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NORTH DAKOTA
PUBLIC SERVICE COMMISSION

August 30, 2023

Steve Kahl
Executive Director
North Dakota Public Service Commission
600 East Boulevard; Department 408
Bismarck, ND 58505-0480

RE: Dakota Gasification Company
Dakota Carbon Pipeline – Mercer County
Case No. PU-21-150

Dear Mr. Kahl:

In accordance with North Dakota Century Code 49-22.1-15(3) and item 39 of the Certification Relating to Order Provisions in the above-referenced case, enclosed please find a notarized certification indicating Dakota Gasification Company's (**DGC's**) route adjustment outside the designated corridor will not affect any known exclusion or avoidance areas as defined in North Dakota Administrative Code 69-06-08-02 (1) and (2). Coteau Properties Inc., the owner of the parcel encompassing the reroute, does not oppose the route adjustment.

As depicted on the attached figure, DGC intends to make minor adjustments to the pipeline route outside of the permitted 200' wide corridor. These minor adjustments are at the request of the property owner to accommodate well site moves. The route adjustment is on land previously disturbed by surface mining, and studies by biological and cultural resource consultants (attached) confirm there are no areas of environmental concern.

Certificate of Corridor Compatibility Number 223 and Route Permit Number 233 were issued by the North Dakota Public Service Commission for the Dakota Carbon Pipeline on July 28, 2021. DGC will comply with all applicable conditions and protections in siting laws and rules and commission orders previously issued.

I will serve as the key contact person for the purposes of notice and communications during the adjustment application. If you have any questions or require additional information, please contact me at 701.557.5557.

Sincerely,

A handwritten signature in blue ink that reads 'Erin Fox Dukart'.

Erin Fox Dukart
Director, Environmental Services

Enclosures

83 **PU-21-150** Filed: 9/1/2023 Pages: 15
Certification of Applicant with Supporting Documentation

Basin Electric Power Cooperative

Erin Fox Dukart, Director, Envir. Svcs.

CERTIFICATION OF APPLICANT PURSUANT TO N.D. CENTURY CODE 49-22.1-15 (3)

Case No. PU-21-150

DAKOTA GASIFICATION COMPANY

I, Erin Fox Dukart, Director, Environmental Services, a duly authorized agent of Dakota Gasification Company that has authority to bind the company in these matters, do hereby certify under oath:

1. That the North Dakota Public Service Commission issued *Certificate of Corridor Compatibility Number 223* and *Route Permit Number 233* for the Dakota Carbon Pipeline on July 28, 2021.
2. That the route adjustments are on land previously disturbed by surface mining, and that studies by biological and cultural resource consultants confirm there are no areas of environmental concern.
3. That the route adjustments depicted in the attached figure are located outside the designated corridor for a total of 5,197 feet in length, and the route adjustments will not affect any known exclusion or avoidance area as defined under N.D. Administrative Code 69-06-08-02 (1) and (2).
4. That Coteau Properties, Inc., the owner of the parcel encompassing the route adjustment, does not oppose the adjustment.
5. That Dakota Gasification Company will comply with all applicable conditions and protections in applicable North Dakota siting laws and rules and commission orders previously issued for any part of the facility.

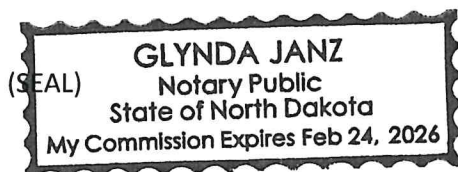
Dated at Bismarck, North Dakota this 29th day of August, 2023.



Erin Fox Dukart
Director, Environmental Services

STATE OF NORTH DAKOTA)
)SS.
COUNTY OF BURLEIGH)

This instrument was acknowledged before me this 29th day of August, 2023 by **Erin Fox Dukart**, the Director of Environmental Services on behalf of Dakota Gasification Company.



