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APPENDICES

INTRODUCTION

Continental Resources, Inc. ("Continental") is planning to develop the Buddy Domindgo Transmission Line ("Project"). The Project will result in the construction of approximately 3.1 miles of natural gas transmission pipeline. The Project will be entirely located within Williams County, North Dakota. The Project will transport natural gas from the existing East Mon-Dak WBI Energy Transmission Line to Continental's Buddy Domindgo Well Pad. Continental will invest approximately $3.55 million dollars to develop this Project, with minimal maintenance and operation costs continuing thereafter.

Refer to the maps in Appendix A for an overview of the Project. The natural gas will be used for an enhanced oil recovery pilot project by compressing the gas and injecting it downhole of the existing well to further the production life of the well.

Continental submits to the North Dakota Public Service Commission ("PSC") a single consolidated application for a Certificate of Corridor Compatibility and Route Permit for the Project.

The application provides the requisite information as stipulated by:

- North Dakota Century Code, Energy Conversion and Transmission Facility Siting Act, Chapter 49-22.1.
- North Dakota Administrative Code, Chapter 69-06-04, Certificate of Site Compatibility; and
- North Dakota Administrative Code, Chapter 69-06-05, Transmission Facility Permit.

SECTION 1: TRANSMISSION FACILITY DESCRIPTION

1.1 TYPE OF TRANSMISSION FACILITY

The proposed Project will result in the construction of a natural gas transmission pipeline. The 8-inch steel pipeline will meet U.S. Department of Transportation ("DOT") regulations.

1.2 PURPOSE AND NEED FOR PROJECT

The Project will transport natural gas from an existing transmission pipeline to an existing oil well(s) for an enhanced oil recovery pilot project.

1.3 LOCATION OF FACILITY

The Project will be located in Williams County, North Dakota. Table 1 identifies the Public Land Survey System ("PLSS") Sections that the Project is located within. Project maps are provided in Appendix A.

Table 1. Legal Descriptions

Sections	Township	Range	Project Feature
2	155 North	99 West	Pipeline Centerline
26, 27, 35	156 North	99 West	Pipeline Centerline

1.4 TECHNOLOGY TO BE DEPLOYED

The Project will be designed, constructed, and maintained in accordance with the DOT Pipeline and Hazardous Materials Safety Administration ("PHMSA") regulations, industry standards, and company policies.

1.5 TYPE, SOURCE, AND FINAL DESTINATION OF PRODUCT

The Project will transport natural gas from the existing East Mon-Dak WBI Energy Transmission Line to the Buddy Domindgo Continental Well Pad. The natural gas will be used for an enhanced oil recovery pilot project by compressing the gas and injecting it downhole of the existing well to further the production life of the well.

1.6 WIDTH OF RIGHT-OF-WAY

A typical construction right-of-way ("ROW") of 75 feet will be utilized for pipeline construction. Continental will typically maintain permanent easements of 25 feet to 50 feet wide, depending on location.

1.7 LENGTH OF FACILITY

The proposed Project is approximately 3.1 miles in length.

1.8 PIPE SPECIFICATIONS

The Project pipeline specifications are as follows:

- 8-inch nominal diameter steel pipe
    - 0.250-inch normal wall thickness
    - 0.322-inch road crossing / bore pipe wall thickness
    - 8.625-inch outside diameter steel pipe

1.9 DESIGNED OPERATING SPECIFICATIONS

- Normal Operating Pressure: 450-pounds per square inch (psi)
- Maximum Operating Pressure: 1,440 psi
- Normal Throughput: approximately 20 million standard cubic feet per day (MMSCFD)
- Maximum Throughput: approximately 30 MMSCFD
- Maximum Operating Temperature: 120 degrees Fahrenheit

1.10 ABOVEGROUND FACILITIES

There will be no installation of aboveground facilities (e.g., valves) located outside of existing facility boundaries.

1.11 PROJECT SCHEDULE

1.11.1 CERTIFICATE OF CORRIDOR COMPATIBILITY

Continental seeks a Certificate of Corridor Compatibility on or before the end of the first quarter of 2022.

1.11.2 ROUTE PERMIT

Continental seeks a Route Permit on or before the end of the first quarter of 2022.

1.11.3 COMPLETING RIGHT-OF-WAY ACQUISITION

Continental has completed 100% of the ROW acquisition required for this Project.

1.11.4 CONSTRUCTION COMMENCEMENT

Continental has scheduled construction activities to commence approximately two weeks after PSC approval and obtainment of the Certificate of Corridor Compatibility and Route Permit. It is estimated that construction activities will take approximately two months to complete. Pipeline commissioning will be initiated promptly after construction is complete and will take approximately one week. Restoration activities will take place during and following construction and commissioning.

1.11.5 ADDITIONAL PROJECT PERMITS OR AUTHORIZATIONS

The Project will be constructed in compliance with applicable federal, state, and local laws, regulations, or plans. Continental will obtain necessary permits or approvals for the construction and operation of the Project.

SECTION 2: CORRIDOR, SURVEY CORRIDOR, AND ROUTE

2.1 CORRIDOR

The proposed corridor is a one-mile-wide area centered upon the proposed alignment (*i.e.*, one-half mile on either side of the proposed alignment) ("Corridor" or "Study Area"). This alignment was selected based upon the location of existing facilities and development of the route to connect the facilities. The Corridor is illustrated on the maps in Appendix A.

2.2 SURVEY CORRIDOR

Field studies have been conducted of the Survey Corridor. The Survey Corridor was typically a 250-foot corridor centered upon the proposed Project centerline. The maps in Appendix A depict the Survey Corridor for the Project.

2.3 ROUTE

For this application, the Route is the approximate centerline of the proposed pipeline.[1] The maps in Appendix A depict the proposed Route.

[1] Continental requests that the PSC authorize it to make minor adjustments to the Route to accommodate landowner requests, unforeseen conditions, or general operations, provided that the final alignment of the transmission line is located within the Survey Corridor with a tolerance of twenty (20) feet on either side of the Project centerline.

SECTION 3: ENVIRONMENTAL STUDIES

To assess the potential Project impacts to sensitive environmental resources, Carlson McCain consulted with agencies, completed desktop studies of the Corridor, and augmented these efforts with field surveys of the Survey Corridor. The results of these efforts are discussed in more detail in the subsequent sections.

3.1 AGENCY CONSULTATIONS

A comprehensive desktop analysis of the Survey Corridor included consultations with the federal, state, and local agencies identified below. These consultations were conducted for the purpose of an environmental resource assessment as stipulated by the PSC's siting requirements for a transmission facility. The results of the desktop environmental analysis are summarized below. Appendix B contains the Agency Consultation Summary Table as well as records of the agency consultations to date.

Project notification letters for the original route were sent on November 3, 2021. Replies to this consultation are discussed below. Subsequently, Continental revised the route per landowner negotiations, which is reflected in the remainder of this application. Notification letters for the revised route were sent to the agencies on February 8, 2022.

Responses to the February 8, 2022, letters were received from the U.S. Fish and Wildlife Service ("USFWS"); the U.S. Department of Defense ("USDOD") – Cable Affairs; the U.S. Army Corps of Engineers ("USACE"); the U.S. Department of Agriculture (" USDA") Natural Resources Conservation Service ("NRCS") Bismarck Office; and the North Dakota Geological Survey. The responses are included in the agency discussions below.

Continental will monitor for responses from the agencies throughout the remainder of the PSC application process and shall update the record as necessary with any responses that might be received.

3.1.1 FEDERAL AVIATION ADMINISTRATION

The Federal Aviation Administration ("FAA") regulates all aspects of civil aviation in the country as well as over surrounding international waters. The FAA's powers include air traffic management. On November 3, 2021, Carlson McCain, on behalf of Continental, sent a Project notification letter to the Bismarck, North Dakota FAA office, providing an opportunity for the review and comment on the Project. To date a response is pending.

3.1.2 U.S. FISH AND WILDLIFE SERVICE

The USFWS administers several programs designed to identify and protect special status species, critical habitats, and lands managed by the agency. The USFWS responsibilities include the administration of the Endangered Species Act ("ESA"), the Migratory Bird Treaty Act ("MBTA"), and the Bald and Golden Eagle Act ("BGEA.") Additionally, the USFWS has land management authority for National Wildlife Refuges and Waterfowl Production Areas ("WPAs"), as well as wetland and grassland easements throughout North Dakota.

Carlson McCain, on behalf of Continental, submitted a Project notification letter to the USFWS on November 3, 2021. A response from the USFWS was received on November 23, 2021, providing concurrence with the conclusions that the Project will not adversely affect listed species. A Project notification letter was sent out for the revised route on February 8, 2022. The USFWS responded on February 8, 2022, that they concurred that the Project will not adversely affect listed species. Refer to Appendix B for a copy of the correspondence.

3.1.2.1 FEDERALLY PROTECTED SPECIES REVIEW

The USFWS identifies and maintains a list of species and critical habitats that have been afforded protection by the ESA. The ESA provides a program for the conservation of threatened and endangered plants and animals and their critical habitats. Carlson McCain reviewed USFWS published data and identified the following listed species with the potential to occur within the Corridor.

