



WBI ENERGY TRANSMISSION, INC.

Wahpeton Expansion Project

**Resource Report 4
Cultural Resources**

Final

**Docket No.
CP22-XXX-000**

May 2022

**WBI ENERGY TRANSMISSION, INC.
WAHPETON EXPANSION PROJECT
RESOURCE REPORT 4—CULTURAL RESOURCES**

| Minimum Filing Requirements for Environmental Reports: | Addressed In: |
|--|--|
| <p>1. Resource Report 4 must contain:</p> <ul style="list-style-type: none"> i. Documentation of the applicant's initial cultural resources consultation, including consultations with Native Americans and other interested persons (if appropriate); ii. Overview and Survey Reports, as appropriate; iii. Evaluation Report, as appropriate; iv. Treatment Plan, as appropriate; and v. Written comments from State Historic Preservation Officer(s) (SHPO), Tribal Historic Preservation Officers (THPO), as appropriate, and applicable land-managing agencies on the reports in paragraphs (f)(1)(i)-(iv) of this section. <p>– 18 CFR § 380.12 (f)(1)</p> | <p>Sections 4.3 and 4.5; tables 4.5-1 and 4.5-2; appendices 4B, 4D, 4E, and 4F</p> |
| <p>2. Initial filing requirements. The initial application must include the documentation of initial cultural resource consultation, the Overview and Survey Reports, if required, and written comments from SHPOs, THPOs and land-managing agencies, if available. The initial cultural resources consultations should establish the need for surveys. If surveys are deemed necessary by the consultation with the SHPO/THPO, the survey report must be filed with the application.</p> <ul style="list-style-type: none"> i. If the comments of the SHPOs, THPOs, or land-management agencies are not available at the time the application is filed, they may be filed separately, but they must be filed before a final certificate is issued. ii. If landowners deny access to private property and certain areas are not surveyed, the unsurveyed area must be identified by mileposts, and supplemental surveys or evaluations shall be conducted after access is granted. In such circumstances, reports, and treatment plans, if necessary, for those inaccessible lands may be filed after a certificate is issued. <p>– 18 CFR § 380.12 (f)(2)</p> | <p>Sections 4.3 and 4.5; tables 4.5-1 and 4.5-2; appendices 4B, 4D, 4E, and 4F</p> |
| <p>3. The Evaluation Report and Treatment Plan, if required, for the entire project must be filed before a final certificate is issued.</p> <ul style="list-style-type: none"> i. The Evaluation Report may be combined in a single synthetic report with the Overview and Survey Reports if the SHPOs, THPOs, and land-management agencies allow and if it is available at the time the application is filed. ii. In preparing the Treatment Plan, the applicant must consult with the Commission staff, the SHPO, and any applicable THPO and land-management agencies. iii. Authorization to implement the Treatment Plan will occur only after the final certificate is issued. <p>– 18 CFR § 380.12 (f)(3)</p> | <p>Noted</p> |
| <p>4. Applicant must request privileged treatment for all material filed with the Commission containing location, character, and ownership information about cultural resources in accordance with §388.112 of this chapter. The cover and relevant pages or portions of the report should be clearly labeled in bold lettering: "CONTAINS PRIVILEGED INFORMATION—DO NOT RELEASE." – 18 CFR § 380.12 (f)(4)</p> | <p>Noted</p> |
| <p>5. Except as specified in a final Commission order, or by the Director of the Office of Energy Projects, construction may not begin until all cultural resource reports and plans have been approved. – 18 CFR § 380.12 (f)(5)</p> | <p>Noted</p> |
| Additional Information: | |
| <p>1. Identify the project area and the project's impacts in terms of direct and indirect effects on cultural resources.</p> | <p>Sections 4.1 and 4.3; appendices 4B and 4D</p> |
| <p>2. Provide a project map with mileposts clearly showing boundaries of all survey areas (right-of-way, extra work areas, access roads, etc.); ensure that you mark mileposts, clearly specify survey corridor widths, and clearly indicate where you have not completed surveys.</p> | <p>Appendices 4B, 4C, and 4D</p> |
| <p>3. Provide documentation of consultation with applicable SHPOs, THPOs, and land-managing agencies regarding the need for and required extent of cultural resource surveys.</p> | <p>Section 4.5; tables 4.5-1 and 4.5-2; appendices 4E and 4F</p> |

| | |
|---|---|
| 4. Provide a narrative summary of overview results, cultural resource surveys completed, identified cultural resources, and any cultural resource issues. | Section 4.3; appendices 4B and 4D |
| 5. Provide a project-specific Ethnographic Analysis (can be part of Overview/Survey Report). | Appendix 4B |
| 6. Identify by mileposts any areas requiring survey where the landowner denied access. | Tables 4.3-1 and 4.3-2 |
| 7. Provide written comments on the Overview and Survey Reports from the applicable SHPOs, THPOs, and land-managing agencies, if available. | Section 4.5; tables 4.5-1 and 4.5-2; appendices 4E and 4F |
| 8. Provide a Summary Table of completion status of cultural resource surveys, and SHPO or THPO and land-managing agency comments on the reports. | Tables 4.3-1 and 4.3-2 |
| 9. Provide a Summary Table of identified cultural resources, and SHPO or THPO and land managing agency comments on the eligibility recommendations for those resources. | Tables 4.3-3 and 4.3-4 |
| 10. Provide a brief summary of the status of contact with federally recognized Indian tribes, including copies of all related correspondence and records of verbal communications. | Section 4.5.2; appendix 4F |
| 11. Provide a brief summary of comments received from stakeholders regarding cultural resources. | Section 4.5.3 |
| 12. Provide a schedule for completing any outstanding cultural resource studies. | Section 4.4 |
| 13. Provide an Unanticipated Discoveries Plan for the project area, referencing appropriate state statutes. | Section 4.6; appendix 4G |
| Federal Energy Regulatory Commission's April 4, 2022 Comments on Draft Resource Report 4: | |
| 1. Section 4.2.2 states background research identified 62 previously recorded archaeological sites, which are provided in table 4.2-1. However, table 4.2-1 lists 64 sites. Resolve the apparent discrepancy. | The draft resource report was submitted prior to completion of the survey report. Section 4.2.2 and table 4.2-1 have been updated and are now also consistent with the survey report. |
| 2. Section 4.3.2.1 states that five construction yards were surveyed; however, table 4.3-1 lists four construction yards as surveyed and one construction yard as pending. Clarify the apparent discrepancy. | Section 4.3.2.1 and table 4.3-1 have been updated. |
| 3. Sections 4.3.2.1 and 4.3.2.2 indicate the Project has 65 access roads. However, appendix 8B lists 63 access roads. In addition, page 4-6 indicates that 57 access roads were surveyed, while the Class III Archaeological Inventory Survey Report indicates 52 access roads were surveyed. Resolve the apparent discrepancies. | Sections 4.3.2.1 and 4.3.2.2 and tables 4.3-1 and 4.3-2 have been updated. At the time of developing the draft resource report, the Project had 63 access roads. The Class III Archaeologic Inventory Survey report had an error, and only 51 access roads were surveyed. |
| 4. Section 4.3.3.2 states "17 newly recorded resources and 2 previously recorded structures remain unevaluated for listing in the NRHP pending additional background research; recommendations will be included in the historic structures survey report." Table 4.3-4 lists these sites as "unevaluated" with an Applicant recommendation of "No further action." Resolve the apparent discrepancy. | Section 4.3.3.2 and table 4.3-4 have been updated |
| 5. Clarify whether the historic "MILW" railroads listed in appendix 8D would be crossed by the Project. If so, include a discussion of the railroads in Resource Report 4. In addition, neither the archaeological or architectural survey reports identify any historic railroads as being crossed by the Project. Please clarify this and indicate whether additional studies would be required. If so, provide the resulting report and the North Dakota State Historic Preservation Office's (SHPO) comments on the report. | <p>The Chicago, Milwaukee, St. Paul and Pacific Railroad, commonly referred to as the Milwaukee Road and identified as MILW in Resource Report 8, crosses the Project at mileposts 53.7 and 54.2. The Geographical Information System data used for Resource Report 8 had an incorrect location for this railroad.</p> <p>This railroad is not recorded in the archaeological or historic structures report per SHPO guidance but information will be included in the background information of the revised report (see 11/8/21 email from the SHPO).</p> |

| | |
|--|--|
| <p>6. Provide the SHPO's comments on the Class III Archaeological Inventory Survey Report and the Class III Historic Architectural Survey report.</p> | <p>Section 4.5.1, table 4.5-1, and appendix 4E have been updated with the SHPO comments on the Class III Historic Architectural Survey report.</p> <p>The SHPO has requested comprehensive reports that detail the results of archaeological and historic structures surveys conducted in 2021 and 2022. Comments on these reports will be filed upon receipt from the SHPO.</p> |
| <p>7. Provide the monitoring plan referenced in the Class III Archaeological Inventory Survey Report, and the SHPO's comments on the plan.</p> | <p>A monitoring plan will be drafted and provided to the SHPO and filed with FERC after receipt of the SHPO's comments on the 2021 and 2022 combined survey report.</p> |
| <p>8. Provide a status update for the archaeological and architectural addendum survey reports. When available, provide the reports and the SHPO's comments on the reports.</p> | <p>The SHPO has requested comprehensive reports that detail the results of archaeological and historic structures surveys conducted in 2021 and 2022 rather than submitting addendum survey reports with the 2022 survey results. These reports will be submitted to the SHPO for comments and filed with FERC after the 2022 surveys are complete.</p> <p>Section 4.5.1 has been updated.</p> |
| <p>9. Indicate whether a geomorphological field assessment (noted in section 4.1.3) would be required. If so, provide the geomorphological assessment report and the SHPO's comments on the report.</p> | <p>A geomorphological field assessment will be conducted in 2022. A geomorphological assessment report will be submitted to the SHPO and filed with FERC upon completion of the assessment. 4.3.1.1 has been updated.</p> |
| <p>10. Provide all previously unfiled correspondence to and from the Native American tribes contacted. Ensure that any tribe requesting additional information or the survey report(s) (e.g., Northern Arapaho Tribe) receives them. Provide the transmittal letters and any resulting comments. Provide a status update on tribal communications.</p> | <p>Section 4.5.2, table 4.5-2, and appendix 4F have been updated with tribal communications.</p> |
| <p>11. Revise the Plan for Unanticipated Discovery of Cultural Resources and Human Remains during Construction (appendix 4G) as follows. Provide the revised plan:</p> <ul style="list-style-type: none"> a. in section 5.0, #4, line 3, change "the FERC will consult" to "WBI will assist the FERC in consulting the" and delete "WBI Energy" after "(e.g.;" b. in section 5.0, #7, line 3, delete "written;" and c. in section 6.0, update the FERC Archaeologist contact to: Laurie Boros, 202-502-8046, laurie.boros@ferc.gov. | <p>The Unanticipated Discovery Plan has been updated and is included in appendix 4G.</p> |
| <p>12. Provide any SHPO comments on the Plan for Unanticipated Discovery of Cultural Resources and Human Remains during Construction.</p> | <p>No comments on the Unanticipated Discovery of Historic Properties or Human Remains during Construction have been received to date. Comments will be filed with FERC when received.</p> |

| | |
|--|--|
| <p>13. Clarify the following regarding the Class III Archaeological Inventory Survey Report:</p> <ul style="list-style-type: none"> a. the Abstract, page 3, table 5.3-1, and page 111 indicate that four sites would require fencing and monitoring, while the Chapter 5 text has five sites requiring fencing and monitoring (site 32CS5350 appears to be missing from the former cited sections/pages); b. page 29 indicates the site (32CS5350) at the Kindred yard would be matted, while the Chapter 5 text (page 57) indicates fencing and monitoring; and c. the report indicates that 52 access roads were surveyed. However, the appendix A mapping appears to depict only approximately 10 access roads (in addition, access roads are not depicted in the key). | <p>The Class III Archaeological Inventory Survey Report will be revised to incorporate these comments.</p> <p>Most of the access roads are so small they are not apparent at the scale of the overview survey maps included in report appendix A. They are visible on the detailed maps included in report appendices B and C.</p> |
| <p>14. Clarify the following regarding the Class III Historic Architectural Survey report:</p> <ul style="list-style-type: none"> a. table 5.2-1 lists resource 32RI915 as unevaluated, however, page 33 recommends the resource as potentially eligible under criteria A and B (this would also need updating in Resource Report 4, as appropriate); b. for resources 32RI916, 32RI918, and 32RI920, the "Assessment of Effects" texts indicate the pipeline corridor "intersects" the property, but then states the resource is located about 1,200, 1,690, and 420 feet away from the Project corridor, respectively. The appendix B figures (85, 104, and 116, respectively) indicate the pipeline corridor does not cross the "property boundary" for any of these resources; and c. the appendix A mapping depicts some of the resources (e.g., 32CS5119, 32CS5283, 32CS5284, 32RI813) as both previously recorded (square) and newly recorded (triangle), and some resources as not eligible (32RI915 through 920) while the text has them as unevaluated. | <p>The <i>Class III Historic Architectural Survey</i> will be revised to incorporate these comments.</p> |

**WBI ENERGY TRANSMISSION, INC.
WAHPETON EXPANSION PROJECT
RESOURCE REPORT 4—CULTURAL RESOURCES**

TABLE OF CONTENTS

| | | |
|------------|--|------------|
| 4.0 | RESOURCE REPORT 4—CULTURAL RESOURCES | 4-1 |
| 4.1 | AREA OF POTENTIAL EFFECTS | 4-1 |
| 4.2 | BACKGROUND RESEARCH | 4-2 |
| 4.2.1 | Previously Recorded Cultural Resource Surveys | 4-2 |
| 4.2.2 | Previously Recorded Archaeological Sites | 4-2 |
| 4.2.3 | Previously Recorded Historic Architectural Resources | 4-5 |
| 4.2.4 | Previously Recorded Cemeteries | 4-6 |
| 4.3 | CULTURAL RESOURCE SURVEYS | 4-6 |
| 4.3.1 | Methodology | 4-6 |
| 4.3.1.1 | Archaeological Survey Methodology | 4-6 |
| 4.3.1.2 | Historic Architectural Resources Survey Methodology | 4-7 |
| 4.3.2 | Cultural Resource Survey Status | 4-7 |
| 4.3.2.1 | Archaeological Resources Survey Status | 4-7 |
| 4.3.2.2 | Historic Architectural Resources Survey Status | 4-8 |
| 4.3.3 | Survey Results | 4-9 |
| 4.3.3.1 | Archaeological Resources | 4-9 |
| 4.3.3.2 | Historic Architectural Resources | 4-10 |
| 4.4 | SCHEDULE FOR COMPLETING OUTSTANDING STUDIES | 4-11 |
| 4.5 | STATUS OF CONSULTATIONS AND COMMUNICATIONS | 4-12 |
| 4.5.1 | State Historic Preservation Office | 4-12 |
| 4.5.2 | Federally Recognized Indian Tribes | 4-14 |
| 4.5.3 | Other Stakeholders | 4-18 |
| 4.6 | UNANTICIPATED DISCOVERIES PLAN | 4-18 |
| 4.7 | CUMULATIVE IMPACTS | 4-18 |
| 4.8 | REFERENCES | 4-20 |

LIST OF TABLES

| | | |
|-------------|--|------|
| Table 4.2-1 | Previously Recorded Archaeological Sites within 2 miles of the Project | 4-2 |
| Table 4.2-2 | Previously Recorded Historic Architectural Resources within 2 miles of the Project | 4-5 |
| Table 4.3-1 | Archaeological Resources Survey Status | 4-7 |
| Table 4.3-2 | Historic Architectural Resources Survey Status | 4-9 |
| Table 4.3-3 | Archaeological Resources Identified | 4-10 |
| Table 4.3-4 | Historic Architectural Resources Identified | 4-11 |
| Table 4.5-1 | Communications with the State Historical Society of North Dakota | 4-13 |
| Table 4.5-2 | Communications with Federally Recognized Indian Tribes | 4-15 |

APPENDICES

| | |
|-------------|--|
| Appendix 4A | Previously Recorded Cultural Resource Surveys |
| Appendix 4B | Class III Archaeology Reports (<i>filed under separate cover in volume Iv as Controlled Unclassified Information / Privileged and Confidential [CUI//PRIV]</i>) |
| Appendix 4C | Cultural Resources Survey Coverage Overview Maps (<i>filed under separate cover in volume IV as Controlled Unclassified Information / Privileged and Confidential [CUI//PRIV]</i>) |
| Appendix 4D | Class III Historic Structures Survey Report |
| Appendix 4E | Copies of Correspondence with State Historical Society of North Dakota |
| Appendix 4F | Copies of Correspondence with Federally Recognized Indian Tribes |
| Appendix 4G | Plan for Unanticipated Discovery of Historic Properties or Human Remains during Construction |

ACRONYMS AND ABBREVIATIONS

| | |
|------------|---|
| APE | area of potential effects |
| CFR | Code of Federal Regulations |
| FERC | Federal Energy Regulatory Commission |
| MDU | Montana-Dakota Utilities Company |
| MP | milepost |
| NDDOT | North Dakota Department of Transportation |
| NRHP | National Register of Historic Places |
| Project | Wahpeton Expansion Project |
| RFFA | reasonably foreseeable future action |
| SHPO | State Historic Preservation Officer |
| SHSND | State Historical Society of North Dakota |
| THPO | Tribal Historic Preservation Officer |
| UDP | Unanticipated Discovery of Historic Properties or Human Remains during Construction |
| WBI Energy | WBI Energy Transmission, Inc. |

**WBI ENERGY TRANSMISSION, INC.
WAHPETON EXPANSION PROJECT**

4.0 RESOURCE REPORT 4—CULTURAL RESOURCES

WBI Energy Transmission, Inc. (WBI Energy) proposes to construct, modify, operate, and maintain the Wahpeton Expansion Project (Project). The Project will involve the construction of approximately 60.5 miles of 12-inch-diameter natural gas transmission pipeline from WBI Energy's existing Mapleton Compressor Station near Mapleton, North Dakota to a new Montana-Dakota Utilities Company (MDU)—Wahpeton Border Station near Wahpeton, North Dakota. The Project will also include minor modifications at the Mapleton Compressor Station; a new MDU—Kindred Border Station near Kindred, North Dakota; new block valve settings; and new pig launcher/receiver settings. The Project may also include newly constructed farm taps along the pipeline route. The proposed Project facilities will be located in Cass and Richland Counties, North Dakota. Figure 1.1-1 of Resource Report 1 provides an overview of the proposed pipeline and associated facilities.

