

APPENDIX E: Noxious Weed Control Plan

NOXIOUS WEED CONTROL PLAN

Continental Resources, Inc.
Buddy Domindgo Transmission Line

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Noxious Weed Control Plan Continental Resources, Inc. Buddy Domindgo Transmission Line

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APPENDICES

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1.0 Introduction

Continental Resources, Inc. (“Continental”) is proposing to build, own, and operate the approximately 3.1-mile-long Buddy Domindgo Transmission Line (“Project”) for the transportation of natural gas from an existing natural gas pipeline to a Continental oil well pad. The proposed pipeline will be constructed in portions of Williams County, North Dakota.

The spread of noxious weeds can be a significant issue in construction projects that involve land disturbance. Measures must be taken to prevent the spread of noxious weeds during construction and operation and maintenance (“O&M”). Earth moving activities and the use of contaminated fill, seed, or erosion control products contribute to the spread of weeds.

Noxious weeds are present along the Proposed ROW (see Section 2.3). The disturbance from construction could introduce new noxious weed species or facilitate the spread of existing populations. It is important to note that much of the area where construction will occur is adjacent to pasture and agricultural lands that are already disturbed from grazing and agricultural land use practices. Disturbed pastures and barren, fallow agricultural fields provide abundant habitat for spreading noxious weed populations. Continental recognizes that prevention is the most cost-effective approach to noxious weed management.

1.1 Plan Purpose/Objectives

This Noxious Weed Control Plan (Plan) is intended to address methods to prevent, mitigate, and control the spread of noxious weeds during construction and O&M of the proposed pipeline. Continental and its contractors will be responsible for implementation of the methods described in this Plan.

Continental will comply with State of North Dakota, County, and federal agency requirements implemented to prevent the spread of noxious weeds. Continental will implement weed control measures in areas of the Project right-of-way (ROW) where noxious weeds have been identified. Monitoring during construction and O&M will include the identification of areas along the ROW where noxious weeds are present. Monitoring will also include an evaluation of the prescribed control measures in their effectiveness of control.

2.0 Noxious Weeds

2.1 Noxious Weeds

Noxious weeds are opportunistic and often exotic (non-indigenous) plant species that readily invade disturbed areas, often producing monocultures and preventing native plant species from establishing communities. Noxious weeds also degrade agricultural productivity, soil and water, wildlife habitat, and recreational and wilderness values.

The North Dakota Century Code (NDCC) §4.1-47-01(6) defines noxious weeds as any plant propagated by either seed or vegetative parts which is determined by the commissioner, a county weed board, or a city weed board, after consulting with the North Dakota State University Extension Service, to be injurious to public health, crops, livestock, land, or other property. Currently, there are 13 species or species groups (some include more than one species and/or cultivars) in North Dakota (North Dakota Administrative Code §7-06-01-02). Pursuant to NDCC 4.1-47 the control and the spread of noxious and invasive weeds is mandatory, and dissemination of noxious weeds must be prevented.

North Dakota's noxious weed list (see description below) includes:

- Absinth wormwood (*Artemisia absinthium*)
- Canada thistle (*Cirsium arvense*)
- Dalmatian toadflax (*Linaria genistifolia*)
- Diffuse knapweed (*Centaurea diffusa*)
- Houndstongue (*Cynoglossum officinale*)
- Leafy spurge (*Euphorbia esula*)
- Musk thistle (*Carduus nutans*)
- Palmer amaranth (*Amaranthus palmeri*)
- Purple loosestrife (*Lythrum salicaria*, *Lythrum virgatum*)
- Russian knapweed (*Centaurea repens*)
- Saltcedar (*Tamarisk spp.*)
- Spotted knapweed (*Centaurea maculosa*)
- Yellow toadflax (*Linaria vulgaris*)

In addition to the state listed species, the Williams County Noxious Weed Board includes:

- Narrowleaf hawksbeard (*Crepis tectorum*)

2.2 Noxious Weed Inventory

Biological surveys for noxious weeds were conducted during the fall of 2021 to determine noxious weed locations along the proposed ROW. The surveys focused on a 250-ft wide corridor centered on the Project centerline. Noxious weed locations and the extent of localized populations were delineated and recorded using global positioning system (GPS) equipment. Locations where noxious weeds were present are depicted on the figures in Appendix A. The locations (by milepost) are summarized in Table 1.

