

**ATLANTIC COAST PIPELINE, LLC
ATLANTIC COAST PIPELINE**

and

**DOMINION ENERGY TRANSMISSION, INC.
SUPPLY HEADER PROJECT**

**Supplemental Filing
October 13, 2017**

APPENDIX A

**Summary of Consultations with the Lumbee Indian Nation, Coharie
Tribal Council, Haliwa-Saponi Tribe, and Meherrin Tribe**

Consultation with State-Recognized Tribes in North Carolina

Throughout the Federal Energy Regulatory Commission's (FERC's) review of the Atlantic Coast Pipeline (ACP or Project), Atlantic Coast Pipeline, LLC (Atlantic) has requested information from Federal- and State-Recognized Tribes and carefully considered comments from Tribes regarding the potential for cultural or environmental impacts due to construction of the Project. Atlantic filed an updated comprehensive table listing and describing communications to date with federally recognized Tribes on September 27, 2017 (FERC Accession Number 20170927-5104). A similar table for State recognized Tribes is provided with this filing in Appendix G.

In response to Staff Recommendation 66, subpart *a*, of the Final Environmental Impact Statement for the ACP, Atlantic is providing the following summary of its outreach to the Coharie Tribe, Haliwa-Saponi Indian Tribe, Lumbee Tribe, and Meherrin Indian Tribe

Coharie Tribe

Written Correspondence

On April 24, 2015, Atlantic sent an introductory Project letter for the ACP to the Coharie Tribe. The letter contained a description of the Project and an overview map; invited the Tribe to comment on the ACP; and requested input from the Tribe regarding the potential of the ACP to affect archaeological sites, burials, and traditional cultural properties. On October 18, 2016, Atlantic sent a follow-up letter to the Tribe containing an updated Project description and overview map and renewing Atlantic's request for comments regarding the potential of the ACP to impact archaeological sites, burials, and traditional cultural properties. On August 4, 2017, Atlantic sent the Tribe an updated overview map for the ACP in addition to Atlantic's revised *Plan for the Unanticipated Discovery of Historic Properties or Human Remains during Construction in North Carolina* (Unanticipated Discovery Plan). The letter additionally renewed Atlantic's request for input from the Tribe regarding the potential for impacts on archaeological sites, burials, and traditional cultural properties, including natural resource gathering locations. The Tribe did not respond to Atlantic's letters.

Stakeholder Mailings

The Coharie Tribe was added to the ACP mailing list in December 2016. Since then, the Tribe has been sent copies of the ACP Newsletters distributed to stakeholders in December 2016 and January, April, June, and August 2017.

Telephone and Email Communications

Atlantic provided updates on the status of the ACP to the Coharie Tribe in telephone calls on March 7 and 14, 2017 and in an email to the Tribe on March 14, 2017. Atlantic requested an in-person meeting with the Tribe to continue discussions regarding the ACP in an email to the Tribe on August 10, 2017. In a reply email to Atlantic on the same day, the Tribal Administrator agreed to contact Atlantic if the Coharie Tribal Council wishes to meet with Atlantic to discuss the Project. In a follow-up call on September 6, 2017, the Tribal Administrator said he would

coordinate with the Tribal Council and respond back to Atlantic with a potential date for a meeting.

In-Person Meetings

On March 15, 2017, Atlantic met with members of the Coharie Tribe to provide an update on the status of the ACP and answer questions from the Tribe regarding the Project. During the meeting, the Tribe asked to be consulted in the event of an unanticipated cultural resource find during construction.

Atlantic attended an Environmental Justice Forum held by the North Carolina Commission of Indian Affairs on August 9, 2017. One purpose of the meeting was to discuss the ACP. Representatives from the Coharie Tribe who attended the meeting commented on the status of consultations for the ACP and the potential for unanticipated cultural resource finds to occur during construction of the Project. Atlantic spoke with the Tribal Administrator for the Coharie Tribe after the meeting to further discuss the ACP and to request a follow-up meeting.

Correspondence between the Tribe and FERC

In a letter to FERC dated March 29, 2017, the Coharie Tribe commented on the status of consultations and the Unanticipated Discovery Plan for the Project.

