la Verendrye (Dill and Holland 1983) is thought to be among the earliest to contact the Mandan, Arikara, and Hidatsa groups along the Missouri River, bringing these groups into the Great Lakes/Canadian fur trade network. The first documented Euroamericans to visit these groups was the famed Meriwether and Lewis expedition up the Missouri River in the early 1800s on their voyage of exploration of the Louisiana Purchase for President Jefferson. Some of the villages visited by Meriwether and Lewis are now preserved as part of the Knife River Indian Villages National Historic Sites along the river west of Washburn. Although Meriwether and Lewis brought some European goods with them for trade and gifts as they traveled, the expedition's impact was minimal compared to the subsequent establishment of trading posts and forts throughout the remainder of the early to mid-1800s, such as St. Louis Missouri Fur Company posts and forts such as Ft. Union and Ft. Lincoln. As a result of these contacts, indigenous groups became more dependent upon European and American made goods, especially the profitable glass trade bead industry (Davis 1973) and were simultaneously decimated by waves of non-indigenous diseases such as smallpox and whooping cough (Gregg 1985). The 1700s through 1800s represented a tremendous change in indigenous lifeways, eventually resulting in the loss of most of their lands and forced movement onto reservations.

With the introduction of the horse, population crashes, and the movement of Great Lakes tribes onto the Northern Plains, the Dakotas and Canadian Plains witnessed waves of nomadic peoples either crossing through the area or making particular areas their new homes. The indigenous Mandan, Hidatsa, and Arikara groups (see Parks 2001; Stewart 2001; Wood and Irwin 2001) continued to band together for survival as the Three Affiliated Tribes, especially after significant population decreases from diseases and relentless loss of territory as a result of U.S. government containment, resettlement, and reservation Indian policies of the mid-1800s through the mid-1900s (Schneider 2001). The Three Affiliated Tribes were settled onto the Fort Berthold Reservation at the confluence of the Missouri and Little Missouri rivers by 1870, although changing U.S. policy afterwards resulted in constant reservation boundary alterations, typically resulting in loss of land. In the 1950s, the construction of the Garrison Dam below the confluence resulted in the creation of Lake Sakakawea and the submerging of most of the reservation's farm lands along the river. The tribes were eventually monetarily compensated for the loss of their lands, but the loss of their traditional farming lifestyle caused societal changes that continue to the present.

Other Native American groups documented in western North Dakota during the Contact/Post-contact periods include the Assiniboine of the Canadian Plains and adjacent areas of the United States (DeMallie and Miller 2001), the Crow (Montana mountains and foothills) (Voget 2001), and the Cheyenne, some of whom settled along the Middle Missouri River between the Mandan and Arikara villages (Moore et al. 2001). The Teton Sioux (Lakota and Dakota) were also present (DeMallie 2001), although primarily in southwestern North Dakota and large portions of central and western South Dakota. The Three Affiliated Tribes of Fort Berthold Reservation is the closest Indian reservation to the current New Ramberg project area, although because no large streams or rivers are located near the project area, it is unlikely that habitation sites related to the Three Affiliated Tribes would be present, although resource procurement sites found in this area could be.



City of Tioga

In the early part of 1887, the Great Northern Railroad spur from Minot was extended into eastern Williams County. However, Tioga was not settled until homesteaders from Tioga County, New York, arrived in 1902, giving it the name of Tioga (<http://www.tiogand.net/>, accessed October 24, 2012). N. W. Simon and W. H. Dixon and others bought lots from Nick Comford who owned some of the town sites along the Great Northern Railroad; Comford may have purchased this land from U.S. soldiers who had received it for their services. The first store was built in 1902, by N. W. Simon, for general merchandise and groceries; it was also the first post office. At one time, Tioga was the largest primary grain market in the world, much of it from McKenzie County. On April 4, 1951, the Amerada Petroleum Corporation discovered oil on the Clarence Iverson farm; the oil came from the Nesson Anticline, a geological formation that is part of the Williston Basin. The discovery in 1951 set off an oil boom. The drilling peak was in 1966 with 27,000,000 barrels coming from 1,965 producing wells. Production decreased in the intervening years; however, a new oil boom is now occurring and Tioga and Williams County are again at the forefront of the state's oil industry. Tioga currently has a population of over 1,500.

Results of the Background Research Review

This section presents an inventory of cultural resource investigations undertaken to date within the one-mile review area buffer surrounding the New Ramberg Station project area, and lists the archaeological sites, historic structures, and site leads and isolated finds that have been recorded. Sources examined include site and project files at the SHSND/SHPO archives, online National Register of Historic Places, and historic GLO plats for the review area. Data from the SHSND and GLO maps were digitized and are shown on the previous projects map (Figure 2) and previously recorded sites map (Appendix A). ACS principal investigator, Robert J. Stokes, performed the records check at the SHSND on October 19, 2012.

The records check revealed 13 projects have occurred within the one-mile review area, none of which intersect the current project area, although the Red Sky Oil Pipeline corridor (Manuscript No. 11243) passes just off of the southern boundary of the current project (Figure 2; Table 1). The bulk of previous research occurs to the south of the project area and are primarily linear projects related to transmission corridors. Most were conducted within the past 10 years. The Tioga SW quadrangle indicates a pipeline crossing through the center of the parcel; however, no associated project is on file at the SHSND.

A total of 5 cultural resource sites have been recorded within the one-mile review area (Table 2; Appendix A); however, no known cultural resources occur within the current project area. The previously recorded resources in the review area represent prehistoric and historic sites, including four prehistoric/protohistoric stone circles/cairns, several of which have artifacts associated with them, including some Historic period material, and one historic cultural material scatter with a depression, suggested by the recorder to be a cellar. One prehistoric/protohistoric site, 32WI99, was not relocated by a later researcher and was subsequently determined to be not eligible to the National Register. The Historic period depression and artifact scatter was recommended as not eligible. The remaining sites have either unknown eligibility or were not evaluated. The number of known sites, site leads, and isolated finds increases greatly towards the southern end of the review area and beyond, and appears to correlate both with the greater survey coverage in this area and the presence of an incised drainage channel and tributary washes. The New Ramberg Station sits between two of these tributaries at the northern end of the drainage system.

A review of the online National Register database revealed no listed properties in the general Tioga/New Ramberg project area.

Examination of a historic GLO map (1897) for the review area indicates that one road crosses the northwestern portion of the review area, but does not cross into the project area. The GLO map also clearly shows the drainages in the project area that were noted in the paragraph above.

Table 1. Summary of Previous Research Within the One Mile Buffer Review Area.

Manuscript No.	Manuscript Title	Author(s)	Date	Section(s)
3251/12472	Archaeological Investigations along the Beaver Portal Lodge to Alexander Pipeline, Williams and McKenzie Counties, North Dakota	Kuehn and Borchert 1984	1984	31, 32
5749	Amerada Hess Corporation 10-inch Natural Gas Pipeline Project Cultural Resources Inventory, McKenzie and Williams Counties, North Dakota and Final Report	Olson 1992	1992	6, 31, 32
9856	Enbridge Pipelines (North Dakota) LLC North Dakota Pipeline Expansion Project: A Class II and III Cultural Resource Inventory and Evaluative Testing of Three Sites, Williams Co. North Dakota	Harty et al. 2006	2006	4, 5, 6, 31, 32
10848	Pleasant Valley – Belden 115kV Transmission Line (RUS#807) 2008 Class III Cultural Resource Inventory, Mountrail and Williams Counties, North Dakota	Jackson and Toom 2009	2009	4
11243	A Class I and Class III Cultural Resource Inventory of the Red Sky Oil Pipeline in Mountrail and Williams Counties, North Dakota	Markman et al. 2009	2009	31, 32
11686	Beaver Lodge to Berthold Pipeline: A Class III Cultural Resource Inventory, Mountrail, Ward, and Williams Counties, North Dakota	Klinner et al. 2010	2010	4, 5, 32
11790	SORTI and Dunn Pipeline Projects: A Class III Cultural Resource Inventory, Williams and McKenzie Counties, North Dakota	Harty et al. 2010	2010	5, 32
11987	A Class I and Class III Cultural Resource Inventory of the Rangeland Energy COLT Connector Pipeline, Williams County, North Dakota	Smith 2011	2011	5, 31
12260	A Class I and III Cultural Resource Inventory of the Hess Ramberg Crude Stabilization Facility, Williams County, North Dakota	Lechert and Herson 2011	2011	32
12793	Rangeland Energy Beaver Lodge Tank Location Project: A Class III Cultural Resources Inventory in Williams County, North Dakota	Burns 2011	2011	5
13002	Enbridge Sanish Pipeline Project: An Addendum for Reroutes Along the Sorti and Dunn Pipeline Project: A Class III Inventory in McKenzie and Williams Counties, North Dakota	Kinsey and Stine 2012	2012	4, 5
13009	BakkenLink Pipeline: A Class II and Class III Cultural Resource Inventory in Billings, Stark, McKenzie, and Williams Counties, North Dakota	Kulevsky and Stine 2012	2012	6
13339	A Class I and Class III Cultural Resources Inventory of the Hess RTF Tie-in Project, Williams County, North Dakota	Altizer and Reinhart 2012	2012	30, 31, 32

Table 2. Summary of Previously Recorded Cultural Resources in the One Mile Buffer Review Area (see Appendix A for map).

