

Northern Natural Gas Company

Data Response Form For Docket No. CP26-130-000

Ventura to Farmington A-line Abandonment and Capacity Replacement Project (V2F) and Northern Lights 2027 Expansion Project (NL27)

Requesting Party: FERC
 Reference No: FERC-DR1-20
 Requester's Name: Allison King
 Subject: USFWS and MDNR Multiple Project Codes

Data Request 20 (Resource Report 3 – Fisheries, Vegetation, and Wildlife Resources):

Consultation letters to MDNR and USFWS are separated by project components and only for specific components. Under Endangered Species Act Section 7 informal consultation, USFWS assesses effects of the proposed action in its entirety (i.e., all facilities for the V2F project and NL27 project). Therefore, clarify and elaborate on whether USFWS and MDNR are aware of the multiple project codes for the V2F and NL27 projects.

Response:

Both MDNR and USFWS are aware of the multiple project codes.

US Fish and Wildlife Services (USFWS) was notified of the V2F Project through submittal of the determination keys (D-keys) for each component; the determination keys each stated that no further consultation with USFWS was required.

USFWS also was notified of the NL27 Project through submittal of the D-keys. The results of the D-keys for NL27 did require additional consultation with USFWS. Therefore, Northern submitted all of the NL27 components habitat assessment reports in one package to USFWS February 19, 2026. The Minnesota-Wisconsin Ecological Services Field Office staff have previously provided guidance that they will only review and reply to species determinations that require further consultation beyond the determinations provided in the D-keys. Northern followed this guidance and provided USFWS an opportunity to review the NL27 Project in its entirety. On March 20, 2026, USFWS provided an email response that assessed effects of the NL27 Project in its entirety, with the exception of the rusty patched bumble bee (RPBB). Northern is conducting RPBB surveys summer of 2026 and will complete follow up consultation with USFWS upon completion of the surveys. The email from USFWS is provided in DR1-4.

MDNR staff, specifically James Drake and Lisa Joyal, have received copies of all of the V2F Habitat Assessment Reports. On June 15, 2026, Northern submitted a review request letter to MDNR staff for the combined projects and provides copies of the Habitat Assessment Reports for both Projects along with copies of the updated IPaC and Determination Keys provided in DR1-19. In the June 15, 2026 letter to MDNR, Northern stated there are two combined projects as part of the FERC filing and detailed all of the components. A copy of the letter is attached to DR1-4.

Posted: 06/22/2026

Responsibility: Brian Garcia

Northern Natural Gas Company

Data Response Form For Docket No. CP26-130-000

Ventura to Farmington A-line Abandonment and Capacity Replacement Project (V2F) and Northern Lights 2027 Expansion Project (NL27)

Requesting Party: FERC
 Reference No: FERC-DR1-21
 Requester's Name: Allison King
 Subject: Revised Table 4.3-6

Data Request 21 (Resource Report 4 – Cultural Resources):

All material filed with the Commission containing **location, character, and ownership** information about cultural resources must have the cover and any relevant pages therein clearly labeled in bold lettering: **“CUI//PRIV – DO NOT RELEASE.”**

The description of the 12 newly recorded architectural resources for the NL27 Project states on page 4-20 that “[t]he resources include six historical building complexes and six historical drainage ditches”. However, this is not illustrated in table 4.3-6. Provide a revised table that reflects the resources identified for the Project. Include the disposition, NRHP eligibility, project extension, and/or avoidance methods of the new resources and the 14 previously documented architectural/aboveground resources documented in the background literature review.

Response:

The description of the newly recorded architectural resources for the NL27 Project on page 4-20 stated that the newly recorded architectural resources included six drainage ditches and six historical building complexes. Northern confirms this statement is correct. For clarity, the six building complexes included four farmsteads, one rural residence with outbuildings, and one natural gas compressor station. Two corrections have been made in Table 4.3-6:

1. Removal of 21MOav: The inclusion of the historical townsite (Archaeological Site 21MOav) in Table 4.3-6 was in error because the townsite was recorded as an archaeological site. Since Site 21MOav contained no extant architectural resources, it has been removed from the updated version of Table 4.3-6.
2. Update of JK-HUN-00012: Table 4.3-6 mistakenly identified historical farmstead JK-HUN-00012 as a drainage ditch. This has been corrected in the updated table.

Northern revised Table 4.3-6 to include previously recorded resources and the disposition, project extension, and avoidance methods for the architectural/aboveground resources documented in the NL27 Project Environmental Survey Boundaries (ESBs). There are only thirteen previously recorded resources in the revised Table 4.3-6 because the fourteenth resource, the Barlous Lake Archaeological District, is discussed in the archaeological results section of Resource Report 4. Table 4.3-6 is attached and is being filed as privileged due to information pertaining to the location of archaeological sites.

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Northern Natural Gas Company

Data Response Form For Docket No. CP26-130-000

Ventura to Farmington A-line Abandonment and Capacity Replacement Project (V2F) and Northern Lights 2027 Expansion Project (NL27)

Requesting Party: FERC
 Reference No: FERC-DR1-22
 Requester's Name: Allison King
 Subject: NL27 – Lake Mills – Visual APE
 Resources

Data Request 22 (Resource Report 4 – Cultural Resources):

All material filed with the Commission containing **location, character, and ownership** information about cultural resources must have the cover and any relevant pages therein clearly labeled in bold lettering: **“CUI//PRIV – DO NOT RELEASE.”**

The survey results for the visual APE for NL27 states on page 4-20 that “Lake Mills M500 E-line (...) have historical resources in them.” Identify what these resources are as previously in RR4 it is stated twice that there are no resources along that extension.

Response:

To clarify, no *previously recorded* historical resources were identified in the direct or visual Area of Potential Effects (APE) for the Lake Mills M500 E-line. In addition, the cultural resources survey did not identify any architectural resources *in the direct APE*. Two unrecorded historical (more than 45 years old) farmsteads were noted in the visual APE buffer for the Lake Mills M500 E-line. These farmsteads are located at [REDACTED]. Due to the specific location of historical properties being provided, Northern is filing a public and privileged version of this response. The privileged information has been redacted from the public version.

However, these farmsteads were not formally recorded during the Lake Mills M500 E-line architectural survey because neither resource is visible from the direct APE.

This summary is consistent with the statement on page 4-20, which states that public road rights-of-way and tree lines separate these unrecorded historical resources from the proposed Lake Mills M500 E-line facility.

 Posted: 06/22/2026

Responsibility: Brian Garcia

Northern Natural Gas Company

Data Response Form For Docket No. CP26-130-000

Ventura to Farmington A-line Abandonment and Capacity Replacement Project (V2F) and Northern Lights 2027 Expansion Project (NL27)

Requesting Party: FERC
Reference No: FERC-DR1-23
Requester's Name: Allison King
Subject: Revised Unanticipated Discoveries
Plan

Data Request 23 (Resource Report 4 – Cultural Resources):

All material filed with the Commission containing **location, character, and ownership** information about cultural resources must have the cover and any relevant pages therein clearly labeled in bold lettering: **“CUI//PRIV – DO NOT RELEASE.”**

Revise the Unanticipated Discoveries Plan (Appendices 4G and 4H) as follows: add the FERC contact as Archaeologist Allison King (202-502-8847). Provide the revised plan.

Response:

Revised copies of the Unanticipated Discovery Plans are attached.