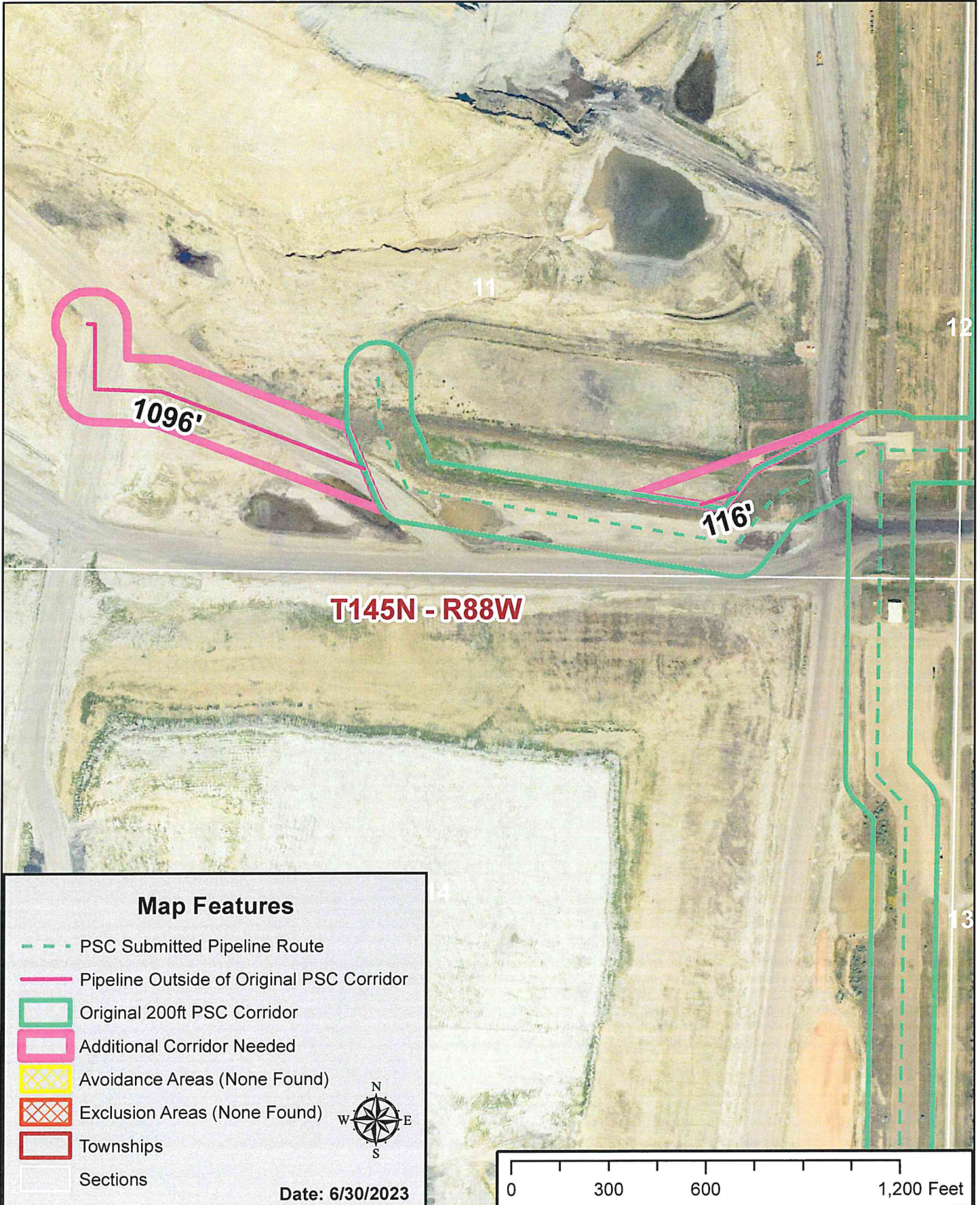
Notary Public

Dakota Carbon Pipeline Project Additional