Site Number	Site Type	Cultural Affiliation	Township	Range	Section	Eligibility (Criterion)	Manuscript No.	In Project Area?
32W199	Stone circle (1), rock cairn (1), not relocated in 2011	Archaeological	155	95	5	Not eligible (SHPO concurrence)	12793, 11790	No
32W1100	Stone circle (1), rock rings (9), cultural material scatter (CMS), dump, machinery	Archaeological, Historical	155	95	5	Unknown	Unknown	No
32W1138	Stone circle(5), CMS (5 flakes, 1 Flint River chert core)	Archaeological	155	95	5	Not evaluated	Unknown	No
32W1141	Stone circle (1), rock cairn (1)	Archaeological	156	95	32	Not eligible (D); unknown eligibility (A)	12260	No
32W11212	Depression (cellar?), CMS (bricks, concrete)	Historical	155	95	4	Not eligible	13002	No



Historic Contexts

To be eligible for inclusion in the National Register, cultural resources must be at least 50 years old and meet one or more of the criteria set forth in 36 CFR 60.4:

- Criterion A: applies to properties that are associated with events that have made a significant contribution to the broad patterns of our history; or
- Criterion B: applies to properties that are associated with the lives of persons significant in our past; or
- Criterion C: applies to properties that embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- Criterion D: applies to properties that have yielded, or may be likely to yield, information important in prehistory or history.

In addition to meeting one or more criteria, cultural resources must be significant within the context of prehistory or history. Significant cultural resources must also possess integrity, which is the composite of seven qualities: location, design, setting, materials, workmanship, feeling, and association. All of these qualities do not have to be present for a cultural resource to be eligible for the National Register. In fact, the integrity of archaeological sites is usually based on the degree to which the remaining evidence can provide *important* information about the prehistory or history of an area.

All archaeological sites have the potential to yield information, but assessment of the information's importance is a critical factor. To facilitate this process, the National Park Service developed the concept of historic context, which consists of a time (e.g., Plains Village period), a place (e.g., Middle Missouri River Valley), and a theme (e.g., introduction of earthlodges). To facilitate the process of evaluating the significance of North Dakota cultural resources, the NDSHPO and SHSND developed the NDHPP (2008) which contains a detailed overview of the state's prehistory and history, and specific study units based primarily on river basins. For each study unit (e.g., the GSU that includes the current project area), the NDHPP contains a series of research contexts and questions that researchers should engage as they perform cultural resource inventories and document sites, leads, isolates, and architectural units. For each study unit, the primary research themes include paleo-environmental modeling; settlement behavior; subsistence practices; technologies; artifact styles; regional interaction; and historic preservation goals, priorities, and strategies. For each theme under each cultural/time period, the NDHPP offers research questions, such as (focusing on the Plains Village period example from above):

- Was any part of the GSU permanently occupied by villagers during the early centuries of the Plains Village period?
- How were horticultural practices changed by the volatile cultural events spanning late prehistoric, protohistoric, and historic times?
- What sorts of archeological contexts must be sampled, and what sorts of recovery techniques must be employed to enable collecting data to answer such questions?
- Do Knife River phase ceramic vessel styles have a more limited distribution within the GSU than earlier Plains Village vessel styles?
- Were interactions between Plains Village groups and Pacific Coast peoples more intensive during late Plains Village times than during early and middle Plains Village times?

Based on the sites previously recorded within the current project's review area, the few prehistoric/protohistoric sites identified thus far (Class III survey coverage within the southern portion of



the review area is regarded as moderately intense by ACS) cannot be placed within a recognized cultural time period (e.g., Plains Village) or with any particular tribe or ethnic group (e.g., Three Affiliated Tribes, Assiniboine) without additional investigation of the sites. The general paucity of known prehistoric to historic Native American sites in the review area, especially the northern half, is somewhat misleading given the lack of survey coverage in the northern half and the greater density of sites present just to the south of the review area where more surveys have occurred and where the drainage system becomes wider and more entrenched. In short, although the number of sites is not high for the review area, the area does appear to have the potential for containing sites that can address some of the state's time/cultural periods and resource use contextual themes, including settlement, subsistence, technology, trade, and cultural affiliation. The Historic period resources appear to be few and largely insignificant.

Summary and Recommendations

ACS' background research review for Tesoro's proposed New Ramberg Station project demonstrates that a moderate number of projects, many recent, occur in the review area; however, the current project area has not been previously surveyed. The records search also demonstrates that a low number of cultural resources occur in the review area, although site occurrence greatly increases just to the south and which appears to correlate with increased survey coverage and the presence of an incised drainage system. No sites are currently listed on the National Register. However, the prehistoric/protohistoric sites indicate that Native American occupation and use of the general area is present, although none of these resources appear to be associated with habitation sites. The rock rings and cairns, and limited surface material cultural associated with them, suggests that they may be related to resource processing and perhaps temporary habitation, such as campsites, although larger sites appear to occur to the south along the drainage system. These sites would require further examination to understand their age, function, and role in the greater area's settlement and subsistence systems; however, they all occur outside of the current project area.

Examination of recent aerial imagery of the project area indicates that the parcel is undeveloped; that is, no standing structures or other constructions are present, although a buried pipeline passes through the parcel in a general northeast to southwest direction. The area has been plowed for farming, although intact cultural materials can be present beneath the plow zone and artifacts brought to the surface are often good indicators of subsurface cultural deposits despite vertical and lateral displacement (e.g., see Sullivan 1998). A conversation between the report author and Paul Picha, North Dakota Chief Archaeologist at the NDSHPO, on November 2 confirms the state's position that intact cultural resources may be present beneath plow zones and should be taken into consideration when recommending the need for additional cultural resources investigations. Given the proximity of the known Native American sites and the presence of an incised drainage system in the project area and just to the south, prehistoric and/or protohistoric sites could occur in the project area despite the effects of agricultural activities at the parcel.

As a result of this research, ACS recommends that the project area should be surveyed at the Class III level prior to any ground disturbing activities by Tesoro. The proximity of known sites and the presence of a drainage system that could be a source of water and food for the Native American groups in the area indicate that the potential for unrecorded sites in the project area is at least moderate. Additionally, the drainage system in the area may also have been conducive for habitation, although large habitation sites in the project area are likely not present.

Should construction work uncover previously unrecorded cultural resources in the northeastern portion of the project area, the SHSND/SHPO office should be contacted immediately (Paul Picha, Chief Archaeologist, 701-328-3574) for consultation and assessment of the finds.



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Appendix A: Map of Previously Recorded Cultural Resources in the Review Area

