

July 29, 2019

Steve Kahl, Interim Executive Secretary  
ND Public Service Commission  
600 East Boulevard, Dept. 408  
Bismarck, ND 58505-0480

Dear Mr. Kahl:

This is in response to your request for a review of the environmental impacts associated with the applicant Dakota Access, LLC, Case No. PU-19-204, Dakota Access Pipeline Pump Station project located in Emmons County, ND.

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

- Initial review indicates the project does not require a conditional or temporary permit for water appropriation. However, if surface water or groundwater will be diverted for construction of the project, a water permit will be required per North Dakota Century Code (NDCC) § 61-04-02. Please consult with the Water Appropriations Division of the Office of the State Engineer (OSE) if you have any questions regarding this comment at 701-328-2754 or [waterpermits@nd.gov](mailto:waterpermits@nd.gov).
- There are no floodplains identified and/or mapped where this proposed project is to take place. No permits relative to the National Flood Insurance Program are required based on the current effective FIRM and state minimum standards.

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at 701-328-4967 or [jjhuibregtse@nd.gov](mailto:jjhuibregtse@nd.gov).

Sincerely,



Jared Huibregtse  
Water Resource Planner IV

JH:dm/1570

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Agency correspondence re environmental impacts

North Dakota State Water Commission

Jared Huibregtse