



DEPARTMENT OF THE ARMY PERMIT

Permittee GENERAL PUBLIC

Permit No. Regional General Permit 0403-02

Issuing Office Corps of Engineers, Omaha District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: This Regional General Permit authorizes the construction, expansion, and extension of boat ramps and other activities related to boat ramps.

Project Location: All waters of the U.S. in North Dakota, excluding Lake Sakakawea and Lake Oahe.

This Regional General Permit expires May 31, 2020.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on one year from each individual permit authorization (See Special Condition 15). If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions. (ND Department of Health Letter dated 04 November 2014 and EPA, Region VIII, letter dated 10 March 2015 are attached)
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions: (See pages 6, 7, 8 and 9)

After a detailed and careful review of all of the conditions contained in this permit, the permittee acknowledges that, although said conditions were required by the Corps of Engineers, nonetheless the permittee agreed to those conditions voluntarily to facilitate issuance of the permit and the permittee will comply fully with all the terms of the permit conditions.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - (X) Section 10 of the River and Harbors Act of 1899 (33 U.S.C. 403).
 - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal project.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.
 - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

REGIONAL GENERAL PERMIT 0403-02
DETAILED DESCRIPTION OF AUTHORIZED ACTIVITIES

This Regional General Permit authorizes the construction, expansion, and extension of boat ramps and other activities related to boat ramps in waters of the U.S. located in the State of North Dakota, excluding Lake Sakakawea and Lake Oahe. Activities authorized under this Regional General Permit include the following:

Typical Boat Ramp: Boat ramps would be constructed of poured concrete, concrete slabs or metal ramp sections on crushed stone, stone spall, or gravel base. Typically, a maximum thickness of 24 inches of granular fill material would be placed as bedding for boat ramp construction. Bedding material may exceed 24 inches in thickness if necessary due to existing conditions (e.g., steep slopes created from erosion). Additional suitable materials may be utilized to stabilize the foundation prior to the placement of the bedding or base material, provided such material is free of any deleterious substances. The ramps would be reinforced concrete poured in place or pre-cast concrete planks mechanically placed in position. Ramps would not exceed a maximum base width of 40 feet.

Boat Ramp Extensions: Boat ramps would be widened or lengthened as necessary. Existing ramps would be modified to a configuration similar to the typical ramps described above.

Access Roads and Turn-around and Parking Areas: New roadway work shall not exceed 24 feet in width. Turn-around areas shall not impact more than one half (1/2) acre of waters of the U.S. Temporary parking areas shall not impact more than one half (1/2) acre of waters of the U.S. Granular/earthen surfacing for access roads, turn-around areas, and parking areas shall not exceed eight (8) inches in thickness and the base material shall not exceed two (2) feet in thickness. The minimum amount of fill to cross cut-banks is also authorized. These areas shall be minimally constructed to safely accommodate the public. Modification, maintenance, expansion and/or improvement to existing access roadways and parking areas may also be authorized.

Erosion Protection: Riprap may be placed along ramp shoulders in quantities adequate to provide erosion protection. A maximum riprap placement of one (1) cubic yard per linear foot of ramp would be allowed on each side of the ramp. One (1) cubic yard of rock riprap may also be placed along the adjacent shoreline, extending a maximum of 100 feet on each side of the ramp, for erosion protection. Documentation must be provided that work would not divert water flow and damage property not owned by the prospective permittee.

Excavation and Dredging for Ramp Access: Excavation or removal of accumulated sediment and/or debris, dredging to provide ramp access, and dredging to provide or maintain access channels to ramps within Section 10 navigable waterways are authorized. Dredging for the aforementioned purposes would be limited to 2,000 cubic yards per ramp facility. The Corps must approve disposal sites for material derived from dredging if the disposal site will be in waters of the U.S. Silt curtains would be required to isolate any anticipated turbidity for dredging exceeding 200 cubic yards.