Table 1. Noxious Weed Locations

| MP | Polygon ID | Latitude | Longitude | Acres | Species (Common Name) |
|--------------------|-------------------|-----------------|------------------|--------------|------------------------------|
| 0.1 | Weed Poly 1 | 48.313101 | -103.394643 | 0.01 | Leafy Spurge |
| 0.1 | Weed Poly 2 | 48.312737 | -103.394814 | 0.19 | Leafy Spurge |
| 0.5 | Weed Poly 3 | 48.310006 | -103.387758 | 0.01 | Canada Thistle |
| 1.6 | Weed Poly 4 | 48.293478 | -103.387779 | 1.36 | Canada Thistle |
| 1.8 | Weed Poly 5 | 48.290366 | -103.387089 | 0.98 | Canada Thistle |
| Total Acres | | | | | 2.56 |

These locations are not the only locations where weeds may be present. The figures and table only depict locations where noxious weeds were present at the time of the survey(s). Noxious weeds may be present at other locations along the ROW due to their invasive nature and potential for spreading from other areas.

Qualified biological monitors or environmental inspectors will be used to conduct on-site biological monitoring before and during construction. In addition, Continental will provide its Contractors with information and training regarding noxious weed management and identification prior to construction. The contractors will be required to report possible weed populations that have not been recorded prior to disturbing the area.

3.0 Best Management Practices

Continental will implement Best Management Practices (BMPs) for conducting noxious weed and vegetation control where necessary before and after construction. Generally, these include:

- Continental will conduct awareness training to Project personnel regarding identification, prevention, and control methods. No personnel will be allowed to enter the ROW before training.
- Treat or contain weed populations that may be impacted or disturbed by construction activity.
- Use only certified weed-free straw/hay or use fiber roll logs for sediment control.
- Use only certified weed-free straw/hay for mulch.
- Clean all equipment of dirt and vegetation. The contractor shall pressure wash all construction equipment prior to mobilizing/demobilizing from the Project. This includes timber mats, cars, transporting trailers and trucks, and recreational equipment brought on-site.
- Wash, or using an air compressor, blow clean all vehicles (including tires and undercarriage) before leaving weed-infested areas.
- The Contractor shall implement pre-construction treatments such as mowing prior to seed development or herbicide application to areas of noxious weed infestation prior to other clearing, grading, trenching, or other soil disturbing work at locations identified in the construction drawings.
- Minimize ground disturbance and vegetation removal as much as possible or practical.

Further discussion of specific BMPs is included in the following sections.

3.1 Construction Methods

Prior to construction, Continental will mark all areas of the ROW, which contain infestations of noxious, invasive species, or soil-borne pests. Such marking will clearly indicate the limits of the infestation along the ROW. During construction, the Contractor shall clean the tracks, tires, and blades of equipment by hand (track shovel) or compressed air to remove excess soil prior to movement of equipment out of weed or soil-borne pest infested areas or utilize cleaning stations to remove vegetative materials using water under high pressure.

In areas where infestations are identified in the field, the Contractor will stockpile cleared vegetation and salvaged topsoil adjacent to the area from which they were stripped. Gaps in the topsoil stockpile shall be maintained to keep stockpiled topsoil separate from topsoil where infestations are not present. The Contractor will return topsoil and vegetative material from infested sites to the areas from which they were stripped. The Contractor will not be permitted to move soil and vegetative matter outside of the identified area of infestation.

Off-ROW areas related to the Project (construction/storage yards) will be kept weed free. Inspection will be conducted on a regular basis to confirm weeds are not present. Weeds at off-ROW areas will be treated in the same manner as ROW locations.

3.2 Treatment Methods

Noxious weed control measures will be implemented in accordance with existing regulations and jurisdictional land management agencies or landowner agreements. Treatment methods will be based on species-specific and area-specific conditions (e.g., proximity to water, wetlands, riparian areas, or agricultural areas) and time of year. Most noxious weeds identified along the ROW may be treated by herbicide application. Mechanical methods of weed control including mowing, discing, and hand pulling of small, localized and/or isolated infestations of noxious weeds. Mechanical methods may be selected in lieu of herbicide treatment for select locations. Discing will not be applied in native habitat areas.

