

Appendix C
Potential Permits and Approvals Table

North Plains Connector Project
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Agency	Description of Permit, Approval, or Consultation	Applicability	Permit Status and Timing
Federal			
Bureau of Land Management	Right-of-Way Grant and Short-Term Right-of-Way under the Federal Land Policy and Management Act	Required for crossing lands managed by the Bureau of Land Management in Montana.	Right-of-Way Grants will be issued after National Environmental Policy Act Record of Decision, anticipated October 2026.
Federal Aviation Administration	Notice of Construction or Alteration	Required for construction or alteration that: (1) Exceeds 200 feet above ground level; (2) Exceeds Federal Aviation Administration height thresholds in proximity to airports; (3) Involves mobile objects on highways, railroads, or waterways that could exceed Federal Aviation Administration height thresholds; (4) Occurs on public-use airports or heliports, regardless of height; or (4) Is specifically requested by the Federal Aviation Administration.	Not required. Project does not meet applicability criteria. Project does not include structures over 195 feet.
U.S. Army Corps of Engineers – Omaha District	Nationwide Permit 57 – Electric Utility Line and Telecommunications Activities	Required for electric utility line or telecommunications activities that involve the dredge or fill of less than 0.5 acre in waters of the United States. Activities must meet the conditions for a Nationwide Permit.	North Plains anticipates submitting a pre-construction notification to U.S. Army Corps of Engineers in February 2026, permit anticipated September 2026.
	Rivers and Harbors Act Section 10 Permit	Required for temporary or permanent construction under, over, or within the ordinary high-water mark of federally navigable waters.	Not required. Project does not meet applicability criteria.
	Section 404 Individual Permit	Required for the discharge of dredged or fill material greater than 0.5 acre into waters of the United States.	Not required. Project does not meet applicability criteria.
	Section 408 Authorization	Required for alterations or crossings of U.S. Army Corps of Engineers Civil Works projects, including navigation channels, levees, or other USACE-owned properties.	Not required. Project does not meet applicability criteria.
U.S. Department of Agriculture – Agricultural Research Service	Revocable Right-of-Way Permit	Required for crossing lands managed by the U.S. Department of Agriculture – Agricultural Research Service in Montana.	Revocable Right-of-Way Permit will be issued after National Environmental Policy Act Record of Decision, anticipated October 2026.
U.S. Department of Energy	National Environmental Policy Act Review	Required for federal actions involving funding, permits, approvals, or other federal decision-making by the U.S. Department of Energy.	Notice of Intent to prepare an Environmental Impact Statement published October 2024. Draft Environmental Impact Statement published January 2026. Record of Decision anticipated September 2026.
	Grid Resilience and Innovation Partnerships Program Application	Required for projects seeking funding or participation under the U.S. Department of Energy Grid Resilience and Innovation Partnerships Program.	North Plains submitted application April 2024, with award announced by U.S. Department of Energy August 2024.
	Government-to-Government Consultation	Required for federal actions involving funding, permits, approvals, or other federal decision-making by the U.S. Department of Energy to ensure the concerns of Native American Tribes are considered.	U.S. Department of Energy has initiated Government-to-Government Consultation with Native American Tribes, completion anticipated September 2026.