Comments from the Tribe on the ACP and Atlantic's Responses

In a meeting with Atlantic on March 15, 2017, in the Environmental Justice Forum on August 9, 2017, and in the letter to FERC dated March 29, 2017, the Coharie Tribe commented on the potential for unanticipated cultural resource finds to occur during construction or on the Unanticipated Discovery Plan. To address this comment, Atlantic added the Tribe to its revised Unanticipated Discovery Plan for North Carolina as a party to be notified in the event of an unanticipated find during construction. As noted above, Atlantic sent a copy of its revised Unanticipated Discovery Plan for North Carolina to the Tribe on August 4, 2017.

In the Environmental Justice Forum on August 9, 2017, the Tribe commented on the status of consultations for the ACP. This response documents Atlantic's efforts to communicate with the Tribe via written correspondence, Project mailings, telephone calls and emails, and in-person meetings. Atlantic has and will continue to engage the Tribe to address any comments or concerns they have regarding the ACP.

In the Environmental Justice Forum on August 9, 2017, the Tribe commented on the potential for environmental impacts in Sampson County, North Carolina, including impacts to the Coharie River. Atlantic has disclosed the potential environmental impacts associated with construction and operation of the ACP in numerous filings with the Commission, and notes that FERC staff did the same in the Environmental Impact Statement for the Project, which FERC provided to the Tribe. Atlantic additionally notes that the ACP does not cross the Coharie River.

The Tribe did not respond to Atlantic's requests for information regarding archaeological sites, burials, traditional cultural properties, or natural resource gathering locations.

Haliwa-Saponi Indian Tribe

Written Correspondence

On October 17, 2014, Atlantic sent an introductory Project letter for the ACP to the Haliwa-Saponi Indian Tribe. The letter contained a description of the Project and an overview map; invited the Tribe to comment on the ACP; and requested input from the Tribe regarding the potential of the ACP to affect archaeological sites, burials, and traditional cultural properties. On October 18, 2016, Atlantic sent a follow-up letter to the Tribe containing an updated Project description and overview map and renewing Atlantic's request for comments regarding the potential of the ACP to impact archaeological sites, burials, and traditional cultural properties. On August 3, 2017, Atlantic sent the Tribe an updated overview map for the ACP in addition to Atlantic's revised Unanticipated Discovery Plan for North Carolina. The letter additionally renewed Atlantic's request for input from the Tribe regarding the potential for impacts on archaeological sites, burials, and traditional cultural properties, including natural resource gathering locations, and acknowledged a request from the Tribe to participate in emergency preparedness planning. The Tribe did not respond to these letters. Atlantic sent copies of the cultural resources reports for the ACP to the Tribe, at the Tribe's request, by letter transmittal on October 2, 2017. Updated reports were sent by letter transmittal on October 11, 2017.

Stakeholder Mailings

The Haliwa-Saponi Indian Tribe was added to the ACP mailing list in October 2014 and has received copies of all ACP Newsletters distributed to stakeholders (December 2014; April, May, July, September, and October 2015; January, March, June, August, October, and December 2016; and January, April, June, and August 2017). The Tribe also was included on the digital mailing list for the Project, and has received ACP eNews updates emailed in August, September, and October 2015; February, March, May, July, August, and December 2016; and February, April, May, June, and July 2017.

The Tribe received various stakeholder mailings from Atlantic regarding the FERC process for the ACP including: a November 24, 2014 mailing on the FERC's pre-filing process; an October 7, 2015, mailing of FERC's *Notice of Application Regarding Atlantic's Application for a Certificate of Public Convenience and Necessity*; and a March 22, 2016, mailing of FERC's *Notice of Amendment to Application*.

Telephone and Email Communications

Atlantic provided updates on the status of the ACP to the Haliwa-Saponi Indian Tribe in telephone calls on September 14 and October 5, 2016. Atlantic requested an in-person meeting with the Tribe to continue discussions regarding the ACP in an email to the Tribe on August 10, 2017. Atlantic did not receive a reply to this email. Atlantic acknowledged a request from the Tribe for copies of cultural resources reports and requested a meeting with the Tribe to further discuss the ACP in an email to the Tribe on October 2, 2017.

In-Person Meetings

On September 15, 2016, Atlantic met with the Haliwa-Saponi Indian Tribe to discuss the ACP, answer questions regarding environmental impacts, provide an update on survey status and general findings, and request information on the occurrence of sites of interest to the Tribe within the Project area. The Tribe did not identify any specific sites of interest to the Tribe in the ACP Project area.

