

August 30, 2021

Dean Moos  
Director  
Public Service Commission  
Inside Mail

Dear Mr. Moos:

This is in response to your request for a review of the environmental impacts associated with the Case No. PU-21-151, Montana-Dakota Utilities Co. - 230 kV Transmission Line project located in Morton County, ND.

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

- There are no FEMA regulatory floodplains identified and/or mapped where this proposed project is to take place. No permits relative to the NFIP are required based on the current effective FIRM and State minimum standards.
- The Department of Water Resources (DWR) Engineering and Permitting Section reviewed the Project and determined that no drainage or construction permits are likely required. However, any changes to a watercourse or drainage patterns may require a DWR permit. For more information on these requirements, please visit the Regulation & Appropriation tab on the DWR's website ([dwr.nd.gov](http://dwr.nd.gov)) or contact the DWR's Regulatory Division at 701-328-2752 or [swcregpermits@nd.gov](mailto:swcregpermits@nd.gov).
- 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 § 61-04-02. Please consult with the Department of Water Resources Water Appropriation Division if you have any questions at (701) 328-2754 or [appropinfo@nd.gov](mailto:appropinfo@nd.gov).

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at 701-328-4970 or [stevebest@nd.gov](mailto:stevebest@nd.gov).

Sincerely,



Steven Best  
Planner III

SB:dm/1570