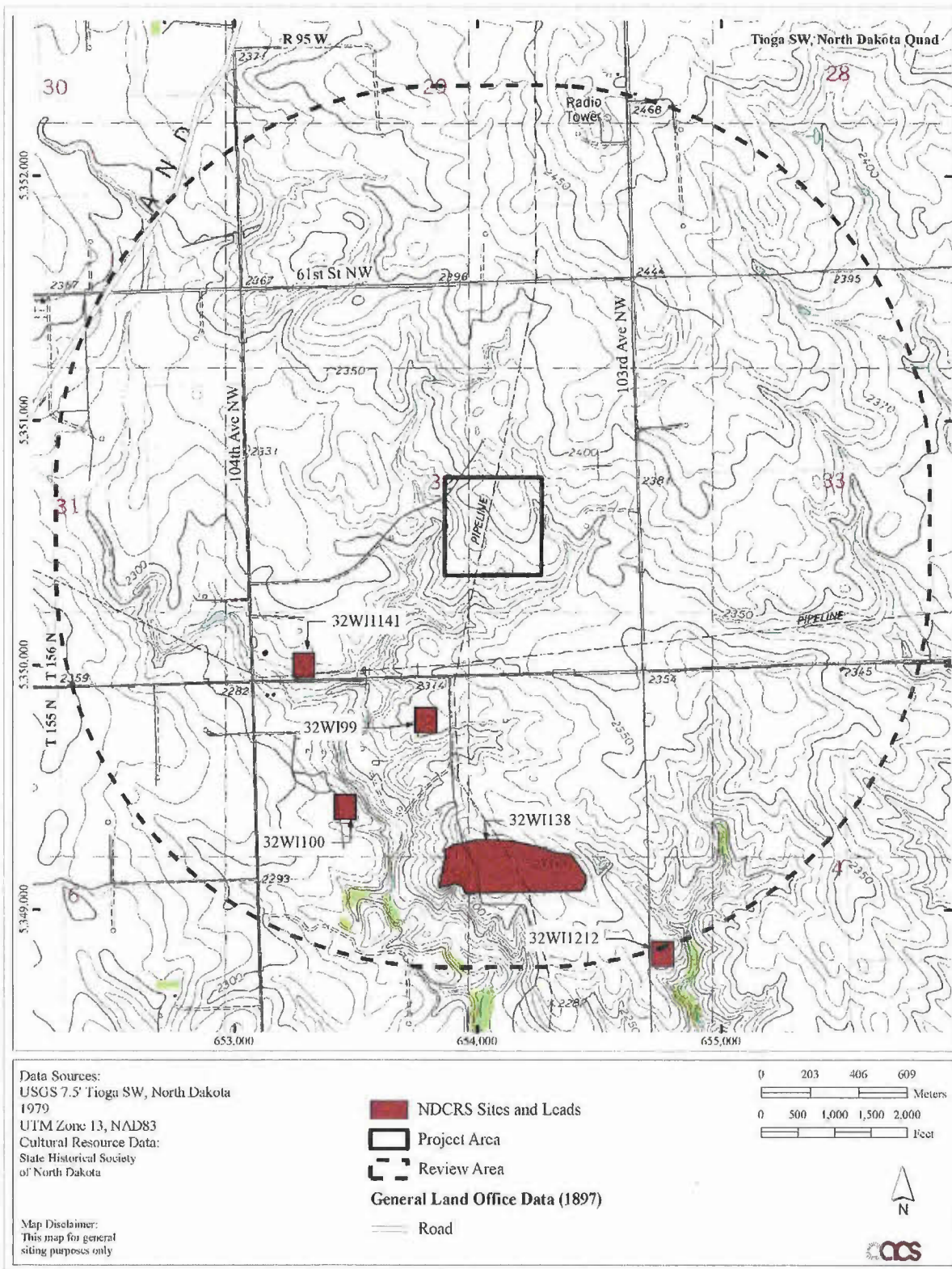


Figure A-1. Portion of the USGS 7.5' Tioga, North Dakota topographic quadrangle depicting the project area, review buffer, previously recorded cultural resources, and GLO map data.



Exhibit D
Agency's Correspondence

Exhibit D-1

U.S. Fish and Wildlife Service (FWS)



March 27, 2013

Jeffrey Towner, Field Supervisor
U.S. Fish and Wildlife Service
North Dakota Field Office
3425 Miriam Avenue
Bismarck, North Dakota 58501-7926

RE: Request for Agency Coordination in Regards to a State of ND PSC Permit Application for a Certificate of Site Compatibility: Proposed Tesoro New Ramberg Tank Farm in Williams County, North Dakota

Dear Mr. Towner,

Tesoro High Plains Pipeline (Tesoro) proposes construction to build a new tank farm/ station located south of Tioga in Williams County, North Dakota. The proposed site is approximately 40 acres in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 32, Township 156 North, Range 95 West (Figure 1). The new construction (the Project) will add crude oil storage tanks and pumping capabilities to the existing Ramberg Station. The Project area is located 7.3 miles south of Tioga, North Dakota and approximately 830 feet north of the existing Ramberg Station in the Beaver Lodge Oil Field. Tesoro is preparing an application to the State of North Dakota Public Service Commission (PSC) for a Certificate of Site Compatibility.

KC Harvey Environmental, LLC is conducting the environmental analyses and preparing the respective narrative for the PSC application. Tesoro will submit the completed application for the PSC approval process. In accordance with the PSC application guidance, we are requesting technical data and comments pursuant to your Agency's interests. This is in accordance with the North Dakota Century Code Chapter 49-22-14.1 of the Energy Conversion and Transmission Facility Siting Act outlining cooperation with state and federal agencies.

Project preliminary planning and design is currently underway. A spring 2013 site assessment will be conducted for wetlands, land cover, and biological resources. In accordance with the PSC application requirement, we are requesting preliminary comments and data from the U.S. Fish and Wildlife Service (USFWS) North Dakota Ecological Services Office in advance of the site assessment. Please provide comments related to the Endangered Species Act (ESA), the Migratory Bird Treaty Act (MBTA), the Bald and Golden Eagle Protection Act (BGEPA), and other resources of concern existing in or near the project area.

We are also contacting the North Dakota Game and Fish Department (NDGF) regarding the North Dakota Conservation Priority Species and State easements, as well as the North Dakota Parks and Recreation Department (NDPR) for Natural Heritage Species.

We will subsequently coordinate with you and other agencies if resources of concern are identified. We will also address your findings, recommendations, and the results of the site assessment in the PSC permit application. The PSC notice of filing will likely occur in the Spring of 2013. The site assessment will be completed prior to the filing.

Written responses can be sent to my attention at:

376 Gallatin Park Dr.
Bozeman, MT 59715
lbarber@kcharvey.com

Please feel free to call me at 406-585-7402, extension 19 or by email at lbarber@kcharvey.com with any questions or requests for additional information.

Thank you for your consideration in this matter.

Sincerely,



Loren M.B. Franklin, M.S.
Reclamation Scientist
KC Harvey Environmental, LLC

Kari Thorsteinson

From: Loren Barber
Sent: Thursday, March 28, 2013 3:01 PM
To: kari_thorsteinson@fws.gov
Subject: Attn: Jeffrey Towner, Re: ND PSC Application preliminary contact
Attachments: Tesoro_TankFarm_PSCletter032713_USFWS.pdf

Dear Mr. Towner,

I am contacting you regarding two North Dakota PSC Applications for Certificate of Site Compatibility. Please see my first email regarding the first proposed location (I could not send both letters in one email, sorry for the inconvenience). The second proposed project is a new tank farm near the existing Tesoro Ramberg Station (New Ramberg Tank Farm), approximately 7 miles south of Tioga.

Please see the attached letter requesting data and comments from the USFWS regarding the second proposed location. I have also sent a copy of this letter to your office via US mail. Please contact me with any questions. Thank you in advanced for your time.

Sincerely,

Loren Franklin
Reclamation Scientist

Reclamation Research Group
A Division of
KC Harvey Environmental, LLC
376 Gallatin Park Drive
Bozeman, Montana 59715 USA

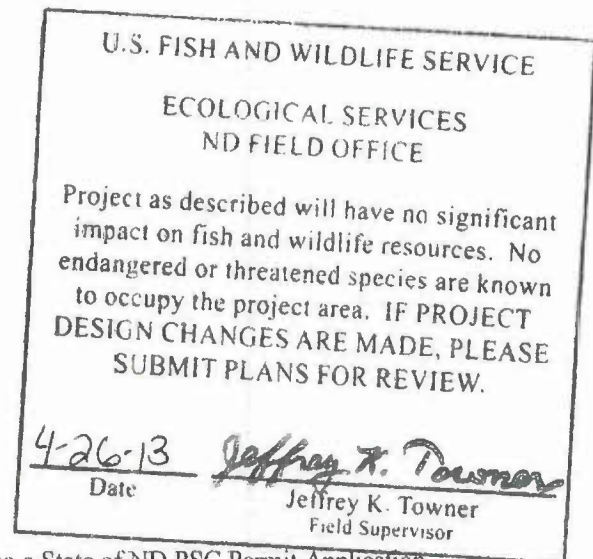
Phone: 406.585.7402, ext 19
Cell: 406.570.5410
Fax: 406.585.7428
lbarber@kcharvey.com

KC HARVEY
ENVIRONMENTAL, LLC



March 27, 2013

Jeffrey Towner, Field Supervisor
U.S. Fish and Wildlife Service
North Dakota Field Office
3425 Miriam Avenue
Bismarck, North Dakota 58501-7926



RE: Request for Agency Coordination in Regards to a State of ND PSC Permit Application for a Certificate of Site Compatibility: Proposed Tesoro New Ramberg Tank Farm in Williams County, North Dakota

Dear Mr. Towner,

Tesoro High Plains Pipeline (Tesoro) proposes construction to build a new tank farm/ station located south of Tioga in Williams County, North Dakota. The proposed site is approximately 40 acres in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 32, Township 156 North, Range 95 West (Figure 1). The new construction (the Project) will add crude oil storage tanks and pumping capabilities to the existing Ramberg Station. The Project area is located 7.3 miles south of Tioga, North Dakota and approximately 830 feet north of the existing Ramberg Station in the Beaver Lodge Oil Field. Tesoro is preparing an application to the State of North Dakota Public Service Commission (PSC) for a Certificate of Site Compatibility.

