



**North Dakota Public Service Commission**

**Consolidated Siting Application**

**Continental Resources, Inc.**

**Buddy Domindgo Transmission Line**

Prepared by:  
**Carlson McCain**

March 2022

**EXHIBIT 1**

26 PU-22-141 Filed 06/06/2022 Pages: 551  
Exhibit 1 – Consolidated Siting Application  
Continental Resources, Inc.

March 3, 2022

**HAND DELIVERED**

Mr. Steve Kahl  
Executive Secretary Director  
North Dakota Public Service Commission  
600 E. Boulevard, Dept. 408  
Bismarck, ND 58505-0480

**Re: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Case No. PU-22-\_\_\_\_\_**

Dear Mr. Kahl:

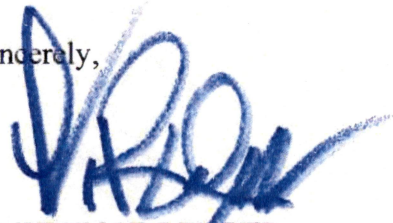
Please find enclosed herewith for filing with the North Dakota Public Service Commission, an original and five (5) copies of the following documents:

1. Consolidated Siting Application for a Certificate of Corridor Compatibility and Route Permit;
2. Application for Waiver or Reduction of Procedures and Time Schedules;
3. Black and White Map for Publication;
4. Corporate Papers for Continental Resources, Inc.; and
5. Municipal, Township and County Contact Information.

Also enclosed is a Compact Disc containing this letter and the above-referenced documents in PDF format and the \$17,750.00 application fee.

Should you have any questions, please advise.

Sincerely,



LAWRENCE BENDER

LB/kl  
Enclosures

75387758.1

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF NORTH DAKOTA**

IN THE MATTER OF THE APPLICATION  
OF CONTINENTAL RESOURCES, INC.  
FOR A CERTIFICATE OF CORRIDOR  
COMPATIBILITY AND ROUTE PERMIT  
FOR THE BUDDY DOMINDGO PIPELINE  
PROJECT IN WILLIAMS COUNTY,  
NORTH DAKOTA

CASE NO. PU-22-\_\_\_\_\_

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**Application of Continental Resources, Inc. for Waiver or Reduction of  
Procedures and Time Schedules**

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In connection with its submission of a consolidated application for a Certificate of Corridor Compatibility and Route Permit (“Consolidated Application”) for the construction of the Buddy Domindgo Pipeline (the “Project”), Continental Resources, Inc. (“Continental”), submits to the North Dakota Public Service Commission (the “Commission”) this application for a waiver or reduction of procedures and time schedules set forth in Chapter 49-22.1 of the North Dakota Century Code (“Siting Act”) and Article 69-06 of the North Dakota Administrative Code (“Siting Rules”). Continental requests the Commission waive and/or reduce procedures and time schedules required by the Siting Act and Siting Rules to accomplish the purposes as requested herein. In accordance with North Dakota Century Code Sections 49-22.1-05, 49-22.1-08 and 49-22.1-10, and North Dakota Administrative Code Section 69-06-01-02 and Chapter 69-06-06, Continental’s request includes, but is not limited to:

1. That the Commission accept the Consolidated Application for a certificate and route permit pursuant to Section 49-22.1-08 of the North Dakota Century Code and waive the provisions of North Dakota Century Code Sections 49-22.1-06, 49-22.1-07, and 49-22.1-10, and North Dakota Administrative Code Section 69-06-01-02 insofar as they require separate notices of filing of applications for a Certificate of Corridor

Compatibility (“Corridor Certificate”), a Route Permit, and the application for waiver of procedures and time schedules (“Waiver Application”), separate hearings on such applications, and certain time schedules as set forth in said statutes and rules.

2. That the Commission hold a single consolidated hearing on this Waiver Application and the Consolidated Application.
3. That the Commission allow for a consolidated notice of publication with respect to the Consolidated Application and Waiver Application.
4. That the Commission waive the requirements of Section 69-06-05-01(2)(f) of the North Dakota Administrative Code insofar as this section may require a corridor width of ten percent of the corridor’s length with a maximum width of six miles, reducing the required corridor width to between 200 feet and one mile for the Project.

Consistent with Section 69-06-06-01(2) of the North Dakota Administrative Code, Continental provides the following information in support of its waiver requests:

**A. Description of Proposed Project.**

1. **Type:** The proposed Project is located in Williams County, North Dakota and consists of construction of one (1) buried 8-inch steel natural gas pipeline commencing at the interconnection with the existing East Mon-Dak WBI Energy Transmission Line and terminating at Continental’s existing Buddy Domindgo well pad, a distance of approximately 3.1 miles, where the gas will be compressed and injected downhole for enhanced oil recovery purposes. Surface facilities (e.g., valves) related to the proposed pipeline will be located entirely within existing facility boundaries and pipeline markers will be placed along the Project route.

2. **Product:** The Project will transport natural gas.

3. **Capacity and Design:** The Project will require installation of 8-inch diameter steel pipeline with a nominal wall thickness of 0.250 -inches. The maximum operating pressure for the pipeline is 1,440 pounds per square inch (psi), with the normal operating pressure for the pipeline being 450 psi. The pipeline will be designed to operate at a maximum of 120 degrees Fahrenheit and to carry up to 30 million standard cubic feet per day (MMSCFD) of natural gas. The Project will be designed, constructed, operated, and maintained in compliance with applicable portions of the U.S. Department of Transportation regulations set forth in 49 C.F.R. Part 192, Transportation of Natural and Other Gas by Pipeline, and Part 195, Transportation of Hazardous Liquids.

For additional analysis of the capacity, design and technology utilized for the proposed Project, please see Section 1 of Continental's Consolidated Application, which accompanies this Waiver Application.

4. **Location:** As explained above, the 8-inch steel natural gas pipeline will originate at the interconnection with the existing East Mon-Dak WBI Energy Transmission Line in Section 2, Township 155 North, Range 99 West, Williams County, North Dakota, approximately 1.5 miles west of Epping, North Dakota. From the interconnection with the East Mon-Dak WBI Energy Transmission Line, the pipeline will travel north approximately 3.1 miles to Continental's existing Buddy Domindgo well pad located in Section 27, Township 156 North, Range 99 West. Maps of the proposed Project and route of the pipeline are provided in Appendix A to the Consolidated Application filed herewith.

5. **Geographical Service Area:** As noted above, the Project is located entirely in Williams County, North Dakota. The Project will transport gas from the existing East Mon-Dak WBI Energy Transmission Line for ultimate injection at Continental's Buddy Domindgo well pad for enhanced oil recovery purposes.

6. **Time Schedule:** Continental proposes to develop the Project on the following schedule:

- Continental has completed one hundred percent (100%) of the right-of-way acquisition required for the Project.
- After the Commission issues a Corridor Certificate and Route Permit for the Project, Continental will begin construction of the Project.
- Continental will have completed construction of the Project two months after commencement of construction.
- Commissioning and restoration activities will commence immediately following construction of the Project.

7. **Future Plans:** Continental has no specific plans for additions to or modification of the Project at this time.

8. **Need for the Facility and Alternatives Considered.**

The North Dakota Industrial Commission has approved Continental's application to determine the economic viability of enhanced oil recovery in the Bakken Pool with a stimulation process utilizing cyclic injection of natural gas and flowback operations (the "Pilot Injection Project"). Continental's goal is to achieve miscibility of the injected gas and reservoir oil to mobilize the oil and aid in its recovery. Continental believes the results of the Pilot Injection Project will aid in the future design of multiple well projects and better inform well-spacing and development strategies. The Buddy Domindgo Pipeline is necessary to supply sufficient volumes of natural gas to the Pilot Injection Project. For additional analysis of the need for the Project, including a discussion of alternatives evaluated, please see Sections 1 and 4 of the Consolidated Application, which accompanies this Waiver Application.

9. **Cost.**

The total estimated cost of the Project is \$3.55 million.

**B. Waiver Request.**

Continental requests that the Commission grant the waivers requested herein because these waivers are needed to prevent potentially significant delays to the Project. Without the waivers of time schedules and procedures requested, completion of Continental's proposed Project will be delayed, which in turn, will delay the environmentally sound and economic development and utilization of the oil and gas resources in western North Dakota.

Section 49-22.1-05 of the North Dakota Century Code provides that the Commission may waive procedures and time schedules upon a finding that "the proposed facility is of a length, design, location, or purpose that it will produce minimal adverse effects." Based upon the investigation and analysis set forth in Continental's Consolidated Application, granting the requested waivers is appropriate because the proposed Project will produce minimal adverse effects due to its length (approximately 3.1 miles of new construction), its design (underground piping and limited above-ground appurtenances associated with an underground pipeline), its location (located in rural Williams County, and avoiding Exclusion and Avoidance Areas, as set forth in Section 69-06-08-02 of the North Dakota Administrative Code), and its purpose (underground transportation of natural gas).

In determining whether the proposed pipeline will result in adverse impacts on the environment, Continental evaluated the Project using the criteria set forth in the Siting Act, the Siting Rules, and the Commission's guidelines. More specifically, Continental evaluated the impacts of the Project and associated facilities considering the siting criteria set forth in Section 69-06-08-02 of the North Dakota Administrative Code and the factors set forth in Section 49-22.1-09 of the North Dakota Century Code. Impacts associated with the Project, and mitigation measures that will be taken with respect to said impacts, are summarized in

Sections 3, 4, 5 and 6 of Continental's Consolidated Application. Based upon Continental's siting criteria evaluation, and the factors set forth in the Siting Rules, the Project will have minimal adverse effects.

Accordingly, Continental respectfully requests the Commission grant the requested waivers and render an expeditious decision.

Dated this 3rd day of March, 2022.

FREDRIKSON & BYRON, P.A.

By: 

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McCAIN**

**North Dakota Public Service Commission**  
**Consolidated Siting Application**  
**Continental Resources, Inc.**  
**Buddy Domindgo Transmission Line**

Prepared by:

**Carlson McCain**

March 2022

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Appendix B: Agency Consultations and Consultation Summary Table

Appendix C: Natural Resource Report

Appendix D: Cultural Resource Report

Appendix E: Noxious Weed Control Plan

Appendix F: Unanticipated Discovery and Treatment Plan

Appendix G: Corporate Emergency Response Plan

Appendix H: Damage Prevention Plan

Appendix I: Erosion and Sediment Control Plan

Appendix J: Fugitive Dust Control Plan

Appendix K: Spill Prevention Control and Countermeasure Plan

Appendix L: Acronyms and Abbreviations

## **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**

<b>Sections</b>	<b>Township</b>	<b>Range</b>	<b>Project Feature</b>
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.<sup>1</sup> The maps in Appendix A depict the proposed Route.

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<sup>1</sup> 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 (*Myotis septentrionalis*) - 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 1<sup>st</sup> through July 15<sup>th</sup>. 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 whooping 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 1<sup>st</sup> through July 15<sup>th</sup>. 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 minimized 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.

<b>Exclusion Area</b>	<b>Within Corridor</b>	<b>Within Survey Corridor</b>	<b>Crossed by Route</b>
<b>Federal</b>			
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
<b>State</b>			
Historic Sites, Monuments, or Historical Markers	No	No	No
Archaeological Sites	Yes	Yes	No
Parks	No	No	No
Nature Preserves	No	No	No
<b>County</b>			
Parks	No	No	No
Recreation Areas	No	No	No
Municipal Parks	No	No	No
Parks Owned/Operated by other Governmental Subdivisions	No	No	No
<b>Other</b>			
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 1<sup>st</sup> through July 15<sup>th</sup>. 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**

### **William McCarthy, C.W.B.**

Senior Environmental Compliance Analyst  
Carlson McCain, 15650 36<sup>th</sup> Ave. N, Suite 100, Plymouth MN 55449

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.

### **Todd Hartleben, PE**

Principal Engineer  
Carlson McCain, 3831 Lockport St, Suite C, Bismarck ND 58503

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.

### **Chad Tucker**

Biologist  
Carlson McCain, 3831 Lockport St, Suite C, Bismarck ND 58503

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.

### **Jared Weingartner**

Project Manager  
Continental Resources, 20 N. Broadway Ave, Oklahoma City, OK 73102

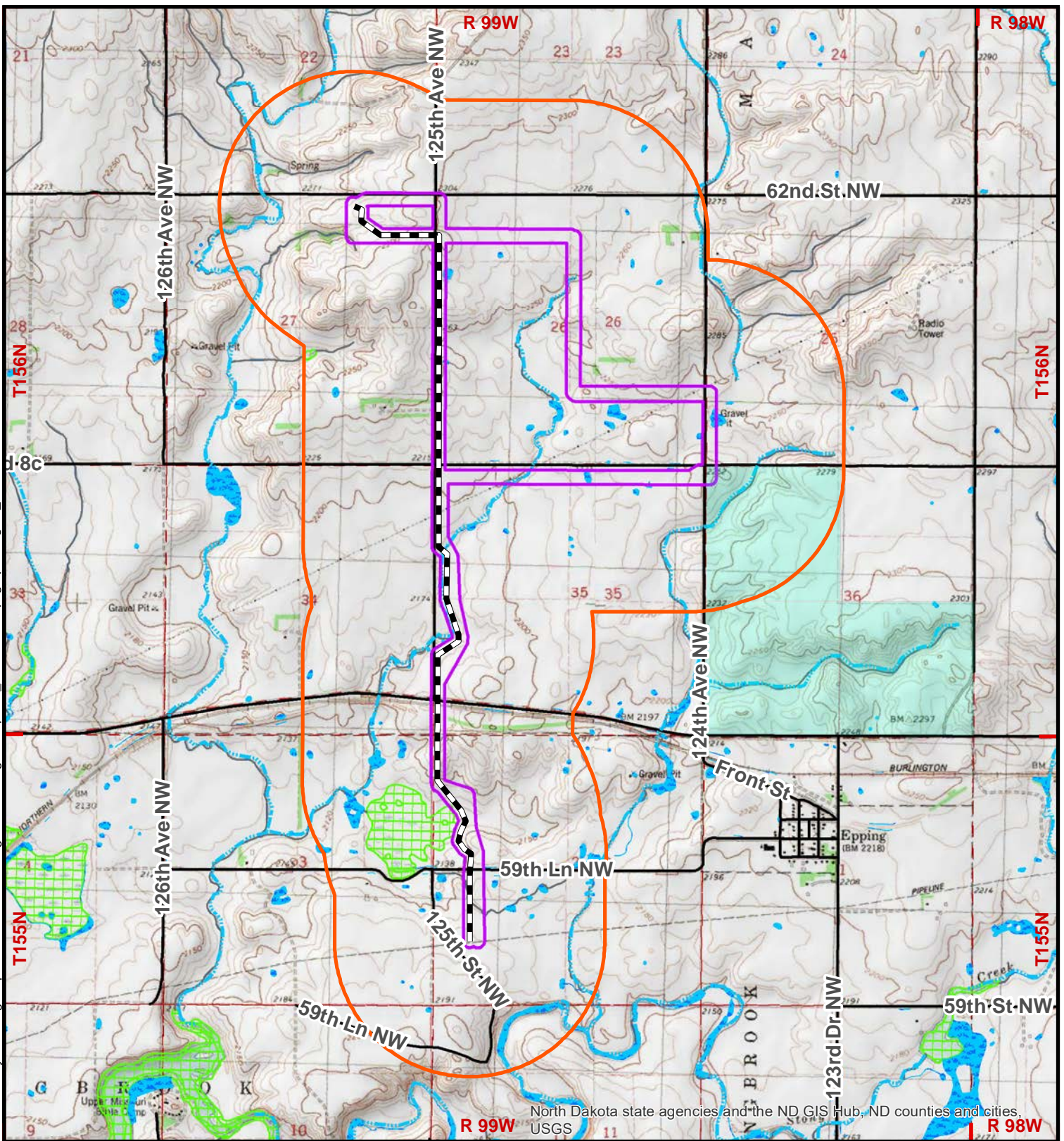
B.S. Chemical Engineering, University of Oklahoma. Mr. Weingartner is a chemical engineer with over 10 years of experience in oil and gas facilities and pipeline design and execution working for various producers and midstream companies.

75343482.4

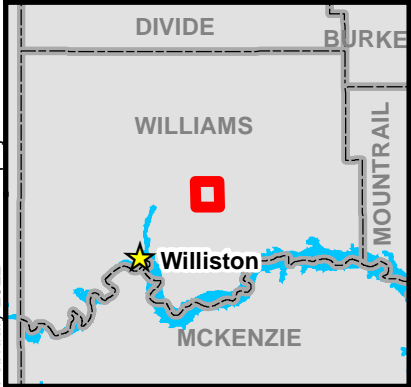
APPENDIX A: PROJECT MAPS

R:\projects\9501-1000\09716 - Buddy Domindgo Pipeline\ND\_PSC\IPSC Figures Update\_01282022\Topographic\_Figure\_Portrait.mxd

February 2022



North Dakota state agencies and the ND GIS Hub, ND counties and cities, USGS



**Legend**

- Centerline
- Study Corridor (1-Mile)
- ND Surface Trust Land
- Surveyed Area
- NHD Intermittent Stream
- National Wetland Inventory**
- Freshwater Wetland
- Waterbody
- Riverine

**Continental Resources, Inc.**  
 Buddy Domindgo Transmission Line

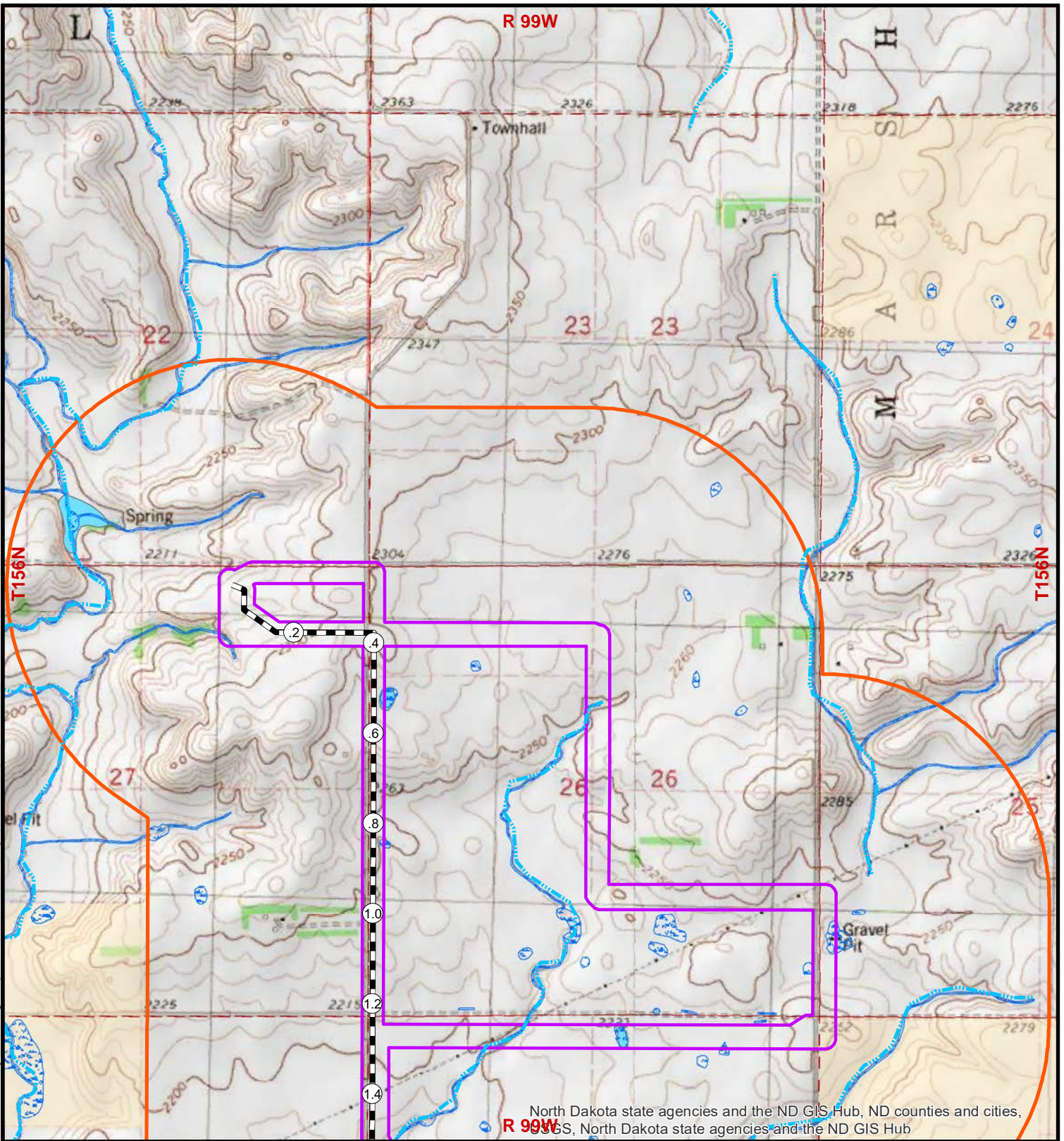
Topo Overview Map  
 Williams County, North Dakota

0 0.25 0.5  
 Miles

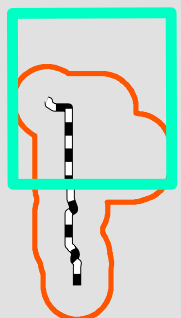
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**CARLSON  
 MCCAIN**  
ENVIRONMENTAL • ENGINEERING • LAND SURVEYING  
 3831 Lockport Street, Suite C, Bismarck, North Dakota 58503  
 www.carlsonmccain.com

Basemap: ND GIS Hub\_All\_Elevation\_TopoMap Shaded Relief 24K



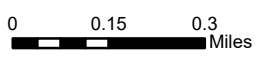
North Dakota state agencies and the ND GIS Hub, ND counties and cities, and the ND GIS Hub



- Legend**
- Mile Post Marker
  - Centerline
  - NHD Intermittent Stream
  - Study Corridor (1-Mile)
  - Surveyed Area
  - NWI Wetland
  - NHD Waterbody
  - Landslide Deposits
  - Mineral Trust Lands

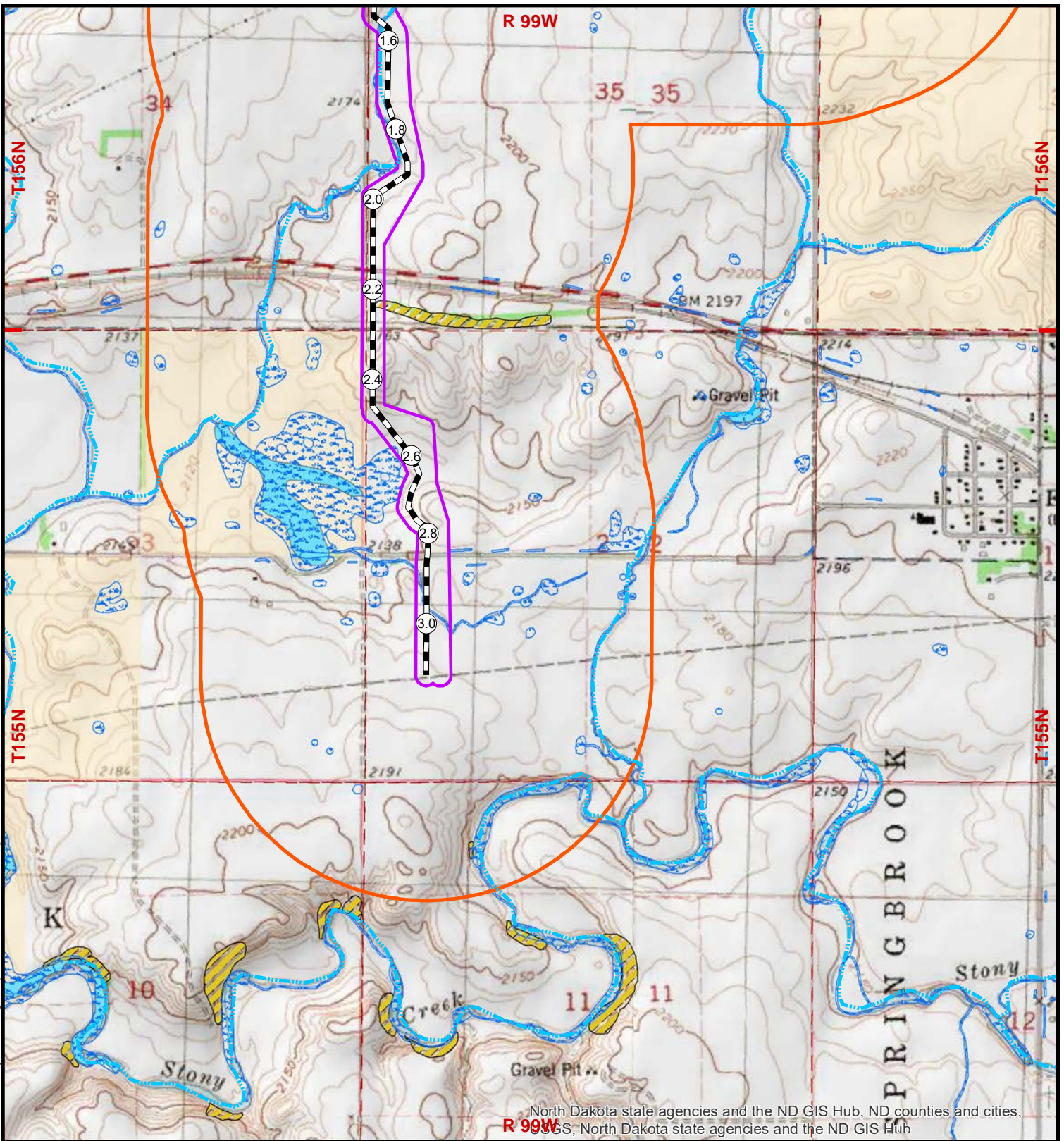


**Continental Resources, Inc.**  
Buddy Domindgo Transmission Line  
Natural Resource - Topo Map 1 of 2  
Williams County, North Dakota

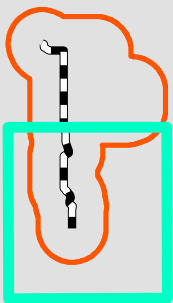


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North Dakota state agencies and the ND GIS Hub, ND counties and cities, R 99W, North Dakota state agencies and the ND GIS Hub

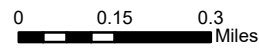


**Legend**

- Mile Post Marker
- Centerline
- NHD Intermittent Stream
- Study Corridor (1-Mile)
- Surveyed Area
- NWI Wetland
- NHD Waterbody
- Landslide Deposits
- Mineral Trust Lands



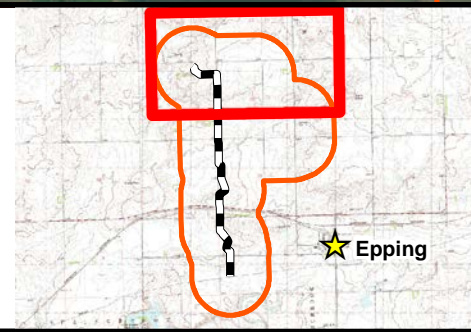
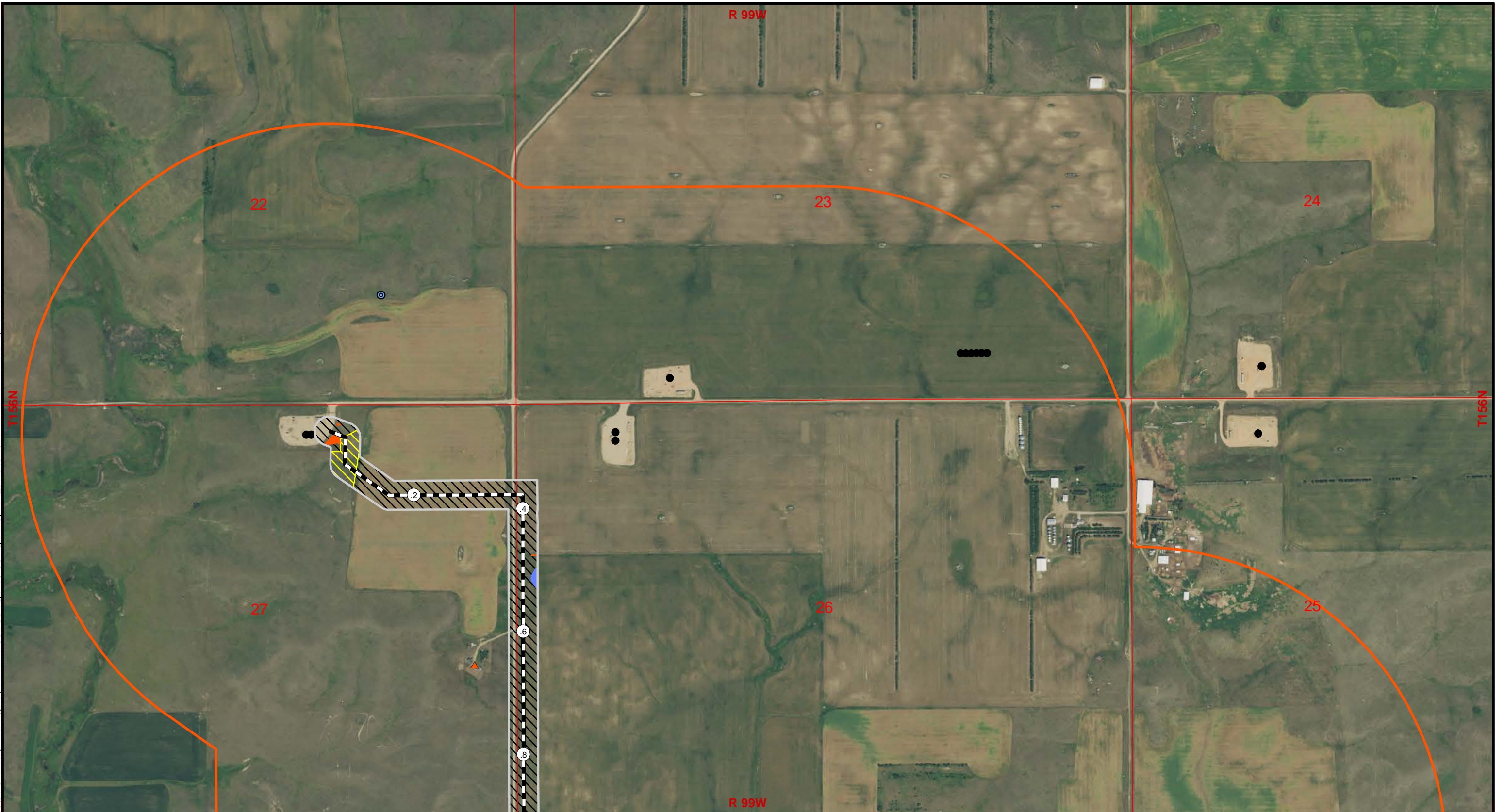
**Continental Resources, Inc.**  
Buddy Domindgo Transmission Line  
Natural Resource - Topo Map 2 of 2  
Williams County, North Dakota