- Whooping crane (*Grus americana*) – Endangered
- Red knot (*Calidris canutus rufa*) - Threatened
- Piping plover (*Charadrius melodus*) – Threatened, and final designated critical habitat
- Dakota skipper (*Hesperia dacotae*) – Threatened, and proposed critical habitat
- Northern long-eared bat (*Myoyis septenrionnalis*) - Threatened

Carlson McCain reviewed available information describing these species' life history, critical habitats, and the recommended conservation measures associated with each species to assess the potential effects of the Project on these resources. The results of the assessment are discussed in Section 3.2 of this application.

3.1.2.2 MIGRATORY BIRD TREATY ACT

The management of MBTA concerns corresponds with the regional timing associated with annual phenology of migratory species. In North Dakota, some species protected under the MBTA may be present throughout the year. However, it is acknowledged that most protected species are seasonal migrants present in North Dakota during the annual breeding season which occurs from February 1st through July 15th. The proposed Project is scheduled to commence approximately two weeks after PSC approval and obtainment of the Certificate of Corridor Compatibility and Route Permit, which Continental is seeking to obtain on or before the end of the first quarter of 2022. The proposed Project will take approximately two months to reach completion. Prior to the initiation of clearing activities, a survey of the Project area should be conducted by a qualified biologist, and if breeding bird activity is observed, appropriate mitigation measures (*e.g.*, avoidance buffer) will be implemented. Provided these measures are employed, project disturbance to nesting or breeding birds is not anticipated.

3.1.2.3 BALD AND GOLDEN EAGLE PROTECTION ACT

The BGEA prohibits anyone without a permit from taking a bald or golden eagle, including its parts, nests, or eggs. The BGEA defines "take" as to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest, or disturb. The BGEA also addresses impacts resulting from human-induced alterations occurring around previously used nesting sites. Continental will implement appropriate avoidance measures, as necessary, to avoid impacts to bald or golden eagles if present within the Project area.

3.1.2.4 U.S. FISH AND WILDLIFE SERVICE MANAGED LANDS

The USFWS administers National Wildlife Refuges and WPAs as well as wetland and grassland easements throughout North Dakota. A desktop review of information available in the public domain, including U.S. Geological Survey ("USGS") 7.5-minute topographic quadrangle maps, USGS PAD-US dataset, and the USFWS Information for Planning and Consultation ("IPaC") system has been completed for the Corridor. Desktop analysis indicates no USFWS managed lands are located within the Corridor.

3.1.3 U.S. DEPARTMENT OF DEFENSE-CABLE AFFAIRS

The USDOD administers various programs including missile defense systems. Carlson McCain, on behalf of Continental, submitted a Project notification letter on November 3, 2021, requesting information regarding the presence or absence of USDOD assets within the Project area. A response from the agency was received on November 24, 2021, stating the Minot Air Force Base has no objections to the proposed Project Route. A response to the revised Project route notification letter was received on February 8, 2022, and stated that the USDOD has no objections to the proposed Project Route. Refer to Appendix B for a copy of the correspondence.

3.1.4 U.S. ARMY CORPS OF ENGINEERS

The USACE administers various programs related to federally regulated wetlands or waterbodies. Carlson McCain, on behalf of Continental, submitted a Project notification letter on November 3, 2021, to the agency offering the opportunity to comment on the Project. A response was received via e-mail on November 12, 2021. The response noted that a Section 404 may be required if the Project engages in regulated activities, and a copy of the Nationwide Permit #12 Utility Activities was provided for reference. A response to the revised Project route notification letter was received on February 17. The response noted that a Section 404 may be required if the Project engages in regulated activities, and a copy of the Nationwide Permit #12 Utility Activities was provided for reference. Refer to Appendix B for a copy of the correspondence.

3.1.5 U.S. DEPARTMENT OF AGRICULTURE-NATURAL RESOURCES OF CONSERVATION SERVICE-BISMARCK OFFICE

The USDA administers various conservation programs that are related to agriculture. Carlson McCain, on behalf of Continental, submitted a Project notification letter on November 3, 2021, to the agency offering the opportunity to comment on the Project. On November 16, 2021, the USDA Conservation Services responded, noting that the Farmland Protection Policy Act does not apply and therefore no further action is

required. The USDA also expressed its interest in wetland conservation via the Wetland Conservation Provisions of the 1985 Food Security Act and provided standard conservation measures to avoid permanent impacts to wetlands and stating its preference to avoid impacts to wetlands. The Project will avoid impacts by boring major wetland features, and where conventional construction in wetlands occurs, impacts will be temporary with no loss of this resource. A response to the revised Project route notification letter was received on February 16. This response included the same guidance as the previous response. Refer to Appendix B for a copy of the correspondence.

3.1.6 USDA-NORTH DAKOTA FARM SERVICE AGENCY

The USDA Farm Service Agency ("FSA") assists farmers and ranchers in securing the greatest possible benefit from programs administered by the FSA such as farm loans, commodity price support, disaster relief, conservation, and other available resources. On November 3, 2021, Carlson McCain, on behalf of Continental, submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. To date, a response is pending.

3.1.7 JOB SERVICE OF NORTH DAKOTA

The Job Service of North Dakota provides workforce and unemployment services across the state. On November 3, 2021, Carlson McCain, on behalf of Continental, submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. To date, a response is pending.

3.1.8 NORTH DAKOTA AERONAUTICS COMMISSION

The North Dakota Aeronautics Commission supports aviation activities in the state through communication with state, local, and FAA officials, congressional offices, and national aviation groups. On November 3, 2021, Carlson McCain, on behalf of Continental, submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. To date, a response is pending.

3.1.9 NORTH DAKOTA ATTORNEY GENERAL

The Attorney General represents the state in all legal matters where the state is named as a party, or where the state may have an interest in the outcome of the litigation. Additionally, the Attorney General provides legal services and opinions to state officials, agencies, boards, and commissions. In November 2021, Carlson McCain, on behalf of Continental, submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. To date, a response is pending.

3.1.10 NORTH DAKOTA DEPARTMENT OF CAREER AND TECHNICAL EDUCATION

The North Dakota Department of Career and Technical Education provides career awareness, work readiness skill, occupational preparation, and retraining of workers throughout the state. On November 3, 2021, Carlson McCain, on behalf of Continental, submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. To date, a response is pending.

3.1.11 NORTH DAKOTA DEPARTMENT OF COMMERCE

The North Dakota Department of Commerce works to improve the quality of life for citizens by leading efforts to attract, retain, and expand wealth. The department serves businesses and communities statewide through committed people and partners who offer valuable programs and services. On November 3, 2021, Carlson McCain, on behalf of Continental, submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. To date, a response is pending.

3.1.12 NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY

The North Dakota Department of Environmental Quality ("NDDEQ") administers regulatory programs that monitor and enforce compliance with state and federal laws related to air and water quality. On November 3, 2021, Carlson McCain, on behalf of Continental, submitted a Project notification letter to the NDDEQ offering the opportunity to comment on the Project. A response from the agency was received on November 17, 2021. The response stated that the NDDEQ believes that the environmental impacts from the proposed construction will be minor and can be controlled by proper construction methods and best management practices ("BMPs"). Refer to Appendix B for a copy of the correspondence.

3.1.12.1 NDDEQ POLLUTION DISCHARGE ELIMINATION SYSTEM

The North Dakota Pollution Discharge Elimination System ("NDPDES") is the regulatory program administered by the NDDEQ that regulates water discharges such as construction stormwater, site dewatering, and hydrostatic discharge permits.

Construction Stormwater: Ground-disturbing activities will likely exceed the threshold for a construction stormwater permit; however, runoff from the Project is unlikely to carry eroded materials to a water of the state. As such, formal coverage is not required. Continental will implement industry standard BMPs, which will be designed to manage run-off and trench dewatering discharges in a manner that will minimize exposure to chemicals, waste, and petroleum products where ground-disturbing activities occur.

Hydrostatic test water discharges: Continental will seek coverage and a general permit under NDG070000 *Authorization to Discharge Under the North Dakota Pollutant Discharge Elimination* if hydrostatic test water discharges will occur in conjunction with the Project.

3.1.13 NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES

The North Dakota Department of Human Services provides aging, behavioral health, and children and family services to the state's residents. On November 3, 2021, Carlson McCain, on behalf of Continental, submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. To date, a response is pending.

3.1.14 NORTH DAKOTA DEPARTMENT OF TRANSPORTATION-WILLISTON DISTRICT

The North Dakota Department of Transportation-Williston District is responsible for monitoring the conditions of bridges and highways, maintaining state roadways, snow and ice control activities, traffic engineering, utility permits, and highway sign maintenance. The Williston District has seven section shops throughout the district. On November 3, 2021, Carlson McCain, on behalf of Continental, submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. To date, a response is pending.

