

**APPENDIX F**  
**HISTORIC PRESERVATION DOCUMENTATION**





**STATE  
HISTORICAL  
SOCIETY  
OF NORTH DAKOTA**

Jack Dalrymple  
*Governor of North Dakota*

North Dakota  
State Historical Board

Margaret Puetz  
*Bismarck - President*

Gereld Gerntholz  
*Valley City - Vice President*

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*Grand Forks - Secretary*

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*Bismarck*

Chester E. Nelson, Jr.  
*Bismarck*

A. Ruric Todd III  
*Jamestown*

Sara Otte Coleman  
*Director  
Tourism Division*

Kelly Schmidt  
*State Treasurer*

Alvin A. Jaeger  
*Secretary of State*

Mark Zimmerman  
*Director  
Parks and Recreation  
Department*

Grant Levi  
*Director  
Department of Transportation*

Claudia J. Berg  
*Director*

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August 5, 2015

Mr Stephen Sabatke  
Project Manager  
HDR Engineering Inc.  
701 Zenia Avenue South Suite 600  
Minneapolis MN 55416-3636

ND SHPO REF.: 12-1592 PSC "Class III Intensive Cultural Resources Inventory: Historic Structures Inventory and Evaluation, Big Stone South to Ellendale 345kV Transmission Line Project, Dickey County, North Dakota to the South Dakota Border" and "Class III Intensive Cultural Resources Inventory: Historic Structures Inventory and Evaluation, Big Stone South to Ellendale 345kV Transmission Line Project, Dickey County, North Dakota to the South Dakota Border; Route Shift Addendum 1"

Dear Mr. Sabatke:

We reviewed the two Class III intensive historic structures inventories and evaluations listed above and find them acceptable. We concur with "No Significant Sites" and "No Historic Properties Affected" determinations for the visual aspects of the APE (area of potential effect) for this project, provided the project remains as described and mapped in these reports.

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

Sincerely,

  
Claudia J. Berg  
Director, State Historical Society of North Dakota



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*Director  
Department of Transportation*

Claudia J. Berg  
*Director*

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July 24, 2015

Mr. Stephen Sabatke  
Project Manager  
HDR Engineering Inc  
701 Zenia Avenue South Suite 600  
Minneapolis MN 55416-3636

**ND SHPO Ref.: 12-1592 PSC "Class III Intensive Archaeological and  
Traditional Cultural Property Resources Inventory of the Big Stone South to  
Ellendale 345kV Transmission Line Project, Dickey County, North Dakota to  
the South Dakota Border"**

Dear Mr. Sabatke,

We reviewed ND SHPO Ref.: 12-1592 PSC "Class III Intensive Archaeological and  
Traditional Cultural Property Resources Inventory of the Big Stone South to  
Ellendale 345kV Transmission Line Project, Dickey County, North Dakota to the  
South Dakota Border," and find the report acceptable. We concur with "No  
significant Sites" and "No Historic Properties Affected" determinations, provided  
the project remains as described and mapped in the report captioned above.

Thank you for the opportunity to review this project. If you have any questions  
please contact Susan Quinnell, Review and Compliance Coordinator at (701) 328-  
3576, e-mail [squinnell@nd.gov](mailto:squinnell@nd.gov)

Sincerely,

Claudia J. Berg  
State Historic Preservation Officer (North Dakota)



August 20, 2015

Alan Stanfill  
HDR  
1304 Buckley Rd Ste 202  
Syracuse NY 13212-4311

**RE: Preliminary Consultation**

Project: Big Stone South to Ellendale 345kV Transmission Line Project/Architectural Report  
Location: Multiple Counties

Dear Mr. Stanfill:

Thank you for the opportunity to review the proposed construction of the Big Stone South to Ellendale 345kV Transmission Line in Brown, Day, and Grant Counties, South Dakota.

