

Updated Table 7.0-1 Potential Permits and Approvals			
Administering Agency	Permit, Approval, or Consultation	Applicability to the Project	Status
<b>Federal</b>			
U.S. Army Corps of Engineers	Federal Clean Water Act Section 404	Dredging or filling jurisdictional waters of the United States.	To be prepared prior to construction, if necessary.
U.S. Fish and Wildlife Service (USFWS)	Review for Threatened and Endangered Species	Consultation on potential impacts to species protected under the Endangered Species Act	Bowman Wind has been coordinating with USFWS since 2017.
Environmental Protection Agency	Spill Prevention Control and Countermeasure Plan	Required if any facility associated with the Project (substation) has oil storage of more than 1,320 gallons	To be prepared prior to construction, if necessary.
Federal Aviation Administration (FAA)	Form 7460-1 Notice of Proposed Construction or Alteration (Determination of No Hazard)	<ul style="list-style-type: none"> <li>Construction or alteration of structures standing higher than 200 feet above ground level</li> <li>Construction or alteration of structures near airports; 14 Code of Federal Regulations 77.13 provides details</li> <li>Siting within radar line of-sight of an air defense facility</li> </ul>	Filed July 2017 and terminated February 2020. Refiled February 2020 and received DNHs November 2020. Refiled July 2021.
	Notice of Actual Construction or Alteration (Form 7460-2)	Supplemental notice provided to FAA in advance of beginning construction.	To be provided in advance of or after commencing construction, as appropriate.
	Marking & Lighting Recommendations	Required for approval of Aircraft Detection Lighting System (ADLS)	7460-1 filing will include standard red/white synchronized lights but the FAA filings will be modified to request approval of ADLS after receiving the ADLS design and prior to construction.
Federal Communications Commission	Radio Station Authorization/License	Typically required for operation of communications tower associated with ADLS.	If needed, prior to operation of ADLS communications tower.
	Registration	Typically required for communications tower associated with ADLS.	Prior to construction/installation of ADLS communications tower.



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<b>State of North Dakota Approvals</b>			
North Dakota Public Service Commission (ND PSC)	Certificate of Site Compatibility	Construction of energy conversion facility with greater than 0.5 MW nameplate capacity.	In progress.
North Dakota Department of Environmental Quality	North Dakota Pollutant Discharge Elimination System General Permit for Stormwater Discharge Related to Construction (includes Storm Water Pollution Prevention Plan)	For stormwater discharges from construction activities with disturbances greater than one acre.	To be obtained prior to construction activities for which the permit is required.
	401 Water Quality Certification	Required for filling in jurisdictional waters of United States.	To be obtained prior to construction activities for which the permit is required.
North Dakota State Water Commission, Office of the State Engineer (SWC/OSE)	Temporary Water Permit	A temporary water permit is required for all temporary uses of water, except in cases when both the amount of water to be impounded, diverted, or withdrawn is less than 12.5 acre-feet (4,073,137 gallons) and the use is domestic, livestock, fish, wildlife, or other recreational uses.	If needed, prior to activity subject to permit.
	Conditional Water Permit	A conditional water permit is required for all uses of water (where the use period will exceed 12 months), except in cases when both the amount of water to be impounded, diverted, or withdrawn is less than 12.5 acre-feet (4,073,137 gallons) and the use is domestic, livestock, fish, wildlife, or other recreational uses.	If needed, prior to activity subject to permit.
SWC/OSE; Water Resource District	Drainage Permit	Required before draining a pond, slough, lake or sheetwater, or any series thereof, that has a watershed area (i.e., drainage area) of 80 acres or more.	If needed, prior to activity subject to permit.



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North Dakota Highway Patrol	Oversize/Overweight Permit	Required to transport oversize/overweight loads on state maintained roads.	To be obtained prior to transport of oversize/overweight loads.
North Dakota Department of Transportation	Utility Occupancy Permit(s)	Required to install electrical lines within state owned right-of-way (ROW).	Prior to installation of electrical lines within state-owned ROW.
	Highway Access Permit(s)	Required to provide driveway access to state owned ROW.	Prior to installation of access/approach.
	Temporary Modification Permits	Temporary modifications to state-owned ROW.	Prior to installation of temporary modifications.
North Dakota State Electrical Board	Wiring Certificate and Inspection Approval	Installation of electrical facilities.	If needed, prior to activity subject to permit.
North Dakota Department of Trust Lands (NDTL)	Site Plan Approval	Required for construction of Project facilities on NDTL-managed lands.	To be obtained prior to construction.
North Dakota State Historic Preservation Office/State Historical Society of North Dakota (SHSND)	Cultural and Historic Resources Review and Review of State and National Register of Historic Sites and Archeological Survey	Consultation required in connection with other agency permitting requirements, such as the ND PSC.	Class I, II, and III survey work for the Project is complete and the survey report and site forms were submitted to the SHSND for review in March 2021.
<b>Local Approvals</b>			
Bowman County	Wind Energy Facility Siting Permit	Required for a wind energy facility rated at fifty kilowatts nameplate capacity or more.	Application filed June 25, 2021.
	Variances	Required to accommodate Project design.	Applications filed June 25, 2021.
	Approach Permits	Installation of approach roads.	To be obtained prior to installation of approaches, as needed.
	Alternate Energy Construction Permit	Construction of infrastructure.	Prior to construction.
	Haul Road Permits	Using local roadways for haul roads.	To be obtained as necessary prior to use of haul roads.
	Utility Crossing Permits	Encroaching on roadways.	To be obtained prior to construction work in roadway ROW.

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Townships	Approach Permits	Installation of approach roads.	To be obtained prior to installation of approaches, as needed.
	Haul Road Permits	Using local roadways for haul roads.	To be obtained as necessary prior to use of haul roads.
	Utility Crossing Permits	Encroaching on roadways.	To be obtained prior to construction work in roadway ROW.
Local Public Health Unit	Septic system permits/approvals	May be required for installation of septic system.	To be obtained prior to construction of the septic system, if necessary.