Posted: 06/22/2026

Responsibility: Brian Garcia

Appendix 4G
Unanticipated Discoveries Plans for Archaeological Resources and Human
Remains for Iowa and Minnesota – V2F Project



Minnesota

I. Introduction

This document outlines the procedures Northern Natural Gas (Northern) will follow to prepare for and address any unanticipated discovery for the proposed Ventura to Farmington A-Line Abandonment and Capacity Replacement Project (Project). It provides direction to Northern personnel and their consultants/contractors as to the proper procedure to follow if an unanticipated discovery of cultural materials or human remains is made during construction. To minimize the potential for the discovery of unanticipated cultural materials or human remains, Northern conducted a detailed archaeological reconnaissance of the proposed Project. To ensure Northern maintains compliance with all federal and state regulations concerning the protection of cultural resources and human remains, this Unanticipated Discoveries Plan has been prepared for the Project.

The purpose of this Unanticipated Discoveries Plan is to demonstrate compliance with applicable federal and state laws and regulations regarding cultural resources and human remains, describe to regulatory and review agencies the procedures that will be followed in the event of unanticipated discoveries and to provide guidance to Project personnel.

The federal laws that govern cultural materials and human remains include, but are not limited to, the following: 36 CFR Part 800 (2007) of the regulations that implement Section 106 of the National Historic Preservation Act (NHPA) of 1996, as amended; 36 CFR Part 61; Section 3(d) (U.S.C. § 3002) of the Native American Grave Protection and Repatriation Act (25 U.S.C. §§ 3001-3013); and the Archaeological Resource Protection Act (Public Law 96095, 16 U.S.C. 470aa-mm). Minnesota Statute (MS) 307.08: Damages; Illegal Molestation of Human Remains; Burial; Cemeteries; Penalty, Assessment, governs human remains.

Cultural materials include man-made artifacts (precontact and post-contact objects greater than 50 years of age) and features (e.g., remnants of cultural activities above-ground and below-ground). Human remains include unidentified bones, mortuary features, and/or associated artifacts.

II. Personnel Responsibilities

The environmental inspector (EI) will be responsible for advising construction contractor personnel on the procedures to follow if an unanticipated discovery is made. Training for construction personnel will be completed as part of the preconstruction on-site training program. The EI will advise the following protocol be followed should operators of equipment involved in grading, stripping, or trenching activities observe any indication of the presence of cultural materials (artifacts or other man-made features), animal bone, or possible human remains:

- A. Stop work immediately.
- B. Contact the EI as soon as possible.
- C. Comply with procedures detailed in the Unanticipated Discoveries Plan.
- D. Treat human remains with dignity and respect. It is a felony to knowingly disturb human

remains (MS 307.08).

III. Unanticipated Discovery of Cultural Materials

If such materials are discovered during construction, the following procedures will be followed.

- A. Stop work in the immediate vicinity of the observed cultural materials.
 1. Notify the EI of the discovery.
 2. If the EI believes that an unanticipated discovery has been made:
 - a) The EI directs all ground disturbing activities within 25 feet of the area of the discovery to stop.
 - b) The EI will protect and secure the evidence in place by delineating the find with flagging or orange safety fencing around the perimeter of the 25-foot area; construction activity and vehicles will be prohibited within this area.
- B. Minimize movement of vehicles (limit the passage of equipment to only those essential to continue working at the construction site) and equipment within the area immediately surrounding the discovery within the orange safety fencing.
- C. The EI will immediately notify the Northern construction superintendent, as appropriate.
- D. The Northern construction superintendent will immediately notify the designated Northern contact by telephone and follow-up with written confirmation (via email, fax or overnight mail).

Northern Contact:

Terry Plucker –Environmental Compliance Manager
1111 South 103rd Street
Omaha, NE 68124
402-398-7226 (office)
402-332-7081 (cell)
Terry.Plucker@nngco.com

- E. Within 24 hours, if possible, a professional archaeologist will examine the location of the discovery, accompanied by the EI.
 1. If the archaeologist determines that the discovery is not cultural material, the archaeologist will immediately advise the EI, the Northern contact, the Chief Inspector and/or the Northern construction superintendent, any of whom have the authority to remove the stop-work order. The archaeologist will submit a letter report including photographs of the discovery site to Northern contacts within 15 business days. No further action regarding this procedure is required.
 2. If the archaeologist determines that the discovery is cultural material, the archaeologist will immediately advise the EI who will notify Northern contacts. The Northern contact will notify the Federal Energy Regulatory Commission (FERC) and the Minnesota State Historic Preservation Office (SHPO) by

telephone, with written confirmation by email, fax or overnight mail.

FERC Contact:

Allison King, Staff Archaeologist

Phone: 202-502-8847

Email: Allison.King@FERC.gov

SHPO Contact:

Kelly Gragg-Johnson

State Historic Preservation Office

Minnesota Historical Society

Administration Building #203

50 Sherburne Ave.

Saint Paul, MN 55155

651-201-3285

Kelly.graggjohnson@state.mn.us

3. If the discovery is Native American, Northern will also notify appropriate Native American tribal groups. Notification will be by telephone, with written confirmation by email, fax, or overnight mail. Notification will be the responsibility of the Northern contact. Tribal contacts are attached in Appendix A.

F. Notifications to FERC about observations of cultural material will:

1. Describe a scope of work for evaluating the significance of the resource and evaluating the potential Project effects on the resource. A request for authorization to immediately implement the work scope will also be made to FERC and the SHPO.
2. Invite FERC, the SHPO and identified tribal representatives, when appropriate, to observe the implementation of any proposed work.
3. All work to evaluate significance and Project effects will be confined to the Project's potential area of impact.

G. When the evaluation of the cultural resource is complete:

1. Northern will notify FERC and the SHPO by telephone and discuss the archaeologist's opinion regarding the potential significance of the resource.
2. If the archaeologist believes the resource is not significant, the archaeologist will provide a rationale for the opinion, and request permission from FERC for construction to recommence.
3. As soon as possible following the field investigation, the archaeologist will provide Northern with a written report describing the results of the field work.
4. If the resource is believed to be significant, the archaeologist will prepare a proposal for data recovery.

- H. Northern may choose to prepare an analysis of alternatives to data recovery to determine what form of mitigation is preferable.
 - 1. If the alternatives analysis is conducted, Northern will submit, by email, fax or overnight mail, the archaeologist's report and the alternatives analysis to FERC and the SHPO.
 - 2. If proposed, mitigation measures may be carried out without being impeded or affected by construction, the submittal to FERC will be accompanied by a request that construction around the discovery be permitted to resume. Construction will resume upon FERC authorization.
- I. Upon receipt of authorization from FERC, implementation of mitigation measures will begin immediately.
 - 1. Northern will advise FERC and the SHPO when all mitigation measures have been completed.
 - 2. If construction has been halted, Northern will also request authorization from FERC to recommence construction.
 - 3. Northern will submit a summary report describing the results of the mitigation to FERC and the SHPO within 30 days of notification that mitigation fieldwork has been completed.
 - 4. If archaeological data recovery is a component of the mitigation plan, a full report will be submitted to FERC and the SHPO in accordance with a schedule to be established in consultation with FERC.

IV. Unanticipated Discovery of Human Remains

Human remains are physical remains of a human body or bodies including, but not limited to, bones, teeth, hair, ashes, and preserved soft tissues (mummified or otherwise preserved) of an individual. Remains may be articulated or disarticulated bones or teeth and can also include mortuary features and associated artifacts.