In accordance with Title 18 of the Code of Federal Regulations (CFR) Part 380.12(f), Resource Report 4 describes the extent and types of cultural resources—including any historic properties, which may be affected by the construction and operation of the proposed Project. Section 106 of the National Historic Preservation Act of 1966, as amended, requires federal agencies to take into account the effects of their undertakings on historic properties, which are prehistoric or historic districts, sites, buildings, structures, or objects listed in or eligible for listing in the National Register of Historic Places (NRHP). To assist the Federal Energy Regulatory Commission (FERC) in meeting this obligation and in accordance with 36 CFR 800.2(c)(4), WBI Energy is coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

4.1 Area of Potential Effects

As defined by 36 CFR 800.16(d), the area of potential effects (APE) is the “geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties.” This includes the construction footprint, the direct APE, and/or the indirect APE that could be affected by the introduction of visual or atmospheric and, in some cases, physical elements that would alter a property's setting and feeling.

The Project's APE for direct effects is limited to the area where ground disturbance will, or could, take place—including the proposed pipeline corridor, associated workspace, and the footprints of aboveground facility sites, access roads, and other work areas.

The Project's APE for indirect effects includes areas within line-of-sight of potential Project changes derived from construction or clearing of vegetation, extending up to a maximum of 0.5 mile from the pipeline corridor and each proposed facility. The APE for indirect (visual) effects from changes to the setting resulting from the proposed Project varies along the extent of the Project according to the topography, the nature of the proposed facilities, and whether tree cover is present that would be removed for construction.

4.2 Background Research

WBI Energy conducted a Class I literature search at the State Historical Society of North Dakota (SHSND) within a study area encompassing a 4-mile-wide corridor (2 miles on either side of the Project centerline) and within 1 mile of Project facilities (e.g., staging areas) outside this corridor. This literature search identified previously recorded archaeological sites and isolated finds, historic structures, and site leads¹ and identified previous inventories within the study area.

4.2.1 Previously Recorded Cultural Resource Surveys

The background research identified 90 previously conducted surveys within 2 miles of the Project. Appendix 4A includes the list of these previously recorded surveys.

4.2.2 Previously Recorded Archaeological Sites

The background research identified 31 previously recorded site leads and 85 archaeological sites/isolated finds within 2 miles of the Project. Table 4.2-1 lists these previously recorded sites.

| Site Number | Site Type | NRHP Eligibility |
|-------------|----------------------------------|------------------|
| 32CS109 | Architecture; Historic | Unevaluated |
| 32CS110 | Architecture; Historic | Unevaluated |
| 32CS111 | Architecture; Historic | Unevaluated |
| 32CS112 | Architecture; Historic | Unevaluated |
| 32CS120 | Architecture; Historic | Unevaluated |
| 32CS4463 | Architecture; Historic | Unevaluated |
| 32CS4465 | Architecture; Historic | Unevaluated |
| 32CS4560* | Archaeological Site; Historic | Unevaluated |
| 32CS4676 | Archaeological Site; Prehistoric | Unevaluated |
| 32CS4677* | Archaeological Site; Prehistoric | Unevaluated |
| 32CS47 | Architecture; Historic | Unevaluated |
| 32CS4971 | Architecture; Historic | Unevaluated |
| 32CS4984 | Architecture; Historic | Unevaluated |
| 32CS5052* | Archaeological Site; Prehistoric | Unevaluated |
| 32CS5113* | Architecture; Historic | Unevaluated |
| 32CS5114* | Archaeological Site; Historic | Unevaluated |
| 32CS5119 | Architecture; Historic | Unevaluated |
| 32CS5130* | Archaeological Site; Historic | Unevaluated |
| 32CS5131* | Archaeological Site; Prehistoric | Unevaluated |
| 32CS5132* | Archaeological Site; Historic | Unevaluated |
| 32CS5133* | Archaeological Site; Historic | Unevaluated |
| 32CS5135 | Archaeological Site; Prehistoric | Unevaluated |
| 32CS5145* | Archaeological Site; Historic | Unevaluated |

¹ Site leads are defined by the state of North Dakota as areas containing cultural resources identified by a landowner or another non-professional; an area with five or less artifacts visible on the surface that may have intact subsurface cultural deposits; or architectural sites that have not been fully recorded due to being located outside of a given project area or where property access has been denied (SHSND, 2020).

TABLE 4.2-1

**Wahpeton Expansion Project
Previously Recorded Archaeological Sites within 2 miles of the Project**

| Site Number | Site Type | NRHP Eligibility |
|-------------|----------------------------------|------------------------|
| 32CS5148* | Archaeological Site; Prehistoric | Unevaluated |
| 32CS5172* | Archaeological Site; Prehistoric | Unevaluated |
| 32CS5190* | Architecture; Historic | Unevaluated |
| 32CS5192* | Archaeological Site; Historic | Unevaluated |
| 32CS5249* | Architecture; Historic | Unevaluated |
| 32CS5259* | Architecture; Historic | Unevaluated |
| 32CS5260* | Architecture; Historic | Unevaluated |
| 32CS5261* | Archaeological Site; Historic | Unevaluated |
| 32CS5278* | Architecture; Historic | Unevaluated |
| 32CS5283 | Architecture; Historic | Unevaluated |
| 32CS5284 | Architecture; Historic | Unevaluated |
| 32CS5285* | Architecture; Historic | Unevaluated |
| 32CS5303 | Architecture; Historic | Unevaluated |
| 32CS5322 | Architecture; Historic | Unevaluated |
| 32CS5345* | Archaeological Site; Historic | Unevaluated |
| 32CSX10 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32CSX181 | Archaeological Site; Prehistoric | Ineligible |
| 32CSX209 | Archaeological Site; Prehistoric | Unevaluated- Site Lead |
| 32CSX211 | Archaeological Site; Prehistoric | Unevaluated- Site Lead |
| 32CSX341 | Archaeological Site; Prehistoric | Ineligible |
| 32CSX35 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32CSX353 | Archaeological Site; Prehistoric | Ineligible |
| 32CSX359 | Archaeological Site; Prehistoric | Ineligible |
| 32CSX36 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32CSX361 | Archaeological Site; Prehistoric | Ineligible |
| 32CSX388 | Architecture; Historic | Unevaluated |
| 32CSX401 | Archaeological Site; Prehistoric | Ineligible |
| 32CSX416 | Architecture; Historic | Unevaluated |
| 32CSX417 | Architecture; Historic | Unevaluated |
| 32CSX418 | Architecture; Historic | Unevaluated |
| 32CSX419 | Architecture; Historic | Unevaluated |
| 32CSX6 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32CSX7 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32CSX70 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32CSX71 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32CSX72 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32CSX73 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32CSX74 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32CSX8 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32CSX9 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32CSX97 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32CSX98 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32RI669 | Architecture; Historic | Unevaluated |
| 32RI672 | Architecture; Historic | Unevaluated |
| 32RI684 | Architecture; Historic | Unevaluated |
| 32RI685 | Architecture; Historic | Unevaluated |
| 32RI7 | Cemetery; Historic | Listed |

TABLE 4.2-1

**Wahpeton Expansion Project
Previously Recorded Archaeological Sites within 2 miles of the Project**

| Site Number | Site Type | NRHP Eligibility |
|-------------|----------------------------------|------------------------|
| 32RI717* | Architecture; Historic | Unevaluated |
| 32RI720 | Archaeological Site; Historic | Unevaluated |
| 32RI722* | Archaeological Site; Prehistoric | Unevaluated |
| 32RI742 | Architecture; Historic | Unevaluated |
| 32RI744* | Architecture; Historic | Unevaluated |
| 32RI755 | Architecture; Historic | Unevaluated |
| 32RI756 | Architecture; Historic | Ineligible |
| 32RI758 | Architecture; Historic | Unevaluated |
| 32RI760 | Architecture; Historic | Unevaluated |
| 32RI763 | Architecture; Historic | Unevaluated |
| 32RI767 | Architecture; Historic | Unevaluated |
| 32RI768 | Architecture; Historic | Unevaluated |
| 32RI769 | Architecture; Historic | Unevaluated |
| 32RI780* | Archaeological Site; Prehistoric | Unevaluated |
| 32RI781* | Archaeological Site; Prehistoric | Unevaluated |
| 32RI789* | Architecture; Historic | Unevaluated |
| 32RI808* | Archaeological Site; Historic | Unevaluated |
| 32RI813 | Architecture; Historic | Ineligible |
| 32RI814 | Architecture; Historic | Ineligible |
| 32RI841* | Architecture; Historic | Unevaluated |
| 32RI843* | Architecture; Historic | Unevaluated |
| 32RI850* | Architecture; Historic | Unevaluated |
| 32RI851 | Architecture; Historic | Unevaluated |
| 32RI852 | Architecture; Historic | Unevaluated |
| 32RI854 | Architecture; Historic | Unevaluated |
| 32RIX104 | Archaeological Site; Prehistoric | Ineligible |
| 32RIX364 | Archaeological Site; Prehistoric | Ineligible |
| 32RIX368 | Architecture; Historic | Unevaluated |
| 32RIX387 | Archaeological Site; Prehistoric | Ineligible |
| 32RIX43 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32RIX45 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32RIX46 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32RIX56 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32RIX58 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32RIX59 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32RIX60 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32RIX61 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32RIX62 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32RIX65 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32RIX66 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32RIX74 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32RIX75 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32RIX78 | Archaeological Site; Historic | Unevaluated- Site Lead |
| 32RIX90 | Archaeological Site; Prehistoric | Ineligible |
| 32RIX93 | Archaeological Site; Prehistoric | Ineligible |

4.2.3 Previously Recorded Historic Architectural Resources

The literature search identified 52 previously recorded historic architectural sites and one historic structure site lead within 2 miles of the Project. Table 4.2-2 lists these previously recorded historic architectural resources.

| TABLE 4.2-2 Wahpeton Expansion Project Previously Recorded Historic Architectural Resources within 2 miles of the Project | | |
|---|--|------------------|
| Site Number | Description | NRHP Eligibility |
| 32CS109 | Immanuel German Lutheran Church and Cemetery | Unevaluated |
| 32CS110 | Kindred Lutheran Church | Unevaluated |
| 32CS111 | Calvary United Methodist Church | Unevaluated |
| 32CS112 | Norman Evangelical Church | Unevaluated |
| 32CS120 | First Presbyterian Church | Unevaluated |
| 32CS4463 | Bridge | Unevaluated |
| 32CS4465 | Bridge | Unevaluated |
| 32CS47 | Burlington Northern Railroad; Burlington Northern Santa Fe Railroad; Northern Pacific Railroad | Unevaluated |
| 32CS4971 | St. Maurice's Catholic Church | Unevaluated |
| 32CS4984 | Bonanza Pioneer Village; St. John's Lutheran Church | Unevaluated |
| 32CS5113 | Historic canal segments | Unevaluated |
| 32CS5119 | McKinnon House | Unevaluated |
| 32CS5190 | Burlington Northern Santa Fe Railway | Unevaluated |
| 32CS5249 | Bridge | Unevaluated |
| 32CS5259 | Bridge | Unevaluated |
| 32CS5260 | Wood shed | Unevaluated |
| 32CS5278 | Water tower and associated buildings | Unevaluated |
| 32CS5283 | Utility building | Ineligible |
| 32CS5284 | Historic house | Unevaluated |
| 32CS5285 | Historic house | Unevaluated |
| 32CS5303 | Drainage ditch | Unevaluated |
| 32CS5322 | Mapleton Water Tower | Unevaluated |
| 32CSX388 | Kindred Farmers Elevator Co. | Unevaluated |
| 32CSX416 | Historic house | Unevaluated |
| 32CSX417 | Historic house | Unevaluated |
| 32CSX418 | Historic house | Unevaluated |
| 32CSX419 | Historic house | Unevaluated |
| 32RI669 | Walcott Lutheran Church | Unevaluated |
| 32RI672 | Our Savior Lutheran Church | Unevaluated |
| 32RI684 | Galchutt Lutheran Church | Unevaluated |
| 32RI685 | Bethany Lutheran Church and Cemetery | Unevaluated |
| 32RI7 | St. John's Lutheran Church / South Wild Rice Church and Cemetery | Listed |
| 32RI717 | Bridge | Unevaluated |
| 32RI742 | Bridge | Unevaluated |
| 32RI744 | Bridge | Unevaluated |
| 32RI755 | Bridge | Unevaluated |
| 32RI756 | Bridge | Unevaluated |
| 32RI758 | Bridge | Unevaluated |
| 32RI760 | Bridge | Unevaluated |
| 32RI763 | Bridge | Unevaluated |

TABLE 4.2-2

**Wahpeton Expansion Project
Previously Recorded Historic Architectural Resources within 2 miles of the Project**

| Site Number | Description | NRHP Eligibility |
|-------------|---|------------------|
| 32RI767 | Bridge | Unevaluated |
| 32RI768 | Bridge | Unevaluated |
| 32RI769 | Bridge | Unevaluated |
| 32RI789 | Bridge | Unevaluated |
| 32RI813 | Bridge | Ineligible |
| 32RI814 | Bridge | Ineligible |
| 32RI841 | Bridge | Unevaluated |
| 32RI843 | Bridge | Unevaluated |
| 32RI850 | Bridge | Unevaluated |
| 32RI851 | Bridge | Unevaluated |
| 32RI852 | Walcott Bank | Unevaluated |
| 32RI854 | Walcott Mercantile | Unevaluated |
| 32RIX368 | Historic resource site lead (Walcott Gymnasium) | Unevaluated |

4.2.4 Previously Recorded Cemeteries

The literature search identified three previously recorded cemeteries associated with churches (32CS109, 32RI685, and 32RI7) within 2 miles of the Project (see table 4.2-2), but they are not located within the APE.

4.3 Cultural Resource Surveys

4.3.1 Methodology

The cultural resources survey methodology follows the SHSND's *North Dakota SHPO Guidelines Manual for Cultural Resource Inventory Projects* (2020) and is described in the North Dakota State Historic Preservation Officer (SHPO) approved Class III Archaeological and Historic Architectural Inventory Work Plan.

4.3.1.1 Archaeological Survey Methodology

For the archaeological survey, WBI Energy examined a 300-foot-wide corridor along the pipeline route, a 50-foot-wide corridor along access roads, and the construction footprints for other facilities and staging areas. Field methods consisted of a combination of pedestrian reconnaissance and shovel testing. Pedestrian reconnaissance was conducted in all survey areas on survey transects spaced 15 meters apart. In previously disturbed areas with poor surface visibility, shovel tests were excavated at every 100 meters along two survey transects and supplemented by judgmental and/or systematic shovel testing on high probability landforms. In locations where ground surface visibility exceeded 25 percent, shovel tests were excavated judgmentally or along systematic transects at the discretion of the crew.

Geomorphology

A desktop geomorphological assessment of the APE for archaeological resources was completed in 2022. A follow-up field assessment that includes testing in areas with the potential

to contain deeply buried archaeological sites will be conducted in 2022. A geomorphological assessment survey report will be submitted to the SHPO and filed with FERC upon completion.

4.3.1.2 Historic Architectural Resources Survey Methodology

Teams of architectural historians surveyed the indirect APE for the historic structures survey. Field methods consisted of a combination of windshield and pedestrian survey to document historic structures along, and near, the Project pipeline route and facilities. If access to a property was not granted, observations were limited to what could be obtained from the nearest public road. Sufficient information was gathered on resources to determine eligibility for listing on the NRHP and what effect the proposed undertaking might have on a resource determined to be eligible.

Architectural historians recorded properties determined to be 50 years or older including buildings, engineering structures like bridges and railroads, cemeteries, monuments, and other sites that meet National Park Service guidelines. A resource was defined by its architectural components and was defined to encompass the buildings and structures themselves and other elements of the built environment in the immediate vicinity.

4.3.2 Cultural Resource Survey Status

4.3.2.1 Archaeological Resources Survey Status

As of this filing, 53.2 of 60.5 miles (88 percent) of the pipeline survey corridor, the Mapleton Compressor Station, four out of five construction yards, and 67 access roads have been surveyed for archaeological resources. Due to reroutes and workspace adjustments incorporated after the 2021 field season, 7.3 miles (12 percent) of the pipeline survey corridor, a portion of the MDU—Kindred Border Station, the MDU—Wahpeton Border Station, one construction yard, and 20 access roads have not yet been surveyed for archaeological resources. The Project archaeological survey status is summarized in table 4.3-1.

| TABLE 4.3-1 | | | |
|--|---------------|------|---------------|
| Wahpeton Expansion Project Archaeological Resources Survey Status | | | |
| Facility/County | Milepost (MP) | | Survey Status |
| | Start | End | |
| Pipeline Facilities | | | |
| Cass County | 0.0 | 9.7 | Surveyed |
| | 9.7 | 10.3 | Pending |
| | 10.3 | 10.7 | Surveyed |
| | 10.7 | 11.7 | Pending |
| | 11.7 | 14.7 | Surveyed |
| | 14.7 | 14.8 | Pending |
| | 14.8 | 19.7 | Surveyed |
| | 19.7 | 19.8 | Pending |
| | 19.8 | 21.8 | Surveyed |
| | 21.8 | 23.3 | Pending |
| | 23.3 | 24.7 | Surveyed |

| TABLE 4.3-1 | | | |
|---|----------------------|------------|-------------------------|
| Wahpeton Expansion Project Archaeological Resources Survey Status | | | |
| Facility/County | Milepost (MP) | | Survey Status |
| | Start | End | |
| Richland County | 24.7 | 26.8 | Surveyed |
| | 26.8 | 28.2 | Pending |
| | 28.2 | 30.3 | Surveyed |
| | 30.3 | 30.4 | Pending |
| | 30.4 | 30.8 | Surveyed |
| | 30.8 | 30.9 | Pending |
| | 30.9 | 50.8 | Surveyed |
| | 50.8 | 51.4 | Pending |
| | 51.4 | 58.7 | Surveyed |
| | 58.7 | 60.5 | Pending |
| Aboveground Facilities | | | |
| Mapleton Compressor Station | 0.0 | 0.0 | Surveyed |
| MDU—Kindred Border Station | 23.4 | 23.4 | Pending |
| MDU—Wahpeton Border Station | 60.5 | 60.5 | Pending |
| Kost Yard | N/A | N/A | Surveyed |
| Kindred Yard | N/A | N/A | Surveyed |
| Comstock South Yard | N/A | N/A | Surveyed |
| Comstock North Yard | N/A | N/A | Surveyed |
| Wahpeton City Yard | N/A | N/A | Pending |
| Access Roads | N/A | N/A | 67 surveyed, 20 pending |
| Note: N/A = not applicable The Comstock South Yard (formally the Wahpeton Yard) and the Comstock North Yard (formally the Comstock Yard) were renamed after the submittal of the draft resource reports. | | | |

4.3.2.2 Historic Architectural Resources Survey Status

As of this filing, 58.8 miles (97.0 percent) of the pipeline, the Mapleton Compressor Station, MDU—Kindred Border Station, four out of five construction yards, and 85 access roads have been surveyed for historic structures. Due to reroutes and workspace adjustments incorporated after the 2021 field season, 0.7 mile (3.0 percent) of the pipeline, the MDU—Wahpeton Border Station, one construction yard, and two access roads have not yet been surveyed for historic architectural resources. Table 4.3-2 summarizes the Project historic structures survey status.

| TABLE 4.3-2 | | | |
|---|---------------|------|------------------------|
| Wahpeton Expansion Project Historic Architectural Resources Survey Status | | | |
| Facility/County | Milepost (MP) | | Survey Status |
| | Start | End | |
| Pipeline Facilities | | | |
| Cass County | 0.0 | 24.7 | Surveyed |
| Richland County | 24.7 | 58.8 | Surveyed |
| | 58.8 | 60.5 | Pending |
| Aboveground Facilities | | | |
| Mapleton Compressor Station | 0.0 | 0.0 | Surveyed |
| MDU—Kindred Border Station | 23.4 | 23.4 | Surveyed |
| MDU—Wahpeton Border Station | 60.5 | 60.5 | Pending |
| Kost Yard | N/A | N/A | Surveyed |
| Kindred Yard | N/A | N/A | Surveyed |
| Comstock South Yard | N/A | N/A | Surveyed |
| Comstock North Yard | N/A | N/A | Surveyed |
| Wahpeton City Yard | N/A | N/A | Pending |
| Access Roads | N/A | N/A | 85 surveyed, 2 pending |
| Note: N/A = not applicable The Comstock South Yard (formally the Wahpeton Yard) and the Comstock North Yard (formally the Comstock Yard) were renamed after the submittal of the draft resource reports. | | | |

4.3.3 Survey Results

4.3.3.1 Archaeological Resources

As of this filing, 10 archaeological sites, nine isolated finds, and no resources associated with site leads have been documented during archaeological surveys for the Project. Of these, one archaeological site contains prehistoric materials, eight archaeological sites contain historic materials, and one archaeological site contains both prehistoric and historic materials. Table 4.3-3 provides a summary information on the sites.