3.1.15 NORTH DAKOTA DEPARTMENT OF TRUST LANDS

The North Dakota Department of Trust Lands ("NDDTL") oversees managing surface acres and mineral interests held in trust for various schools and institutions. On November 3, 2021, Carlson McCain, on behalf of Continental, sent a Project notification letter to the NDDTL requesting comments regarding the presence of school trust lands within the Corridor. The agency responded on November 5, 2021, and provided the comments below. A full record of this correspondence is contained in Appendix B.

- A review of state mineral ownership was completed by Lynn Spencer of the Minerals Division, and the following is the summary of the state mineral ownership for the tracts listed in the attached letter:

Legal	Subdivision	Min Int	Net Acres	Lease
155-99-2	*None*			
155-99-25	N2NE4	0.50	40.00	OG0700447
155-99-26	*None*			
155-99-27	*None*			
156-99-35	*None*			
156-99-36	NE4	0.50	80.00	OG0501307
	NW4	1.00	160.00	OG0501308
	SE4	1.00	160.00	OG0501309
	SW4	1.00	160.00	OG0501310

3.1.16 NORTH DAKOTA ENERGY INFRASTRUCTURE AND IMPACT OFFICE

The North Dakota Energy Infrastructure and Impact Office ("EIIO"), formerly known as the Energy Development Impact Office, is a division within the NDDTL. The EIIO

provides financial assistance to local units of government that are impacted by oil and gas activity. On November 3, 2021, Carlson McCain, on behalf of Continental, submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. To date, a response is pending.

3.1.17 NORTH DAKOTA GAME AND FISH DEPARTMENT

The North Dakota Game and Fish Department ("NDGFD") has oversight of the state's game species. On November 3, 2021, Carlson McCain, on behalf of Continental, submitted a Project consultation letter, providing the agency an opportunity to review and comment on the Project. A response was received via e-mail on November 29, 2021. In the response it was noted that there are several National Wetland Inventory ("NWI") mapped wetlands that are located within the Project area. Steps should be taken to protect wetlands that cannot be avoided. No alteration should be made to drainage patterns, and aboveground appurtenances should not be placed in wetland areas. Refer to Appendix B for a copy of the correspondence.

3.1.18 NORTH DAKOTA GEOLOGIC SURVEY

The North Dakota Geologic Survey ("NDGS") manages the geologic resources of the state. On November 3, 2021, Carlson McCain, on behalf of Continental, submitted a Project consultation letter, offering the NDGS the opportunity to comment on the geologic resources within the Project Corridor. The NDGS responded to the February 8, 2022, consultation letter and stated that there are no geologic concerns. Refer to Appendix B for a copy of the correspondence.

3.1.19 NORTH DAKOTA INDIAN AFFAIRS COMMISSION

The North Dakota Indian Affairs Commission acts as the liaison between the Executive Branch of the Governor and the Tribes of the state. Services include mediation between the Tribes and the state, and with other state agencies regarding protocol when working with Indian people and Tribal government. On November 3, 2021, Carlson McCain, on behalf of Continental, submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. To date, a response is pending.

3.1.20 NORTH DAKOTA INDUSTRIAL COMMISSION-PIPELINE AUTHORITY

The North Dakota Industrial Commission Pipeline Authority facilitates the development of pipeline infrastructure to support in the transportation and utilization of state energy-related commodities. On November 3, 2021, Carlson McCain, on behalf of Continental, submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. To date, a response is pending.

3.1.21 NORTH DAKOTA LABOR DEPARTMENT

The North Dakota Labor Department is responsible for enforcing the human rights and labor laws, and public education regarding these laws. Additionally, the department issues licenses to employment agencies operating in the state and can verify the status of independent contractor relationships. On November 3, 2021, Carlson McCain, on

behalf of Continental, submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. To date, a response is pending.

3.1.22 NORTH DAKOTA OFFICE OF THE GOVERNOR

The governor is the chief executive of the state and is responsible to ensure that the state's business is well administered and that its laws are faithfully executed. Additionally, the governor supervises all necessary business of the state with the United States, the other states, and the officers and officials of this state. On November 3, 2021, Carlson McCain, on behalf of Continental, submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. To date, a response is pending.

3.1.23 NORTH DAKOTA PARKS AND RECREATION DEPARTMENT

The North Dakota Parks and Recreation Department ("NDPRD") Natural Resource Division's scope of authority and expertise covers recreation and biological resources (in particular, rare species and ecological communities). The NDPRD also maintains a database comprised of the location and recorded occurrences of plant and animal species of special concern. The NDPRD authority includes management of state park lands and Land and Water Conservation funded recreation projects.

Carlson McCain, on behalf of Continental, sent a Project notification letter on November 3, 2021, to the NDPRD seeking confirmation regarding the presence or absence of managed lands, ecological resources, rare species, or their critical habitats within the Corridor. A response was received on November 15, 2021. The agency concluded that there are no properties that the NDPRD owns, leases, or manages affected by the Project; that the Project will not affect any properties protected under Section 6(f) of the Land and Water Conservation Fund; and that the National Heritage Program database confirmed the absence of previously recorded occurrences of plants or animal species of concern or other significant ecological communities within the Project area. Refer to Appendix B for a copy of the correspondence.

3.1.24 NORTH DAKOTA STATE SOIL CONSERVATION COMMITTEE-NORTH DAKOTA STATE UNIVERSITY EXTENSION

The North Dakota State Soil Conservation Committee aids with administrative matters and provides program planning assistance to the soil conservation districts in the state. On November 3, 2021, Carlson McCain, on behalf of Continental, submitted a Project notification letter providing an opportunity for the agency to review and comment on the Project. To date, a response is pending.

3.1.25 NORTH DAKOTA STATE WATER COMMISSION

The North Dakota State Water Commission ("NDSWC") administers water appropriation, drainage, and sovereign lands permit programs, and may have relevant information regarding rural water supply systems.

On November 3, 2021, Carlson McCain, on behalf of Continental, initiated consultations with the NDSWC requesting comments regarding the presence or absence of sovereign lands and/or rural water systems within the Corridor. The agency responded on December 6, 2021, and provided the comments below. A full record of this correspondence is contained in Appendix B.

- There are no Federal Emergency Management Agency ("FEMA") regulatory floodplains identified and/or mapped where this proposed project is to take place. No permits relative to the National Flood Insurance Program ("NFIP") are required based on the current effective Flood Insurance Rate Map ("FIRM") and State Minimum standards.
- Initial review indicates the Project does not require a conditional or temporary permit for water appropriation. However, if surface water or groundwater will be diverted for construction of the Project, a water permit will be required per North Dakota Century Code § 61-04-02.

3.1.26 NORTH DAKOTA STATE HISTORIC PRESERVATION OFFICE

The North Dakota State Historic Preservation Office ("SHPO") is responsible for managing the historic and archaeological resources of the state; as such, the SHPO maintains records of previously recorded cultural inventories and resources within the state.

Class I and Class III field investigations have been completed of the Survey Corridor. A report of the findings was submitted to the SHPO in November 2021. The SHPO responded on December 28, 2021, concurring with the avoidance and mitigation measures outlined in the report. Appendix B contains a record of this communication, and Appendix D contains the Cultural Resource Report.

3.1.27 WESTERN AREA WATER SUPPLY AUTHORITY

The Western Area Water Supply Authority ("WAWSA") has authority over a five-county region which includes Burke, Divide, McKenzie, Mountrail, and Williams Counties. WAWSA utilizes a combination of the Missouri River water that is treated at the Williston Regional Water Treatment Plant and ground water treated by the R&T Water Supply Commerce Authority's Water Treatment Plant in Ray, ND to supply and meet the needs of municipal, rural, and industrial water users in the five-county area.

On November 3, 2021, Carlson McCain, on behalf of Continental, initiated consultation with the WAWSA requesting comments regarding the presence of reservoirs or municipal water supplies within the Study Area. To date, a response is pending.

3.1.28 WILLIAMS COUNTY COMMISSIONERS

County commissioners are elected officials that have both executive and legislative duties. Additionally, they approve budgets, oversee spending and the hiring of county employees. On November 3, 2021, Carlson McCain, on behalf of Continental, submitted a Project notification letter providing an opportunity for the agency to review and

comment on the Project. On December 9, 2021, an e-mail response was received from Karen Prout asking for clarification on the pipeline location and inquiring about the timeframe for an application to the PSC. Chad Tucker, Carlson McCain, on behalf of Continental, responded the same day. No further communication has been received. Refer to Appendix B for a copy of the correspondence.

3.1.29 WILLIAMS COUNTY PLANNING AND ZONING DEPARTMENT

The Williams County Planning and Zoning Department ("WCPZ") has various responsibilities including the management of developments within Williams County. On November 3, 2021, Carlson McCain, on behalf of Continental, provided notice of the Project to the WCPZ and offered the department the opportunity to comment on the Project. An e-mail response was received on November 16, 2021, stating that if a new standalone compressor station is constructed, it does not require any zoning or building permits. If any accessory break rooms, restrooms, etc. are added, a building permit would be required. In addition, Road Crossing Permits from the County Highway Department along with the Township would be needed. A full record of this correspondence is contained in Appendix B.