Atlantic attended an Environmental Justice Forum held by the North Carolina Commission of Indian Affairs on August 9, 2017. One purpose of the meeting was to discuss the ACP. Representatives from the Haliwa-Saponi Indian Tribe who attended the meeting commented on the status of consultations for the ACP; the presence of cultural resource sites of interest to the Tribe in the Project area (though no specific sites were identified); the potential for unanticipated cultural resource finds to occur during construction of the Project; and emergency preparedness. Atlantic spoke with the Chief and Tribal Administrator for the Haliwa-Saponi at the meeting to further discuss the ACP and to request a follow-up meeting.

Atlantic attended a tribal consultation conference in Minneapolis, Minnesota on October 2 and 3, 2017. Atlantic spoke with a representative of the Tribe at the conference about the ACP and Atlantic's desire to meet with the Tribe to further discuss the Project. Additionally, the representative of the Tribe requested copies of cultural resources reports for the ACP.

Correspondence between the Tribe and FERC

The Chief of the Haliwa-Saponi Indian Tribe commented on the ACP in a letter to FERC dated January 26, 2015 indicating support for the Project due to the dependable natural gas supply and the economic activity it will provide. In a follow-up letter dated September 21, 2016, the Chief of the Tribe rescinded his support for the ACP pending additional consideration of the Project by the Tribal Council. The Tribe commented on the Draft Environmental Impact Statement for the ACP in a letter to FERC dated July 17, 2017, specifically with regard to the status of consultation, unanticipated cultural resource finds during construction, and impacts on environmental and cultural resources.

Comments from the Tribe on the ACP and Atlantic's Responses

In the Environmental Justice Forum on August 9, 2017 and letter to FERC dated July 17, 2017, the Haliwa-Saponi Indian Tribe commented on the potential for unanticipated cultural resource finds to occur during construction. To address this comment, Atlantic added the Tribe to its revised Unanticipated Discovery Plan for North Carolina as a party to be notified in the event of an unanticipated find during construction. As noted above, Atlantic sent a copy of its revised Unanticipated Discovery Plan for North Carolina to the Tribe on August 3, 2017.

In the Environmental Justice Forum and the July 17, 2017, letter to FERC, the Tribe commented on the status of consultations for the ACP. This response documents Atlantic's efforts to communicate with the Tribe via written correspondence, Project mailings, telephone calls and emails, and in-person meetings. Atlantic has and will continue to engage the Tribe to address any comments or concerns they have regarding the ACP.

In the Environmental Justice Forum and the July 17, 2017, letter to FERC, the Tribe asked to be involved in or comment on emergency preparedness planning. In its letter to the Tribe dated August 3, 2017, Atlantic acknowledged the Tribe's request to participate in emergency preparedness planning; advised the Tribe of Atlantic's efforts to date to work with local emergency planning committees (LEPCs) and first responders on emergency preparedness; and offered to facilitate the Tribe's participation in future planning efforts with LEPCs.

In the Environmental Justice Forum and letter to FERC dated July 17, 2017, the Tribe commented on the potential for impacts on cultural resource sites due to construction of the pipeline, but did not provide locations of specific archaeological sites, burials, traditional cultural properties, or resource gathering locations in the Project area. The Tribe similarly did not identify specific sites of concern in its meeting with Atlantic on September 15, 2016, and did not respond to Atlantic's written requests for information regarding cultural resource sites in the Project area. Atlantic notes it conducted comprehensive field surveys to locate archaeological and historic resources in the area of potential effects for the Project as documented in a series of reports filed with FERC and submitted to the North Carolina Department of Natural and Cultural Resources.

At the tribal consultation conference held on October 2 and 3, 2017, the Tribe requested copies of cultural resources reports for the ACP. Atlantic acknowledged this request in an email to the Tribe on October 2, 2017, and sent copies of reports to the Tribe by letter transmittal on October 3, 2017. Atlantic sent updated reports to the Tribe by letter transmittal on October 11, 2017.