KC Harvey Environmental, LLC is conducting the environmental analyses and preparing the respective narrative for the PSC application. Tesoro will submit the completed application for the PSC approval process. In accordance with the PSC application guidance, we are requesting technical data and comments pursuant to your Agency's interests. This is in accordance with the North Dakota Century Code Chapter 49-22-14.1 of the Energy Conversion and Transmission Facility Siting Act outlining cooperation with state and federal agencies.

Project preliminary planning and design is currently underway. A spring 2013 site assessment will be conducted for wetlands, land cover, and biological resources. In accordance with the PSC application requirement, we are requesting preliminary comments and data from the U.S. Fish and Wildlife Service (USFWS) North Dakota Ecological Services Office in advance of the site assessment. Please provide comments related to the Endangered Species Act (ESA), the Migratory Bird Treaty Act (MBTA), the Bald and Golden Eagle Protection Act (BGEPA), and other resources of concern existing in or near the project area.

We are also contacting the North Dakota Game and Fish Department (NDGF) regarding the North Dakota Conservation Priority Species and State easements, as well as the North Dakota Parks and Recreation Department (NDPR) for Natural Heritage Species.



April 8, 2013

Dan Cimarosti, Program Manager
U.S. Army Corps of Engineers, Omaha District
North Dakota Regulatory Office
1513 South 12th Street
Bismarck, North Dakota 58504

RE: Request for Agency Coordination Regarding a PSC Permit Application for a Certificate of Site Compatibility-Proposed Tesoro New Ramberg Tank Farm ,Williams County, North Dakota

Dear Mr. Cimarosti,

Tesoro High Plains Pipeline (Tesoro) proposes construction to build a new tank farm/ station located south of Tioga in Williams County, North Dakota. The proposed site is approximately 40 acres in the NW¼ of the SE¼ of Section 32, Township 156 North, Range 95 West (Figure 1). The new construction will add crude oil storage tanks and pumping capabilities to the existing Ramberg Station. The project area is located 7.3 miles south of Tioga, North Dakota and approximately 830 feet north of the existing Ramberg Station in the Beaver Lodge Oil Field. Tesoro is preparing an application to the State of North Dakota Public Service Commission (PSC) for a Certificate of Site Compatibility.

KC Harvey Environmental, LLC is conducting the environmental analyses and preparing the respective narrative for the PSC application to be submitted by Tesoro. In accordance with the PSC application guidance, we are requesting any preliminary data and comments pursuant to your Agency's interests. This is in accordance with the North Dakota Century Code Chapter 49-22-14.1 of the Energy Conversion and Transmission Facility Siting Act outlining cooperation with state and federal agencies.

Project preliminary planning and design is currently underway. A spring 2013 site assessment will be conducted for wetlands, land cover, and biological resources. During this site assessment we will be conducting wetland delineation in accordance with the U.S. Army Corps of Engineers (USACE) 1987 wetland delineation manual. We will submit a completed delineation report to your office. To the greatest practicable extent, Tesoro will design the new tank station to avoid all wetlands identified within the project boundary. No permanent or temporary wetland impacts are anticipated.

The project will include pertinent evaluations and coordination with the following Agencies:

- U.S. Fish and Wildlife Service North Dakota Ecological Services Office
- North Dakota State Historic Preservation Office (SHPO)
- North Dakota Department of Health



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
1513 SOUTH 12TH STREET
BISMARCK ND 58504-6640

April 17, 2013

North Dakota Regulatory Office

Loren M.B. Franklin
KC Harvey Environmental LLC
376 Gallatin Park Drive
Bozeman, Montana 59715

Dear Loren M.B. Franklin:

This is in response to your letter dated April 8, 2013, requesting US Army Corps of Engineers (Corps) comments regarding the Tesoro New Ramberg Tank Farm project located in Section 32, Township 156 North, Range 95 West, Williams County, North Dakota.

Based on the information contained within your letter, it appears a Department of the Army permit may be required for all or part of your proposed project(s). In order for us to fully evaluate your project(s), please complete and submit the Corps permit application (copy enclosed). Be sure to accurately describe all proposed work and construction methodology. Once the application is complete, please mail it to the letterhead address.

Please be advised, Corps regulatory offices administer Section 10 of the Rivers and Harbors Act (Section 10) and Section 404 of the Clean Water Act (Section 404). Section 10 regulates work impacting navigable waters. Section 10 waters in North Dakota are the Missouri River (including Lake Sakakawea and Lake Oahe), Yellowstone River, James River south of the railroad track in Jamestown, North Dakota, Bois de Sioux River, Red River of the North, and the Upper Des Lacs Lake. Work over, in, or under navigable waters is considered to have an impact. Section 404 of the Clean Water Act regulates the discharge of dredged or fill material (temporarily or permanently) in waters of the United States. Waters of the United States may include, but are not limited to, rivers, streams, ditches, coulees, lakes, ponds, and their adjacent wetlands. Fill material includes, but is not limited to, rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mines or other excavation activities and materials used to create any structure or infrastructure in waters of the United States.

Do not hesitate to contact this office by letter or telephone (701) 255-0015 if we can be of further assistance.

Sincerely,

Daniel E. Cimarosti
State Program Manager
North Dakota Regulatory Office

Enclosure

Exhibit D-2

North Dakota Game and Fish Department (ND-GFD)



March 27, 2013

Steve Dyke, Conservation Supervisor
North Dakota Game and Fish Department
100 N Bismarck Expressway
Bismarck, ND 58501-5095

RE: Request for Agency Coordination in Regards to a State of ND PSC Permit Application for a Certificate of Site Compatibility: Proposed Tesoro New Ramberg Tank Farm in Williams County, North Dakota.

Dear Mr. Dyke,

Tesoro High Plains Pipeline (Tesoro) proposes construction to build a new tank farm/ station located south of Tioga in Williams County, North Dakota. The proposed site is approximately 40 acres in the NW¼ of the SE¼ of Section 32, Township 156 North, Range 95 West (Figure 1). The new construction (the Project) will add crude oil storage tanks and pumping capabilities to the existing Ramberg Station. The Project area is located 7.3 miles south of Tioga, North Dakota and approximately 830 feet north of the existing Ramberg Station in the Beaver Lodge Oil Field. Tesoro is preparing an application to the State of North Dakota Public Service Commission (PSC) for a Certificate of Site Compatibility.

KC Harvey Environmental, LLC is conducting the environmental analyses and preparing the respective narrative for the PSC application. Tesoro will submit the completed application for the PSC approval process. In accordance with the PSC application guidance, we are requesting technical data and comments pursuant to your Agency's interests. This is in accordance with the North Dakota Century Code Chapter 49-22-14.1 of the Energy Conversion and Transmission Facility Siting Act outlining cooperation with state and federal agencies.

Project preliminary planning and design is currently underway. A spring 2013 site assessment will be conducted for wetlands, land cover, and biological resources. In accordance with the PSC application requirement, we are requesting preliminary comments and data from the North Dakota Game and Fish Department (NDGF) in advance of the site assessment. This includes NDGF Conservation Priority Species, easements, and other resources of concern existing in or near the project area.

We will also contact the U.S. Fish and Wildlife Service (USFWS) North Dakota Ecological Services Office regarding the Endangered Species Act (ESA), the Migratory Bird Treaty Act (MBTA), the Bald and Golden Eagle Protection Act (BGEPA), and conservation easements and Refuge lands.

We will subsequently coordinate with you and other agencies if resources of concern are identified. We will also address your findings, recommendations, and the results of the site

assessment in the PSC permit application. The PSC notice of filing will likely occur in the Spring of 2013. The site assessment will be completed prior to the filing.

Written responses can be sent to my attention at:

376 Gallatin Park Dr.
Bozeman, MT 59715
lbarber@kcharvey.com

Please feel free to call me at 406-585-7402, extension 19 or by email at lbarber@kcharvey.com with any questions or requests for additional information.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Loren M.B. Franklin".

Loren M.B. Franklin, M.S.
Reclamation Scientist
KC Harvey Environmental, LLC

From: [Schumacher, John D.](#)
To: [Loren Barber](#)
Subject: Tesoro Projects in Williams Co -- Tioga Truck Station & Ramberg Tank Farm
Date: Wednesday, April 24, 2013 5:10:44 PM

Hi Loren,

This is a follow-up to our phone conversation.

The North Dakota Game and Fish Department has reviewed these projects for wildlife concerns. We do not believe they will have any significant adverse effects on wildlife or wildlife habitat based on the information provided.