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February 2022 R:\projects\9501-10000\9716 - Buddy Domindgo Pipeline\ND\_PSC\Figures\Natural Resources Landscape 11x17.mxd



**Legend**

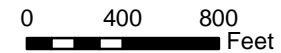
- |                                     |                 |                           |   |                |
|-------------------------------------|-----------------|---------------------------|---|----------------|
| Centerline                          | Ephemeral Drain | <b>DASK Habitat Grade</b> | Mile Post   | ND Well Data   |
| Surveyed Area (250-ft / 95.3 Acres) | Wetland         | No Habitat                | Raptor Nest   | Oil / Gas Well |
| Corridor (1-Mile)                   | Shrub Polygon   | Poor Habitat              | Potentially Occupied Structure within 1-Mile Corridor       |                |
| PLSS Section                        | Noxious Weeds   | Moderate Habitat          | Potentially Occupied Structure within 500 ft. of Centerline |                |



Basemap: NAIP\North\_Dakota\_2020



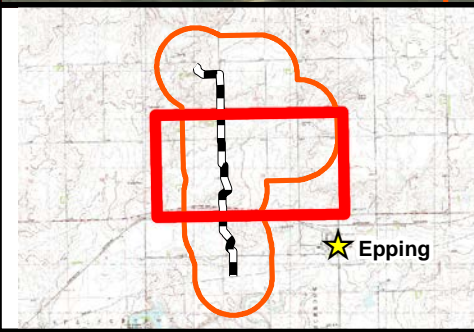
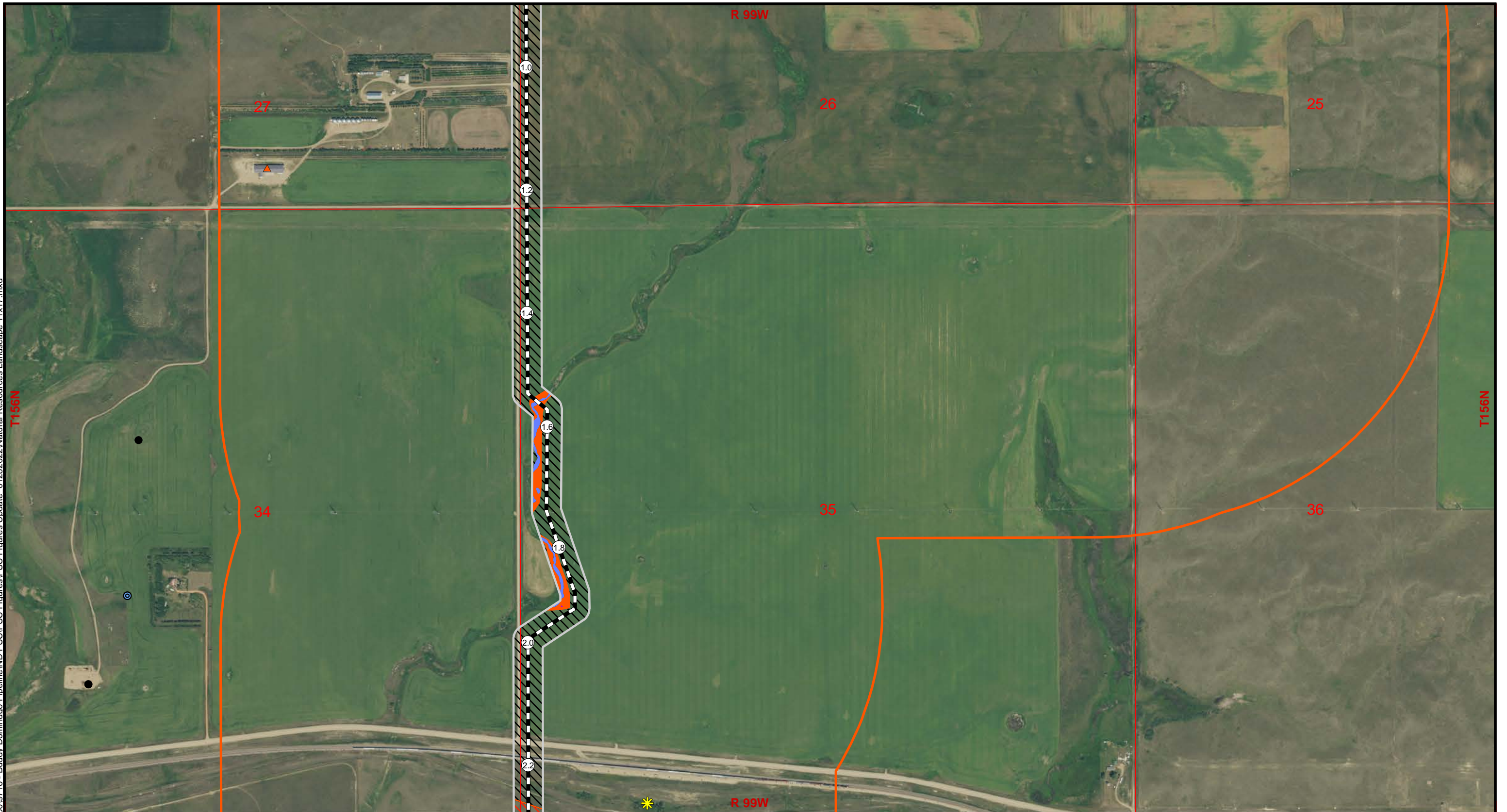
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**Continental Resources, Inc.**  
**Buddy Domindgo Transmission Line**

**Natural Resource - Aerial Map 1 of 3**  
**Williams County, North Dakota**

February 2022 R:\projects\9501-10000\9716 - Buddy Domindgo Pipeline\ND\_PSC\Figures\Natural Resources Landscape 11x17.mxd



**Legend**

- |                                     |                 |                           |   |                |
|-------------------------------------|-----------------|---------------------------|---|----------------|
| Centerline                          | Ephemeral Drain | <b>DASK Habitat Grade</b> | Mile Post   | ND Well Data   |
| Surveyed Area (250-ft / 95.3 Acres) | Wetland         | No Habitat                | Raptor Nest   | Oil / Gas Well |
| Corridor (1-Mile)                   | Shrub Polygon   | Poor Habitat              | Potentially Occupied Structure within 1-Mile Corridor       |                |
| PLSS Section                        | Noxious Weeds   | Moderate Habitat          | Potentially Occupied Structure within 500 ft. of Centerline |                |



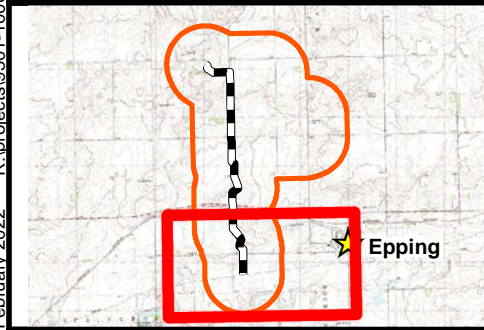
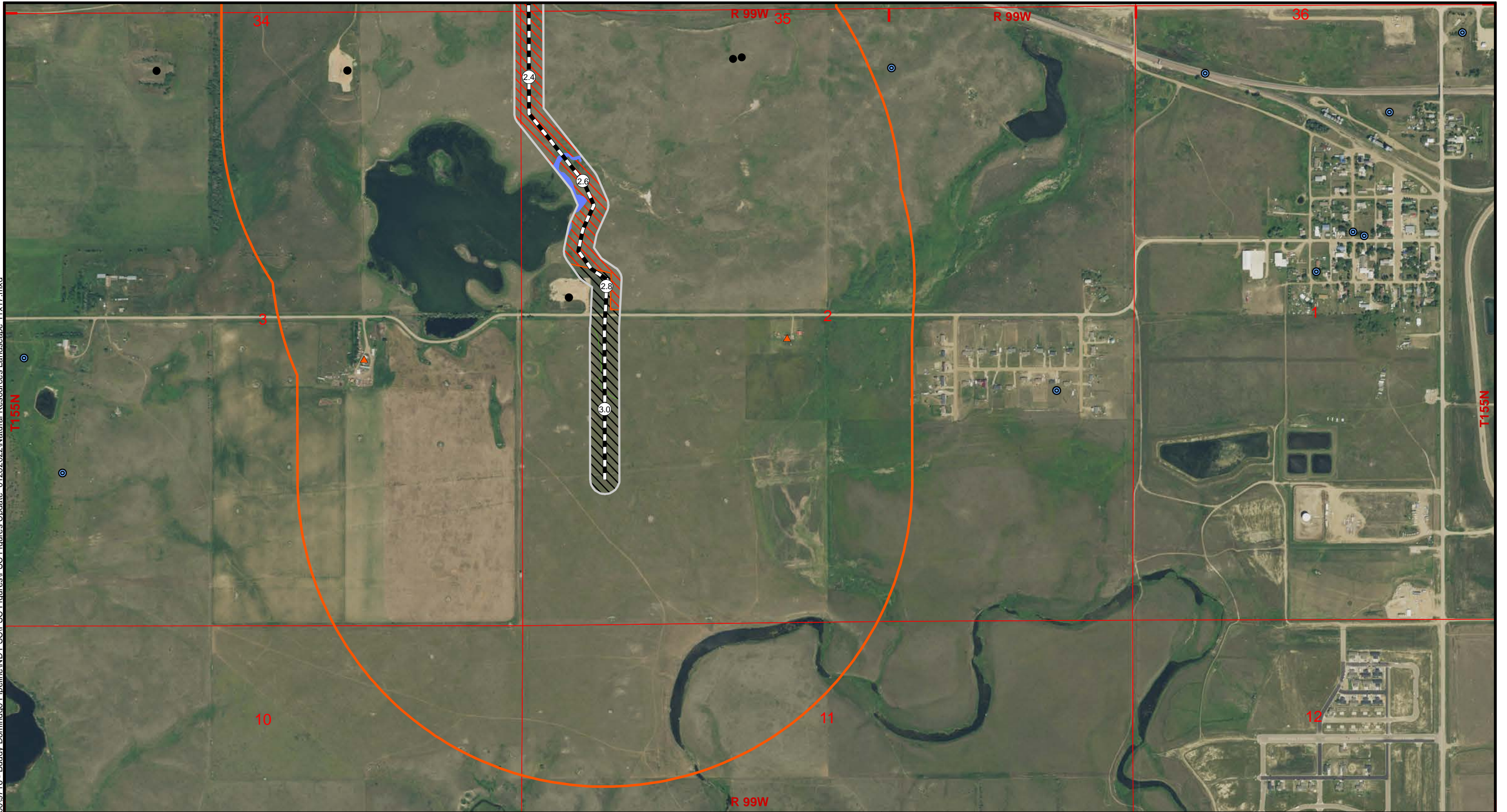
Basemap: NAIP\North\_Dakota\_2020



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0 400 800 Feet

**Continental Resources, Inc.**  
**Buddy Domindgo Transmission Line**  
**Natural Resource - Aerial Map 2 of 3**  
**Williams County, North Dakota**

February 2022 R:\projects\9501-10000\9716 - Buddy Domindgo Pipeline\ND\_PSC\Figures\Natural Resources Landscape 11x17.mxd



**Legend**

- Centerline
- Surveyed Area (250-ft / 95.3 Acres)
- Corridor (1-Mile)
- PLSS Section
- Ephemeral Drain
- Wetland
- Shrub Polygon
- Noxious Weeds
- DASK Habitat Grade**
- No Habitat
- Poor Habitat
- Moderate Habitat
- Mile Post
- Raptor Nest
- Potentially Occupied Structure within 1-Mile Corridor
- Potentially Occupied Structure within 500 ft. of Centerline
- ND Well Data
- Oil / Gas Well

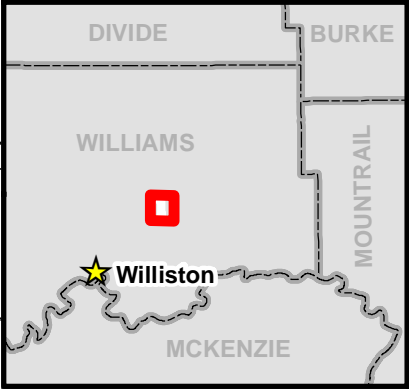
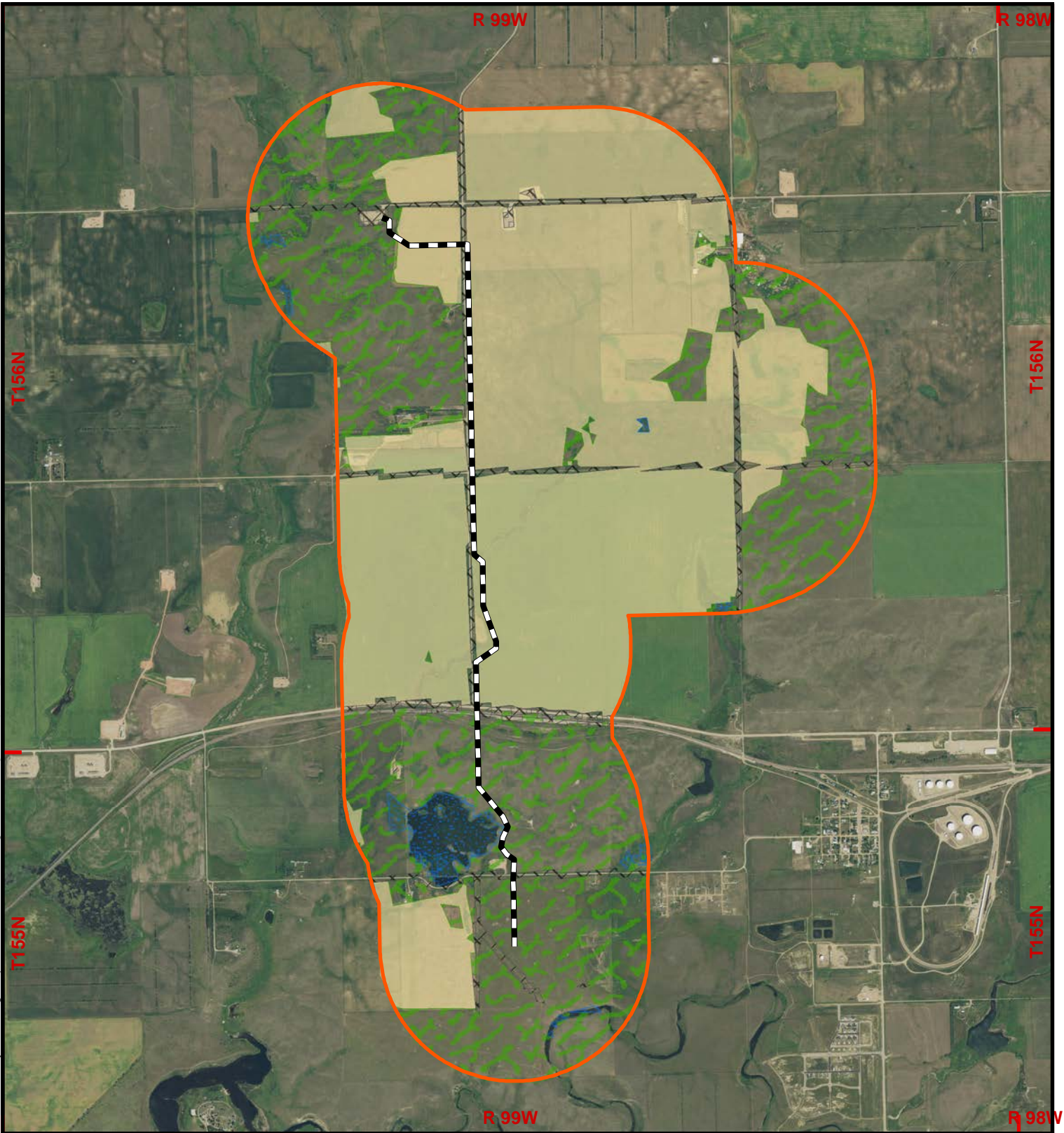


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0 400 800 Feet

Basemap: NAIP\North\_Dakota\_2020

**Continental Resources, Inc.**  
**Buddy Domindgo Transmission Line**  
**Natural Resource - Aerial Map 3 of 3**  
**Williams County, North Dakota**

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February 2022



**Legend**

- Centerline
- Corridor (1-Mile)
- GAP Land Cover**
  - Cultivated Crops
  - Developed and Other Human Use
  - Wetlands and Waterbodies
  - Shrubland and Grassland

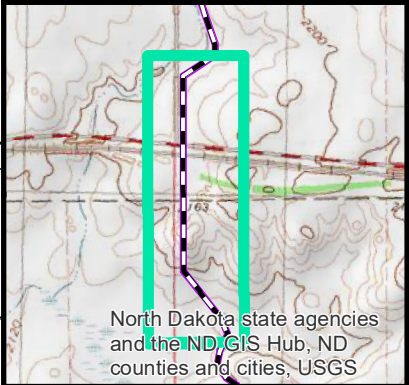
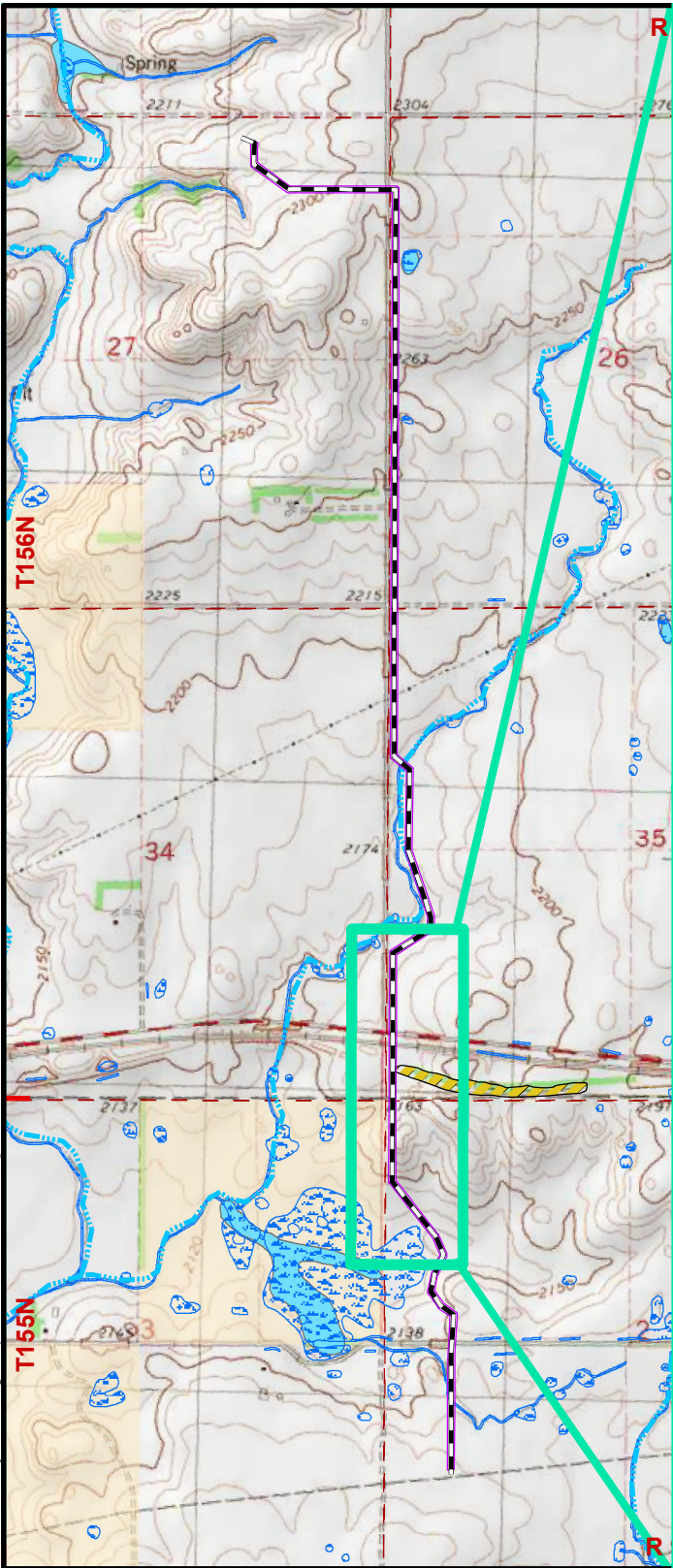
**Continental Resources, Inc.**  
**Buddy Domindgo Transmission Line**  
**Land Cover Map**  
**Williams County, North Dakota**

0 0.25 0.5 Miles

1:31,680

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www.carlsonmccain.com

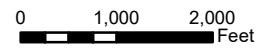
Basemap: ND GIS Hub\_AerialImage\_ND\_2020



North Dakota state agencies  
and the ND GIS Hub, ND  
counties and cities, USGS

- Legend**
- Centerline
  - NHD Intermittent Stream
  - ROW (75-Foot)
  - Landslide Deposits
  - NWI Wetland
  - NHD Waterbody
  - Mineral Trust Lands

**Continental Resources, Inc.**  
**Buddy Domindgo Transmission Line**  
 Landslide Deposits Map  
 Williams County, North Dakota



1:24,000



APPENDIX B: AGENCY CONSULTATIONS AND CONSULTATION SUMMARY TABLE



November 3, 2021

Federal Aviation Administration  
2301 University, Drive #23A  
Bismarck, ND 58504

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Dear Sir or Madam,

Continental Resources, Inc. is proposing to construct and operate 5.1 miles of natural gas pipeline in Williams County. The project is referred to as the Buddy Domindgo Pipeline Project (Project) and will be located in Williams County, North Dakota spanning across:

- Section 2, Township 155N, Range 99W
- Section 25, Township 156N, Range 99W
- Section 26, Township 156N, Range 99W
- Section 27, Township 156N, Range 99W
- Section 35, Township 156N, Range 99W
- Section 36, Township 156N, Range 99W

The Project will transfer natural gas that will be compressed and used for enhanced oil recovery. Construction activities are scheduled to begin in the first quarter of 2022 with pipeline commissioning and right-of-way restoration immediately following construction. The Project site and a 1-mile-wide corridor (Study Area) are depicted on the attached map.

The purpose of this letter is to provide notification of the proposed Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

Carlson McCain Inc. has been retained by Continental Resources, Inc. to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at 701-595-7007 or [ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com).

In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

*Buddy Domindgo Pipeline Project  
Williams County, North Dakota*

*November 3, 2021*

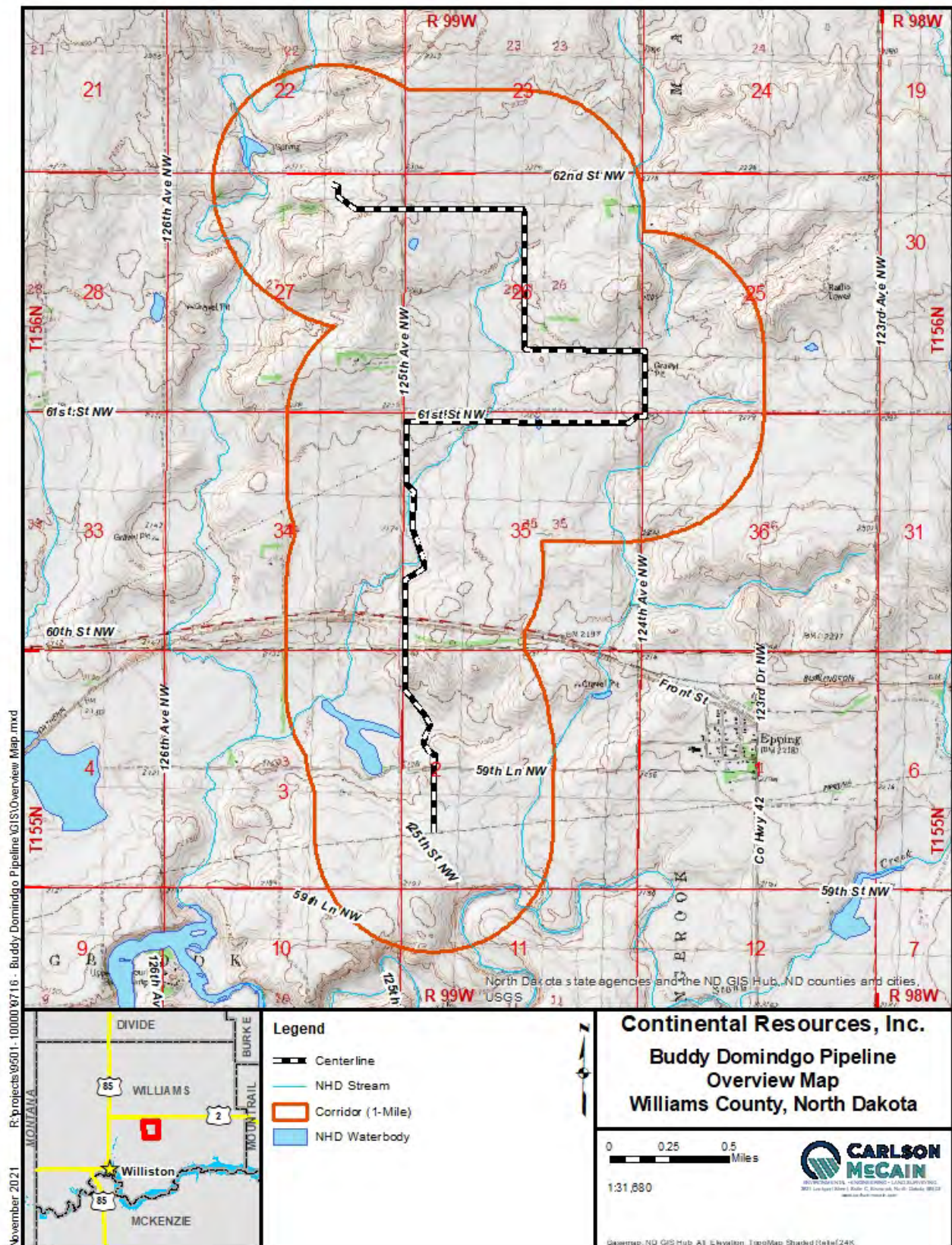
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files





February 8, 2022

Federal Aviation Administration  
2301 University, Drive #23A  
Bismarck, ND 58504

RE: Continental Resources, Inc.  
Buddy Domindgo Distribution Line  
Project Notification Letter and Review Request

Dear Sir or Madam,

Continental Resources, Inc. is proposing a route change to the proposed Buddy Domindgo Distribution Line (Project). Consultation letters were sent out for the previous alignment on November 3, 2021. A figure depicting the new alignment is attached. The new alignment is 3.1 miles long and located in Williams County, North Dakota spanning across portions of:

- Section 2, Township 155N, Range 99W
- Section 26, Township 156N, Range 99W
- Section 27, Township 156N, Range 99W
- Section 35, Township 156N, Range 99W

The purpose of this letter is to provide notification of the proposed Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

Carlson McCain Inc. has been retained by Continental Resources, Inc. to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at 701-595-7007 or [ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com).

In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

Sincerely,

A handwritten signature in blue ink that reads "Chad Tucker".

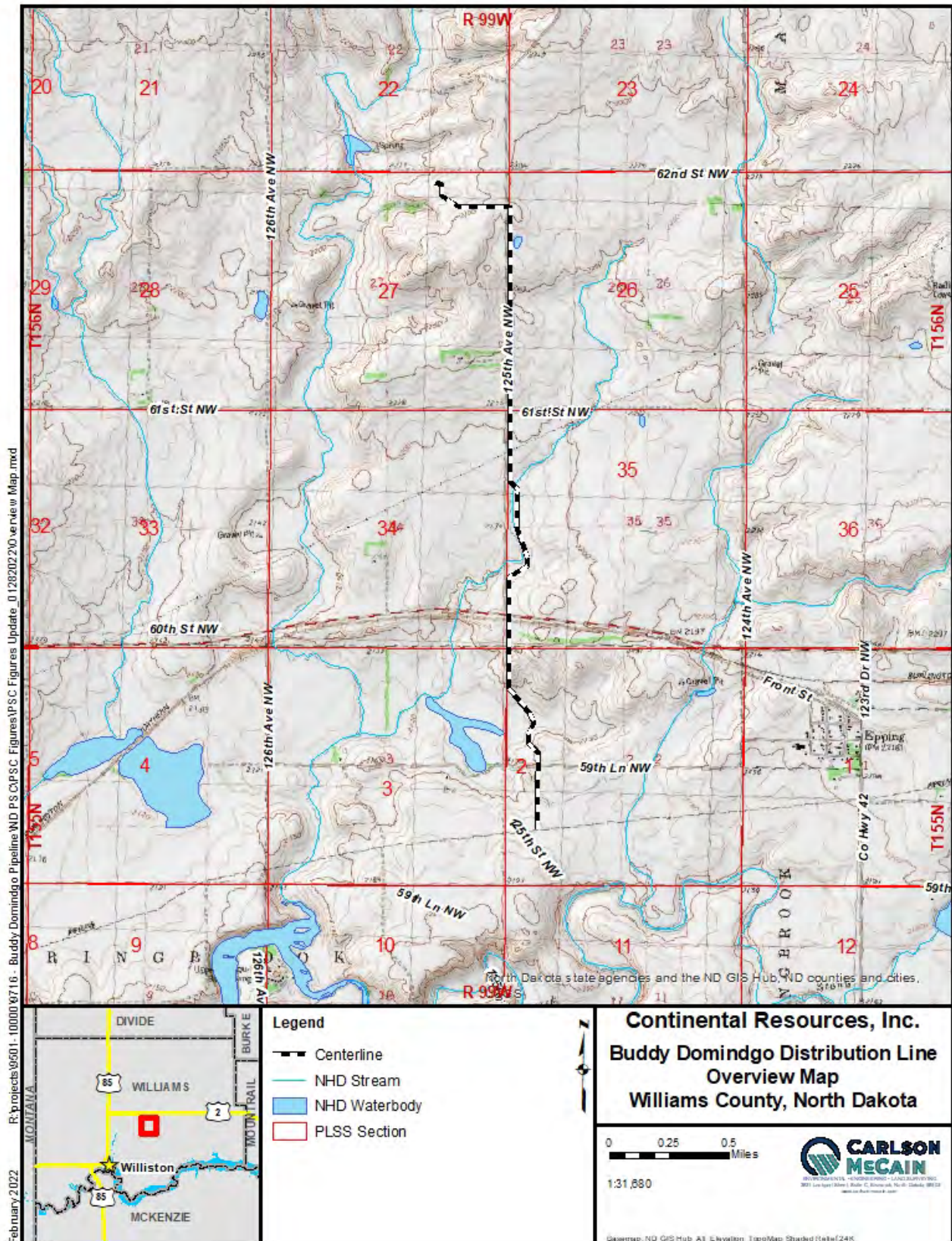
*Buddy Domindgo Distribution Line  
Williams County, North Dakota*

*February 8, 2022*

Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



U.S. FISH AND WILDLIFE SERVICE

November 3, 2021

Drew Becker  
U.S. Fish and Wildlife Service  
North Dakota Ecological Services-Field Office  
3425 Miriam Ave.  
Bismarck, ND 58501-7926

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Mr. Becker,

Continental Resources, Inc. (Continental) is proposing to construct and operate 5.1 miles of 8-inch natural gas pipeline in Williams County. The project is referred to as the Buddy Domindgo Pipeline Project (Project). The Project is characterized as a transmission line by state regulatory authorities. The Project would span across:

- Section 2, Township 155N, Range 99W
- Section 25, Township 156N, Range 99W
- Section 26, Township 156N, Range 99W
- Section 27, Township 156N, Range 99W
- Section 35, Township 156N, Range 99W
- Section 36, Township 156N, Range 99W

The Project will transfer natural gas that will be compressed and used for enhanced oil recovery. Construction activities are scheduled to begin in the first quarter of 2022 with pipeline commissioning and right-of-way restoration immediately following construction. The Project site and a 1-mile-wide corridor (Study Area) are depicted on the attached map.