Cofferdams: Cofferdams necessary for construction activities would be limited to the minimum necessary to construct or extend a ramp, to facilitate the removal of sediment/substrate, or to facilitate necessary dredging activities provided that the cofferdam would not divert water flow and damage property not owned by the prospective permittee. Cofferdams would be removed in their entirety upon completion of construction activities and the area restored to preconstruction conditions.

REGIONAL GENERAL PERMIT 0403-02 APPLICATION PROCEDURES AND GENERAL CRITERIA

The following criteria govern the duration, utilization, and applicability of this Regional General Permit:

All interested parties proposing work under this Regional General Permit are required to submit Department of the Army permit application ENG Form 4345 to the US Army Corps of Engineers, North Dakota Regulatory Office (NDRO), 1513 South 12th Street, Bismarck, North Dakota 58504. Form ENG 4345 can be obtained from the NDRO or the internet at website

<http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/ObtainPermit.aspx>. The NDRO can also be contacted by telephoning (701) 255-0015, faxing (701-255-4817 or email at CENWO-OD-RND@usace.army.mil. Contact with the Corps is required in advance so that a determination can be made that the work meets the terms and conditions of the RGP.

The following information is required:

1. Name, address, and telephone number of the applicant responsible for the work and the owner of the affected land, if other than the applicant.
2. A written description of the proposed work, including the purpose and need; type, composition and volume of fill and/or excavated material; length, width and depth of fill material and/or excavation area; disposal site for the excavated material; source of borrow material; types and numbers of equipment to be used; impacts to wetlands, streams or other waters of the U.S.; and any other pertinent, supporting data.
3. A written legal description of the project location including section, township, range, county, Latitude and Longitude.
4. Names, addresses, and telephone numbers of adjacent property owners.
5. A set of drawings on 8 ½ by 11 inch paper, with dimensions of the proposed work, showing:
 - a. The project location, including the disposal site locations. A photocopy excerpt from a USGS quadrangle, county road map, FSA map or GoogleEarth aerial photograph is acceptable. (Photographs of the site are helpful.)
 - b. A plan or top view of the project area.
 - c. A typical cross-section or side view of the project area.
6. Projects that involve fills in wetlands must include a wetland delineation for the entire project area, including all wetland areas that could be impacted. Delineations must be completed by qualified individuals in accordance with the Corps 1987 Wetland Delineation Manual and applicable Regional Supplements to the Manual, which can be accessed on the NDRO website at: <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/NorthDakota.aspx> .
7. The location of borrow material shall be identified on a map. If obtained from a commercial source, the name and address of the source is acceptable.

No project may proceed until notification of approval has been received from the NDRO that the proposal meets the criteria of the RGP.

**REGIONAL GENERAL PERMIT 0403-02
SPECIAL CONDITIONS**

Any authorization granted under this Regional General Permit will be subject to the following conditions:

1. Cubic Yardage and Design Limits: The maximum amount of permanent discharge of fill material in waters of the U.S. allowed under this permit is 500 cubic yards. Total width of ramps and associated fills cannot exceed 40 feet.

2. Wetlands and Other Waters: Total area of waters of the U.S. that can be affected by a single and complete project is 0.5 acre. Of that area, filling and other impacts (excavation, drainage, vegetation removal) to wetlands cannot exceed 0.1 acre for the project.

3. Water Quality: The permittee must comply with the conditions established by the North Dakota Department of Health or U.S. Environmental Protection Agency's Section 401 water quality certification, whichever is applicable based on location.

4. Historic Properties: No activity is authorized that would adversely impact sites included in the most current listing of the National Register of Historic Places, sites known to be eligible for such listing, sites included in the National Register of Natural Landmarks, or any other known historic, cultural, or archaeological sites. The District Commander will comply with the provisions of 33 CFR Part 325, Appendix C, pursuant to the National Historic Preservation Act of 1966. Individual notices of intent will be consulted on as appropriate. The Permittee and the Permittee's contractor, or any of the employees, subcontractors or other persons working in the performance of the contract, shall immediately cease work and report the discovery of subsurface features to the North Dakota Regulatory Office and State Historical Society. If discoveries occur on Tribal property, notification shall be made to the North Dakota Regulatory Office and applicable Tribal Historic Preservation Officer. Work shall not resume until notified by the North Dakota Regulatory Office.