3.3 Reclamation Methods

Reclamation specific BMPs include:

- Revegetate disturbed areas as soon as possible. Revegetation includes topsoil replacement, planting, seeding, fertilizing, and weed-free mulching as necessary.
- Seeding will be conducted on disturbed areas that have reached final grade or that will remain undisturbed for 30 days.
- Use seed and other plant materials that have been certified as weed free. Seed mixes shall conform to the managing land agency specification(s).
- Use native materials where appropriate and feasible.
- Treat weeds adjacent to newly seeded areas prior to planting and treat planted areas for weeds in the first growing season.

Monitoring will be conducted to assess ROW stability, revegetation progress, and percentage of vegetative cover. Monitoring will assess whether applied treatment methods are effective in controlling weeds and make recommendations for further treatment.

3.4 Post-reclamation Methods

Post-reclamation specific BMPs include:

- Re-vegetate or otherwise prevent the establishment of weeds in the project and documenting all ground-disturbing operations in noxious weed infested areas.
- Herbicide applications to noxious weed infestation areas after grass species are established.
- Treatment methods other than herbicide application, such as mowing and biological methods, will be considered during the post-reclamation process.

After pipeline construction, on any construction ROW over which Continental will retain control over the surface use of the land after construction (i.e., valve sites, metering stations, pump stations, etc.), Continental shall provide for weed control to limit the potential for the spread of weeds onto adjacent lands. Any weed control spraying performed by Continental shall be done by a state-licensed pesticide applicator.

4.0 Herbicide Application, Handling, Spills, and Cleanup

4.1 Herbicide Application and Handling

Herbicide treatment of selected areas along the ROW will be carried out where noxious weed species are problematic and form a significant portion of the vegetation community in comparison to adjacent areas. In areas where the occurrence of noxious weeds adjacent to the ROW makes eradication impossible, no herbicide treatment will be applied; however, other weed control methods will be employed.

Only herbicides approved for use within treated lands will be used (permitted by the relevant land management agency). The selected herbicide and application method will be adapted to target only noxious weeds and therefore preserve and retain native plants. If weeds are found near sensitive sites, proper buffers will be used to prevent the spread of herbicides to these areas. The Contractor shall not use herbicides in or within 100 feet of a wetland or water body unless the herbicide is approved for such application. No treatments will occur without prior coordination with and approval of the land managing agency and landowner.

All herbicide applicators will be licensed in the State of North Dakota. Application of herbicides will be suspended during any of the following conditions:

- Wind velocity exceeds ten miles per hour (mph) during application of liquids or 15 mph during application of granular herbicides;
- Snow or ice covers the foliage of noxious weeds; or
- During precipitation events or when precipitation is expected within 24 hours.

Herbicides will be applied using vehicle mounted sprayers (e.g., handgun, boom, and broad jet nozzle injector) mainly in open areas that are readily accessible by vehicle. Hand application methods (e.g., backpack sprayer) that target individual plants will be used to treat small or scattered weed populations in rough terrain. Calibration checks of equipment will be conducted at the beginning of spraying and periodically during that use to ensure that proper application rates are achieved.

Herbicides will be transported to the Project site daily with the following provisions:

- Only the quantity needed for that day's work will be transported;
- All herbicides will be transported in the original container, in a manner that prevents tipping or spilling, and in a compartment isolated from food, clothing, and safety equipment;
- Mixing will be done at equipment/storage yards and at a distance greater than 200 feet from open or flowing water, wetlands, or other sensitive areas. No herbicide will be applied at these areas unless authorized by appropriate regulatory agencies; and
- All herbicide equipment and containers will be inspected for leaks daily.

4.2 Herbicide Spills and Cleanup

All reasonable precautions will be taken to avoid herbicide spills. In the event of a spill, cleanup will be immediate. Contractors will follow the provisions in the Spill Prevention Containment and Countermeasure (SPCC) Plan developed for this Project. Contractors will keep spill kits in their vehicles and in herbicide storage areas to allow for quick and effective response to spills. Items to keep in the spill kit(s) are:

- Protective clothing and gloves;
- A minimum of 20 pounds of suitable commercial adsorbent and barrier materials;
- Plastic bags and bucket;
- Shovel;
- Fiber brush and screw-in handle;
- Dustpan;
- Caution tape; and
- Detergent.

Response to an herbicide spill will vary depending on the material spilled and the size and location of the spill. The order of priorities after discovering a spill are to protect the safety of personnel and the public, minimize damage to the environment, and conduct cleanup and remediation activities.