The purpose of this request is to provide the U.S. Fish and Wildlife Service (USFWS) with notification of the proposed Project and to share Continental's analysis of the environmental topics relevant to the Commission's siting requirements. The siting process allows agencies to participate in the regulatory process should you choose to comment on the Project, or the analysis contained herein.

On October 29, 2021, Carlson McCain conducted a web-based consultation using USFWS's IPaC system. The species addressed in this analysis are based upon results of the project specific query of the IPaC system.

### **Federally Listed Species Analysis:**

The results of the search of the USFWS's IPaC system on May 20,2021 found the following:

- Northern long-eared bat (*Myotis septentrionalis*) – threatened
- Piping plover (*Charadrius melodus*) – threatened
- Red knot (*Calidris canutus rufa*) –threatened
- Dakota Skipper (*Hesperia docatoae*) – threatened
- Whooping crane (*Grus americana*) – endangered

#### **Northern long-eared bat:**

The northern long-eared bat (NLEB) roosts underneath bark, in cavities, or in crevices of both live and dead trees. Populations have also been found in cool environments such as caves and mines and prefer to spend winter hibernating in locations with high humidity and no air currents. Breeding females will congregate and form colonies in May to late July for pup rearing. White-nose syndrome (WNS) is the predominant threat to the northern long-eared bat. North Dakota is included in the current extent of WNS zone per the Final 4(d) Rule. The field survey recorded three peachleaf willow (*Salix amygdaloides*) trees and one eastern cottonwood (*Populus deltoides*) located in the SW1/4 of Section 25, T156N, R99W. The trees were mature (> 3" DBH) and may provide suitable summer roosting habitat. No potential winter hibernacula were observed within the Survey Corridor and there are no known bat hibernacula in Williams County (NDGFD 2021). It is reasonable to expect the Project **may affect** but is **not likely to adversely affect** the northern long-eared bat.

#### **Piping plover**

The Piping plover is associated with shorelines along small alkaline lakes, large reservoir beaches, and river islands and adjacent sand pits. Breeding birds select wide beaches with highly clumped vegetation covering less than 25 percent of the area. Breeding season in North Dakota occurs mid-April through August. The Missouri River and Lake Sakakawea, approximately 12 miles south of the site at its nearest point, are the closest designated critical habitats for the piping plover. Desktop analysis supported with field studies have concluded that no suitable habitat is present within the Project area. On this basis we conclude that the Project will have **no effect** on the piping plover.

### Red knot

The red knot migrates between breeding grounds in Canada and wintering grounds in South America. A significant factor threatening the red knot is destruction and modification of its habitat due to beach erosion and shoreline protection and stabilization projects. Migratory behavior and habitat requirements of this species are poorly understood particularly for those populations utilizing the midcontinent flyways. Inland stopovers include the Mississippi Valley, Great Lakes, and Great Plains. Desktop analysis supported with field studies have concluded that no suitable habitat is present within the Project area. On this basis we conclude that the Project will have **no effect** on the red knot.

### Whooping crane

The whooping crane is a large-bodied marsh species that breeds primarily in Canada and winters in the Gulf of Mexico. This species has been closely studied and monitored in recent years due to its limited population. North Dakota is located within the migratory route for the species, providing roosting and feeding opportunities during migration. This species prefers larger wetland complexes for roosting habitat, typically using adjacent uplands for foraging opportunities.

Precautionary measures will be implemented if whooping cranes are sighted in or near the Project area. Continental will voluntarily suspend heavy equipment operation activities and notify the USFWS should a whooping crane be spotted within 0.5 mile of the Project area. Heavy equipment activities will resume upon the departure of the individual(s). Construction activities would likely serve as a deterrent for migrating cranes. Once the Project has been constructed and disturbed areas restored, the Project would largely resemble the surrounding landscape and would be available for crane utilization. The Project would not result in a loss of crane habitat. Provided the mitigation measures are fully implemented, we concluded that the Project would have **no effect** on the whooping crane.

### Dakota skipper

The Dakota skipper is a diminutive butterfly of the prairie. The species is an obligate resident of high-quality prairie grasslands whose range includes the prairies of Canada in Manitoba and Saskatchewan, and North Dakota, South Dakota, and Minnesota. The species is native to these areas (USFWS, 2019). The historic range may have previously extended south to include portions of Illinois and Iowa; locations where the species is now considered extirpated (USFWS, 2016). The preferred habitat ranges from wet-mesic tall grass prairie to dry-mesic mixed grass

prairie of high quality (Larson, 2019). Additionally, they prefer habitats which have wood lily (*Lilium philadelphicum*) and mountain deathacamas (*Zigadenus elegans*), and where nectar sources are present. 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.

**USFWS Managed Lands:**

Conservation programs such as Waterfowl Production Areas and wetland and grassland easements represent an important tool used by USFWS to identify and manage high quality wildlife habitat. A review of public records failed to identify any of these USFWS managed lands in the Project study area. Continental requests that USFWS notify Continental of any USFWS managed lands located within the proposed study area.

**Migratory Bird Consultation:**

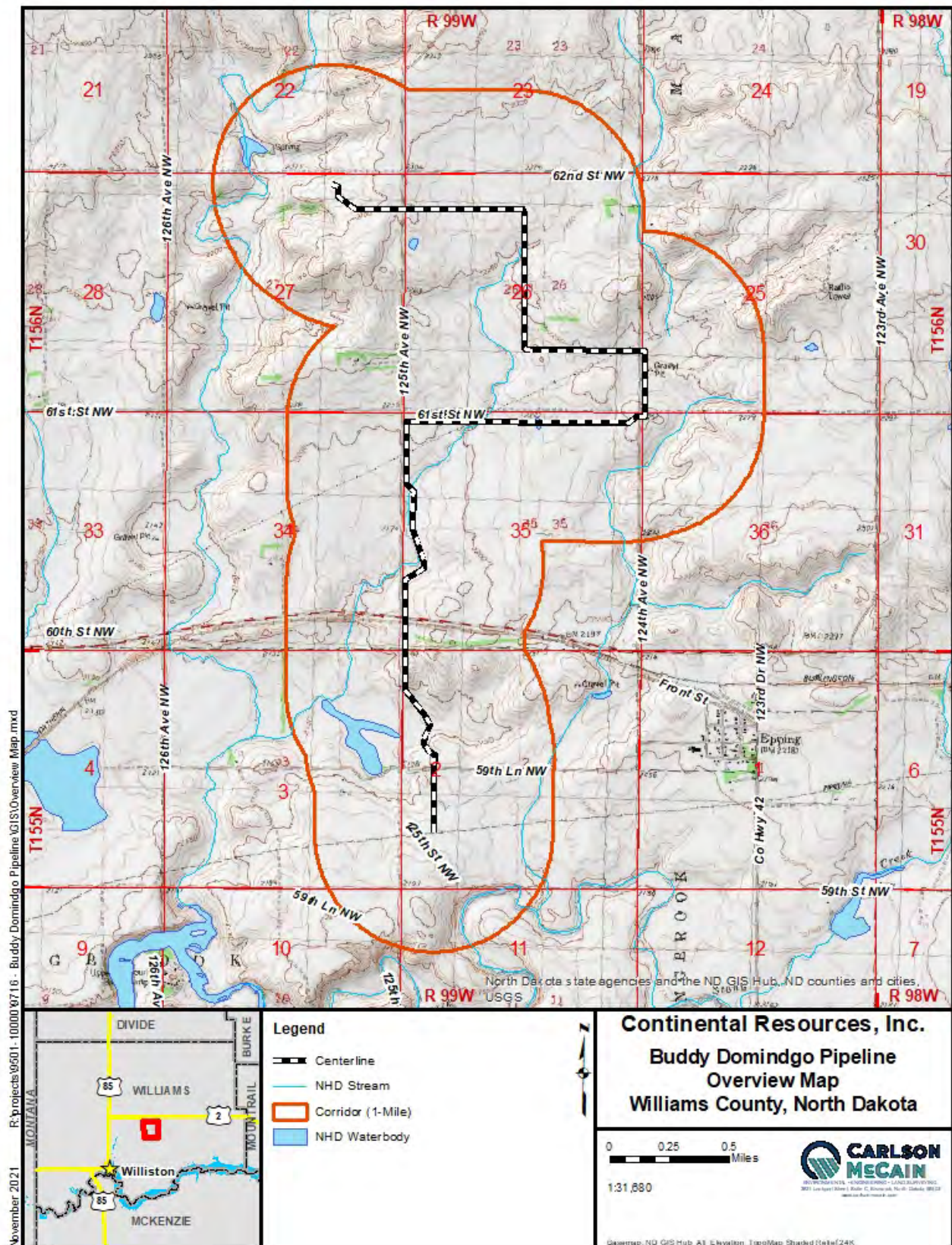
The USFWS administers various wildlife related mandates of national concern including the Migratory Bird Treaty Act (MBTA). Continental understands that unlike the Endangered Species Act, the MBTA has no provisions for the allowance of a take and therefore compliance may best be achieved by avoiding or minimizing the potential to interact with migratory species during the active breeding season. Continental also understands that in North Dakota, the breeding season is typically defined as occurring annually from February 1 through July 15. Construction is scheduled to take place in the first quarter of 2022. If construction activities occur during the nesting season, pre-construction surveys for nesting birds would be performed.

Carlson McCain has been retained by Continental to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at 701-595-7007 or [ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com). In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain, Inc.



November 3, 2021

Drew Becker  
U.S. Fish and Wildlife Service  
North Dakota Ecological Services-Field Office  
3425 Miriam Ave.  
Bismarck, ND 58501-7926

DREW BECKER Digitally signed by DREW BECKER  
Date: 2021.11.23 08:47:17 -06'00'

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Mr. Becker,

Continental Resources, Inc. (Continental) is proposing to construct and operate 5.1 miles of 8-inch natural gas pipeline in Williams County. The project is referred to as the Buddy Domindgo Pipeline Project (Project). The Project is characterized as a transmission line by state regulatory authorities. The Project would span across:

- Section 2, Township 155N, Range 99W
- Section 25, Township 155N, Range 99W
- Section 26, Township 155N, Range 99W
- Section 27, Township 155N, Range 99W
- Section 35, Township 156N, Range 99W
- Section 36, Township 156N, Range 99W

The Project will transfer natural gas that will be compressed and used for enhanced oil recovery. Construction activities are scheduled to begin in the first quarter of 2022 with pipeline commissioning and right-of-way restoration immediately following construction. The Project site and a 1-mile-wide corridor (Study Area) are depicted on the attached map.

The purpose of this request is to provide the U.S. Fish and Wildlife Service (USFWS) with notification of the proposed Project and to share Continental's analysis of the environmental topics relevant to the Commission's siting requirements. The siting process allows agencies to participate in the regulatory process should you choose to comment on the Project, or the analysis contained herein.

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### **Federally Listed Species Analysis:**

The results of the search of the USFWS's IPaC system on May 20, 2021 found the following:

- Northern long-eared bat (*Myotis septentrionalis*) – threatened
- Piping plover (*Charadrius melodus*) – threatened
- Red knot (*Calidris canutus rufa*) – threatened
- Dakota Skipper (*Hesperia docatoae*) – threatened
- Whooping crane (*Grus americana*) – endangered

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The red knot migrates between breeding grounds in Canada and wintering grounds in South America. A significant factor threatening the red knot is destruction and modification of its habitat due to beach erosion and shoreline protection and stabilization projects. Migratory behavior and habitat requirements of this species are poorly understood particularly for those populations utilizing the midcontinent flyways. Inland stopovers include the Mississippi Valley, Great Lakes, and Great Plains. Desktop analysis supported with field studies have concluded that no suitable habitat is present within the Project area. On this basis we conclude that the Project will have **no effect** on the red knot.

### Whooping crane

The whooping crane is a large-bodied marsh species that breeds primarily in Canada and winters in the Gulf of Mexico. This species has been closely studied and monitored in recent years due to its limited population. North Dakota is located within the migratory route for the species, providing roosting and feeding opportunities during migration. This species prefers larger wetland complexes for roosting habitat, typically using adjacent uplands for foraging opportunities.

Precautionary measures will be implemented if whooping cranes are sighted in or near the Project area. Continental will voluntarily suspend heavy equipment operation activities and notify the USFWS should a whooping crane be spotted within 0.5 mile of the Project area. Heavy equipment activities will resume upon the departure of the individual(s). Construction activities would likely serve as a deterrent for migrating cranes. Once the Project has been constructed and disturbed areas restored, the Project would largely resemble the surrounding landscape and would be available for crane utilization. The Project would not result in a loss of crane habitat. Provided the mitigation measures are fully implemented, we concluded that the Project would have **no effect** on the whooping crane.

### Dakota skipper

The Dakota skipper is a diminutive butterfly of the prairie. The species is an obligate resident of high-quality prairie grasslands whose range includes the prairies of Canada in Manitoba and Saskatchewan, and North Dakota, South Dakota, and Minnesota. The species is native to these areas (USFWS, 2019). The historic range may have previously extended south to include portions of Illinois and Iowa; locations where the species is now considered extirpated (USFWS, 2016). The preferred habitat ranges from wet-mesic tall grass prairie to dry-mesic mixed grass

prairie of high quality (Larson, 2019). Additionally, they prefer habitats which have wood lily (*Lilium philadelphicum*) and mountain deathacamas (*Zigadenus elegans*), and where nectar sources are present. 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.

**USFWS Managed Lands:**

Conservation programs such as Waterfowl Production Areas and wetland and grassland easements represent an important tool used by USFWS to identify and manage high quality wildlife habitat. A review of public records failed to identify any of these USFWS managed lands in the Project study area. Continental requests that USFWS notify Continental of any USFWS managed lands located within the proposed study area.

**Migratory Bird Consultation:**

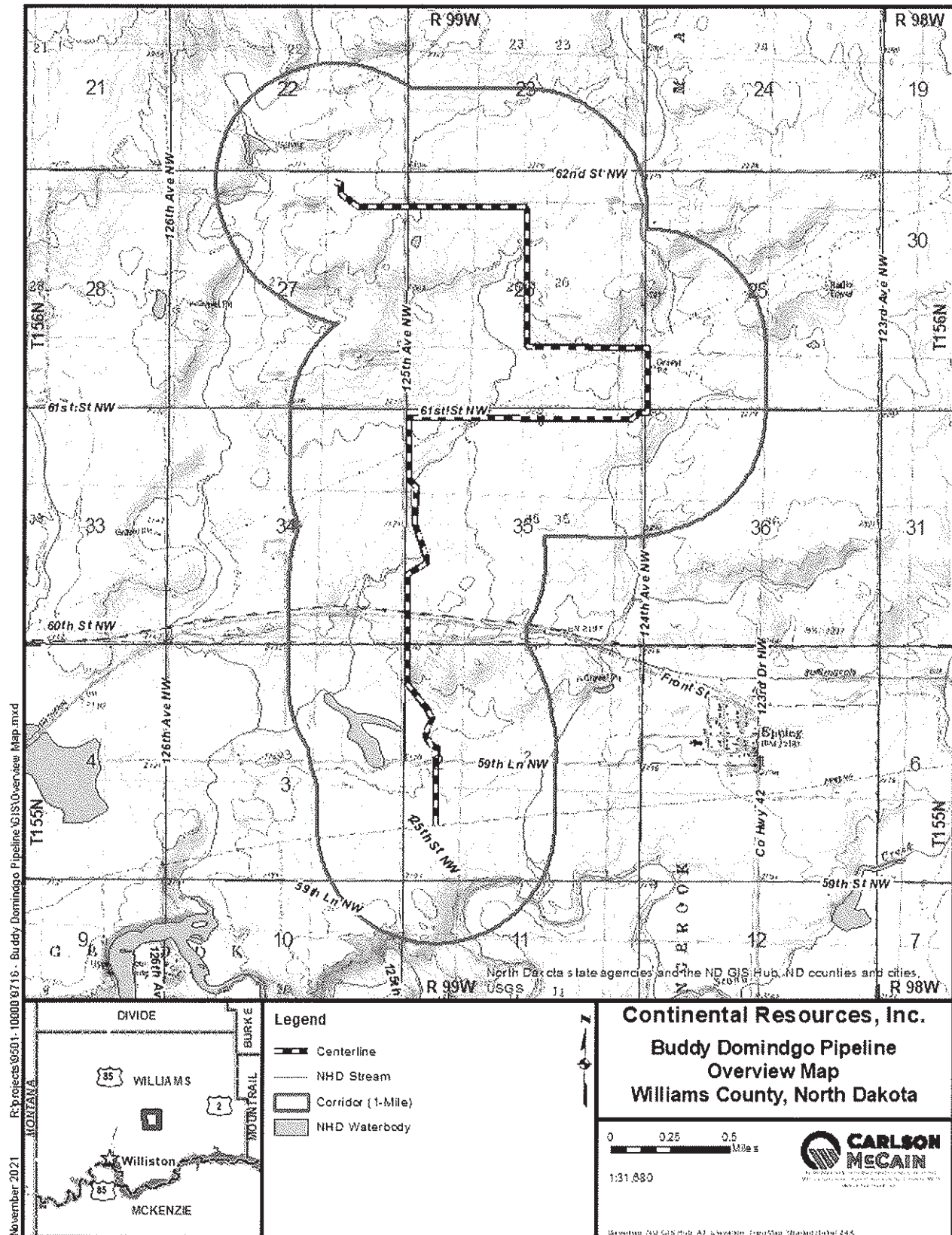
The USFWS administers various wildlife related mandates of national concern including the Migratory Bird Treaty Act (MBTA). Continental understands that unlike the Endangered Species Act, the MBTA has no provisions for the allowance of a take and therefore compliance may best be achieved by avoiding or minimizing the potential to interact with migratory species during the active breeding season. Continental also understands that in North Dakota, the breeding season is typically defined as occurring annually from February 1 through July 15. Construction is scheduled to take place in the first quarter of 2022. If construction activities occur during the nesting season, pre-construction surveys for nesting birds would be performed.

Carlson McCain has been retained by Continental to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at 701-595-7007 or [ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com). In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain, Inc.



February 8, 2022

Drew Becker  
U.S. Fish and Wildlife Service  
North Dakota Ecological Services-Field Office  
3425 Miriam Ave.  
Bismarck, ND 58501-7926

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Mr. Becker,

Continental Resources, Inc. (Continental) is proposing a route change to the proposed Buddy Domindgo Distribution Line (Project). Consultation letters were sent out for the previous alignment on November 3, 2021. A figure depicting the new alignment is attached. The new alignment is 3.1 miles long and located in Williams County, North Dakota. spanning across portions of:

- Section 2, Township 155N, Range 99W
- Section 26, Township 156N, Range 99W
- Section 27, Township 156N, Range 99W
- Section 35, Township 156N, Range 99W

The purpose of this request is to provide the U.S. Fish and Wildlife Service (USFWS) with notification of the proposed Project and to share Continental's analysis of the environmental topics relevant to the Commission's siting requirements. The siting process allows agencies to participate in the regulatory process should you choose to comment on the Project, or the analysis contained herein.

On February 2, 2022, Carlson McCain conducted a web-based consultation using USFWS's IPaC system. The species addressed in this analysis are based upon results of the project specific query of the IPaC system.

### **Federally Listed Species Analysis:**

The results of the search of the USFWS's IPaC system found the following:

- Northern long-eared bat (*Myotis septentrionalis*) – threatened
- Piping plover (*Charadrius melodus*) – threatened
- Red knot (*Calidris canutus rufa*) –threatened
- Dakota Skipper (*Hesperia docatoae*) – threatened
- Whooping crane (*Grus americana*) – endangered

#### Northern long-eared bat:

The northern long-eared bat (NLEB) roosts underneath bark, in cavities, or in crevices of both live and dead trees. Populations have also been found in cool environments such as caves and mines and prefer to spend winter hibernating in locations with high humidity and no air currents. Breeding females will congregate and form colonies in May to late July for pup rearing. White-nose syndrome (WNS) is the predominant threat to the northern long-eared bat. North Dakota is included in the current extent of WNS zone per the Final 4(d) Rule. The field survey did not identify any trees within the Survey Corridor. No potential winter hibernacula were observed within the Survey Corridor and there are no known bat hibernacula in Williams County (NDGFD 2021). It is reasonable to expect the Project will have **no effect** on the northern long-eared bat.

#### Piping plover

The Piping plover is associated with shorelines along small alkaline lakes, large reservoir beaches, and river islands and adjacent sand pits. Breeding birds select wide beaches with highly clumped vegetation covering less than 25 percent of the area. Breeding season in North Dakota occurs mid-April through August. The Missouri River and Lake Sakakawea, approximately 12 miles south of the site at its nearest point, are the closest designated critical habitats for the piping plover. Desktop analysis supported with field studies have concluded that no suitable habitat is present within the Project area. On this basis we conclude that the Project will have **no effect** on the piping plover.

#### Red knot

The red knot migrates between breeding grounds in Canada and wintering grounds in South America. A significant factor threatening the red knot is destruction and modification of its habitat due to beach erosion and shoreline protection and stabilization projects. Migratory behavior and habitat requirements of this species are poorly understood particularly for those

populations utilizing the midcontinent flyways. Inland stopovers include the Mississippi Valley, Great Lakes, and Great Plains. Desktop analysis supported with field studies have concluded that no suitable habitat is present within the Project area. On this basis we conclude that the Project will have **no effect** on the red knot.

### Whooping crane

The whooping crane is a large-bodied marsh species that breeds primarily in Canada and winters in the Gulf of Mexico. This species has been closely studied and monitored in recent years due to its limited population. North Dakota is located within the migratory route for the species, providing roosting and feeding opportunities during migration. This species prefers larger wetland complexes for roosting habitat, typically using adjacent uplands for foraging opportunities.

Precautionary measures will be implemented if whooping cranes are sighted in or near the Project area. Continental will voluntarily suspend heavy equipment operation activities and notify the USFWS should a whooping crane be spotted within 0.5 mile of the Project area. Heavy equipment activities will resume upon the departure of the individual(s). Construction activities would likely serve as a deterrent for migrating cranes. Once the Project has been constructed and disturbed areas restored, the Project would largely resemble the surrounding landscape and would be available for crane utilization. The Project would not result in a loss of crane habitat. Provided the mitigation measures are fully implemented, we concluded that the Project would have **no effect** on the whooping crane.

### Dakota skipper

The Dakota skipper is a diminutive butterfly of the prairie. The species is an obligate resident of high-quality prairie grasslands whose range includes the prairies of Canada in Manitoba and Saskatchewan, and North Dakota, South Dakota, and Minnesota. The species is native to these areas (USFWS, 2019). The historic range may have previously extended south to include portions of Illinois and Iowa; locations where the species is now considered extirpated (USFWS, 2016). The preferred habitat ranges from wet-mesic tall grass prairie to dry-mesic mixed grass prairie of high quality (Larson, 2019). Additionally, they prefer habitats which have wood lily (*Lilium philadelphicum*) and mountain deathcamas (*Zigadenus elegans*), and where nectar sources are present. 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.

**USFWS Managed Lands:**

Conservation programs such as Waterfowl Production Areas and wetland and grassland easements represent an important tool used by USFWS to identify and manage high quality wildlife habitat. A review of public records failed to identify any of these USFWS managed lands in the Project study area. Continental requests that USFWS notify Continental of any USFWS managed lands located within the proposed study area.

**Migratory Bird Consultation:**

The USFWS administers various wildlife related mandates of national concern including the Migratory Bird Treaty Act (MBTA). Continental understands that unlike the Endangered Species Act, the MBTA has no provisions for the allowance of a take and therefore compliance may best be achieved by avoiding or minimizing the potential to interact with migratory species during the active breeding season. Continental also understands that in North Dakota, the breeding season is typically defined as occurring annually from February 1 through July 15. Construction is scheduled to take place in the first quarter of 2022. If construction activities occur during the nesting season, pre-construction surveys for nesting birds would be performed.

Carlson McCain has been retained by Continental to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at 701-595-7007 or [ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com). In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

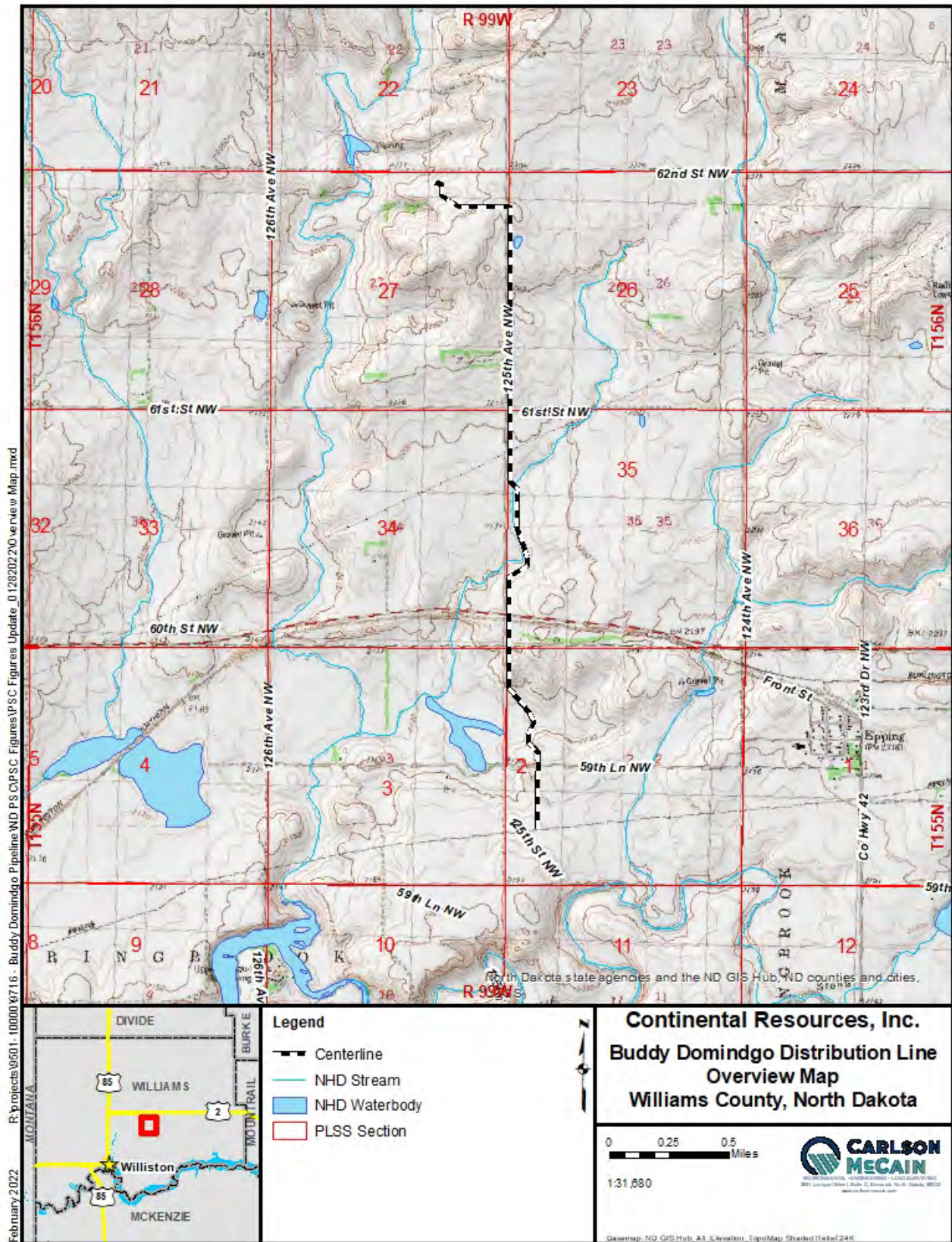
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain, Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



February 8, 2022

Drew Becker  
U.S. Fish and Wildlife Service  
North Dakota Ecological Services-Field Office  
3425 Miriam Ave.  
Bismarck, ND 58501-7926

The U.S. Fish and Wildlife Service concurs with your conclusion that the described project will not adversely affect listed species. Contact this office if changes are made or new information becomes available.

\_\_\_\_\_  
Field Supervisor

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Mr. Becker,

Continental Resources, Inc. (Continental) is proposing a route change to the proposed Buddy Domindgo Distribution Line (Project). Consultation letters were sent out for the previous alignment on November 3, 2021. A figure depicting the new alignment is attached. The new alignment is 3.1 miles long and located in Williams County, North Dakota. spanning across portions of:

- Section 2, Township 155N, Range 99W
- Section 26, Township 156N, Range 99W
- Section 27, Township 156N, Range 99W
- Section 35, Township 156N, Range 99W

The purpose of this request is to provide the U.S. Fish and Wildlife Service (USFWS) with notification of the proposed Project and to share Continental's analysis of the environmental topics relevant to the Commission's siting requirements. The siting process allows agencies to participate in the regulatory process should you choose to comment on the Project, or the analysis contained herein.

On February 2, 2022, Carlson McCain conducted a web-based consultation using USFWS's IPaC system. The species addressed in this analysis are based upon results of the project specific query of the IPaC system.

### **Federally Listed Species Analysis:**

The results of the search of the USFWS's IPaC system found the following:

- Northern long-eared bat (*Myotis septentrionalis*) – threatened
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The northern long-eared bat (NLEB) roosts underneath bark, in cavities, or in crevices of both live and dead trees. Populations have also been found in cool environments such as caves and mines and prefer to spend winter hibernating in locations with high humidity and no air currents. Breeding females will congregate and form colonies in May to late July for pup rearing. White-nose syndrome (WNS) is the predominant threat to the northern long-eared bat. North Dakota is included in the current extent of WNS zone per the Final 4(d) Rule. The field survey did not identify any trees within the Survey Corridor. No potential winter hibernacula were observed within the Survey Corridor and there are no known bat hibernacula in Williams County (NDGFD 2021). It is reasonable to expect the Project will have **no effect** on the northern long-eared bat.