3.1.30 WILLIAMS COUNTY WATER RESOURCE DISTRICT

The Williams County Water Resource District ("WCWRD") is responsible for managing drains, ditches, and other drainage systems regulated by Williams County. On November 3, 2021, Carlson McCain, on behalf of Continental, initiated consultations with the WCWRD requesting comments regarding the presence or absence of WCWRD assets within the Corridor. To date, a response is pending.

3.1.31 WILLIAMS COUNTY WEED CONTROL BOARD

The Williams County Weed Control Board ("WCWCB") maintains records for the location and species of noxious weeds within Williams County. On November 3, 2021, Carlson McCain, on behalf of Continental, initiated consultations with the WCWCB. To date, a response is pending.

3.2 WILDLIFE INVENTORY

3.2.1 CORRIDOR

Carlson McCain, on behalf of Continental, utilized various resources available in the public domain such as topographic maps, aerial photography, species life histories, agency websites, and data bases to evaluate potential impacts to wildlife resources within the Project Corridor.

3.2.1.1 FEDERALLY PROTECTED SPECIES REVIEW

The USFWS identifies and maintains a list of species and critical habitats that have been afforded protection by the ESA. The ESA provides a program for the conservation of threatened and endangered plants and animals and their critical habitats. Carlson McCain, on behalf of Continental, reviewed the USFWS IPaC system published data

(October 25, 2021) and identified the following listed species, and assessed the potential for the species or their habitat to occur within the Corridor.

Common Name	Scientific Name	Federal Status
Piping plover	Charadrius melodus	Threatened
Rufa red knot	Calidris canutus rufa	Threatened
Whooping crane	Grus americana	Endangered
Dakota skipper	Hesperia decotae	Threatened
Northern long-eared bat	Myotis septentrionalis	Threatened

Piping plover: In North Dakota, the piping plover is a seasonal resident that can be found nesting along alkali wetlands and along the shores and sand flats of both Lake Sakakawea and the Missouri River. The Project is located approximately 12 miles northwest of Lake Sakakawea and the Missouri River. Additionally, no alkali wetlands were identified within the Survey Corridor. Therefore, due to the lack of suitable habitat within Project Survey Corridor, the Project will have no effect on piping plovers.

Rufa red knot: The rufa red knot is a seasonally transient species that passes through North Dakota when migrating between its breeding and wintering grounds. Preferred migratory habitat is closely associated with foraging and has been characterized as wetlands with mudflats and/or sandbars associated with larger waterbody features. The Project is located approximately 12 miles northwest of Lake Sakakawea. No suitable habitat was identified within the Project area during the desktop review and field survey, and as such, the Project will have no effect on this species.

Whooping crane: The Aransas Wood Buffalo Population of whooping cranes engages in semi-annual migration through North Dakota. This flock breeds in the Wood Buffalo National Park in Alberta and Northwest Territories, Canada, and winters in the Aransas National Wildlife Refuge in Texas. North Dakota provides migratory habitat for the species, offering roosting and feeding opportunities during migration. During migration, the species is most closely associated with larger wetland complexes for roosting habitat, typically using adjacent uplands to forage. Desktop screening confirmed that the Project is located within the migratory corridor for the whopping crane. Construction activities will serve as a deterrent to cranes. The restoration of areas disturbed by the Project to its previous condition will avoid the loss of potential crane habitat. The implementation of these measures will avoid adverse impacts to whooping cranes.

Dakota skipper: The Dakota skipper is a butterfly species listed as federally threatened due to habitat conversion from native prairie to agricultural. The Dakota skipper is identified by its one-inch wingspan and thick body, with an orange-brown color and brown characteristic wing markings. The Dakota skipper is a low mobility species and therefore has short dispersal ranges. Suitable Dakota skipper habitat is described as

native prairie grasslands with minimal degradation due to anthropogenic disturbance or encroachment by invasive species. Based upon field survey and desktop analysis, the Project is located on cultivated cropland and heavily utilized rangeland and therefore is not likely to provide suitable habitat for the Dakota skipper. It is reasonable to expect the Project may affect, but is not likely to adversely affect, the Dakota skipper.

Northern long-eared bat: The northern long-eared bat ("NLEB") is a federally threatened species primarily due to the onset of white-nose syndrome ("WNS"), which affects multiple bat species in the United States. NLEBs are a medium sized bat with a body length of 3-4 inches and a wingspan of 9-10 inches. Their fur color ranges medium to dark brown on the back and light brown on the underside. This bat is distinguished by its long ears. During the summer months, this small mammal roosts individually or in colonies underneath exfoliating bark of standing trees or in any indentations on both live and dead trees (typically 3 inches or greater in diameter). Breeding begins in late summer or early fall. Currently, the NLEB is managed as threatened species under the Final 4(d) rule. The field survey determined that there are no trees within the Survey Corridor. Furthermore, there are no known maternal roost trees or winter hibernacula recorded in Williams County. The Project is expected to have no adverse impact to the NLEB.

3.2.1.2 MIGRATORY BIRD TREATY ACT CONSULTATION

The management of MBTA concerns corresponds with the regional timing associated with annual phenology of migratory species. In North Dakota, some species protected under the MBTA may be present throughout the year. However, it is acknowledged that most protected species are seasonal migrants present in North Dakota during the annual breeding season which occurs from February 1st through July 15th. The proposed Project is scheduled to commence approximately two weeks after PSC approval and obtainment of the Certificate of Corridor Compatibility and Route Permit, which Continental is seeking to obtain on or before the end of the first quarter of 2022. The Project will take approximately two months to reach completion. Prior to the initiation of clearing activities, a survey of the Project area should be conducted by a qualified biologist, and if breeding bird activity is observed, appropriate mitigation measures (*e.g.*, avoidance buffer) will be implemented. Provided these measures are employed, Project disturbance to nesting or breeding birds is not anticipated.

3.2.1.3 BALD AND GOLDEN EAGLE PROTECTION ACT

No bald or golden eagles or bald or golden eagle nests were identified during the desktop analysis of the Corridor.

3.2.1.4 U.S. FISH AND WILDLIFE SERVICE MANAGED LANDS

The USFWS also manages certain lands deemed to be critical habitats for listed species under the authority provided by the ESA. The ESA provides the USFWS with the authorization to implement land management-based conservation measures for the benefit of threatened and endangered species and designated habitats critical to their

ongoing survival. IPaC consultation confirmed the absence of USFWS designated critical habitat within the Corridor. Desktop analysis of the Corridor found no USFWS managed lands within the Corridor.

3.2.2 SURVEY CORRIDOR

Natural Resource field studies of the Survey Corridor included surveys for potential habitat suitable to support listed species. No occurrences of threatened or endangered species or potentially suitable habitat were found within the Survey Corridor. Potential Project impacts to federally listed species are discussed below.

Piping plover: Field studies confirmed the absence of alkali wetlands with suitable plover breeding habitat within the Survey Corridor. Impacts to this species are not anticipated.

Rufa red knot: Field surveys have confirmed the absence of suitable foraging habitat within the Survey Corridor. Impacts to this species are not anticipated.

Whooping crane: Potentially suitable migratory habitat for the whooping crane is located within the Survey Corridor (wet fields and croplands). Construction activities will serve as a deterrent and the Project will not result in a loss of crane habitat. If a crane is spotted within 0.5-miles of the Project, mitigation measures will be implemented. Impacts to this species are not anticipated.

Dakota skipper: The Project is located on the western edge of the Dakota skipper's range. Field studies confirmed the presence of native grassland habitat that, although heavily grazed by livestock, included requisite vegetation for the Dakota skipper within the Survey Corridor. This habitat covered approximately 15.7 acres primarily within the Northwest Quarter of Section 2, Township 155 North, Range 99 West. The grasslands are considered "moderate" quality habitat due to the heavy grazing and expected continued land use. Additionally, due to the fragmented habitat surrounding the Project and the Project's temporary disturbance, adverse impacts to this species are not anticipated.

Northern long eared bat: The field survey determined that there are no trees within the Survey Corridor. Furthermore, there are no known maternal roost trees or winter hibernacula recorded in Williams County. The Project is expected to have no adverse impact to the NLEB.

3.3 WETLAND/WATERBODIES

3.3.1 CORRIDOR

To evaluate the location and extent of mapped wetlands and waterbodies within the Corridor, a desktop analysis of aerial photography, National Hydrography Data ("NHD"), and NWI maps was completed. Desktop analysis identified approximately 121 mapped NWI features and four NHD mapped waterbodies/surface drainages within the Corridor.

3.3.2 SURVEY CORRIDOR

Field surveys identified five wetland features, two ephemeral drainages and three wetlands. No waterbodies were recorded during the field survey of the Project. Wetland features are identified on the maps in Appendix A and discussed in detail in the Natural Resource Survey Report contained in Appendix C.

3.3.3 ROUTE

Of the five wetland features within the Survey Corridor, two wetlands and one ephemeral drainage are crossed by the proposed Route. Refer to Appendix A for Project maps and Appendix C for the Natural Resource Survey Report.