On August 3, 2015, we received your correspondence and the report, "Big Stone South to Ellendale 345kV Transmission Line Project, Intensive Historic Building Inventory and Evaluation, North Dakota/South Dakota Border to the Big Stone South Substation Segment," prepared by HDR Engineering, Inc. Based upon the information provided, the South Dakota Office of the State Historic Preservation Officer (SHPO) concurs with the following determinations of eligibility:

- DA00000006 and 39GT2007 should be considered Eligible for listing in the National Register of Historic Places (NRHP).
- Given the lack of access to and documentation of the following properties, they should be considered Unevaluated for listing in the NRHP:
  - Site 56740 (BN01200002 through BN01200006)
  - Site 56738 (DA00200007 and DA00200008)
  - Site 56772 (GT02600001 through GT02600006)
  - Site 56773 (GT02700001 through GT02700011, except GT02700006).
- BN00000010 and BN00000011 were previously determined Eligible for listing in the NRHP but have since been demolished.
- The following properties should be considered Not Eligible for listing to the NRHP:
  - Site 56741 (BN02200001 through BN01100004)
  - Site 56738 (DA00200001 through DA00200006)
  - Site 56773 (GT02700006)

Based upon the information provided, the Eligible or Unevaluated properties are located approximately 1,000' to 1,900' to the nearest transmission line poles, and the poles will be 90' to 150' tall. Given that the properties are potentially eligible under NRHP Criteria A and C, the SHPO would recommend that the proposed project would not have an adverse effect on these historic properties.

Please note, the submitted report included information only on architectural properties. The report did not include information on ground-disturbing activities, record searches for archaeological properties, or on-the-ground survey of the areas in question. Therefore, our comments are limited to the project's effects on architectural resources.

Finally, based on the information provided it is unclear if your project is an undertaking as defined by 36 CFR part 800.16(y), the enabling legislation for the National Historic Preservation Act of 1966 (as amended), or if your project is subject to South Dakota Codified Law 1-19A-11.1. Therefore, these comments are generalized to include our concurrence with the determinations of eligibility for properties in the area and recommendations on potential effects to historic properties.

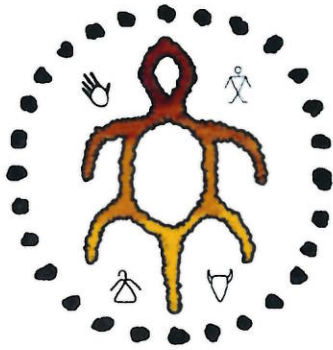
Should you require additional information, please contact Kate Nelson at (605) 773-6005. Your concern for the non-renewable cultural heritage of our state is appreciated.

Sincerely,

Jay D. Vogt  
State Historic Preservation Officer

A handwritten signature in cursive script, reading "Kate Nelson".

Kate Nelson  
Restoration Specialist



## Tribal Historic Preservation Office

P.O. Box 509  
Agency Village, SD 57262  
(605) 698-3584 phone  
(605) 698-4283 fax

February 4, 2016

Gregory Davis  
USEPA Region 8  
1595 Wynkoop St.  
Denver, Co 80202-1129

### RE: Big Stone South to Ellendale Transmission Line Project

Mr. Davis,

The Sisseton Wahpeton Oyate (SWO) Tribal Historic Office (THPO) understands that Environmental Protection Agency (EPA) retains permit authority in Indian Country (as defined by the EPA).

SWO THPO also understands that the EPA considers only the construction of the SWPPP BMP as the federal undertaking. Since the SWPPP BMPs has been designed to not physically damage any identified cultural resource sites within the original exterior boundaries of the Lake Traverse Reservation. SWO THPO concurs with the recommendation that the placement and construction of the BMPs will have "No Effect to Historic Properties" and that no further coordination is needed in regard to this activity within the original exterior boundaries of the Lake Traverse Reservation for this project. If you have any questions regarding this correspondence, please contact me. Thank you for your attention in this matter.

Dianne Desrosiers  
Tribal Historic Preservation Officer  
Sisseton Wahpeton Oyate

CC: Gerry Bremel, Ottertail Power  
Stephen Sabatke, HDR  
Alan Stanfill, HDR

# **Historic Property Monitoring and Discovery Plan**

## **Big Stone South to Ellendale 345kV Transmission Line**

*Prepared for:*

**Otter Tail Power Company and Montana-Dakota Utilities Co.**

*Prepared by:*

**HDR Engineering, Inc.**



## 1. INTRODUCTION

Otter Tail Power Company and Montana-Dakota Utilities Co (jointly, the Applicants) propose to construct the Big Stone South to Ellendale 345kV Transmission Line Project (Project). The Project is a single circuit, 345 kV transmission line that extends 160-170 miles between Ellendale, North Dakota and Big Stone City, South Dakota. It includes a 150-foot-wide transmission line right-of-way within a 500-foot-wide Cultural Resources Survey Corridor (Survey Corridor) that extends through an area of the Glaciated Plains region of southeastern North Dakota and northeastern South Dakota.