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	Native American Graves Protection and Repatriation Act	Applies when Native American human remains or cultural items are discovered on federal or Tribal lands, triggering required Native American Graves Protection and Repatriation Act procedures.	North Plains has prepared a Plan for the Unanticipated Discovery of Cultural Resources and Human Remains. The plan will be finalized prior to start of construction.
U.S. Environmental Protection Agency	Spill Prevention, Control, and Countermeasure Plan	Required for facilities that store oil in quantities meeting U.S. Environmental Protection Agency thresholds and have the potential for a discharge to navigable waters or adjoining shorelines.	If needed, North Plains will prepare a Spill Prevention, Control, and Countermeasure Plan.
U.S. Fish and Wildlife Service	Endangered Species Act Coordination and Applicant-Prepared Biological Assessment	Required when a federal agency funds, authorizes, or carries out an action that has the potential to affect listed species or designated critical habitat.	Preparation of the Applicant-Prepared Biological Assessment is underway, with submission anticipated February 2026.
	Endangered Species Act Section 7 Formal Consultation / U.S. Fish and Wildlife Service Issues Biological Opinion	Required when a federal agency funds, authorizes, or carries out an action is "likely to adversely affect" listed species or critical habitat.	Formal Section 7 Consultation begins when the Biological Assessment is submitted. Issuance of Biological Opinion anticipated August 2026.
	Non-Purposeful Take Permit for Bald/Golden Eagles	Required for activities that may incidentally disturb or take bald or golden eagles, where the take is not the purpose of the activity but is reasonably foreseeable.	North Plains is preparing an Eagle Management Plan and will submit a request for an eagle disturbance take permit. Issuance anticipated July 2027.
	Migratory Bird Treaty Act Compliance	Applies when project activities have the potential to result in the take of migratory birds, their nests, or eggs. Migratory Bird Treaty Act prohibits purposeful take without U.S. Fish and Wildlife Service authorization.	North Plains has prepared a Migratory Bird Treaty Act Compliance Plan, which was submitted for federal agency approval in October 2025. Plan approval is anticipated in February 2026. North Plains will prepare an Avian Protection Plan prior to Project operation.
U.S. Forest Service	Special Use Permit	Required for crossing lands managed by the U.S. Forest Service in North Dakota.	Special Use Permit will be issued after National Environmental Policy Act Record of Decision, anticipated December 2026.
Federal Lead Agency, Federal and State Land-Managing Agencies, State Historic Preservation Offices, Tribal Historic Preservation Offices, and Consulting Parties	National Historic Preservation Act Section 106 Consultation	Section 106 of the National Historic Preservation Act requires federal agencies to identify and assess the effects of projects on historic properties and to afford the State Historic Preservation Office(s) and Tribal Historic Preservation Offices an opportunity to comment if a project would adversely affect historic properties.	A Programmatic Agreement has been developed through joint coordination between North Plains, U.S. Department of Energy, North Dakota State Historical Preservation Office, Montana State Historical Preservation Office, interested Native American Tribes, and the cooperating federal agencies. Section 106 completion anticipated by September 2026.
North Dakota			
North Dakota Department of Environmental Quality	Water Quality Certification under Section 401 of the Clean Water Act (associated with Section 404 Permit)	Required for any project needing a federal Section 404 permit to verify that the activity meets North Dakota water quality standards.	Nationwide Permit 57 has been recertified by the North Dakota Department of Environmental Quality; thus, no additional agency review is required.
	Temporary Discharge General Permit NDG070000	Required for any activity temporarily discharging water to waters of the state.	If needed, North Plains will obtain a Temporary Discharge General Permit prior to applicable activities.

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North Dakota Department of Transportation	Authorization to Discharge under the North Dakota Pollutant Discharge Elimination System (NDR11-0000)	Required for construction activities that disturb one acre or more, providing coverage under the construction stormwater permit.	North Plains will submit a Notice of Intent to North Dakota Department of Environmental Quality and prepare a Stormwater Pollution Prevention Plan prior to construction activities.
	Utility Occupancy, Driveway, Oversize/Overweight Permits	Required for the installation, replacement, or maintenance of utilities within North Dakota Department of Transportation right-of-way.	North Plains will obtain permits prior to construction work within North Dakota Department of Transportation right-of-way.
	Driveway Permit	Required for construction of access roads or driveways connecting to state highways.	North Plains will obtain a Driveway Permit prior to construction of access roads or driveways connecting to state highways.
North Dakota Department of Trust Lands	Right-of-Way Easement on North Dakota Department of Trust Lands	Required for projects crossing or located on tracts managed by the North Dakota Department of Trust Lands.	North Plains submitted a right-of-way application with the North Dakota Department of Trust Lands on May 26, 2022. Right-of-way easement anticipated upon receipt of the Certificate of Corridor Compatibility and Transmission Facility Route Permit, December 2026.
North Dakota Department of Water Resources	Sovereign Lands Permit	Required for any project constructed within, under, or over Sovereign Lands of North Dakota, including streambeds, islands, and areas within the ordinary high-water mark of navigable lakes and streams. Authorization from the State Engineer is required before construction or operation.	North Plains anticipates application submission April 2026, with approval anticipated July 2026.
	Temporary Water Appropriation Permit	Required for temporary appropriation of groundwater or surface water for construction activities such as dust control or material processing.	Permit is not anticipated at this time.
North Dakota Highway Patrol	Overheight/Overweight Permit	Required during construction for movement of oversize or overweight vehicles or equipment on state roadways.	Contractors operating oversize or overweight vehicles or equipment on state roadways will be required to obtain permit.
North Dakota Public Service Commission	Certificate of Corridor Compatibility and Transmission Facility Route Permit	Required for transmission lines greater than 115-kilovolt and one mile or more in length.	Application filed with the North Dakota Public Service Commission February 2026. Certificate of Corridor Compatibility and Transmission Facility Route Permit anticipated December 2026.
State Historical Society of North Dakota	Section 106 Consultation under the National Historic Preservation Act	Required for federal undertakings that have the potential to affect historic properties, including identifying potentially affected resources, evaluating project effects, and developing measures to avoid, minimize, or mitigate adverse effects.	A Programmatic Agreement has been developed through joint coordination between North Plains, U.S. Department of Energy, North Dakota State Historical Preservation Office, Montana State Historical Preservation Office, interested Native American Tribes, and the cooperating federal agencies. Section 106 completion anticipated by September 2026.