Under no circumstances shall human remains be removed from the site without completing all coordination processes with the local police, the medical examiner, the Minnesota Office of the State Archaeologist (OSA), the Minnesota Indian Affairs Council (MIAC), the SHPO, Native American representatives, as appropriate, and FERC. Further work at the site will be suspended until all criteria of Section 106 of the NHPA, the Minnesota Private Cemeteries Act (MS 307.08), and other related state and federal regulations have been successfully completed.

- A. Workers will treat all human remains with dignity and respect.
- B. Immediately stop work in the vicinity of the unanticipated discovery involving potential human remains.
- C. Immediately notify the EI of the find.
- D. If the EI believes potential human remains have been found, the EI will stop all ground-disturbing activities within 100 feet of the potential discovery.



Northern Natural Gas
Northern Lights 2027 Expansion Project
Unanticipated Discoveries Plan

1. Protect and secure the evidence of the discovery.
2. Delineate the area with flagging or orange safety fencing.
3. Do not let machinery that was working in the vicinity of the possible human remains leave the area – human remains could be stuck in the tread or to the machinery. Before the machinery can leave, it needs to be inspected by an archaeologist and fully cleaned off. Minimize movement by vehicles and equipment in the immediate vicinity of the discovery.
4. Limit movement of vehicles in the vicinity of the find to the construction right of way authorized by Northern’s FERC certificate.
5. The EI will immediately notify Northern’s construction superintendent who will, in turn, immediately notify the Northern Manager – Construction Environmental Compliance, who in turn will notify FERC, the OSA, and the respective county sheriff’s office contacts:

Northern Contact:

Terry Plucker – Environmental Compliance Manager
1111 South 103rd Street
Omaha, NE 68124
402-398-7226 (office)
402-332-7081 (cell)
Terry.Plucker@nngco.com

FERC Contact:

Allison King, Staff Archaeologist
Phone: 202-502-8847
Email: Allison.King@FERC.gov

OSA Contact:

Amanda Gronhovd
Minnesota State Archaeologist
Minnesota Office of the State Archaeologist
328 Kellogg Boulevard
St. Paul, MN 55102
651-201-2263
612-725-2427 (fax)
amanda.gronhovd@state.mn.us

Freeborn County, Minnesota, Sheriff:

Ryan Shea
411 Broadway Ave S
Albert Lea, MN 56007
507-377-5205
ryan.shea@co.freeborn.mn.us



Northern Natural Gas
Northern Lights 2027 Expansion Project
Unanticipated Discoveries Plan

Steele County, Minnesota, Sheriff:

Lon Thiele
2500 Alexander St. SW
Owatonna, MN 55060
507-444-3800
lon.thiele@SteeleCountyMN.gov

Dakota County, Minnesota, Sheriff:

Joe Leko
1580 Highway 55
Hastings, MN 55033
651-438-4700
sheriff@co.dakota.mn.us

- E. Within 24 hours of the discovery, if possible, a professional archaeologist will examine the discovery to determine if the remains are human and have an archaeological association and, if so, if that association is Native American.
 - 1. The services of a physical anthropologist or other qualified professional will be retained if the archaeologist is unable to determine if the remains are human.
- F. If the remains are determined to be non-human and there is no archaeological association, the archaeologist making the determination will immediately advise the EI and/or the Northern construction superintendent, and construction may resume.
 - 1. The archaeologist will submit a letter report including photographs of the discovery site to the Northern contacts within 15 business days of the determination.
- G. If the remains are non-human but are associated with an archaeological site, follow the steps in Section III A through I above.
- H. If the remains are human and not associated with an archaeological context (i.e., greater than 50 years), the Northern construction superintendent will notify Northern's Environmental Compliance Manager, who in turn will notify FERC, the SHPO, the OSA, the landowner, and the respective county sheriff's office as listed in Section IV.D.5.

It is the responsibility of the sheriff's office to contact the medical examiner.

- I. Human remains found in a precontact archaeological context (i.e., greater than 50 years) will be assumed to be Native American. If Native American remains are identified, whether or not in an archaeological context, Northern will immediately notify FERC, the SHPO, the OSA, the MIAC, and the Tribal Historic Preservation Officer (THPO) contacts listed in Appendix A.

FERC Contact:

Allison King, Staff Archaeologist
Phone: 202-502-8847
Email: Allison.King@FERC.gov



Northern Natural Gas
Northern Lights 2027 Expansion Project
Unanticipated Discoveries Plan

SHPO Contact:

Kelly Gragg-Johnson
State Historic Preservation Office
Minnesota Historical Society
Administration Building #203
50 Sherburne Ave.
Saint Paul, MN 55155
651-201-3285
Kelly.graggjohnson@state.mn.us

OSA Contact:

Amanda Gronhovd
Minnesota State Archaeologist
Minnesota Office of the State Archaeologist
328 Kellogg Boulevard
St. Paul, MN 55102
651-201-2263
612-725-2427 (fax)
amanda.gronhovd@state.mn.us

MIAC Contact:

Isaac Weston
Cultural Resource Manager
Minnesota Indian Affairs Council
161 Rondo Avenue Suite 919
St. Paul, MN 55103
651-539-2200
isaac.weston@state.mn.us

- J. If human remains are present in a Native American context, Northern will follow the procedures described in Section IV E through I, except as follows:
1. The OSA and MIAC will be notified that human remains have been found. The notification to FERC and the SHPO will make special note that human remains have been found. Per MS 307.08:
 - a) For identified non-American Indian human remains and burials, OSA is the lead state agency.
 - b) For identified American Indian human remains and burials, MIAC is the lead state agency.
 - c) If ancestry cannot be determined or if identified human remains and burials are of both American Indian and non-American Indian ancestry, OSA and MIAC collaborate as the lead state agencies.
 2. Northern will assist MIAC, FERC and the OSA in notifying the appropriate Native American tribal groups.

3. Proposals for site evaluation will give special consideration to the fact that human remains are present. If the discovery relates to American Indian or probable American Indian, MIAC must approve the consultant and specialists prior to hiring for the burial recovery or site evaluation (per MS 307.08, 3a).
 - a) No conduct of intrusive examination of the immediate area surrounding the human remains prior to consultation with FERC, OSA, MIAC, and the SHPO is allowed. Per MS 307.08, if probable American Indian cemeteries are to be disturbed or probably American Indian remains analyzed, MIAC must approve the professional archaeologist, qualified anthropologist, or other appropriate expert.
 - b) Evaluate the potential for the presence of multiple graves and describe procedures for determining if other unidentified graves may be present.
 - c) Describe efforts made to contact Native American tribes, the results of contacts, and efforts (as feasible) to accommodate the desires of the Native American tribes regarding the treatment of human remains.
 - d) If the discovery was made after pipeline trenching in the vicinity of the discovery has been completed, construction will be permitted to recommence, except within 100 feet of any human remains. The machinery involved in the discovery may not leave the site until an archaeologist or member of MIAC staff have fully cleaned and examined all soils and materials attached to the machinery.
 - e) If the OSA and MIAC have determined that no burials or cemetery-related materials are present in the area, construction within the 100-foot area of the find will be permitted to proceed when the remains have been removed (or when it has been determined that the remains should be left in place).
 4. Per MS 307.08, if the remains are located on public, nonfederal, or private land in Minnesota, the OSA and MIAC are charged with custody and reburial of any human remains. If remains are on federal land, then the federal process is followed.
 5. Northern will make a good faith effort to accommodate requests from identified Native American tribal groups that they be present during implementation of mitigation measures related to human remains. MIAC is responsible for directing all recovery and/or mitigation work per MS 307.08.
- K. If human remains are present in a non-Native American archaeological context, the procedures described in Section E through J, will be followed except that:
1. Proposals for site evaluation will give special consideration to the fact that human remains are present (i.e., no intrusive examination of the immediate area of the remains and proposals will include an evaluation of the potential for the presence of multiple graves and describe procedures for determining if other unidentified graves may be present).
 2. If law enforcement (sheriff's office or medical examiner) determines that the remains are not part of a crime scene, and that the remains appear to be at least 50 years old, the site will be turned over to the state archaeologist. Per MS 307.08:



Northern Natural Gas
Northern Lights 2027 Expansion Project
Unanticipated Discoveries Plan

Page 9 of 22

- a) For identified non-American Indian human remains and burials, OSA is the lead state agency.
 - b) For identified American Indian human remains and burials, MIAC is the lead state agency.
 - c) If ancestry cannot be determined or if identified human remains and burials are of both American Indian and non-American Indian ancestry, OSA and MIAC collaborate as the lead state agencies.
3. Unless directed to do otherwise by FERC, or the OSA, Northern will assume that it is authorized to resume construction when the remains have been removed.
 4. Within 15 business days of resuming construction, Northern will provide the OSA and FERC with a written report describing the removal activities.
 5. If the discovery was made after trenching in the vicinity of the discovery has been completed, construction will be permitted to recommence, except within 100 feet of the human remains. The machinery involved in the discovery may not leave the site until an archaeologist or member of MIAC staff have fully cleaned and examined all soils and materials attached to the machinery.
 6. Construction within the remaining 100-foot area of the find will be permitted to proceed when the remains have been removed, if the state archaeologist determines that additional burials or cemetery materials are not present (or when it has been determined that the remains should be left in place).

Appendix A, THPO Contacts

Apache Tribe of Oklahoma
Durell Cooper, Chairman
511 East Colorado
Anadarko OK 73005
(405) 247-9493 (work phone)
(405) 247-2763 (work fax)
durell.cooper@apachetribe.org

Cheyenne and Arapaho Tribes, Oklahoma
Max Bear, THPO
700 Black Kettle Boulevard
Concho, OK 73022
(405) 422-7714 (work phone)
(405) 422-7715 (work fax)
mbear@cheyenneandrapaho-nsn.gov

Flandreau Santee Sioux Tribe of South Dakota
Garrie Kills-A-Hundred, THPO
PO Box 283
Flandreau, SD 57028
(605) 864-1236 (work phone)
(605) 997-3878 (work fax)
garrie.killsahundred@FSST.org

Fort Belknap Indian Community of the Fort Belknap Reservation of Montana
Michael Blackwolf, THPO
656 Agency Main Street
Harlem, MT 59526-9455
(406) 353-2295 (work phone)
(406) 353-2840 (work fax)
mblackwolf@ftbelknap.org

Iowa Tribe of Kansas and Nebraska
Alan Kelley, THPO
3345-B Thrasher Road
White Cloud, KS 66094
(785) 595-3258
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Northern Natural Gas
Northern Lights 2027 Expansion Project
Unanticipated Discoveries Plan

Lower Sioux Indian Community in the State of Minnesota
Cheyanne St. John, THPO
39527 Reservation Hwy 1
Morton, MN 56270
(507) 697-6321 (work phone)
(507) 697-6310 (work fax)
cheyanne.stjohn@lowersioux.com

Menominee Indian Tribe of Wisconsin
David Grignon, THPO
W2908 Tribal Office Loop Road
Keshena, WI 54135-0910
(715) 799-5258 (work phone)
(715) 799-5295 (work fax)
dgrignon@mitw.org; historicpreservationgroup@mitw.org

Minnesota Indian Affairs Council
Isaac Weston, Cultural Resource Manager
161 Rondo Avenue, Suite 919
St. Paul, MN 55103
(651) 539-2200
isaac.weston@state.mn.us

Prairie Island Indian Community in the State of Minnesota
Noah White, THPO
5636 Sturgeon Lake Road
Welch MN 55089
(651) 385-4175 (work phone)
(651) 385-4180 (work fax)
noah.white@piic.org

Santee Sioux Nation, Nebraska
Larry Thomas, Interim THPO
425 Frazier Avenue North, Suite 2
Niobrara, NE 68760
(402) 857-3568 (work phone)
(402) 857-2779 (work fax)
ssn.thpo@gmail.com; larry.thomas@ohiyacasino.com

Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota
Dianne Desrosiers, THPO
PO Box 907
Sisseton, SD 57262-0509
(605) 698-3584 (work phone)
(605) 698-4283 (work fax)



Northern Natural Gas
Northern Lights 2027 Expansion Project
Unanticipated Discoveries Plan

Page 12 of 22

dianned@swo-nsn.gov

Spirit Lake Tribe, North Dakota
Kenneth Graywater, THPO
PO Box 198
Fort Totten, ND 58335-0359
(701) 766-4031 (work phone)
kjgraywater@spiritlakenation.com; thpo@spiritlakenation.com

Upper Sioux Community Pezihutazizi Oyate
Samantha Odegard, THPO
PO Box 147, 5722 Travers Lane
Granite Falls, MN 56241-0147
(320) 564-6334 (work phone)
samanthao@uppersiouxcommunity-nsn.gov



**Northern Natural Gas
Northern Lights 2027 Expansion Project
Unanticipated Discoveries Plan**

Hancock and Worth Counties, Iowa

INTRODUCTION

This Unanticipated Discoveries Plan outlines procedures to be followed by Northern Natural Gas Company (Northern) in the event of an unanticipated discovery of archaeological resources, or human remains, during construction associated with the Ventura to Farmington A-Line Abandonment and Capacity Replacement Project in the State of Iowa. Northern contractors, where applicable, shall also follow the procedures outlined in this plan. The procedures differ depending on whether potentially significant cultural materials (Section I) or human remains (Section II) are encountered.

I. Unanticipated Discovery of Archaeological Resources

1. When previously unidentified archaeological resources are discovered during ground disturbing activities within the project construction corridor, the Environmental Inspector will stop work immediately to protect the integrity of the discovery and notify Northern's on-site Environmental Inspector of the discovery.
2. Immediately following notification of the discovery, the Environmental Inspector will:
 - i) Inspect the work site to determine the extent of the discovery. No cultural material will be removed from its original location
 - ii) Halt all construction work within 50 feet of the discovery and in the surrounding area where further subsurface remains can reasonably be expected to occur
 - iii) Clearly mark the area of the discovery using flagging and fencing, and protect it from the elements if necessary
 - iv) The Environmental Inspector will immediately notify Northern's construction superintendent who will, in turn, immediately notify the Northern Manager – Construction Environmental Compliance, who in turn will notify FERC, the Iowa OSA, and the respective county sheriff's office contacts:

Northern Contact:

Terry Plucker – Environmental Compliance Manager
1111 South 103rd Street
Omaha, NE 68124
402-398-7226 (office)
402-332-7081 (cell)
Terry.Plucker@nngco.com

FERC Contact:

Allison King, Staff Archaeologist Phone:
202-502-8847
Email: Allison.King@FERC.gov



Northern Natural Gas
Northern Lights 2027 Expansion Project
Unanticipated Discoveries Plan

Page 14 of 22

Iowa OSA Contact:

John Doershuk, Ph.D., RPA
The Office of the State Archaeologist
Office of the Vice President for Research
The University of Iowa
700 South Clinton St
Iowa City, IA 52242
319-384-0751
john-doershuk@uiowa.edu

Hancock County, Iowa, Sheriff:

Rob Gerdes
875 State St.
Garner, IA 50438
641-923-2621
641-923-2460 (Fax)
rgerdes@hancocklaw-ia.com

Worth County, Iowa, Sheriff:

Jesse Luther
1000 Central Ave.
Northwood, IA 50459
641-324-2481
641-324-2611 (Fax)
jluther@worthcounty.org

3. Within 24 hours of the discovery, if possible Northern's Manager of Construction Environmental Compliance will direct an archaeological consultant to the project area to determine if the discovery consists of potentially significant materials. All actions involving the identification, evaluation, treatment and reporting of historic properties, as defined by the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 FR 44716, since amended), shall be carried out under the direct supervision of a person(s) meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology, architectural history, or history, as appropriate (36 CFR Part 61).
4. If applicable, Northern's Manager of Construction Environmental Compliance will promptly notify the Federal Energy Regulatory Commission (FERC) of the find.
5. Northern's Manager of Construction Environmental Compliance will promptly notify the Iowa State Historic Preservation Office (SHPO), by telephone and E-mail, of the discovery.

