



MEETING NOTES

LOG OF VIRTUAL MEETING

MEETING ATTENDEES:

Jon Eagle (Standing Rock Sioux Tribe), Jeremy Freeman (Standing Rock Sioux Tribe), Beth Bigelow (USFS), Andrea Kruse (USFS), Katie West (BLM), Andrew Clark (SHSND, ND State Archaeologist), Dawn Ramsey (FERC), Jill Linn (WBI Energy Transmissions, Inc.), Raina Hanley (BCA), Wade Burns (BCA), Kevin Malloy (ERM), Andrea Thornton (ERM) (part of the call), Pat Robblee (ERM) (part of the call)

DATE:

09/24/2020

TIME OF CONVERSATION:

10:00 CST

RE:

WBI North Bakken Expansion Project 2020 Archaeological Surveys

PREPARED BY:

Kevin Malloy

LOG OF CONVERSATION:

- Andrea Thornton (ERM) welcomed the attendees to the meeting.
- Jill Linn (WBI Energy) identified the purpose of the call as providing Tribal Historic Preservation Officers and other agencies the opportunity to speak with FERC, who is the lead federal agency for the project.
- The participants discussed their understandings of the Section 106 review process generally as well as the process specific to FERC-regulated projects.
- Dawn Ramsey (FERC) discussed FERC's ex parte rules for communications and other requirements under FERC regulations pursuant to the Natural Gas Act. She described FERC's delegation of some tasks to applicants as well as the process for FERC's government-to-government consultations with tribes on natural gas pipeline projects.
- Beth Bigelow (USFS) discussed the USFS's need for accurate information on sites—both archaeological and cultural heritage—to manage these areas in the future. Ms. Bigelow noted that archaeological and tribal interpretations of sites do not need to be in agreement, and that different tribes may provide different interpretations of sites or features. One objective of the USFS is to ensure that archaeological interpretations do not supersede those based on traditional knowledge.
- Jon Eagle (Standing Rock Sioux Tribe) expressed concern about documentation of sites without tribal concurrence, noting that interpretations by archaeologists are based on their education and experience whereas interpretations by tribal cultural specialists are based on their history and language. Mr. Eagle said that one objective of consultation is to leverage tribal understanding of the landscape. Mr. Eagle added that the site visit held on September 17, 2020 began to resolve some of the concerns he had with the North Bakken Project.

- Dr. Clark (SHSND) said that if none of the tribal cultural specialists concur with an archaeological interpretation, then the area in question should not be recorded as a cultural heritage site. Mr. Burns clarified that archaeological sites without tribal concurrence of features or interpretations are not being recorded as cultural heritage sites.
- The participants discussed reporting requirements for the North Bakken Project, how best to acknowledge discrepancies between archaeological and tribal interpretations in reports, and how best to reconcile information provided in reports for archaeological and cultural heritage sites with commonalities or that share the same space. Mr. Eagle said that all of the Tribal Historic Preservation Officers consulting on the project should be involved in this discussion.