The Survey Corridor crosses U.S. Fish and Wildlife Service (USFWS) easements and U.S. Army Corps of Engineers (USACE) Section 404 permit areas that are subject to review under Section 106 of the National Historic Preservation Act. The remainder of the Survey Corridor is not subject to federal agency jurisdiction, but is considered within the Final Decision and Order and Amended Settlement Stipulation (Order) issued by the Public Utilities Commission of the State of South Dakota (PUC) and within the Certificate of Corridor Compatibility and Route Permit issued by the Public Service Commission (PSC) of North Dakota. The PUC and PSC Orders/Permits require consideration of the Project's impacts on historic properties in consultation with the South Dakota State Historic Preservation Officer (SDSHPO) and North Dakota Historic Preservation Officer (NDSHPO).

An intensive survey of selected segments of the Survey Corridor was conducted by HDR Engineering, Inc. and the Sisseton-Wahpeton-Oyate Tribal Historic Preservation Office (THPO) (HDR et al., 2016), which specified criteria for survey of high potential areas for encountering historic properties. The sample survey design identified about 50 miles of the transmission line route, or approximately 2,187 acres for intensive review, and resulted in the identification of 160 historic properties – all within the South Dakota portion of the Project. A total of 154 identified cultural resource sites are eligible for listing on the National Register of Historic Places (NRHP) as properties of traditional religious and cultural importance (TCPs). The remaining are Euro-American farm-related properties and railroad beds that are outside of the area of direct physical effects. The TCPs encountered in the Survey Corridor are eligible for the NRHP under criteria A and D, and represent places of traditional cultural sensitivity and importance.

Cultural remains may be encountered and inadvertently affected during the course of construction. Discovery situations occur when previously recorded historic properties are affected in an unanticipated manner, or when previously unrecorded properties are encountered within construction zones. This Monitoring and Discovery Plan provides guidance for addressing discovery situations during pre-construction and construction of the transmission line. The procedures provided here are intended to streamline the discovery review process for cultural resource properties that may be encountered.

## 2. MONITORING STRATEGY

Construction-related activities are those ground disturbing activities conducted as part of the Project (either during pre-construction and/or construction) and have the potential to affect historic properties. Of the 154 TCPs, the Applicants in consultation with the Sisseton-Wahpeton Oyate (SWO) designated 43 TCPs that warrant monitoring during construction to ensure that avoidance measures are implemented and inadvertent damage does not occur. All construction activities are subject to the discovery procedures outlined in Section 3 of this Monitoring and Discovery Plan. The discovery procedures specify steps to be followed for addressing situations when previously unrecorded properties are affected or previously recorded historic properties are affected in an unanticipated manner.

The purpose of monitoring is to prevent inadvertent damage to identified properties. Table 1 identifies the historic properties where Project activities are to be monitored and the actions to be taken to minimize the potential for damage. Project activities subject to monitoring may include, but are not limited to traffic access, ground preparation, sediment and erosion control Best Management Practices (BMPs), structure construction, staging and storage, and use of heavy equipment for stringing cables.

As noted in the South Dakota Level III cultural resources survey report, Project avoids damage to sites:

*During the Level III Inventory, on-site collaboration was conducted among OTP, SWO THPO, and HDR to place Project facilities, access routes, and work areas to avoid physical damage to archaeological features, stone features, and TCP sites. As a consequence, Project plans avoid physical damage to all properties identified within the ROW APE. (HDR et.al. 2016, pg. 282)*

Monitoring construction activities at the selected locations (Table 1) will be conducted to ensure that the avoidance measures established during the field reviews are met. Monitoring will be carried out by tribal monitors to the extent that the Applicants and the SWO agree on the terms and circumstances for tribal participation. If the Applicants and SWO are unable to agree on the terms of tribal participation, monitoring will be carried out by archaeologists who meet the Secretary of Interior's professional qualification standards. Monitoring may be performed during two separate phases:

1. Monitoring during preconstruction to ensure the owners have taken adequate preventative measures, such as enclosure fencing, protective matting for movement of equipment through sensitive areas when needed, or other methods, to keep construction traffic and personnel off sensitive site areas that may otherwise be damaged, and to channel access traffic to avoid important sites and features; and
2. Monitoring during construction at select locations where proximity of construction activities to traditional cultural properties warrants careful oversight to ensure avoidance measures are met.