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### Dakota skipper

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**USFWS Managed Lands:**

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**Migratory Bird Consultation:**

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Carlson McCain has been retained by Continental to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at 701-595-7007 or [ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com). In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

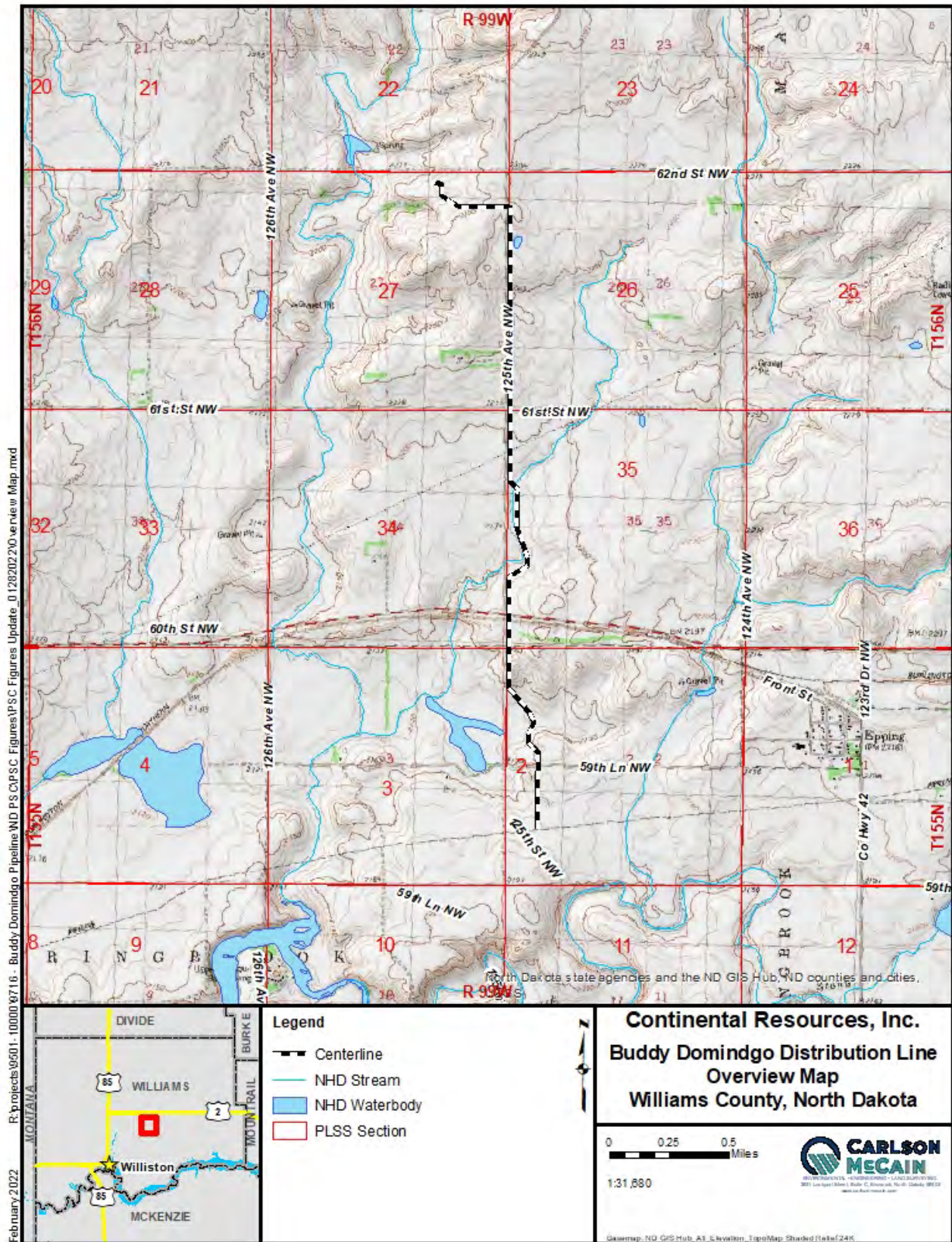
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain, Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



U.S. DEPARTMENT OF DEFENSE-CABLE AFFAIRS



November 3, 2021

Cy Munos  
Chief  
U.S. Department of Defense-Cable Affairs  
Minot Air Force Base  
91 MMXS/MMXSFK  
Minot, ND 58705

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Dear Cy Munos,

Continental Resources, Inc. is proposing to construct and operate 5.1 miles of natural gas pipeline in Williams County. The project is referred to as the Buddy Domindgo Pipeline Project (Project) and will be located in Williams County, North Dakota spanning across:

- Section 2, Township 155N, Range 99W
- Section 25, Township 156N, Range 99W
- Section 26, Township 156N, Range 99W
- Section 27, Township 156N, Range 99W
- Section 35, Township 156N, Range 99W
- Section 36, Township 156N, Range 99W

The Project will transfer natural gas that will be compressed and used for enhanced oil recovery. Construction activities are scheduled to begin in the first quarter of 2022 with pipeline commissioning and right-of-way restoration immediately following construction. The Project site and a 1-mile-wide corridor (Study Area) are depicted on the attached map.

The purpose of this letter is to provide notification of the proposed Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

Carlson McCain Inc. has been retained by Continental Resources, Inc. to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at 701-595-7007 or [ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com).

*Buddy Domindgo Pipeline Project  
Williams County, North Dakota*

*November 3, 2021*

In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

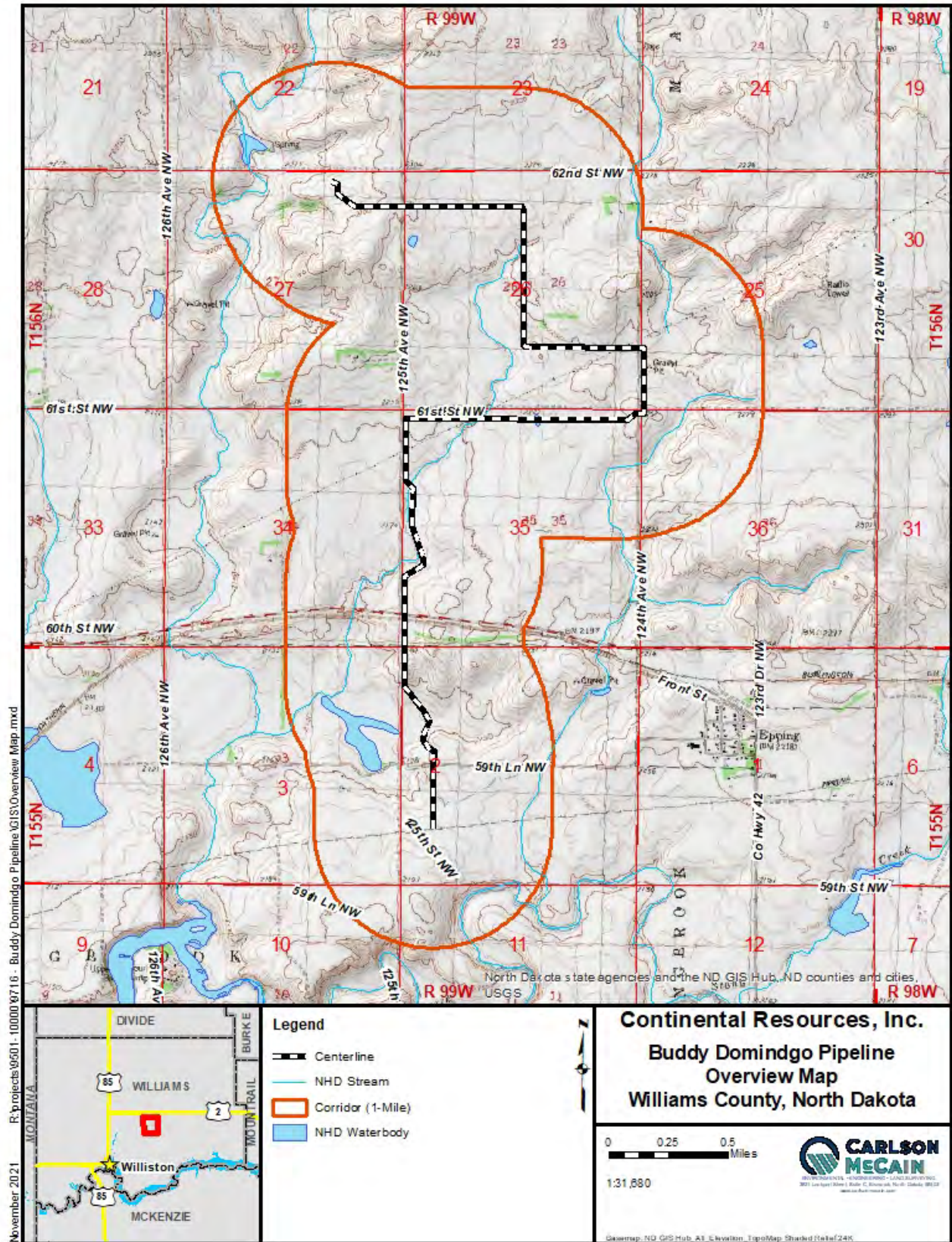
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



**From:** [JOHNSON, BRUCE A GS-13 USAF AFGSC 5 CES/CENP](#)  
**To:** [Joe Peterson](#)  
**Cc:** [Chad Tucker](#); [Todd Hartleben](#); [MUNOS, CY I GS-11 USAF AFGSC 91 MMXS/MMXSFK](#); [WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP](#)  
**Subject:** RE: CRI - Buddy Domindgo Pipeline Project; Project Notification Letter and Review Request  
**Date:** Wednesday, November 24, 2021 8:36:38 AM  
**Attachments:** [image001.png](#)  
[DoD Cable Affairs Consult letter.pdf](#)

---

Good afternoon Mr. Peterson,

Thank you for reaching out to Minot AFB to review the Buddy Domindgo Pipeline Project. Minot AFB has no objections to the proposed pipe route shown on the Overview Map (dated November 2021) provided by Carlson McCain.

Respectfully,  
Bruce

---

**From:** Joe Peterson <jpeterson@carlsonmccain.com>  
**Sent:** Tuesday, November 23, 2021 12:39 PM  
**To:** JOHNSON, BRUCE A GS-13 USAF AFGSC 5 CES/CENP <bruce.johnson.25@us.af.mil>  
**Cc:** Chad Tucker <ctucker@carlsonmccain.com>; Todd Hartleben <thartleben@carlsonmccain.com>  
**Subject:** [Non-DoD Source] CRI - Buddy Domindgo Pipeline Project; Project Notification Letter and Review Request

Good afternoon,

I'm following up on a letter request submitted to the Minot Air Force Base dated November 3<sup>rd</sup>, 2021 to:

- 1) Provide notification of the proposed Continental Resources, Inc. Buddy Domindgo Pipeline Project, and
- 2) Identify and/or confirm that no intercontinental ballistic missiles and launch facilities exist within the Project Study Area.

Carlson McCain (CM) been retained by Continental Resources, Inc. to provide environmental consulting support as well as prepare the North Dakota Public Service Commission Siting Application for the project. For your convenience I've attached a copy of the November 3<sup>rd</sup>, 2021, notification letter to assist in your review.

Please acknowledge receipt of this email and provide any comments you may have to Chad Tucker ([ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com)) and/or me.

Thank you for your time and consideration.

## Joe Peterson

Sr. Environmental Specialist



218.390.5411

[CARLSONMCCAIN.COM](http://CARLSONMCCAIN.COM)

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The information transmitted by this email is intended only for the person or entity to which it is addressed. This email may contain proprietary, business-confidential and/or privileged material. If you are not the intended recipient of this message, be aware that any use, review, retransmission, distribution, reproduction or any action taken in reliance upon this message is strictly prohibited. If you received this in error, please contact the sender and delete the material from all computers.

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February 8, 2022

Cy Munos, Chief  
U.S. Department of Defense-Cable Affairs  
Minot Air Force Base  
91 MMXS/MMXSFK  
DSN: 453-6053  
Minot, ND 58705

RE: Continental Resources, Inc.  
Buddy Domindgo Distribution Line  
Revised Project Notification Letter and Review Request

Mr. Munos,

Continental Resources, Inc. is proposing a route change to the proposed Buddy Domindgo Distribution Line (Project). Consultation letters were sent out for the previous alignment on November 3, 2021. A figure depicting the new alignment is attached. The new alignment is 3.1 miles long and located in Williams County, North Dakota spanning across portions of:

- Section 2, Township 155N, Range 99W
- Section 26, Township 156N, Range 99W
- Section 27, Township 156N, Range 99W
- Section 35, Township 156N, Range 99W

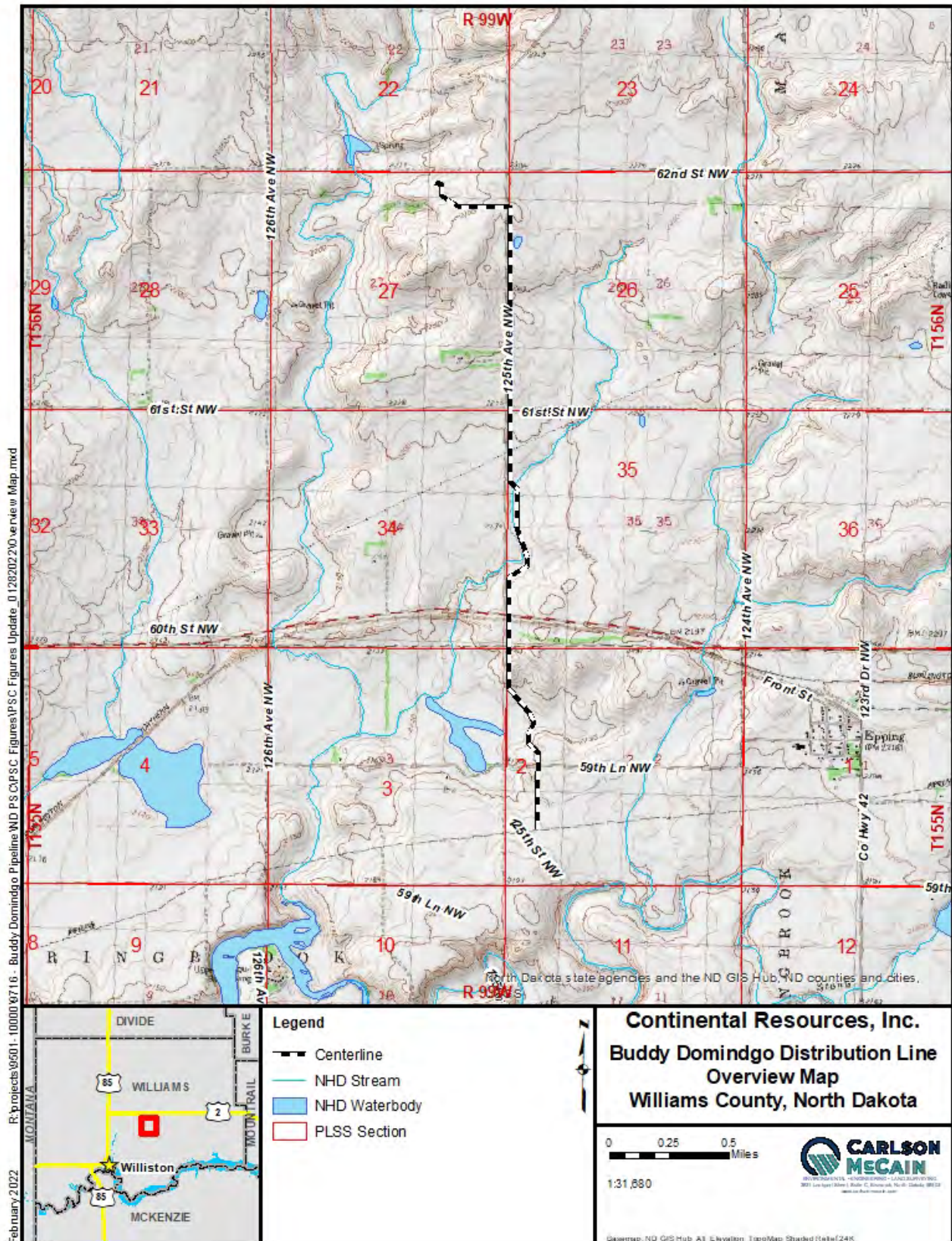
The purpose of this letter is to provide notification of the revision to the proposed Project; and to identify the location of intercontinental ballistic missiles and launch facilities within the Project Study Area, should they occur.

Carlson McCain Inc. has been retained by Continental Resources, Inc. to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at 701-595-7007 or [ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com).

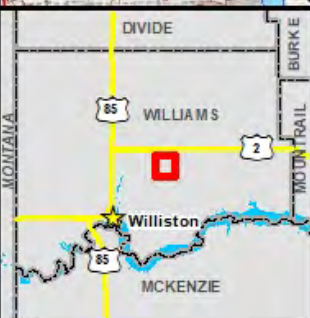
A handwritten signature in blue ink that reads "Chad Tucker".

Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map



R:\projects\9501-10000\9716 - Buddy Domindgo Pipeline ND PS CVPSC Figures\PS C Figures Update - 01282022\210-Overview Map.mxd  
 February 2022



**Legend**

- Centerline
- NHD Stream
- NHD Waterbody
- PLSS Section

**Continental Resources, Inc.**  
**Buddy Domindgo Distribution Line**  
**Overview Map**  
**Williams County, North Dakota**

0 0.25 0.5 Miles

1:31,680

Carlson McCain  
 ENVIRONMENTAL ENGINEERING - LAND SURVEYING  
 3011 Lee Street, Suite C, Bismarck, North Dakota 58103  
 www.carlsonmccain.com

Basemap: ND GIS Hub, A3, Elevation, TopoMap, Shaded, 10m/24K

**From:** [JOHNSON, BRUCE A GS-13 USAF AFGSC 5 CES/CENP](#)  
**To:** [Joe Peterson](#)  
**Cc:** [Chad Tucker](#); [MUNOS, CY I GS-11 USAF AFGSC 91 MMXS/MMXSFK](#); [WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP](#)  
**Subject:** RE: REVISED ROUTE\_ CRI - Buddy Domindgo Pipeline Project; Project Notification Letter and Review Request  
**Date:** Tuesday, February 8, 2022 4:32:20 PM  
**Attachments:** [image001.png](#)

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Good afternoon Mr. Peterson,

Thank you for reaching out to Minot AFB to review the Buddy Domindgo Pipeline Project. Minot AFB has no objections to the proposed pipe route change shown in the Revised Project Notification Letter (dated February 8, 2022) provided by Carlson McCain.

Respectfully,  
Bruce

---

**From:** Joe Peterson <jpeterson@carlsonmccain.com>  
**Sent:** Tuesday, February 8, 2022 2:16 PM  
**To:** JOHNSON, BRUCE A GS-13 USAF AFGSC 5 CES/CENP <bruce.johnson.25@us.af.mil>  
**Cc:** Chad Tucker <ctucker@carlsonmccain.com>  
**Subject:** [URL Verdict: Unknown][Non-DoD Source] REVISED ROUTE\_ CRI - Buddy Domindgo Pipeline Project; Project Notification Letter and Review Request

Good afternoon,

Carlson McCain (CM) been retained by Continental Resources, Inc. to provide environmental consulting support as well as prepare the North Dakota Public Service Commission Siting Application for the Buddy Domindgo Pipeline Project (Project). The attached letter and revised map dated February 8, 2022 are being provided to inform you of a route revision to the proposed Project and to request identification and/or confirmation that no intercontinental ballistic missiles and launch facilities exist within the Project area. For you reference/comparison, I've also attached the original November 3<sup>rd</sup>, 2021 letter and map.

Please acknowledge receipt of this email and provide any comments you may have to Chad Tucker ([ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com)) and/or me.

Thank you (again) for your time and consideration.

Regards,

**Joe Peterson**

Sr. Environmental Specialist



218.390.5411

[CARLSONMCCAIN.COM](http://CARLSONMCCAIN.COM)

---

**From:** JOHNSON, BRUCE A GS-13 USAF AFGSC 5 CES/CENP <[bruce.johnson.25@us.af.mil](mailto:bruce.johnson.25@us.af.mil)>  
**Sent:** Wednesday, November 24, 2021 8:36 AM  
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**Cc:** Chad Tucker <[ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com)>; Todd Hartleben <[thartleben@carlsonmccain.com](mailto:thartleben@carlsonmccain.com)>; MUNOS, CY I GS-11 USAF AFGSC 91 MMXS/MMXSFK <[cy.munos@us.af.mil](mailto:cy.munos@us.af.mil)>; WARREN, SAMUELE M CIV USAF AFGSC 5 CES/CENP <[samuele.warren.1@us.af.mil](mailto:samuele.warren.1@us.af.mil)>  
**Subject:** RE: CRI - Buddy Domindgo Pipeline Project; Project Notification Letter and Review Request

Good afternoon Mr. Peterson,

Thank you for reaching out to Minot AFB to review the Buddy Domindgo Pipeline Project. Minot AFB has no objections to the proposed pipe route shown on the Overview Map (dated November 2021) provided by Carlson McCain.

Respectfully,  
Bruce

---

**From:** Joe Peterson <[jpeterson@carlsonmccain.com](mailto:jpeterson@carlsonmccain.com)>  
**Sent:** Tuesday, November 23, 2021 12:39 PM  
**To:** JOHNSON, BRUCE A GS-13 USAF AFGSC 5 CES/CENP <[bruce.johnson.25@us.af.mil](mailto:bruce.johnson.25@us.af.mil)>  
**Cc:** Chad Tucker <[ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com)>; Todd Hartleben <[thartleben@carlsonmccain.com](mailto:thartleben@carlsonmccain.com)>  
**Subject:** [Non-DoD Source] CRI - Buddy Domindgo Pipeline Project; Project Notification Letter and Review Request

Good afternoon,

I'm following up on a letter request submitted to the Minot Air Force Base dated November 3<sup>rd</sup>, 2021 to:

- 1) Provide notification of the proposed Continental Resources, Inc. Buddy Domindgo Pipeline Project, and
- 2) Identify and/or confirm that no intercontinental ballistic missiles and launch facilities exist within the Project Study Area.

Carlson McCain (CM) been retained by Continental Resources, Inc. to provide environmental consulting support as well as prepare the North Dakota Public Service Commission Siting Application

for the project. For your convenience I've attached a copy of the November 3<sup>rd</sup>, 2021, notification letter to assist in your review.

Please acknowledge receipt of this email and provide any comments you may have to Chad Tucker ([ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com)) and/or me.

Thank you for your time and consideration.

**Joe Peterson**

Sr. Environmental Specialist



218.390.5411

[CARLSONMCCAIN.COM](http://CARLSONMCCAIN.COM)

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The information transmitted by this email is intended only for the person or entity to which it is addressed. This email may contain proprietary, business-confidential and/or privileged material. If you are not the intended recipient of this message, be aware that any use, review, retransmission, distribution, reproduction or any action taken in reliance upon this message is strictly prohibited. If you received this in error, please contact the sender and delete the material from all computers.

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U.S. ARMY CORPS OF ENGINEERS



November 3, 2021

Patricia McQueary  
State Program Manager  
U.S. Army Corps of Engineers-Omaha District  
3319 University Street  
Bismarck, ND 58504

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Dear Patricia McQueary,

Continental Resources, Inc. is proposing to construct and operate 5.1 miles of natural gas pipeline in Williams County. The project is referred to as the Buddy Domindgo Pipeline Project (Project) and will be located in Williams County, North Dakota spanning across:

- Section 2, Township 155N, Range 99W
- Section 25, Township 156N, Range 99W
- Section 26, Township 156N, Range 99W
- Section 27, Township 156N, Range 99W
- Section 35, Township 156N, Range 99W
- Section 36, Township 156N, Range 99W

The Project will transfer natural gas that will be compressed and used for enhanced oil recovery. Construction activities are scheduled to begin in the first quarter of 2022 with pipeline commissioning and right-of-way restoration immediately following construction. The Project site and a 1-mile-wide corridor (Study Area) are depicted on the attached map.

The purpose of this letter is to provide notification of the proposed Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

Carlson McCain Inc. has been retained by Continental Resources, Inc. to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at 701-595-7007 or [ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com).

*Buddy Domindgo Pipeline Project  
Williams County, North Dakota*

*November 3, 2021*

In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

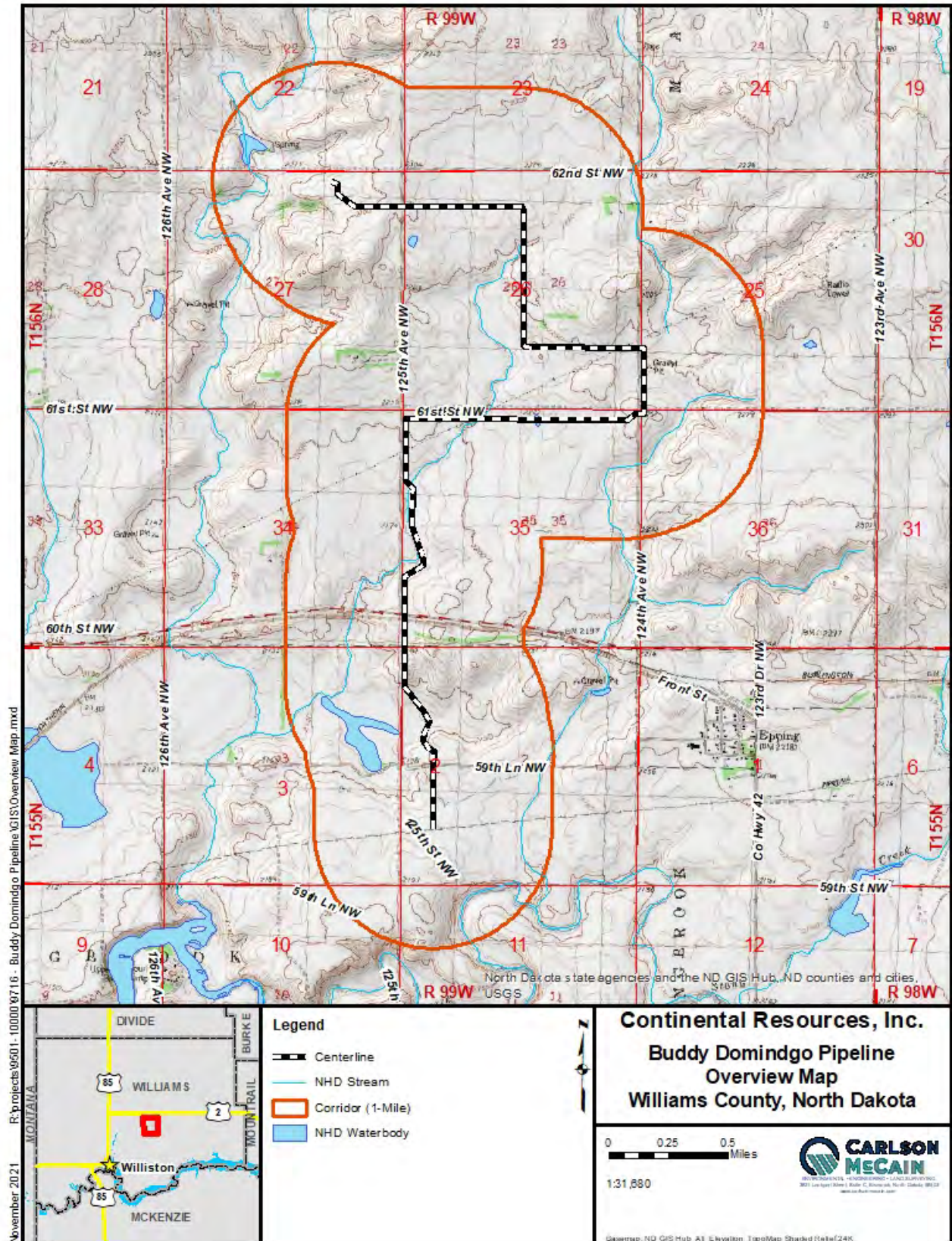
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files





**DEPARTMENT OF THE ARMY**  
CORPS OF ENGINEERS, OMAHA DISTRICT  
NORTH DAKOTA REGULATORY OFFICE  
3319 UNIVERSITY DRIVE  
BISMARCK, NORTH DAKOTA 58504-7565

November 12, 2021

NWO-2021-1997-BIS

Carlson McCain  
Attn: Mr. Chad Tucker  
3831 Lockport Street, Suite C  
Bismarck, North Dakota 58503

Dear Mr. Tucker:

This is in response to your solicitation letter received on November 8, 2021 requesting Department of the Army (DA), United States Army Corps of Engineers (Corps) comments on the proposed Continental Resources, Inc., Buddy Domindgo Pipeline Project. The project is located in portion of Sections 2, 25, 26, and 27, Township 155 North, Range 99 West, and Sections 35 and 36, Township 156 North, Range 99 West, Williams County, North Dakota.

Corps Regulatory Offices administers Section 404 of the Clean Water Act. Section 404 of the Clean Water Act regulates the discharge of dredge or fill material (temporarily or permanently) in waters of the United States. Waters of the United States may include, but are not limited to, rivers, streams, ditches, coulees, lakes, ponds, and their adjacent wetlands. Fill material includes, but is not limited to, rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mines or other excavation activities and materials used to create any structure or infrastructure in waters of the United States.

Enclosed for your information is the Fact Sheet for Nationwide Permit 12, Utility Line Activities. Utility lines are already authorized by Nationwide Permit 12 provided the utility line can be placed without any change to pre-construction contours and all other proposed construction activities and facilities are in compliance with the Nationwide's permit conditions and 401 Water Quality Certification. On Tribal Lands, Water Quality Certification is denied for all Nationwide Permits. Applicants must work with EPA to obtain individual water quality certification. Please note the pre-construction notification requirements on page 2 of the fact sheet. If a project involves any one of the notification requirements, the project proponent must submit a DA application. Furthermore, a project must also be in compliance with the "Regional Conditions for Nationwide Permits within the State of North Dakota", found on pages 23 thru 30 of the fact sheet.

In the event your project(s) requires approval from the U.S. Army Corps of Engineers and cannot be authorized by Nationwide Permit(s), a Standard or Individual Permit will be required. A project that requires a Standard or Individual Permit is intensely reviewed and will require the issuance of a public notice. A Standard or Individual Permit generally requires a minimum of 120 days for processing but based on the project impacts and comments received through the public notice may extend well beyond 120 days.

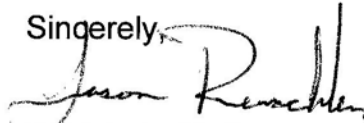
This correspondence letter does not approve the proposed construction work or does not verify the proposed project complies with the Nationwide Permit(s).

If this project requires a Section 404 permit, please complete and submit the enclosed Department of the Army permit application (ENG Form 6082) to the U.S. Army Corps of Engineers, North Dakota Regulatory Office, 3319 University Drive, North Dakota 58504 or to the email address below. If you are unsure if a permit is required, you may submit an application; include a project location map, description of work, and construction methodology.

The North Dakota Regulatory office can accept (and prefers) electronic submissions to the following email: CENWO-OD-RND@usace.army.mil.

If we can be of further assistance or should you have any questions regarding our program, please do not hesitate to contact this office by letter of phone at (701) 255-0015.