Corridor Needed

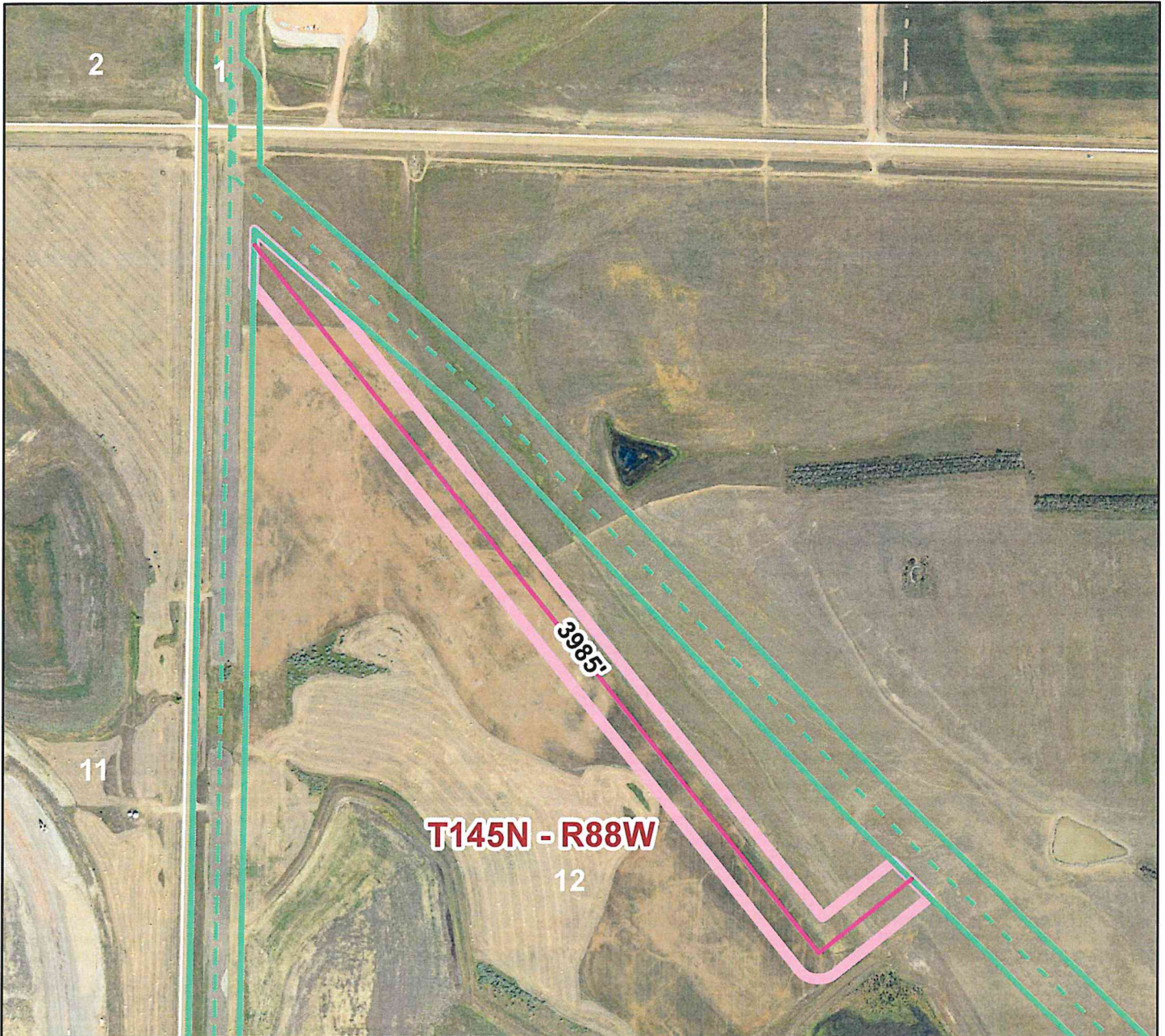
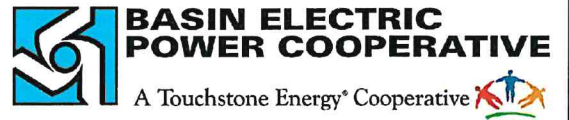


