

October 31, 2019

HAND DELIVERED

Mr. Steve Kahl
Interim Executive Director
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

**Re: Dakota Access, LLC
Emmons County Pump Station
Case No. PU-19-204**

Dear Mr. Kahl:

Please find enclosed herewith for filing with the North Dakota Public Service Commission, an original and ten copies of the following:

1. Dakota Access, LLC Agency Consultation Matrix Table;
2. SHPO Concurrence Letter dated July 1, 2019; and
3. Certificate of Service.

Please also find enclosed a disk containing the above-referenced documents in PDF format.

Should you have any questions, please advise.

Sincerely,


LAWRENCE BENDER

LB/kl
Enclosures
68458177 v1

Attorneys & Advisors
main 701.221.8700
fax 701.221.8750
fredlaw.com

Fredrikson & Byron, P.A.
1133 College Drive, Su
Bismarck, North Dakota
58501-1215

38 **PU-19-204** Filed: 10/31/2019 Pages: 5
**Agency Consultation Matrix table, SHPO
Concurrence Letter**

Dakota Access, LLC

Lawrence Bender, Fredrikson&Byron, P.A.

DAKOTA ACCESS, LLC - AGENCY CONSULTATION MATRIX

CASE NO. PU-19-204 - EMMONS COUNTY PUMP STATION

<u>Agency Name</u>	<u>Submittal Date</u>	<u>Response Date</u>	<u>Notes</u>
North Dakota Aeronautics Commission	6/12/2019	6/14/2019	
North Dakota Attorney General	6/12/2019		
Emmons County Commission	6/12/2019		
North Dakota Department of Agriculture	6/12/2019		
North Dakota Department of Career and Technical Education	6/12/2019		
North Dakota Department of Commerce	6/12/2019		
North Dakota Department of Human Services	6/12/2019		
North Dakota Department of Transportation	6/12/2019	6/28/2019	
North Dakota Department of Trust Lands	6/12/2019		
North Dakota Energy Development Impact Office	6/12/2019		
Federal Aviation Administration	6/12/2019		
North Dakota Game and Fish Department	6/12/2019	7/9/2019	
North Dakota Office of the Governor	6/12/2019		
North Dakota Indian Affairs Commission	6/12/2019		
North Dakota Industrial Commission	6/12/2019		
Job Service of North Dakota	6/12/2019		
North Dakota Department of Labor and Human Rights	6/12/2019		
North Dakota Pipeline Authority	6/12/2019		
North Dakota Transmission Authority	6/12/2019		
North Dakota Parks and Recreation Department	6/12/2019		
North Dakota State Soil Conservation Committee	6/12/2019		
North Dakota State Department of Health	6/12/2019		
State Historical Society of North Dakota	6/12/2019	7/1/2019	
North Dakota State Water Commission	6/12/2019	7/1/2019	
U.S. Army Corps of Engineers	6/12/2019		
U.S. Department of Defense	6/12/2019	6/24/2019	
U.S. Fish and Wildlife Service	6/12/2019	9/3/2019	Per request, a revised concurrence request letter was submitted to the USFWS on 7/26/2019.
North Dakota Department of Environmental Quality	N/A	6/26/2019	
North Dakota Department of Environmental Quality - Air Quality	N/A	7/3/2019	Cristy Jones (NDDEQ) requested additional information regarding emission generating equipment on 7/3/2019. Information was provided to Cristy on 7/12/2019.



**STATE
HISTORICAL
SOCIETY
OF NORTH DAKOTA**

Doug Burgum
Governor of North Dakota

**North Dakota
State Historical Board**

Terrance Rockstad
Bismarck - President

H. Patrick Weir
Medora - Vice President

Steve C. Martens
Fargo - Secretary

Albert I. Berger
Grand Forks

Daniel Stenberg
Watford City

Calvin Grinnell
Bismarck

Allan Demaray
New Town

Sara Otte Coleman
*Director
Tourism Division*

Kelly Schmidt
State Treasurer

Alvin A. Jaeger
Secretary of State

Melissa Baker
*Director
Parks and Recreation
Department*

Sondra Goebel
*Representative
Department of
Transportation*

Claudia J. Berg
Director

*Accredited by the
American Alliance
of Museums since 1986*

July 1, 2019

Mr. Marshall Olson
Perennial Environmental Services, LLC
13100 Northwest Freeway Suite 150
Houston, TX 77040

ND SHPO Ref: 15-0106 ND Public Service Commission "Class II/III Cultural Resources Inventory for the Dakota Access Optimization, Emmons County, North Dakota"

Dear Mr. Olson,

We reviewed ND SHPO Ref: 15-0106 ND Public Service Commission "Class II/III Cultural Resources Inventory for the Dakota Access Optimization, Emmons County, North Dakota," and find this Gray & Pape report prepared by Patrick D. Trader, (June 12, 2019) acceptable. We concur with a "No significant archaeological or architectural sites affected" determination for this project, provided the project remains as described and mapped in this report.

Thank you for the opportunity to review this project. Please include the ND SHPO reference number listed above in any further correspondence for this specific project. If you have any questions, please contact Paul Picha at (701)-328-3574 or Susan Quinnell at (701) 328-3576 or squinnell@nd.gov.

Sincerely,

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

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA**

**Dakota Access, LLC
Emmons County Pump Station**

Case No. PU-19-204

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the Letter to Mr. Steve Kahl at the North Dakota Public Service Commission forwarding the following documents:

1. Dakota Access, LLC Agency Consultation Matrix Table; and
2. SHPO Concurrence Letter dated July 1, 2019;

were, on October 31st, 2019, served by placing the same in the United States mail, postage prepaid, properly addressed to the following:

Timothy J. Dawson
ND Office of Administrative Hearings
2911 N 14th Street
Bismarck, ND 58503

Zachary E. Pelham
Pearce Durick PLLC
P.O. Box 400
Bismarck, ND 58502-0400

Timothy Q. Purdon
Robins Kaplan LLP
1207 West Divide Ave, Suite 200
Bismarck, ND 58503

Dean DePountis, General Counsel,
Standing Rock Sioux Tribe
P.O. Box D, Building #1
North Standing Rock Ave.
Fort Yates, ND 58538

Charles and Donna Kurszewski
210 81st Street SW
P.O. Box 207
Linton, ND 58552

DATED this 31st day of October, 2019.

FREDRIKSON & BYRON P.A.

By: 

Lawrence Bender, ND Bar #03908
1133 College Drive, Suite 1000
Bismarck, ND 58501-1215
701.221.8700
lbender@fredlaw.com

Attorneys for Dakota Access, LLC

68458040 v1