

UNANTICIPATED DISCOVERY AND TREATMENT PLAN: MISSOURI RIVER CROSSING PIPELINE REINSTATEMENT PROJECT

December 2024

INTRODUCTION

Grayson Mill Operating, LLC (Grayson Mill) is planning the Missouri River Crossing Project (Project). The Project will result in the return to service of 14.72 miles of existing Hazardous Liquid Pipeline (HLP) and its associated facilities. The Project would be in Williams and McKenzie Counties, North Dakota. The pipeline extends between the Aune Oil Terminal in Williams County, North Dakota, and the Alexander Oil Terminal in McKenzie County.

The Aune Terminal is located on a 30-acre tract in Lot 4 of Section 5, Township 152 North, Range 103 West, Williams County, ND, and receives crude oil from a Grayson Mill gathering system through two trunk lines. It provides short term storage for crude oil that can then be shipped to market by rail via the neighboring Savage rail loading facility immediately to the north of the terminal.

The Alexander Terminal is located on a 20-acre tract in the N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, Township 152 North, Range 102 West, McKenzie County, ND, and receives oil from Grayson Mill's South and McKenzie gathering systems and two truck unloading skids. Additionally, there will be the ability to ship and receive crude oil to and from the Aune Terminal once the Pipeline becomes operational.

The Pipeline runs between the existing Aune and Alexander Terminals as reflected in the attached Figure 1.

UNANTICIPATED DISCOVERY PLAN

The Class III inventory prepared for this undertaking should minimize the chance of unanticipated discoveries (In Situ Archeological Consulting, 2023). Nevertheless, should any unanticipated historic properties be discovered they will be treated as required by the North Dakota State Historic Preservation Office (ND SHPO).

This plan addresses how discoveries will be handled, including roles and responsibilities of those involved in the discovery and the management thereof.

If at any time during Project Activities anyone involved finds what is or may be historic or prehistoric archaeological materials of any type, or human remains, this will be considered a discovery and will be investigated according to the procedures outlined in this document. This includes any artifact, feature, or human remains that may be found.

Upon the discovery of cultural materials, the first priority will be to ensure that no further damage is done to the cultural materials. Grayson Mill's Environmental Inspector (EI) (or other primary contact as designated by Grayson Mill) will be notified immediately by the construction crew and begin implementing this plan.

Discovery Procedures (Not Human Remains)

Activities will be halted in the immediate vicinity of the location of the cultural materials, usually 100 feet. The EI or a designated individual will contact an archeological firm to assess the likelihood of the find being cultural. Details of the find, including scaled photos, and a description of the location and depth of the find will be provided. If there is reason to suspect the find is cultural, a permitted archaeologist will likely be mobilized to the location for recording of the cultural materials.

Close communication will be maintained so that all parties clearly understand any limits or constraints on the continued Activities. If human remains are suspected, ND SHPO may be contacted to conduct a site visit to reduce Activity stoppage times. In the event that the discovery involves human remains, the notification and investigation process is statutorily determined by North Dakota's Custody and Care of the Dead law, North Dakota Century code §23-06-27.

All parties will be kept informed of decisions being made concerning discoveries, their National Register assessments, and potential further work.

Discovery of Human Remains

Discovery of human remains at any time shall result in the immediate cessation of all Activities within 300 feet of the immediate area. Grayson Mill will ensure that those remains are respectfully protected from further disturbance or additional damage as the result of their exposure. Further treatment will be at the direction of the agency with jurisdiction.

The process by which the discovery of human remains is handled is very clearly laid out in the state's Custody and Care of the Dead law, N.D.C.C. §23-06-27. This legislation applies to the discovery of human remains anywhere in the State of North Dakota and applies regardless of how or by whom the remains come to be discovered. This statute requires notification of the County Coroner and local law enforcement agency (see Contact Information below). Their responsibility is to determine whether or not the materials constitute a crime scene or are otherwise of forensic interest, such as remains of a missing person, and to decide whether they wish to maintain jurisdiction over the materials. If they do not, the State Archaeologist is notified and further action is at the State Archaeologist's direction.

A typical process of notification and investigation upon discovery of human remains is described below, with citations to the pertinent clauses in N.D.C.C. §23-06-27. Notifications will be done by phone and/or e-mail.

- Human remains are discovered and all work stops in the immediate vicinity of the find.
- If the project archaeologist is not present, the contractor will immediately notify the lead inspector, who will contact the project archaeologist to request a site visit. If the project archaeologist is present, they will notify the EI.
- The EI or lead inspector will contact the County Sheriff's Office to report the discovery and ask the Sheriff's Office to contact the County Coroner and to initiate an investigation [N.D.C.C. §23-06-27].
- If the Sheriff and Coroner determine that the find is forensic (i.e. crime-related), they will continue to investigate. Work will not resume in the immediate vicinity of the find until their investigation is complete and the investigating authorities notify Grayson Mill that Activities may resume.