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Montana			
Montana Department of Environmental Quality	Certificate of Compliance	Required for qualifying linear facilities or energy-related infrastructure that meet Montana Major Facility Siting Act thresholds for length, voltage, capacity, or siting impacts.	North Plains submitted an application for a Certificate of Compliance to the Montana Department of Environmental Quality on September 18, 2024. An amended application was submitted to the Montana Department of Environmental Quality on September 12, 2025 and was deemed complete by the Montana Department of Environmental Quality on September 26, 2025. Certificate of Compliance anticipated September 2026.
	Montana Environmental Protection Act Review	Required for projects subject to Montana Department of Environmental Quality review to verify compliance with applicable environmental standards.	U.S. Department of Energy and Montana Department of Environmental Quality are jointly preparing an Environmental Impact Statement. Notice of Intent to prepare an Environmental Impact Statement published October 2024. Draft Environmental Impact Statement published January 2026.
	Water Quality Certification under Section 401 of the Clean Water Act (associated with Section 404 Permit)	Required for any project needing a federal Section 404 permit to confirm the activity meets Montana water quality standards.	North Plains anticipates application submission February 2026, approval anticipated June 2026.
	Short-Term Water Quality Standard for Turbidity (318 Authorization)	Required for construction activities that may cause short-term increases in turbidity in state waters.	North Plains anticipates application submission February 2026, approval anticipated May 2026.
	General Permit for Stormwater Discharges Associated with Construction Activity (MTR100000)	Required for construction activities that disturb one acre or more, including clearing, grading, or excavation.	North Plains will submit a Notice of Intent to Montana Department of Environmental Quality and prepare a Stormwater Pollution Prevention Plan prior to construction activities.
	Construction Dewatering General Permit (MTG070000)	Required for the temporary discharge of groundwater or surface water generated during construction dewatering activities.	North Plains will obtain a Construction Dewatering General Permit prior to applicable activities.
	Air Quality Registration – Concrete Batch Plants	Required for concrete batch plants eligible for Montana Department of Environmental Quality’s registration program, to ensure air quality standards are met.	North Plains will obtain registration prior to applicable construction activities.
Montana Department of Transportation	Highway Encroachment Permit	Required for equipment crossings, utility installations, or other activities that encroach upon Montana highway rights-of-way.	North Plains will obtain permits prior to construction work within Montana Department of Transportation right-of-way.
	Utility Occupancy, Driveway, Oversize/Overweight Permits	Applies to activities within or affecting state highway rights-of-way, like utility installations, driveways, or movement of oversized/overweight vehicles.	North Plains will obtain registration prior to applicable construction activities. Contractors operating oversize or overweight vehicles or equipment on state roadways will be required to obtain permit.
Montana Fish, Wildlife and Parks	Stream Protection Act (SPA 124 Permit)	Required for certain activities conducted below the ordinary high-water mark of Montana streams, subject to landowner permission.	Not required. Project does not meet applicability criteria.

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	Zoning Map Amendment	Required for activities that change the zoning district designation under a local zoning ordinance.	A zoning map amendment will be applied for in Morton County for the Morton County Converter Station to rezone the parcel from the Agricultural District to the Industrial District. To be obtained at the same time as the Special Use Permit.
	Subdivision Request	Required when a lot, tract, or parcel of land is divided into smaller lots, tracts, or parcels for sale or development.	A subdivision request will be applied for in Morton County to subdivide the parcel on which the Morton County Converter Station will be located. To be obtained at the same time as the Special Use Permit.
	Building Permit	Required for construction, alteration, or occupancy of buildings in accordance with a local zoning ordinance.	To be obtained prior to building construction, as needed.
County Road Authorities	Haul / Oversize/Overweight Permit	Required for the temporary use of county roads and/or the movement of oversize or overweight vehicles during construction.	To be obtained prior to hauling materials or moving oversize/overweight equipment on county roads.
	Approach Permit	Required for the construction of driveways or access points connecting private properties to county roads.	To be obtained prior to installation of approaches, as needed.
County Weed Boards	Weed Plan Approvals	Required for management or control activities involving noxious weeds or invasive species on private or public lands.	Draft Noxious Weed Management Plan approvals will be obtained prior to construction.
County / Local Soil Conservation Districts	Floodplain Development Permits	Required for permanent land-altering activities within designated floodplains.	To be obtained prior to construction of permanent land-altering activities in a floodplain area.
Western Plains Public Health	Onsite Sewage Treatment System Permit	Required for the installation, modification, or operation of onsite sewage treatment systems.	To be obtained prior to installation of onsite sewage system.