4.3 Spill Reporting

All personnel applying herbicides will have readily available copies of the appropriate material safety data sheets (MSDS) and the herbicide label(s) for the herbicides being used. All herbicide spills will be reported in accordance with applicable laws and requirements. Further information regarding spill response and reporting can be found in the SPCC Plan.

5.0 Monitoring

Monitoring of noxious weeds will be conducted as part of on-going O&M inspections. Continental will maintain ongoing communication with individual landowners, counties, and land management agencies regarding noxious weeds. These parties will also be supplied with Continental contact information to report noxious weeds along the ROW. Continental will maintain operations personnel trained in the identification of noxious weeds, who will contribute to monitoring reports by documenting noxious weeds observed during the normal course of O&M.

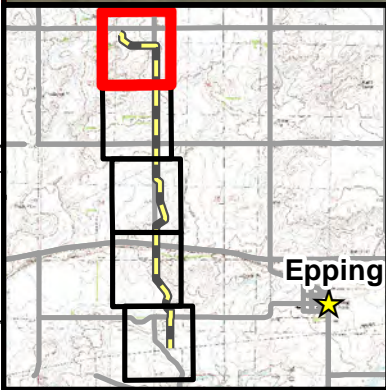
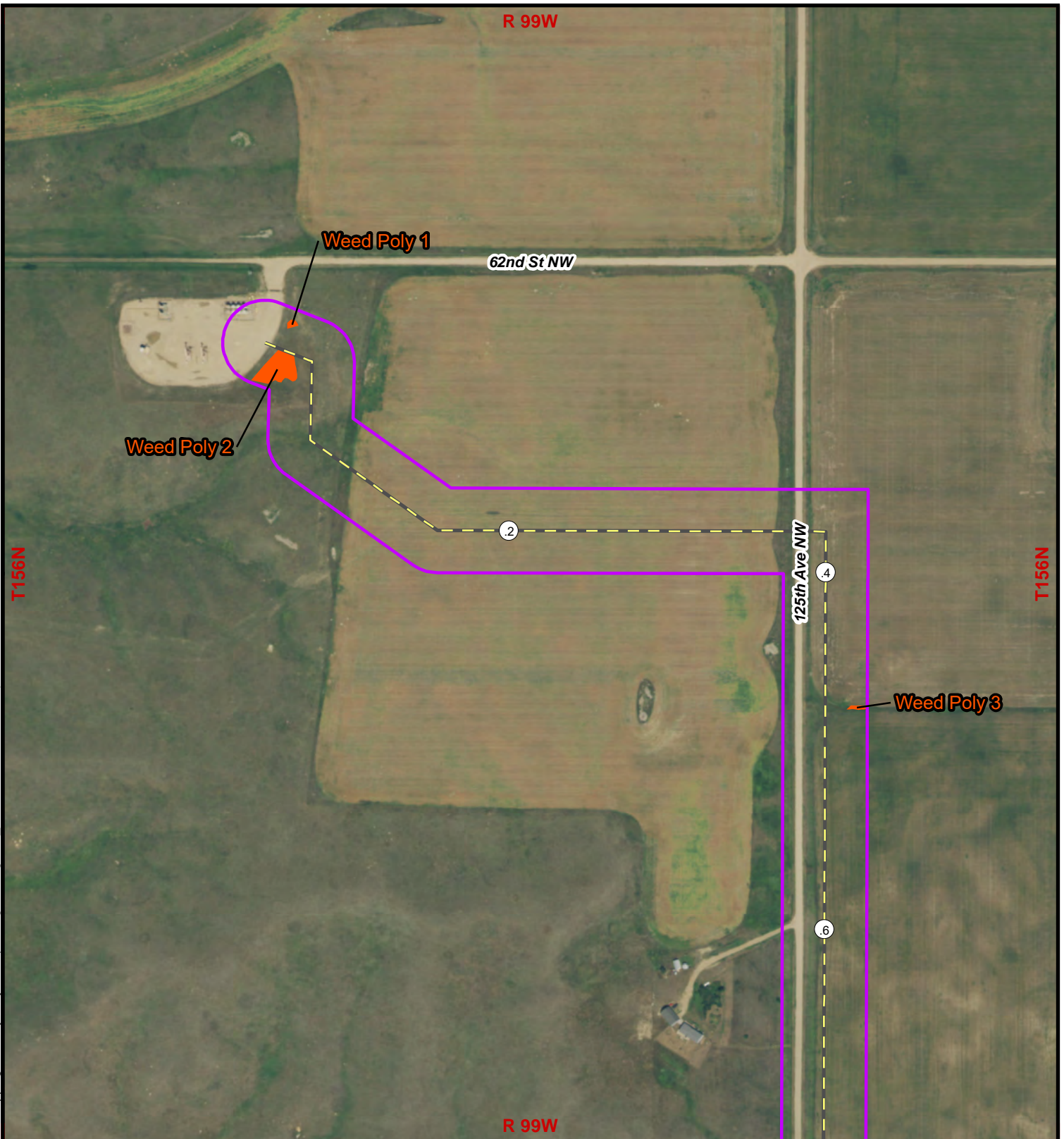
Monitoring will continue for a period of three (3) years after any ground disturbance takes place. Monitoring will be conducted on a biannual basis, or as needed following a report of an infestation. Known infestation sites will be monitored on an ongoing basis or until noxious weeds at the site are controlled. Continental shall be responsible for reimbursing all reasonable costs incurred by owners of land adjacent to aboveground facilities when the landowners must control weeds on their land that can be reasonably determined to have spread from land occupied by Continental's aboveground facilities.