**BASIN ELECTRIC
POWER COOPERATIVE**

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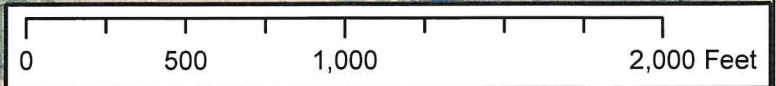
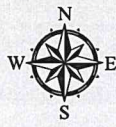
Dakota Carbon Pipeline Project Additional Corridor Needed



Map Features

- PSC Submitted Pipeline Route
- Pipeline Outside of Original PSC Corridor
- Original 200ft PSC Corridor
- Additional Corridor Needed
- Avoidance Areas (None Found)
- Exclusion Areas (None Found)
- Townships
- Sections

Date: 6/29/2023





ENVIRONMENTAL & STATISTICAL CONSULTANTS

4007 State Street, Suite 109, Bismarck, ND 58503
Phone: 701-250-1756 ♦ www.west-inc.com ♦ Fax: 701-250-1761

June 22, 2023

Erin Fox Dukart
Basin Electric Power Cooperative
1717 East Interstate Ave
Bismarck, North Dakota 58503

RE: Review of Right-of-Way Shifts in the DGC Great Plains Synfuels CO2 Pipeline

Dear Mrs. Dukart,

Western EcoSystems Technology, Inc. conducted wetland and wildlife surveys in support of permitting efforts for the Dakota Gasification Company (DGC) Great Plains Synfuels planned pipeline to carry CO₂ to injection wells. These surveys were conducted within a field survey area that extended 100 feet either side of the proposed pipeline centerline (200 foot total width). The results of these surveys were included in our April 2021 report. Additional surveys were also conducted in 2022 due to small scale changes in the Project design.

Recent changes in the project construction design have created the need for additional survey. Two shift shifts in the alignment will create 25.1 acres of additional Survey Area. (Figure 1). The shifts occur on previously mined lands. One shift is currently disturbed and the other shift is now reclaimed lands (i.e., not native grasslands). The shifts are not adjacent to other previously mapped features such as wetlands and they are within the same physio-geographic area as was described in the 2021 and 2022 reports. A field survey of these areas was conducted on June 14, 2023. The survey did not identify any potential habitat for federally protected species; no wetlands or waterbodies were identified; and no trees or shrubs were inventoried within the addition Survey Area.

Please let me know if you need any further information regarding this effort.

Sincerely,

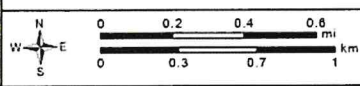
Chad Tucker
Biologist / Project Manager



DGC Great Plains Synfuels CO2 Pipeline
MERCER COUNTY, ND



- 2023 Survey Area
- 2022 Survey Area
- Original Survey Area



Data Source: World Topo
Coordinate System: NAD 1983 UTM Zone 13N
Date: 6/22/2023 Author: C. Tucker



MANUSCRIPT DATA RECORD FORM

1. Manuscript Number: [SHPO assigns]
2. SHPO Reference #:
- 3.
4. Author(s): Kimball Banks
5. Title: Basin Electric Power Cooperative's DGS Wells Reroute: A Class III Cultural Resource Inventory
6. Report Date: July 2023
7. Number of Pages: 8
8. Type – I
9. List formally tested or excavated sites (not probes): N/A
10. Acres: 18.2 acres
11. List the legal description* and study unit. For study unit assignment, use the township tables in the *State Plan*, http://history.nd.gov/hp/stateplan_arch.html.
Study Units: LM, CB, KN, HE, SM, GA, JA, GR, NR, SR, SO, SH, YE

*For *inventory, formal testing and excavation* projects, list the *CLASS III* legal locations only.

<u>County</u>	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Study Unit</u>
Mercer	145	88	12	Knife River

Negative Class III Survey Form Report (for surveys 40 acres or less)

Cultural Resource Report Information

Report Title: Basin Electric Power Cooperative's DGS Wells Reroute: A Class III Cultural Resource Inventory

Funding/Permitting Agency(s): North Dakota Public Service Commission

Cultural Resource Firm/Federal Agency/State Agency: Metcalf Archaeological Consultants, Inc.