The nine isolated finds are recommended as not eligible for listing on the NRHP and the eligibility of the 10 archaeological sites is unevaluated. Following the identification of these 10 sites, WBI Energy adopted route and/or workspace adjustments so that all 10 unevaluated sites are now located 50 feet or more from the construction footprint for the Project. Because these sites will not be affected by Project construction activities, no additional work at the sites is recommended.

Appendix 4B, previously filed March 11, 2022, provides a Class III report describing the results of the archaeological survey and appendix 4C provides survey results maps. Because appendices 4B and 4C contain location, character, and ownership information for archaeological sites, they are filed under separate cover in Volume IV as Controlled Unclassified

Information/Privileged and Confidential (CUI//PRIV) and are marked "CUI//PRIV – DO NOT RELEASE".

| TABLE 4.3-3 Wahpeton Expansion Project Archaeological Resources Identified | | | | |
|--|---------------------------------------|------------------------------|-----------------------------|-----------------|
| Site Number | Resource Type | Applicant NRHP Assessment | Applicant Recommendation | SHPO Comment |
| 32CS4676 | Prehistoric artifact scatter | Unevaluated | Avoid | Pending |
| 32RI912 | Prehistoric/historic artifact scatter | Unevaluated | Avoid | Pending |
| 32RI907 | Historic artifact scatter | Unevaluated | Avoid | Pending |
| 32RI908 | Historic artifact scatter and feature | Unevaluated | Avoid | Pending |
| 32RI909 | Historic artifact scatter and feature | Unevaluated | Avoid | Pending |
| 32CS5350 | Historic artifact scatter | Unevaluated | Avoid | Pending |
| 32CS5351 | Historic artifact scatter | Unevaluated | Avoid | Pending |
| 32RI910 | Historic artifact scatter | Unevaluated | Avoid | Pending |
| 32RI911 | Historic artifact scatter | Unevaluated | Avoid | Pending |
| 32CS5352 | Historic artifact scatter | Unevaluated | Avoid | Pending |
| 32RIX390 | Prehistoric/historic isolated find | Not eligible | No further action | Pending |
| 32RIX391 | Prehistoric isolated find | Not eligible | No further action | Pending |
| 32RIX392 | Prehistoric isolated find | Not eligible | No further action | Pending |
| 32CSX424 | Prehistoric isolated find | Not eligible | No further action | Pending |
| 32CSX393 | Prehistoric isolated find | Not eligible | No further action | Pending |
| 32CSX394 | Prehistoric isolated find | Not eligible | No further action | Pending |
| 32CSX395 | Prehistoric isolated find | Not eligible | No further action | Pending |
| 32CSX396 | Prehistoric isolated find | Not eligible | No further action | Pending |
| 32RIX397 | Prehistoric isolated find | Not eligible | No further action | Pending |

4.3.3.2 Historic Architectural Resources

As of this filing, 18 historic structures and other architectural resources were documented during the historic architectural resources survey for the Project. Three previously recorded structures are recommended as not eligible for listing on the NRHP and no additional work is recommended for these structures. Thirteen newly recorded resources and two previously recorded structures remain unevaluated for listing in the NRHP. There will be no adverse effects to the unevaluated resources and, therefore, no additional work is recommended. Table 4.3-4 provides summary information on these resources. Appendix 4D, previously filed March 11, 2022, provides a Class III report describing the results of the historic structures survey. Appendix 4C, filed under separate cover in Volume IV and marked as "CUI//PRIV – DO NOT RELEASE", provides survey results maps.

TABLE 4.3-4

**Wahpeton Expansion Project
Historic Architectural Resources Identified**

| Site Number | Date of Construction | Resource Type/Name | Applicant NRHP Assessment | Applicant Recommendation | SHPO Comment |
|-------------|----------------------|---|---------------------------|---|--------------|
| 32CS5283 | circa 1960 | Animal shelter and corral | Not eligible | No further action | Pending |
| 32CS5284 | circa 1950 | Bishop Farm | Unevaluated | No adverse effect; no further action | Pending |
| 32CS5119 | circa 1930 | Outbuilding | Unevaluated | No adverse effect; no further action | Pending |
| 32CS5353 | circa 1960 | Bridge | Unevaluated | No adverse effect; no further action | Pending |
| 32CS5354 | circa 1910 | Granary and grain bins | Unevaluated | No adverse effect; no further action | Pending |
| 32CS5355 | circa 1910 | Vernacular dwelling and farmstead | Unevaluated | No adverse effect; no further action | Pending |
| 32CS5356 | circa 1930 | Ranch dwelling and farmstead | Unevaluated | No adverse effect; no further action | Pending |
| 32CS5357 | circa 1960 | Oil tanks and associated machinery | Unevaluated | No adverse effect; no further action | Pending |
| 32CS5358 | circa 1880–1920 | Plain Residential-style dwelling and farmstead—no longer extant | Unevaluated | No adverse effect; no further action | Pending |
| 32CS5359 | circa 1930 | Vernacular dwelling and farmstead | Unevaluated | No adverse effect; no further action | Pending |
| 32RI813 | 1936 | Bridge | Not eligible | No further action | Pending |
| 32RI814 | 1948 | Bridge | Not eligible | No further action | Pending |
| 32RI915 | circa 1960 | Minimal Traditional dwelling and farmstead | Unevaluated | No adverse effect; no further action | Pending |
| 32RI916 | 1908 | Minimal Traditional dwelling and outbuildings | Unevaluated | No adverse effect; no further action | Pending |
| 32RI917 | 1911 | Vernacular dwelling with farmstead | Unevaluated | No adverse effect; no further action | Pending |
| 32RI918 | circa 1960 | Hage Farm; Residence and farmstead | Unevaluated | No adverse effect; no further action | Pending |
| 32RI919 | circa 1960 | Minimal Traditional dwelling and farmstead | Unevaluated | No adverse effect; no further action | Pending |
| 32RI920 | circa 1960 | Vernacular dwelling with outbuildings | Unevaluated | No adverse effect; no further action | Pending |

4.4 Schedule for Completing Outstanding Studies

WBI Energy anticipates completing an archaeological survey of pipeline route revisions that were adopted after the conclusion of the 2021 survey season in 2022. Per the SHPO's request, archaeological and historic architecture survey reports combining results of surveys conducted in 2021 and 2022 will be prepared and submitted as single reports upon completion of the 2022 surveys. Both reports will be filed with FERC and submitted to the SHPO when complete. At this time, appendices 4B and 4D contain the previous versions of the survey reports filed as part of the draft resource reports.

4.5 Status of Consultations and Communications

4.5.1 State Historic Preservation Office

The SHSND is the agency within North Dakota responsible for protecting historic properties and the North Dakota SHPO, within the Archaeology and Historic Preservation Division of the SHSND, reviews federal projects under Section 106 of the NHPA.

WBI Energy's communications through May 15, 2022 with the SHPO are summarized below and included in table 4.5-1. Appendix 4E provides copies of correspondence between WBI Energy and the SHPO. Future correspondence with the SHPO will be submitted to FERC when received.

- WBI Energy sent a survey work plan to the SHPO for review and comment on September 8, 2021.
- WBI Energy sent an introductory Project letter to the SHPO on September 13, 2021. The letter included a Project description and overview map.
- WBI Energy and the SHPO discussed modifications to the survey work plan in phone calls and emails between September 21 and 30, 2021.
- WBI Energy provided a revised survey work plan to the SHPO on September 30, 2021. The SHPO concurred with the work plan in an email to WBI Energy dated October 1, 2021.
- The SHPO sent an email to WBI Energy on November 8, 2021, confirming updated or abandoned railroads (tracks or grades) do not need to be recorded during survey.
- WBI Energy called the SHPO on February 3, 2022, to discuss options for avoiding a site and agreed that maintaining a 50-foot buffer would be appropriate.
- WBI Energy sent a draft Plan for Unanticipated Discovery of Historic Properties or Human Remains during Construction (UDP) to the SHPO for review and comment on February 10, 2022.
- WBI Energy sent a letter to the SHPO on February 28, 2022, submitting the archaeological and historic structures survey reports.
- The SHPO sent an email to WBI Energy on March 2, 2022, confirming receipt of the archaeological and historic structures survey reports.
- WBI Energy called the SHPO on March 3, 2022 to discuss a site lead. The SHPO requested the site lead information be provided in an email rather than added to the survey report.
- WBI Energy sent an email to the SHPO on March 3, 2022, transmitting information on the site lead previously discussed in a phone call.

- The SHPO sent an email to WBI Energy on March 8, 2022, providing comments on the historic structures report.
- The SHPO called WBI Energy on March 26, 2022 to discuss the 2022 field season, confirm a new work plan is not needed, and request that the results of the 2022 field season archaeological and historic architecture surveys be combined with 2021 results and presented in a single survey report for both field seasons.
- WBI Energy sent an email on April 25, 2022 with the revised UDP for review.
- WBI Energy called the SHPO on April 25, 2022 to discuss the status of comments on the archaeological survey report and to confirm that archaeological sites avoided by 50 feet do not require additional work.

TABLE 4.5-1

**Wahpeton Expansion Project
Communications with the State Historical Preservation Office**

| Date | Summary |
|---------|--|
| 9-8-21 | Letter from WBI Energy to the SHPO transmitting a survey work plan for review. |
| 9-13-21 | Introductory Project letter from WBI Energy to the SHPO. |
| 9-21-21 | Email correspondence between WBI Energy and the SHPO discussing the status of review of the survey work plan. |
| 9-23-21 | Phone call from the SHPO to WBI Energy to discuss the survey work plan. |
| 9-23-21 | Email from the SHPO to WBI Energy providing comments on the survey work plan. |
| 9-24-21 | Phone call from the SHPO to WBI Energy to discuss edits to the survey work plan. |
| 9-24-21 | Phone call from WBI Energy to the SHPO to discuss edits to the survey work plan. |
| 9-29-21 | Phone call from the SHPO to WBI Energy to discuss edits to the revised survey work plan and provide contact information for the curation agreement point of contact. |
| 9-30-21 | Phone call from WBI Energy to the SHPO to discuss the curation agreement. |
| 9-30-21 | Upload of revised survey work plan to the SHPO. |
| 10-1-21 | Email from the SHPO to WBI Energy approving the survey work plan. |
| 11-8-21 | Email from the SHPO to WBI Energy confirming abandoned railroads (tracks or grades) do not need to be recorded during survey. |
| 2-3-22 | Phone call from WBI Energy to the SHPO to discuss site avoidance. |
| 2-10-22 | Letter from WBI Energy to the SHPO transmitting the UDP for review. |
| 2-28-22 | Letters from WBI Energy to the SHPO transmitting archaeological and historic structure survey reports. |
| 3-2-22 | Email from the SHPO to WBI Energy confirming receipt of archaeological and historic structure survey reports. |
| 3-3-22 | Phone call from WBI Energy to the SHPO to discuss a site lead. |
| 3-3-22 | Email from WBI Energy to the SHPO transmitting description of site lead previously discussed. |
| 3-8-22 | Email from the SHPO to WBI Energy providing comments on the historic structure survey report. |
| 3-26-22 | Phone call from the SHPO to discuss the 2022 field season, work plan, and archaeological and historic structures survey reports. |
| 4-25-22 | Email from WBI Energy to the SHPO transmitting the revised UDP for review. |
| 4-25-22 | Phone call from WBI Energy to the SHPO to discuss review of archaeological report and site avoidance. |

4.5.2 Federally Recognized Indian Tribes

WBI Energy identified the following 15 federally recognized Indian tribes for communications on the Project:

- Assiniboine and Sioux Tribes of the Fort Peck Reservation
- Cheyenne River Sioux Tribe
- Fort Belknap Indian Community
- Northern Arapaho Tribe
- Northern Cheyenne Tribe
- Oglala Sioux Tribe
- Red Lake Band of Chippewa Indians of Minnesota
- Rosebud Sioux Tribe
- Sisseton-Wahpeton Oyate of the Lake Traverse Reservation
- Spirit Lake Sioux Tribe
- Standing Rock Sioux Tribe
- Three Affiliated Tribes of the Fort Berthold Reservation
- Turtle Mountain Band of Chippewa Indians
- Upper Sioux Community of Minnesota
- Yankton Sioux Tribe

WBI Energy's communications through May 15, 2022 with federally recognized Indian tribes are summarized below and included in table 4.5-2. Appendix 4F provides copies of correspondence between WBI Energy and each tribe. Future communications with tribes will be submitted to FERC upon receipt.

- WBI Energy sent introductory Project letters to 13 tribes on September 13, 2021, and to two additional tribes on September 15, 2021. The letters included a Project description and map and requested comments on the Project's potential to affect cultural resource sites.
- WBI Energy contacted 15 tribes by telephone and/or email between September 24 and 30, 2021 in an effort to confirm each tribe's receipt of the Project introduction letter. The Rosebud Sioux Tribe, Three Affiliated Tribes of the Fort Berthold Reservation,

and Turtle Mountain Band of Chippewa Indians requested an additional copy of the letter, which WBI Energy provided by email.

- In an email dated September 28, 2021, the Northern Cheyenne Tribe requested to be involved with the Project and to participate in cultural resources surveys. On September 28 and October 11, 2021, WBI Energy emailed the Northern Cheyenne Tribe to coordinate tribal participation in survey efforts. On October 21, 2021, WBI Energy contacted the Northern Cheyenne Tribe by telephone to follow up on the previous emails. No response has been received to date.
- In an email dated October 27, 2021, the Northern Arapaho Tribe requested previous cultural resources for review. WBI Energy sent a copy of the background research in a reply email on November 4, 2021. On November 5, 2021, the Northern Arapaho Tribe emailed a letter of determination to WBI Energy indicating there will be an effect on properties of religious and cultural significance, expressing interest in participating in the cultural resource inventory, and requesting to be notified of unanticipated discoveries. In a telephone call on November 29, 2021, the Northern Arapaho Tribe indicated there were sites of concern within the APE; WBI Energy informed the Northern Arapaho Tribe that all identified sites are avoided by the Project. The Northern Arapaho Tribe also requested to be notified of any unanticipated finds, to possibly participate in future surveys, and to receive a copy of the survey reports when complete.
- WBI Energy provided copies of the archaeological and historic structures survey reports to the 15 federally recognized Indian tribes previously contacted on March 1, 2022.
- WBI Energy emailed the Sisseton-Wahpeton Oyate of the Lake Traverse Reservation on March 16, 2022 to follow up to the tribe’s March 15, 2022 email to FERC by providing Project information to confirm receipt of survey reports. On March 24, 2022, the Tribe emailed WBI Energy to confirm receipt of email. WBI Energy called the Tribe on March 24, 2022 to discuss survey status and results; the Tribe requested to participate in future field surveys. On March 29, 2022, WBI Energy emailed the Tribe to set up a call to discuss participation in upcoming field surveys.
- The Northern Cheyenne Tribe emailed WBI Energy on April 8, 2022, indicating the Project would have No Adverse Effect on resources and to request an archaeological monitor be present during ground disturbing activities within archaeological sites and that the tribe be notified of unanticipated finds during construction.

| TABLE 4.5-2 | | |
|--|---------|---|
| Wahpeton Expansion Project Communications with Federally Recognized Indian Tribes | | |
| Tribe | Date | Summary |
| Assiniboine and Sioux Tribes of the Fort Peck Reservation | 9-13-21 | Project introduction letter sent to the Tribal Historic Preservation Officer (THPO) including request for comment on the Project. |
| | 9-24-21 | Follow-up phone call to the THPO—left a voicemail message. |
| | 3-1-22 | Draft survey reports sent to the Tribe for review and comment. |