Monitoring records will:

- Identify and evaluate noxious weed conditions in the first and second growing season, with particular attention given to any infestations occurring in previously unaffected areas;
- Identify and evaluate locations where additional remedial action or treatment may be required and recommended treatment actions; and
- Record noxious weed control treatments carried out in the reporting period.

Appendix A

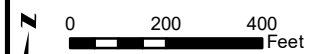
Noxious Weed Inventory Location Figures



Legend

- Mile Post
- Proposed Project Centerline
- ▭ Survey Corridor (250-Feet / 95.3 Acres)
- Noxious Weeds

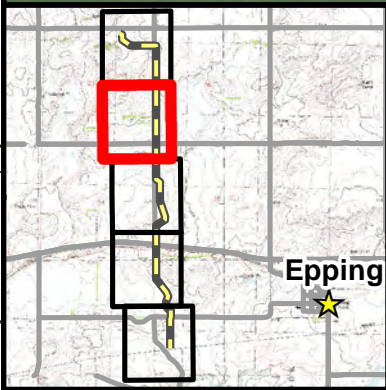
**Figure Figure 1.1
Noxious Weed Survey
Buddy Domindgo Transmission Line**







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Basemap: ND GIS Hub 2020 Imagery

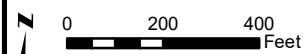




Legend

-  Mile Post
-  Proposed Project Centerline
-  Survey Corridor (250-Foot / 95.3 Acres)
-  Noxious Weeds