Report Author: Kimball Banks

Principal Investigator (Signature and Title): William Bluemle, P.I.

Report Date: July 2023

Field Personnel: William Bluemle and Kyle Boger, an engineer and environmental representative with the Coteau-Freedom Mine

Survey Date(s): 6/23/23

Location Information and Survey Conditions

County(s): Mercer

USGS 7.5' Topographic Quadrangle(s): Beulah NE (1969) USGS 75' topographic quad

Project Type/Title: Reroute of proposed DGC CO2 pipeline around 32ME220

Section: 12 Township: 145 Range: 88

Project Description and Purpose: Basin Electric Power Cooperative's Dakota Gasification Company CO2 Injection Pipeline required reroutes. The majority of the area lies in reclaimed and disturbed mining contexts, however a small portion of one line lay in an area that may have been undisturbed. A Class III survey of this segment was necessary to determine if intact portions of lands existed within the immediate area of the reroutes.

General Project Location (Directions to project area): Go north from Beulah approximate 7 miles. Proceed west on section line road for 2 miles to the southeast corner of Section 10. The APE is in the northwest corner of the southeast quarter section.

APE Area (Acres): 18.2 Number of Acres Surveyed: 18.2

Topography: The APE is about 7 miles south of the Missouri River valley/Lake Sakakawea, on the rolling plains of the Missouri Plateau. The APE for the reroute runs northwest-southeast along the floodplain at the base of the terrace bordering the floodplain on the northeast side of unnamed south-flowing drainages and is about 0.7 miles long by 200 feet wide.

Soils: The NRCS websoil survey states that the survey area is “Mined land complex, 0 to 6 percent slopes” [<https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>]. The soils survey’s scale wasn’t accurate enough to determine if pockets of undisturbed ground remained.

Current and Historical Land Use: Cultivation, see Figures 1 and 2.

Vegetation (including % visibility): The majority of the APE is under cultivation, with a mid-season row crop which has been let go to fallow so that the GSV is 20-40%; 5% of the APE on the south end where the route extends to the northeast, crossed into a different field with introduced pasture grasses and forbs and has a GSV of 20-30%.

Environmental Limitations to Survey: N/A

Surface and/or Minerals Ownership: Private

Other comments:

Background and Survey Information

Historic Plats/Atlases/Sources: N/A

Study Unit: Knife River

Previous Sites within APE¹: None

Previous Sites outside APE within 1 mile: See Map 1, Table 1

Previous Surveys within APE: None

Previous Surveys outside APE within 1 mile: See Map 2, Table 2

Date of File Search: 6/9/23

Survey Methodology (transect intervals): Pedestrian transects at 15 meter intervals oriented the length of the inventory corridor/APE. It was unclear if this area below the mined area remained intact. During the inventory, Kyle Boger, with Coteau-Freedom mine called his engineering department and confirmed the location had been stripped of topsoil during past mining operations.

Shovel/Auger Probing Methodology: N/A

Area Surveyed (Acres): 18.2

¹ Any project that includes a site, site lead, or isolated find within the APE is considered a positive find requires a full report.

Time Expended (Person Hours): 6

Recommendation: Future work in this area is unnecessary. Metcalf recommends *no historic properties affected* (36 CFR 800.4[d][1]) for this project.

Other Comments:

Note: Nearby sites on the map have been destroyed during the construction of the Coteau-Freedom Mine.

Required Attachments

USGS 7.5' Topographic Quadrangle Map(s) Showing: 1) Project Location; 2) Previously Recorded Sites; 3) Previously Conducted Surveys.