5. Threatened and Endangered Species: No activity is authorized that is likely to jeopardize the continued existence of species, or their critical habitats, designated or proposed for designation as threatened or endangered pursuant to the Endangered Species Act of 1972. Individual notices of intent will be consulted on as appropriate. The Permittee and the Permittee's contractor, or any of the employees, subcontractors or other persons working in the performance of the contract, shall report any endangered species at the project site to the North Dakota Regulatory Office and U.S. Fish and Wildlife Service within 48 hours.

6. Peatlands/Fens: This permit is not applicable to activities that involve impacts to jurisdictional peatlands. Peatlands are saturated and inundated wetlands where conditions inhibit organic matter decomposition and allow for the accumulation of peat. Under cool, anaerobic, and acidic conditions, the rate of organic matter accumulation exceeds organic decay. Peatlands can be primarily classified into ombrotrophic bogs and minerotrophic fens; the latter subdivided into poor, moderate-rich, and extreme-rich fens, each with distinctive indicator species, community physiognomy, acidity, alkalinity, and base cation content. Fens are defined as wetlands that contain (all or in part) soils classified as histosols or mineral soils with a histic epipedon.

7. Spawning Season Restrictions: Spawning season restrictions, if applicable, can be accessed on the North Dakota Game and Fish Department's website at: <http://gf.nd.gov/gnf/conservation/docs/spawning-restriction-exclusions.pdf>. Other rivers includes all waters of the U.S. listed as Class III or higher on the 1978 Stream Evaluation Map for the State of North Dakota, which can be accessed on the North Dakota Regulatory Office's website at: http://www.nwo.usace.army.mil/Portals/23/docs/regulatory/ND/gen/nd_streams_readable.pdf. No spawning season restriction applies to projects involving dredging or the discharge of less than 25 cubic yards of material.

8. Tribal Rights: No activity is authorized that would impair reserved tribal rights, including, but not limited to, water, fishing, and hunting rights.

9. Suitable Fill Material: No discharge may consist of unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.), and material discharged must be free from toxic pollutants in toxic amounts as required by Section 307 of the Clean Water Act. If broken concrete will be used as fill material, the individual pieces must be large enough so that they will not be displaced by wave action and all exposed rebar must be removed. Specific verbiage on prohibited materials can be accessed on the North Dakota Regulatory Office's website at: <http://www.nwo.usace.army.mil/Portals/23/docs/regulatory/ND/gen/prohibitionpnJuly2011.pdf>.

10. Proper Maintenance: Any fill material must be properly maintained, including maintenance necessary to ensure public safety.

11. Water Supply Intakes: No discharge may occur within 1000 feet of a public water supply intake. No discharge shall adversely affect a water intake that was in place prior to boat ramp work.

12. Wild and Scenic Rivers: No discharge may occur in a component of the National Wild and Scenic River System; or in a river officially designated by Congress as a "study river" for possible inclusion in the system, while the river is in an official study status; unless the appropriate Federal agency, with direct management responsibility for such river, has determined in writing that the proposed discharge will not adversely affect the Wild and Scenic River designation, or study status.

13. Minimization: Permittees are required to minimize adverse effects of projects by:

- a. Installing turbidity controls in the form of silt curtains or similar type cloth material, or other approved methods, in a configuration that will adequately contain sediment from the activity authorized if the activity includes dredging of 200 cubic yards or greater. The turbidity controls will remain in place and be maintained until construction is complete.
- b. Placing all construction debris (which includes excess dredged and/or fill materials, wood, cleared vegetation, concrete, and all other materials not specifically addressed in the permit) in uplands in such a manner that it cannot enter a waterway or wetland. Debris will be immediately removed in order to prevent the accumulation of unsightly, deleterious and/or potentially polluted materials.
- c. Operating equipment that handles and/or conveys materials during construction in such a manner that prevents dumping or spilling the materials into the water except as approved by the permit.
- d. Performing work in the waterway in such a manner so as to minimize increases in suspended solids and turbidity that may degrade water quality and damage aquatic life outside the immediate area of operation.