**Figure Figure 1.2
Noxious Weed Survey
Buddy Domindgo Transmission Line**

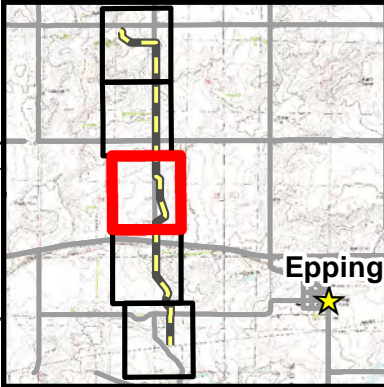
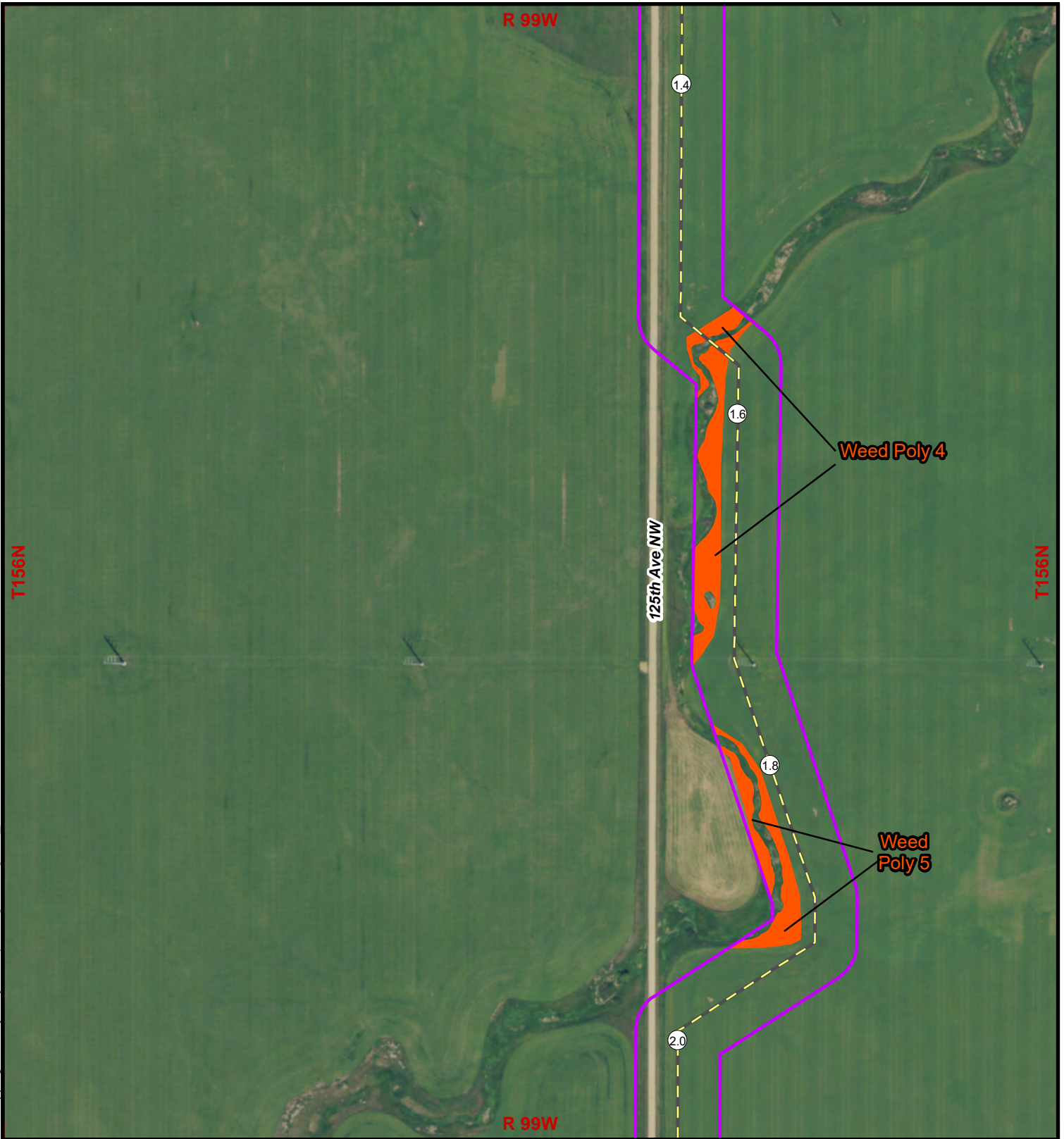


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Basemap: ND GIS Hub 2020 Imagery