3.4 TREES AND SHRUBS

3.4.1 CORRIDOR

The density of the woody cover in this region is sparse, and typically associated with significant topographic relief such as defined banks or incised drainage channels or agricultural windrows.

3.4.2 SURVEY CORRIDOR

Continental commissioned field studies to inventory the Survey Corridor for woody vegetation. In total, one native, natural growth shrub community was identified within the Survey Corridor. This location is depicted on the maps contained in Appendix A. The detailed results of the field studies are documented in Appendix C.

3.4.3 ROUTE

No woody vegetation was identified or crossed by the proposed Route.

3.5 NOXIOUS WEEDS

3.5.1 CORRIDOR

Noxious weeds are defined by the Federal Noxious Weed Act of 1974 as “a plant which is of foreign origin, is new to, or is not widely prevalent in the United States, and can directly or indirectly injure crops or other useful plants, livestock or the fish and wildlife resources of the United States, or public health.” The State of North Dakota defines noxious weeds as “weeds that are difficult to control, easily spread, and injurious to public health, crops, livestock, land, or other property.” North Dakota has County Weed Boards in all 53 counties, each of which can add noxious weeds to the state list for regulation only within their authority. Carlson McCain, on behalf of Continental, provided a consultation letter to the Williams County Weed Control Board, and a response is pending. Refer to Appendix B for a complete record of this communication.

3.5.2 SURVEY CORRIDOR

Field surveys conducted in October 2021 identified five areas of noxious weeds totaling approximately 2.6 acres. Refer to Appendix C for a complete record of the Natural Resource Field efforts.

3.5.3 ROUTE

Of the five areas of noxious weeds identified during field survey, two will be crossed by the proposed Route. A Noxious Weed Control Plan is included as Appendix E.

3.6 CULTURAL RESOURCES

3.6.1 CORRIDOR

In September 2021, a Class I cultural resources inventory (literature review) was conducted of records from the State Historical Society of North Dakota to identify previously completed cultural resource investigations and recorded cultural resources within the Corridor. The site files search revealed that 67 cultural resources have been previously recorded in the search area. These resources consist of 53 architectural sites, which are generally located in or around the community of Epping: five post-contact sites, three of which are dumps; two post-contact isolated finds; four pre-contact sites; two pre-contact isolated finds; and one pre-contact site lead. Three sites are within a half-mile of the Project Corridor. the remaining previously recorded resources are greater than one-half mile from the Project.

Refer to the Cultural Resource Report in Appendix D for a detailed accounting of these previously recorded resources.

3.6.2 SURVEY CORRIDOR

Class I efforts were augmented with Class III Pedestrian Surveys of the Survey Corridor. The surveys were conducted between the dates of October 11 and November 2, 2021. One post-contact surveyor's monument and three pre-contact sites were recorded during the inventory. Survey efforts included the development of the final route which avoids all cultural resources. Refer to Appendix D for the complete Cultural Resource Survey Report.

An Unanticipated Discovery and Treatment Plan has been prepared for this Project and is included as Appendix F.

SECTION 4: SITING CRITERIA ANALYSIS

4.1 POLICIES AND COMMITMENTS TO LIMIT ENVIRONMENTAL IMPACT

Continental is committed to conducting its business in compliance with applicable environmental laws and regulations. These laws, regulations, and standards are designed to safeguard the environment, human health, wildlife, and natural resources. Continental will conduct its activities with the objectives of providing a healthful and safe workplace for its employees and preventing accidents and environmental incidents. All persons and firms providing service to Continental are required to conduct their work in compliance with environmental conditions, permit authorizations, and applicable regulations, and will be held accountable for their actions in that regard.

4.2 FACTORS ADDRESSED IN NORTH DAKOTA CENTURY CODE SECTION 49-22.1-09

4.2.1 FEASIBLE ALTERNATIVES TO THE PROPOSED CORRIDOR OR ROUTE

Implementation of the proposed Project will result in a normal natural gas use of 20 MMSCFD and a maximum of 30 MMSCFD. Continental identified and evaluated multiple project route alternatives. The proposed route is the most agreeable to landowners, avoids cultural resources, and minimizes impacts to natural resources.

4.2.1.1 NO ACTION ALTERNATIVE

The Project is a pilot project to test the feasibility of utilizing natural gas injection to increase and prolong oil production at the well head. In the no action alternative, the natural gas pipeline would not be constructed and research for increased oil production would not occur. For these reasons, Continental rejected a No Action Alternative.

4.2.2 EFFECTS OF THE LOCATION, CONSTRUCTION, AND OPERATION OF TRANSMISSION FACILITY ON PUBLIC HEALTH AND WELFARE, NATURAL RESOURCES, AND THE ENVIRONMENT

The Project is designed to provide delivery throughput from the existing East Mon-Dak WBI Energy Transmission Pipeline to oil wells on the Buddy Domindgo Well Pad. Continental owns and operates the Buddy Domindgo Well Pad.

Field studies were conducted to identify environmental, biological, and cultural resources along the Route; the results of this effort are discussed in Section 3 of this document. The Natural Resource Report is provided in Appendix C. Refer to Appendix D for the Cultural Resource Report. The Sections below discuss possible effects on the public health and welfare.

4.2.3 EFFECT OF NEW TRANSMISSION TECHNOLOGIES AND SYSTEMS DESIGNED TO MINIMIZE ADVERSE ENVIRONMENTAL EFFECTS

The Project does not include energy conversion or transmission technologies/systems specifically designed to minimize adverse environmental impacts.

The Project will result in the construction of a transmission pipeline as defined by the PSC. Refer to Section 5 of this document for a description of the mitigation measures to be employed.

4.2.4 ADVERSE DIRECT AND INDIRECT ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED

Should the proposed Project be designed in the manner described herein, there will be no direct or indirect adverse environmental effects.

4.2.5 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF NATURAL RESOURCES SHOULD THE PROPOSED CORRIDOR BE DESIGNATED

Continental is not aware of any irreversible or irretrievable commitments of natural resources that will result from the requested approvals.

4.2.6 DIRECT AND INDIRECT ECONOMIC IMPACTS

Construction of the Project will provide enhanced recovery of crude oil for delivery to market.

4.2.7 EXISTING PLANS OF THE STATE, LOCAL GOVERNMENT, AND PRIVATE ENTITIES FOR OTHER DEVELOPMENTS AT OR IN THE VICINITY OF THE PROPOSED CORRIDOR OR ROUTE

Continental is not aware of any other future development plans within or near the Route.

4.2.8 EFFECTS OF ROUTE ON EXISTING SCENIC AREAS, HISTORIC SITES, AND STRUCTURES, AND PALEONTOLOGICAL OR ARCHAEOLOGICAL SITES

Continental has commissioned Class I and Class III Cultural Resource Surveys of the Route. The survey report can be found in Appendix D. Ground disturbance will be minimalized to the maximum extent practicable and will not impact known cultural resources.

To date, Project-specific consultations with various federal, state, and local agencies did not identify any scenic areas within the Route. Agency correspondence can be found in Appendix B.

4.2.9 EFFECT OF THE PROPOSED ROUTE ON AREAS THAT ARE UNIQUE DUE TO BIOLOGICAL WEALTH OR BECAUSE THE ROUTE IS HABITAT FOR RARE OR ENDANGERED SPECIES

The proposed Route is not anticipated to result in permanent adverse impacts to the environment. Consultation with the USFWS confirmed the absence of federally designated critical habitat(s). Field surveys confirmed the absence of suitable habitat for those federally listed species with the potential to occur within the Project area. Please see Section 3 for a comprehensive discussion of Continental's efforts to identify sensitive environmental resources along the proposed Route. While there will be ground-disturbing activities taking place outside existing facilities, this analysis, which utilized

agency inputs, desktop analysis, and field studies, has concluded that the Project will not result in impacts to listed or sensitive species or their habitats. See Appendix B for a complete record of federal and state agency consultations. Detailed survey results can be found in Appendix C.

4.2.10 PROBLEMS RAISED BY FEDERAL, STATE, OR LOCAL AGENCIES OR ENTITIES

Continental has consulted with federal, state, and local agencies to identify possible environmental resources within the Corridor and to provide them with an opportunity to raise any related agency concerns. To date, no project specific concerns have been raised by agencies. A complete record of these consultations is provided in Appendix B.

4.3 EXCLUSION AREAS (N.D. ADMIN. CODE § 69-06-08-02.1)

Exclusion areas are geographical areas that must be excluded in the consideration of a route for a transmission facility. A buffer zone of a reasonable width to protect the integrity of the area must be included. Additionally, natural screening may be considered in determining the width of the buffer zone.