If you have any questions please let me know.

JOHN SCHUMACHER
RESOURCE BIOLOGIST
ND GAME AND FISH DEPT
701.328.6321

Exhibit D-3

North Dakota Parks and Recreation (ND-PRD)



March 28, 2013

Mark Zimmerman, Director
North Dakota Parks and Recreation Department
1600 E. Century Avenue, Suite 3
Bismarck, ND 58503-0649

RE: Request for Agency Coordination in Regards to a State of ND PSC Permit Application for a Certificate of Site Compatibility: Proposed Tesoro New Ramberg Tank Farm in Williams County, North Dakota

Dear Mr. Zimmerman,

Tesoro High Plains Pipeline (Tesoro) proposes construction to build a new tank farm/ station located south of Tioga in Williams County, North Dakota. The proposed site is approximately 40 acres in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 32, Township 156 North, Range 95 West (Figure 1). The new construction (the Project) will add crude oil storage tanks and pumping capabilities to the existing Ramberg Station. The Project area is located 7.3 miles south of Tioga, North Dakota and approximately 830 feet north of the existing Ramberg Station in the Beaver Lodge Oil Field. Tesoro is preparing an application to the State of North Dakota Public Service Commission (PSC) for a Certificate of Site Compatibility.

KC Harvey Environmental, LLC is conducting the environmental analyses and preparing the respective narrative for the PSC application. Tesoro will submit the completed application for the PSC approval process. In accordance with the PSC application guidance, we are requesting technical data and comments pursuant to your Agency's interests. This is in accordance with the North Dakota Century Code Chapter 49-22-14.1 of the Energy Conversion and Transmission Facility Siting Act outlining cooperation with state and federal agencies.

Project preliminary planning and design is currently underway. A spring 2013 site assessment will be conducted for wetlands, land cover, and biological resources. In accordance with the PSC application requirement, we are requesting preliminary comments and data from North Dakota Parks and Recreation Department in advance of the site assessment. Please provide comments and data on project area North Dakota Natural Heritage Inventory occurrences, Natural Areas Registry resources, nature reserves, or other Department interests.

We are also contacting the U.S. Fish and Wildlife Service (USFWS) North Dakota Ecological Services Office regarding the Endangered Species Act (ESA), the Migratory Bird Treaty Act (MBTA), the Bald and Golden Eagle Protection Act (BGEPA), and conservation easements and Refuge lands. In addition, we are contacting the North Dakota Game and Fish Department (NDGF) regarding the North Dakota Conservation Priority Species and State easements.

We will subsequently coordinate with you and other agencies if resources of concern are identified. We will also address your findings, recommendations, and the results of the site

assessment in the PSC permit application. The PSC notice of filing will likely occur in the Spring of 2013. The site assessment will be completed prior to the filing.

Written responses can be sent to my attention at:

376 Gallatin Park Dr.
Bozeman, MT 59715
lbarber@kcharvey.com

Please feel free to call me at 406-585-7402, extension 19 or by email at lbarber@kcharvey.com with any questions or requests for additional information.

Thank you for your consideration in this matter.

Sincerely,



Loren M.B. Franklin, M.S.
Reclamation Scientist
KC Harvey Environmental, LLC

RoadNetwork_clip

Class

- State
- US HWY
- Tesoro New Ramberg Station
- Section Line
- Wetlands

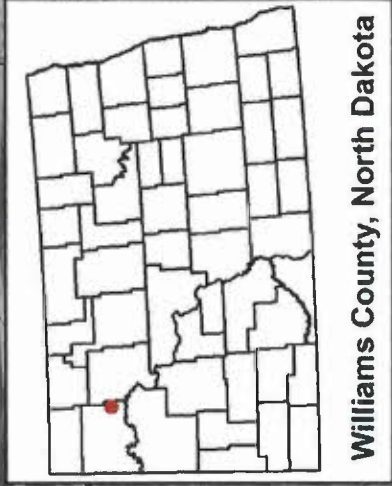
Tioga, ND
~ 7 miles North

T 156N
R 95W
S 32

Tesoro
New Ramberg
Station

104th Ave NW

Co. HWY 8



Williams County, North Dakota

KC HARVEY
ENVIRONMENTAL, LLC
376 Gallatin Park Dr.
Bozeman, MT 59718

USDA- FSA Aerial Photography, 2012
ortho_1-1_1n_s_nd105_2012_1



Location of Tesoro
New Ramberg Station
May 1, 2013



Jack Dalrymple, Governor
Mark A. Zimmerman, Director

1600 East Century Avenue, Suite 3
Bismarck, ND 58503-0649
Phone 701-328-5357
Fax 701-328-5363
E-mail parkrec@nd.gov
www.parkrec.nd.gov

May 1, 2013

Loren Barber
KC Harvey Environmental, LLC
376 Gallatin Park Drive
Bozeman, MT 59715

Re: Proposed Upgrade to the Tesoro New Ramberg Tank Farm, Williams County, ND

Dear Loren Barber,

The North Dakota Parks and Recreation Department (the Department) has reviewed the above referenced proposal for the proposed Tesoro new ramberg tank farm in Williams County, North Dakota.

Our agency scope of authority and expertise covers recreation and biological resources (in particular rare plants and ecological communities). The project as defined does not affect state park lands that we manage or Land and Water Conservation Fund recreation projects that we coordinate.

The North Dakota Natural Heritage biological conservation database has been reviewed to determine if any plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review, there are no documented occurrences in our database within or adjacent to project area. Because this information is not based on a comprehensive inventory, there may be species of concern or otherwise significant ecological communities in the area that are not represented in the database. The lack of data for any project area cannot be construed to mean that no significant features are present. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources.

The Department recommends that the project be accomplished with minimal impacts and that all efforts be made to ensure that critical habitats not be disturbed in the project area to help secure rare species conservation in North Dakota. Regarding any reclamation efforts, we recommend that any impacted areas be revegetated with species native to the project area.

We appreciate your commitment to rare plant, animal and ecological community conservation, management and inter-agency cooperation to date. For additional information please contact me at (701-328-5370 or kjduttenhefner@nd.gov). Thank you for the opportunity to comment on this proposed project.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathy Duttenhefner".

Kathy Duttenhefner, Coordinator
Natural Resources Division

R.USNDNH1*2013-049KDS/1/2013DL5.1.2013

.....
Play in our backyard!

Exhibit D-4

North Dakota State Historic Preservation Office (ND-SHPO)



**STATE
HISTORICAL
SOCIETY
OF NORTH DAKOTA**

Jack Dalrymple
Governor of North Dakota

May 20, 2013

North Dakota
State Historical Board

Jessie Soye
Project Manager
Ethnoscience, Inc.
4140 King Avenue East
Billings, MT 59101

Gereld Gerntholz
Valley City - President

Calvin Grinnell
New Town - Vice President

A. Ruric Todd III
Jamestown - Secretary

Albert I. Berger
Grand Forks

Diane K. Larson
Bismarck

Chester E. Nelson, Jr.
Bismarck

Margaret Puetz
Bismarck

Sara Otte Coleman
*Director
Tourism Division*

Kelly Schmidt
State Treasurer

Alvin A. Jaeger
Secretary of State

Mark Zimmerman
*Director
Parks and Recreation
Department*

Francis Ziegler
*Director
Department of Transportation*

Merlan E. Paaverud, Jr.
Director

*Accredited by the
American Association
of Museums since 1986*

ND SHPO Ref: 13-0887 ND PSC "Tesoro High Plains Pipeline: A Class III Inventory of 40 Acres for the Proposed New Ramburg Station Project, Williams County, North Dakota" in portions of [T156N R95W Section 32]

Dear Jesse,

We reviewed ND SHPO Ref: 13-0887 ND PSC "Tesoro High Plains Pipeline: A Class III Inventory of 40 Acres for the Proposed New Ramburg Station Project, Williams County, North Dakota." We concur with "No Significant Sites" state level determination for this project, provided it remains as described and mapped in your above-referenced Class III Inventory dated May 7, 2013.

Thank you for the opportunity to review this project. Please include the ND SHPO reference number listed above in any further correspondence for these specific projects. If you have any questions, please contact Susan Quinnell, Review & Compliance Coordinator 701-328-3576, e-mail: squinnell@nd.gov

Sincerely,

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

Exhibit D-5

North Dakota Department of Health (NDDH)



April 4, 2013

Dennis Fewless, Director
North Dakota Department of Health
Division of Water Quality
918 East Divide Avenue, 4th Floor
Bismarck, ND 58501-1947

RE: Request for Agency Coordination in Regards to a State of ND PSC Permit Application
for a Certificate of Site Compatibility: Proposed Tesoro New Ramberg Tank Farm in
Williams County, North Dakota

Dear Mr. Fewless,

Tesoro High Plains Pipeline (Tesoro) proposes construction to build a new tank farm/ station located south of Tioga in Williams County, North Dakota. The proposed site is approximately 40 acres in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 32, Township 156 North, Range 95 West (Figure 1). The new construction (the Project) will add crude oil storage tanks and pumping capabilities to the existing Ramberg Station. The Project area is located 7.3 miles south of Tioga, North Dakota and approximately 830 feet north of the existing Ramberg Station in the Beaver Lodge Oil Field. Tesoro is preparing an application to the State of North Dakota Public Service Commission (PSC) for a Certificate of Site Compatibility.