Not later than one week prior to having any access to the Project locations, all monitors will be required to complete Project safety and environmental orientation training before they are

allowed in areas of active construction. Monitors must also be present at the start of the work day for the daily morning safety meetings (Job Hazard Analysis) when construction will occur at the selected locations (Table 1). The Job Hazard Analysis is an opportunity for the monitor to brief the Construction Supervisor. Failure to attend the Job Hazard Analysis will result in the monitors' denial of access to the Project construction corridor and construction zones for that day and will not prohibit construction from taking place at that location, provided that discovery procedures will be followed pursuant to Part 3 below.

The Applicants will ensure that at least 48 hours prior to the initiation of construction activities at monitoring locations in Table 1, the Construction Manager will notify the Tribal Monitor of the proposed schedule of activities and start times (time of the Job Hazard Analysis). The Tribal Monitor will coordinate with the Construction Manager on the proposed schedule, as necessary.

It is anticipated that the Tribal Monitor will follow the construction crew to the monitor location, using his/her own transportation. If the Tribal Monitor does not show up on-site construction will start and the work will be completed in a manner to avoid impact to the site, and documented by the Environmental Monitor. If the Tribal Monitor decides to leave the site, the Tribal Monitor will inform the Construction Manager and Environmental Inspector. The Construction Supervisor and/or Environmental Inspector will incorporate monitoring at the location along with all other expected daily activities.

Construction may proceed without a Tribal Monitor present if the Tribal Monitor determines that monitoring is not necessary based upon Project's preventative measures and previous data. If the Tribal Monitor determines that monitoring is not necessary they will provide written notification to the Construction Manager.

Upon arrival at the monitoring location, the Tribal Monitor will meet with the Environmental Inspector or On-Site Construction Supervisor to brief construction personnel about areas to be avoided and in concert with Environmental Inspector or On-Site Construction Supervisor complete any necessary avoidance measure augmentations. Any conflicts should be forwarded to the Construction Manager for resolution.

If physical damage to the historic property cannot be avoided by construction activities to the satisfaction of the Tribal Monitor they will notify the Construction Manager and the Construction Manager will stop work in the vicinity of the threatened historic property and will initiate the Discovery Procedures specified in Section 3 of this Plan. If avoidance is successful, the Tribal Monitor will complete a summary verification of the effectiveness of the avoidance effort.

The Tribal Monitor will complete a daily report form provided by the Applicants with notes and photographs of monitored locations. The daily report will document all observations and outcomes of monitored locations for inclusion in the Final Summary Report specified at Section 4 below. The reports will be communicated daily, as directed by the Applicants.

**Table 1. Properties Where Construction Activities Will Be Monitored by Tribal Monitor**

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*NOTE: Table 1 has been redacted from this version because of material sensitivity and replaced with the table below*

**Table 1 (REDACTED VERSION)**

<b>STRUCTURE NUMBER</b>
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367
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### 3. DISCOVERIES DURING CONSTRUCTION

The following discovery procedures specify the steps to be taken whenever monitors or construction personnel encounter or suspect the presence of cultural remains vulnerable to Project-related construction damage. A discovery occurs when previously unidentified cultural remains are encountered or a previously identified historic property is affected in an unanticipated manner. Discoveries may occur during any phase of Project construction. Discoveries occur when cultural remains such as bone, pottery, or flaked or ground stone artifacts, stone features, buried historic debris, foundations, and other similar types of artifacts are encountered or are suspected, and are vulnerable to or are damaged by construction-related activities. When such discoveries occur, Project personnel are obligated to cease all Project activities in the vicinity of the discovery, notify appropriate personnel of the event and circumstances, and await further instruction prior to proceeding with activities that may affect the discovered remains.