Exclusion Area	Within Corridor	Within Survey Corridor	Crossed by Route
Federal			
National Parks or Memorial Parks	No	No	No
Historic Sites, or Landmarks	No	No	No
Natural Landmarks or Monuments	No	No	No
Wilderness Areas	No	No	No
State			
Historic Sites, Monuments, or Historical Markers	No	No	No
Archaeological Sites	Yes	Yes	No
Parks	No	No	No
Nature Preserves	No	No	No
County			
Parks	No	No	No
Recreation Areas	No	No	No
Municipal Parks	No	No	No
Parks Owned/Operated by other Governmental Subdivisions	No	No	No
Other			
Areas Critical to the Life Stages of Threatened and Endangered Animal or Plant Species	No	No	No
Areas where Animal or Plant Species that are Unique or Rare to this State will be Irreversibly Damaged	No	No	No

Exclusion Area	Within Corridor	Within Survey Corridor	Crossed by Route
Areas within 1,200 feet of a geographic center of an intercontinental ballistic missile ("ICBM") launch or launch control facility.	No	No	No
Areas within 30 feet on either side of a direct line between ICBM launch or launch control facilities to avoid microwave interference.	No	No	No

4.3.1 FEDERAL EXCLUSION AREAS

Continental has initiated consultations with appropriate federal agencies and conducted a comprehensive review of published information. Continental concluded no national or memorial parks, natural landmarks, historic sites, archaeological sites listed on the NRHP, monuments, or wilderness areas will be crossed or affected by the Project.

4.3.2 STATE EXCLUSION AREAS

Continental has initiated consultations with appropriate state agencies and conducted a comprehensive review of published information. Continental confirmed the absence of state parks, monuments, historical markers, or nature preserves within the proposed Corridor, Survey Corridor, or crossed by the Route.

4.3.3 COUNTY EXCLUSION AREAS

Continental has confirmed, through a combination of agency consultations and review of publicly available information, the absence of county parks or recreation areas, municipal parks, or parks owned by other subdivisions of government bodies within the proposed Corridor. Refer to Section 3 of this document for a comprehensive discussion of Continental's consultations, and Appendix B for documentation of agency correspondence.

4.3.4 OTHER EXCLUSION AREAS

Areas Critical to the Life Stages of Threatened and Endangered Animal or Plant Species: Continental conducted a comprehensive desktop review of the Corridor; these efforts were augmented with agency consultations and additional field surveys to confirm the absence of listed species habitat(s) within the Corridor, Survey Corridor, or crossed by the Route.

Areas where Animal or Plant Species That are Unique or Rare to this State will be Irreversibly Damaged: Continental conducted a comprehensive desktop review of the Corridor; these efforts were augmented with agency consultations and additional field surveys of the Survey Corridor to confirm the absence of potentially suitable habitat for rare or unique species.

Refer to Appendix B for documentation of the agency consultations, and Section 3 of this Application for details of desktop and field studies.

Areas where Animal or Plant Species That are Unique or Rare to this State will be Irreversibly Damaged: Continental has engaged in federal and state agency consultations, reviewed published information, and conducted a desktop analysis of the Corridor and commissioned subsequent field studies of the Survey Corridor to determine if suitable habitat to support rare or unique species occur within the surveyed area. Based on these studies, Continental has confirmed the absence of suitable habitat to support rare or unique species within the Project area. Refer to Appendix B for supporting documentation of agency consultations and Appendix C for the Natural Resource Survey reports.

Areas Within 1,200-Feet of the Geographic Center of an ICBM Launch or Launch Control Facility: Upon review of tabular location data and aerial imagery compiled by the University of Wyoming, there are no areas of the Project within 1,200-feet of the geographic center of an ICBM launch or launch control facility. A Project notification letter was sent to the US DOD-Cable Affairs on November 3, 2021. An e-mail response was received on November 24, 2021, indicating that no facilities will be affected by the Project.

Areas Within 30-Feet on Either Side of a Direct Line Between ICBM Launch or Launch Control Facilities to Avoid Microwave Interference: Upon review of tabular location data and aerial imagery compiled by the University of Wyoming, it was confirmed that the Route is not within 30-feet on either side of a direct line between ICBM launch or launch control facilities within the Survey Corridor or crossed by the Route. A Project notification letter was sent to the US DOD-Cable Affairs on November 3, 2021. An e-mail response was received on November 24, 2021, indicating that no facilities will be affected by the Project.

4.4 AVOIDANCE AREAS (N.D. ADMIN. CODE § 69-06-08-02.2)

Avoidance areas are geographical areas that may not be considered in the routing of a transmission facility unless the applicant shows that under the circumstances there is no reasonable alternative.

Avoidance Area	Within Corridor	Within Survey Corridor	Crossed by Route
Federal			
Historic Districts	No	No	No
Wildlife Areas	No	No	No
Wild, Scenic or Recreational Rivers	No	No	No
Wildlife Refuges	No	No	No
Grasslands	No	No	No
State			
Wild, Scenic, or Recreational Rivers	No	No	No
Game Refuges or Game Management Areas	No	No	No
Forests or Forest Management Areas	No	No	No
Grasslands	No	No	No

Other			
Other Historic Resources not meeting Exclusion or Avoidance Areas Criterion	Yes	Yes	No
Areas of Geologic Instability	Yes	Yes	Yes
Areas within 500 Feet of a Residence, School, or Place of Business	No	No	No
Reservoirs and Municipal Water Supplies	No	No	No
Water Sources for Organized Rural Water Districts	No	No	No
Irrigated Land (not applicable to underground facilities)	NA	NA	NA
Areas of Recreational Significance which are not designated as Exclusion Areas	No	No	No

4.4.1 FEDERAL AVOIDANCE AREAS

Continental conducted agency consultations and a comprehensive review of publicly available information. This review indicated the absence of designated or registered historic districts, refuges, and wild, scenic, or recreational rivers, and grasslands within the Corridor. Refer to Appendix B for documentation of agency consultations.

4.4.2 STATE AVOIDANCE AREAS

Continental conducted a review of publicly available information and initiated project-specific agency consultations and through these efforts, has concluded there are no designated or registered management areas, forests, forest management lands, or wild, scenic, or recreational rivers within the Corridor, Survey Corridor, or crossed by the Route. Refer to Appendix B for documentation of agency consultations.

4.4.3 OTHER AVOIDANCE AREAS

Historical Resources not Meeting Exclusion Area Criteria: Continental conducted a review of publicly available information, initiated project specific agency consultations, and augmented agency review with field studies. Through these efforts, Continental has concluded there are eight historic resources not meeting exclusion area criteria within the Corridor. None of these resources are located within the Survey Corridor or are intersected by the Route. Refer to Appendix B for documentation of agency consultations and Appendix D for the Cultural Resource Report.

Areas of Known Geologic Instability: Geologic instability refers to surface geology and areas where landslides have occurred. The NDGS landslide mapping data was consulted for information regarding areas of landslides near the Project Area. Review of landslide deposit data from the NDGS confirmed the Project Route crosses a landslide deposit in the Southwest Quarter of Section 35, Township 156 North, Range 99 West. The landslide area is an abandoned railroad grade (as depicted on the figures in Appendix A).

The pipeline will be drilled/bored under the abandoned railroad grade as part of the drill/bore of the active railroad crossing. According to a review of the USGS abandoned mine data, no mining activities are in the Corridor.

Areas Within 500-Feet of a Residence, School or Place of Business: Aerial photography was utilized to identify structures located within the Corridor. Four potentially occupied structures were identified within the Corridor. Of these potentially occupied structures, none are within 500 feet of the centerline of the Route.

Reservoirs and Municipal Water Supplies: Desktop analysis did not identify the presence of reservoirs and municipal water supplies within the Corridor, Survey Corridor, or crossed by the Route. To date, no known reservoirs or municipal water supplies have been identified by agencies.

Water Sources for Organized Rural Water Districts: The North Dakota Drillers Logs indicate that one well is located within the Corridor, and it is a stock/test hole. The well is located approximately 1,200 feet from the proposed centerline. Refer to the maps in Appendix A for the location of the wells.

To date, no known water sources for organized rural water districts were identified during the agency consultation process.

Irrigated Land: This criterion does not apply to underground transmission facilities; as such, it is not applicable to this Project.

Areas of Recreational Significance that are not Designated as Exclusion Areas: Desktop review and agency consultations have not identified areas of recreational significance to date.

4.5 SELECTION CRITERIA (N.D. ADMIN. CODE § 69-06-08-02.3)

The selection criteria require assessments of the environmental impacts and alterations to land use that may result from the siting of the proposed project. Through this process, Continental believes the Project will avoid or minimize these effects to the maximum extent practicable.

4.5.1 AGRICULTURAL IMPACT

Agricultural Production: Approximately 90% of the land located within the project area can be characterized as agricultural or grassland, of which 64% is cultivated and 26% is pastureland. Topsoil is generally 0”-6” thick along the Project route (USDA NRCS. 2022. Web Soil Survey of Williams County, North Dakota).

The Project will not have a measurable impact to agricultural land as Project impacts to these lands will be temporary in nature and disturbed areas would be fully restored upon completion of the Project.

Family Farms and Ranches: As ground-disturbing activities will be minimized to the maximum extent practicable, Project impacts to family farms and ranches are anticipated to be minimal and associated primarily with the initial construction of the Project.

Buried pipelines will not impact typical farm or ranch operations once the pipeline has been placed into service. Those areas directly impacted by construction will be restored to their pre-construction condition.