Project Map(s) Depicting: 1) APE; 2) Survey Limits

Project Overview Photograph(s) Showing Field Conditions



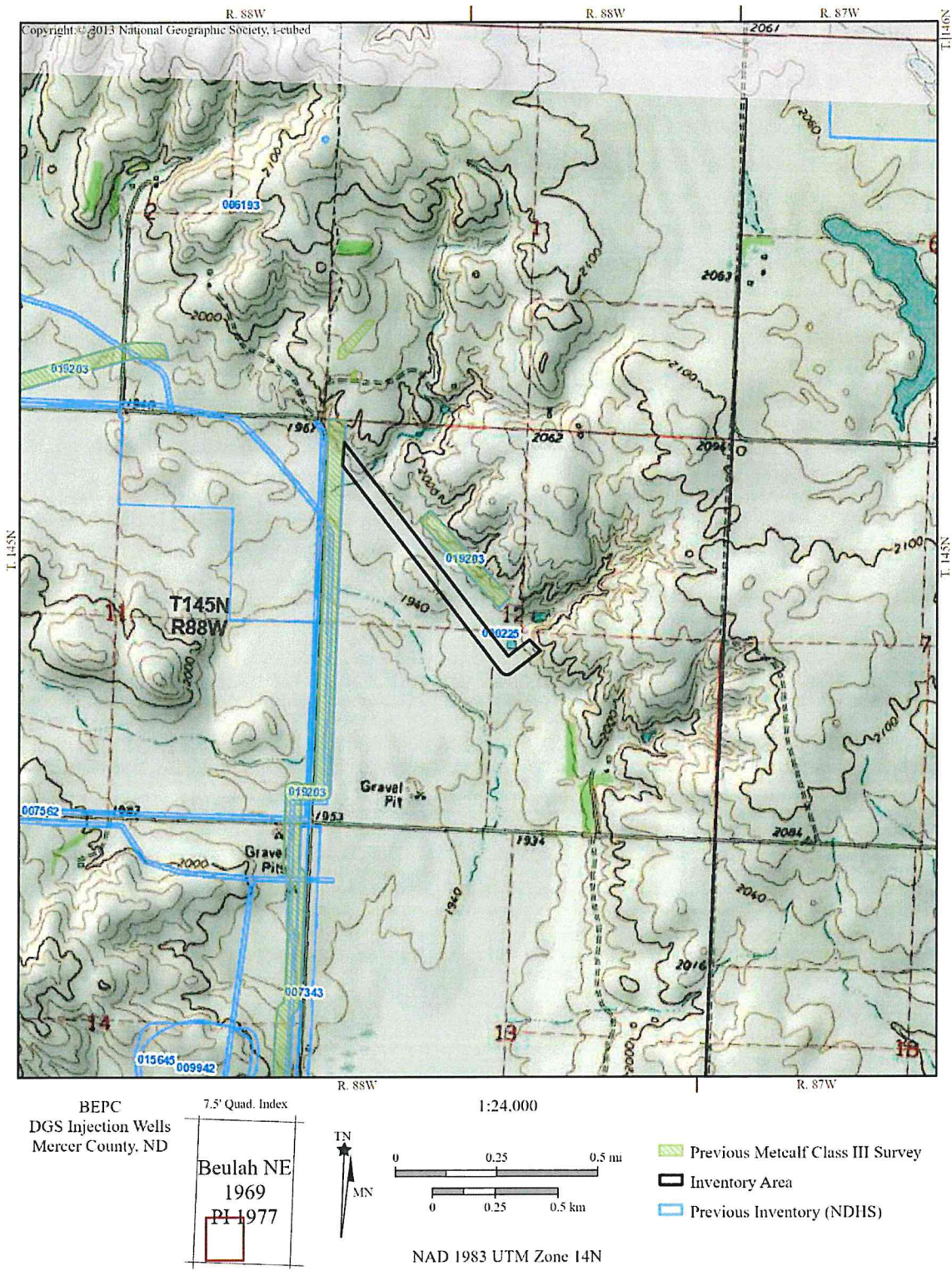
Figure 1: Overview southeast from the northwest end of the APE (Image #BB_0002, 6/27/23)



Figure 2: Overview northwest along the APE (Image #BB__0003, 6/27/23)

REDACTED MAP – SITE LOCATION INFORMATION

Map 1: Recorded cultural resources, Beulah NE (1967) USGS topographic map.



Map 2: Previous cultural resource projects, Beulah NE (1967) USGS topographic map.

Instructions: Submission of this report must include: 1) a paper copy, 2) a PDF version, and 3) the corresponding shapefiles. 7
 Submit to the Archaeology & Historic Preservation Division of the State Historical Society of North Dakota at 612 E
 Boulevard Ave, Bismarck, ND 58505.