Prior to the initiation of Project construction, the Applicants will notify and brief all construction personnel of the necessity to report all discoveries, or suspected discoveries, of archaeological, historic, or human remains encountered during Project construction.

- A. **DISCOVERIES ABSENT HUMAN REMAINS:** A discovery that does not include human remains occurs when a previously recorded historic property has been affected in an unanticipated manner, or when a previously unidentified property is encountered that has been or may be affected. The Applicants, and all construction personnel will adhere to the following procedures (also outlined on Figure 1):
- a. All activities that may disturb the discovery will cease within 100 feet or greater as necessary to avoid further damage to the resource.
  - b. The contractor will immediately notify the Applicant's representatives (Table 2) and Cultural Resource Specialist (an archaeologist who meets the Secretary of Interior's Qualification Standards) of the discovery by phone, email or text message. The Cultural Resource Specialist will advise the construction personnel on how to protect the discovery from further harm or damage.
  - c. Within 48 hours of notification of a possible discovery situation, the Cultural Resource Specialist, will investigate the discovery and validate whether it is a discovered cultural resource.
  - d. If the Cultural Resource Specialist determines the discovery is not a cultural resource, the Cultural Resource Specialist will document his/her findings in a brief memorandum to the federal agency with jurisdiction, if any, Applicants, SHPO, Sisseton-Wahpeton-Oyate THPO and other parties as applicable and recommend to the Applicants' representative (i.e. Construction Manager) that construction resume. The Applicants' representative (i.e. Construction Manager) and/or responsible agency may authorize resumption

of construction upon the Cultural Resource Specialist's verbal description and recommendation to proceed, and prior to receipt of the Cultural Resource Specialist's memorandum.

- e. If the Cultural Resource Specialist determines the discovery is valid, the Cultural Resource Specialist will notify the Applicants, SHPO, THPO, and any federal agency with jurisdiction (the consulting parties) by phone, or electronically, followed with written notice, of preliminary findings and proposed next steps.
- f. The federal agency with jurisdiction in consultation with SHPO, or SHPO where no federal agency has jurisdiction, may assume the NRHP eligibility of the discovery and specify appropriate treatment, either through avoidance, additional study, or other measure.
  - i. An on-site meeting may be requested by the consulting parties to assess the discovery and reach consensus on appropriate avoidance or treatment. This meeting shall occur within 96 hours after the Cultural Resource Specialist's notification.
- g. The Cultural Resource Specialist will prepare an avoidance or treatment plan addressing the cultural values of the discovery and provide it by electronic mail to the consulting parties for review and comment within 48 hours of discovery validation and/or the on-site meeting. Upon acceptance of the avoidance or treatment plan by the federal agency with jurisdiction or SHPO where no federal agency has jurisdiction, the Applicants shall ensure its terms are implemented.
- h. The Applicants may resume construction activities when any required fieldwork has been completed and the Cultural Resource Specialist notifies by electronic mail applicable parties of its completion.
- i. A report following SHPO reporting standards detailing the results of treatment of the discovery shall be prepared by the Cultural Resource Specialist. The Cultural Resource Specialist shall submit electronic and paper copies of the report to each of the consulting parties within one month of completion of any fieldwork and shall complete any other requirements pertaining to the discovery, including disposition of artifact remains and materials in an appropriate repository. Any requirements pertaining to the discovery that have not been completed when the report is submitted to the consulting parties shall be reported to the consulting parties upon completion as an addendum to the original report

- B. DISCOVERIES INCLUDING HUMAN REMAINS:** In the event that human remains are discovered, or suspected, the Applicants and all construction personnel will adhere to the following procedures as required by North Dakota Century Code §

23-06-27 “Protection of Unmarked Human Burials” and administrative rules North Dakota Administrative Code Chapter 40-02-03, “Protection of Prehistoric and Historic Human Burial Sites, Human Remains, and Burial Goods” for such discoveries in North Dakota, or by South Dakota Codified Laws, Title 34, Chapter 27, “Cemeteries and Burial Records,” for such discoveries in South Dakota. The steps are outlined on Figure 2.