Lumbee Tribe of North Carolina

Written Correspondence

On October 17, 2014, Atlantic sent an introductory Project letter for the ACP to the Lumbee Tribe. The letter contained a description of the Project and an overview map; invited the Tribe to comment on the ACP; and requested input from the Tribe regarding the potential of the ACP to affect archaeological sites, burials, and traditional cultural properties. On October 18, 2016, Atlantic sent a follow-up letter to the Tribe containing an updated Project description and overview map and renewing Atlantic's request for comments regarding the potential of the ACP to impact archaeological sites, burials, and traditional cultural properties. On November 2, 2016, Atlantic sent the Tribe a set of detailed aerial and topographic route maps of the ACP Project area in North Carolina at the Tribe's request. On August 4, 2017, Atlantic sent the Tribe an updated overview map for the ACP in addition to Atlantic's revised Unanticipated Discovery Plan for North Carolina. The letter additionally renewed Atlantic's request for input from the Tribe regarding the potential for impacts on archaeological sites, burials, and traditional cultural properties, including natural resource gathering locations, and acknowledged a request from the Tribe to participate in emergency preparedness planning.

Stakeholder Mailings

The Lumbee Tribe was added to the ACP mailing list in October 2014 and has received copies of all ACP Newsletters distributed to stakeholders (December 2014; April, May, July, September, and October 2015; January, March, June, August, October, and December 2016; and January, April, June, and August 2017). The Tribe also was included on the digital mailing list

for the Project, and has received ACP eNews updates emailed in August, September, and October 2015; February, March, May, July, August, and December 2016; and February, April, May, June, and July 2017.

The Tribe received various stakeholder mailings from Atlantic regarding the FERC process for the ACP including: a November 24, 2014 mailing on the FERC's pre-filing process; an October 7, 2015 mailing of FERC's *Notice of Application Regarding Atlantic's Application for a Certificate of Public Convenience and Necessity*; and a March 22, 2016 mailing of FERC's *Notice of Amendment to Application*.

Telephone and Email Correspondence

On October 31, 2016, the Lumbee Tribe sent an email to Atlantic requesting detailed route maps for the ACP in North Carolina. As noted above, Atlantic provided the requested maps to the Tribe by letter transmittal on November 2, 2016.

From March through May 2017, Atlantic (or Duke Energy on behalf of Atlantic) communicated with the Tribe in various emails and telephone calls in an unsuccessful effort to schedule a meeting to discuss the ACP.

On August 15, 2017, Atlantic sent an email to the Tribe requesting a meeting. In a follow-up email on August 24, 2017, Atlantic confirmed a meeting with the Tribe for September 11, 2017. This meeting subsequently was cancelled due to Hurricane Irma. On September 16, 2017, the Tribe called Atlantic to discuss rescheduling the meeting. A new meeting date of October 2, 2017 was confirmed with the Tribe in a telephone call on September 21, 2017. Atlantic confirmed the participants for this meeting in an email to the Tribe on the same day.

Atlantic coordinated with the Tribe on a future meeting to discuss emergency response planning in emails sent on October 5, 2017.

In-Person Meetings

A meeting scheduled for March 15, 2017, was cancelled by the Lumbee Tribe on that day. Attempts to reschedule the meeting were unsuccessful.

Atlantic attended an Environmental Justice Forum held by the North Carolina Commission of Indian Affairs on August 9, 2017. One purpose of the meeting was to discuss the ACP. Representatives from the Lumbee Tribe who attended the meeting commented on emergency preparedness planning and eminent domain. Atlantic spoke with the Tribal Chair for the Lumbee at the meeting to further discuss the ACP and to request a follow-up meeting.

An in-person meeting between Atlantic and the Tribe scheduled for September 11, 2017, was cancelled due to Hurricane Irma. The meeting was rescheduled for October 2, 2017.

Atlantic met with the Tribal Council and other representatives of the Tribe on October 2, 2017. At the meeting, Atlantic and the Tribe discussed the status of the ACP, emergency response planning, economic benefits of the Project, employment opportunities, threatened and endangered species, and protocols for responding to unanticipated finds during construction.

Correspondence between the Tribe and FERC

In a letter to FERC dated March 16, 2017, the Lumbee Tribe commented on the status of consultations for the Project. In a second letter to FERC dated March 29, 2017, the Lumbee Tribe commented on the status of consultations for the Project, emergency preparedness, and the potential for unanticipated cultural resource finds to occur during construction.

Comments from the Tribe on the ACP and Atlantic's Responses

In the letter to FERC dated March 29, 2017, the Lumbee Tribe commented on the potential for unanticipated cultural resource finds to occur during construction. To address this comment, Atlantic added the Tribe to its revised Unanticipated Discovery Plan for North Carolina as a party to be notified in the event of an unanticipated find during construction. As noted above, Atlantic sent a copy of its revised Unanticipated Discovery Plan for North Carolina to the Tribe on August 3, 2017.

