

**Hiland Crude, LLC
New Town Expansion Project – Mountrail County
Case No. PU-15-416**

LATE-FILED EXHIBIT 10
CONSULTATION WITH TRIBAL HISTORIC PRESERVATION OFFICE

At the September 17, 2015 public hearing for the Certificate of Corridor Compatibility and Route Permit Application submitted by Hiland Crude, LLC (“Hiland”) for the New Town Expansion Project (“Project”), the North Dakota Public Service Commission requested that Hiland provide proof of communications with the Three Affiliated Tribes regarding consultations for cultural resources. To that end, three pieces of communication are provided herewith as part of Late-Filed Exhibit 10.

In May of 2015, Keitu Engineers and Consultants inquired of Beaver Creek Archaeology whether consultations had been initiated with the Three Affiliated Tribes Tribal Historic Preservation Office (“THPO”) for the Project. Ms. Raina Hanley of Beaver Creek Archaeology confirmed with Keitu, by e-mail received from Pete Coffey Jr., compliance officer for the THPO, that the THPO had been consulted for the Project. Based on the initial e-mail response received from the THPO during the early stages of compiling the information for the Project applications, Beaver Creek Archaeology clarified by formal letter the consultation that Beaver Creek Archeology initiated with the THPO and the results of such consultation. Finally, by further e-mail correspondence from the THPO, Mr. Pete Coffey endorsed the content and findings included in the Beaver Creek Archaeology letter regarding consultation and a finding of no significant impacts to cultural resources for the Project.

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From: Raina Hanley [mailto:RHanley@bcarch.org]

Sent: Tuesday, May 12, 2015 3:50 PM

To: Karine Becker <kbecker@keitu.com>

Cc: Wade Burns <WBurns@bcarch.org>

Subject: Re: New Town Questions

Karine,

Below is the email I received in regards to your question. Please let me know if you have any questions or require any further information or a formal letter.

Thanks!

-Raina

Raina:

Please be advised that Beaver Creek Archaeology had attempted to coordinate with the MHA THPO and that the MHA THPO was/is aware of this pipeline project. The project I am referring to is the New Town Line Extension which is part of the larger Market Center Line in North Dakota. Please call at your convenience for any further questions.

Go-shtey

Pete Coffey Jr

Compliance Officer

TAT-THP Office

404 Frontage Road,

New Town, ND, 58763

701.862.2474

701.421.8710

Sent from my iPhone

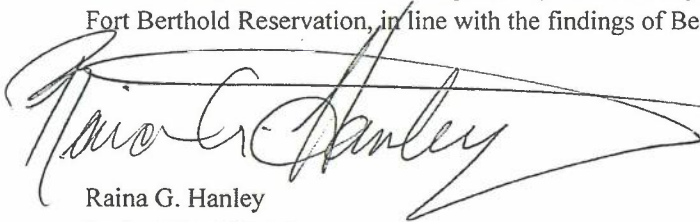
November 18, 2015

To Whom It May Concern,

I am writing to verify that the MHA THPO (of the Fort Berthold Reservation) was contacted by Beaver Creek Archeology regarding the New Town Extension Class III Intensive Pedestrian Survey conducted for Hiland Crude, LLC. Beaver Creek Archeology recommended a finding of no significant impacts as a result of the Project (provided that the recommended avoidance and mitigation measures discussed in the report are followed). Through the consultation of Beaver Creek with the THPO, the THPO did not express any concerns regarding significant impacts to cultural resources on the Fort Berthold Reservation.

The process in which this consultation occurs is a representative from the cultural resource firm (here Beaver Creek Archeology) calls the THPO and requests a monitor for the specified project. If the THPO has available staff and/or concerns on archaeological resources within the area of the proposed project, then arrangements are made and a tribal monitor is sent to accompany the surveying archaeologist(s). Pete Coffey or Jeff Smith from the THPO coordinates the schedule of the MHA Tribal Monitors.

In this specific case, Pete Coffey provided an email verification that the THPO was made aware of the New Town Extension survey, which is part of the larger Market Center Line in North Dakota. When the surveys were being conducted, the project was referred to by Beaver Creek as the New Town Extension part of the Market Center project and this information would have been passed along to the THPO. However, Beaver Creek was made aware of the fact that the New Town Expansion Project currently before the North Dakota Public Service Commission and the previous Market Center Project are considered entirely separate projects. The final New Town Extension Report prepared by Beaver Creek reflects this accurate title and distinction. The e-mail correspondence from Pete Coffey refers only to the New Town Extension Project consultation. As noted above, the THPO did not express any concerns regarding significant impacts to cultural resources on the Fort Berthold Reservation, in line with the findings of Beaver Creek Archaeology.



Raina G. Hanley
Project Coordinator



Beaver Creek
ARCHAEOLOGY

WHERE PROGRESS MEETS PRESERVATION

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-----Original Message-----

From: Pete Coffey [<mailto:pcoffey@mhanation.com>]

Sent: Thursday, November 19, 2015 3:36 PM

To: Raina Hanley

Cc: Elgin Crows Breast

Subject: RE: New Town Extension PSC Letter

Raina:

The letter is fine and i endorse the content of the letter. Please use this email as documentation of your efforts.

Pete Coffey
Compliance Officer
TAT-THP Office
404 Frontage Road,
New Town, ND, 58763
W: 701.862.2474
C: 701.421.8710

Thought creates Reality...
