



North Dakota State Water Commission

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August 8, 2017

David Moeller
Minnesota Power
30 West Superior Street
Duluth, MN 55802-2093



Dear Mr. Moeller:

This is in response to your request for a review of the environmental impacts associated with the Minnesota Power's Ten-Year Plan Project.

The proposed project has been reviewed by State Water Commission staff, and the following comments are provided:

- A Sovereign Land permit would be required for any transmission or distribution line which would cross over or under a navigable and therefore sovereign water body to the state of North Dakota. Please see a list of navigable water bodies and an application at www.swc.nd.gov or contact Ashley Persinger, Sovereign Land Specialist, at 701-328-4988 or apersinger@nd.gov with questions.
- In general, any work that drains a pond, slough, lake, sheetwater, or any series thereof with a watershed of over 80 acres requires a drainage permit. Any work that causes the diversion, impoundment, or retention of, or protection from, over 50 acre-feet of water requires a construction permit. Any public road improvements that involve culverts or crossings must be in compliance with the North Dakota Stream Crossing Standards. Please contact the OSE Engineering and Permitting Section at 701-328-2752 if you have any questions.
- Without specific project locations, only the following general comments can be made: In general, projects located in a FEMA identified floodplain require a floodplain development permit from the local permitting authority. North Dakota has no formal permitting authority as a state entity in NFIP identified floodplain areas. Flood Insurance Rate Maps can be found at msc.fema.gov. Please work closely with the local floodplain administrators for permitting purposes.

Thank you for the opportunity to provide review comments. If you have any questions, please call me at 701-328-4967.

Sincerely,

Jared Huibregtse
Water Resource Planner IV

JH:dm/1570

Cc:
Darrell Nitschke, Executive Secretary
ND Public Service Commission
600 E Boulevard Avenue
Bismarck, ND 58505

2

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Comments

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Jared Huibregtse, Water Resource Planner

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