- e. Utilizing only clean rock material from a non-streambed source for riprap or associated with the placement of riprap.
- f. Limiting clearing of vegetation to that which is absolutely necessary for construction of the project.
- g. Conducting close coordination with downstream water users, advising them of any water quality changes to be caused by the construction.
- h. Conducting all earthwork operations on shore in such a manner that sediment runoff and soil erosion to the water are controlled.
- i. Complying with remedial measures given by the District Commander if there has been notification that the filling and/or dredging activity associated with the project is adversely affecting fish or wildlife resources or the harvest thereof. This may include suspending or modifying the activity to the extent necessary to mitigate or eliminate the adverse effect.
- j. Reseeding areas along banks which are disturbed or cleared with vegetation indigenous to the project area.
- k. Ensuring that no petroleum products, chemicals, or other deleterious materials be allowed to enter or be disposed of in such a manner so that they could enter the water and that precautions be taken to prevent the entry of these materials into the water.
- l. Ensuring that the use of machinery in the waterway is kept to a minimum.
- m. Ensuring that all temporary fill material is removed in its entirety and the area restored to its preconstruction contours.
- n. Making no attempt to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized.
- o. For boat ramps proposed on riverine systems, the applicant must demonstrate that there will be no adverse secondary impacts to properties not belonging to the applicant.
- p. The Corps will coordinate with the entity responsible for maintaining a dam where boat ramps are proposed on dams or located where impacts raise questions that direct or indirect impacts could affect the dam's structural integrity.
- q. The activity must comply with applicable Federal Emergency Management Agency (FEMA)-approved state or local floodplain management requirements.
- r. The permittee must demonstrate that their proposed activity in borrow areas will not impact historic properties or threatened and endangered species.

14. Liability:

a. In issuing this permit and giving approval to perform work under this permit, the Federal Government does not assume any liability for damages to the permitted project, or uses thereof, as a result of current or future activities undertaken by or on behalf of the United States in the public interest; damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit; design or construction deficiencies associated with the permitted work; or damage claims associated with any future modification, suspension, or revocation of this permit.

b. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

15. Construction Period:

a. The time limit for completing the work authorized is one (1) year from the authorization date. If additional time will be needed to complete the authorized activity, a written request for a time extension must be submitted to the North Dakota Regulatory Office.

b. The Permittee shall notify the North Dakota Regulatory Office at what time the activity authorized herein will be commenced, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.



NORTH DAKOTA
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION
Gold Seal Center, 918 E. Divide Ave.
Bismarck, ND 58501-1947
701.328.5200 (fax)
www.ndhealth.gov



November 4, 2014

Toni R. Erhardt
US Army Corps of Engineers
ND Regulatory Office
1513 South 12th Street
Bismarck, ND 58504

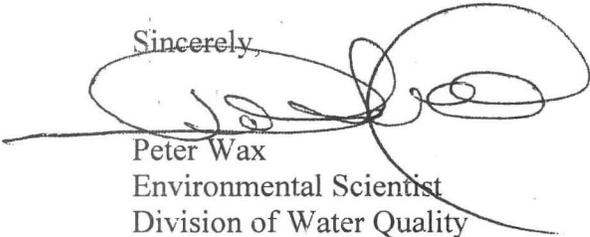


Section 401 Water Quality Certification for the Reissuance of Regional General Permit 0403

Dear Ms. Erhardt:

The North Dakota Department of Health has completed its review of the Regional General Permit (RGP) 0403 for boat ramp construction, expansion, extension and associated erosion preventions in all waters of the U.S. located in the State of North Dakota, excluding Lake Sakakawea and Lake Oahe. Based on this review, the department is assured that no violations of the State's Water Quality Standards will occur and grants clean water certification. Should you have any questions, I may be reached at 701.328.5268.