Sincerely,



Patricia L. McQueary  
State Program Manager  
North Dakota

Enclosures

- NWP #12 Fact Sheet
- DA application



February 8, 2022

Patricia McQueary  
State Program Manager  
U.S. Army Corps of Engineers-Omaha District  
3319 University Street  
Bismarck, ND 58504

RE: Continental Resources, Inc.  
Buddy Domindgo Distribution Line  
Project Notification Letter and Review Request

Dear Patricia McQueary,

Continental Resources, Inc. is proposing a route change to the proposed Buddy Domindgo Distribution Line (Project). Consultation letters were sent out for the previous alignment on November 3, 2021. A figure depicting the new alignment is attached. The new alignment is 3.1 miles long and located in Williams County, North Dakota spanning across portions of:

- Section 2, Township 155N, Range 99W
- Section 26, Township 156N, Range 99W
- Section 27, Township 156N, Range 99W
- Section 35, Township 156N, Range 99W

The purpose of this letter is to provide notification of the proposed Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

Carlson McCain Inc. has been retained by Continental Resources, Inc. to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at 701-595-7007 or [ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com).

In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

Sincerely,

*Buddy Domindgo Distribution Line  
Williams County, North Dakota*

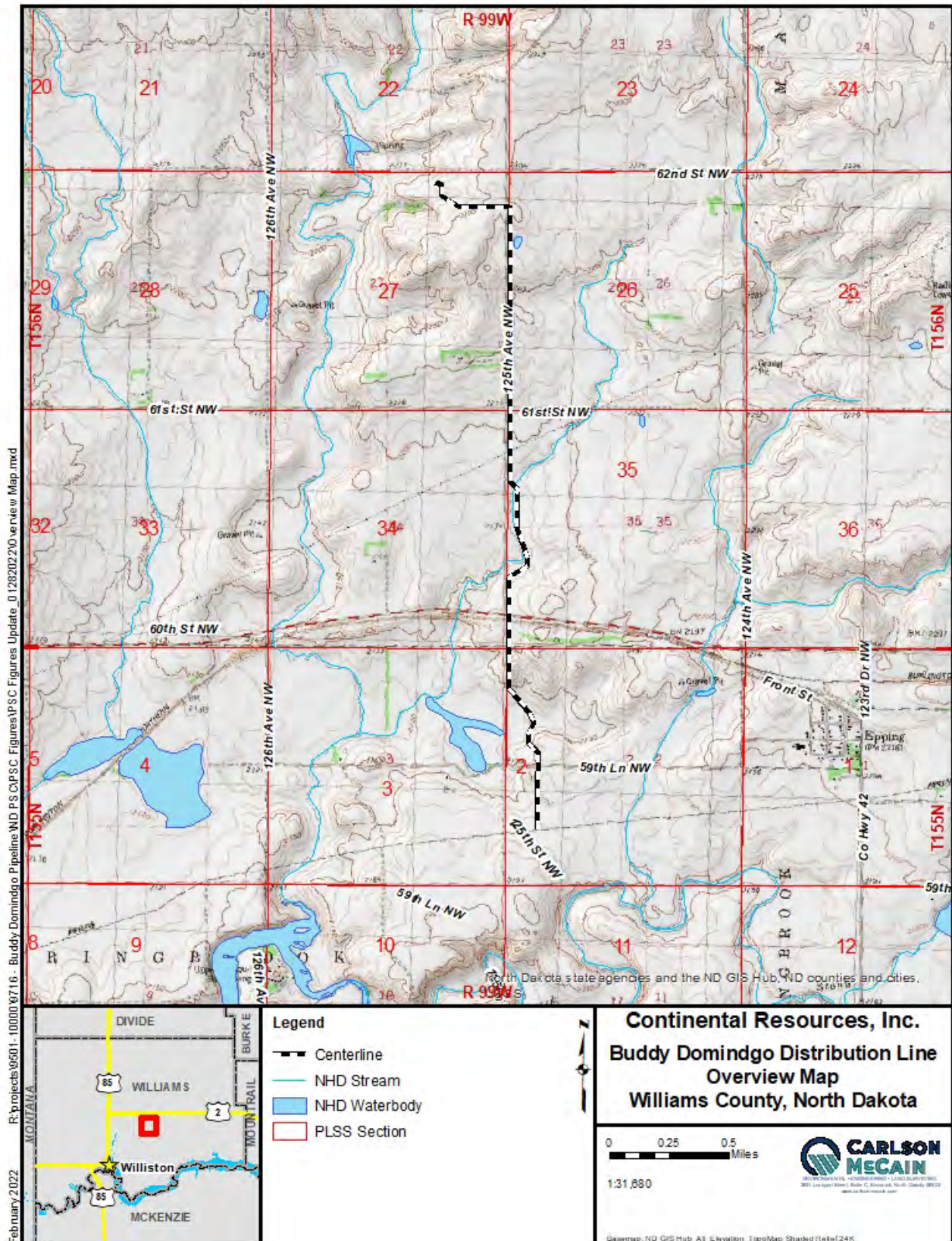
*February 8, 2022*

*Chad Tucker*

Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



**From:** [Nygard, Jeremy S CIV USARMY CENWO \(USA\)](#)  
**To:** [Chad Tucker](#)  
**Subject:** NWO-2021-01997-BIS, Carlson McCain; Continental Resources, Inc.; Buddy Domindgo Pipeline Project  
**Date:** Thursday, February 17, 2022 2:12:54 PM  
**Attachments:** [202101997\\_SOV NWP 12.pdf](#)  
[Eng\\_Form\\_6082\\_2019Jun.pdf](#)  
[NWP 12 Fact Sheet 2021.pdf](#)

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Hi Chad,

Our office has reviewed the information you provided regarding the proposed Buddy Domindgo Pipeline Project route change and determined that a U.S. Army Corps of Engineers Section 404 permit may be required for your project. Please see attached letter, blank application form, and Nationwide Permit 12 fact sheet. Thank you,

v/r

Jeremy Nygard  
Regulatory Permit Assistant  
U.S. Army Corps of Engineers  
North Dakota Regulatory Office  
3319 University Drive  
Bismarck, ND 58504  
701-255-0015 ext. 2006

The North Dakota Regulatory office prefers that all submissions are sent electronically to the following email address: CENWO-OD-RND@usace.army.mil instead of a hard copy by mail. Please split large attachments (>25 MB) into multiple emails if needed.

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



November 3, 2021

Wade D. Bott  
State Soil Scientist  
USDA-Natural Resources Conservation Service  
Bismarck State Office  
PO Box 1458  
Bismarck, ND 58502-1458

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Dear Wade D. Bott,

Continental Resources, Inc. is proposing to construct and operate 5.1 miles of natural gas pipeline in Williams County. The project is referred to as the Buddy Domindgo Pipeline Project (Project) and will be located in Williams County, North Dakota spanning across:

- Section 2, Township 155N, Range 99W
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- Section 26, Township 156N, Range 99W
- Section 27, Township 156N, Range 99W
- Section 35, Township 156N, Range 99W
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In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

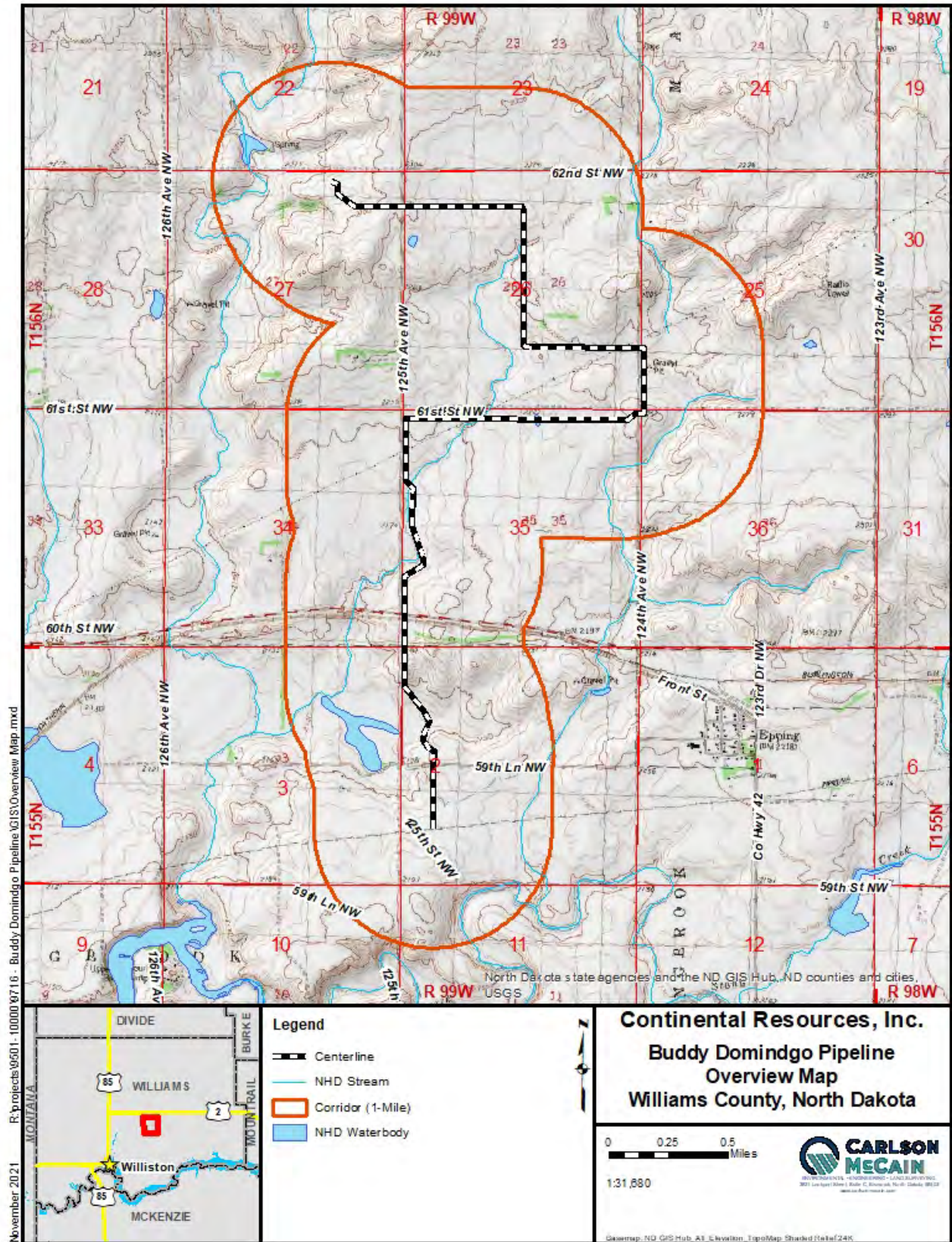
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files





Natural Resources  
Conservation Service

Bismarck State Office  
PO Box 1458  
Bismarck, ND  
58502-1458

Voice 701.530.2000  
Fax 855-813-7556

November 16, 2021

Carlson McCain, Inc.  
Attn: Chad Tucker  
3831 Lockport Street, Suite C  
Bismarck, ND 58503

Dear Mr. Tucker:

The Natural Resources Conservation Service (NRCS) has reviewed your letter dated November 3, 2021, concerning the Buddy Domindgo Pipeline Project in Williams County, North Dakota.

#### Farmland Protection Policy Act

NRCS has a major responsibility with the Farmland Protection Policy Act (FPPA) in documenting conversion of farmland (i.e., Prime, Statewide Importance and/or Local Importance) to non-agricultural use. It appears your proposed project is not supported by federal funding; therefore, FPPA does not apply, and no further action is needed.

#### Wetlands

The Wetland Conservation Provisions of the 1985 Food Security Act, as amended, provide that if a USDA participant converts a wetland for the purpose or to have the effect of making agricultural production possible, loss of USDA benefits could occur. NRCS has developed the following guidelines for the installation of permanent structures where wetlands occur. If these guidelines are followed the impacts to the wetland will be considered minimal allowing USDA participants to continue to receive USDA benefits. Following are the requirements:

- Disturbance to the wetland must be temporary.
- No drainage of wetland is allowed (temporary or permanent).
- Mechanized landscaping necessary for installation is kept to a minimum and preconstruction contours are maintained.
- Temporary side cast material must be placed in such a manner not to be dispersed in the wetland.
- All trenches must be backfilled to the original wetland bottom elevation.

NRCS recommends that impacts to wetlands be avoided.

If you have additional questions pertaining to FPPA, please contact Wade Bott, State Soil Scientist, NRCS, Bismarck, North Dakota, at (701) 530-2021 or email to [wade.bott@usda.gov](mailto:wade.bott@usda.gov).

**WADE BOTT**

Digitally signed by WADE BOTT  
Date: 2021.11.16 09:58:53 -06'00'

WADE D. BOTT  
State Soil Scientist

*Helping People Help the Land*



February 8, 2022

Wade D. Bott  
State Soil Scientist  
USDA-Natural Resources Conservation Service  
Bismarck State Office  
PO Box 1458  
Bismarck, ND 58502-1458

RE: Continental Resources, Inc.  
Buddy Domindgo Distribution Line  
Project Notification Letter and Review Request

Dear Wade D. Bott,

Continental Resources, Inc. is proposing a route change to the proposed Buddy Domindgo Distribution Line (Project). Consultation letters were sent out for the previous alignment on November 3, 2021. A figure depicting the new alignment is attached. The new alignment is 3.1 miles long and located in Williams County, North Dakota spanning across portions of:

- Section 2, Township 155N, Range 99W
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The purpose of this letter is to provide notification of the proposed Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

Carlson McCain Inc. has been retained by Continental Resources, Inc. to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at 701-595-7007 or [ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com).

In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

Sincerely,

*Buddy Domindgo Distribution Line  
Williams County, North Dakota*

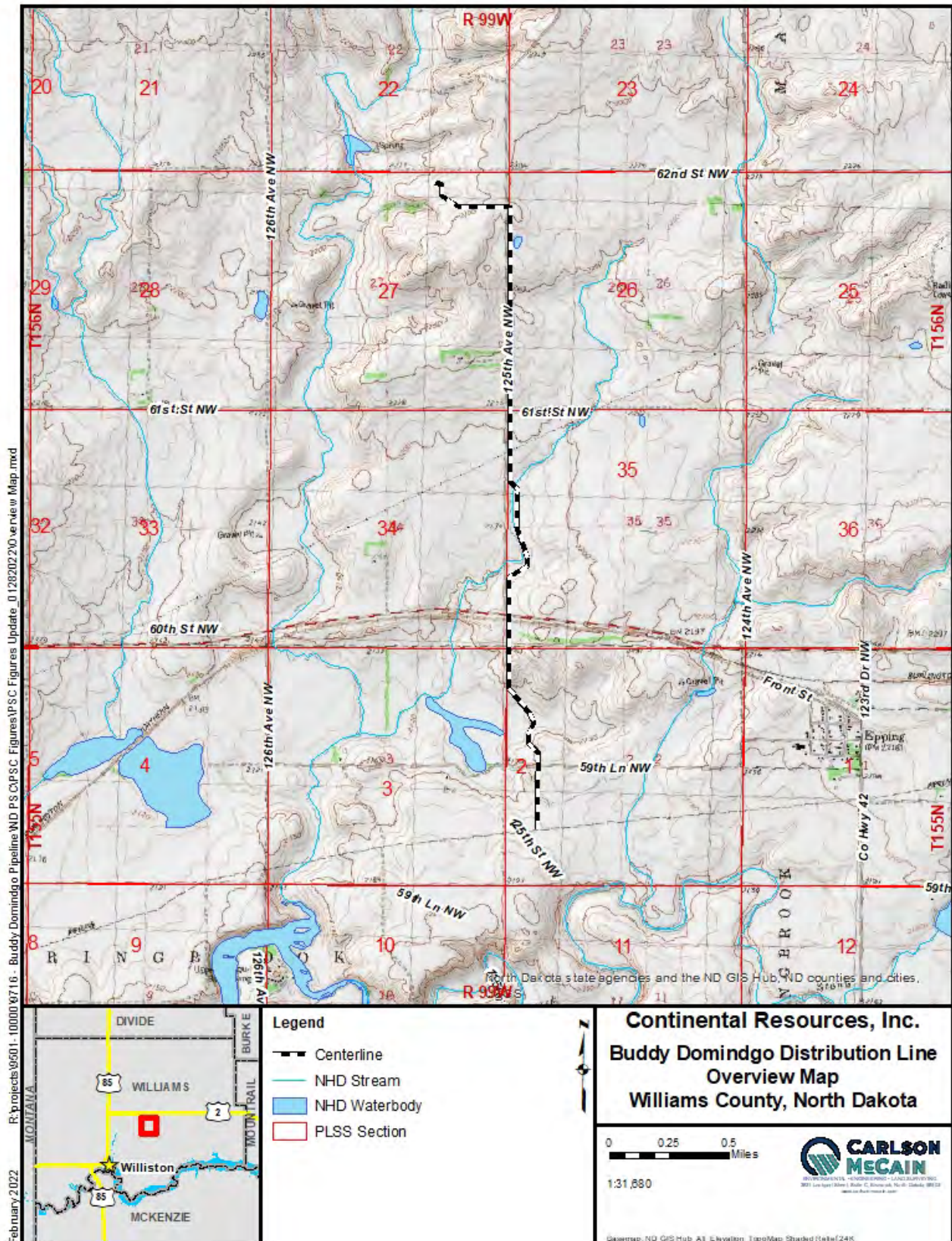
*February 8, 2022*

*Chad Tucker*

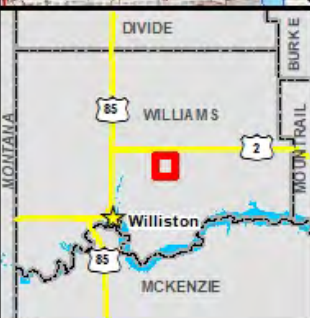
Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



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February 2022



**Legend**

- Centerline
- NHD Stream
- NHD Waterbody
- PLSS Section

**Continental Resources, Inc.**  
**Buddy Domindgo Distribution Line**  
**Overview Map**  
**Williams County, North Dakota**

0 0.25 0.5 Miles

1:31,680

Geomap: ND GIS Hub: A3: Elevation TopoMap Shaded (8x8)/24K



February 16, 2022

Natural Resources  
Conservation Service

Bismarck State Office  
PO Box 1458  
Bismarck, ND  
58502-1458

Voice 701.530.2000  
Fax 855-813-7556

Attn: Chad Tucker  
Carlson McCain Inc.  
3831 Lockport Street, Suite C  
Bismarck, ND 58503

Dear Mr. Tucker:

The Natural Resources Conservation Service (NRCS) has reviewed your letter dated February 8, 2022, concerning the proposed route change of the Buddy Domindgo Distribution Line project.

NRCS has a major responsibility with the Farmland Protection Policy Act (FPPA) in documenting conversion of farmland (i.e., Prime, Statewide Importance and/or Local Importance) to non-agricultural use. It appears your proposed distribution line project is not supported by federal funding; therefore, FPPA does not apply and no further action is needed.

#### Wetlands

The Wetland Conservation Provisions of the 1985 Food Security Act, as amended, provide that if a USDA participant converts a wetland for the purpose or to have the effect of making agricultural production possible, loss of USDA benefits could occur. NRCS has developed the following guidelines for the installation of permanent structures where wetlands occur. If these guidelines are followed the impacts to the wetland will be considered minimal allowing USDA participants to continue to receive USDA benefits.

Following are the requirements:

- Disturbance to the wetland must be temporary.
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- Mechanized landscaping necessary for installation is kept to a minimum and preconstruction contours are maintained.
- Temporary side cast material must be placed in such a manner not to be dispersed in the wetland.
- All trenches must be backfilled to the original wetland bottom elevation.

Potentially impacted USDA participants that wish to request a certified wetland determination can be directed to the USDA Farm Service Agency (FSA) to request a Highly Erodible Land Conservation (HELIC) and Wetland Conservation (WC) Certification (AD-1026) or they may contact Darrick Ystaas, Designated Conservationist, NRCS, Minot, North Dakota, at (701) 852-5434, ext. 125 for information about conservation compliance provisions related to the project. NRCS recommends that impacts to wetlands be avoided.

*Helping People Help the Land*

If you have additional questions pertaining to FPPA, please contact Wade Bott, State Soil Scientist, NRCS, Bismarck, North Dakota, at (701) 530-2021 or email to [wade.bott@usda.gov](mailto:wade.bott@usda.gov).

**WADE BOTT**

Digitally signed by WADE BOTT  
Date: 2022.02.16 09:56:57 -06'00'

WADE D. BOTT  
State Soil Scientist

U.S. DEPARTMENT OF AGRICULTURE  
NORTH DAKOTA FARM SERVICE AGENCY



November 3, 2021

Brad Thykeson  
State Executive Director  
USDA-North Dakota Farm Service Agency  
1025 28th Street South  
Fargo, ND 58103

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Dear Brad Thykeson,

Continental Resources, Inc. is proposing to construct and operate 5.1 miles of natural gas pipeline in Williams County. The project is referred to as the Buddy Domindgo Pipeline Project (Project) and will be located in Williams County, North Dakota spanning across:

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The Project will transfer natural gas that will be compressed and used for enhanced oil recovery. Construction activities are scheduled to begin in the first quarter of 2022 with pipeline commissioning and right-of-way restoration immediately following construction. The Project site and a 1-mile-wide corridor (Study Area) are depicted on the attached map.

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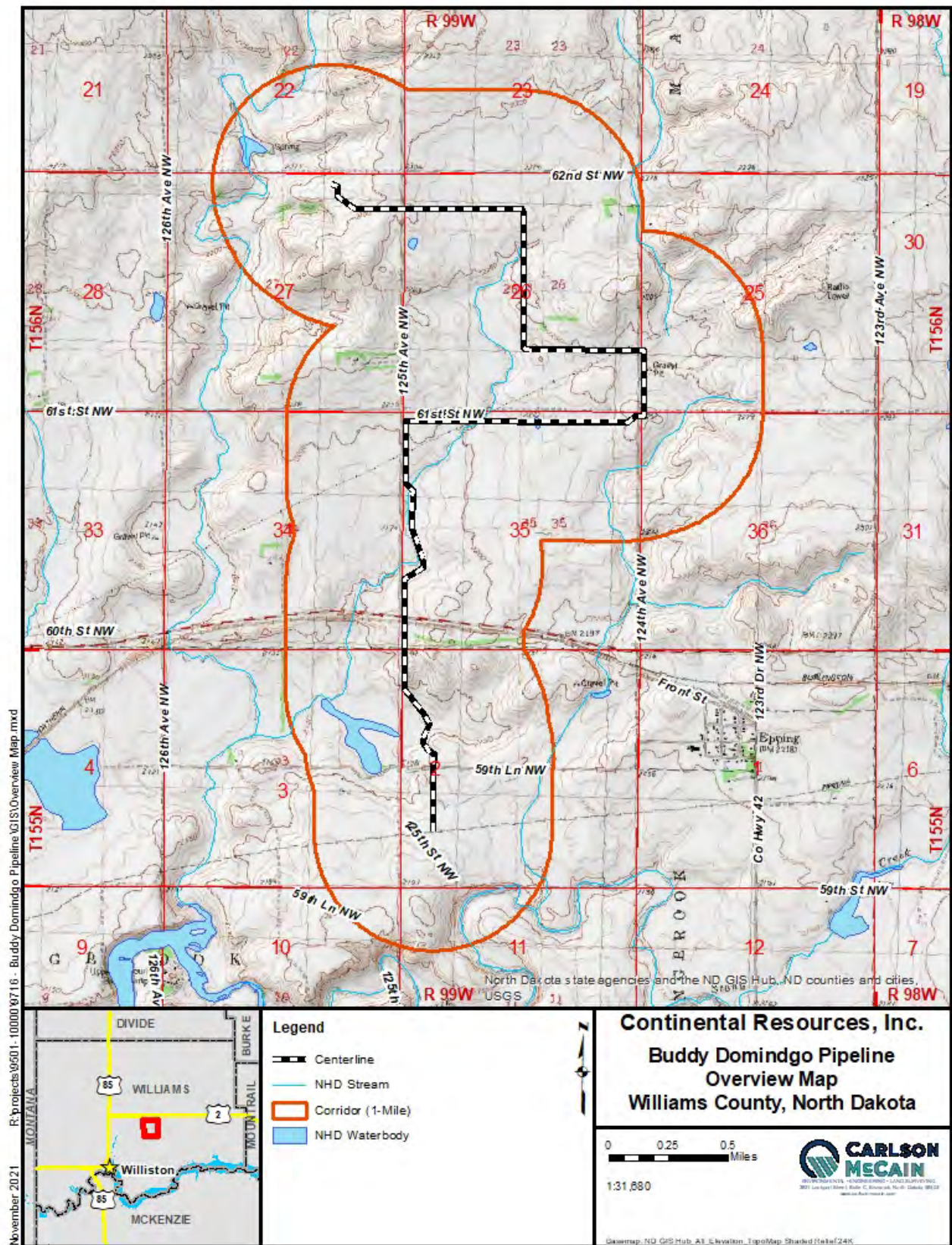
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files





February 8, 2022

Brad Thykeson  
State Executive Director  
USDA-North Dakota Farm Service Agency  
1025 28th Street South  
Fargo, ND 58103

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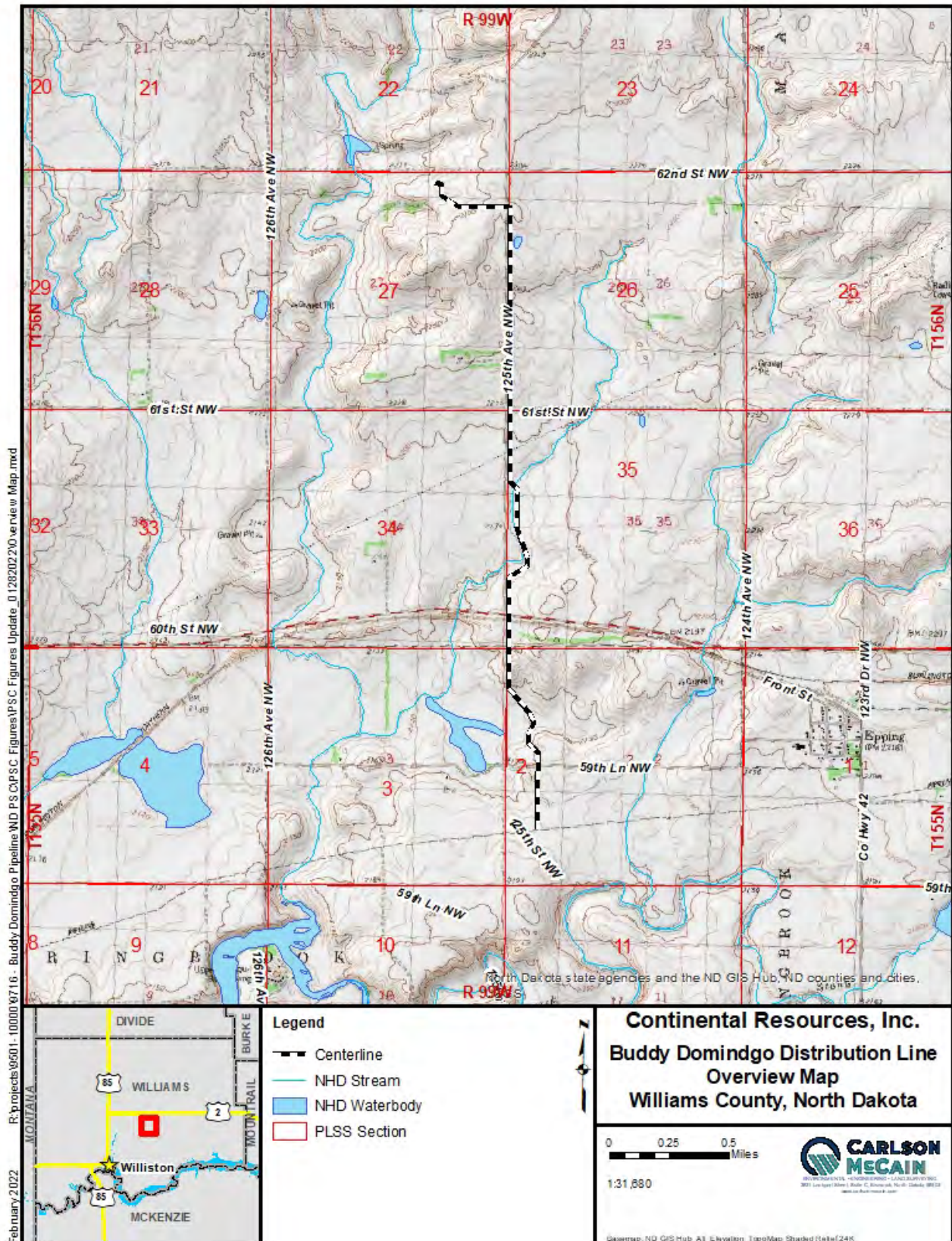
*February 8, 2022*

*Chad Tucker*

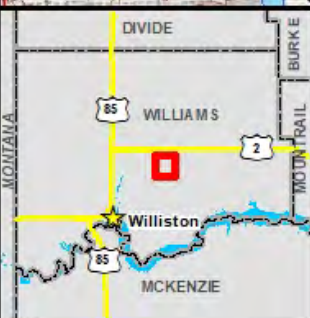
Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

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 February 2022



**Legend**

- Centerline
- NHD Stream
- NHD Waterbody
- PLSS Section

**Continental Resources, Inc.**  
**Buddy Domindgo Distribution Line**  
**Overview Map**  
**Williams County, North Dakota**

0 0.25 0.5 Miles  
 1:31,680

CARLSON MCCAIN  
 ENGINEERS - ARCHITECTS - LAND SURVEYORS  
 3011 Lee Street, Suite C, Bismarck, North Dakota 58103  
 www.carlsonmccain.com

Base map: ND GIS Hub, A3, Elevation, TopoMap, Shaded, 10m/24K

JOB SERVICE OF NORTH DAKOTA



November 3, 2021

Job Service of North Dakota  
1000 East Divide Avenue  
Bismarck, ND 58506

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

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*Buddy Domindgo Pipeline Project  
Williams County, North Dakota*

*November 3, 2021*

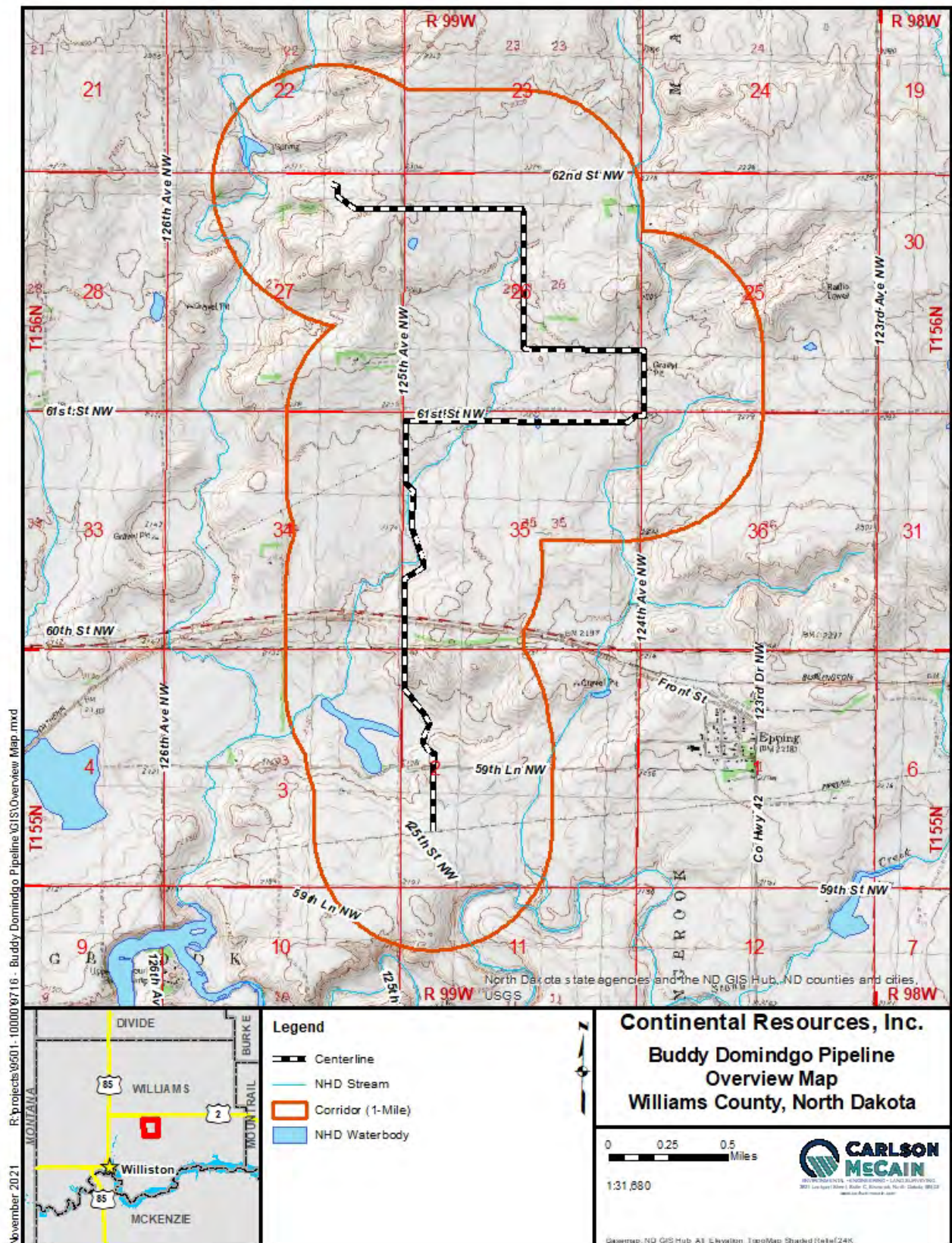
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

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cc: Continental Resources, Inc. Project Files





February 8, 2022

Job Service of North Dakota  
1000 East Divide Avenue  
Bismarck, ND 58506

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Sincerely,

A handwritten signature in blue ink that reads "Chad Tucker".