TABLE 4.5-2

**Wahpeton Expansion Project
Communications with Federally Recognized Indian Tribes**

| Tribe | Date | Summary |
|--|----------|--|
| Cheyenne River Sioux Tribe | 9-13-21 | Project introduction letter sent to the THPO including request for comment on the Project. |
| | 9-28-21 | Follow-up phone call to the THPO. |
| | 3-1-22 | Draft survey reports sent to the Tribe for review and comment. |
| Fort Belknap Indian Community | 9-13-21 | Project introduction letter sent to the THPO including request for comment on the Project. |
| | 9-24-21 | Follow-up phone call to the THPO—unable to leave voicemail message. |
| | 3-1-22 | Draft survey reports sent to the Tribe for review and comment. |
| Northern Arapaho Tribe | 9-13-21 | Project introduction letter sent to the THPO including request for comment on the Project. |
| | 9-28-21 | Follow-up phone call to the THPO. |
| | 10-27-21 | Email from the Northern Arapaho Tribe to WBI Energy requesting previous cultural resource inventory. |
| | 11-4-21 | Email from WBI Energy to the Northern Arapaho Tribe transmitting a copy of the cultural resource inventory background research. |
| | 11-5-21 | Email from the Northern Arapaho Tribe to WBI Energy transmitting a letter of determination indicating there will be an effect on properties of religious and cultural significance, expressing interest in participating in the cultural resource inventory, and requesting notification of unanticipated discoveries. |
| | 11-29-21 | Call with the Northern Arapaho Tribe to discuss sites of concern and their request to be added to UDP and participation in future surveys. |
| | 3-1-22 | Draft survey reports sent to the Tribe for review and comment. |
| Northern Cheyenne Tribe | 9-13-21 | Project introduction letter sent to the THPO including request for comment on the Project. |
| | 9-28-21 | Follow-up phone call to the THPO. |
| | 9-28-21 | Email from the Northern Cheyenne Tribe to WBI Energy requesting participation in cultural resource surveys. |
| | 9-28-21 | Email from WBI Energy to the Northern Cheyenne Tribe to coordinate participation in cultural resource surveys. |
| | 10-11-21 | Email from WBI Energy to the Northern Cheyenne Tribe to follow up on coordinating participation in cultural resource surveys. |
| | 10-21-21 | Follow-up phone call and message left in the THPO office regarding participation in cultural resource surveys. |
| | 3-1-22 | Draft survey reports sent to the Tribe for review and comment. |
| Oglala Sioux Tribe | 4-8-20 | Email from the Northern Cheyenne Tribe to WBI Energy indicating the Project will have 'No Adverse Effect' and requesting to be notified if unanticipated discoveries are identified during construction. |
| | 9-13-21 | Project introduction letter sent to the THPO including request for comment on the Project. |
| | 9-28-21 | Follow-up phone call to the THPO. |
| Red Lake Band of Chippewa Indians of Minnesota | 3-1-22 | Draft survey reports sent to the Tribe for review and comment. |
| | 9-15-21 | Project introduction letter sent to the THPO including request for comment on the Project. |
| | 9-30-21 | Follow-up phone call to the THPO. |
| Rosebud Sioux Tribe | 3-1-22 | Draft survey reports sent to the Tribe for review and comment. |
| | 9-13-21 | Project introduction letter sent to the THPO including request for comment on the Project. |

TABLE 4.5-2

**Wahpeton Expansion Project
Communications with Federally Recognized Indian Tribes**

| Tribe | Date | Summary |
|--|---------|---|
| | 9-27-21 | Follow-up phone call to the THPO. |
| | 9-28-21 | Email from WBI Energy to the Rosebud Sioux Tribe transmitting the Project introduction letter. |
| | 3-1-22 | Draft survey reports sent to the Tribe for review and comment. |
| Sisseton-Wahpeton Oyate of the Lake Traverse Reservation | 9-13-21 | Project introduction letter sent to the THPO including request for comment on the Project. |
| | 9-24-21 | Follow-up phone call to the THPO—unable to leave voicemail message. |
| | 3-1-22 | Draft survey reports sent to the Tribe for review and comment. |
| | 3-16-22 | Email to the Sisseton-Wahpeton Tribe following up on their email to FERC. |
| | 3-24-22 | Email from Tribe confirming receipt of 3-16-22 email. |
| | 3-24-22 | Call to Tribe to discuss survey status and results. The Tribe indicated interest in participating in future field surveys. |
| Spirit Lake Sioux Tribe | 9-13-21 | Project introduction letter sent to the THPO including request for comment on the Project. |
| | 9-24-21 | Follow-up phone call to the THPO—left a voicemail message. |
| | 3-1-22 | Draft survey reports sent to the Tribe for review and comment. |
| Standing Sioux Tribe | 9-13-21 | Project introduction letter sent to the THPO including request for comment on the Project. |
| | 9-24-21 | Follow-up phone call to the THPO—left a voicemail message. |
| | 3-1-22 | Draft survey reports sent to the Tribe for review and comment. |
| Three Affiliated Tribes of the Fort Berthold Reservation | 9-13-21 | Project introduction letter sent to the THPO including request for comment on the Project. |
| | 9-24-21 | Follow-up phone call to the THPO. |
| | 9-24-21 | Email from WBI Energy to the Three Affiliated Tribes of the Fort Berthold Reservation transmitting the Project introduction letter. |
| | 3-1-22 | Draft survey reports sent to the Tribe for review and comment. |
| Turtle Mountain Band of Chippewa Indians | 9-13-21 | Project introduction letter sent to the THPO including request for comment on the Project. |
| | 9-24-21 | Follow-up phone call to the THPO. |
| | 9-24-21 | Email from WBI Energy to the Turtle Mountain Band of Chippewa Indians transmitting the Project introduction letter. |
| | 3-1-22 | Draft survey reports sent to the Tribe for review and comment. |
| Upper Sioux Community of Minnesota | 9-15-21 | Project introduction letter sent to the THPO including request for comment on the Project. |
| | 9-30-21 | Follow-up phone call to the THPO. |
| | 3-1-22 | Draft survey reports sent to the Tribe for review and comment. |
| Yankton Sioux Tribe | 9-13-21 | Project introduction letter sent to the THPO including request for comment on the Project. |
| | 9-27-21 | Follow-up phone call to the THPO. |
| | 3-1-22 | Draft survey reports sent to the Tribe for review and comment. |

4.5.3 Other Stakeholders

The SHPO recommends consultation with Certified Local Governments for projects subject to review under Section 106 of the National Historic Preservation Act. None of the communities or counties in the Project area are listed as Certified Local Governments.

4.6 Unanticipated Discoveries Plan

WBI Energy prepared a draft UDP for lands crossed by the Project. WBI Energy incorporated FERC's comments on the draft UDP and provided an updated UDP with these edits to the SHPO on April 25, 2022. Appendix 4G provides a copy of the updated plan.

4.7 Cumulative Impacts

Section 1.10 of Resource Report 1 defines a cumulative impact and describes the general scope of the cumulative impact analysis. This section describes the potential cumulative impacts on cultural resources from the Project combined with the reasonably foreseeable future actions (RFFA) identified in appendix 1H and figure 1.10-1 of Resource Report 1. Appendix 1H provides the location, proposed schedule, and a description of each RFFA.

As described in table 1.10-1 of Resource Report 1, the geographic scope for potential direct cumulative impacts on cultural resources includes areas subject to ground disturbance, while the APE for indirect effects (visual or audible) includes aboveground ancillary facilities or other Project elements that are visible from historic properties in which the setting contributes to their NRHP eligibility. Cumulative impacts on cultural resources would only occur if RFFAs affect the same historic properties as the Project.

There are two past projects and six RFFAs that could affect archaeological sites or historic structures within the APEs for cumulative impacts for the Project. An assessment of the potential for cumulative effects on historic properties from these RFFAs is provided below.

- MDU Distribution System for Kindred: A distribution system will be built to provide natural gas to industrial, commercial, and residential customers in Kindred. The area of overlap between the distribution system and the APE for the Project would be anticipated to occur within the workspace required to construct the MDU—Kindred Border Station and no archaeological sites or historic structures are located within the area of overlap. Therefore, there is no potential for cumulative impacts on cultural resources in this area.
- MDU Distribution System for Wahpeton: A distribution system will be built to provide natural gas to industrial, commercial, and residential customers in Wahpeton. The area of overlap between the distribution system and the APE for the Project would be anticipated to occur within the workspace required to construct the MDU—Wahpeton Border Station and no archaeological sites or historic structures are located within the area of overlap. Therefore, there is no potential for cumulative impacts on cultural resources in this area.
- MDU Distribution—Farm Tap Service: The locations of any farm taps that would be built off the mainline are still unknown and it is possible that cumulative impacts could occur. However, the service lines would likely result in a similar, minimal impact on

the affected archaeological site or historic structure and the cumulative impact of both the Project and the MDU Distribution—Farm Tap Service is expected to be less than significant.

- Power lines: Power lines are anticipated to be built to serve non-jurisdictional facilities at the proposed MDU—Kindred Border Station and the MDU—Wahpeton Border Station. The area of overlap between the power lines and the Project would be limited to the workspace used for construction of the MDU—Kindred Border Station and the MDU—Wahpeton Border Station and no archaeological sites or historic structures are located within the areas of overlap. Therefore, there is no potential for cumulative impacts on cultural resources in this area.
- Ongoing agricultural activities: Agricultural activities are expected to continue throughout the life of the Project. There are no archaeological sites or historic structures located within the direct APE. Therefore, there is no potential for cumulative impacts on cultural resources in this area.
- North Dakota Department of Transportation (NDDOT) 9, NDDOT 10, and NDDOT 19: These NDDOT highway construction and maintenance projects cross the Project—NDDOT 9 crosses the Project at milepost (MP) 6.0, NDDOT 10 crosses the Project at MP 0.7, and NDDOT crosses the Project at MP 5.9. NDDOT 9 and NDDOT 10 have already been completed and NDDOT 19 is scheduled to be completed in 2022, prior to the start of work on the Project. There are no archaeological sites or historic structures located within the areas of overlap between these highway projects and the proposed Project. Therefore, there is no potential for cumulative impacts on cultural resources in this area.

Based on the above discussion, adverse cumulative impacts on cultural resources are not anticipated.

4.8 References

State Historical Society of North Dakota, Archaeology and Historic Preservation Division (SHSND). 2020. *North Dakota SHPO Guidelines Manual for Cultural Resource Inventory Projects*. Available online: <https://www.history.nd.gov/hp/hpforms.html>. Accessed: September 2021.

**APPENDIX 4A PREVIOUSLY RECORDED CULTURAL RESOURCE
SURVEYS**

| Appendix 4A Wahpeton Expansion Project Previously Recorded Cultural Resource Surveys within 2.0 miles of the Project | | |
|--|------|---|
| Survey Manuscript Number | Year | Manuscript Title |
| MS 635 | 1979 | Archaeological Reconnaissance in Reed Township, Cass County, North Dakota |
| MS 4295 | 1986 | Archaeological Survey and Test Excavations in Cass County, North Dakota |
| MS 4504 | 1988 | Final Report of the Phase I Cultural Resources Investigation of a Proposed Flood Control Project Along the Sheyenne River, at West Fargo, Cass County, North Dakota. |
| MS 5322 | 1990 | In the Footsteps of T.H. Lewis: Retracing of the Northwestern Archaeological Survey in Oliver, Benson, Grand Forks, Pembina, Ransom, Richland, LaMoure, Morton, Stutsman, and Barnes Counties, North Dakota |
| MS 5347 | 1990 | Class III Cultural Resource Inventory For the Williston Basin 8" Natural Gas Pipeline in Barnes and Cass Counties of North Dakota UW #1381 |
| MS 5443 | 1990 | Cenex Pipeline Company Fargo Extension, Steele, Griggs, Foster, Cass, Barnes, Eddy, Wells, Pierce, McHenry, and Ward Counties, Class III Cultural Resource Survey (also see MS 5591) |
| MS 5920 | 1992 | Historic Bridges in North Dakota |
| MS 5994 | 1993 | Jardine Bridge Replacement A Class III Cultural Resource Inventory Cass County, North Dakota |
| MS 6249 | 1994 | Bridge Replacements, Archeological Sites, and Archeological Site Surveys in North Dakota |
| MS 6375 | 1994 | Richland County Soil Conservation Service Borrow Area Class III Survey |
| MS 6432 | 1995 | Evergreen Lane Emergency Watershed Protection (Cass 17-001A) Class III Cultural Resources Survey Cass County, North Dakota |
| MS 6449 | 1995 | North Dakota Department of Transportation Safety Project Cultural Resource Review 1992-1994 |
| MS 6462 | 1995 | Richland County Road Improvement Project: Results of the Class II and III Cultural Resources Inventories Conducted for Kadmas, Lee and Jackson, P.C. and Richland County, North Dakota UW#1777 |
| MS 6500 | 1995 | R.S.R. Electrics 1995-1998 Construction Plan: A Class II and Class III Cultural Resource Inventory in Ransom, Richland and Sargent Counties, North Dakota |
| MS 6534 | 1995 | Kidder-Progold Transmission Line Cultural Resources Inventory, Richland County, North Dakota |
| MS 6565 | 1995 | Log Piles of Cass, McHenry, Ransom and Walsh Counties North Dakota, Cultural Resources Inventory |
| MS 6606 | 1995 | ProGold's Corn Processing Plant: A Class III Cultural Resources Inventory in Richland County, North Dakota |
| MS 6775 | 1996 | Interstate Engineering's Pitcairn Creek Bridge Replacement: A Class III Cultural Resource Inventory in Richland County, North Dakota |
| MS 6781 | 1996 | Two Bridges in Richland County, North Dakota: A Class III Cultural Resource Inventory |
| MS 6970 | 1997 | Gutzmer-1 Borrow Area: A Class III Cultural Resource Inventory, Richland County, North Dakota |
| MS 7018 | 1997 | Class III Cultural Resource Inventory for the Proposed Replacement of Cass County Bridge No. 130.23.0. NDDOT Project No. BRC-093(54) |
| MS 7129 | 1998 | Mapleton, Cass County, North Dakota Dike Alignment (Flood Control Project 98-1), A Class III Cultural Resource Inventory Report |
| MS 7223 | 1998 | Report 1 for the 1998 Field Season: Cultural Resource Inventories for the Cass Rural Water System, Cass County, North Dakota |
| MS 7334 | 1999 | Richland County Bridge Replacement Project NDDOT #BRO-39(15). Class III Cultural Resource Inventory Report |
| MS 7410 | 1999 | Cultural Resources Survey of the Kindred-Davenport Regional Airport, Cass County, North Dakota |
| MS 7435 | 1999 | Archaeological Testing at 32CS4677: Kindred-Davenport Regional Airport |
| MS 7677 | 2000 | Cultural Resources Inventory of Sioux Falls Tower Specialists Inc.'s Communication Towers in BA, BI, BL, CS, GV, KD, SK, SN, and MO Co., North Dakota |
| MS 7788 | 2000 | Cultural Resources Inventory for a Proposed Cell Phone Tower in Colfax Township Richland County, North Dakota Sec 34, T135N, R49W Project No. SAC-5017 |
| MS 8028 | 2001 | Cultural Resource Survey Western Area Power Administration Fiber Optic Cable Installation Cass County, Fargo, North Dakota |

| Appendix 4A Wahpeton Expansion Project Previously Recorded Cultural Resource Surveys within 2.0 miles of the Project | | |
|--|------|--|
| Survey Manuscript Number | Year | Manuscript Title |
| MS 8100 | 2001 | A Preliminary Cultural Resources Inventory of the Colfax Emergency Watershed Protection Project, Richland County, North Dakota |
| MS 8166 | 2002 | Class III Cultural Resource Inventory For Richland County, North Dakota Bridge Replacement Project Number BRO-39(031) |
| MS 8376 | 2002 | West Fargo Bridge Replacement: A Class III Cultural Resource Inventory, Cass County, North Dakota |
| MS 8409 | 2002 | A Cultural Resources Inventory of the County Drain #2 Project Richland County, North Dakota |
| MS 8474 | 2003 | Railroad Approach Grade Raise: A Cultural Resource Inventory in Cass County, North Dakota |
| MS 8751 | 2003 | Highway 46: A Class III Cultural Resource Inventory, Cass, Ransom and Richland Counties, North Dakota |
| MS 8848 | 2004 | CCEC 2004: A Class III Cultural Resource Inventory, Barnes, Cass and Richland Counties, North Dakota |
| MS 9246 | 2005 | County Highway 8 East, Richland County, North Dakota: A Class III Cultural Resource Inventory |
| MS 9247 | 2005 | County Highway 8 West, Richland County, North Dakota: A Class III Cultural Resource Inventory |
| MS 9488 | 2005 | West Fargo Highway 10: A Class III Cultural Resource Inventory in Cass County, North Dakota |
| MS 9676 | 2006 | A Class III Cultural Resources Inventory for Vantage Point-Red River Rural Telephone Association - Buried Cable, Richland County, North Dakota |
| MS 9871 | 2006 | Bridge #124-12.0: A Class III Cultural Resource Inventory in Richland County, North Dakota |
| MS 9872 | 2006 | Bridge #123-14.0: A Class III Cultural Resource Inventory in Richland County, North Dakota |
| MS 9965 | 2006 | Bridge #124-11: A Class III Cultural Resource Inventory for a Proposed Bridge Replacement Project in Richland County, North Dakota |
| MS 10185 | 2007 | Cass Rural Water Contract 2007-1 (effluent line): Class I and Class III Cultural Resource Inventory in Cass County, North Dakota |
| MS 10747 | 2008 | North Dakota Forest Service 2008-2009 Community Transportation Enhancement Grant Tree-276 Project: A Class III Cultural Resource Inventory in Cass County, North Dakota |
| MS 11184 | 2009 | Cassellton to Kindred Main Transmission Line: Class II and III Cultural Resource Inventory, Cass and Richland County, North Dakota |
| MS 11731 | 2010 | Richland County Road Realignment Borrow Areas for NDDOT Project Number BRC-SC-3912(054); (PCN-18586). A Class III Cultural Resource Inventory Report & Addendum |
| MS 11908 | 2010 | Cass County Highway 16 Project: A Class III Cultural Resource Inventory in Cass County, North Dakota |
| MS 12685 | 2011 | Driveway Permit North Dakota Highway 46 RP 111.67 S: A Class III Cultural Resource Inventory |
| MS 12800 | 2011 | Class I Literature Search and Class III Intensive Archaeological Investigation of the CapX2020 Fargo to St. Cloud Project: Cass County, North Dakota |
| MS 12878 | 2012 | West Fargo Main - 17426 - Material Waste Area West of Speedway - A Class III Cultural Resource Inventory in Cass County |
| MS 13221 | 2012 | Class III Cultural Resources Inventory ND03 Walfax, 168th Avenue Southeast, Walcott, Richland County, North Dakota, Sec. 18, T135N, R49W |
| MS 13899 | 2013 | Class I Literature Search and Class III Intensive Archaeological Investigation of the CapX2020 Fargo to St. Cloud 345 kV Transmission Line Project, Cass County, North Dakota Addendum I |
| MS 14009 | 2012 | The Fargo-Moorhead Flood Risk Management Project, Cass County, North Dakota and Clay County, Minnesota: Results of Phase I Cultural Resources Investigations, 2010–2011 |
| MS 14111 | 2013 | CapX2020 Fargo to St. Cloud 345 kV Transmission Line Project - Class III Archaeological Investigation Report Submittal Addendum II |
| MS 14324 | 2013 | Final Report: The Fargo-Moorhead Flood Risk Management Project, Cass County, North Dakota and Clay County, Minnesota: Results of 2012 Phase I Cultural Resources Investigations |
| MS 14342 | 2013 | 12th Avenue North, 45th Street to County Road 19: Class III Cultural Resource Inventory, Cass County, North Dakota |