Iowa SHPO (Deputy)

Contact: Heather Gibb
E-mail: heather.gibb@iowaeda.com
Address: State Historical Society of Iowa
600 East Locust Street
Des Moines, Iowa 50319



Northern Natural Gas
Northern Lights 2027 Expansion Project
Unanticipated Discoveries Plan

6. Any required treatment of the unanticipated discovery site will be completed in consultation with FERC, SHPO, Tribal Historic Preservation Officer (THPO), Indian Tribes, and/or other potential appropriate parties to determine the significance of the discovery, using

National Register of Historic Places criteria (36 CFR § 800.13(c)). The initial reporting and evaluation will be completed within 48 hours of the notification (36 CFR § 800.13(b)(3)). THPO contacts are listed in Appendix A.

- 7a. If it is determined by FERC in consultation with the SHPO and Office of the State Archaeologist (OSA), as appropriate, that the discovery is significant and that other significant materials may be damaged by allowing construction to continue, Northern's Manager of Construction Environmental Compliance would request recommendations from the SHPO, THPO, the Advisory Council on Historic Preservation (ACHP), if they elect to participate, or other parties regarding appropriate measures to avoid additional damage. The consulting parties shall provide their views on the proposed actions within 48 hours of the notification (36 CFR § 800.13(b)(3)). These measures must include, but are not limited, to the following:

- i) Formal archaeological evaluation of the site
- ii) On-site visits by the SHPO, THPO, or other interested parties discuss of ways to avoid, minimize, or mitigate the adverse effects to the newly discovered historic property
- iii) Preparation and implementation of a memorandum of agreement (MOA) and mitigation plan by Northern, in consultation with interested parties, subject to approval by the SHPO, FERC, ACHP, if they elect to participate, and other interested parties, including the OSA
- iv) Approval to resume construction following completion of the field work component of mitigation plan and fulfillment of obligations under the MOA
- v) Preparation of a historic site management plan for all instances where significant archaeological resources are avoided and preserved in place

- 7b. If the find is determined to be not eligible for listing on National Register of Historic Places, then Northern's Manager of Construction Environmental Compliance will consult with the SHPO and other parties and will request approval from FERC to resume construction.

8. The Contractor is not authorized to restart work until clearance is granted by the on-site Environmental Inspector.

II. Unanticipated Discovery of Human Remains

When an unmarked human burial or suspected human skeletal remains are encountered during construction activities, Northern and contractors shall comply with Code of Iowa, Chapter 263B.7 to 263B.9, 716.5, and Iowa Administrative Code § 685-11.1. The following steps are to be taken any time human remains are unearthed or other artifacts associated with mortuary features are found during project construction or maintenance activities in Iowa.



Northern Natural Gas
Northern Lights 2027 Expansion Project
Unanticipated Discoveries Plan

1. Upon discovery of suspected human remains during construction, including bone or other remains suspected to be human, work shall immediately cease in the area. The construction contractor or utility inspector will immediately notify Northern's Environmental Inspector in the event that human burial or skeletal remains are encountered during ground disturbing construction activities. If there is uncertainty as to whether remains are human or of archaeological origin, the OSA Bioarchaeology Program shall be contacted to make the determination.

OSA Bioarchaeology Program

Contact: Lara Noldner, Bioarchaeology Director

Telephone: 319-384-0740

E-mail: lara-noldner@uiowa.edu

Address: Office of the State Archaeologist

700 South Clinton Street Building

The University of Iowa

Iowa City, IA 52242-1030

2. Immediately following notification of the discovery of human remains, including bone or other remains suspected to be human, or other artifacts associated with mortuary features, the Environmental Inspector will:
 - i) Halt all construction activities and prohibit additional ground-disturbing activities within a 100-foot radius from the point of discovery
 - ii) Implement measures to secure the site and protect the discovery from looting, vandalism, and the elements
 - iii) Ensure all elements exposed are left in place and no photographs of artifacts or human remains are taken
 - iv) Notify the Northern's Manager of Construction Environmental Compliance (see Section I.2.iv for contact information)
3. Within 24 hours of the discovery, Northern's Manager of Construction Environmental Compliance will notify the OSA Bioarchaeologist (see Section II.1 for contact information), the State Medical Examiner (SME), and the appropriate local law enforcement agency in accordance with Section 523I.316 of the Iowa Code, and the FERC. FERC is responsible for notifying the SHPO, Indian tribes and other interested parties within 24 hours of the discovery.

Iowa Office of the State Medical Examiner

2250 South Ankeny Blvd.

Ankeny, IA 50023-9093

Phone: 515-725-1400

Fax: 515-725-1414

Email: iosme@hhs.iowa.gov



Northern Natural Gas
Northern Lights 2027 Expansion Project
Unanticipated Discoveries Plan

4. Law enforcement and/or SME will coordinate with OSA to establish the antiquity and ancestry or cultural affiliation, if possible, of the human remains. If ancestry or cultural affiliation cannot be determined, the remains are assumed to be Native American.
 - i) If the human remains appear to be ancient (i.e., older than 150 years), the OSA Bioarchaeology Program shall have jurisdiction to ensure that the appropriate procedures in accordance with Chapters 263B and 716.5 of Iowa Code are observed. The Iowa Department of Public Health has authority over human remains less than 150 years old per Iowa Code Chapters 113.34, 144.34, 523I.316, and 716.5.
 - ii) If the human remains are determined to be less than 150 years in age and of medico-legal significance, law enforcement and/or SME has jurisdiction.
 - iii) If the human resources are determined to be ancient and of European American ancestry, representatives of FERC, OSA, SHPO, and identifiable descendant communities will confer and determine appropriate measures for avoidance, minimization or mitigation.
 - iv) If the human remains are determined to be ancient and of Native American ancestry, representatives of the FERC, OSA, SHPO and appropriate tribes will confer at the site to determine the likely project impacts if left in place, and determine the most appropriate avoidance, minimization, or mitigation measure(s) for dealing with the discovery.
 - v) If the human remains are determined to be less than 150 years in age and of Native American ancestry but not of medico-legal significance, law enforcement and/or SME will be requested to confer with FERC, OSA, SHPO, and appropriate Tribes concerning compliance with the Native American Graves Protection and Repatriation Act (NAGPRA), as appropriate.

