

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE APPLICATION BY)
TRANSCANADA KEYSTONE PIPELINE, LP)
FOR A PERMIT UNDER THE SOUTH DAKOTA)
ENERGY CONVERSION AND TRANSMISSION)
FACILITIES ACT TO CONSTRUCT THE)
KEYSTONE XL PROJECT)

HP 14-001

**STANDING ROCK SIOUX TRIBE
WITNESS LIST AND EXHIBIT LIST FOR EVIDENTIARY HEARING**

COMES NOW, intervener, the Standing Rock Sioux Tribe, by and through undersigned counsel, and hereby submits its Witness List and Exhibit List in preparation for the evidentiary hearing in the above-captioned matter.

I. Witness List

The Tribe shall call the following witnesses:

1. Phyllis Young, Standing Rock Sioux Tribal Council, At Large Representative
2. Doug Crow Ghost, Director, Standing Rock Sioux Tribe Department of Water Resources
3. Waste' Win Young, Standing Rock Sioux Tribal Historic Preservation Office
4. Linda Black Elk, Associate Professor, Sitting Bull College, Fort Yates, N.D.

The Tribe shall call the following rebuttal witness:

1. Kevin E. Cahill, PhD. EcoNorthwest, Boise, Idaho

II. Exhibit List

The Tribe shall file the following exhibits:

- SR __ Phyllis Young, Pre-filed testimony.
- SR __ Treaty of Fort Laramie of September 15, 1851.
- SR __ Treaty of Fort Laramie of April 29, 1868.
- SR __ Map – Treaty lands.
- SR __ TransCanada report on Tribal community meeting, November 4, 2013.
- SR __ TransCanada letter to President, Ideal community, July 18, 2012.

- SR __ U.S. Department of State, FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT ON THE KEystone XL PROJECT (January 2014) w/ Appendices, Errata Sheet (hereinafter FSEIS).
- SR __ Council on Environmental Quality, *Environmental Justice: Guidance Under the National Environmental Policy Act* (1997).
- SR __ Doug Crow Ghost, Pre-filed testimony.
- SR __ Cook et al., J. ADVANCEMENT OF SCIENCE, *Unprecedented 21st Century Drought Risk in the American Southwest and Central Plains*, 12 February 2015.
- SR __ National Wildlife Federation, *Great Plains: Wildlife in the Grip of Heat Waves and Drought*, printed in WILDLIFE IN A WARMING WORLD: CONFRONTING THE CLIMATE CRISIS (2013).
- SR __ SRST, *Impaired Waterbodies Crossed by the Keystone XL Pipeline Project in South Dakota*.
- SR __ South Dakota Department of Environment and Natural Resources, *The South Dakota 2012 Integrated Report for Surface Water Quality Assessment* (2012).
- SR __ Congressional Research Service, REPORT FOR CONGRESS, OIL SANDS AND THE KEystone XL PIPELINE: BACKGROUND AND SELECTED ENVIRONMENTAL ISSUES (2012).
- SR __ Letter of Jeffrey D. Wiese, PHMSA, to David Chattick, TransCanada Pipelines, Ltd., re: denial of a special permit application for a segment of the PNGTS pipeline, due to “compliance issues relating to not performing weekly aerial patrols and quarterly ground patrols as required by the special permit conditions...” dated June 27, 2011 w/ enclosure.
- SR __ Letter of Jeffrey D. Wiese, PHMSA, to David Chattick, TransCanada Pipelines, Ltd., re: denial of a special permit application for a segment of the PNGTS pipeline, due to “compliance issues relating to not performing weekly aerial patrols and quarterly ground patrols as required by the special permit conditions...” dated June 27, 2011 w/ enclosure.
- SR __ Letter of Jeffrey D. Wiese, PHMSA, to David Chattick, TransCanada Pipelines, Ltd., re: denial of a special permit application for a segment of the ANR pipeline, due to “failure to perform weekly aerial patrols and quarterly ground patrols as required by the special permit conditions...” dated June 27, 2011 w/ enclosure.
- SR __ Letter of Jeffrey D. Wiese, PHMSA, to David Chattick, TransCanada Pipelines, Ltd., re: denial of a special permit application for a segment of the TCPL-ANR pipeline, due to “insufficient information in the application demonstrating the adequacy of steel pipe toughness properties to mitigate fracture propagation,” dated July 16, 2010 w/ enclosure.
- SR __ Letter of Jeffrey D. Wiese, PHMSA, to David Chattick, TransCanada Pipelines, Ltd., re: denial of a special permit application to waive compliance with the maximum allowable pressure requirements for four segments of the TCPL-ANR pipeline, due to “line 716 pipeline gas quality issues from gas supply, the 1983 internal leak due to internal corrosion, and the presence of pre-1970 pipe...” dated July 16, 2010 w/ enclosure.

- SR __ Letter of Jeffrey D. Wiese, PHMSA, to David Chattick, TransCanada Pipelines, Ltd., re: denial of a special permit application to waive compliance with the maximum allowable pressure requirements for four segments of the TCPL-ANR pipeline, due to “several integrity and performance history reasons” dated May 5, 2010 w/ enclosure.
- SR __ Kinder Morgan Canada Inc., Puget Sound Emergency Response Plan (December, 2014).
- SR __ Washington State Primary Response Contracts List.
- SR __ Letter of Cynthia Giles, U.S. EPA, to Amos Hochstein and Judith G. Garber, U.S. Department of State, re: deficiencies in the Final SEIS, dated February 2, 2015.
- SR __ Letter of Cynthia Giles, U.S. EPA, to Jose W Fernandez and Dr. Kerri-Ann Jones, U.S. Department of State, re: deficiencies in the Draft SEIS, dated June 6, 2011.
- SR __ Letter of Cynthia Giles, U.S. EPA, to Jose W Fernandez and Dr. Kerri-Ann Jones, U.S. Department of State, re: deficiencies in the Draft EIS, July 16, 2010.
- SR __ Peter Tertzakian, *The Message of the Joslyn Oil Sands Shelving: Higher Prices Needed*, The Globe and Mail, June 2, 2014.
- SR __ Waste’Win Young, Pre-filed testimony.
- SR __ Department of State, Government-to-Government Consultation, May 16, 2013.
- SR __ FSEIS, App. E, Programmatic Agreement and Record of Consultation.
- SR __ Linda Black Elk, Pre-filed testimony.
- SR __ Linda Black Elk, *Culturally-Important Plants of the Lakota* (1998).
- SR __ FSEIS, Chapter 4.5 Terrestrial Vegetation
- SR __ Kevin E. Cahill, Pre-filed testimony.
- SR __ Kevin E. Cahill, Rebuttal Expert Report of Kevin E. Cahill on behalf of the Standing Rock Sioux Tribe.

RESPECTFULLY SUBMITTED this 7th day of July, 2015

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