The location of pipeline markers is defined under 49 CFR 195 for pipelines. Continental works with local landowners and county officials to ensure that pipeline markers are located where required but also in an acceptable location for these parties. These markers are to be placed in full view so that they provide adequate protection to the buried utility and are not accidentally damaged by, nor cause damage to, landowner or county equipment.

Lands Suitable for Irrigation: The Project will not result in temporary or permanent impacts to areas suitable for irrigation to the best of Continental's knowledge.

Surface Drainage: As ground-disturbance will be minimized to the maximum extent practicable and all pre-construction conditions will be restored, there will be little to no change in surface drainage. Care will be taken throughout the construction process to minimize environmental impacts, including the avoidance of modifications to existing drainage patterns.

Ground Water: Ground disturbance will be minimized to the maximum extent practicable and pre-construction contours will be restored; as such, construction impacts on groundwater resources are not expected. No concerns, to date, have been raised by agencies during the consultation process regarding Project impacts to ground water.

4.5.2 THE IMPACTS UPON OTHER RESOURCES

Sound-Sensitive Land Uses: The Project is in a rural setting, effectively isolating it from most sensitive receptors. Construction activities associated with the Project will be relatively short in duration and once in service, pipeline operations are not audible. As such, the Project will have no permanent impact on noise-sensitive resources.

Visual Effect on Adjacent Areas: The proposed Project does not include the addition of above-ground installations outside of existing facilities. The location of the pipeline will be clearly marked with small placard(s) that details ownership and contact information (*i.e.*, pipeline markers.) These features are common throughout the landscape and are not obtrusive. No other permanent aboveground features are to be installed outside of existing fenced in facilities.

Extractive and Storage Resources: This Project will not affect any extractive or storage resources.

Wetlands, Woodlands, and Wooded Areas: A comprehensive desktop review of published data, including aerial photography, NHD and NWI data, was conducted to assess the presence or absence of wetlands, woodlands, and wooded areas. Continental commissioned field surveys to identify and record the locations of these resources within the Survey Corridor. Refer to Section 3 of this document for a comprehensive discussion of the field study results, as well as Appendix B for copies of agency consultations.

Radio and Television Reception, and other Communication or Electronic Control Facilities: Continental does not anticipate the Project affecting radio, television, or other electronic control facilities.

Human Health and Safety: Continental's Health and Safety Policy meets or exceeds federal and state laws, rules, and regulations, and is enforced equally with respect to both Continental and contractor employees. The implementation of this policy promotes a safe and healthy workplace during construction and operation of all Continental assets. In addition, the operation of the pipeline will be monitored in accordance with DOT regulations. Continental's Corporate Emergency Response Plan is included in Appendix G.

Animal Health and Safety: It is likely that there are some common forms of wildlife currently inhabiting the Corridor; these species are mobile and typically roam the landscape freely. Local wildlife inhabitants may potentially be temporarily displaced by the Project during construction and restoration; however, this impact will have no measurable impact to the viability to local populations. Continental does not anticipate species of special concern to experience direct impacts due to construction or operation of the proposed Project.

Plant Life: There will be minimal impacts to plant life associated with the construction or operation of the pipeline. No species of special concern will be impacted by the Project.

4.6 POLICY CRITERIA (N.D. ADMIN. CODE § 69-06-08-02.4)

Continental selects pipeline corridors and routes to minimize impact as required by the statutes, rules, and regulations of the PSC. As appropriate, Continental may employ local environmental consultants and archaeologists to assist with planning. Local farmers may also be employed for restoring cropland to tillable condition following construction. Continental is proud of its safety record in the operation of facilities in North Dakota and is prepared to meet any emergency that should arise to minimize the impact of any pipeline failure.

The operation of the pipeline conforms to DOT standards; as such, Continental maintains a rigid pipeline integrity program and periodically runs internal line inspection tools to find anomalies, and perform repairs as required.

4.6.1 LOCATION AND DESIGN

The Project will be in Williams County, North Dakota and will result in the construction of a transmission pipeline. Project maps are provided in Appendix A.

The Project will be designed to the minimum specifications outlined in Section 1 of this application. The proposed pipeline will meet DOT regulations.

4.6.2 TRAINING AND UTILIZATION OF AVAILABLE LABOR IN THIS STATE FOR THE GENERAL AND SPECIALIZED SKILLS REQUIRED

Project construction will require a specialized niche construction market and the labor force needed to complete the Project will be primarily comprised of a specialized workforce. The primary labor force will be contracted, supplying specialized skilled labor. The workforce is anticipated to reach a peak of approximately 60 personnel.

4.6.3 ECONOMIES OF CONSTRUCTION AND OPERATION

Continental will invest approximately $3.55 million dollars to develop this Project. The continued costs of maintenance and operation of the pipeline are minimal.

4.6.4 USE OF CITIZEN COORDINATING COMMITTEES

Continental has established and maintains a good relationship with the local community officials and the local population. These relationships provide multiple grass roots communication channels to inform residents regarding the developments associated with the Project.

4.6.5 COMMITMENT OF A PORTION OF THE TRANSMITTED PRODUCT FOR USE IN THIS STATE

The proposed Project will interconnect with existing facilities located in North Dakota. The natural gas handled, transferred, and shipped by the Project would remain in North Dakota.

4.6.6 LABOR RELATIONS

Continental maintains positive labor relations with its staff and contract work force and does not anticipate encountering any adverse labor relations on this Project. The labor market in the region is supportive of the oil and gas industry.

4.6.7 THE COORDINATION OF FACILITIES

Continental will own and operate the Project which, once in service, will transport natural gas that will be used for an enhanced oil recovery pilot project by compressing the gas and injecting it downhole of the existing well to further the production life of the well.

4.6.8 MONITORING OF IMPACTS

Continental has established and maintained positive landowner and community relationships throughout the region through its open communication and commitment to corporate citizenship standards that are based on integrity. Continental will monitor landowner concerns through its ROW department and will respond to all reasonable requests. In a similar manner, Continental will also monitor community concerns and will respond to all reasonable concerns brought to its attention by local community leaders.

4.6.9 UTILIZATION OF EXISTING AND PROPOSED RIGHTS-OF-WAY AND CORRIDORS

Continental chose the preferred Project alignment as it minimizes the Project's impact on existing environmental resources while achieving the Project objectives.

SECTION 5: MITIGATIVE MEASURES

5.1 LOCATION

The location of the proposed Route is a function of the locations of the existing infrastructure. Continental commissioned field surveys to address specific agency concerns expressed during consultations, inventory the resources present throughout the Survey Corridor, and define the location and boundaries of resources that intersect the proposed Route.

Trees and shrubs: Continental will comply with the Commission's tree and shrub mitigation specifications. Field surveys included a pre-construction tree and shrub inventory. As ground-disturbing construction activities will be minimized to the maximum extent possible, it is Continental's intent to minimize the clearing or removal of trees or shrubs. If trees or shrubs are removed, an inventory will be maintained.

Wetlands and Waterbodies: Continental will utilize the Horizontal Directional Drill ("HDD") method of construction to cross wetlands and waterbodies. As such, there will be no ground-disturbing activities within wetlands or waterbodies. No wetlands and waterbodies will be impacted.

Migratory Bird Treaty Act: The management of MBTA concerns corresponds with the regional timing associated with annual phenology of migratory species. In North Dakota, some species protected under the MBTA may be present throughout the year. However, it is acknowledged that most protected species are seasonal migrants present in North Dakota during the annual breeding season which occurs from February 1st through July 15th. The proposed Project is scheduled to commence approximately two weeks after PSC approval and obtainment of the Certificate of Corridor Compatibility and Route Permit, which Continental is seeking to obtain on or before the end of the first quarter of 2022. The Project will take approximately two months to reach completion. Prior to the initiation of clearing activities, a survey of the project area should be conducted by a qualified biologist and if breeding bird activity is observed appropriate mitigation measures (e.g., avoidance buffer) will be implemented. Provided these measures are employed project disturbance to nesting or breeding birds is not anticipated.

5.2 CONSTRUCTION

Construction of the transmission line is estimated to require approximately three (3) months.

5.3 OPERATION

Once constructed and put in service, the proposed Project will operate continuously, delivering natural gas from the WBI Transmission Line to the Continental Buddy Domindgo Well Pad. Normal pipeline operations are imperceptible to the public, as they are silent, buried, and therefore not visible and require only minimal aboveground activity. Standard operating procedures for the regulated portions of the system will conform to DOT standards and requirements and as such, periodic inspection and maintenance of the ROW will be required. A Damage Prevention Plan is included as Appendix H.

SECTION 6: DESCRIPTION OF RIGHT-OF-WAY PREPARATION, CONSTRUCTION, AND RECLAMATION PROCEDURES

6.1 PIPELINE CONSTRUCTION

Construction will be an assembly-line process and will include the following general tasks: surveying and staking, clearing and grading, trenching, pipe stringing, pipe bending, welding, coating, hydrostatic testing, lowering in, tie-ins, backfilling, rough grading, and final restoration (*e.g.*, topsoil replacement, final grading, seeding and mulching, where required). The Pipeline may be placed into service before final restoration has been completed.