6. If it is determined that intact interments are present and may be damaged by continuing construction, then FERC and Northern will consult with the next of kin (if known), SHPO, OSA, the appropriate Native American representative and other parties regarding additional measures to avoid or mitigate further damage. These measures must include, but are not limited to, the following:
 - i) Formal archaeological evaluation of the site
 - ii) On-site visits by the OSA, and other interested parties
 - iii) Preparation and implementation of a MOA and mitigation plan by Northern, including procedures for disinterment and reinternment, for approval by the SHPO, OSA, FERC, ACHP, if they elect to participate, and other parties
 - iv) Implementation of the mitigation plan
 - v) Determine the National Register of Historic Places eligibility of the archaeological resource in consultation with SHPO
 - vi) Approval to resume construction following completion of field work component of mitigation plan and fulfillment of obligations under the MOA
 - vii) Preparation of a historic site management plan for all instances where significant archaeological resources are avoided and preserved in place



Northern Natural Gas
Northern Lights 2027 Expansion Project
Unanticipated Discoveries Plan

Page 18 of 22

7. Following the investigation and resolution of the unanticipated discovery of human remains, and concurrence from FERC, OSA, and SHPO that construction may resume, Northern's on-site Environmental Inspector will approve clearance to the construction contractor to resume work at the location of the discovery.

Appendix A, THPO Contacts

Apache Tribe of Oklahoma
Durell Cooper, Chairman
511 East Colorado
Anadarko OK 73005
(405) 247-9493 (work phone)
(405) 247-2763 (work fax)
durell.cooper@apachetribe.org

Cheyenne and Arapaho Tribes, Oklahoma
Max Bear, THPO
700 Black Kettle Boulevard
Concho, OK 73022
(405) 422-7714 (work phone)
(405) 422-7715 (work fax)
mbear@cheyenneandrapaho-nsn.gov

Flandreau Santee Sioux Tribe of South Dakota
Garrie Kills-A-Hundred, THPO
PO Box 283
Flandreau, SD 57028
(605) 864-1236 (work phone)
(605) 997-3878 (work fax)
garrie.killsahundred@FSST.org

Fort Belknap Indian Community of the Fort Belknap Reservation of Montana
Michael Blackwolf, THPO
656 Agency Main Street
Harlem, MT 59526-9455
(406) 353-2295 (work phone)
(406) 353-2840 (work fax)
mblackwolf@ftbelknap.org

Iowa Tribe of Kansas and Nebraska
Alan Kelley, THPO
3345 Thrasher Road
White Cloud, KS 66094
(785) 595-3258
(785) 595-6610 (fax)
akelley@iowas.org



Northern Natural Gas
Northern Lights 2027 Expansion Project
Unanticipated Discoveries Plan

Lower Sioux Indian Community in the State of Minnesota
Cheyanne St. John, THPO
PO Box 308, Res. Hwy 1
Morton, MN 56270
(507) 697-6321 (work phone)
(507) 697-6310 (work fax)
cheyanne.stjohn@lowersioux.com

Menominee Indian Tribe of Wisconsin
David Grignon, THPO
PO Box 910
Keshena, WI 54135-0910
(715) 799-5258 (work phone)
(715) 799-5295 (work fax)
historicpreservationgroup@mitw.org

Minnesota Indian Affairs Council
Shannon Geshick, Executive Director
161 Rondo Avenue, Ste. 919
St. Paul, MN 55103
(651) 539-2200
shannon.geshick@state.mn.us

Prairie Island Indian Community in the State of Minnesota
Noah White, THPO
5636 Sturgeon Lake Road Welch
MN 55089
(651) 385-4175 (work phone)
(651) 385-4180 (work fax) noah.white@piic.org

Santee Sioux Nation, Nebraska
Larry Thomas, Interim THPO
425 Frazier Avenue North, Suite 2
Niobrara, NE 68760
(402) 857-3568 (work phone)
(402) 857-2779 (work fax) ssn.thpo@gmail.com

Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota
Dianne Desrosiers, THPO
PO Box 907
Sisseton, SD 57262-0509
(605) 698-3584 (work phone)
(605) 698-4283 (work fax)
dianned@swo-nsn.gov



Northern Natural Gas
Northern Lights 2027 Expansion Project
Unanticipated Discoveries Plan

Page 21 of 22

Spirit Lake Tribe, North Dakota
Kenneth Graywater, THPO
PO Box 198
Fort Totten, ND 58335-0359
(701) 766-4031 (work phone)
thpo@spiritlakenation.com

Upper Sioux Community, Minnesota
Samantha Odegard, THPO
PO Box 147, 5722 Travers Lane Granite
Falls, MN 56241-0147
(320) 564-6334 (work phone)
samanthao@uppersiouxcommunity-nsn.gov

Minnesota

I. Introduction

This document outlines the procedures Northern Natural Gas (Northern) will follow to prepare for and address any unanticipated discovery for the proposed Northern Lights 2027 Expansion Project (Project). It provides direction to Northern personnel and their consultants/contractors as to the proper procedure to follow if an unanticipated discovery of cultural materials or human remains is made during construction. To minimize the potential for the discovery of unanticipated cultural materials or human remains, Northern conducted a detailed archaeological reconnaissance of the proposed Project. To ensure Northern maintains compliance with all federal and state regulations concerning the protection of cultural resources and human remains, this Unanticipated Discoveries Plan has been prepared for the Project.

The purpose of this Unanticipated Discoveries Plan is to demonstrate compliance with applicable federal and state laws and regulations regarding cultural resources and human remains, describe to regulatory and review agencies the procedures that will be followed in the event of unanticipated discoveries and to provide guidance to Project personnel.

The federal laws that govern cultural materials and human remains include, but are not limited to, the following: 36 CFR Part 800 (2007) of the regulations that implement Section 106 of the National Historic Preservation Act (NHPA) of 1996, as amended; 36 CFR Part 61; Section 3(d) (U.S.C. § 3002) of the Native American Grave Protection and Repatriation Act (25 U.S.C. §§ 3001-3013); and the Archaeological Resource Protection Act (Public Law 96095, 16 U.S.C. 470aa-mm). Minnesota Statute (MS) 307.08: Damages; Illegal Molestation of Human Remains; Burial; Cemeteries; Penalty, Assessment, governs human remains.

Cultural materials include man-made artifacts (precontact and post-contact objects greater than 50 years of age) and features (e.g., remnants of cultural activities above-ground and below-ground). Human remains include unidentified bones, mortuary features, and/or associated artifacts.

II. Personnel Responsibilities

The environmental inspector (EI) will be responsible for advising construction contractor personnel on the procedures to follow if an unanticipated discovery is made. Training for construction personnel will be completed as part of the preconstruction on-site training program. The EI will advise the following protocol be followed should operators of equipment involved in grading, stripping, or trenching activities observe any indication of the presence of cultural materials (artifacts or other man-made features), animal bone, or possible human remains:

- A. Stop work immediately.
- B. Contact the EI as soon as possible.
- C. Comply with procedures detailed in the Unanticipated Discoveries Plan.
- D. Treat human remains with dignity and respect. It is a felony to knowingly disturb human remains (MS 307.08).

III. Unanticipated Discovery of Cultural Materials

If such materials are discovered during construction, the following procedures will be followed.

- A. Stop work in the immediate vicinity of the observed cultural materials.
 1. Notify the EI of the discovery.