Sincerely,



Peter Wax
Environmental Scientist
Division of Water Quality

PW:dlp



Construction and Environmental Disturbance Requirements

These represent the minimum requirements of the North Dakota Department of Health. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect the waters of the State of North Dakota. All projects will be designed and implemented to restrict the losses or disturbances of soil, vegetative cover, and pollutants (chemical or biological) from a site.

Soils

Prevent the erosion of exposed soil surfaces and trapping sediments being transported. Examples include, but are not restricted to, sediment dams or berms, diversion dikes, hay bales as erosion checks, riprap, mesh or burlap blankets to hold soil during construction, and immediately establishing vegetative cover on disturbed areas after construction is completed. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, or land resources will be protected against compaction, vegetation loss, and unnecessary damage.

Surface Waters

All construction which directly or indirectly impacts aquatic systems will be managed to minimize impacts. All attempts will be made to prevent the contamination of water at construction sites from fuel spillage, lubricants, and chemicals, by following safe storage and handling procedures. Stream bank and stream bed disturbances will be controlled to minimize and/or prevent silt movement, nutrient upsurges, plant dislocation, and any physical, chemical, or biological disruption. The use of pesticides or herbicides in or near these systems is forbidden without approval from this Department.

Fill Material

Any fill material placed below the high water mark must be free of top soils, decomposable materials, and persistent synthetic organic compounds (in toxic concentrations). This includes, but is not limited to, asphalt, tires, treated lumber, and construction debris. The Department may require testing of fill materials. All temporary fills must be removed. Debris and solid wastes will be removed from the site and the impacted areas restored as nearly as possible to the original condition.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

MAR 10 2015

Ref: 8EPR-EP

Toni Erhardt
U.S. Army Corps of Engineers
North Dakota Regulatory Office
1513 South 12th Street
Bismarck, North Dakota 58504

Re: CWA Section 401 certification for Regional General Permit 0403-02, Tribal Waters of the United States in North Dakota, excluding Lake Sakakawea and Lake Oahe

Dear Ms. Erhardt:

The Environmental Protection Agency (EPA) Region 8 has received a request for a Clean Water Act (CWA) Section 401 water quality certification (certification) regarding Army Corps of Engineers (USACE) CWA Section 404 Regional General Permit (RGP) 0403-02. EPA has reviewed the proposed permit, conditions, proposed changes to conditions, and the Public Notice for the RGP. The EPA has considered CWA Section 304(a) criteria, tribal water quality standards, and tribal environmental program concerns during the review of potential impacts of the proposed USACE nationwide permits and is granting certification with the enclosed conditions for Spirit Lake Tribe Reservation, Turtle Mountain Band of Chippewa Indians Reservation, and the Three Affiliated Tribes Fort Berthold Reservation. Projects on Standing Rock Sioux Reservation are denied at this time. Applicants for projects on Standing Rock Sioux Reservation must contact the EPA and the Tribe to determine if a CWA Section 401 certification may be issued.

The purpose of the project is to issue RGP 0403-02 for the construction, expansion, and extension of boat ramps and associated erosion protection in all waters of the U.S. located in the State of North Dakota, excluding Lake Sakakawea and Lake Oahe. An RGP for boat ramps on Lake Sakakawea and Lake Oahe (RPG-0401-02) was issued in 2014. The Corps proposes to issue this RGP 0403-02 for a period of five (5) years. The proposed permit will authorize activities including, but are not limited to, construction of new boat ramps and extensions; repair, construction and reconstruction of new and existing roads and turnarounds; erosion control projects; excavation and dredging for ramps and access; placement of suitable rock and/or dirt fill for bank stabilization; and cofferdams.