KC Harvey Environmental, LLC is conducting the environmental analyses and preparing the respective narrative for the PSC application. Tesoro will submit the completed application for the PSC approval process. In accordance with the PSC application guidance, we are requesting technical data and comments pursuant to your Agency's interests. This is in accordance with the North Dakota Century Code Chapter 49-22-14.1 of the Energy Conversion and Transmission Facility Siting Act outlining cooperation with state and federal agencies.

Project preliminary planning and design is currently underway. A spring 2013 site assessment will be conducted for wetlands/ water resources, land cover, and biological resources. In accordance with the PSC application requirement, we are requesting preliminary comments and data from the North Dakota Department of Health (NDDH), Division of Water Quality in advance of the site assessment. Please provide comments related to any protected surface waters, groundwater, well head protection areas, and other resources of concern existing in or near the project area.

We will subsequently coordinate with you and other agencies if resources of concern are identified. We will also address your findings, recommendations, and the results of the site assessment in the PSC permit application. The PSC notice of filing will likely occur in the Spring of 2013. The site assessment will be completed prior to the filing.

Written responses can be sent to my attention at:

376 Gallatin Park Dr.
Bozeman, MT 59715
lbarber@kcharvey.com

Please feel free to call me at 406-585-7402, extension 19 or by email at lbarber@kcharvey.com with any questions or requests for additional information.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Loren M.B. Franklin". The signature is written in a cursive, flowing style.

Loren M.B. Franklin, M.S.
Reclamation Scientist
KC Harvey Environmental, LLC



NORTH DAKOTA
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION
Gold Seal Center, 918 E. Divide Ave.
Bismarck, ND 58501-1947
701.328.5200 (fax)
www.ndhealth.gov



April 10, 2013

Mr. Loren M.B. Franklin, M.S.
KC Harvey Environmental, LLC
376 Gallatin Park Drive
Bozeman, MT 59715

Re: Proposed Tesoro New Ramberg Tank Farm, Williams County, North Dakota

Mr. Franklin,

The North Dakota Department of Health (NDDH) has reviewed your April 4, 2013 Request for Agency Coordination letter regarding the Proposed Tesoro New Ramberg Tank Farm. In your letter, you requested our comments related to any protected surface waters, groundwater resources, wellhead protection areas, and other resources of concern at, or in the vicinity of, the proposed project area.

The proposed site is not located over a named groundwater aquifer or within a wellhead protection area (see Figure 1); several wells are located south and southwest of the proposed site. Based on a review of available groundwater information, it does not appear that site operations would impact underground sources of drinking water.

Projects disturbing one or more acres are required to have a permit to discharge storm water runoff until the site is stabilized by the reestablishment of vegetation or other permanent cover. An industrial storm water discharge permit also may be required based on the type of industrial activity at the facility. A wastewater discharge permit is required if the facility will discharge process wastewater to waters of the state. Further information on the discharge permits may be obtained from the Department's website or by calling the Division of Water Quality at 701-328-5210.

Other state and federal agencies may require notification or permits for your project; some of these agencies are listed on the enclosed Environmental Contact Information for Water Related Development sheet. In addition, cities or counties may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system, and may require provisions to address the quality of post-construction storm water runoff from new development and redevelopment projects. Check with the local officials to be sure any local storm water management considerations are addressed.

Please feel free to contact me at 701-328-5210 if you have any questions or require any additional information from the NDDH.

Sincerely,

Dennis Fewless, Director
NDDH – Division of Water Quality

Encl.

Environmental Health
Section Chief's Office
701.328.5160

Division of
Air Quality
701.328.5188

Division of
Municipal Facilities
701.328.5211

Division of
Waste Management
701.328.5166

Division of
Water Quality
701.328.5210



FIGURE 1

Exhibit E

**ND-PSC Certificate of Site Compatibility for portion of BASH project which lies within 350 ft.
from the centerline of the existing THPP pipeline**



Public Service Commission
State of North Dakota

COMMISSIONERS

Brian P. Kalk
Randy Christmann
Julie Fedorchak

Executive Secretary
Darrell Nitschke

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

July 9, 2013

Brian R. Bjella
400 East Broadway, Suite 600
PO Box 2798
Bismarck, ND 58502-2798

**RE: Case No. PU-13-224: Tesoro High Plains Pipeline, LLC
Ramberg Station Project – Williams County
Siting Exclusion Certification**

Dear Mr. Bjella,

Thank you for your May 16, 2013 letter notifying the Commission that Tesoro High Plains Pipeline Company LLC ("Tesoro") intends to construct certain facilities adjacent to its pipeline. You indicate that the existing pipeline has been in service since the 1950s, prior to codification of the North Dakota Energy Conversion and Transmission Facility Siting Act. The May 16 letter includes a plat depicting the pipeline and the facilities to be built within 350 feet of the pipeline.

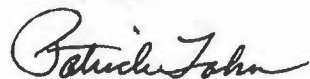
Under North Dakota Century Code Chapter 49-22-03, before conducting any activities within a width of 350 feet on either side of the centerline of a transmission facility constructed before April 9, 1975, the utility must certify in writing to the commission that the activities will not affect any known exclusion or avoidance area and the utility will comply with all applicable conditions and protections in siting laws and rules and Commission orders previously issued for any part of the facility.

This letter is to acknowledge that Tesoro filed a certification under North Dakota Century Code section 49-22-03(3) stating that (1) the pipeline has been in service since the 1950s; (2) the facilities to be constructed will be constructed within 350 feet of either side of the centerline of its existing pipeline; (3) the new Ramberg Station consists of four 120,000 barrel (net) storage tanks, multiple pumps and pipeline to storage tank interconnects for transportation of crude oil to multiple destinations via Tesoro's existing pipeline system; (3) the Environmental Report and the Class III SHPO Report indicate there are no exclusion or avoidance areas which would be impacted by the construction; and (4) Tesoro will comply with all applicable conditions and protections in

siting laws and rules and Commission orders previously issued for any part of the facility.

If you have questions, please contact me.

Best regards

A handwritten signature in cursive script that reads "Patrick Fahn".

Patrick Fahn
Director, Compliance and Competitive Markets Division

Exhibit F
Tesoro's 10-Year Plan

Secretary to the Commission
North Dakota Public Service Commission
State Capitol Building
600 E. Boulevard Avenue, Dept. 408
Bismarck, North Dakota 58505-0480



Tesoro High Plains Pipeline Co.
Logistics – Pipelines & Terminals
19100 Ridgewood Parkway
San Antonio, TX 78259
www.TsoCorp.com

June 29th of 2012

Subject: **Tesoro High Plains Pipeline Company's Ten-Year Plan Report**

Dear Secretary to the Commission,

This letter is being submitted as the Tesoro High Plains Pipeline Company's Ten-Year Plan Report, in accordance with North Dakota Century Code Chapter 49-22-04 and North Dakota Administrative Code Chapter 69-06-02. Tesoro High Plains Pipeline Company (Tesoro) owns and operates, and intends to own and operate during the ensuing ten years, a crude pipeline system in northern and western North Dakota. The system consists of DOT trunk pipelines (i.e. transmission lines), DOT gathering pipelines, and non-regulated gathering pipelines. Tesoro's DOT transmission pipelines and associated facilities are detailed within this ten-year plan report. Please contact Lori Menke at (210) 626-6526 or Lori.A.Menke@tsocorp.com if any additional information is needed.

Sincerely,



Greg Henderson
GM, Pipeline & Terminal Operations

Ten-Year Plan

Section A – Existing Energy Conversion Facilities: Tesoro currently does not have energy conversion facilities.

Section B – Energy Conversion Facilities under Construction: Tesoro currently does not have energy conversion facilities under construction.

Section C – Proposed Energy Conversion Facilities on which Construction is Intended within the Ensuing Five Years:

Tesoro currently has no energy conversion facilities on which construction is intended within the ensuing five year period.

Section D – Proposed Energy Conversion Facilities during the next Ten Year Time Period:

Tesoro currently has no proposed energy conversion facilities during the next ten year time period.