| Appendix 4A Wahpeton Expansion Project Previously Recorded Cultural Resource Surveys within 2.0 miles of the Project | | |
|--|------|--|
| Survey Manuscript Number | Year | Manuscript Title |
| MS 14385 | 2013 | Class I and III Cultural Resources Inventory of the Red River Rural Telephone Association Colfax Exchange T3.0 BER Buried Cables Project T135N, R49W, Sections 29 & 32 Richland County, North Dakota |
| MS 14963 | 2014 | Class III: Cultural Resources Inventory, Big Iron, Main Avenue West, West Fargo, Cass County, North Dakota |
| MS 15141 | 2014 | Class III Intensive Archaeological Investigation of the CAPX2020 Fargo to St. Cloud 345-kv Transmission Line Project, Cass County, North Dakota Addendum III |
| MS 16028 | 2015 | A Class I and Class III Cultural Resource Inventory of the Laurel Interconnect Pipeline, Cass County, North Dakota |
| MS 16078 | 2015 | Addendum to A Class I and Class III Cultural Resource Inventory of the Laurel Interconnect Pipeline, Cass County, North Dakota, for Additional Workspace |
| MS 16184 | 2015 | County Road 17 Improvements Project: A Class III Intensive Cultural Resource Inventory in Cass County, North Dakota |
| MS 16585 | 2016 | Class III: Cultural Resources Inventory, FARC Kindred DT, 165th Avenue South East, Kindred, Cass County, North Dakota |
| MS 16634 | 2016 | Western Alignment of the Fargo Moorhead Flood Diversion Survey: A Class III Intensive Cultural Resources Inventory in Cass County, North Dakota |
| MS 16734 | 2016 | A Class I and Class III Cultural Resource Inventory of the Cenex Mapleton Terminal, Cass County, North Dakota |
| MS 17072 | 2016 | I-29 Reconstruction Project; 8-029(168)033, PCN 21494; 8-029(169)033, PCN 21495; 8-029(170)033, PCN 21496: A Class III Cultural Resource Inventory in Richland County, North Dakota |
| MS 17193 | 2014 | Spelhaug, Overboe, and Odegaard Material Source Areas: Class III Intensive Cultural Resource Inventories in Richland and Cass Counties, North Dakota |
| MS 17220 | 2017 | South East Water User District System Wide Expansion Project: Class II and Class III Cultural Resource Inventory, Dickey, LaMoure, Logan, Ransom, Richland, and Sargent Counties, North Dakota |
| MS 17241 | 2015 | A Class III Cultural Resource Inventory of the Kindred Airport in Cass County, North Dakota |
| MS 17273 | 2017 | 2016 WBI Energy Valley Expansion Project, North Dakota Class III Archaeological Resources Inventory in Cass, Barnes, Stutsman & Burleigh Counties, North Dakota |
| MS 17274 | 2017 | Class III Intensive Architectural History Survey of the Proposed WBI Energy Valley Expansion Project in Cass County, Regulator Station Upgrades in Barnes County, and Town Border Station Upgrades in Stutsman and Burleigh Counties, North Dakota |
| MS 17353 | 2017 | 2017 Addendum to: 2016 WBI Energy Transmission, Inc. Valley Expansion Project, North Dakota Class III Archaeological Resources Inventory, Cass, Stutsman, Barnes and Burleigh Counties, North Dakota |
| MS 17391 | 2017 | Kindred Water Tower Project: A Class III Cultural Resource Inventory, Cass County, North Dakota |
| MS 17401 | 2017 | Cass County Electric Cooperative's Kindred Service Center KI301 Electric Line: A Class III Cultural Resource Inventory in Cass County, North Dakota |
| MS 17669 | 2017 | 2017 Addendum 2: 2016 WBI Energy Valley Expansion Project, North Dakota Class III Cultural Resources Inventory, Burleigh, Barnes, Cass Counties, North Dakota |
| MS 17688 | 2017 | A Class III Intensive Cultural Resource Inventory of the Cass County Intersections Improvements Project in Cass County, North Dakota |
| MS 17939 | 2018 | Valley Express Geothermal Building 2018 Class III Cultural Resources Inventory at West Fargo, Cass County, North Dakota |
| MS 18031 | 2018 | Class III: Cultural Resources Inventory FAR Kindred DT - A 165th Avenue South East Kindred, Cass County, North Dakota |
| MS 18143 | 2018 | Warren Substation: A Class III Cultural Resource Inventory, Cass County, North Dakota |
| MS 18394 | 2019 | Sheyenne Street Road Diet Project in West Fargo, North Dakota, NDDOT Project UGP-8-992(041), PCN 22277: A Class III Cultural Resource Inventory, Cass County, North Dakota |

| Appendix 4A Wahpeton Expansion Project Previously Recorded Cultural Resource Surveys within 2.0 miles of the Project | | |
|--|------|---|
| Survey Manuscript Number | Year | Manuscript Title |
| MS 18631 | 2019 | NDDOT Projects 8-094(099)337, 8-094(100)337, 8-094(034)009; PCN 22318, 22319, 22544; Bridge Replacements Class III Cultural Resource Inventory |
| MS 18673 | 2019 | NDDOT PCN#22203: A Class III Cultural Resource Inventory for Project #8-094(098)342, Cass County, North Dakota |
| MS 18722 | 2020 | A Class III Intensive Cultural Resource Inventory for the Kindred Lagoon Expansion Project in Cass County, North Dakota |
| MS 18849 | 2020 | A Class I and Class III Cultural Resource Inventory for the NuStar North System Pipeline Relocation, Cass County, North Dakota |
| MS 18888 | 2020 | Cass County Electric Cooperative: A Class III Cultural Resource Inventory for WO #73841 Cass Electric Line in Cass County, North Dakota |
| MS 18937 | 2020 | Dynamic Environmental Associates, Inc. KFNW-AM Towers: A Class III Cultural Resource Inventory and Visual Impact Assessment in Cass County, North Dakota |
| MS 18942 | 2020 | Cass County Electric Cooperative: A Class III Cultural Resource Inventory for WO #73881 Richland Electric Line in Cass and Richland Counties, North Dakota |
| MS 19107 | 2021 | Final Report for the Fargo-Moorhead Flood Diversion Project, Cass County, North Dakota: Results of 2020 Class III Cultural Resources Investigations for the Southern Embankment I and Red River Structure |
| MS 19140 | 2021 | A Class III Cultural Resource Inventory of the OIN 9752-9755 (Neil Thompson) Project in Cass County, North Dakota |

**APPENDIX 4E COPIES OF CORRESPONDENCE WITH STATE
HISTORICAL SOCIETY OF NORTH DAKOTA**

September 8, 2021

Lisa Steckler
State Historic Society of North Dakota
North Dakota Heritage Center
612 East Boulevard Avenue
Bismarck, ND 58505-0830



Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project – Work Plan
Cass and Richland Counties, North Dakota

Dear Ms. Steckler:

Please find enclosed a work plan for archaeological and architectural surveys being submitted on behalf of WBI Energy Transmission, Inc.'s (WBI Energy) in preparation of their upcoming Wahpeton Expansion Project, located in Cass and Richland Counties, North Dakota.

WBI Energy would appreciate your comments on the attached work plan. If you have any questions or comments, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Work Plan

cc: Jill Linn, WBI Energy
Justin Moffett, ERM
Bill Stanyard, ERM
Emily Laird, ERM



September 8, 2021

Andrew Clark, State Archaeologist
State Historic Society of North Dakota
North Dakota Heritage Center
612 East Boulevard Avenue
Bismarck, ND 58505-0830

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project – Work Plan
Cass and Richland Counties, North Dakota

Dear Dr. Clark:

Please find enclosed a work plan for archaeological and architectural surveys being submitted on behalf of WBI Energy Transmission, Inc.'s (WBI Energy) in preparation of their upcoming Wahpeton Expansion Project, located in Cass and Richland Counties, North Dakota.

WBI Energy would appreciate your comments on the attached work plan. If you have any questions or comments, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Work Plan

cc: Jill Linn, WBI Energy
Justin Moffett, ERM
Bill Stanyard, ERM
Emily Laird, ERM

September 13, 2021

State Historic Preservation Officer
North Dakota Heritage Center
612 East Boulevard Avenue
Bismarck, ND 58505-0830
(701) 328-2666
history@nd.gov

Subject: WBI Energy Transmission, Inc.
Proposed Wahpeton Expansion Project
Cass and Richland Counties, North Dakota

To Whom it may Concern:

WBI Energy Transmission, Inc. (WBI Energy) operates a natural gas transmission pipeline system in the Northern Plains and is proposing to expand its system in southeastern North Dakota. The Wahpeton Expansion Project will involve constructing approximately 60 miles of 12-inch diameter natural gas pipeline from WBI Energy's existing Mapleton Compressor Station near Mapleton, North Dakota, to a new delivery station near Wahpeton, North Dakota. The project will include minor modifications at the Mapleton Compressor Station and a new delivery station near Kindred, North Dakota. The enclosed map shows the preliminary proposed pipeline route and locations of project facilities.

This project will allow WBI Energy to transport an additional 20.6 million cubic feet of natural gas per day to help meet growing demand for natural gas in southeastern North Dakota. Montana-Dakota Utilities Co., a local distribution company, has engaged WBI Energy to construct this project to fulfill Wahpeton customers' needs for additional uninterrupted natural gas supply and to extend natural gas service to Kindred, at the request of city officials and residents.

The project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act (NEPA) on natural gas pipeline projects subject to its jurisdiction. WBI Energy plans to submit an application with

the FERC in May 2022 for a Certificate of Public Convenience and Necessity to construct and operate the proposed pipeline and associated facilities. Applications for other federal or state authorizations will be submitted prior to or at approximately the same time as the FERC application, or on timelines defined by the appropriate federal or state regulations. Pending regulatory approvals, WBI Energy anticipates beginning construction in early 2024, with the new facilities in service by November 2024.

WBI Energy plans to file a request with the FERC to use the FERC's pre-filing process for the project. This process will provide agencies, landowners, and other stakeholders the opportunity to work with WBI Energy and the FERC to identify and resolve environmental issues prior to the filing of the Certificate application, which will result in a more efficient regulatory review process. WBI Energy plans to submit its request to use the pre-filing process in late September 2021 and anticipates receiving FERC's approval to use the process in early October 2021. Pending FERC's approval, WBI Energy will also hire and fund a third-party environmental consultant to assist FERC in the preparation of the NEPA document for the project.

WBI Energy has retained Environmental Resources Management (ERM) to provide environmental support services for the project. An ERM representative and/or FERC staff will be in touch with you in the near future to gauge your interest in participating in the pre-filing process, provide additional information, and discuss specific permitting and/or consultation requirements. In the meantime, if you have questions about the project, please contact me at 406-359-7332 or Maggie Suter of ERM at 410-972-4125.

Thank you for your time and assistance with this project.

Sincerely,



Jill Linn
Environmental Affairs
WBI Energy Transmission, Inc.

Enclosures: Project Overview Map

cc: Robbyn Reukauf, WBI Energy Transmission, Inc.
Maggie Suter, ERM

Kevin Malloy

From: Kevin Malloy
Sent: Tuesday, September 21, 2021 1:17 PM
To: Clark, Andrew
Subject: RE: Rejected email for data request

Thank you Andy! That is not a problem. We are hoping to begin survey October 4th. So there is still some time.

Best,
Kevin

Kevin Malloy, Ph.D.
Senior Consultant/Archaeologist

ERM
222 South 9th Street | Suite 2900 | Minneapolis, MN 55402
M 906.285.0361
E Kevin.Malloy@erm.com | **W** www.erm.com



From: Clark, Andrew <andrewclark@nd.gov>
Sent: Tuesday, September 21, 2021 1:16 PM
To: Kevin Malloy <Kevin.Malloy@erm.com>
Subject: RE: Rejected email for data request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have not, but it is on the list. Unfortunately, I won't be able to get to it today. So it will be later this week.

Andy

From: Kevin Malloy <Kevin.Malloy@erm.com>
Sent: Tuesday, September 21, 2021 1:14 PM
To: Clark, Andrew <andrewclark@nd.gov>; Reed, Timothy A. <treed@nd.gov>
Subject: RE: Rejected email for data request

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Andy,

Thanks for getting back to me! I appreciate it. I will upload it via the FTP site.

On another note, have you had a chance to review the workplan I submitted a couple weeks back? Does it look acceptable to you?

Thanks!
Kevin

Kevin Malloy, Ph.D.
Senior Consultant/Archaeologist

ERM
222 South 9th Street | Suite 2900 | Minneapolis, MN 55402
M 906.285.0361
E Kevin.Malloy@erm.com | **W** www.erm.com



From: Clark, Andrew <andrewclark@nd.gov>
Sent: Tuesday, September 21, 2021 1:11 PM
To: Kevin Malloy <Kevin.Malloy@erm.com>; Reed, Timothy A. <treed@nd.gov>
Subject: RE: Rejected email for data request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kevin,

Tim is out of the office for the week.

I suspect you're correct. Unfortunately, our email servers don't like some attachments, especially .zip files. So the best way to get us the files is through the FTP server.

Best,

Andy

Andrew Clark, PhD
Chief Archaeologist
Archaeology and Historic Preservation Division
State Historical Society of North Dakota
612 East Boulevard Avenue
Bismarck, North Dakota 58505-0830
701-328-3574

From: Kevin Malloy <Kevin.Malloy@erm.com>
Sent: Tuesday, September 21, 2021 10:30 AM
To: Reed, Timothy A. <treed@nd.gov>
Cc: Clark, Andrew <andrewclark@nd.gov>
Subject: Rejected email for data request

******* CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *********

Good morning Tim,

I have been trying to send an email for a data request for a new project in North Dakota, but it keeps getting rejected. I wonder if it's because I had attached the shapefiles to the email. Will it work if I upload the files to the FTP site?

Thank you!
Kevin

Kevin Malloy, Ph.D.
Senior Consultant/Archaeologist

ERM
222 South 9th Street | Suite 2900 | Minneapolis, MN 55402
M 906.285.0361
E Kevin.Malloy@erm.com | **W** www.erm.com



This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at (612) 347-6789 and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit:
ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee (s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at our Atlanta office (678) 904-4371 and take the steps necessary to delete the message completely from your computer system. Thank you, Environmental Resources Management. To find out how ERM manages personal data, please review our [Privacy Policy](#)

This message contains information which may be confidential, proprietary, privileged, or otherwise protected by law from disclosure or use by a third party. If you have received this message in error, please contact us immediately and take the steps necessary to delete the message completely from your computer system. Thank you.

Please visit ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at (612) 347-6789 and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit:

ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee (s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at our Atlanta office (678) 904-4371 and take the steps necessary to delete the message completely from your computer system. Thank you, Environmental Resources Management. To find out how ERM manages personal data, please review our [Privacy Policy](#)

This message contains information which may be confidential, proprietary, privileged, or otherwise protected by law from disclosure or use by a third party. If you have received this message in error, please contact us immediately and take the steps necessary to delete the message completely from your computer system. Thank you.

Please visit ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

Kevin Malloy

From: Kevin Malloy
Sent: Friday, September 24, 2021 11:18 AM
To: Clark, Andrew
Cc: Steckler, Lisa L.
Subject: RE: Wahpeton Expansion Project Class III Work Plan
Attachments: WBI - MWP -Scope of Work_Draft 9-24-21_KM - Rev 1.pdf

Hi Andy,

Thank you for your comments and discussing them over the phone with me this morning. Please find attached the revised work plan. As I mentioned over the phone, we're aiming to go to survey on October 4th.

Let me know if you have any additional questions or comments.

Thanks again and have a good weekend!

Best,
Kevin

Kevin Malloy, Ph.D.
Senior Consultant/Archaeologist

ERM
222 South 9th Street | Suite 2900 | Minneapolis, MN 55402
M 906.285.0361
E Kevin.Malloy@erm.com | **W** www.erm.com



From: Clark, Andrew <andrewclark@nd.gov>
Sent: Thursday, September 23, 2021 4:22 PM
To: Kevin Malloy <Kevin.Malloy@erm.com>
Cc: Steckler, Lisa L. <lsteckler@nd.gov>
Subject: Wahpeton Expansion Project Class III Work Plan

WARNING: The sender of this email could not be validated and may not match the person in the "From" field.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kevin,

Thank you for submitting WBI Energy Transmission's *Wahpeton Expansion Project: Class III Archaeological and Historic Architectural Inventory Work Plan*. We have reviewed the document, and overall the plan looks good. However, we do have a few comments. See below:

1. **2.1 Literature and Records Search:** There have been numerous studies in the Sheyenne Bend Area. Expand the background research to include relevant National Register nominations and peer-reviewed book chapters and journal articles. Look in journals such as the North Dakota Archaeological Association, Plains Anthropologist, and Minnesota Archaeologist.
2. **2.3.1 Shovel Testing** (page 4, second to last paragraph): Collect artifacts for laboratory analysis.
3. **2.3.2 Unit Excavation:** The methodology presented is generally acceptable, but it is difficult to account for all NRHP evaluation methods in a preliminary work plan. Proposed methods could include, but are not limited to: screening feature materials through a fine screen mesh, water screening when applicable, bulk soil samples for flotation analysis, and carbon samples, but will depend on context. The ND SHPO requests a specific testing plan, after the pedestrian survey and report review, on a site-by-site basis.
4. **2.3.4 Reporting:** We should discuss specific details on report format, site form submission, etc.
5. **Curation:** Include brief section on curation plan.

If you have any questions, please feel free to reach out. We look forward to hearing more about the project.

Best regards,

Andy

Andrew Clark, PhD
Chief Archaeologist
Archaeology and Historic Preservation Division
State Historical Society of North Dakota
612 East Boulevard Avenue
Bismarck, North Dakota 58505-0830
701-328-3574

Call Log

Log of Telephone Conversation



| | |
|-----------------------------|---|
| Call To/From Whom | Andrew Clark (SHSND) |
| Phone number | 701.328.3574 |
| Company | SHSND |
| ERM Contact | Kevin Malloy |
| Phone number | 906-285-0361 |
| Date | 9/23/2021 |
| Time of Conversation | 3:33 pm |
| Reference | WBI Transmission, Inc. – Wahpeton Expansion Project (Project) |
| Signature | |

LOG OF CONVERSATION

Dr. Andy Clark (State Archaeologist SHSND) called Dr. Kevin Malloy (ERM) called to discuss the recently submitted work plan. Dr. Clark stated that overall the work plan looked acceptable. Nevertheless, he had a few edits that he wanted to see made to the document that included discussion of curation, an edit to the methodology for excavation of features, and in additional information about the background research to be conducted. He requested these edits before he signed off on the work plan. He stated that he would send a follow-up email detailing these edits further. Dr. Malloy thanked him.