In its letters to FERC dated March 16 and 29, 2017, the Tribe commented on the status of consultations for the ACP. This response documents Atlantic's efforts to communicate with the Tribe via written correspondence, Project mailings, telephone calls and emails, and in-person meetings. Atlantic has and will continue to engage the Tribe to address any comments or concerns they have regarding the ACP.

In its March 29, 2017 letter to FERC, the Tribe commented on emergency preparedness planning. In its letter to the Tribe dated August 4, 2017, Atlantic acknowledged the Tribe's request to participate in emergency preparedness planning; advised the Tribe of Atlantic's efforts to date to work with LEPCs and first responders on emergency preparedness; and offered to facilitate the Tribe's participation in future planning efforts with LEPCs. Additionally, in emails sent on October 5, 2017, Atlantic coordinated with the Tribe to plan a future meeting to discuss emergency response planning.

The Tribe did not respond to Atlantic's requests for information regarding archaeological sites, burials, traditional cultural properties, or natural resource gathering locations.

Meherrin Indian Tribe

Written Correspondence

On April 24, 2015, Atlantic sent an introductory Project letter for the ACP to the Meherrin Indian Tribe. The letter contained a description of the Project and an overview map; invited the Tribe to comment on the ACP; and requested input from the Tribe regarding the potential of the ACP to affect archaeological sites, burials, and traditional cultural properties. On October 18, 2016, Atlantic sent a follow-up letter to the Tribe containing an updated Project description and overview map and renewing Atlantic's request for comments regarding the potential of the ACP to impact archaeological sites, burials, and traditional cultural properties. On August 4, 2017, Atlantic sent the Tribe an updated overview map for the ACP in addition to Atlantic's revised Unanticipated Discovery Plan. The letter additionally renewed Atlantic's request for input from the Tribe regarding the potential for impacts on archaeological sites, burials, and traditional cultural properties, including natural resource gathering locations.

Stakeholder Mailings

The Meherrin Indian Tribe was added to the ACP mailing list in July 2015. Since then, the Tribe has been sent copies of the ACP Newsletters distributed to stakeholders in July, September, and October 2015; January, March, June, August, October, and December 2016; and January, April, June, and August 2017.

The Tribe received various stakeholder mailings from Atlantic regarding the FERC process for the ACP including: an October 7, 2015 mailing of FERC's *Notice of Application Regarding Atlantic's Application for a Certificate of Public Convenience and Necessity*; and a March 22, 2016 mailing of FERC's *Notice of Amendment to Application*.

Telephone and Email Correspondence

On August 10, 2017, Atlantic sent an email to the Meherrin Indian Tribe requesting a meeting to discuss environmental protections and unanticipated finds.

In-Person Meetings

Atlantic attended an Environmental Justice Forum held by the North Carolina Commission of Indian Affairs on August 9, 2017. One purpose of the meeting was to discuss the ACP. Representatives from the Meherrin Indian Tribe who attended the meeting commented on the status of consultations for the ACP and the protection of burial sites, sacred sites, and waterways (though no specific sites were identified).

Correspondence between the Tribe and FERC

The Meherrin Indian Tribe has not filed comments on the ACP with FERC.

Comments from the Tribe on the ACP and Atlantic's Responses

In the Environmental Justice Forum on August 9, 2017, the Meherrin Indian Tribe commented on the status of consultations for the ACP. This response documents Atlantic's efforts to communicate with the Tribe via written correspondence, Project mailings, telephone calls and emails, and in-person meetings. Atlantic has and will continue to engage the Tribe to address any comments or concerns they have regarding the ACP.

In the Environmental Justice Forum, the Tribe commented on the potential for impacts on cultural resource sites due to construction of the pipeline, but did not provide locations of specific archaeological sites, burials, traditional cultural properties, or resource gathering locations in the Project area. Moreover, the Tribe did not respond to Atlantic's written requests for information regarding cultural resource sites in the Project area. Atlantic notes it conducted comprehensive field surveys to locate archaeological and historic resources in the area of potential effects for the Project as documented in a series of reports filed with FERC and submitted to the North Carolina Department of Natural and Cultural Resources.