Construction activities will require approximately three months to complete from start to finish, except when weather-related delays affect the schedule. However, construction activity at any location may not be continual, but will typically occur in distinct phases often with several days or weeks between each phase. For example, clearing and grading may require ten hours to progress for one mile along the pipeline ROW, but trenching may not follow in the area for several weeks. During the interim, activity in the area may be completely lacking or limited to occasional vehicular or pedestrian traffic.

Surveying and Staking: Prior to construction activities, Continental will stake the centerline and establish the boundaries of the approved work areas (*e.g.*, the construction ROW boundaries and temporary extra workspace areas) and flag the location of approved access roads and foreign utility lines. Wetland boundaries and other environmentally sensitive areas may also be marked or fenced for protection at this time.

Clearing and Grading: Prior to clearing, landowner fences will be braced and cut, and temporary gates will be installed. A clearing crew will clear the work area of vegetation and obstacles that may be encountered (*e.g.,* remaining trees, stumps, logs, brush, and rocks) in the work area.

The ROW will be graded, where necessary, to provide a reasonably level work surface and to segregate topsoil. Topsoil will be carefully removed and stored along the edge(s) of the ROW in a manner that allows for a haul road and trench line. The topsoil depth is often variable, but generally, the topsoil is the deepest in valleys and the thinnest on hillsides and hilltops. The topsoil depth and the layer removed will be determined in the field; upon completion of pipeline construction, the trench will be backfilled, and topsoil will be returned to the upper soil horizon. All disturbed areas shall be graded to restore the original contours.

Concurrent with grading, erosion and sediment control devices will be installed according to industry BMPs. Waterbodies will be bored using the HDD method to place pipe under the waterbody without disturbing it. The pipeline will be placed such that adequate cover from the bottom of the waterbody would be in place. This will be individual to the waterbody but will be no closer than five feet to the bottom of the

waterbody. Construction mats will also be installed across saturated wetlands to prevent rutting due to equipment travel along the ROW. Erosion and sediment control devices, which may include silt fences, straw wattles, straw bales, and road access pads will be installed where necessary to prevent soil and sediment from leaving the construction work area.

Following installation of the pipe and backfilling of subsoil in the trench, the ROW will be returned to the original grade with the redistribution of topsoil over the work area.

An Erosion and Sediment Control Plan, a Fugitive Dust Control Plan, and a Spill Prevention Control and Countermeasure Plan are included as Appendices I, J, and K, respectively.

Trenching: The trench will be excavated by using backhoes to a depth that provides sufficient cover over the pipeline after backfilling. The bottom width of the trench will be sufficient to accommodate the 8.625-inch diameter pipe. Typically, a trench is excavated to a depth of approximately five feet deep to allow for a minimum of four feet of cover after construction. In cultivated areas, sufficient depth of cover will be provided to maintain the top of the pipe safely below the maximum tillage depth. Additional cover requirements may be applicable at public road crossings and section lines.

Topsoil from over the trench line will be stripped, segregated, and stored in a manner that prevents mixing with subsoil spoils.

Pipe Stringing, Bending, and Welding: Sections of externally coated pipe up to 60-feet long (*e.g.,* joints) will be transported over public roads to the ROW by truck and placed or "strung" along the ROW parallel to the trench in a continuous line. After the pipe sections are strung along the trench and before they are welded together, individual sections of the pipe may be bent, where necessary, so the finished pipeline sections conform to the natural contours of the land. Typically, a track-mounted, hydraulic pipe-bending machine is used. Where multiple or complex bends greater than what can be properly bent in the field are required, a factory made "fitting" is used.

After the pipe sections are bent, the joints will be welded together into sections and placed on temporary supports. Welding will comply with requirements listed in Title 49 CFR Part 192. Each weld will be tested by using non-destructive radiographic examination to verify the integrity the welds. Welds that do not meet standards and specifications will be repaired.

A third-party contractor certified in non-destructive inspection will be used and inspections will be performed as outlined in Title 49 CFR Part 192. After the welds are approved, a protective epoxy coating will be applied to the welded joints. The pipeline will subsequently be electronically and visually inspected for defects in the epoxy coating. Damage to or defects in the coating will be repaired prior to lowering-in the pipeline. Cathodic protection systems will also be directly bonded to the pipe at that time.

Lowering-in and Backfilling: The trench will be inspected for the presence of rocks and other debris, which could damage the pipe or protective coating. If rocks or other obstructions are observed, these will be removed, or the pipeline trench bottom will be padded with subsoil or sand prior to the pipeline lowered into the trench.

If the trench bottom is obscured by water, the trench will be dewatered. Where dewatering may be required, Continental will pump water from the trench into well-vegetated upland areas or into sediment filtration/energy dissipation devices.

In areas of steep slopes, breakers consisting of sandbags or foam will be installed to prevent 'piping' from occurring along the pipe in the trench after the area is backfilled.

The trench will be backfilled using the native material removed and compacted; however, the trench may be crowned slightly to accommodate settling.

Hydrostatic Testing: Continental will hydrostatically test the pipeline. Hydrostatic testing will conform to DOT standards and will establish the maximum operating pressure ("MOP") for the pipeline when it is operational. Testing involves installation of test headers, which control the pressure applied. The test headers will be removed upon the completion of a successful pressure test. Once testing is complete, the test water will be evacuated; the line is dried and prepared for commissioning. Continental will either procure discharge permit(s) from the NDDEQ and the ensuing discharge would conform to the conditions stipulated in the permit, or Continental will capture the water and transport it offsite for disposal.

Final Tie-in and Commissioning: Following successful pressure testing, the final pipeline tie-ins will be made, and the pipeline will be commissioned. Commissioning involves activities to verify equipment is properly installed and working, the controls and communications systems are functional, and the pipeline is ready for service. The pipeline will be cleaned and dried using mechanical devices; the line will be purged of air and then loaded with product.

Cleanup and Restoration: Final cleanup will begin after backfilling as soon as weather and site conditions permit. During cleanup, construction debris remaining on the ROW will be collected and disposed of properly. Work areas will be graded and restored to preconstruction contours as closely as practical.

During restoration, topsoil will be spread over the surface in conjunction with final grading, and permanent erosion controls will be installed, as necessary. After permanent erosion control devices are installed, disturbed, non-cultivated areas will be seeded, and slopes mulched where required. Seed mixes will be approved in advanced by the landowner, and seeding will occur within the recommended seeding dates for the Project area.

For cultivated areas, no seed or mulch will be applied after the topsoil is replaced unless specifically requested by the landowner.

Markers showing the location of the pipeline will be installed at fence and road crossings to identify the owner of the pipeline and convey emergency information in accordance with applicable governmental regulations, including DOT safety requirements. Special markers providing information and guidance to aerial patrol pilots will also be installed.

Horizontal Directional Drill: The HDD is a specialized construction technique that avoids surface impacts and is often employed to cross sensitive land features such as wetlands or waterbodies. The HDD method involves setting a horizontal drill rig at one or both ends of the bore area. If the drill rig is located on or near the stream bank, erosion countermeasures will be installed to minimize bank disturbance and prevent erosion during the drilling operation. The drill bores underneath the waterbody and the main pipe, known as the string pipe, will be pulled into place once the bore has been completed. The string pipe will then be connected to the main pipeline.

Following installation of the pipeline crossing, the entry and exit points will be restored. Sediment control barriers will be installed where necessary to prevent sediment generated from the ROW from entering the waterbody. These barriers will remain in place until disturbed areas are adequately revegetated.

SECTION 7: EASEMENT ACQUISITION, LANDOWNER NOTIFICATION, AND EASEMENT COMPENSATION PLAN

Continental's practice for determining landowner compensation for easements is based upon research of comparable fair market pricing and prior experience negotiating easement locally. At this time, 100% of the ROW easements have been acquired.

SECTION 8: LIST OF PREPARERS

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M.S. Wildlife Biology, University of Minnesota – Twin Cities; and B.S. Wildlife Biology, Michigan State University. Mr. McCarthy is an environmental compliance analyst with over 20 years of environmental consulting experience working with various energy assets and regulatory agencies. As a compliance analyst, he has managed the environmental requirements for facility siting, pipeline routing, federal licensing, and various federal, state, and local permits. Mr. McCarthy is a certified wildlife biologist, and in this role, conducts and coordinates field studies, agency consultations, mitigation, and avoidance plans.

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B.S. Civil Engineering, North Dakota State University; and B.A. Math and Biology, University of Jamestown. Mr. Hartleben is a civil engineer with over 20 years of environmental consulting experience working with various energy assets and regulatory agencies. He has managed the environmental requirements for facility siting, pipeline routing, and various federal, state, and local permits.

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B.S. Wildlife and Fisheries Science-Mississippi State University. Mr. Tucker is a Senior Biologist with over 17 years of experience working in the natural resource field. As a consultant, he has conducted field surveys and prepared reports for projects under the review of the North Dakota Public Service Commission, the U.S. Fish and Wildlife Service, the U.S. Forest Service, the U.S. Army Corps of Engineers, and the North Dakota Department of Transportation.

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