

ATTACHMENT I

**Summary of Government-to-Government Consultation with Indian Tribes
Since September 2012**

Starting on September 21, 2012, the Department of State (DOS) notified the 84 Indian tribes listed in Appendix B of its intent to amend the Keystone XL Programmatic Agreement (PA) to reflect changes to the proposed Keystone XL Project's route in Keystone's 2012 Presidential permit application. The DOS had previously consulted with these Indian tribes while preparing the Final Environmental Impact Statement (Final EIS) for the Keystone XL pipeline route as described in Keystone's 2008 Presidential permit application. The DOS consulted with 67 Indian tribes, listed in Attachment D, on a government-to-government basis and regularly informed all 67 Indian tribes of the progress on amending the PA. All Indian tribes that participated in consultation were invited in 2013 to sign as Concurring Parties to the Programmatic Agreement, consistent with 36 C.F.R. §§ 800.2(c)(2) and 800.6(c)(3). [Number TBD] Indian tribes informed the DOS that they would like to sign as Concurring Parties.

Of the 67 Indian tribes with which the DOS consulted, the DOS met with 17 Indian tribes, listed below, to discuss the proposed Project and its potential impacts on the environment, cultural resources, and other resources of concern to the consulting Indian tribes. The DOS gave Indian tribes the opportunity to review the proposed Project cultural resources survey reports. On several occasions, the DOS conveyed an invitation to Indian tribes to conduct applicant-funded Traditional Cultural Property (TCP) studies within the proposed Project area of potential effects (APE). All Indian tribes that expressed an interest and provided the necessary documentation were afforded an opportunity to conduct TCP studies within the proposed Project APE. Attachment G lists Indian tribes that submitted scopes of work to conduct TCP studies. The DOS also invited Indian tribes to help develop and participate in the Tribal Monitoring Plan (Attachment E).

In addition to communication by phone, email, and letter, Principal Deputy Assistant Secretary Judith Garber and other DOS officials travelled to areas near the proposed Project route to hold four face-to-face consultations, to which all Indian tribes were invited and whose participation was funded by the applicant. Indian tribes that participated in these meetings and a follow-up teleconference are listed below.

1. Billings, Montana – October 22, 2012

Attended by 5 Indian tribes: Blackfeet Tribe (3 representatives), Chippewa Cree Tribe (4 representatives), Crow Tribe (1 representative), Northern Cheyenne Tribe (1 representative), and Yankton Sioux Tribe (3 representatives).

2. Pierre, South Dakota – October 24, 2012

Attended by 4 Indian tribes: Cheyenne River Sioux Tribe (2 representatives), Crow Creek Sioux Tribe (2 representatives), Standing Rock Sioux Tribe (1 representative), and Yankton Sioux Tribe (2 representatives).

3. Lincoln, Nebraska – October 26, 2012

Attended by 4 Indian tribes: Assiniboine and Sioux Tribes (2 representatives), Kaw Nation (1 representative), Pawnee Nation (4 representatives), and Ponca Tribe of Nebraska (3 representatives).

4. Rapid City, South Dakota – May 16, 2013

Representatives of 10 Indian tribes (Northern Arapaho Tribe, Assiniboine and Sioux Tribes, Oglala Sioux Tribe, Yankton Sioux Tribe, Mille Lacs Band of Minnesota Chippewa Tribes, Northern Cheyenne Tribe, Omaha Tribe, Pokagon Band of Potawatomi Indians, Ponca Tribe of Nebraska, and Red Lake Band of Chippewa Indians) were seated for the consultation with Department of State representatives. The meeting could not proceed due to a demonstration.

5. Teleconference – July 31, 2013

Representatives of 9 Indian tribes identified themselves in this call: Chippewa Cree Tribe, Choctaw Nation, Confederated Goshute Tribe, Nez Perce Tribe, Oglala Sioux Tribe, Pawnee Nation of Oklahoma, Shoshone-Bannock Tribes, Standing Rock Sioux Tribe, and Yankton Sioux Tribe.