Section E – Existing Transmission Facilities (Electric):

Tesoro currently has no such existing electrical transmission facilities.

Section F – Existing Transmission Facilities (Pipeline):

Tesoro has existing pipeline transmission facilities, as described in **Exhibit A**.

Section G – Proposed Transmission Facilities on which Construction is Intended within the Ensuing Five Years (Electric):

Tesoro currently has no proposed electric transmission facilities on which construction is intended within the ensuing five years.

Section H – Proposed Transmission Facilities on which Construction is Intended within the Ensuing Five Years (Pipeline):

Tesoro intends to construct a new transmission pipeline facility within the ensuing five year time period. **Exhibit B** contains the proposed facility location, service area, description, and timetable.

Section I – Proposed Transmission Facilities during the next Ten Year Time Period (Electric & Pipeline):

Tesoro currently has no proposed electric or pipeline transmission facilities during the next ten year period, excluding the new transmission pipeline facility described within Section H.

Section J – Regional Coordination:

Tesoro currently has one transmission pipeline facility planned that will require coordination into an existing utility system. Facility planning originated from two third-party pipeline companies expressing interest in establishing a connection to deliver crude oil to the existing Tesoro Johnsons Corner facility on the 12-inch transmission mainline upstream of Dunn Center, North Dakota. Tesoro is working through McKenzie Electric Cooperative, Inc. to provide a single electrical service with separate meters for Tesoro and the two third party pipeline companies, as required. McKenzie Electric Cooperative, Inc. has agreed to install facility power during July of 2012.

Section K – Environmental Information:

Tesoro currently has no facilities planned that will necessitate an environmental assessment. Land access for the Tesoro Johnsons Corner transmission facility was secured in June of 2012. The development of this rural location did not necessitate an environmental assessment, as Tesoro formerly operated a pump station at Johnsons Corner and continues maintaining a block valve at that site.

Section L – Projected Demand for Service:

Tesoro proposes a pipeline transmission facility within the next five year time period, which will be located at Johnsons Corner in North Dakota. The Johnsons Corner transmission facility project consists of both a short term and long term project to meet the immediate projected demand needs of crude oil supply to Tesoro's Mandan Refinery in Mandan, North Dakota. The scope of the short term project is to provide a connection to both third party pipeline companies in order to pump up to 30,000 BPD (Barrels Per Day) into Tesoro's 12-inch transmission mainline at Johnsons Corner, North Dakota. The long term project scope consists of installing two 15,000 barrel tanks at Johnsons Corner. The projected demand for Tesoro's transportation of crude for the ensuing ten years is projected to increase from 56,000 BPD to 86,000 BPD due to the Johnsons Corner Facility expansion. However, North Dakota has significant growing fields of crude oil production which are likely to incur projects in the future.

Exhibit A

1. **Facility Description – DOT Trunk Pipelines (i.e. Transmission Pipelines):** Tesoro's transmission pipeline system consists of a DOT-jurisdictional trunk line from the Canadian Border in North West North Dakota to Tesoro's Mandan Refinery in Mandan, ND. The system collects crude oil from various gathering locations, and can deliver crude to Rangeland Dry Forks, Richey Station, and to the Tesoro Mandan Refinery.

2. **Type & Capacity:**

- a. Product Type: Crude Oil
- b. Length of System: Approximately 233 miles in length
- c. Pipe Size: Diameters vary between 6, 8, 12, and 16-inches
- d. Minimum Cover: Approximately 30-inches
- e. Maximum Operating Pressure (MOP):

Pipeline Segment	Pipeline MOP (psi)	Distance (miles)	Pipeline Diameter (in.)
Border to Black Slough	1440	12	8
Black Slough to Tioga	1390	43	6
Tioga to Ramberg	1440	8	8
Ramberg to Dunn Center	740	66.3	12
Dunn Center to Dodge	492	19.8	16
Dodge to Mandan	492	68.5	16

- f. Maximum Flow Rate: In calendar year 2011, approximately 21,000,000 barrels of crude oil was transported through the transmission pipeline system.
- g. Pump Station Specifications: Maximum Operating Pumping Discharge (MODP) Pressure & Settings: (Table figures refer to the maximum throughput during complete system utilization.)

LOCATION	DISCHARGE		
	Pump MODP	High Pressure Shut Down Setting	Pump Relief Valve Setting
Black Slough	1125	1000	1050
Tioga – Unit #1 – (6-inch liner)	780	800	850
Tioga – Unit #2 – (5.5-inch liner)	930	800	850
Ramberg – Unit #1 – (6-inch liner)	780	690	740
Ramberg – Unit #2 – (5.5-inch liner)	930	690	740
Yttredahl	1125	700	740
Charlson	1125	700	740
Keene	930	550	600
Blue Butte	1125	650	700
Dunn Center	1800	480	490
Dodge	930	480	490

3. **In-Service Dates:**

Line Segments – Year In-Service:

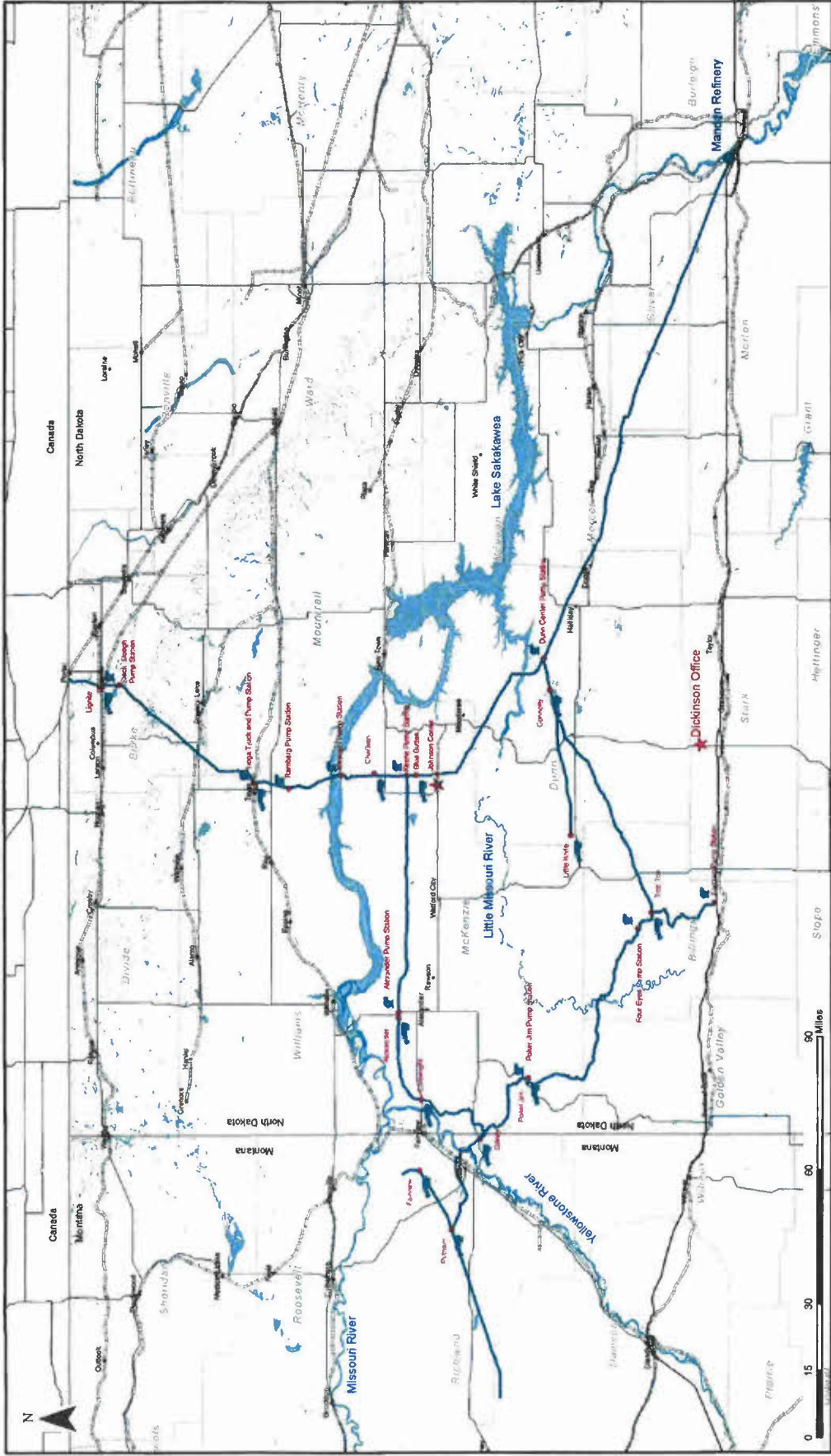
- Border to Mandan – 1954
- Border to Black Slough – 1966
- Black Slough to Tioga – 1966
- Tioga to Ramberg – 1991
- Ramberg to Keene – 1954
- Keene to Dunn – 1954
- Dunn to Mandan – 1954

4. **Projected Retirements:** A 12-mile section of 8-inch pipeline from the Canadian Border to Black Slough is currently idle. However, there are currently no plans to permanently remove this line section from service (i.e. DOT Pipeline Abandonment) during the ensuing ten-year period.
5. **Tesoro Pipeline System Map:** The system consists of DOT trunk pipelines (i.e. transmission lines), DOT gathering pipelines, and non-regulated gathering pipelines (See **Figure 1**).