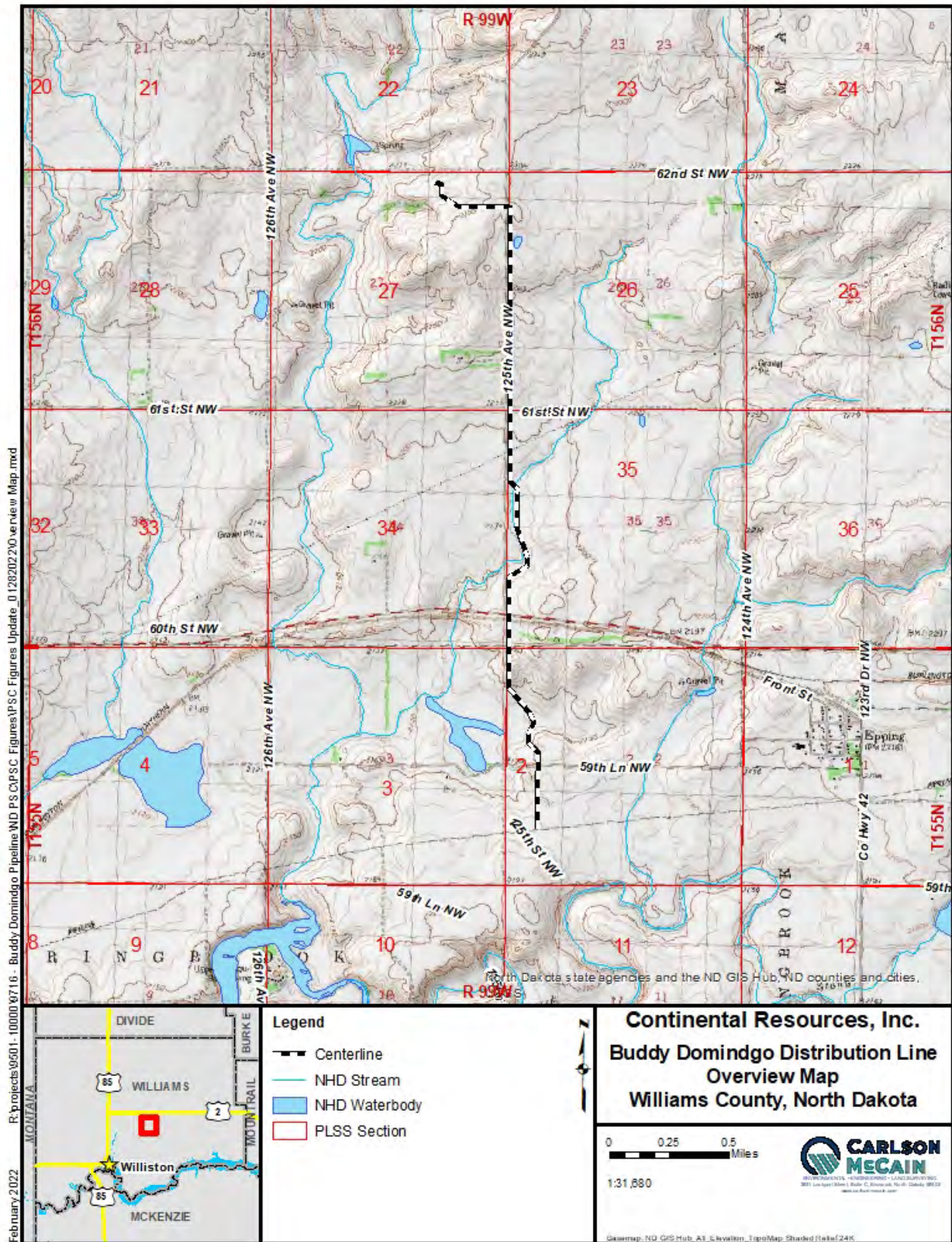
*Buddy Domindgo Distribution Line  
Williams County, North Dakota*

*February 8, 2022*

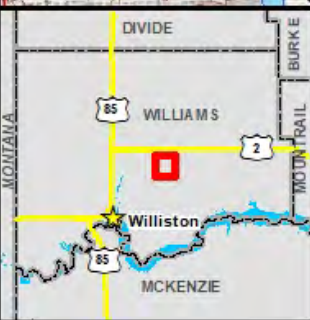
Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



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 February 2022



**Legend**

- Centerline
- NHD Stream
- NHD Waterbody
- PLSS Section

**Continental Resources, Inc.**  
**Buddy Domindgo Distribution Line**  
**Overview Map**  
**Williams County, North Dakota**

0 0.25 0.5 Miles

1:31,680

**CARLSON MCCAIN**  
 SURVEYING • ENGINEERING • LAND SURVEYING  
 301 Lee Street, Suite C, Bismarck, North Dakota 58103  
 www.carlsonmccain.com

Basemap: ND GIS Hub, A3, Elevation, TopoMap, Shaded, 10m/24K

NORTH DAKOTA AERONAUTICS COMMISSION



November 3, 2021

North Dakota Aeronautic Commission  
PO Box 5020  
Bismarck, ND 58502

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Dear Sir or Madam,

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In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

*Buddy Domindgo Pipeline Project  
Williams County, North Dakota*

*November 3, 2021*

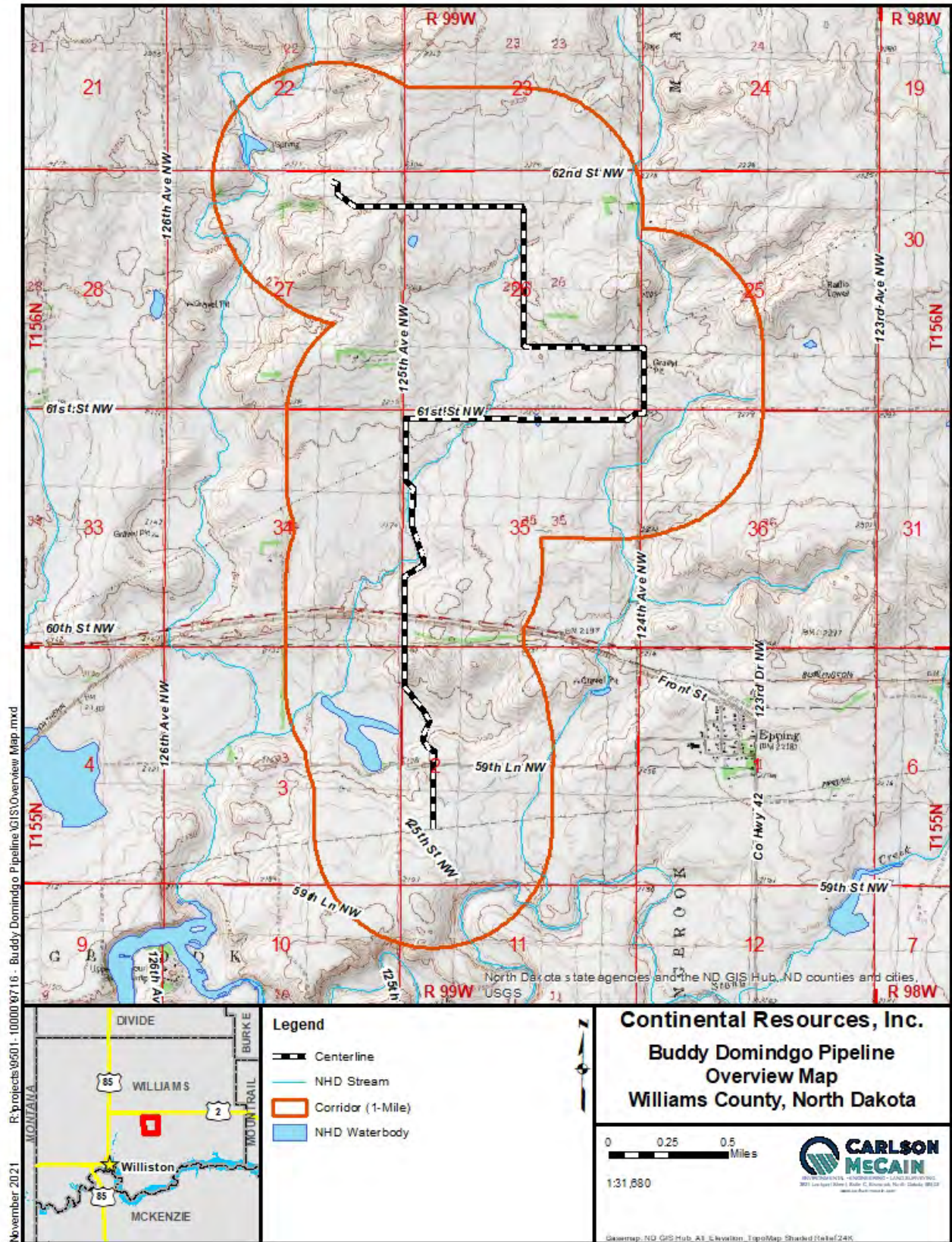
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February 8, 2022

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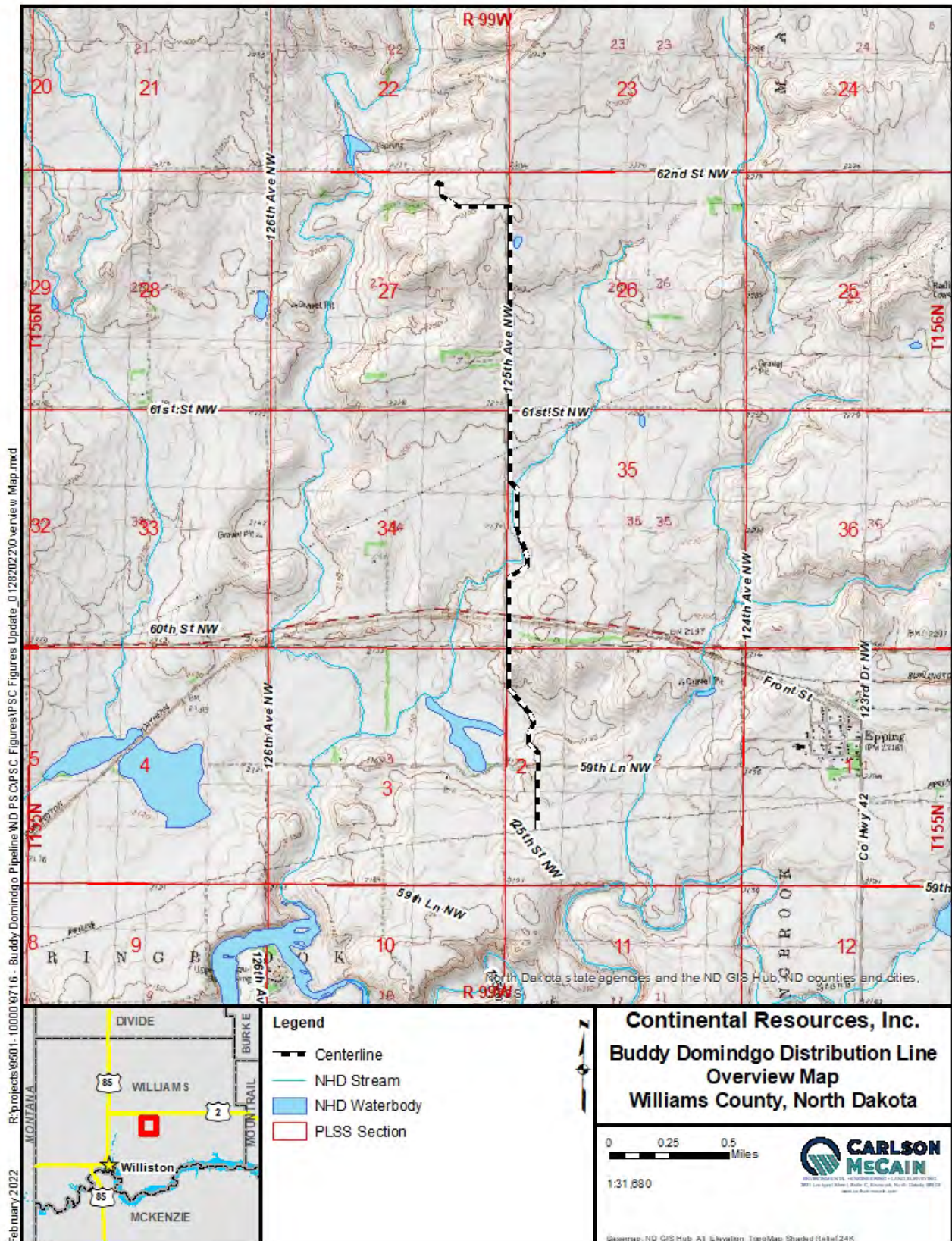
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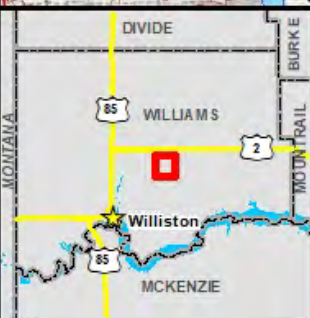
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February 2022



**Legend**

- Centerline
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**Continental Resources, Inc.**  
**Buddy Domindgo Distribution Line**  
**Overview Map**  
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0 0.25 0.5 Miles

1:31,680

Geomap: ND GIS Hub: A3: Elevation TopoMap Shaded (8x8)/24K

NORTH DAKOTA ATTORNEY GENERAL



November 3, 2021

North Dakota Attorney General  
600 East Boulevard Avenue, Dept. 125  
Bismarck, ND 58505-0040

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Buddy Domindgo Pipeline Project  
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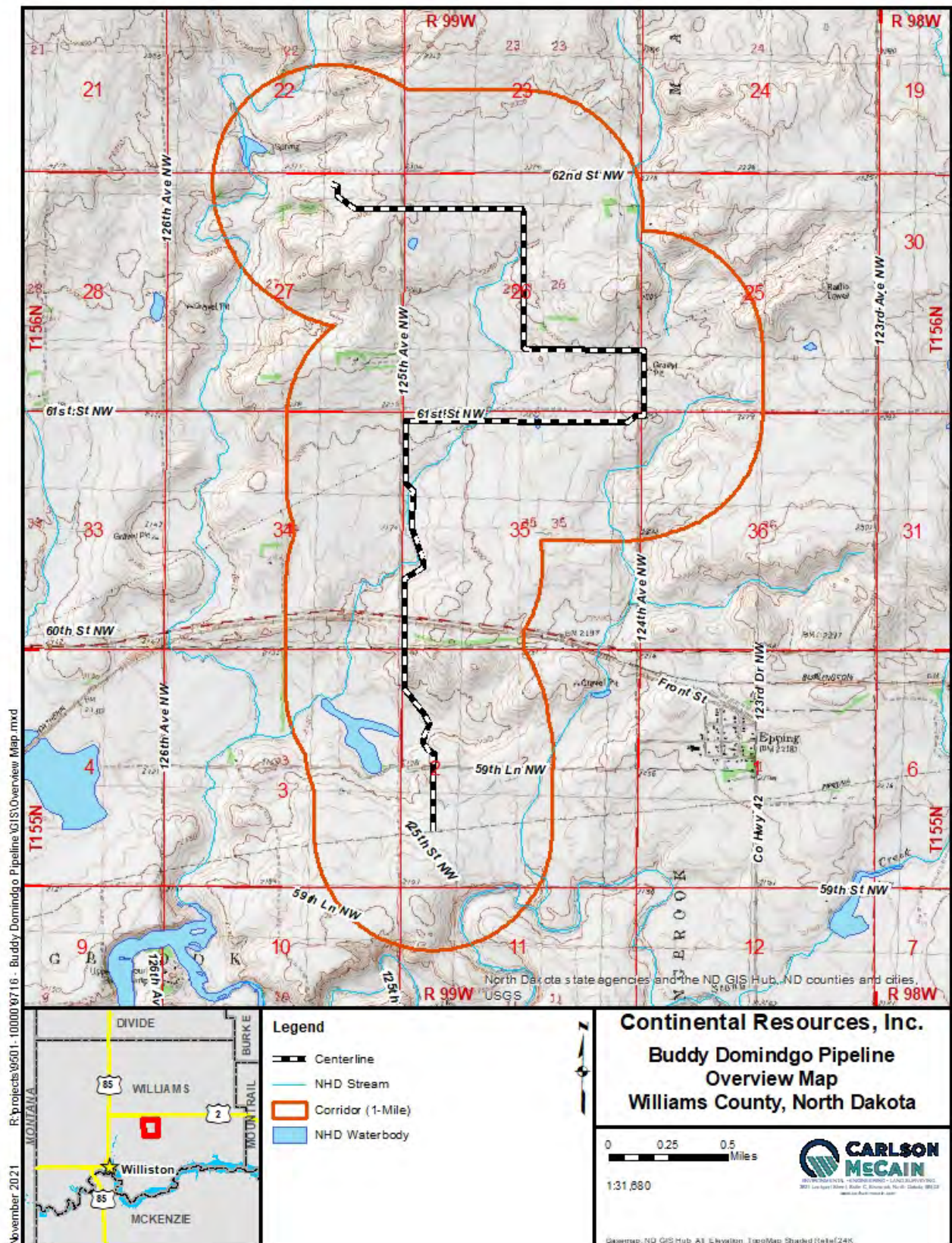
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February 8, 2022

North Dakota Attorney General  
600 East Boulevard Avenue, Dept. 125  
Bismarck, ND 58505-0040

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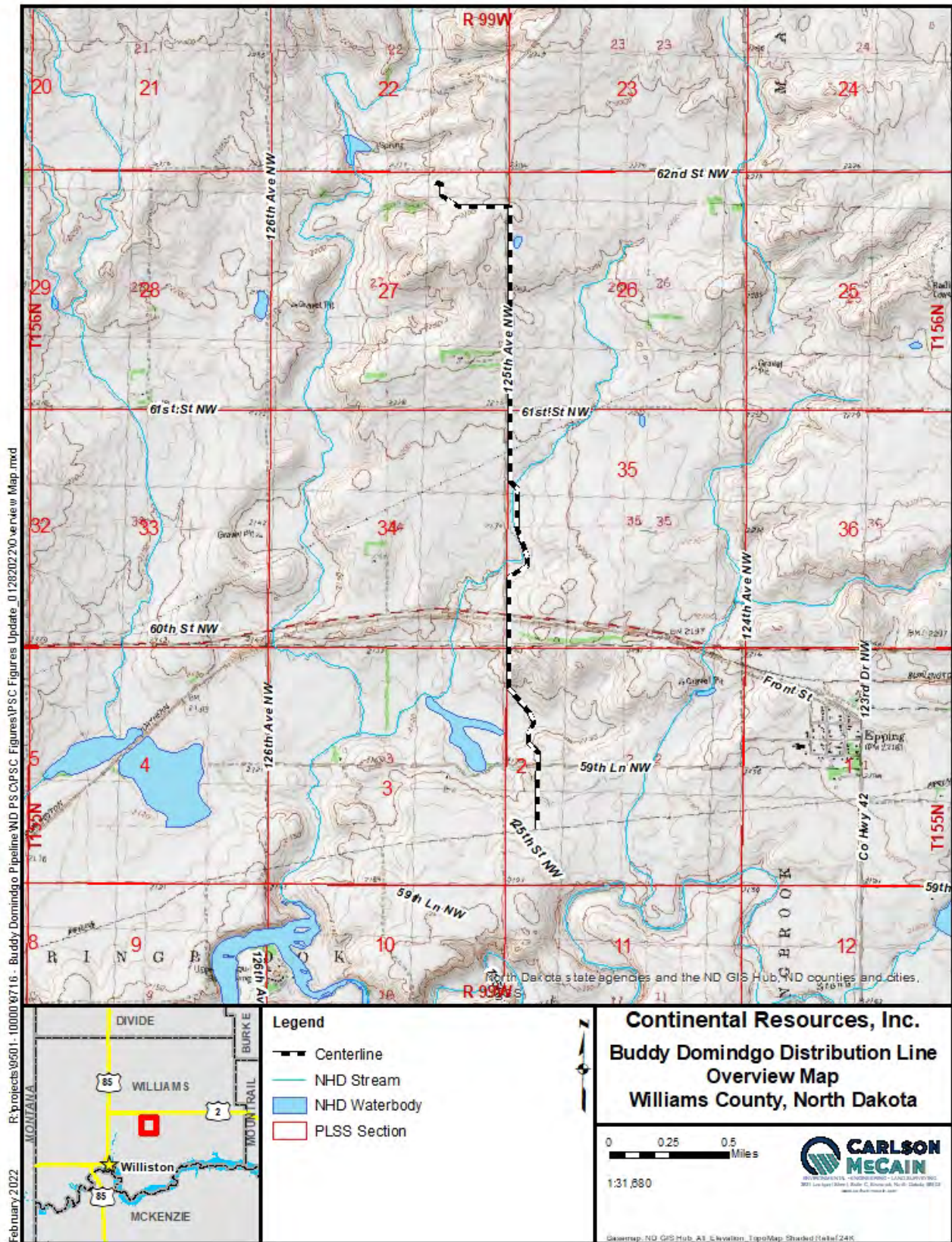
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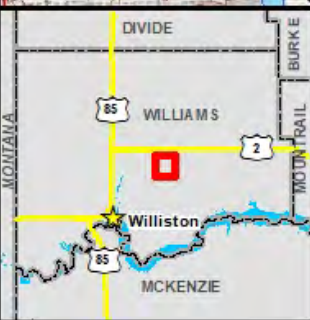
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Basemap: ND GIS Hub, A3, Elevation, TopoMap, Shaded, 10m/24K

NORTH DAKOTA DEPARTMENT OF CAREER AND  
TECHNICAL EDUCATION



November 3, 2021

North Dakota Department of Career and Technical Education  
600 East Boulevard Avenue, Dept. 270  
Bismarck, ND 58505

RE: Continental Resources, Inc.  
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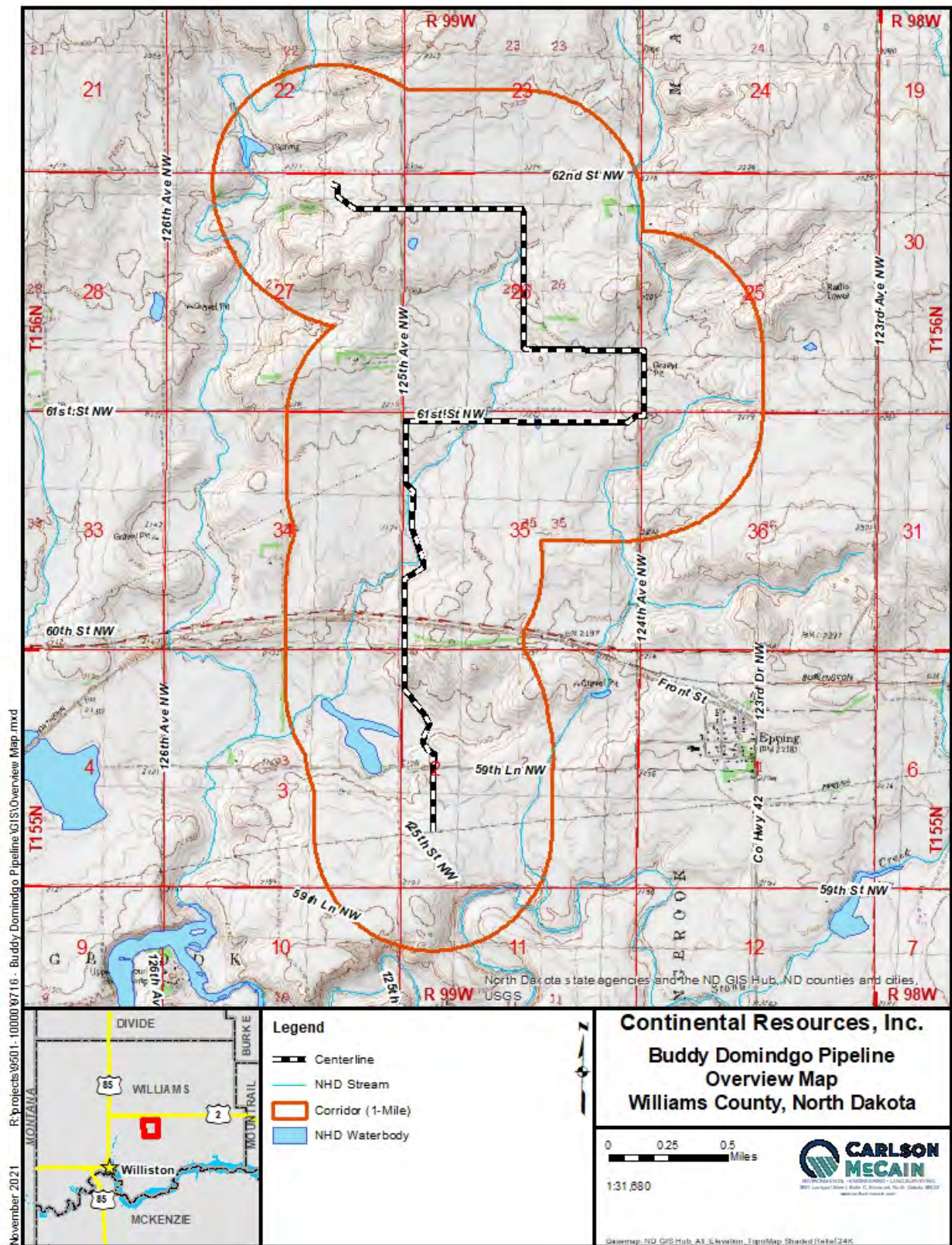
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February 8, 2022

North Dakota Department of Career and Technical Education  
600 East Boulevard Avenue, Dept. 270  
Bismarck, ND 58505

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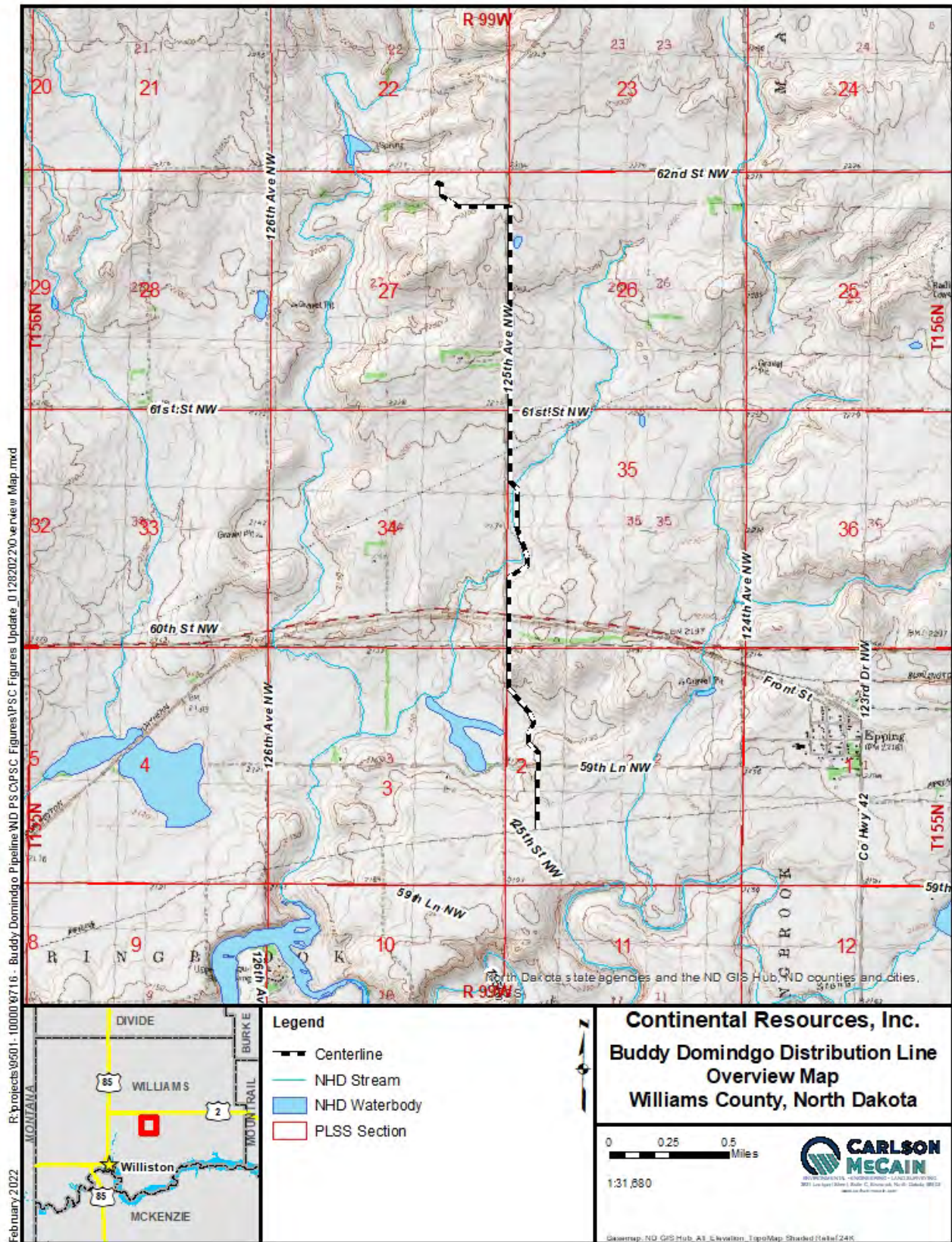
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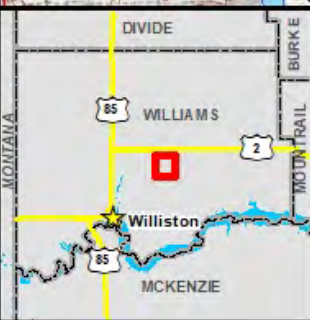
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**Buddy Domindgo Distribution Line  
Overview Map  
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Data: ND GIS Hub, A3, Elevation, TopoMap, Shaded, 10m/24K