Legend

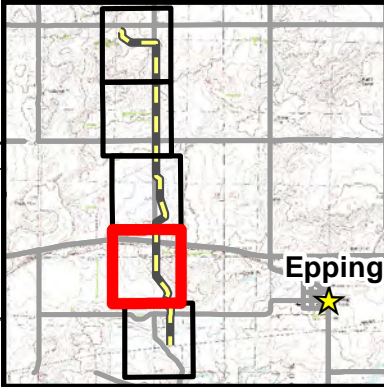
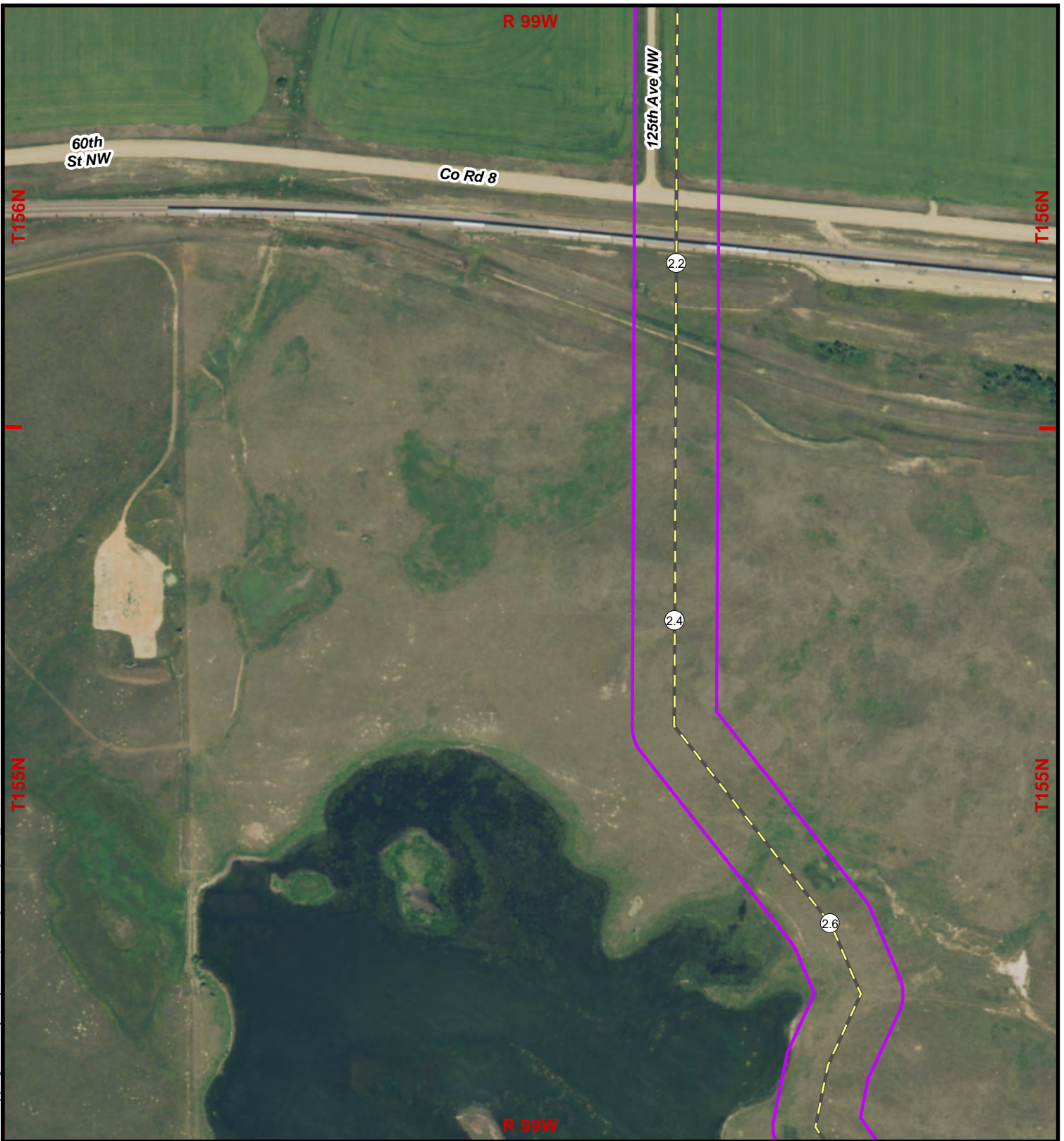
- Mile Post
- Proposed Project Centerline
- ▭ Survey Corridor (250-Foot / 95.3 Acres)
- Noxious Weeds

**Figure Figure 1.3
Noxious Weed Survey
Buddy Domindgo Transmission Line**





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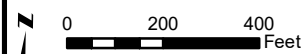
Basemap: ND GIS Hub 2020 Imagery



Legend

-  Mile Post
-  Proposed Project Centerline
-  Survey Corridor (250-Foot / 95.3 Acres)
-  Noxious Weeds

