



U.S. Department
of Transportation
**Federal Highway
Administration**

1200 New Jersey Ave., SE
Washington, DC 20590

September 29, 2023

In Reply Refer To:
HEPN-30

Mr. Ronald Henke
Director
North Dakota Department of Transportation
608 East Boulevard Avenue
Bismarck, ND 58505

Subject: Approval of North Dakota Electric Vehicle Infrastructure Deployment Plan

Dear Director Henke:

The Federal Highway Administration (FHWA) has completed the review of the North Dakota Electric Vehicle Infrastructure Deployment Plan required under the National Electric Vehicle Infrastructure (NEVI) Formula Program.¹ Based on the review and the recommendations provided by the Joint Office of Energy and Transportation (Joint Office), FHWA has determined that the North Dakota Electric Vehicle Infrastructure Deployment Plan is approved for implementation. With this approval, Fiscal Year 2024 funds are now available to North Dakota for obligation.

The FHWA acknowledges there continues to be confusion regarding equity considerations for State Plans, as well as the regulatory requirement for the Community Engagement Outcomes Report under 23 Code of Federal Regulations (CFR) 680.112(d), which must be incorporated into State Plans. To clarify, all State Plans must include a Community Engagement Outcomes Report that discusses their most recently approved State Plan and should include a forward-looking discussion on public engagement, the results of which will provide the basis for the Community Engagement Outcomes Report included in next year's State Plans. Your plan included only one of these components. The FHWA and the Joint Office are committed to ensuring equitable benefits under the NEVI Formula Program and intend to provide additional outreach and training on these topics over the upcoming months, and well in advance of the development of next year's State Plans.

The FHWA and the Joint Office will follow up with States on specific opportunities for improvement in future year plans and will continue to provide technical assistance and guidance as States continue implementation.

¹ The NEVI program is authorized under the Bipartisan Infrastructure Law, enacted as the Infrastructure Investment and Jobs Act (IIJA), (Pub. L. 117-58)

A publicly accessible version of the North Dakota Electric Vehicle Infrastructure Deployment Plan should be posted to the North Dakota Department of Transportation's website. This approval letter will be available on the FHWA website at https://www.fhwa.dot.gov/environment/nevi/ev_deployment_plans/ along with a link to the Plan on the State website.

Thank you for putting the United States on a path to a nationwide network of EV chargers that can ensure a convenient, affordable, reliable, and equitable charging experience for all users.

Sincerely,

A handwritten signature in cursive script that reads "Emily Biondi".

Emily Biondi
Associate Administrator
Office of Planning, Environment and Realty

cc: FHWA: HOA, HCC, HPL, HCF, North Dakota Division Office
Joint Office Director: Gabe Klein
Deputy Director: Rachael Nealer