

ABSTRACT

This report documents the results of a Class I and Class III cultural resource inventory conducted by SWCA Environmental Consultants (SWCA) on behalf of Buckeye Development & Logistics, LLC (Buckeye) in support of the NST Express, LLC (NST) NST Express Pipeline project. The pipeline would be located on privately owned and state trust lands in McKenzie County, North Dakota.

Buckeye retained SWCA to complete a Class I and Class III cultural resource inventory for the proposed project area. The only regulatory agencies to be involved are 1) the North Dakota Public Service Commission under the North Dakota Energy Conversion and Transmission Facility Siting Act (excluding any applicable county or local requirements); and 2) the U.S. Army Corps of Engineers through Section 404 of the Clean Water Act, which regulates discharge into waters of the U.S. regulated by the U.S. Army Corps of Engineers. Therefore, SWCA's Class I and III inventory of the project area assists NST in meeting the cultural resource requirements within the North Dakota Public Service Commission's Certificate of Corridor Compatibility and Route Permit application. Additionally, SWCA's inventory assisted NST in achieving compliance with Section 404 of the Clean Water Act, including the Nationwide Permit General Conditions pertaining to Section 106 of the National Historic Preservation Act and the Endangered Species Act.

The inventoried areas are located in Township (T) 151 North (N), Range (R) 102 West (W), T151N, R103W, T151N, R104W, and T152N, R102W, and are depicted on the Fairview (1995), Dore (1991), Buford (1976), Cartwright NE (1991), and Camp Creek West (1978), North Dakota, U.S. Geological Survey topographic quadrangles.

The Class I inventory was conducted on November 25, 2014, and the Class III inventory was conducted on January 30; March 15, 16, 17, and 20; and May 1, 2015. The Class III survey area consisted of a 200-foot survey corridor centered on the 22.74-mile-long proposed pipeline centerline, its reroutes, and two facility locations at the east and west ends of the alignment. In total, 798.71 acres were inventoried.

During the inventory, SWCA personnel revisited two previously recorded cultural resources (32MZ416 and 32MZ1174) and newly recorded three resources (32MZ2865, 32MZ2866, and 32MZX1481). The previously recorded resources include a segment of the historic Great Northern Railroad (32MZ416) and a segment of the historic Lower Yellowstone Irrigation System (32MZ1174). The newly recorded resources include a historic cultural material scatter (32MZ2865) and two historic depressions (32MZ2866 and 32MZX1481). 32MZ416 and 32MZ1174 have been previously recommended eligible for the National Register of Historic Places. 32MZ2865 and 32MZ2866 are recommended not eligible for the National Register of Historic Places, and 32MZX1481 remains unevaluated pending a full recording. SWCA recommends either a reroute of the proposed project and avoidance of 32MZX1481 by at least 50 feet or necking down the construction right-of-way to achieve that result. If a reroute or necking down the right-of-way is not possible, SWCA recommends that a cultural resource monitor be present during ground-disturbing activities within 100 feet of the site.

Avoidance is recommended for 32MZX1581, 32MZ416 and 32MZ1174. As planned, the proposed NST Express Pipeline project will bore under both 32MZ416 and 32MZ1174, adequately avoiding any impacts to the cultural resources. With the above stipulations, it is recommended that a determination of *No Significant Sites Affected* be granted for the project to proceed as planned.