- a. All activities that may disturb the discovery shall cease within a minimum of 100 feet of the find or to a greater distance as appropriate, and the discovery location will be secured from further disturbance or vandalism with temporary fencing and signage as appropriate.
- b. The contractor or Applicants’ on-site designee shall contact local law enforcement with jurisdiction of the area (Table 3) and the State Historical Society of North Dakota or the State Archaeologist of South Dakota, as appropriate. Law enforcement will determine whether the finding is associated with a crime scene.
- c. The contractor will immediately notify the Applicants’ representatives and Cultural Resource Specialist of the discovery (Table 2). The Cultural Resource Specialist will help the construction personnel and Applicants protect the discovery from further harm or damage by directing traffic and personnel away from the discovery and erecting temporary fencing and signage as appropriate.
- d. If local law enforcement determines the discovery to be a crime scene they will complete their procedures to document the site and manage the location.
- e. If local law enforcement determines the discovery to not be a crime scene they will relinquish responsibility to the State Historical Society of North Dakota or the South Dakota State Archaeologist, as appropriate. The Cultural Resource Specialist will work with the state representative to help complete appropriate steps. The Cultural Resource Specialist will coordinate with the Applicants, federal and state agencies with jurisdiction, and THPO, as appropriate.
- f. Upon fulfillment of any field work required and with the written approval to proceed by the appropriate state official, the Applicants may allow construction to resume, in accordance with any agreed upon remaining requirements. Written approval may be transmitted electronically.

**Table 2 - Discovery Contact Information**

<b>Entity</b>	<b>Name</b>	<b>Role</b>	<b>Telephone Number</b>
Cultural Resource Specialist (CRS)	Stephen Sabatke	Cultural Resource Specialist	(763) 354-9313
Otter Tail Power Company	Al Koeckeritz	Project Manager	(218) 739-8416
Montana-Dakota Utilities Co.	Dan Albrecht	Project Manager	(701) 222-7680

**Table 3 - Agency Representative Contact Information**

<b>Entity</b>	<b>Name</b>	<b>Role</b>	<b>Telephone Number</b>
Tribal Historic Preservation Officer (THPO)	Dianne Desrosiers	THPO	(605)-698-3584
North Dakota State Historic Preservation Officer (SHPO)	Paul Picha	Chief Archaeologist	(701)-328-2666
South Dakota State Historic Preservation Office	Paige Olson	Review and Compliance Coordinator	(605)-773-6004
South Dakota State Archaeologist	Jim Haug	State Archaeologist	(605) 394-1936
USFWS Cultural Representative	Karri Springer and/or Meg Van Ness	Dakotas Zone Archaeologist  Regional Historic Preservation Officer	(701)-355-8577 (303)-236-8103
USACE Cultural Representative	ND - Patsy Crooke  SD – Cathy Juhas	Project Manager	(701)-255-0015  (605)-224-8531
LOCAL LAW ENFORCEMENT OFFICIALS	Brown,	Sheriff	(605)-626-7100
LOCAL LAW ENFORCEMENT OFFICIALS	Day	Sheriff	(605)-345-3222
LOCAL LAW	Grant	Sheriff	(605)-432-5853



Big Stone South to Ellendale Project  
Historic Property Monitoring and Discovery Plan

