

Sir/Madame,

After review of your noxious weed containment plan, I have found that it meets all North Dakota and McKenzie County Weed Law requirements.

PLEASE PRINT AND ATTACH THIS EMAIL TO YOUR C.U.P. TO SHOW YOU HAVE COMPLIED WITH STATE AND COUNTY WEED LAW FOR ERADICATION AND CONTAINMENT OF McKenzie COUNTY NOXIOUS WEEDS.

Also, remember that your property will be periodically and randomly inspected for compliance with your proposed form of weed control – so please be diligent in your efforts to help us with this problem.

Thank you for helping in our continuing efforts to keep McKenzie County noxious weed free.

Sincerely,

Amber Higgins

McKenzie County Weed Officer
Office 701-842-4131
Fax 701-842-4731

43 **PU-19-85** Filed: 5/30/2019 Pages: 6
Exhibit 5 - Letter with Noxious Weed Containment Plan

ONEOK Bakken Pipeline, L.L.C.



**McKenzie County
Weed Management Plan**

Purpose: This is a simplified weed management template that is specifically designed for small properties/areas. It is designed to assist in controlling noxious weeds by documenting areas at risk whether it be currently infested or could possibly become infested in the future. This weed management template is also to assist in coordinating efforts between McKenzie County Weed Control and ONEOK Bakken Pipeline, L.L.C. to accomplish noxious weed control goals in McKenzie County. A copy of this weed management plan will be kept on file with McKenzie County Weed Control as well as with all parties involved in the ownership and/or management of the property.

Date May 9, 2019

Circle One: PRIVATE

COMMERCIAL

Name of Landowner ONEOK Bakken Pipeline, L.L.C. (ONEOK)

Name of Party Responsible for Weed Control if Different than Landowner

Blake Holland, ONEOK Project Manager

Address of Responsible Party 100 West Fifth Street, Tulsa, OK, 74103

Phone Number 918-732-4888

E-Mail Blake.Holland@oneok.com

Approximate Size of Property: 10.8 Miles

Legal Description of Property

Legal Description of the Little Missouri Lateral Project		
Township	Range	Section(s) Crossed by Route
149 North	98 West	30
149 North	99 West	17-18, 20-21, 25-28
149 North	100 West	1, 12-13

Purpose of Property

ONEOK proposes to construct the Little Missouri Lateral Project (Project) consisting of approximately 10.8 miles of 12-inch-diameter new steel pipeline to transport natural gas liquids (NGLs). The Project originates at Targa Resource L.L.C.'s (Targa) Little Missouri Natural Gas Plant and terminates at an interconnection with ONEOK's planned Demicks Lake Pipeline and Garden Creek to Riverview NGL pipeline (existing), all located within in McKenzie County, North Dakota. The purpose of the Project is to provide take-away capacity for Y-grade NGLs (a mixture of ethane, propane, butanes, iso-butane mix, pentanes and natural gasoline) produced at Targa's Little Missouri Natural Gas Plant for delivery to facilities in the Mid-Continent and Gulf Coast for additional processing prior to distribution to various markets.

Surface Movement for Commercial Construction Purposes: Circle or highlight one

Scoria Manure Dirt Sand Gravel Construction Other _____

1.0 Management Goals: Management goals describe the purpose/use of the property and what you are trying to achieve. Having clear management goals is key to developing a weed management plan. (The minimum amount required by North Dakota and McKenzie County Weed Law is to mow noxious weeds to prevent them from going to seed. Another management goal may be to restore an area with native vegetation. Management goals might also include preventing contamination and/or spread of noxious weeds due to mining or storage of construction materials by a yearly or bi-yearly application of herbicide.)

Please list your management goals as they apply to this property:

Weed control practices will be implemented to limit the growth and spread of weeds and to ensure that revegetation is successful with the proposed seed mixtures in accordance with ONEOK's project-specific *Revegetation Plan* and *Weed Management Plan* (incorporated by reference).

Management goals and practices for the Project include the following:

- 1) Manage ground-clearing in such a manner that will prevent the spread of any weeds that may be present in the area;
- 2) Ensure vehicles and equipment are properly cleaned and do not transfer weeds from one area to another;
- 3) Conduct post-construction seeding of all disturbed ground with appropriate weed-free seed;
- 4) Ensure growth of seed and effective prevention of the growth or regrowth of noxious weeds; and
- 5) Following construction, weed infestations reported by landowners will be monitored as part of ONEOK's operation and maintenance surveys. Utilize herbicides or other treatments if noxious weeds are identified post-construction.

If herbicide application is determined necessary, ONEOK or its Contractor will obtain required permits from the local weed districts, state, and/or federal agencies, in addition to landowner approval, prior to application. Herbicide application, if deemed necessary, will be conducted by a state-licensed Contractor (or via contract with the County Weed Board if requested by the landowner) in accordance with ONEOK's *Weed Management Plan* and all applicable laws and regulations.

2.0 Weed Control Objectives:

Knowing which weed species occur on your property and where they are located is very important in developing control priorities. Weed species vary considerably in the threat that they pose to the resource values of the property. In addition, weed species vary greatly in their susceptibility to control measures. Thus, weed species that pose the greatest threat to achieving the management goals for the property and which can be most easily controlled are the highest priority for management. To create weed control objectives for your weed management plan, first search your property for weeds (if you have not already done so).