NORTH DAKOTA DEPARTMENT OF COMMERCE



November 3, 2021

North Dakota Department of Commerce  
1600 East Century Avenue #2  
Bismarck, ND 58503

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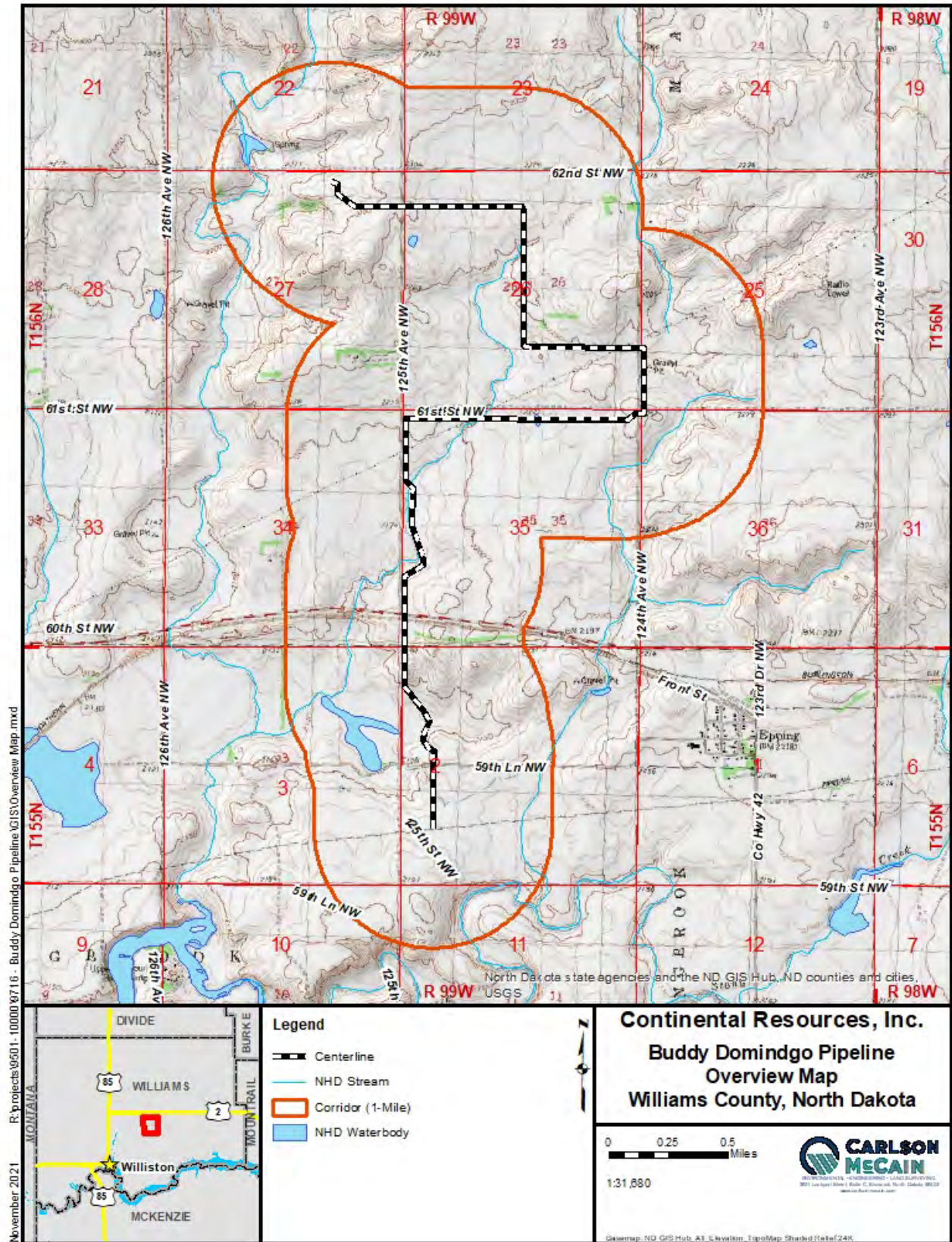
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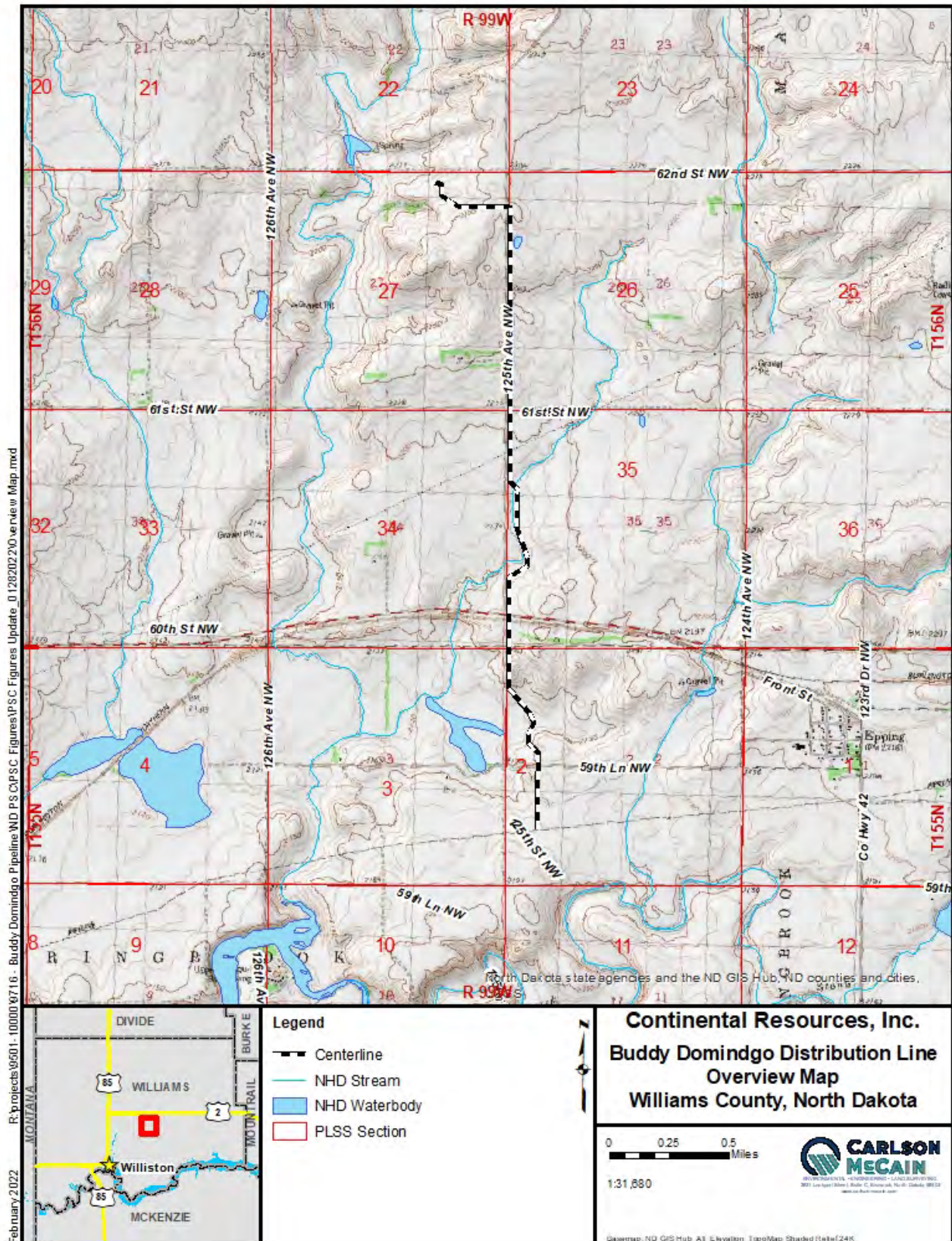
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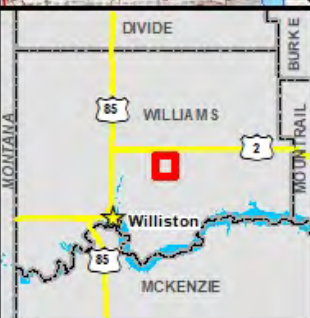
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Geomap: ND GIS Hub: A3: Elevation TopoMap Shaded (8x8)/24K

NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY  
ENVIRONMENTAL HEALTH SECTION



November 3, 2021

David L. Glatt, PE  
Director  
North Dakota Department of Environmental Quality  
4201 Normandy Street  
Bismarck, ND 58503-1324

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

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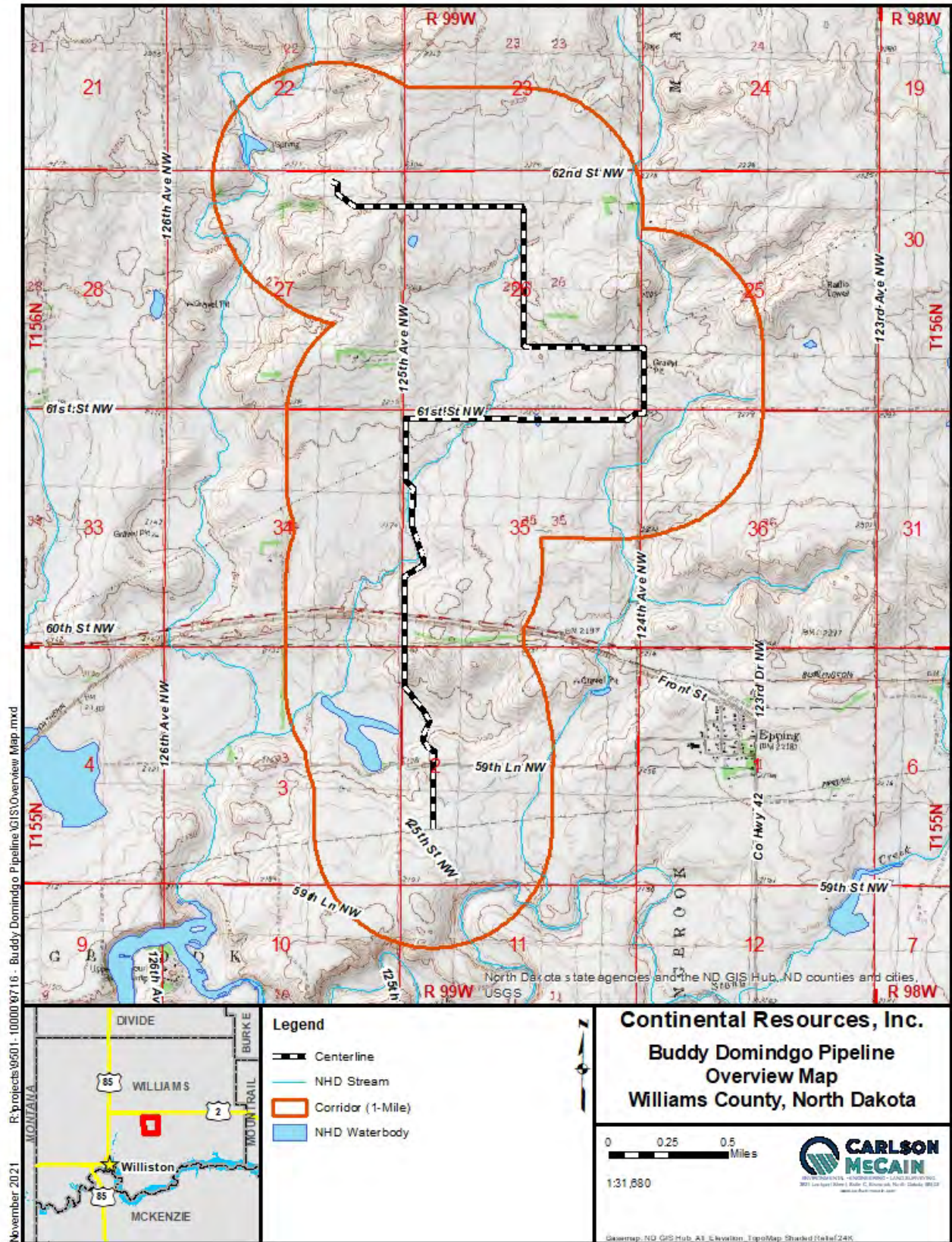
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November 17, 2021

Chad Tucker  
Wildlife Biologist  
Carlson McCain  
3831 Lockport St. Suite C  
Bismarck, ND 58503

Re: Continental Resources Buddy Domindgo Pipeline Project in Williams County

Dear Mr. Tucker:

The North Dakota Department of Environmental Quality has reviewed the information concerning the above-referenced project received at the department on November 4, 2021 with respect to possible environmental impacts.

This department believes that environmental impacts from the proposed construction will be minor and can be controlled by proper construction methods. With respect to construction, we have the following comments:

1. Care is to be taken during construction activity near any water of the state to minimize adverse effects on a water body. This includes minimal disturbance of stream beds and banks to prevent excess siltation, and the replacement and revegetation of any disturbed area as soon as possible after work has been completed. Caution must also be taken to prevent spills of oil and grease that may reach the receiving water from equipment maintenance, and/or the handling of fuels on the site. Guidelines for minimizing degradation to waterways during construction are attached.
2. Oil and gas projects disturbing one or more acres are required to obtain a permit to discharge storm water if runoff from the project will carry eroded material to a water of the state. A permit is not required for oil and gas projects if runoff from the project will not carry eroded material to a water of the state. Further information on the storm water permit may be obtained from the Department's website or by calling the Division of Water Quality (701-328-5210). In addition, cities or counties may impose additional requirements and/or specific best management practices for construction affecting their storm drainage system. Check with the local officials to be sure any local storm water management considerations are addressed.
3. All solid waste materials must be managed and transported in accordance with the state's solid and hazardous waste rules. Appropriate efforts to reduce, reuse and/or recycle waste materials are strongly encouraged. As appropriate, segregation of inert waste from non-inert waste can generally reduce the cost of waste management. Further information on waste management and recycling is available from the department's Division of Waste Management at (701)328-5166.

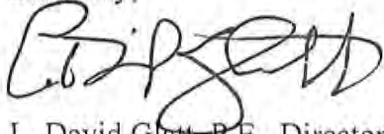
4. Projects that involve construction, drilling, completion and/or production of crude oil or natural gas wells should select locations that minimize the potential for environmental damage during development of the well and in the event of a spill, restrict fluids from reaching surface waters. Well placement should avoid close proximity to drainage areas and steep slopes. Environmental damage can be reduced by developing a spill response plan that emphasizes rapid deployment of prepositioned assets necessary to contain spills and subsequent cleanup. Proper surveillance and monitoring of pipelines is necessary for the early detection of leaks.
5. Projects that involve construction of pipelines should select locations that minimize the potential for impacts to human health and the environment during and after construction by avoiding, when possible, source water protection areas and sensitive surface and groundwater environments. Additionally, when possible, pipeline routes should select areas with natural barriers to both surface and ground waters. Human health and the environment should be further protected by developing a spill response plan that emphasizes rapid deployment of prepositioned assets necessary to contain spills and subsequent cleanup. Proper surveillance and monitoring for early detection of leaks should be required.

These comments are based on the information provided about the project in the above-referenced submittal. The U.S. Army Corps of Engineers may require a water quality certification from this department for the project if the project is subject to their Section 404 permitting process. Any additional information which may be required by the U.S. Army Corps of Engineers under the process will be considered by this department in our determination regarding the issuance of such a certification.

The department owns no land in or adjacent to the proposed improvements, nor does it have any projects scheduled in the area. In addition, we believe the proposed activities are consistent with the State Implementation Plan for the Control of Air Pollution for the State of North Dakota.

If you have any questions regarding our comments, please feel free to contact this office.

Sincerely,



L. David Glatt, P.E., Director  
North Dakota Department of Environmental Quality

LDG:csc  
Attach.

Construction and Environmental Disturbance Requirements

The following are the minimum requirements of the North Dakota Department of Environmental Quality for projects that involve construction and environmental disturbance in or near waters of the State of North Dakota. They ensure that minimal environmental degradation occurs as a result of construction or related work which has the potential to affect waters of the state. All projects must be constructed to minimize the loss of soil, vegetative cover, and pollutants (chemical or biological) from a site.

**Soils**

Prevent the erosion and sediment loss using erosion and sediment controls. Fragile and sensitive areas such as wetlands, riparian zones, delicate flora, and land resources must be prohibited against compaction, vegetation loss and unnecessary damage.

**Surface Waters**

All construction must be managed to minimize impacts to aquatic systems. Follow safe storage and handling procedures to prevent the contamination of water from fuel spills, lubricants, and chemicals. Stream bank and stream bed disturbances must be contained to minimize silt movement, nutrient upsurges, plant dislocations, and any physical chemicals, or biological disruption. The use of pesticides or herbicides in or near surface waters is allowed under the department's pesticide application permit with notification to the department.

**Fill Material**

Any fill material placed below the ordinary high-water mark must be free of topsoil, decomposable materials, and persistent synthetic organic compounds; including, but not limited to, asphalt, tires, treated lumber, and construction debris. The department may require testing of fill material. All temporary fills must be removed. Debris and solid waste must be properly disposed or recycled. Impacted areas must be restored to near original condition.



February 8, 2022

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Director  
North Dakota Department of Environmental Quality  
4201 Normandy Street  
Bismarck, ND 58503-1324

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Buddy Domindgo Distribution Line  
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Sincerely,

*Buddy Domindgo Distribution Line  
Williams County, North Dakota*

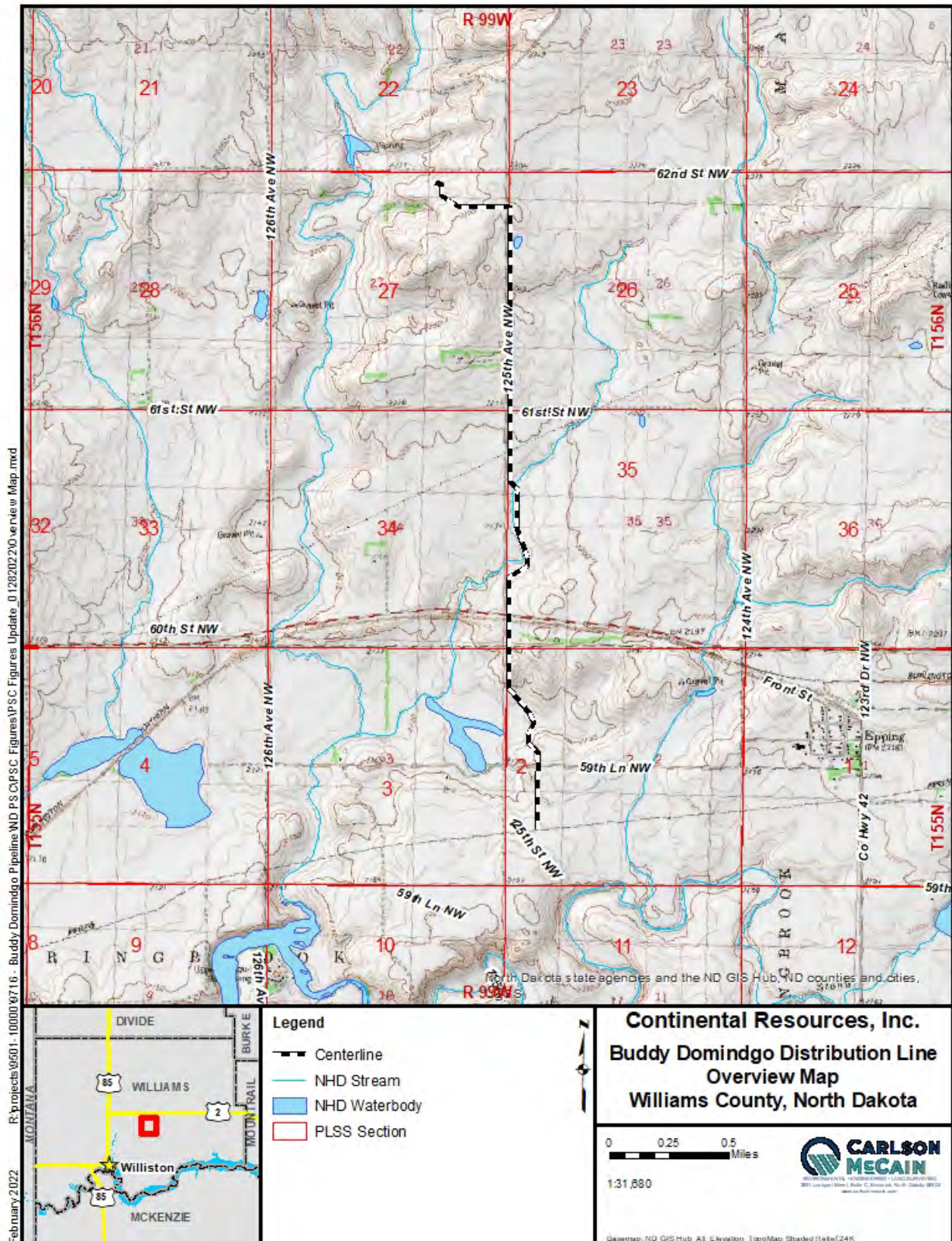
*February 8, 2022*

*Chad Tucker*

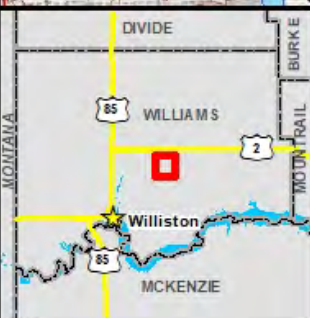
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Wildlife Biologist  
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Attachment: Project Map

cc: Continental Resources, Inc. Project Files



R:\projects\9501-10000\9716 - Buddy Domindgo Pipeline\ND PS\VPSC Figures\PS Figures Update - 01282022\210\review Map.mxd  
 February 2022



**Legend**

- Centerline
- NHD Stream
- NHD Waterbody
- PLSS Section

**Continental Resources, Inc.**  
**Buddy Domindgo Distribution Line**  
**Overview Map**  
**Williams County, North Dakota**

0 0.25 0.5 Miles

1:31,680

**CARLSON MCCAIN**  
 SURVEYING • ENGINEERING • LAND SURVEYING  
 301 Lee Street, Suite C, Bismarck, North Dakota 58103  
 www.carlsonmccain.com

Basemap: ND GIS Hub, A3, Elevation, TopoMap, Shaded, 10m/24K

NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES



November 3, 2021

North Dakota Department of Human Services  
600 East Boulevard Avenue, Dept. 325  
Bismarck, ND 58505

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Dear Sir or Madam,

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*Buddy Domindgo Pipeline Project  
Williams County, North Dakota*

*November 3, 2021*

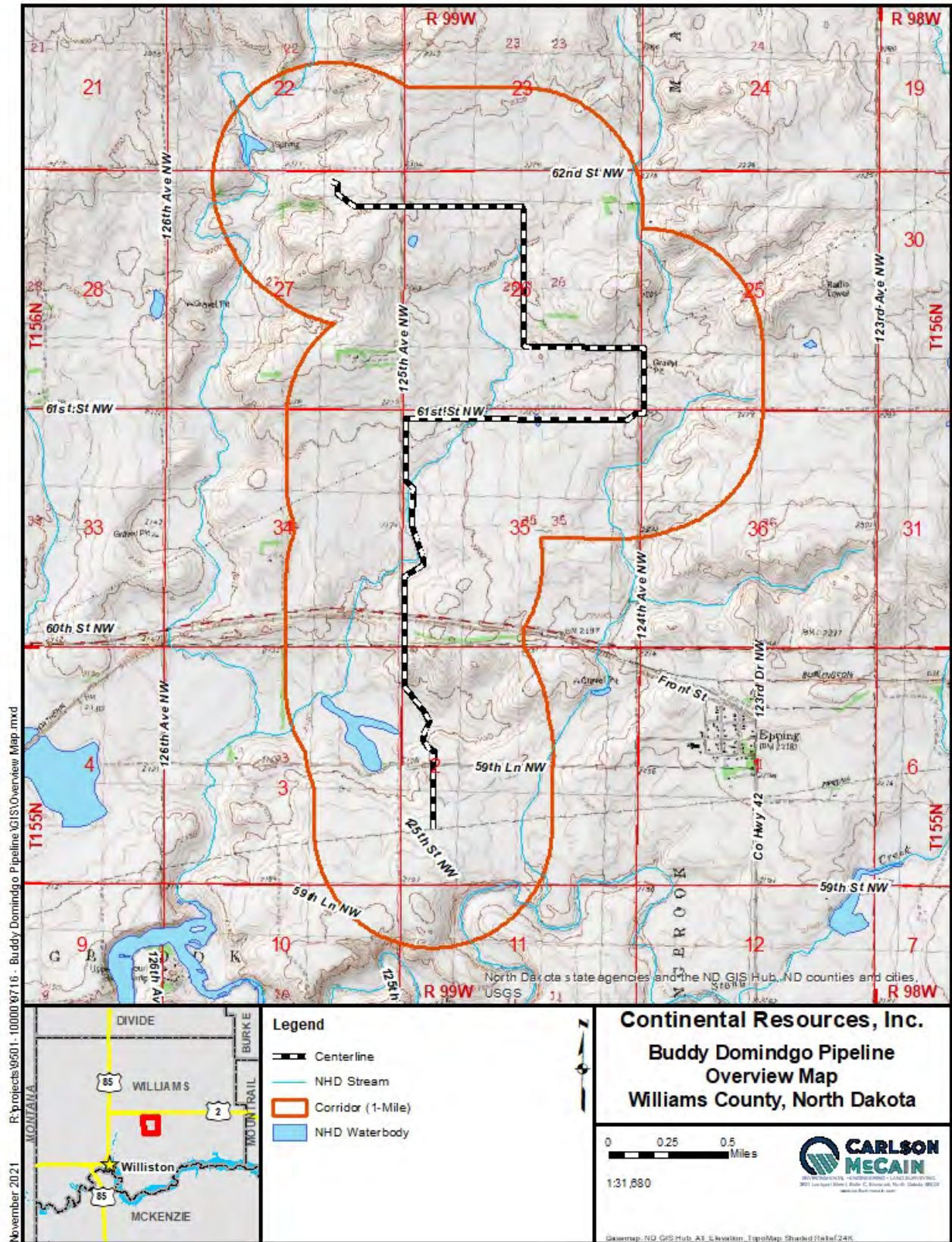
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Chad Tucker  
Wildlife Biologist  
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Attachment: Project Map

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February 8, 2022

North Dakota Department of Human Services  
600 East Boulevard Avenue, Dept. 325  
Bismarck, ND 58505

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Project Notification Letter and Review Request

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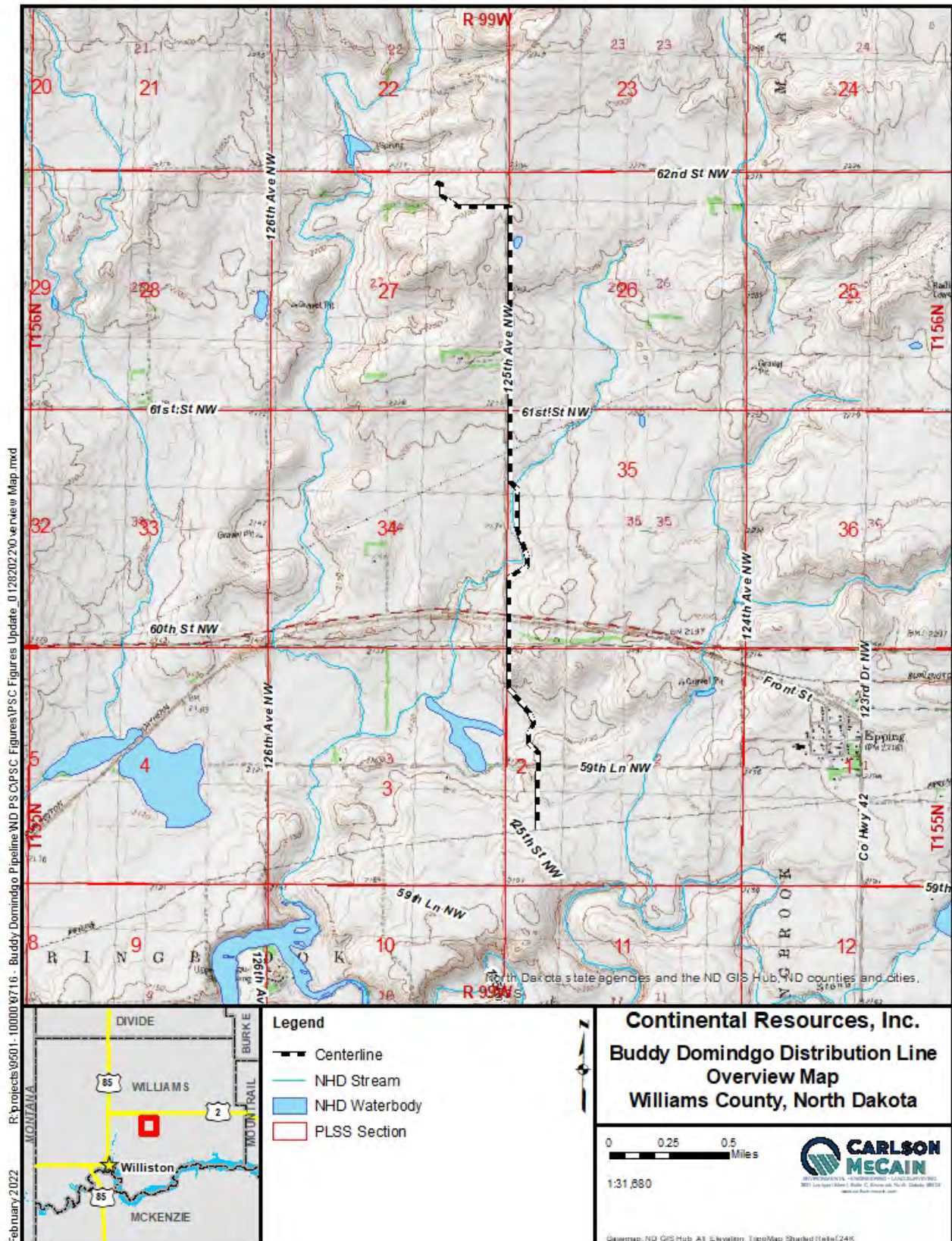
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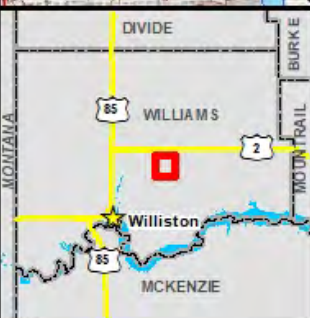
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February 2022