2. If the EI believes that an unanticipated discovery has been made:
 - a) The EI directs all ground disturbing activities within 25 feet of the area of the discovery to stop.
 - b) The EI will protect and secure the evidence in place by delineating the find with flagging or orange safety fencing around the perimeter of the 25-foot area; construction activity and vehicles will be prohibited within this area.
- B. Minimize movement of vehicles (limit the passage of equipment to only those essential to continue working at the construction site) and equipment within the area immediately surrounding the discovery within the orange safety fencing.
- C. The EI will immediately notify the Northern construction superintendent, as appropriate.
- D. The Northern EI will immediately notify the designated Northern contact by telephone and follow-up with written confirmation (via email, fax or overnight mail).

Northern Contact:

Terry Plucker –Environmental Compliance Manager
1111 South 103rd Street
Omaha, NE 68124
402-398-7226 (office)
402-332-7081(cell)
Terry.Plucker@nngco.com

- E. Within 24 hours, if possible, a professional archaeologist will examine the location of the discovery, accompanied by the EI.
 1. If the archaeologist determines that the discovery is not cultural material, the archaeologist will immediately advise the EI, the Northern contact, the Chief Inspector and/or the Northern construction superintendent, any of whom have the authority to remove the stop-work order. The archaeologist will submit a letter report including photographs of the discovery site to Northern contacts within 15 business days. No further action regarding this procedure is required.
 2. If the archaeologist determines that the discovery is cultural material, the archaeologist will immediately advise the EI who will notify Northern contacts. The Northern contact will notify the Federal Energy Regulatory Commission (FERC) and the Minnesota State Historic Preservation Office (SHPO) by telephone, with written confirmation by email, fax or overnight mail.

FERC Contact:

Allison King, Staff Archaeologist
Phone: 202-502-8847
Email: Allison.King@FERC.gov

SHPO Contact:

Kelly Gragg-Johnson
State Historic Preservation Office
Minnesota Historical Society
Administration Building #203
50 Sherburne Ave.
Saint Paul, MN 55155
651-201-3285
Kelly.graggjohnson@state.mn.us

3. If the discovery is Native American, Northern will also notify appropriate Native American tribal groups. Notification will be by telephone, with written confirmation by email, fax, or overnight mail. Notification will be the responsibility of the Northern contact. Tribal contacts are attached in Appendix A.
- F. Notifications to FERC about observations of cultural material will:
1. Describe a scope of work for evaluating the significance of the resource and evaluating the potential Project effects on the resource. A request for authorization to immediately implement the work scope will also be made to FERC and the SHPO.
 2. Invite FERC, the SHPO and identified tribal representatives, when appropriate, to observe the implementation of any proposed work.
 3. All work to evaluate significance and Project effects will be confined to the Project's potential area of impact.
- G. When the evaluation of the cultural resource is complete:
1. Northern will notify FERC and the SHPO by telephone and discuss the archaeologist's opinion regarding the potential significance of the resource.
 2. If the archaeologist believes the resource is not significant, the archaeologist will provide a rationale for the opinion, and request permission from FERC for construction to recommence.
 3. As soon as possible following the field investigation, the archaeologist will provide Northern with a written report describing the results of the field work.
 4. If the resource is believed to be significant, the archaeologist will prepare a proposal for data recovery.
- H. Northern may choose to prepare an analysis of alternatives to data recovery to determine what form of mitigation is preferable.
1. If the alternatives analysis is conducted, Northern will submit, by email, fax or overnight mail, the archaeologist's report and the alternatives analysis to FERC and the SHPO.
 2. If proposed, mitigation measures may be carried out without being impeded or affected by construction, the submittal to FERC will be accompanied by a request that construction around the discovery be permitted to resume. Construction will resume upon FERC authorization.

- I. Upon receipt of authorization from FERC, implementation of mitigation measures will begin immediately.
 1. Northern will advise FERC and the SHPO when all mitigation measures have been completed.
 2. If construction has been halted, Northern will also request authorization from FERC to recommence construction.
 3. Northern will submit a summary report describing the results of the mitigation to FERC and the SHPO within 30 days of notification that mitigation fieldwork has been completed.
 4. If archaeological data recovery is a component of the mitigation plan, a full report will be submitted to FERC and the SHPO in accordance with a schedule to be established in consultation with FERC.

IV. Unanticipated Discovery of Human Remains

Human remains are physical remains of a human body or bodies including, but not limited to, bones, teeth, hair, ashes, and preserved soft tissues (mummified or otherwise preserved) of an individual. Remains may be articulated or disarticulated bones or teeth and can also include mortuary features and associated artifacts.

Under no circumstances shall human remains be removed from the site without completing all coordination processes with the local police, the medical examiner, the Minnesota Office of the State Archaeologist (OSA), the Minnesota Indian Affairs Council (MIAC), the SHPO, Native American representatives, as appropriate, and FERC. Further work at the site will be suspended until all criteria of Section 106 of the NHPA, the Minnesota Private Cemeteries Act (MS 307.08), and other related state and federal regulations have been successfully completed.

- A. Workers will treat all human remains with dignity and respect.
- B. Immediately stop work in the vicinity of the unanticipated discovery involving potential human remains.
- C. Immediately notify the EI of the find.
- D. If the EI believes potential human remains have been found, the EI will stop all ground-disturbing activities within 100 feet of the potential discovery.
 1. Protect and secure the evidence of the discovery.
 2. Delineate the area with flagging or orange safety fencing.
 3. Do not let machinery that was working in the vicinity of the possible human remains leave the area – human remains could be stuck in the tread or to the machinery. Before the machinery can leave, it needs to be inspected by an archaeologist and fully cleaned off. Minimize movement by vehicles and equipment in the immediate vicinity of the discovery.
 4. Limit movement of vehicles in the vicinity of the find to the construction right of way authorized by Northern's FERC certificate.
 5. The EI will immediately notify Northern's construction superintendent who will, in turn, immediately notify the Northern Manager – Construction Environmental Compliance, who in turn will notify FERC, the OSA, and the respective county sheriff's office contacts:

Northern Contact:

Terry Plucker – Environmental Compliance Manager
1111 South 103rd Street
Omaha, NE 68124
402-398-7226 (office)
402-332-7081(cell)
Terry.Plucker@nngco.com

FERC Contact:

Allison King, Staff Archaeologist
Phone: 202-502-8847
Email: Allison.King@FERC.gov

OSA Contact:

Amanda Gronhovd
Minnesota State Archaeologist
Minnesota Office of the State Archaeologist
328 Kellogg Boulevard
St. Paul, MN 55102
651-201-2263
612-725-2427 (fax)
amanda.gronhovd@state.mn.us

Carver County, Minnesota, Sheriff:

Jason Kamerud
606 East Fourth Street
Chaska, MN 55318-2102
952-361-1212
jkamerud@carvercountymn.gov

Freeborn County, Minnesota, Sheriff:

Ryan Shea
411 Broadway Ave S
Albert Lea, MN 56007
507-377-5205
ryan.shea@co.freeborn.mn.us

Isanti County, Minnesota, Sheriff:

Wayne Seiberlich
2440 S Main Street
Cambridge, MN 55008
763-689-2141
wayne.seiberlich@sheriff.co.isanti.mn.us

Jackson County, Minnesota, Sheriff:

Shawn Haken
400 Sherman Street, PO Box 229
Jackson, MN 56143
507-847-4420
sheriff@co.jackson.mn.us

Martin County, Minnesota, Sheriff:

Jeffrey Markquart
201 Lake Avenue
Fairmont, MN 56031
507-238-3166
jeff.markquart@co.martin.mn.us

Morrison County, Minnesota, Sheriff:

Shawn Larsen
213 1st Avenue SE
Little Falls, MN
320-632-9233
Shawn.Larsen@morrisoncountymn.gov