ENFORCEMENT OFFICIALS			
LOCAL LAW ENFORCEMENT OFFICIALS	Dickey	Sheriff	(701)-349-3215

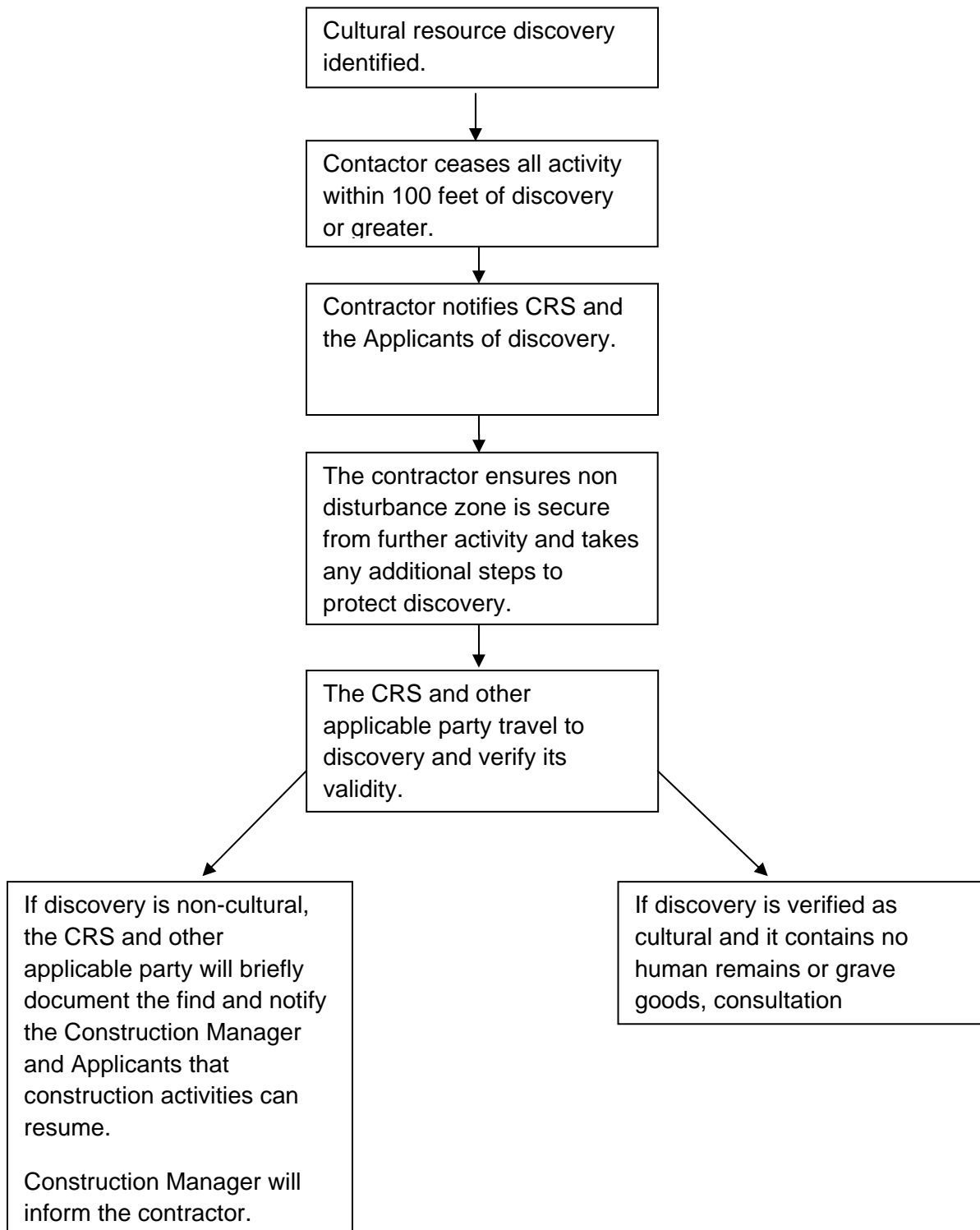
#### **4. FINAL SUMMARY REPORT**

Upon completion of monitoring and any treatments that may have been conducted under discovery procedures, the Applicants or their representative will ensure that a Final Summary Report is prepared and submitted to the consulting parties for their information. The Final Summary Report will be a summary of the daily report forms. The Final Summary Report will include a table that outlines the locations where monitoring was conducted, monitoring personnel involved at each location, a description of any discovery situations that occurred and their outcomes. The Final Summary Report will also include a description of the actions taken to treat or assure avoidance of damage to historic properties under the discovery procedures, and a repository certification of proper storage of materials and records. This report will be provided to the consulting parties within three months of completion of Project construction.

## **5. Bibliography**

2016, HDR, Inc., Sisseton-Wahpeton-Oyate Tribal Historic Preservation Office and Good Schliesman & Associates. Level III Intensive Archaeological and Traditional Cultural Property Resources Inventory for the Big Stone South to Ellendale 345 kV Transmission Line Project, Brown, Day and Grant Counties, South Dakota. Report prepared for Montana-Dakota Utilities Co. Bismarck, North Dakota and Otter Tail Power Company Fergus Falls, Minnesota.

**Figure 1: Discovery Identification Procedures Absent Human Remains**



**Figure 2: Discovery Identification Procedures That Include Human Remains**