CONFIDENTIALITY NOTICE This Call Log contains information which may be confidential, proprietary, privileged, or otherwise protected by law from disclosure or use by a third party. If you have received this facsimile transmission in error, please contact us immediately at the number listed above and take the steps necessary to dispose of this information. Thank you.

Call Log

Log of Telephone Conversation



| | |
|-----------------------------|--|
| Call To/From Whom | Andrew Clark (SHSND) |
| Phone number | 701.328.3574 |
| Company | SHSND |
| ERM Contact | Kevin Malloy |
| Phone number | 906-285-0361 |
| Date | 9/24/2021 |
| Time of Conversation | 9:30 am |
| Reference | North Bakken Expansion Project (Project) |
| Signature | |

LOG OF CONVERSATION

Dr. Andy Clark (State Archaeologist SHSND) called Dr. Kevin Malloy (ERM) to discuss the proposed work plan for the upcoming WBI Wahpeton Expansion Project. He stated that overall it looked good but preferred a few changes, including a discussion of curation.

CONFIDENTIALITY NOTICE This Call Log contains information which may be confidential, proprietary, privileged, or otherwise protected by law from disclosure or use by a third party. If you have received this facsimile transmission in error, please contact us immediately at the number listed above and take the steps necessary to dispose of this information. Thank you.

Call Log

Log of Telephone Conversation



| | |
|-----------------------------|---|
| Call To/From Whom | Andrew Clark (SHSND) |
| Phone number | 701.328.3574 |
| Company | SHSND |
| ERM Contact | Kevin Malloy |
| Phone number | 906-285-0361 |
| Date | 9/24/2021 |
| Time of Conversation | 10:04; 10:36; 10:51 am |
| Reference | WBI Transmission, Inc. – Wahpeton Expansion Project (Project) |
| Signature | |

LOG OF CONVERSATION

10:04 am

Dr. Kevin Malloy (ERM) called Dr. Andy Clark (State Archaeologist SHSND) called to further discuss the edits Dr. Clark had sent via email on 09/23/2021. Specifically, Dr. Malloy requested clarification about the Unit excavation and the process the state wanted ERM to follow. Dr. Clark clarified that he would prefer a site testing plan to be presented to the SHPO before any units were excavated.

10:36

Dr. Malloy called Dr. Clark back with another follow up question but did not reach him and left a message.

10:51

Dr. Clark returned Dr. Malloy's call. Dr. Malloy asked about the reporting comment and whether there were actually any specific details Dr. Clark wanted added to the workplan. Dr. Clark stated there were not but that he would like to discuss a protocol that would maximize efficiency and accuracy all around when submitting site forms. His hope was to limit the number of corrections that needed to be made to them.

CONFIDENTIALITY NOTICE This Call Log contains information which may be confidential, proprietary, privileged, or otherwise protected by law from disclosure or use by a third party. If you have received this facsimile transmission in error, please contact us immediately at the number listed above and take the steps necessary to dispose of this information. Thank you.

Call Log

Log of Telephone Conversation



| | |
|-----------------------------|--|
| Call To/From Whom | Andrew Clark (SHSND) |
| Phone number | 701.328.3574 |
| Company | SHSND |
| ERM Contact | Kevin Malloy |
| Phone number | 906-285-0361 |
| Date | 9/29/2021 |
| Time of Conversation | 9:30 am |
| Reference | North Bakken Expansion Project (Project) |
| Signature | |

LOG OF CONVERSATION

Dr. Andy Clark (State Archaeologist SHSND) called Dr. Kevin Malloy (ERM) to discuss the revised work plan for the upcoming WBI Wahpeton Expansion Project. He asked that I touch base with Ashenafi Zena about the curation agreement. He provided his phone number.

CONFIDENTIALITY NOTICE This Call Log contains information which may be confidential, proprietary, privileged, or otherwise protected by law from disclosure or use by a third party. If you have received this facsimile transmission in error, please contact us immediately at the number listed above and take the steps necessary to dispose of this information. Thank you.

Call Log

Log of Telephone Conversation



| | |
|-----------------------------|--|
| Call To/From Whom | Ashenafi Zena (SHSND) |
| Phone number | 701.328.3506 |
| Company | SHSND |
| ERM Contact | Kevin Malloy |
| Phone number | 906-285-0361 |
| Date | 9/30/2021 |
| Time of Conversation | 10:00 am |
| Reference | North Bakken Expansion Project (Project) |
| Signature | |

LOG OF CONVERSATION

Dr. Kevin Malloy (ERM) called Dr. Ashenafi Zena (SHSND) discuss the revised work plan for the upcoming WBI Wahpeton Expansion Project. They discussed the SHSND's needs for curation agreements how we would handle any artifacts that were collected during the survey. He provided notes to Dr. Malloy and sent them in an email.

CONFIDENTIALITY NOTICE This Call Log contains information which may be confidential, proprietary, privileged, or otherwise protected by law from disclosure or use by a third party. If you have received this facsimile transmission in error, please contact us immediately at the number listed above and take the steps necessary to dispose of this information. Thank you.

DeAnn Thyse

From: Clark, Andrew <andrewclark@nd.gov>
Sent: Friday, October 1, 2021 8:17 AM
To: Zena, Ashenafi; Kevin Malloy
Subject: RE: Wahpeton Expansion Project Class III Work Plan

WARNING: The sender of this email could not be validated and may not match the person in the "From" field.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kevin,

Thank you for your hard work on the plan. The work plan is acceptable. If you need anything, please let me know. Good luck with your fieldwork next week!

Andy

Andrew Clark, PhD
Chief Archaeologist
Archaeology and Historic Preservation Division
State Historical Society of North Dakota
612 East Boulevard Avenue
Bismarck, North Dakota 58505-0830
701-328-3574

From: Zena, Ashenafi <azena@nd.gov>
Sent: Friday, October 1, 2021 8:05 AM
To: Kevin Malloy <Kevin.Malloy@erm.com>
Cc: Clark, Andrew <andrewclark@nd.gov>
Subject: RE: Wahpeton Expansion Project Class III Work Plan

Kevin,
It sounds good to me.
Thanks,
Ashenafi

From: Kevin Malloy <Kevin.Malloy@erm.com>
Sent: Thursday, September 30, 2021 8:26 PM
To: Zena, Ashenafi <azena@nd.gov>
Cc: Clark, Andrew <andrewclark@nd.gov>
Subject: RE: Wahpeton Expansion Project Class III Work Plan

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Thank you Ashenafi!

I've revised the work plan again to reflect your notes. Please let me know if you both approve of the changes. We are set to start our survey on Monday morning. Thank you for your help!

Best,
Kevin

Kevin Malloy, Ph.D.
Senior Consultant/Archaeologist

ERM

222 South 9th Street | Suite 2900 | Minneapolis, MN 55402

M 906.285.0361

E Kevin.Malloy@erm.com | W www.erm.com



From: Zena, Ashenafi <azena@nd.gov>
Sent: Thursday, September 30, 2021 5:09 PM
To: Kevin Malloy <Kevin.Malloy@erm.com>
Cc: Clark, Andrew <andrewclark@nd.gov>
Subject: RE: Wahpeton Expansion Project Class III Work Plan

WARNING: The sender of this email could not be validated and may not match the person in the "From" field.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kevin,

Here are a couple of notes:

- 1) Artifacts recovered from testing on private land by archaeologists or archaeological research firms, will not be curated at the SHSND unless accompanied by a **Gift Agreement form** signed by the landowner, which conveys legal title of the collection, without condition or restriction, to the Society.
- 2) We require depositors to submit a **complete collection** for long-term curation. A complete collection includes:

- **All three-dimensional objects/artifacts**
- **Survey forms and/or excavation records**
- **Field logs and notes**
- **Maps depicting locations and boundaries**
- **Photographs, negatives, and/or slides**
- **Analysis records**
- **Conservation records**
- **Artifact catalog (hard copy and digital copy)**
- **Correspondence records**

See our guidelines for submitting archaeological collections for details.
Let me know if you have questions.

Best,
Ashenafi Zena, Ph.D., RPA 18024
Archaeology Collections Manager
Archaeology and Historic Preservation
State Historical Society of North Dakota
Bismarck, ND 58505
azena@nd.gov

From: Kevin Malloy <Kevin.Malloy@erm.com>
Sent: Thursday, September 30, 2021 4:35 PM
To: Clark, Andrew <andrewclark@nd.gov>
Cc: Zena, Ashenafi <azena@nd.gov>
Subject: RE: Wahpeton Expansion Project Class III Work Plan

******* CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *********

Hi Andy,

Thanks for chatting with me earlier. I spoke with Ashenafi and he detailed the curation procedure. Per our conversation, I updated the curation information in the Work Plan. Please let me know if you have any other questions.

Best,
Kevin

Kevin Malloy, Ph.D.
Senior Consultant/Archaeologist

ERM
222 South 9th Street | Suite 2900 | Minneapolis, MN 55402
M 906.285.0361
E Kevin.Malloy@erm.com | **W** www.erm.com



From: Clark, Andrew <andrewclark@nd.gov>
Sent: Thursday, September 30, 2021 1:48 PM
To: Kevin Malloy <Kevin.Malloy@erm.com>
Cc: Zena, Ashenafi <azena@nd.gov>
Subject: RE: Wahpeton Expansion Project Class III Work Plan

WARNING: The sender of this email could not be validated and may not match the person in the "From" field.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kevin,

Ashenafi Zena is our head of collections and is the point of contact for curation agreements. I've Cc'd him on this email, and his number is (701) 328-3506.

Thanks!

Andy

Andrew Clark, PhD
Chief Archaeologist
Archaeology and Historic Preservation Division
State Historical Society of North Dakota
612 East Boulevard Avenue
Bismarck, North Dakota 58505-0830
701-328-3574

From: Kevin Malloy <Kevin.Malloy@erm.com>
Sent: Friday, September 24, 2021 11:18 AM
To: Clark, Andrew <andrewclark@nd.gov>
Cc: Steckler, Lisa L. <lsteckler@nd.gov>
Subject: RE: Wahpeton Expansion Project Class III Work Plan

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Hi Andy,

Thank you for your comments and discussing them over the phone with me this morning. Please find attached the revised work plan. As I mentioned over the phone, we're aiming to go to survey on October 4th.

Let me know if you have any additional questions or comments.

Thanks again and have a good weekend!

Best,
Kevin

Kevin Malloy, Ph.D.
Senior Consultant/Archaeologist

ERM
222 South 9th Street | Suite 2900 | Minneapolis, MN 55402
M 906.285.0361
E Kevin.Malloy@erm.com | W www.erm.com



From: Clark, Andrew <andrewclark@nd.gov>
Sent: Thursday, September 23, 2021 4:22 PM
To: Kevin Malloy <Kevin.Malloy@erm.com>
Cc: Steckler, Lisa L. <lsteckler@nd.gov>
Subject: Wahpeton Expansion Project Class III Work Plan

WARNING: The sender of this email could not be validated and may not match the person in the "From" field.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kevin,

Thank you for submitting WBI Energy Transmission's *Wahpeton Expansion Project: Class III Archaeological and Historic Architectural Inventory Work Plan*. We have reviewed the document, and overall the plan looks good. However, we do have a few comments. See below:

1. **2.1 Literature and Records Search:** There have been numerous studies in the Sheyenne Bend Area. Expand the background research to include relevant National Register nominations and peer-reviewed book chapters and journal articles. Look in journals such as the North Dakota Archaeological Association, Plains Anthropologist, and Minnesota Archaeologist.
2. **2.3.1 Shovel Testing** (page 4, second to last paragraph): Collect artifacts for laboratory analysis.
3. **2.3.2 Unit Excavation:** The methodology presented is generally acceptable, but it is difficult to account for all NRHP evaluation methods in a preliminary work plan. Proposed methods could include, but are not limited to: screening feature materials through a fine screen mesh, water screening when applicable, bulk soil samples for flotation analysis, and carbon samples, but will depend on context. The ND SHPO requests a specific testing plan, after the pedestrian survey and report review, on a site-by-site basis.
4. **2.3.4 Reporting:** We should discuss specific details on report format, site form submission, etc.

5. **Curation:** Include brief section on curation plan.

If you have any questions, please feel free to reach out. We look forward to hearing more about the project.

Best regards,

Andy

Andrew Clark, PhD
Chief Archaeologist
Archaeology and Historic Preservation Division
State Historical Society of North Dakota
612 East Boulevard Avenue
Bismarck, North Dakota 58505-0830
701-328-3574

This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at (612) 347-6789 and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit:
ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee (s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at our Atlanta office (678) 904-4371 and take the steps necessary to delete the message completely from your computer system. Thank you, Environmental Resources Management. To find out how ERM manages personal data, please review our [Privacy Policy](#)

This message contains information which may be confidential, proprietary, privileged, or otherwise protected by law from disclosure or use by a third party. If you have received this message in error, please contact us immediately and take the steps necessary to delete the message completely from your computer system. Thank you.

Please visit ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at (612) 347-6789 and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit:
ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee (s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at our Atlanta office (678) 904-4371 and take the steps necessary to delete the message completely from your computer system. Thank you, Environmental Resources Management. To find out how ERM manages personal data, please review our [Privacy Policy](#)

February 8, 2022

Dr. Bill Peterson
Director and State Historic Preservation Officer
State Historical Society of North Dakota
612 East Boulevard Ave.
Bismarck, North Dakota 58505

Subject: WBI Energy Transmission, Inc.
Proposed Wahpeton Expansion Project
Cass and Richland Counties, North Dakota
Project No.: 0611161

Dear Dr. Peterson:

On September 13, 2021, WBI Energy Transmission, Inc. (WBI Energy) sent your office a project introduction letter. The Wahpeton Expansion Project (Project) will involve constructing approximately 60.6 miles of 12-inch diameter natural gas pipeline from WBI Energy's existing Mapleton Compressor Station near Mapleton, North Dakota, to a new delivery station near Wahpeton, North Dakota. The Project will also include minor modifications at the Mapleton Compressor Station and a new delivery station near Kindred, North Dakota.

Cultural resource surveys have been completed for a majority of the Project in accordance with the Scope of Work approved by the State Historical Society of North Dakota, with the remainder anticipated to be completed during the 2022 field season.

The intent of this letter is to request your comments on the enclosed Unanticipated Discovery Plan that outlines the protocols to be implemented during construction of the Project if an unanticipated cultural resources discovery is found.

On September 27, 2021, the Federal Energy Regulatory Commission (FERC) granted a request by WBI Energy to use the FERC's pre-filing process for the project. This process allows for coordination in the planning phases of a project, prior to the submittal of an application to the FERC for the Project. Any comments or information that you provide will be sent to FERC to assist in the review of the Project.

If you have any questions, comments, or concerns about the enclosed *Unanticipated Discovery Plan*, please contact me at 406-359-7332 or Maggie Suter of Environmental Resources Management, Inc. at 410-972-4125.

Thank you for your time and assistance with this project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jill Linn". The signature is fluid and cursive, with the first name "Jill" and last name "Linn" clearly distinguishable.

Jill Linn
Environmental Affairs
WBI Energy Transmission, Inc.

Enclosure: Unanticipated Discovery Plan

cc: Robbyn Reukauf, WBI Energy Transmission, Inc.
Maggie Suter, Environmental Resources Management, Inc.
Fern Swenson, State Historical Society of North Dakota

DeAnn Thyse

From: TrackingUpdates@fedex.com
Sent: Monday, February 14, 2022 9:40 AM
To: DeAnn Thyse
Subject: FedEx Shipment 776010712854 Delivered

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This tracking update has been requested by:

Company Name: ERM
Name: DeAnn Thyse
E-mail: deann.thyse@erm.com

Our records indicate that the following shipment has been delivered:

Reference: 0611161/73/04
Ship date: Feb 10, 2022
Signed for by: Z.UNTERSCHER
Delivery location: BISMARCK, ND
Delivered to: Shipping/Receiving
Delivery date: Mon, 2/14/2022 9:38 am
Service type: FedEx Standard Overnight®
Packaging type: FedEx® Envelope
Number of pieces: 1
Weight: 0.50 lb.
Special handling/Services: Deliver Weekday
Standard transit: 2/11/2022 by 4:30 pm

Tracking number: 776010712854

| Shipper Information | Recipient Information |
|----------------------|------------------------|
| DeAnn Thyse | Dr. Bill Peterson |
| ERM | SHSND |
| 222 South 9th Street | 612 East Boulevard Ave |
| Suite 2900 | BISMARCK |
| MINNEAPOLIS | ND |
| MN | US |
| US | 58505 |
| 55402 | |

February 8, 2022

Dr. Bill Peterson
Director and State Historic Preservation Officer
State Historical Society of North Dakota
612 East Boulevard Ave.
Bismarck, North Dakota 58505

Subject: WBI Energy Transmission, Inc.
Proposed Wahpeton Expansion Project
Cass and Richland Counties, North Dakota
Project No.: 0611161

Dear Dr. Peterson:

On September 13, 2021, WBI Energy Transmission, Inc. (WBI Energy) sent your office a project introduction letter. The Wahpeton Expansion Project (Project) will involve constructing approximately 60.6 miles of 12-inch diameter natural gas pipeline from WBI Energy's existing Mapleton Compressor Station near Mapleton, North Dakota, to a new delivery station near Wahpeton, North Dakota. The Project will also include minor modifications at the Mapleton Compressor Station and a new delivery station near Kindred, North Dakota.

Cultural resource surveys have been completed for a majority of the Project in accordance with the Scope of Work approved by the State Historical Society of North Dakota, with the remainder anticipated to be completed during the 2022 field season.

The intent of this letter is to request your comments on the enclosed Unanticipated Discovery Plan that outlines the protocols to be implemented during construction of the Project if an unanticipated cultural resources discovery is found.

On September 27, 2021, the Federal Energy Regulatory Commission (FERC) granted a request by WBI Energy to use the FERC's pre-filing process for the project. This process allows for coordination in the planning phases of a project, prior to the submittal of an application to the FERC for the Project. Any comments or information that you provide will be sent to FERC to assist in the review of the Project.

If you have any questions, comments, or concerns about the enclosed *Unanticipated Discovery Plan*, please contact me at 406-359-7332 or Maggie Suter of Environmental Resources Management, Inc. at 410-972-4125.

Thank you for your time and assistance with this project.

Sincerely,



Jill Linn
Environmental Affairs
WBI Energy Transmission, Inc.