Scott County, Minnesota, Sheriff:

Luke Hennen
301 Fuller Street South
Shakopee, MN 55379
952-496-8625
lhennen@co.scott.mn.us

Stearns County, Minnesota, Sheriff:

Steve Soyka
807 Courthouse Square
St. Cloud, MN 56303
320-259-3702
Steven.Soyka@co.stearns.mn.us

Steele County, Minnesota, Sheriff:

Lon Thiele
2500 Alexander St. SW
Owatonna, MN 55060
507-444-3800
lon.thiele@SteeleCountyMN.gov

Watonwan County, Minnesota, Sheriff:

Jared Bergeman
710 2nd Avenue South
St. James, MN 56081
507-375-3121
jared.bergeman@watonwancountymn.gov

Washington County, Minnesota, Sheriff:

Dan Starry
15015 62nd Street North
Stillwater, MN 55082
651-430-7601
sheriff@washingtoncountymn.gov

- E. Within 24 hours of the discovery, if possible, a professional archaeologist will examine the discovery to determine if the remains are human and have an archaeological association and, if so, if that association is Native American.
 - 1. The services of a physical anthropologist or other qualified professional will be retained if the archaeologist is unable to determine if the remains are human.
- F. If the remains are determined to be non-human and there is no archaeological association, the archaeologist making the determination will immediately advise the EI and/or the Northern construction superintendent, and construction may resume.
 - 1. The archaeologist will submit a letter report including photographs of the discovery site to the Northern contacts within 15 business days of the determination.
- G. If the remains are non-human but are associated with an archaeological site, follow the steps in Section III A through I above.
- H. If the remains are human and not associated with an archaeological context (i.e., greater than 50 years), the Northern EI will notify Northern's Environmental Compliance Manager, who in turn will notify FERC, the SHPO, the OSA, the landowner, and the respective county sheriff's office as listed in Section IV.D.5.

It is the responsibility of the sheriff's office to contact the medical examiner.

- I. Human remains found in a precontact archaeological context (i.e., greater than 50 years) will be assumed to be Native American. If Native American remains are identified, whether or not in an archaeological context, Northern will immediately notify FERC, the SHPO, the OSA, the MIAC, and the Tribal Historic Preservation Officer (THPO) contacts listed in Appendix A.

FERC Contact:

Allison King, Staff Archaeologist
Phone: 202-502-8847
Email: Allison.King@FERC.gov

SHPO Contact:

Kelly Gragg-Johnson
State Historic Preservation Office
Minnesota Historical Society
Administration Building #203
50 Sherburne Ave.
Saint Paul, MN 55155
651-201-3285
Kelly.graggjohnson@state.mn.us

OSA Contact:

Amanda Gronhovd
Minnesota State Archaeologist
Minnesota Office of the State Archaeologist
328 Kellogg Boulevard
St. Paul, MN 55102
651-201-2263
612-725-2427 (fax)
amanda.gronhovd@state.mn.us

MIAC Contact:

Isaac Weston
Cultural Resource Manager
Minnesota Indian Affairs Council
161 Rondo Avenue Suite 919
St. Paul, MN 55103
651-539-2200
isaac.weston@state.mn.us

- J. If human remains are present in a Native American context, Northern will follow the procedures described in Section IV E through I, except as follows:
1. The OSA and MIAC will be notified that human remains have been found. The notification to FERC and the SHPO will make special note that human remains have been found. Per MS 307.08:
 - a) For identified non-American Indian human remains and burials, OSA is the lead state agency.
 - b) For identified American Indian human remains and burials, MIAC is the lead state agency.
 - c) If ancestry cannot be determined or if identified human remains and burials are of both American Indian and non-American Indian ancestry, OSA and MIAC collaborate as the lead state agencies.
 2. Northern will assist MIAC, FERC and the OSA in notifying the appropriate Native American tribal groups.
 3. Proposals for site evaluation will give special consideration to the fact that human remains are present. If the discovery relates to American Indian or probable American Indian, MIAC must approve the consultant and specialists prior to hiring for the burial recovery or site evaluation (per MS 307.08, 3a).
 - 4.

- a) No conduct of intrusive examination of the immediate area surrounding the human remains prior to consultation with FERC, OSA, MIAC, and the SHPO is allowed. Per MS 307.08, if probable American Indian cemeteries are to be disturbed or probably American Indian remains analyzed, MIAC must approve the professional archaeologist, qualified anthropologist, or other appropriate expert.
 - b) Evaluate the potential for the presence of multiple graves and describe procedures for determining if other unidentified graves may be present.
 - c) Describe efforts made to contact Native American tribes, the results of contacts, and efforts (as feasible) to accommodate the desires of the Native American tribes regarding the treatment of human remains.
 - d) If the discovery was made after pipeline trenching in the vicinity of the discovery has been completed, construction will be permitted to recommence, except within 100 feet of any human remains. The machinery involved in the discovery may not leave the site until an archaeologist or member of MIAC staff have fully cleaned and examined all soils and materials attached to the machinery.
 - e) If the OSA and MIAC have determined that no burials or cemetery-related materials are present in the area, construction within the 100-foot area of the find will be permitted to proceed when the remains have been removed (or when it has been determined that the remains should be left in place).
5. Per MS 307.08, if the remains are located on public, nonfederal, or private land in Minnesota, the OSA and MIAC are charged with custody and reburial of any human remains. If remains are on federal land, then the federal process is followed.
 6. Northern will make a good faith effort to accommodate requests from identified Native American tribal groups that they be present during implementation of mitigation measures related to human remains. MIAC is responsible for directing all recovery and/or mitigation work per MS 307.08.
- K. If human remains are present in a non-Native American archaeological context, the procedures described in Section E through J, will be followed except that:
1. Proposals for site evaluation will give special consideration to the fact that human remains are present (i.e., no intrusive examination of the immediate area of the remains and proposals will include an evaluation of the potential for the presence of multiple graves and describe procedures for determining if other unidentified graves may be present).
 2. If law enforcement (sheriff's office or medical examiner) determines that the remains are not part of a crime scene, and that the remains appear to be at least 50 years old, the site will be turned over to the state archaeologist. Per MS 307.08:
 - a) For identified non-American Indian human remains and burials, OSA is the lead state agency.
 - b) For identified American Indian human remains and burials, MIAC is the lead state agency.
 - c) If ancestry cannot be determined or if identified human remains and burials are of both American Indian and non-American Indian ancestry, OSA and MIAC collaborate as the lead state agencies.
 3. Unless directed to do otherwise by FERC, or the OSA, Northern will assume that it is authorized to resume construction when the remains have been removed.

4. Within 15 business days of resuming construction, Northern will provide the OSA and FERC with a written report describing the removal activities.
5. If the discovery was made after trenching in the vicinity of the discovery has been completed, construction will be permitted to recommence, except within 100 feet of the human remains. The machinery involved in the discovery may not leave the site until an archaeologist or member of MIAC staff have fully cleaned and examined all soils and materials attached to the machinery.
6. Construction within the remaining 100-foot area of the find will be permitted to proceed when the remains have been removed, if the state archaeologist determines that additional burials or cemetery materials are not present (or when it has been determined that the remains should be left in place).

Appendix A, THPO Contacts

Apache Tribe of Oklahoma
Durell Cooper, Chairman
511 East Colorado
Anadarko OK 73005
(405) 247-9493 (work phone)
(405) 247-2763 (work fax)
durell.cooper@apachetribe.org

Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River
Reservation, Wisconsin
Edith Leoso, THPO
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