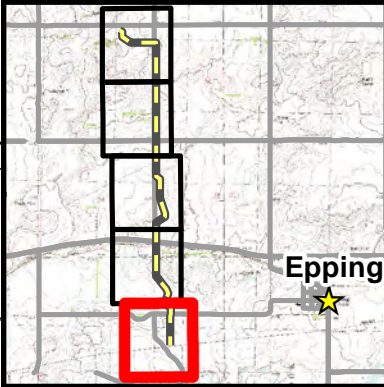
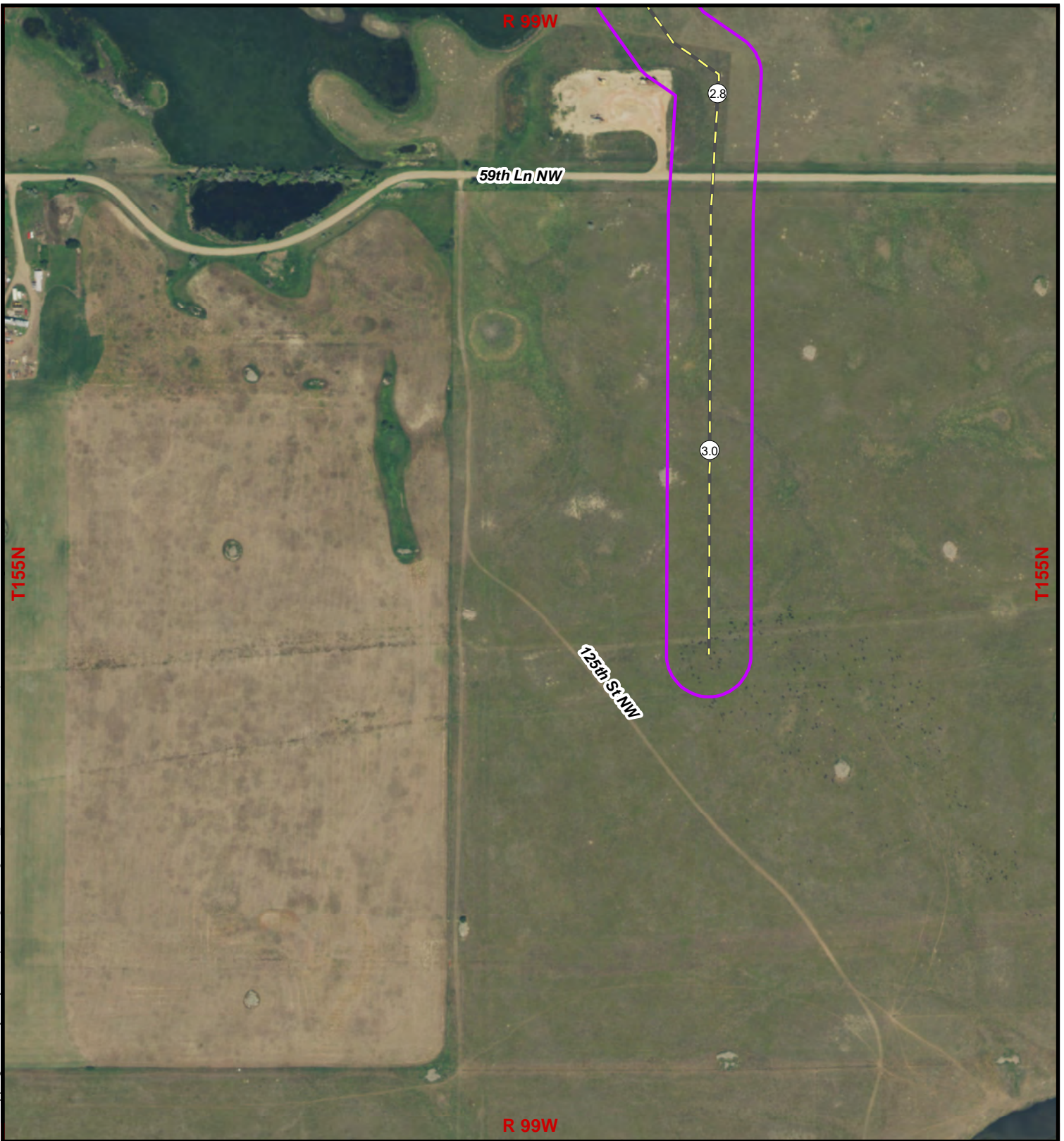
**Figure Figure 1.4
Noxious Weed Survey
Buddy Domindgo Transmission Line**



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Basemap: ND GIS Hub 2020 Imagery

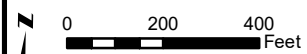




Legend

- Mile Post
- Proposed Project Centerline
- ▭ Survey Corridor (250-Foot / 95.3 Acres)
- Noxious Weeds

**Figure Figure 1.5
Noxious Weed Survey
Buddy Domindgo Transmission Line**



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Basemap: ND GIS Hub 2020 Imagery