Field surveys were conducted along the Project route in August 2018 to record the presence of any noxious weeds that fall within the pipeline corridor.¹ Based on the current Project alignment, 17 occurrences of noxious weeds were documented within the Project workspace. Additional field surveys for a small portion of the route which was not surveyed in 2018 (approximately 0.2 mile) will be conducted in spring 2019 prior to construction.

¹ A copy of the 2018 Natural Resources Report which includes noxious weed data is available upon request.

ONEOK has established the following general objectives for the Project:

- Treat specific infestation areas as recommended by weed districts prior to construction, pending landowner approval and seasonal limitations;
- Prevent the introduction and spread of weeds via construction equipment during construction;
- Contain weed seeds and propagules by preventing segregated topsoil from being spread to adjacent areas or along the construction right-of-way (ROW); and
- Treat infestations that may develop during operations.

3.0 Weed Control Objectives – 3-year plan

General objectives for years 1, 2, and 3 are outlined below. For further information and specifics on ONEOK's preventative, treatment, and post-construction measures, please refer to ONEOK's *Weed Management Plan* (incorporated by reference).

1st Year Weed Control Objective:

A pedestrian survey of the pipeline route has/will be conducted prior to construction to identify the locations of existing noxious weeds. In areas where noxious weeds are present, ONEOK will utilize herbicides as described in Section 7 of its *Weed Control Plan*. If weeds are determined to be present and are treated, ONEOK will conduct a follow-up visit to ensure the treatment has been effective. If not, further treatment will be applied, and follow-up will occur as needed. All aspects of weed control will be conducted in accordance with all local, state, and federal regulations.

Following installation of the pipeline and backfilling, exposed soil which is not surfaced with aggregate will be seeded/mulched per ONEOK's *Revegetation Plan*. ONEOK will hire an Environmental Inspector (EI) who will conduct regular inspection of the pipeline route during and post-construction and will document additional occurrences of noxious weeds, if present. The EI will also serve as a resource to assist the Contractor with strategies to control noxious weeds and ensure the Contractor complies with all of ONEOK's permits and plans.

2nd Year Weed Control Objective:

The Contractor will implement reclamation procedures immediately following construction. Rapid reclamation and revegetation will discourage the establishment of noxious weeds. In areas of severe weed infestation, as determined by ONEOK's EI, ONEOK may elect to delay reclamation efforts and conduct intensive weed control prior to implementing reclamation procedures where allowed by applicable laws.

In the event noxious weed species become established in the ROW, ONEOK will make good faith efforts to control weeds and to work with adjacent landowners to prevent the spread of the species to adjacent lands. Post-construction weed control measures may include the application of herbicide or mechanical methods, pending landowner approval. Should ONEOK receive calls from landowners concerning noxious weed on the ROW, ONEOK will work with the landowners to determine the appropriate action to control the spread of the weeds. The weed control measure chosen will be the best method available for the time, place, and species of weed as determined through consultation with the appropriate regulatory agencies. ONEOK will control noxious weed species at ONEOK-managed aboveground facility sites to prevent the spread onto adjacent properties.

3rd Year Weed Control Objective: Similar to the 2nd Year Weed Control Objective. Individuals wishing to report noxious weeds on the ROW should call ONEOK at 605-642-2197 (ext. 5). ONEOK staff will work with the County and/or landowner on appropriate treatment method.

4.0 Evaluating Weed Control: After you have created weed control objectives and have begun to control the priority weed species on your property, you should evaluate the results of your control methods. This requires follow-up visits to the areas where weeds were controlled and a re-assessment of the size and density of an infestation. (For example, compare the size of the infestation after a growing season has elapsed to the size before control actions were initiated.) In most cases, the elimination of an infestation will take several years with multiple treatments per year to kill the plants and eliminate the bank of weed seeds in the soil.

All land along the Project right-of-way will be revert to its pre-construction land use after the pipeline is installed and operating. Following construction, weed infestations reported by landowners on the ROW will be monitored as part of ONEOK's operations and maintenance surveys. EIs and other ONEOK staff may periodically monitor and inspect the ROW following construction activities.

Please refer to ONEOK's *Weed Management Plan and Revegetation Plans* for further information.

ONEOK Bakken Pipeline, L.L.C.
Little Missouri Lateral Pipeline Project
Weed Management Plan – McKenzie County

ND Law 4.1-47-02. Control of noxious weeds.

Each Person shall do all things necessary and proper to control the spread of noxious weeds.

In signing this document, I understand that I will be responsible for noxious weed control on the property listed above.

Responsible Party: Todd McKimmey, ONEOK, Vice President, Construction Projects

Todd McKimmey
Signature



Date: 5/8/19

McKenzie County Weed Board Chairperson: James Shelbo
Per Amber Higgins

Date: 5-10-19

Please allow 48 hours for review of this plan prior to receiving confirmation of approval.

Incorporated by Reference:

ONEOK Little Missouri Project – *Weed Management Plan*

ONEOK Little Missouri Project – *Revegetation Plan*