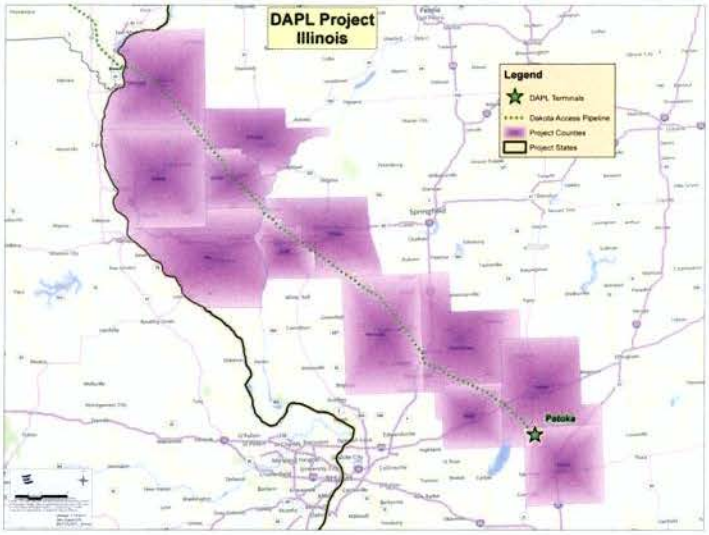
Dakota Access Pipeline

Permitting Process in Illinois

U.S. ARMY CORPS OF ENGINEERS **BUILDING STRONG®**

Congressional Districts: IL-13, 15, 18



Description

Dakota Access, LLC, is proposing to construct an 1,134-mile pipeline system to carry up to 570,000 barrels per day of U.S. light sweet crude (450,000 barrels per day initially) from the rapidly expanding Bakken and Three Forks production region of North Dakota through the states of North Dakota, South Dakota, Iowa and Illinois terminating at a crude oil hub near Patoka, Illinois, with various potential points of destination along the pipeline. The pipeline crosses four states within the boundaries of three U.S. Army Corps of Engineers Districts (Omaha District, Rock Island District, and St. Louis District).

Pipeline Details in Illinois

The Dakota Access pipeline in Illinois will consist of approximately 177 miles of 30-inch diameter pipeline and one terminal to interconnect with existing pipelines in Illinois for shipment to processing facilities and refineries in the Midwest and the Gulf Coast to reach U.S. customers.

Pipeline Right of Way and Footprint in Illinois

The Dakota Access pipeline will cross the counties of Hancock, Schuyler, Adams, Brown, Pike, Scott, Morgan, Macoupin, Montgomery, Scott, Fayette, and Marion counties. The expected terminal is in Patoka, Illinois. The pipeline will parallel existing pipelines, power lines or existing roads where possible. During construction, an additional 25 -100 feet of workspace may be needed adjacent to a 50-foot permanent easement. The pipeline will be covered by a minimum of 36 inches of soil and more if it crosses under roads, rivers, lakes or streams. On agricultural land, the pipeline will be buried under a minimum of 48 inches of soil, drain tiles will be crossed with a minimum of 24 inches of separation between the pipe and the drain tile, and topsoil will be segregated during construction to a minimum of 12 inches or in accordance with landowner requirements.

U.S. Army Corps of Engineers' Role

The U.S. Army Corps of Engineers is not evaluating the complete 1,134-mile pipeline as its regulatory authority is limited to waters of the United States. If the entire pipeline was constructed in a stream, river, wetland, or other jurisdictional water body, the Corps would evaluate the construction of the entire pipeline. However, in the case of this pipeline, the majority of the pipeline is being constructed in uplands, outside of the Corps' regulatory authority.

The Corps is evaluating Dakota Access, LLC, permit requests for segments of the pipeline that cross waters of the United States. These crossings comprise a small percentage of the overall pipeline project. Department of the Army permits will be required under Section 404 of the Clean Water Act and Sections 10 and 408 of the Rivers and Harbors Act. Section 404 and/or Section 10 for crossings of waters of the United States (streams, rivers, wetlands), including navigable rivers such as the Missouri, Des Moines, Mississippi, and Illinois rivers; Section 408 for alteration, occupation or use of a Corps civil works project. The Corps' Omaha District evaluates permit requests in North Dakota and South Dakota. The Corps' Rock Island District evaluates permit requests in Iowa. The Rock Island and St. Louis Districts share permit evaluation authority in portions of Illinois.

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Rock Island and St. Louis District's Role

The Rock Island and St. Louis Districts have received applications from Dakota Access, LLC, requesting verification of work in waters of the United States in association with construction of segments of the 30-inch diameter crude oil pipeline in Illinois within the Rock Island and St. Louis District's regulatory boundaries (50 miles within Rock Island District, 127 miles within St. Louis District).

In the information received, Dakota Access, LLC, is currently requesting verification, under Nationwide Permit (NWP) 12 (Utility Line Activities), for 15 areas involving crossings of regulated water bodies in Illinois including the Mississippi River and Illinois River (five areas within Rock Island District; ten areas within St. Louis District.) In accordance with Department of the Army regulations, we are evaluating each separate, and distant, water body crossing as a single and complete project, and will make final determinations regarding compliance of the activities with NWP 12 once our evaluation is complete. If any work in waters, including navigable rivers and wetlands, is authorized under NWP 12, such work must be completed according to the terms of the permit, as well as all general terms of the nationwide permits, regional conditions and any special conditions that are determined to be necessary. If any work in waters does not fall within the terms and conditions of NWP 12, the applicant will be advised of procedures for applying for an Individual Permit.

Rock Island and St. Louis District's Permit Evaluation

The Districts will evaluate the water body crossings to ensure the construction activity does not adversely impact the water body. The Districts' evaluation will look at any impacts the crossing segments may have on navigation. The Corps does not regulate pipelines, or monitor and enforce compliance with pipeline safety regulations. These items may be addressed by the respective states and other federal agencies.

Environmental Impact Statement

The Districts are evaluating the applicant's request to verify segments of the pipeline in Illinois under NWP 12. Activities authorized under the 2012 Nationwide Permits have been evaluated and documented in accordance with the National Environmental Policy Act with a finding of no significant impact; therefore, an Environmental Impact Statement is not required. If a segment does not meet the terms and conditions of NWP 12, that segment must be evaluated as an Individual Permit and an Environmental Assessment will be required.

Public Comment

If pipeline segments are verified under NWP 12, there will not be a public comment period. If a segment does not meet the terms and conditions of NWP 12 and must be evaluated as an Individual Permit, there will be an opportunity to comment on that segment. Additional information regarding the U.S. Army Corps of Engineers' role in permitting the Dakota Access, LLC, pipeline can be obtained by contacting the appropriate Corps office.

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Iowa and Illinois:

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