Enclosure: Unanticipated Discovery Plan

cc: Robbyn Reukauf, WBI Energy Transmission, Inc.
Maggie Suter, Environmental Resources Management, Inc.
✓ Fern Swenson, State Historical Society of North Dakota

DeAnn Thyse

From: TrackingUpdates@fedex.com
Sent: Monday, February 14, 2022 9:40 AM
To: DeAnn Thyse
Subject: FedEx Shipment 776010760709 Delivered

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This tracking update has been requested by:

Company Name: ERM
Name: DeAnn Thyse
E-mail: deann.thyse@erm.com

Our records indicate that the following shipment has been delivered:

Reference: 0611161/73/04
Ship date: Feb 10, 2022
Signed for by: Z.UNTERSCHER
Delivery location: BISMARCK, ND
Delivered to: Shipping/Receiving
Delivery date: Mon, 2/14/2022 9:38 am
Service type: FedEx Standard Overnight®
Packaging type: FedEx® Envelope
Number of pieces: 1
Weight: 0.50 lb.
Special handling/Services: Deliver Weekday
Standard transit: 2/11/2022 by 4:30 pm

Tracking number: 776010760709

| Shipper Information | Recipient Information |
|----------------------|---------------------------|
| DeAnn Thyse | Fern Swenson, Deputy SHPO |
| ERM | SHSND |
| 222 South 9th Street | 612 East Boulevard Ave |
| Suite 2900 | BISMARCK |
| MINNEAPOLIS | ND |
| MN | US |
| US | 58505 |
| 55402 | |

DeAnn Thyse

From: Clark, Andrew <andrewclark@nd.gov>
Sent: Monday, November 8, 2021 1:36 PM
To: Kevin Malloy
Subject: RE: Site question

WARNING: The sender of this email could not be validated and may not match the person in the "From" field.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kevin,

Record individual elements such as a bridge or railroad stop. Don't record updated or abandoned railroad tracks or grades. Instead, mention them in the background section of the report. Refer to the [Defined Non-Sites memo](#) for the policy.

Best regards,

Andy

Andrew Clark, PhD
Chief Archaeologist
Archaeology and Historic Preservation Division
State Historical Society of North Dakota
612 East Boulevard Avenue
Bismarck, North Dakota 58505-0830
701-328-3574

From: Kevin Malloy <Kevin.Malloy@erm.com>
Sent: Wednesday, November 3, 2021 10:41 AM
To: Clark, Andrew <andrewclark@nd.gov>
Subject: Site question

******* CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *********

Hey Andy,

I wanted to ask you about North Dakota's policy towards recording old railroad line locations. We have a couple of areas that cross an old line. Nothing appears to be left but we did note it however. I could be completely wrong, but I thought that we had talked about this in the past and you said something to the effect that you don't want us to record them. I truly couldn't remember however.

Hope you're doing well.

Thanks!

Kevin

Kevin Malloy, Ph.D.
Senior Consultant/Archaeologist

ERM

222 South 9th Street | Suite 2900 | Minneapolis, MN 55402

M 906.285.0361

E Kevin.Malloy@erm.com | **W** www.erm.com



This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at (612) 347-6789 and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit:

ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee (s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at our Atlanta office (678) 904-4371 and take the steps necessary to delete the message completely from your computer system. Thank you, Environmental Resources Management. To find out how ERM manages personal data, please review our [Privacy Policy](#)

This message contains information which may be confidential, proprietary, privileged, or otherwise protected by law from disclosure or use by a third party. If you have received this message in error, please contact us immediately and take the steps necessary to delete the message completely from your computer system. Thank you.

Please visit ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

Call Log

Log of Telephone Conversation



| | |
|-----------------------------|----------------------------|
| Call To/From Whom | Andrew Clark (SHSND) |
| Phone number | 701.328.3574 |
| Company | SHSND |
| ERM Contact | Kevin Malloy |
| Phone number | 906-285-0361 |
| Date | 02/03/2022 |
| Time of Conversation | 9:51 am |
| Reference | Wahpeton Expansion Project |
| Signature | |

LOG OF CONVERSATION

Dr. Kevin Malloy (ERM) called Dr. Andy Clark (State Archaeologist SHSND) called to discuss the best way to handle avoidance for a site that that was potentially in the Project footprint and could be disturbed. They discussed multiple options, but it was agreed on that maintaining a 50 foot buffer was the best without having to do any additional work.

CONFIDENTIALITY NOTICE This Call Log contains information which may be confidential, proprietary, privileged, or otherwise protected by law from disclosure or use by a third party. If you have received this facsimile transmission in error, please contact us immediately at the number listed above and take the steps necessary to dispose of this information. Thank you.



February 28, 2022

Andrew Clark, State Archaeologist
State Historic Society of North Dakota
North Dakota Heritage Center
612 East Boulevard Avenue
Bismarck, ND 58505-0830

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Dr. Clark:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limpy, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota



February 28, 2022

Lisa Steckler
State Historic Society of North Dakota
North Dakota Heritage Center
612 East Boulevard Avenue
Bismarck, ND 58505-0830

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Ms. Steckler:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limpy, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota

DeAnn Thyse

From: Steckler, Lisa L. <lsteckler@nd.gov>
Sent: Wednesday, March 2, 2022 1:23 PM
To: Kevin Malloy
Subject: Wahpeton Expansion

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We received the hard copy reports today. Thank you.

Just for reference in future we only need one copy of each.

*Lisa L Steckler
Historic Preservation Specialist
State Historical Society of North Dakota*

Call Log

Log of Telephone Conversation



| | |
|-----------------------------|----------------------------|
| Call To/From Whom | Andrew Clark (SHSND) |
| Phone number | 701.328.3574 |
| Company | SHSND |
| ERM Contact | Kevin Malloy |
| Phone number | 906-285-0361 |
| Date | 03/03/2022 |
| Time of Conversation | 10:04 am |
| Reference | Wahpeton Expansion Project |
| Signature | |

LOG OF CONVERSATION

Dr. Kevin Malloy (ERM) called Dr. Andy Clark (State Archaeologist SHSND) called to discuss the site lead 32RIX62 needing to be included in the report. Dr. Clark asked that he send the write up via email for it to be reviewed concurrently with the report. Dr. Malloy sent the follow up email later in the morning.

CONFIDENTIALITY NOTICE This Call Log contains information which may be confidential, proprietary, privileged, or otherwise protected by law from disclosure or use by a third party. If you have received this facsimile transmission in error, please contact us immediately at the number listed above and take the steps necessary to dispose of this information. Thank you.

Kevin Malloy

From: Kevin Malloy
Sent: Thursday, March 3, 2022 11:21 AM
To: Clark, Andrew
Subject: Site Lead 32RIX62
Attachments: 32RIX62.pdf

Hello Andy,

Per our conversation this morning, please find attached the description of site lead 32RIX62.

As I stated on the phone, no evidence of a site was identified within the surveyed area.

Thank you,
Kevin

Kevin Malloy, Ph.D.
Senior Consultant/Archaeologist

ERM
222 South 9th Street | Suite 2900 | Minneapolis, MN 55402
M 906.285.0361
E Kevin.Malloy@erm.com | **W** www.erm.com



DeAnn Thyse

From: Steckler, Lisa L. <lsteckler@nd.gov>
Sent: Tuesday, March 8, 2022 2:12 PM
To: Kevin Malloy
Subject: FW: ERM Architectural

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I have reviewed the Architectural Report for the Wahpeton Expansion and have only the following minor comments:

Photo Captions are missing Feature Numbers:

Figure 2
Figure 34
Figure 65
Figure 80

The Archaeological Report is still under review so additional comments will be forthcoming.

Thanks!

Lisa L Steckler
Historic Preservation Specialist
State Historical Society of North Dakota

Call Log

Log of Telephone Conversation



| | |
|-----------------------------|--|
| Call To/From Whom | Andrew Clark (SHSND) |
| Phone number | 701.328.3574 |
| Company | SHSND |
| ERM Contact | Kevin Malloy |
| Phone number | 906-285-0361 |
| Date | 3/26/2022 |
| Time of Conversation | 9:08 am |
| Reference | North Bakken Expansion Project (Project) |
| Signature | |

LOG OF CONVERSATION

Dr. Andy Clark (State Archaeologist SHSND) called Dr. Kevin Malloy (ERM) to discuss the upcoming field season. Dr. Malloy asked if it was necessary to submit a new workplan. Dr. Clark stated no new plan was necessary and that the plan from the previous season was sufficient. In addition, Dr. Clark mentioned he had not had a chance to review the report submitted in early March. He also discussed the preference to have the upcoming field session rolled into one report, rather than the submittal of addendum reports. Dr. Malloy and Dr. Clark then agreed that the SHSND will provide comments on the current report and then a revised version, with the 2022 field results incorporated, will be submitted as one report.

CONFIDENTIALITY NOTICE This Call Log contains information which may be confidential, proprietary, privileged, or otherwise protected by law from disclosure or use by a third party. If you have received this facsimile transmission in error, please contact us immediately at the number listed above and take the steps necessary to dispose of this information. Thank you.

Call Log

Log of Telephone Conversation



| | |
|-----------------------------|--|
| Call To/From Whom | Andrew Clark (SHSND) |
| Phone number | 701.328.3574 |
| Company | SHSND |
| ERM Contact | Kevin Malloy |
| Phone number | 906-285-0361 |
| Date | 4/25/2022 |
| Time of Conversation | 9:08 am |
| Reference | North Bakken Expansion Project (Project) |
| Signature | |

LOG OF CONVERSATION

Dr. Kevin Malloy (ERM) called Dr. Andy Clark (State Archaeologist SHSND) to discuss the outstanding report and forthcoming comments from the SHPO. Dr. Clark expressed that he has been meaning to get to it, but with the recent passing of a fellow coworker in the office, there has been a significant backlog. Dr. Malloy discussed the sites to be avoided detailed in the report and reiterated that all sites were avoided by a minimum of a 50 ft buffer per the SHPOs requirements. Further, he asked if Dr. Clark would preliminarily concur that as long as the sites were avoided by 50 feet, no further work would be required at these locations. Dr. Clark agreed and stated that 50 feet was their rule for avoidance. As long as those 50 foot buffers were in place, no further work would be necessary. Dr. Malloy asked if Dr. Clark would be willing to send a follow-up email as well. Dr. Clark stated he would send an email later in the week. In addition, he stated that he would review the report this week and provide comments to be included in the submittal of the full report.

CONFIDENTIALITY NOTICE This Call Log contains information which may be confidential, proprietary, privileged, or otherwise protected by law from disclosure or use by a third party. If you have received this facsimile transmission in error, please contact us immediately at the number listed above and take the steps necessary to dispose of this information. Thank you.

Kevin Malloy

From: Kevin Malloy
Sent: Monday, April 25, 2022 9:25 AM
To: Clark, Andrew
Subject: UDP Question
Attachments: WBI_UDP_Draft_04-10-2022 with FERC comments incorporated.docx

Hi Andy,

I hope this email finds you well. First let me express my condolences about the loss of Fern Swenson. I was very sorry to hear of her passing.

Second of all, I am checking to see if there are any comments on the Unanticipated Discovery Plan (Plan) we submitted to SHPO (both Dr. Peterson and Fern Swenson) on February 8th and as an appendix for the archaeology report for the WBI Wahpeton Expansion Project. The attached copy of the Plan has been updated to include tribes that have asked to be contacted and comments provided by FERC.

Please let me know if you have any comments on the Plan or if there is someone else I should now contact in the SHPO office.

Thank you and please don't hesitate to contact me.

Kind regards,
Kevin

Kevin Malloy, Ph.D.
Senior Consultant/Archaeologist

ERM
222 South 9th Street | Suite 2900 | Minneapolis, MN 55402
M 906.285.0361
E Kevin.Malloy@erm.com | **W** www.erm.com



**APPENDIX 4F COPIES OF CORRESPONDENCE WITH FEDERALLY
RECOGNIZED INDIAN TRIBES**



March 1, 2022

Steve Vance, THPO
Cheyenne River Sioux Tribe
98 S. Willow Street
PO BOX 590
Eagle Butte, SD 57625

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Mr. Vance:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limpy, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota



March 1, 2022

Michael Blackwolf, THPO
Fort Belknap Indian Community
656 Agency Main,
Harlem, MT 59526

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Mr. Blackwolf:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limpy, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota



March 1, 2022

Dyan Youpee, Cultural Resources Director
Assiniboine and Sioux Tribes of the Fort Peck Reservation
501 Medicine Bear Road
PO Box 1027
Poplar, Montana, 59255

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Mr. Youpee:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton Expansion Project, Cass and Richland Counties, North Dakota

Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limpy, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota



March 1, 2022

Ben Ridgley, THPO
Northern Arapaho Tribe
PO BOX 396
Fort Washakie, WY 82514-0396

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Mr. Ridgley:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton Expansion Project, Cass and Richland Counties, North Dakota

Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limpy, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota



March 1, 2022

Teanna Limply, THPO
Northern Cheyenne Tribe
PO Box 128
Lame Deer, MT 59043-0128

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Ms. Limply:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota
Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limply, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota



March 1, 2022

Thomas Brings, THPO
Oglala Sioux Tribe
PO Box 2070
Pine Ridge, SD 57770

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Mr. Brings:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota
Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limpy, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota



March 1, 2022

Kade Ferris, THPO/Tribal Archaeologist
Red Lake Band of Chippewa Indians of Minnesota
15484 Migizi Drive
Red Lake, MN 56671

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Mr. Ferris:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota
Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limpy, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota



March 1, 2022

Ione Quigley, THPO
Rosebud Sioux Tribe
P.O. Box 430
11TH Legion Ave
Rosebud, SD 57570

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Mr. Quigley:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota
Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limpy, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota



March 1, 2022

Dianne Desrosiers, THPO
Sisseton-Wahpeton Oyate of the Lake Traverse Reservation
P.O. Box 907
12554 BIA Hwy 711
Agency Village, SD 57262

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Ms. Desrosiers:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota
Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limpy, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota



March 1, 2022

Erich Longie, Ed.D., THPO
Spirit Lake Sioux Tribe
PO Box 359, Fort Totten, ND 58335

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Mr. Longie:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota
Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limpy, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota



March 1, 2022

John Eagle, THPO
Standing Rock Sioux Tribe
1 Standing Rock Ave
Fort Yates, ND 58538

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Mr. Eagle:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota
Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limpy, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota



March 1, 2022

Allen Demaray, THPO
Three Affiliated Tribes of the Fort Berthold Reservation
(Mandan, Hidatsa & Arikara Nation)
404 Frontage Road
New Town, ND 58763

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Mr. Demaray:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota
Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limpy, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota



March 1, 2022

Jeff Desjarlais Jr., Acting THPO
Turtle Mountain Band of Chippewa Indians
P.O. Box 900
Belcourt, ND 58316

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Mr. Desjarlais Jr.:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota
Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limpy, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota



March 1, 2022

Samantha Odegard, THPO
Upper Sioux Community of Minnesota
5722 Travers Lane
PO Box: 147
Granite Falls, MN 56241

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Ms. Odegard:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota
Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limpy, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota



March 1, 2022

Kip Spotted Eagle, THPO Director
Yankton Sioux Tribe
PO Box 1153
Wagner, SD 57380

Subject: WBI Energy Transmission, Inc.
Wahpeton Expansion Project –Class III Archaeology Survey Report and Class III
Structures Survey Report from 2021
Cass and Richland Counties, North Dakota

Dear Mr. Spotted Eagle:

Please reference WBI Energy Transmission, Inc.'s (WBI Energy's) previous correspondence regarding the above referenced project. WBI Energy proposes to construct and operate the Wahpeton Expansion Project (Project) in Cass and Richland Counties, North Dakota.

The Project is regulated by the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act. Under the Energy Policy Act of 2005, FERC is the lead agency for coordinating federal authorizations and complying with the National Environmental Policy Act on natural gas pipeline projects subject to its jurisdiction. FERC similarly is the lead federal agency for complying with Section 106 of the National Historic Preservation Act (NHPA) on natural gas pipeline projects under its jurisdiction. In accordance with 36 CFR 800.2(c)(4), WBI Energy is assisting the FERC in meeting its obligations under Section 106 of the NHPA by coordinating with agencies and tribes and conducting surveys to identify historic properties that may be affected by the Project.

Enclosed for your review, please find the Class III Archaeology Survey Report and the Class III Structures Survey Report in support of the Project for survey efforts conducted from October to November 2021.

WBI Energy would appreciate your comments on the attached reports. If you have any questions or comments on the Project or the reports, please contact me at 906-285-0361 or kevin.malloy@erm.com. Please direct written correspondence to Dr. Malloy's attention at:

Environmental Resources Management
222 South 9th Street
Suite 2900
Minneapolis, MN 55402

Sincerely,

Kevin Malloy
Senior Consultant

Enclosures: Class III Historic Architectural Survey: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota
Class III Archaeological Inventory Survey Report: WBI Energy Transmission, Inc. Wahpeton
Expansion Project, Cass and Richland Counties, North Dakota

cc: Jill Linn, WBI Energy
Maggie Suter, ERM
Becky Moores, ERM
Kevin Malloy, ERM
Emily Laird, ERM
Andrew Clark, SHSND
Lisa Steckler, SHSND
Teanna Limpy, Northern Cheyenne Tribe
Allen Demaray, Three Affiliated Tribes of the Fort Berthold Reservation
Dyan Youpee, Assiniboine and Sioux Tribes of the Fort Peck Reservation
Ione Quigley, Rosebud Sioux Tribe
Michael Black Wolf, Fort Belknap Indian Community
Tom Brings, Oglala Sioux Tribe
Jon Eagle, Standing Rock Sioux Tribe
Ben Ridgely, Northern Arapaho Tribe
Steven Vance, Cheyenne River Sioux
Erich Longie, Spirit Lake Tribe
Kip Spotted Eagle, Yankton Sioux Tribe
Jeff Desjarlais, Jr., Turtle Mountain Band of Chippewa
Dianne Desrosiers, Sisseton Wahpeton Oyate
Kade Ferris, Red Lake Band of Chippewa Indians of Minnesota
Samantha Odegard, Upper Sioux Community of Minnesota



Call Log

Log of Telephone Conversation

| | |
|-----------------------------|-------------------------------|
| Call To/From Whom | Dianne Desrossiers |
| Phone number | 605.698.3584 |
| Company | Sisseton-Wahpeton-Oyate Tribe |
| ERM Contact | Kevin Malloy |
| Phone number | 906-285-0361 |
| Date | 03/24/2022 |
| Time of Conversation | 10:58 am |
| Reference | Wahpeton Expansion Project |

Signature

LOG OF CONVERSATION

Dr. Kevin Malloy (ERM) called Dianne Desrossiers, Tribal Historic Preservation Officer for the Sisseton-Wahpeton-Oyate Tribe to follow up on the email he sent on March 16 responding to her request for more information from FERC. Dr. Malloy confirmed she received the email. They discussed the questions she'd asked in her initial inquiry. Dr. Malloy informed her that ERM was the consulting firm, that approximately 87-88 percent of the Project area had been completed to date, and that surveys were slated for later this spring to finish up the outstanding areas.

