



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
3319 UNIVERSITY DRIVE
BISMARCK, NORTH DAKOTA 58504-7565

March 28, 2024

NWO-2024-00501-BIS

Medora Ranger District
Attn: Misty Hays
99 - 23rd Avenue West
Dickinson, North Dakota 58601

Dear Ms. Hays:

This is in response to information received on March 14, 2024 regarding the proposed Square Butte Water System Phase 1 Project, Allotments 171, 173, and 273. The project is located in Sections 3, 4, 5, 9, and 10, Township 139 North, Range 103 West, and Sections 3 and 34, Township 140 North, Range 103 West, Billings County, North Dakota.

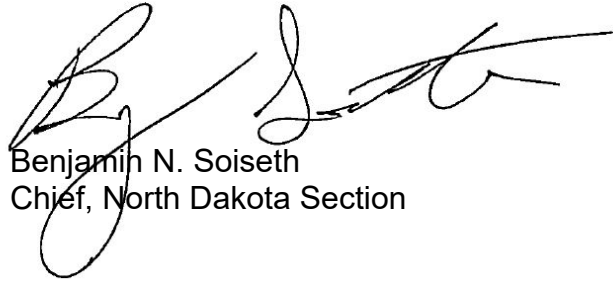
U. S. Army Corps of Engineers Regulatory Offices administer Section 404 of the Clean Water Act (Section 404). A Section 404 permit would be required for the discharge of dredge or fill material (temporarily or permanently) in waters of the United States. Waters of the United States may include, but are not limited to, rivers, streams, ditches, coulees, lakes, ponds, and their adjacent wetlands. Fill material includes, but is not limited to, rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mines or other excavation activities and materials used to create any structure or infrastructure in waters of the United States.

Based on the information contained in your letter, the Corps has determined that your proposed project may need a Clean Water Act Section 404 permit if there is a discharge of dredge or fill material into any types of waters listed in the paragraph above. If you decide to submit a permit application, the permit application and instructions for completing the application are enclosed and may also be found at: <http://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit>. Be sure to accurately describe all proposed work and construction methodology. Once the application is complete, mail it to the letterhead address or to the email address (preferred) below.

The North Dakota Regulatory office prefers that all submissions are sent electronically to the following email address: CENWO-OD-RND@usace.army.mil instead of a hard copy by mail. Please split large attachments (>25 MB) into multiple emails if needed.

Please refer to identification number NWO-2024-00501-BIS in any correspondence concerning this project. If you have any questions, please contact Jeremy Nygard at U.S. Army Corps of Engineers, North Dakota Regulatory Office, 3319 University Drive, Bismarck, North Dakota 58504-7565, by email at *Jeremy.S.Nygard@usace.army.mil*, or telephone at (701) 255-0015 X 2006. For more information regarding our program, please visit our website at <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/NorthDakota.aspx>.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Soiseth', is written over the printed name and title.

Benjamin N. Soiseth
Chief, North Dakota Section

Enclosure