Exhibit B

1. Proposed Facility Location
 - a. Tesoro's transmission pipeline facility is to be located at Johnsons Corner in McKenzie County, North Dakota. The proposed facility is situated east of Watford City, which is the nearest large town (See **Figure 1**).
2. Geographical Service Area:
 - a. Johnsons Corner Facility is to support the existing Tesoro transmission 12-inch pipeline that terminates at Dunn Center, North Dakota (See **Figure 1**). **Figure 2** contains the site layout of the proposed Tesoro Johnsons Corner Facility.
3. Facility Description:
 - a. Product Type: Crude Oil
 - b. Length of Facility (miles): Approximately a 1-acre tract at Johnsons corner
 - c. Facility components to be installed:
 - i. Power Transformer
 - ii. 2- Motors
 - iii. 2 - GASO Pumps
 - iv. MCC building housing PLC equipment, VFDs and small office
 - v. Suction/Discharge valves
 - vi. Station piping for to connect to existing 12-inch mainline
 - vii. Electrical installation for new facility
 - viii. Construction for the installation of above items (i.e. Mechanical piping, civil, structural, and site work)
 - ix. Two 15,000 barrel tanks
 - x. A new breakout tank will be constructed at Tioga
 - d. Pipe Size:
 - i. 12-inch diameter pipe at the pump discharge for connection to the main transmission line
 - ii. 8-inch diameter facility piping
 - e. Design Pressure, Temperature, & Flow Rate:
 - i. Design Pressure: 720 psi
 - ii. Temperature: Ambient
 - iii. Flow Rate: 30,000 BPD (Barrel Per Day)
 - f. Number of Compressor or Pumping Stations:
 - i. Tesoro intends to install and operate two 15,000 BPD positive displacement pumps at Johnsons Corner in North Dakota.
4. Proposed Timetable:
 - a. Tesoro conducted identification of the corridor and route in January of 2012.
 - b. Facility construction was initiated on 6/21/12.
 - c. Commercial operation is anticipated to occur by 8/31/12 with commissioning of the pump station facility.
 - d. Tesoro anticipates facility expansion by the end of 1st Quarter 2013 with the addition of two new 15,000 barrel tanks, including associated piping, valves, and fittings.

Figure 1: Tesoro Pipeline System Map (Johnson's Corner Facility is indicated by a Red Star)



TESORO HIGH PLAINS PIPELINE System Map
 North Dakota / Montana
 Date: 4/12/2012

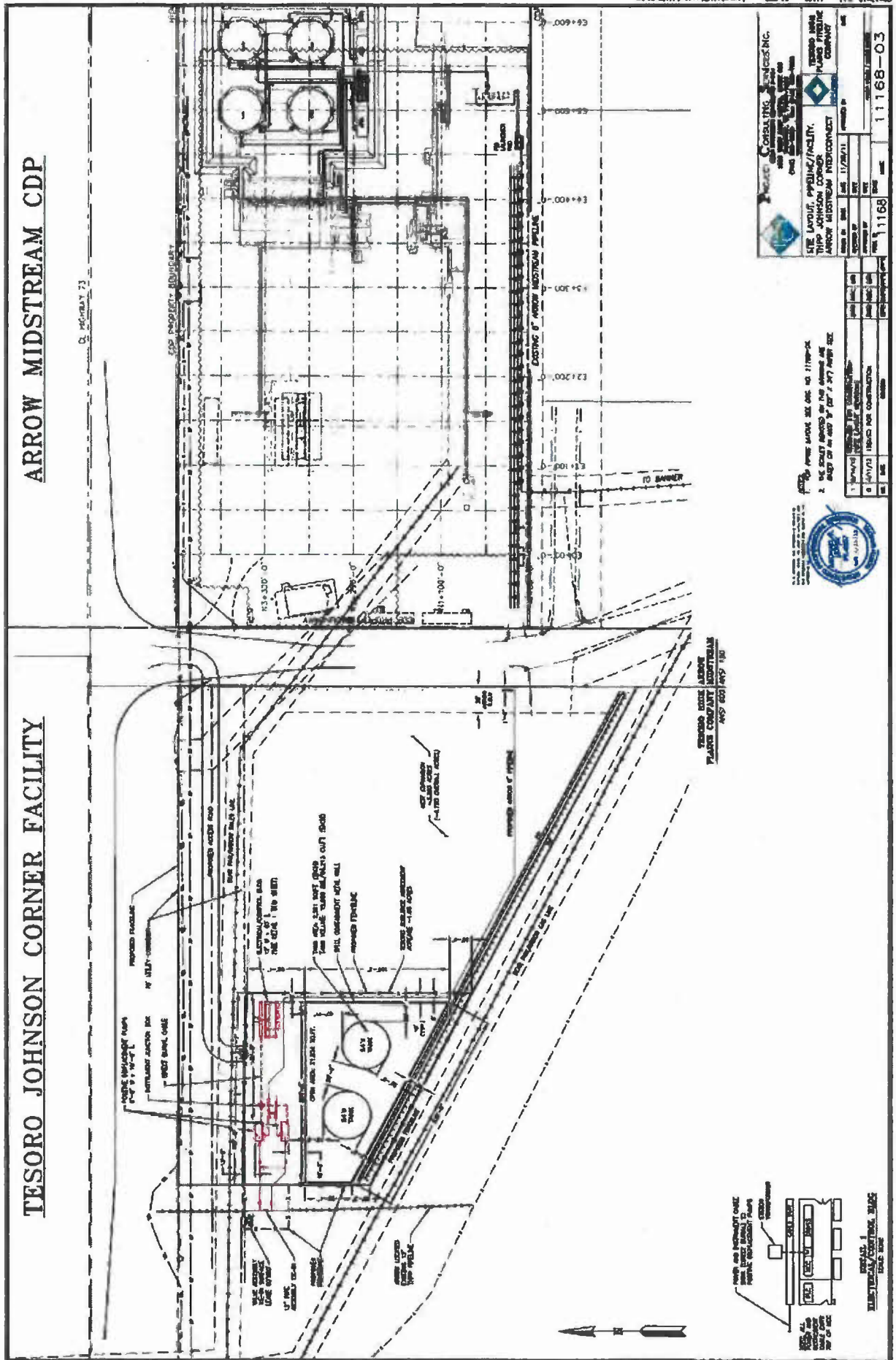
TESORO

Legend:

- Refinery (Red Star)
- TESORO Office (Red Star)
- Primary Limited Access or Interchange (Thick Blue Line)
- Primary US and State Highways (Dashed Blue Line)
- Secondary State and County (Thin Blue Line)
- Interstate Highway (Dashed Blue Line)
- TSD Crude P/L (Thick Blue Line)
- Stream or River (Blue Line)
- Railroads (Black Line)
- Counties (Thin Grey Line)
- Streams or Rivers (Blue Line)
- Pump Stations (Blue Dot)
- Truck Stations (Blue Dot)
- Tuck Stations (Blue Dot)

Scale: 0 15 30 60 90 Miles

Figure 2: Site Layout



TESORO JOHNSON CORNER FACILITY

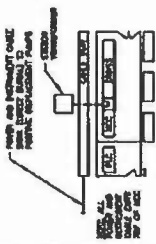
ARROW MIDSTREAM CDP

D. McGRAY 7/2

CDP PROJECT BOUNDARY

EXISTING FACILITY

PROPOSED FACILITY



1. THE EXISTING FACILITY IS TO BE DEMOLISHED AND THE SITE REDEVELOPED AS SHOWN ON THIS PLAN.
2. THE EXISTING FACILITY IS TO BE DEMOLISHED AND THE SITE REDEVELOPED AS SHOWN ON THIS PLAN.



PROFESSIONAL ENGINEER
STATE OF MICHIGAN
 No. 11168-03
 DATE 11/28/11

TESORO JOHNSON CORNER FACILITY
ARROW MIDSTREAM CDP

DESIGNED BY [Name]
CHECKED BY [Name]
DATE [Date]

11168-03