This authorization does not relieve applicants or contractors of any liability for damages to aquatic life, habitat, or other beneficial uses that may result from permitted projects. It does not exempt applicants or contractors from any other federal, state, tribal, or local laws or regulations, nor does it provide exemption from legal action by private citizens or governments for damage to property that the activities permitted under this general permit may cause.

This letter and certification should be provided to applicants for USACE RPG-0403-02, as documentation of EPA certification for permitted projects within the exterior boundaries of Spirit Lake Tribe Reservation, Turtle Mountain Band of Chippewa Indians Reservation, and the Fort Berthold Reservation. If you have any questions please contact Toney Ott at 303-312-6909, or ott.toney@epa.gov.

Sincerely,



Humberto L. Garcia, Jr., Director
Ecosystems Protection Program

Enclosure

cc: Pernell Jackson Sr., Water Quality Coordinator
Spirit Lake Indian Reservation

Ronnie Chase Alone, Water Quality Coordinator
Standing Rock Sioux Reservation

Doug Crow Ghost, Administrator
Standing Rock Sioux Reservation

Edmund Baker, Environmental Director
Three Affiliated Tribes, Fort Berthold Reservation

Archie Gronvold, Water Quality Coordinator
Turtle Mountain Band of Chippewa Indians Reservation

ENCLOSURE

CWA Section 401 Water Quality Certification for RPG 0403-02, boat ramp related activities that are located within the exterior boundaries of Fort Berthold Reservation, Turtle Mountain Indian Reservation, and Spiritlake Reservation is granted with the following conditions:

- 1) The Project applicant or agent shall provide copies of all information and application material submitted to the Corps of Engineers to the appropriate tribal Water Quality Coordinator. The current contacts are:

Pernell Jackson Sr.
Water Quality Coordinator
Spirit Lake Indian Reservation
701-766-1259
pjackson@spiritlakenation.com

Edmund Baker
Environmental Director
Three Affiliated Tribes, Fort Berthold Reservation
701-627-4569
edmundbaker@mhanation.com

Archie Gronvold
Water Quality Coordinator
Turtle Mountain Band of Chippewa Indians Reservation
701-477-0407 x216
archer145@yahoo.com

Projects on Standing Rock Sioux Reservation are denied. Applicants must contact the Tribe if they are interested in obtaining a certification from the EPA:

Doug Crow Ghost, Administrator
Department of Water Resources
Standing Rock Sioux Reservation
701-854-8534
605-848-3919
dcrowghost@standingrock.org

Ronnie Chase Alone
Water Quality Coordinator
Standing Rock Sioux Reservation
701-854-8614
rchasealone@standingrock.org

- 2) Project applicant/contractor must notify the tribal water quality staff prior to the onset or as soon after as possible, of construction, with the most current construction timeframe and plans.

- 3) Project proponent/contractor must have a copy of the EPA CWA 401 certification conditions onsite.
- 4) This certification does not authorize any unconfined discharge of liquid cement in waters of the U.S.
- 5) This certification does not authorize the introduction of nonnative and/or invasive species.
- 6) All existing water uses will be fully maintained and protected to the maximum extent possible. This certification does not authorize significant, permanent adverse impacts to WUS and mitigation for impacts may be required for permanent losses of WUS.
- 7) All dredge and excavation material, debris and temporary fill must be removed from waters of the U.S. and properly disposed of on land so it cannot enter a waterway or cause water quality degradation
- 8) Georeferenced photographs of the project site, stabilization, and revegetation, shall be submitted to the EPA Aquatic Resources Protection and Accountability Unit and Tribal Water Quality Coordinators immediately after the project is completed and one year from completion to ensure the project is stable. Submittals to EPA of project photographs of the site may be submitted electronically or mailed to:

US EPA Region 8
Aquatic Resources Protection and Accountability Unit
1595 Wynkoop Street, 8EPR-EP
Denver, CO 80202
Attention: CWA 401 Certification Monitoring, RPG 0403-02