He then asked her if she'd received the hard copy of the survey report sent out on March 2, 2022. Ms. Desrossiers could not confirm that she'd received the report but stated that they get so much correspondence she was unsure. She then asked Dr. Malloy to summarize the findings he mentioned in the email. Dr. Malloy summarized the site findings and stated that no stone feature sites were encountered during this field effort. She asked him if he was the archaeologist conducting the work or if he trusted the findings of the crew. Dr. Malloy he was the coordinating archaeologist, and stated that given ERM's experience, and in particular the crew who conducted the work, on previous Projects in Western North Dakota, he was confident it was unlikely they missed any stone feature sites. He also explained the nature of the landscape that was being surveyed consisted of highly developed agricultural lands.

Ms. Desrossiers asked if any tribal cultural specialists (TCSs) had accompanied the survey team during the work. Dr. Malloy explained that only one tribe inquired about joining the survey in the fall but had ultimately been unable to join. He then explained that

ERM

Error! Use the Home tab to apply Doc date to the text that you want to appear here.

Reference:

Page 2 of 2

another tribe had expressed interest in joining in the spring. Ms. Desrossiers stated that she would like one of her crew members to accompany the surveys when the resume in the spring. Dr. Malloy stated that WBI would need to coordinate with them on any participation and that he would forward that request along. Ms. Desrossiers thanked Dr. Malloy for the call and taking the time to discuss the Project. Dr. Malloy thanked her as well.

DeAnn Thyse

From: Dianne Desrosiers <DianneD@SWO-NSN.GOV>
Sent: Thursday, March 24, 2022 11:19 AM
To: Kevin Malloy
Subject: RE: PF21 -4 -000Wahpeton Expansion project

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you!

From: Kevin Malloy <Kevin.Malloy@erm.com>
Sent: Wednesday, March 16, 2022 1:10 PM
To: Dianne Desrosiers <DianneD@SWO-NSN.GOV>
Cc: Linn, Jill <Jill.Linn@wbienergy.com>; Maggie Suter <Maggie.Suter@erm.com>
Subject: PF21 -4 -000Wahpeton Expansion project

Hello Ms. Desrosiers,

I hope this email finds you well. I'm writing in response to your March 15, 2022 email to the FERC regarding WBI Energy Transmission Inc.'s (WBI Energy) Wahpeton Expansion Project (Project). WBI Energy has retained Environmental Resources Management (ERM) for the cultural resources surveys in support of this Project. Initial Project introductory letters and a request for Tribal consultation were mailed on September 13, 2021 with follow-up phone calls made on September 24, 2021. ERM began Cultural surveys for the Project October 4, 2021 and wrapped up in November 2021. To date, approximately 87 percent of the proposed Project Footprint has been surveyed with additional surveys slated for the spring of 2022. On March 2, 2022, a hard copy of the survey report was mailed to you at the following address:

Sisseton Wahpeton Oyate THPO Office
12554 Bia Hwy 711
P.O. Box 907
Sisseton SD, 57262.

In the report are detailed descriptions of the survey's findings, which included 10 archaeological sites and 9 isolated finds. The report also includes multiple sets of survey coverage maps, detailing the locations of the archaeological findings. Following this, FERC sent the letter you mentioned in your message on March 3, 2022.

If you did not receive the report or if there is a different address that it needs to be sent to, please feel free to reach out and we will be happy to send another copy. Furthermore, if you have any questions about the report or would like to discuss the findings, you can address questions via email or call me at 906-285-0361.

Thank you,
Kevin

Kevin Malloy, Ph.D.
Senior Consultant/Archaeologist

ERM
222 South 9th Street | Suite 2900 | Minneapolis, MN 55402

M 906.285.0361

E Kevin.Malloy@erm.com | W www.erm.com



This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee(s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at (612) 347-6789 and take the steps necessary to delete the message completely from your computer system. Thank you,

Please visit:

ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

This electronic mail message may contain information which is (a) LEGALLY PRIVILEGED, PROPRIETARY IN NATURE, OR OTHERWISE PROTECTED BY LAW FROM DISCLOSURE, and (b) intended only for the use of the Addressee (s) names herein. If you are not the Addressee (s), or the person responsible for delivering this to the Addressee (s), you are hereby notified that reading, copying, or distributing this message is prohibited. If you have received this electronic mail message in error, please contact us immediately at our Atlanta office (678) 904-4371 and take the steps necessary to delete the message completely from your computer system. Thank you, Environmental Resources Management. To find out how ERM manages personal data, please review our [Privacy Policy](#)

This message contains information which may be confidential, proprietary, privileged, or otherwise protected by law from disclosure or use by a third party. If you have received this message in error, please contact us immediately and take the steps necessary to delete the message completely from your computer system. Thank you.

Please visit ERM's web site: <http://www.erm.com>. To find out how ERM manages personal data, please review our [Privacy Policy](#)

DeAnn Thyse

From: Linn, Jill <Jill.Linn@wbienergy.com>
Sent: Tuesday, March 29, 2022 2:02 PM
To: waynec@swo-nsn.gov
Cc: dianned@swo-nsn.gov
Subject: WBI Energy - Wahpeton Expansion Project

Good afternoon,

I am hoping to coordinate with your office for a representative from your survey crew to accompany our contractor during upcoming field surveys.

WBI Energy is currently planning the Wahpeton Expansion Project, an approximately 60 mile natural gas pipeline project in southeast North Dakota, regulated by the Federal Energy Regulatory Commission.

On March 2, 2022, WBI Energy mailed your office a report of findings from the original survey effort which took place last fall. In a follow-up phone call last week with WBI's consultant, Kevin Malloy with ERM, Dianne Desrossiers indicated she would like one of her crew members to accompany the surveys when they resume this spring.

I would like to set up a time to discuss the process for coordinating surveys. Do you have time available this week or next to discuss?

Thank you for your time,

Jill Linn
Environmental Manager

WBIENERGY
TRANSMISSION

Office: 406-359-7332
Mobile: 406-939-5437

DeAnn Thyse

From: Gary <gary.lafranier@cheyennenation.com>
Sent: Friday, April 8, 2022 6:04 PM
To: Kevin Malloy
Subject: Wahpeton Expansion Project
Attachments: Wahpeton Expansion Project.pdf

Importance: High

WARNING: The sender of this email could not be validated and may not match the person in the "From" field.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Attached is the Wahpeton Expansion Project.

Thank You,

Gary La Franier

FCC/ Section 106 Coordinator
(406) 477-8114
Lame Deer, MT. 59043



Northern Cheyenne Tribal Historic Preservation

14 E. Medicine Lodge Drive | P.O. Box 128 | Lamart, MT. 59043

Ph: (406) 477- 4838/ 4839/ 8113/ 8114

CONSULTATION REQUEST

| | | |
|--|--|---|
| <p style="color: red; margin: 0;">CONSULTING AGENCY</p> <p>Environmental Resources Management</p> | PROJECT TYPE | Wahpeton Expansion Project |
| | FEDERAL AGENCY | Federal Regulatory Commission (FERC) |
| | STATE / COUNTY | North Dakota/ Cass & Richland |
| ADDRESS | CORRESPONDENCE | |
| 222 South 9th Street Suite 2900 | DATE RECEIVED | 3/10/2022 |
| CITY/STATE/ZIP | REVIEW PERIOD | 30-DAY |
| Minneapolis, MN. 55402 | DEADLINE | 4/10/2022 |
| PHONE | DOCUMENTATION RECEIVED | |
| (906) 285-0361 | MAPS | YES |
| FAX | SURVEY | CLASS III |
| E-MAIL | TRIBAL SURVEY | N/A |
| kevin.malloy@erm.com | DETERMINATION | |
| AGENCY CONTACT | FINDING | NO ADVERSE EFFECT |
| <u>Kevin Malloy</u> | COMMENT | Your undertaking may proceed as planned |
| PROJECT CONTACT | ADDITIONAL COMMENTS | |
| | Please have an archaeologist monitor sites that are in the direct ground disturbing activities in case of an adverse discovery. If cultural resources are located during ground disturbance, please halt all activities and notify our office. | |
| PREPARED BY: | | |
| Gary LaFranier | <div style="border: 1px solid black; padding: 2px; display: inline-block;"><i>Teanna Limpy</i></div> Tribal Historic Preservation Officer | |
| | <div style="border: 1px solid black; padding: 2px; display: inline-block;">4/8/2022</div> DATE | |

LITTLEWOLF AND MORNING STAR- Out of Defeat and exile they led us back to Montana and won our Cheyenne Homeland that we will keep forever



CONSULTING AGENCY

Environmental Resources Management

ADDRESS

222 South 9th Street Suite
2900

CITY/STATE/ZIP

Minneapolis, MN. 55402

PHONE

(906) 285-0361

FAX

E-MAIL

kevin.malloy@erm.com

AGENCY CONTACT

Kevin Malloy

PROJECT CONTACT

PREPARED BY:

Gary LaFranier

**LITTLEWOLF AN
our Cheyenne Hon**

**APPENDIX 4G PLAN FOR UNANTICIPATED DISCOVERY OF
HISTORIC PROPERTIES OR HUMAN REMAINS
DURING CONSTRUCTION**



WBI ENERGY TRANSMISSION, INC.

Wahpeton Expansion Project

Appendix 4G

**Plan for Unanticipated Discovery of Historic Properties or
Human Remains During Construction**

Draft

**Docket No.
CP22-XXX-000**

May 2022

**WBI ENERGY TRANSMISSION, INC.
WAHPETON EXPANSION PROJECT
APPENDIX 4G
PLAN FOR UNANTICIPATED DISCOVERY OF HISTORIC PROPERTIES
OR HUMAN REMAINS DURING CONSTRUCTION**

TABLE OF CONTENTS

1.0 INTRODUCTION.....4G-1
2.0 TRAINING.....4G-1
**3.0 UNANTICIPATED DISCOVERY OF CULTURAL MATERIALS OR HUMAN
REMAINS4G-1**
4.0 DISCOVERY OF CULTURAL MATERIALS.....4G-1
5.0 DISCOVERY OF UNMARKED BURIALS OR HUMAN REMAINS.....4G-3
6.0 CONTACTS FOR UNANTICIPATED DISCOVERIES.....4G-4

ACRONYMS AND ABBREVIATIONS

| | |
|------------|--|
| EI | Environmental Inspector |
| FERC | Federal Energy Regulatory Commission |
| Project | Wahpeton Expansion Project |
| SHSND | State Historical Society of North Dakota |
| WBI Energy | WBI Energy Transmission, Inc. |

1.0 INTRODUCTION

This plan identifies procedures to be implemented in the event that previously unreported and unanticipated cultural materials or human remains are found during construction of WBI Energy Transmission, Inc.'s (WBI Energy) Wahpeton Expansion Project (Project).

2.0 TRAINING

Prior to the start of construction, WBI Energy will conduct environmental training, including instruction on the identification of cultural materials, unmarked burials, and human remains, for Company and Contractor personnel. WBI Energy also will provide large-group training sessions before each work crew commences construction with periodic follow-up training for groups of newly assigned personnel.

3.0 UNANTICIPATED DISCOVERY OF CULTURAL MATERIALS OR HUMAN REMAINS

The following measures will be implemented if known or suspected cultural materials, unmarked burials, or human remains are discovered during construction.

1. The Contractor will stop work in the area of the find (i.e., within 100 feet of the find or the outer perimeter of a group of finds) to protect the integrity of the find.
2. The Contractor will notify a WBI Energy Environmental Inspector (EI) of the find and will not restart work in the area of the find until approved by an EI.
3. The EI will notify WBI Energy's Designated Representative, who will coordinate with WBI Energy's Archaeological Consultant to conduct a preliminary assessment of the find.
4. Following the investigation, the Archaeological Consultant will notify WBI Energy's Designated Representative by telephone regarding the preliminary assessment of the find.
5. WBI Energy's Designated Representative will notify the Federal Energy Regulatory Commission (FERC), State Historical Society of North Dakota (SHSND), and federally recognized Indian tribes (as appropriate) by telephone regarding the preliminary evaluation of the find.
6. If the materials found are cultural materials (e.g., artifacts or archaeological features), the procedures in section 4.0 will be implemented. If the materials found are human remains, the procedures in section 5.0 will be implemented.

4.0 DISCOVERY OF CULTURAL MATERIALS

1. The EI will flag or fence off the site (including the area within 100 feet of the find or the outer perimeter of a group of finds).

Plan for Unanticipated Discovery of Historic Properties or Human Remains During Construction

2. WBI Energy's Designated Representative will direct the Archaeological Consultant to begin an assessment of the significance of the find and the potential effect of construction on the site.
3. The Archaeological Consultant will assess and document the find within 2 days of its discovery.
4. If the Archaeological Consultant determines the find is not significant, and FERC, SHSND, and any consulting federally recognized Indian tribes concur, the Archaeological Consultant will notify WBI Energy's Designated Representative that construction may proceed across the find without additional action. The Archaeological Consultant will prepare a brief report on the find for submittal to FERC, SHSND, and any consulting federally recognized Indian tribes within 7 days of discovery of the find.
5. If the Archaeological Consultant determines that the find may be significant, and FERC, SHSND, and any consulting federally recognized Indian tribes concur, then the following additional steps will be implemented.
 - a. WBI Energy's Designated Representative will notify other parties of the find as directed by FERC and SHSND.
 - b. If the find is determined to be significant and continuing construction may damage more of the find, WBI Energy's Designated Representative will request recommendations from FERC, SHSND, and any consulting federally recognized Indian tribes regarding measures for site treatment. These measures may include:
 - i. a variance request to re-route the pipeline around the site;
 - ii. archaeological evaluation of the site;
 - iii. site visits by FERC, SHSND, and any consulting federally recognized Indian tribes;
 - iv. preparation of a mitigation plan by WBI Energy for approval by FERC, SHSND, and any consulting federally recognized Indian tribes;
 - v. implementation of the mitigation plan; and
 - vi. approval to resume construction following completion of the fieldwork component of the mitigation plan.
 - c. If, upon further analysis by the Archaeological Consultant, the find is determined to lack significance, WBI Energy's Designated Representative will consult with FERC, SHSND, and any consulting federally recognized Indian tribes and will request approval to resume construction subject, as warranted, to further mitigation required by FERC.

- d. WBI Energy's Designated Representative will notify the EI who will grant clearance to the Contractor to start work.

5.0 DISCOVERY OF UNMARKED BURIALS OR HUMAN REMAINS

1. If an unmarked human burial or skeletal remains are encountered during construction activities, WBI Energy will comply with North Dakota's "Protection of human remains and burial goods – Unlawful acts – Penalties - Exceptions" law (North Dakota Century Code [NDCC] 23-06-27) and its accompanying administrative rules (North Dakota Administrative Code [NDAC] 40-02-03).
2. WBI Energy's Designated Representative will direct the EI to flag or fence off the find (including the area within 100 feet of the find or the outer perimeter of a group of finds) and will notify the appropriate local law enforcement agency as required by NDCC 23-06-27.
3. WBI Energy's Designated Representative will notify FERC, SHSND, and any consulting federally recognized Indian tribes of the find.
4. If the local law enforcement agency determines that the remains are not modern or do not reflect a crime scene and/or if they otherwise relinquish their jurisdiction over the remains, WBI will assist FERC in consulting appropriate parties (e.g., SHSND, federally recognized Indian tribes, and the landowner) regarding additional steps to be followed.
5. If it can be determined that the identified human remains have affinity to federally recognized Native American tribes, a reasonable effort will be made to identify, locate, and notify these tribes.
6. The parties will make a good faith effort to exclude the public from viewing Native American burial sites or associated funerary artifacts and ensure that no photographs of Native American burial sites or associated funerary artifacts are released to the press or public.
7. The measures to protect the remains and associated artifacts will remain in effect until they have been fully evaluated, appropriate treatment of the discovery (if applicable) has been completed, and WBI Energy has received notice from FERC to proceed with construction at the discovery site. These treatment measures may include:
 - a. a variance request to re-route the pipeline around the site;
 - b. site visits by FERC, SHSND, and any consulting federally recognized Indian tribes;
 - c. preparation of a treatment plan by WBI Energy for approval by FERC, SHSND, and any consulting federally recognized Indian tribes;
 - d. implementation of the treatment plan; and

e. approval to resume construction following completion of the fieldwork component of the treatment plan.

8. WBI Energy's Designated Representative will notify the EI who will grant clearance to the Contractor to resume work at the discovery site.

6.0 CONTACTS FOR UNANTICIPATED DISCOVERIES

WBI ENERGY CONTACTS:

Lead Environmental Inspector

Name: To be determined
Cell: To be determined
Email: To be determined

Environmental Inspector

Name: To be determined
Cell: To be determined
Email: To be determined

WBI Energy Designated Representative

Name: Jill Linn
Address: 2010 Montana Avenue, Glendive, MT 59330
Phone: 406-359-7332
Cell: 406-939-5437
Email: Jill.Linn@WBIEnergy.com

Archaeological Consultant

Name: Kevin Malloy, ERM
Address: 222 South 9th Street, Minneapolis, MN 55402
Phone: 612-347-7138
Cell: 906-285-0361
Email: Kevin.Malloy@erm.com

FEDERAL CONTACTS:

FERC Project Manager

Name: David Hanobic
Address: 888 1st St NE, Washington, DC 20426
Phone: 202-502-8312
Email: David.Hanobic@ferc.gov

FERC Project Archaeologist

Name: Laurie Boros
Address: 888 1st St NE, Washington, DC 20426
Phone: 202-502-8046
Email: Laurie.Boros@ferc.gov

STATE CONTACTS:

State Historical Society of North Dakota, Director

Name: Bill Peterson
Address: 612 East Boulevard Avenue, Bismarck, ND 58505
Phone: 701-328-2666
Email: billpeterson@nd.gov

TRIBAL CONTACTS:

Northern Arapaho Tribe, Tribal Historic Preservation Officer (THPO)

Name: Crystal Reynolds
Address: P.O. Box 67, St. Stephens, Wyoming 82524
Phone: (307) 856-1628
Email: creynolds.thpo@gmail.com

Northern Cheyenne Tribe, Section 106 Coordinator

Name: Gary La Franier
Address: P.O. Box 128, Lame Deer, Montana 59043
Phone: (406) 477-8114
Email: gary.lafranier@cheyennenation.com

LOCAL LAW ENFORCEMENT CONTACTS:

Cass County Sheriff

Name: Jesse Jahner
Address: 1612 23rd Ave N, Fargo, ND 58107
Phone: 701-241-5800

Richland County Sheriff

Name: Larry Leshovsky
Address: 413 3rd Ave N, Wahpeton, ND 58075
Phone: 701-642-7711