Table 1: Site Files Search Results – Basin – DGS Wells Reroute					
T/R-Sec	SITS #	Site Type-Description	Recorder, Date	Eligibility	MS #
	32ME00109	Archaeological-stone circle	Woolworth, 1974; Good, 1980	Not Eligible	000079, 000225, 002541, 003231, 004255, 004712, 004914, 005163, 007341, 012254, 019203
	32ME00162	Archaeological-stone circle, cairn	Ludwickson, 1977; Good, 1980	Eligible	
	32ME00163	Archaeological-stone circle	Ludwickson, 1977; Good, 1980	Eligible	
	32ME00196	Archaeological-stone circle, other possible stone features	Dill, 1977; Good, 1980	Unevaluated	
	32ME00198	Archaeological-stone circle	Dill, 1977; Good, 1980	Not Eligible	
	32ME00199	Archaeological-stone circle	Dill, 1977; Good, 1980	Eligible	
	32ME00200	Archaeological-stone circle, cairn	Dill, 1977; Good, 1980	Not Eligible	
	32ME00220	Archaeological-stone circle, cultural material scatter-chipped stone	Dill, 1977; Bluemle, 2021	Not Eligible	
	32ME00221	Historical-foundation, depression, cultural material scatter- masonry, wood	Dill, 1977; Dill, 1986	Not Eligible	
	32ME00222	Archaeological-stone circle	Dill, 1977; Good, 1980	Not Eligible	
	32ME00288	Architectural-farmstead	Dill, 1977; Good, 1980	Not Eligible	
	32ME00733	Architectural-farmstead, Historical-foundation, depression, machinery, cultural material scatter-ceramics, glass, masonry, wood, metal	Widmer, 1983; Brownell, 1989	Not Eligible	
	32ME00476	Archaeological-site lead: stone circle, possible cairn	Ludwickson, 1977	Unevaluated	

Table 2: Manuscript Files Search Results – Basin – DGS Wells Reroute	
MS #	Reference
000079	Econ, Inc. 1977 Interpretive Guide: Archaeological Photo Interpretation and Feasibility Study of a Five County Area in West Central North Dakota Using Small Scale (1:80,000) Aerial False Color Infrared
000225	Dill, C. 1978 1977 Cultural Resources Inventory: Antelope Valley Station/A.N.G.C.G.C. Gasification Plant Sites, Associated Mining Areas and Ancillary Facilities, Mercer County, North Dakota
002541	Good, K., L. Sprunk, J. Dahlberg and J. Logan 1981 Historical and Archaeological Survey and Testing Project Proposed Mining Area, The Coteau Properties Company, Antelope Valley, Mercer County, North Dakota
003231	North American Consultants 1984 Cultural Resources Survey of Mine Areas 1, 2, and 4, the Coteau Properties Company, Mercer County, North Dakota (Volume I)
004255	Borchert, J. 1987 Final Report on Additional Test Excavations at 32ME199, Mercer County, North Dakota
004712	Bergstrom, M. and K. Deaver 1988 Mitigation of Site 32ME163, Mercer County, North Dakota
004914	Peterson, L. and J. Brownell 1989 Archaeological and Historical Investigations of Sites Within the Coteau Freedom Mines Areas, Mercer County, North Dakota (Life-of-Mine Area)
005163	Deaver, K. 1990 Mitigation of Site 32ME220 Mercer County, North Dakota
007341	Wermers, G. 1999 Road Improvement Project in Portions of T145N, R88W and T146N, R88W, Mercer County, North Dakota UW#2124
012254	Jackson, M., D. Toom, and M. Lonski 2011 Zap Service Area Phase I Rural Distribution Lines 2010 a Class III Cultural Resource Inventory Southwest Water Pipeline Project, Mercer and Oliver Counties, North Dakota
019203	Meens, D 2021 Dakota Gasification Company: A Class III Cultural Resource Inventory for a CO2 Injection Pipeline in Mercer County, North Dakota