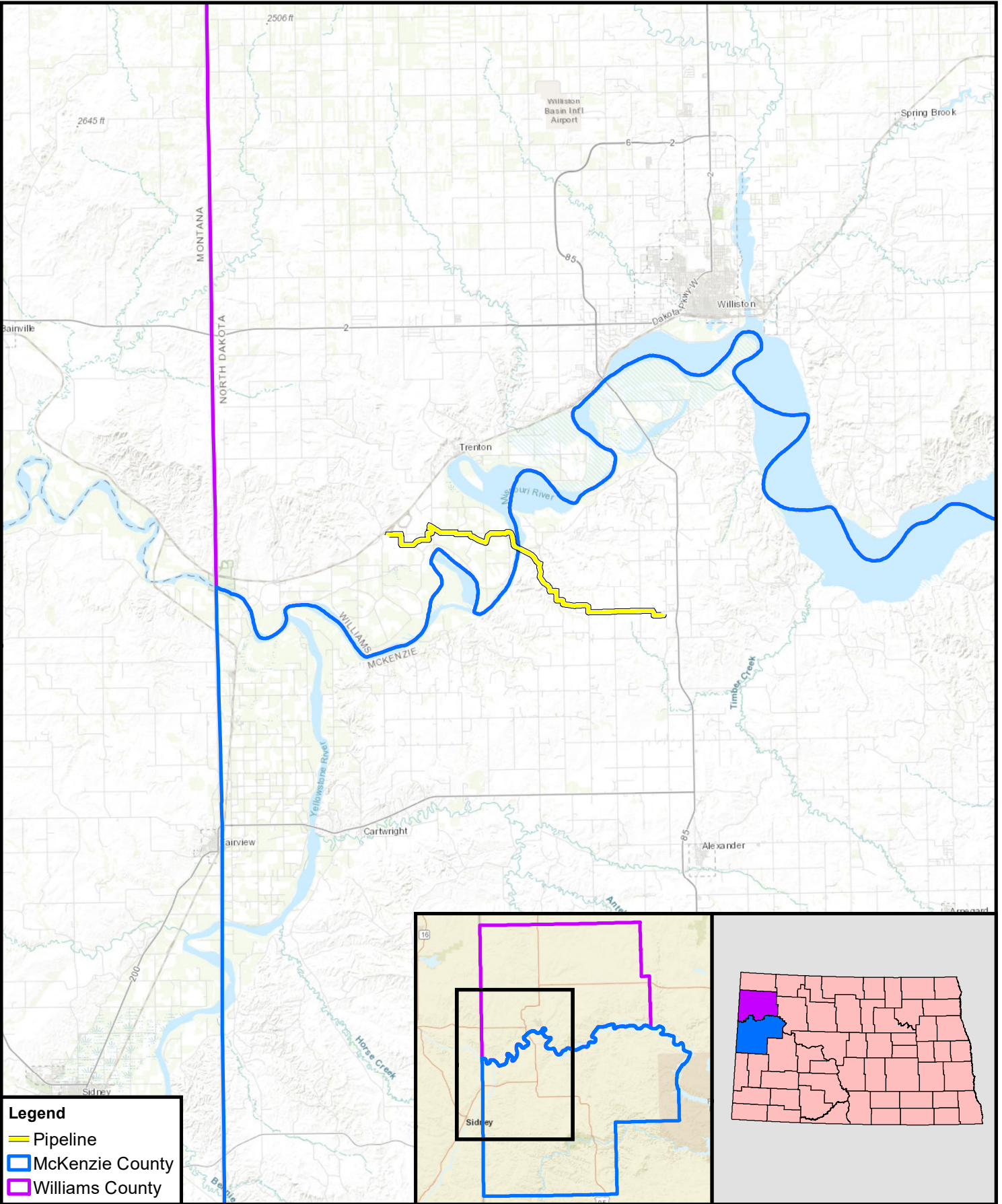
- If the Sheriff and Coroner determine that the find is not forensic, they will contact the State Archaeologist, who will then direct further investigations in consultation with the North Dakota Indian Affairs Commission, if appropriate. Work will not resume in the immediate vicinity of the find until all investigation and consultation is complete and the State Archaeologist notifies Continental that construction may resume.
- Grayson Mill will not resume or initiate any activities involving discovered human remains until such time as all appropriate agencies have been contacted and agreement has been reached on treatment of the remains.

Contact Information

Person	Role	Contact Info	Organization
Andrew Clark	ND Chief Archaeologist	701-328-2666 andrewclark@nd.gov	ND SHPO
	County Sheriff	701-577-7700	Williams County
Craig Picka	Archaeologist	952-658-8891	In Situ Archeological Consulting.

Reporting

Applicable site forms and a summary addendum report for the project will be prepared when all archaeological investigations are complete. Documentation will follow the guidelines of the North Dakota SHPO. The report will describe the results of the investigations.



- Legend**
- Pipeline
 - McKenzie County
 - Williams County

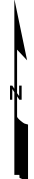
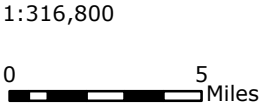


Figure 1
Site Location Map
Missouri River Crossing
Pipeline Reinstatement