

Updated Table 6.1: List of the Permits Required for Construction of the Project in North Dakota.		
AGENCY	PERMIT OR AUTHORIZATION	SUBMITTAL/ ANTICIPATED SUBMITTAL
U.S. Army Corps of Engineers (USACE) Omaha District	Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act through Nationwide Permit (NWP) 58 for Utility Line Activities for Water and Other Substances	Submitted in October 2022; Addendum Submitted in March 2023; Supplemental submission anticipated in July 2024
	Section 408 Review	Submitted in January 2022; No Alteration Determination Issued May 2023
U.S. Fish and Wildlife Service (USFWS) – Mountain Prairie Region	Section 7 Consultation for Threatened and Endangered Species Review and/or Clearance	Ongoing; Biological Assessment to be submitted August 2024 (for entire MCE Project)
North Dakota Public Service Commission (NDPSC)	Certificate of Corridor Compatibility and Route Permit; North Dakota Rules, Article 69-06, Chapter 69-06-02.1	Submitted October 2022; NDPSC Denied Application August 2023; Reconsideration granted September 2023
	Certificate of Public Convenience and Necessity; ND Century Code Chapter 49-03.1	
North Dakota Department of Environmental Quality (NDDEQ)	401 Water Quality Certification (WQC)	Submitted October 2022; Addendum Submitted March 2023; Supplemental submission anticipated in July 2024 (in conjunction with USACE NWP 58 Application)
	North Dakota Pollutant Discharge Elimination System General Permit for Temporary Discharge Activities	Anticipate Submittal in January 2025
	NDPDES General Permit for Stormwater Discharges Associated with Construction Activities	Anticipate Submittal in January 2025
State Historic Society of North Dakota	Section 106 National Historic Preservation Act Consultation	Ongoing; In conjunction with USACE NWP 58 Application
	North Dakota Century Code Chapter 55-02-07	
North Dakota Department of Water Resources (NDDWR)	Temporary Water Use Permit	Anticipate Submittal in January 2025
	Authorization to Construct a Project Within Sovereign Lands of North Dakota	
County Floodplain Administrators	County Floodplain Development Permits	Anticipate Submittal in January 2025
County and Local Authorities	Special or Conditional Use Permits, driveway permits, and road crossing permits where required	Ongoing