**Legend**

- Centerline
- NHD Stream
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**Continental Resources, Inc.**  
**Buddy Domindgo Distribution Line**  
**Overview Map**  
**Williams County, North Dakota**

0 0.25 0.5 Miles

1:31,680

Geomap: ND GIS Hub: A3: Elevation TopoMap Shaded (8x8)/24K

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION  
WILLISTON DISTRICT



November 3, 2021

District 7-Williston  
North Dakota Department of Transportation  
605 Dakota Parkway West  
Williston, ND 58802-0698

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*November 3, 2021*

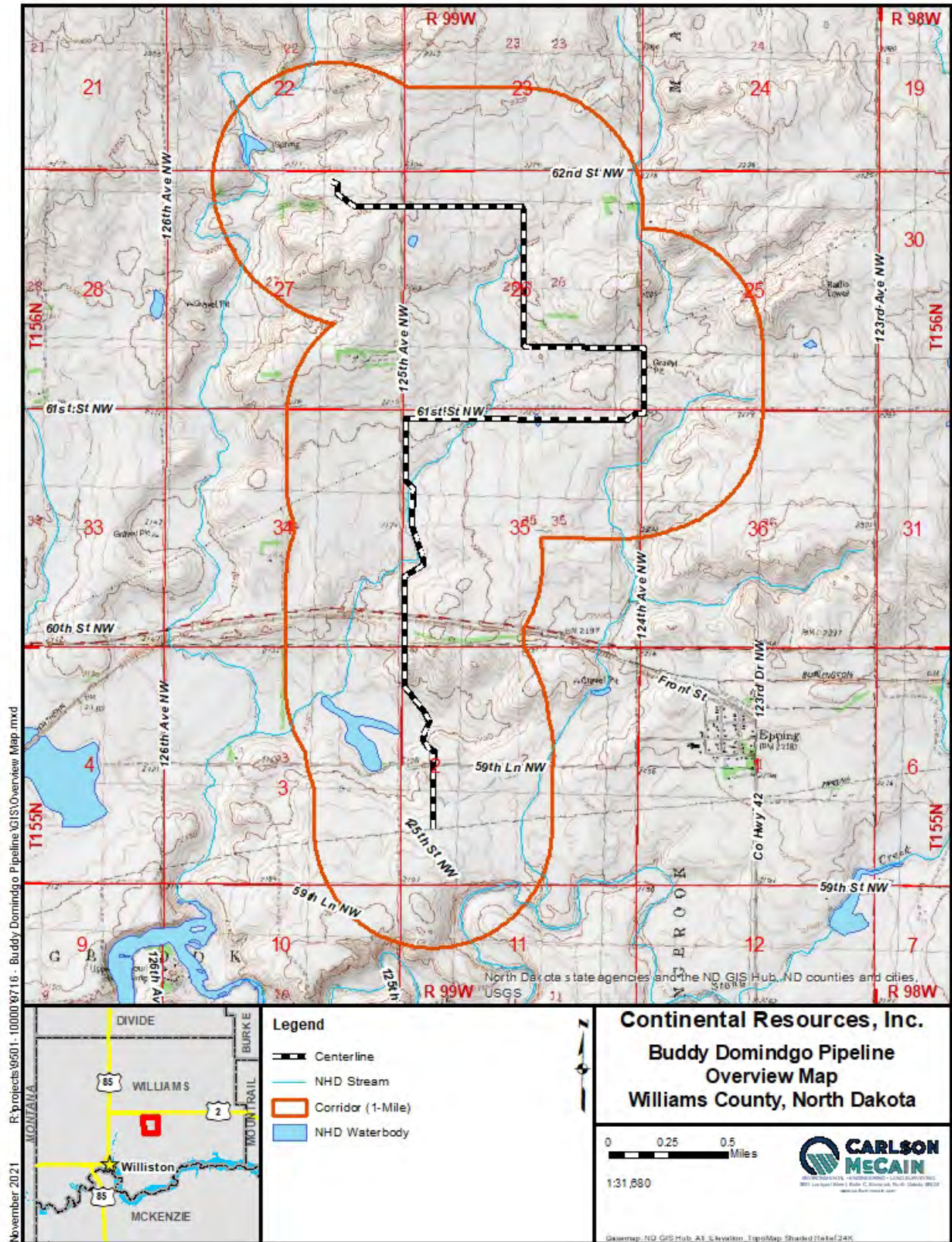
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February 8, 2022

District 7-Williston  
North Dakota Department of Transportation  
605 Dakota Parkway West  
Williston, ND 58802-0698

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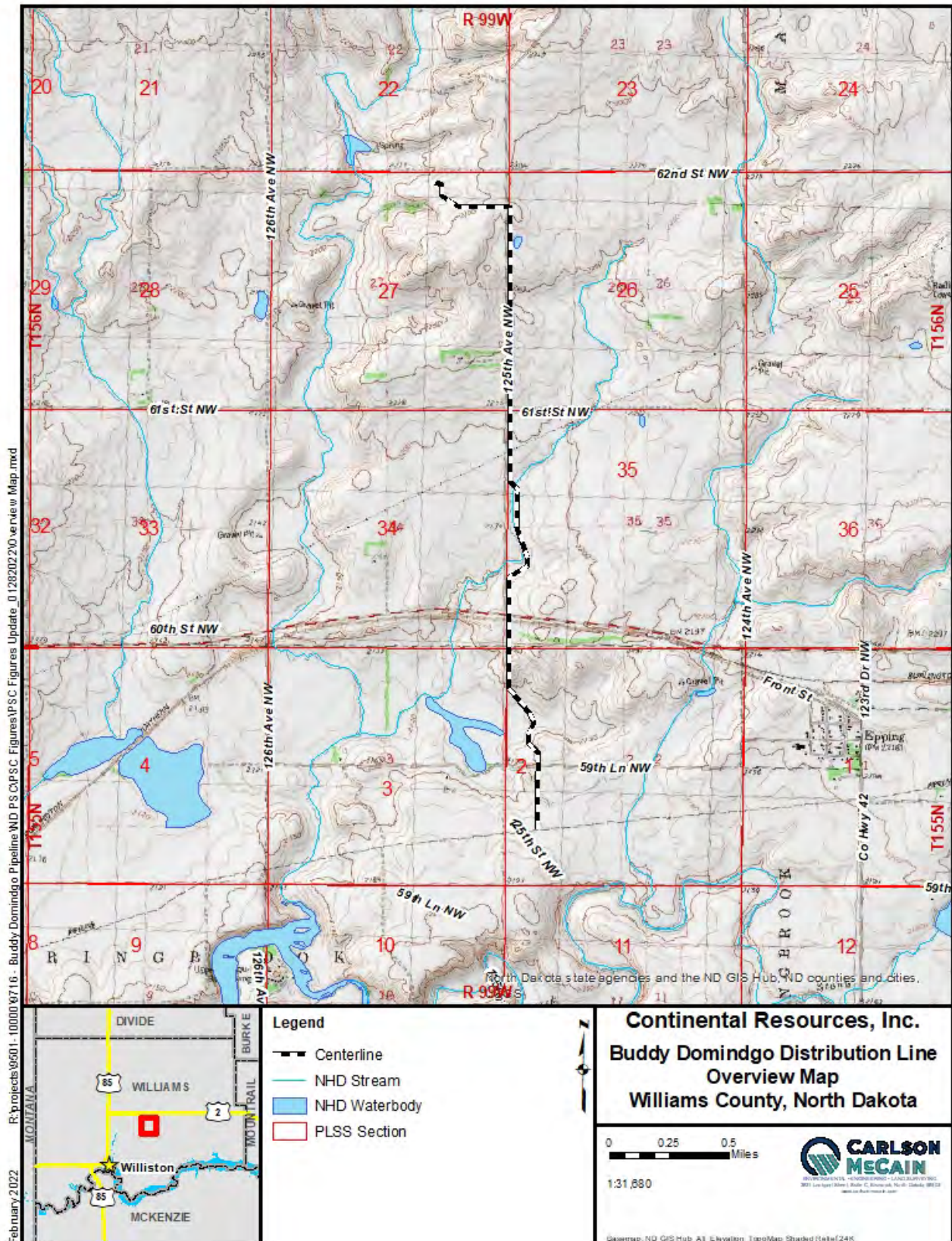
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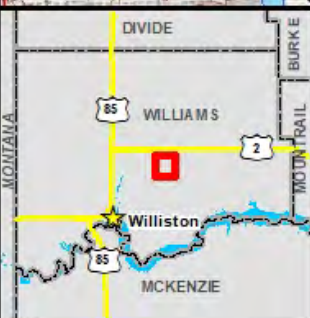
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1:31,680

Geomap: ND GIS Hub: A3: Elevation TopoMap Shaded (8x8)/24K

NORTH DAKOTA DEPARTMENT OF TRUST LANDS  
SCHOOL/SURFACE TRUST



November 3, 2021

Mike Humann  
Director  
North Dakota Department of Trust Lands  
School/Surface Trust Lands  
1707 North 9th Street  
Bismarck, ND 58501

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

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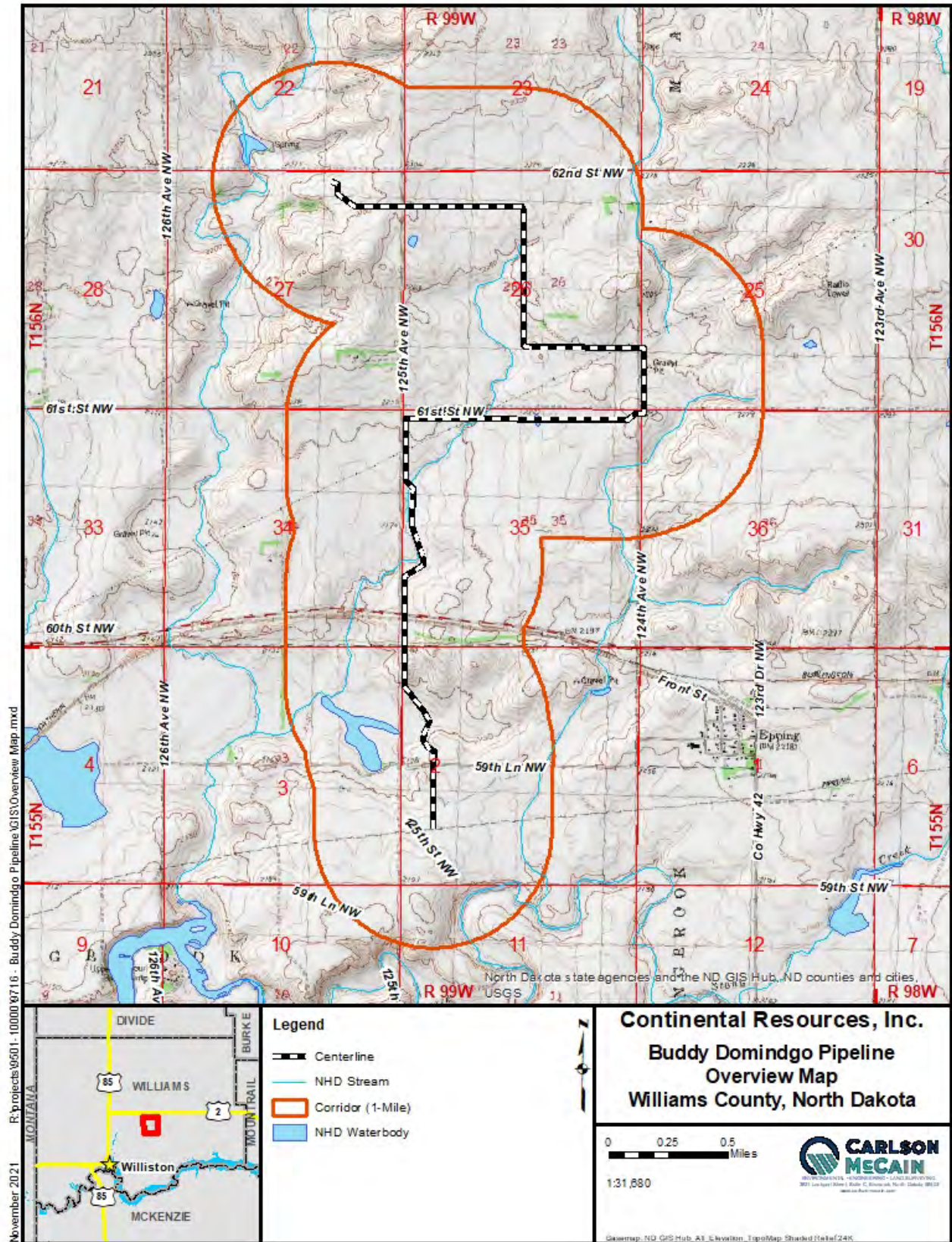
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**From:** [Humann, Michael T.](#)  
**To:** [Chad Tucker](#)  
**Cc:** [Spangelo, Kayla](#); [Spencer, Lynn](#)  
**Subject:** Buddy Domindgo Pipeline Project  
**Date:** Friday, November 5, 2021 10:49:17 AM  
**Attachments:** [image001.png](#)  
[Carlson McCain letter 11032021 copy from Mike.pdf](#)

---

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- Continental Resources has applied and is working with our Rights-of-Way Professional Kayla Spangelo on securing an easement agreement for the portion of the pipeline that crosses State Trust Land in the NW4-section 36, Township 156N, Range 99W.
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155-99-25	N2NE4	0.50	40.00	OG0700447
155-99-26	<i>None</i>			
155-99-27	<i>None</i>			
156-99-35	<i>None</i>			
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

Let us know if you have any further questions.

**Michael Humann**  
*Surface Division Manager*

701.328.1917 • 701.527.3376 (m) • [mhumann@nd.gov](mailto:mhumann@nd.gov) • [land.nd.gov](http://land.nd.gov)





February 8, 2022

Mike Humann  
Director  
North Dakota Department of Trust Lands  
School/Surface Trust Lands  
1707 North 9th Street  
Bismarck, ND 58501

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Buddy Domindgo Distribution Line  
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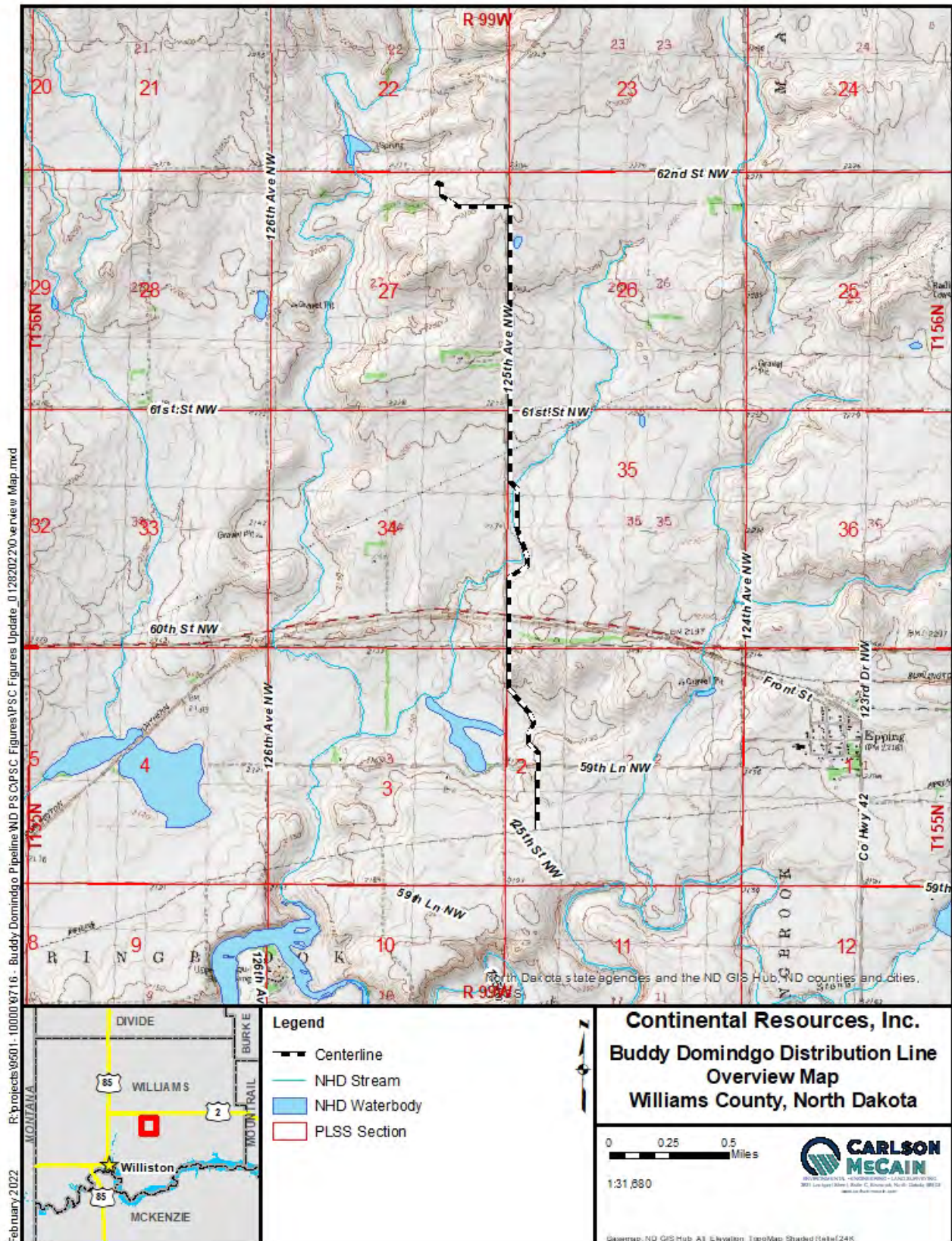
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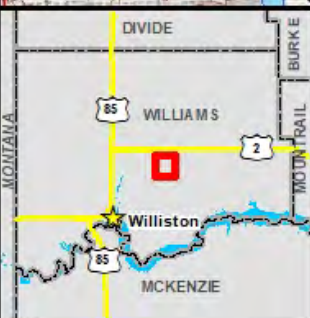
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**Legend**

- Centerline
- NHD Stream
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**Continental Resources, Inc.**  
**Buddy Domindgo Distribution Line**  
**Overview Map**  
**Williams County, North Dakota**

0 0.25 0.5 Miles

1:31,680

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Basemap: ND GIS Hub, A3, Elevation, TopoMap, Shaded, 10m/24K

NORTH DAKOTA DEPARTMENT OF TRUST LANDS  
MINERALS MANAGEMENT



November 3, 2021

David Shipman  
Director  
North Dakota Department of Trust Lands  
Minerals Management  
1707 North 9th Street  
Bismarck, ND 58501

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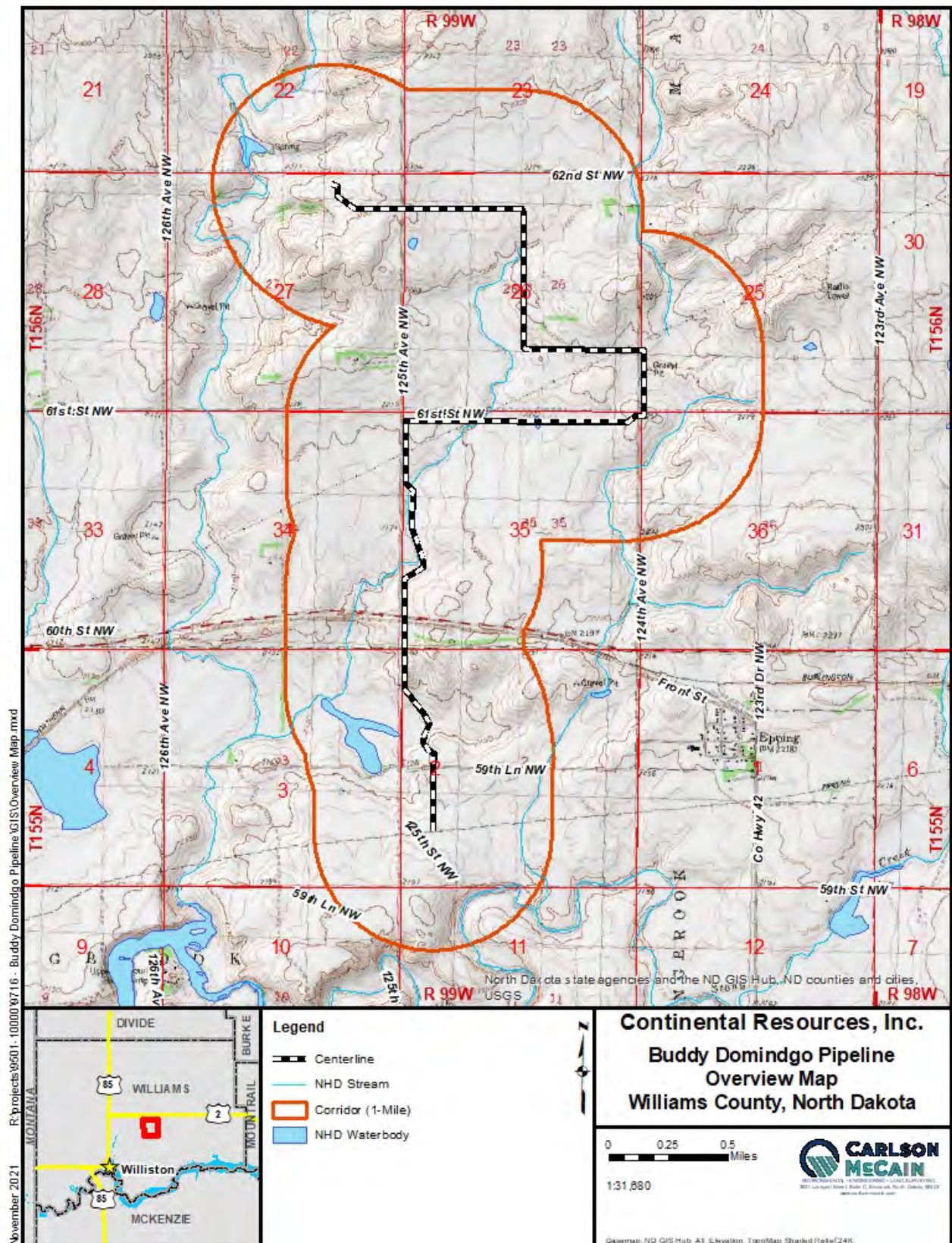
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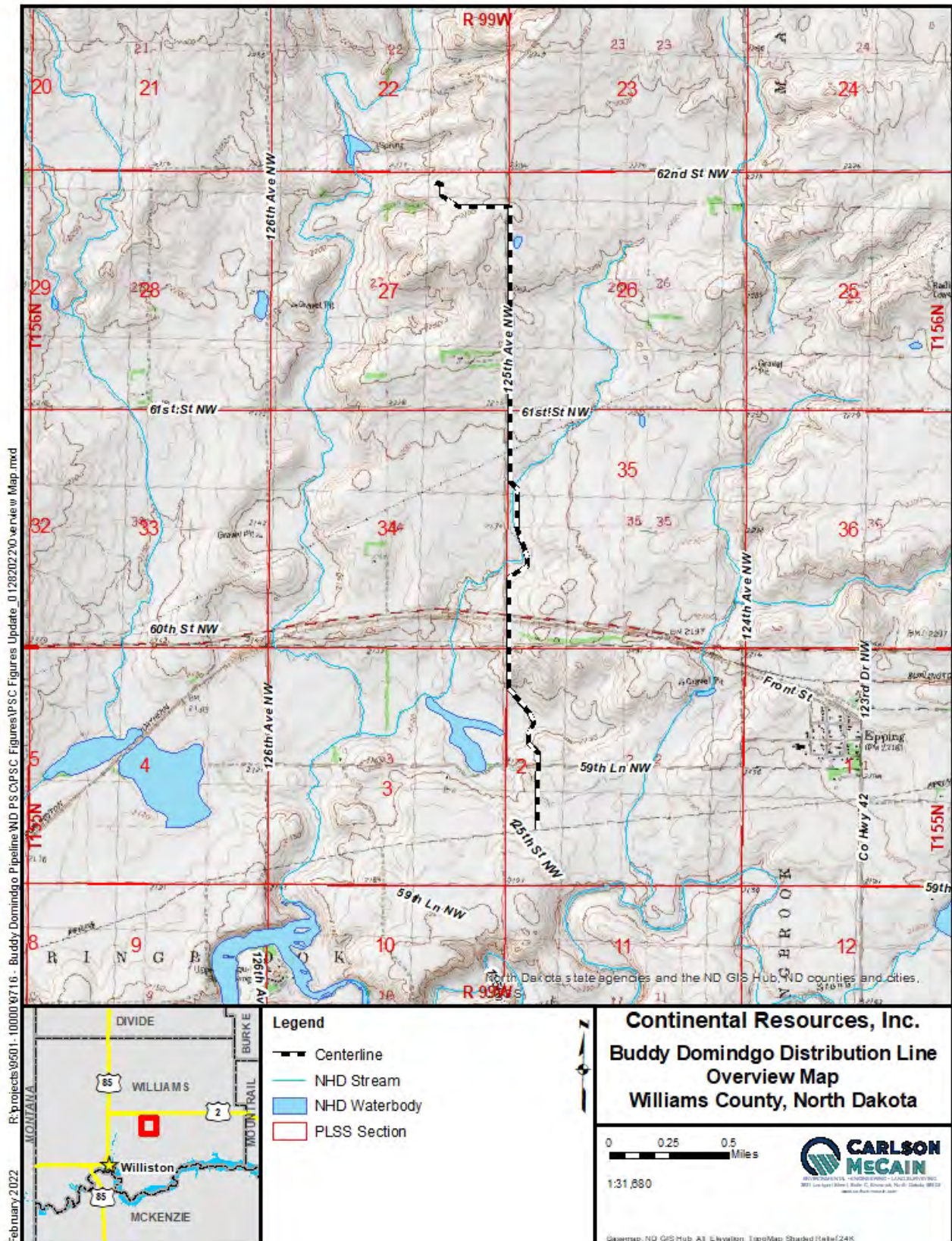
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Wildlife Biologist  
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NORTH DAKOTA ENERGY DEVELOPMENT IMPACT OFFICE



November 3, 2021

North Dakota Energy Development Impact Office  
1707 North 9th Street  
Bismarck, ND 58505

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Buddy Domindgo Pipeline Project  
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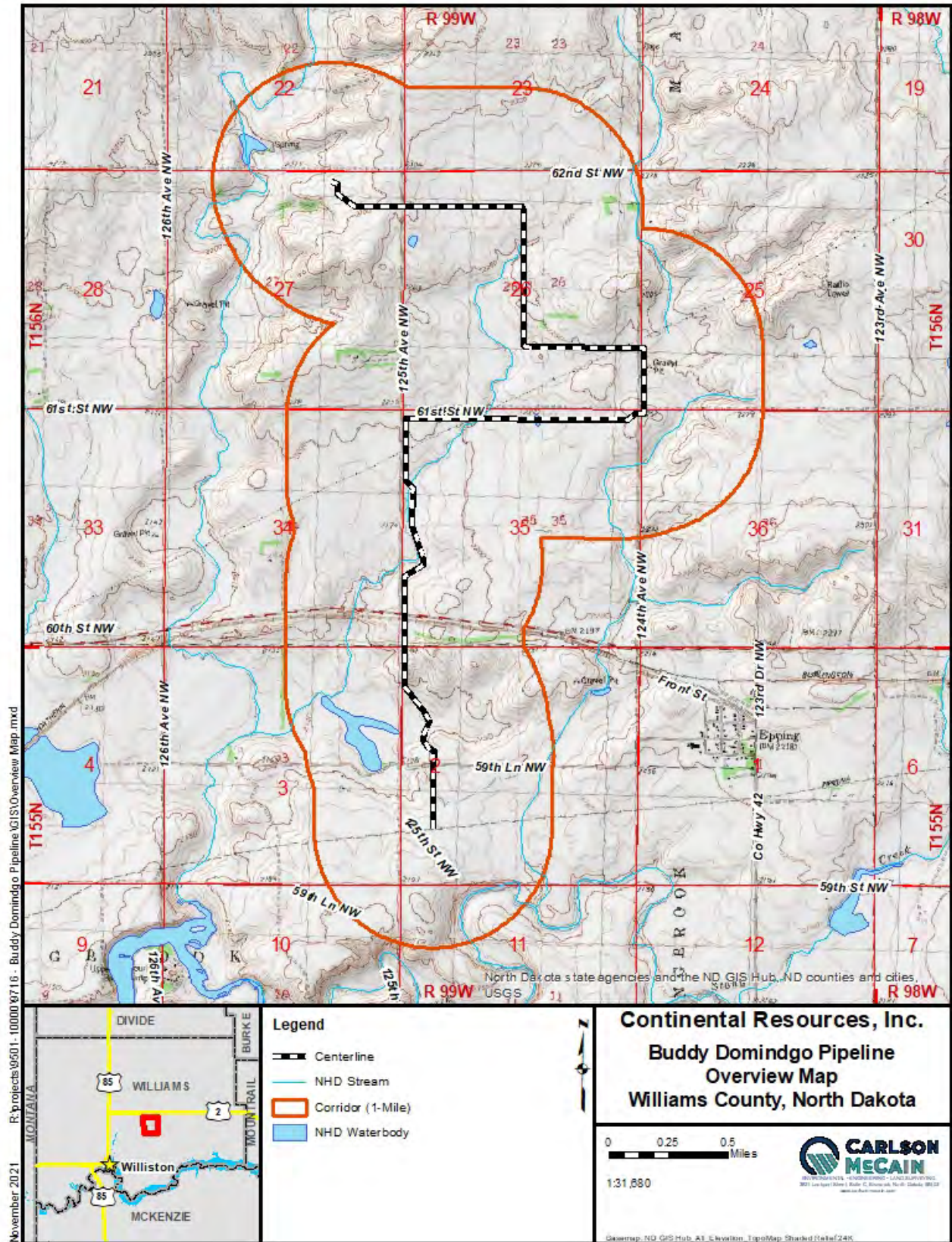
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Wildlife Biologist  
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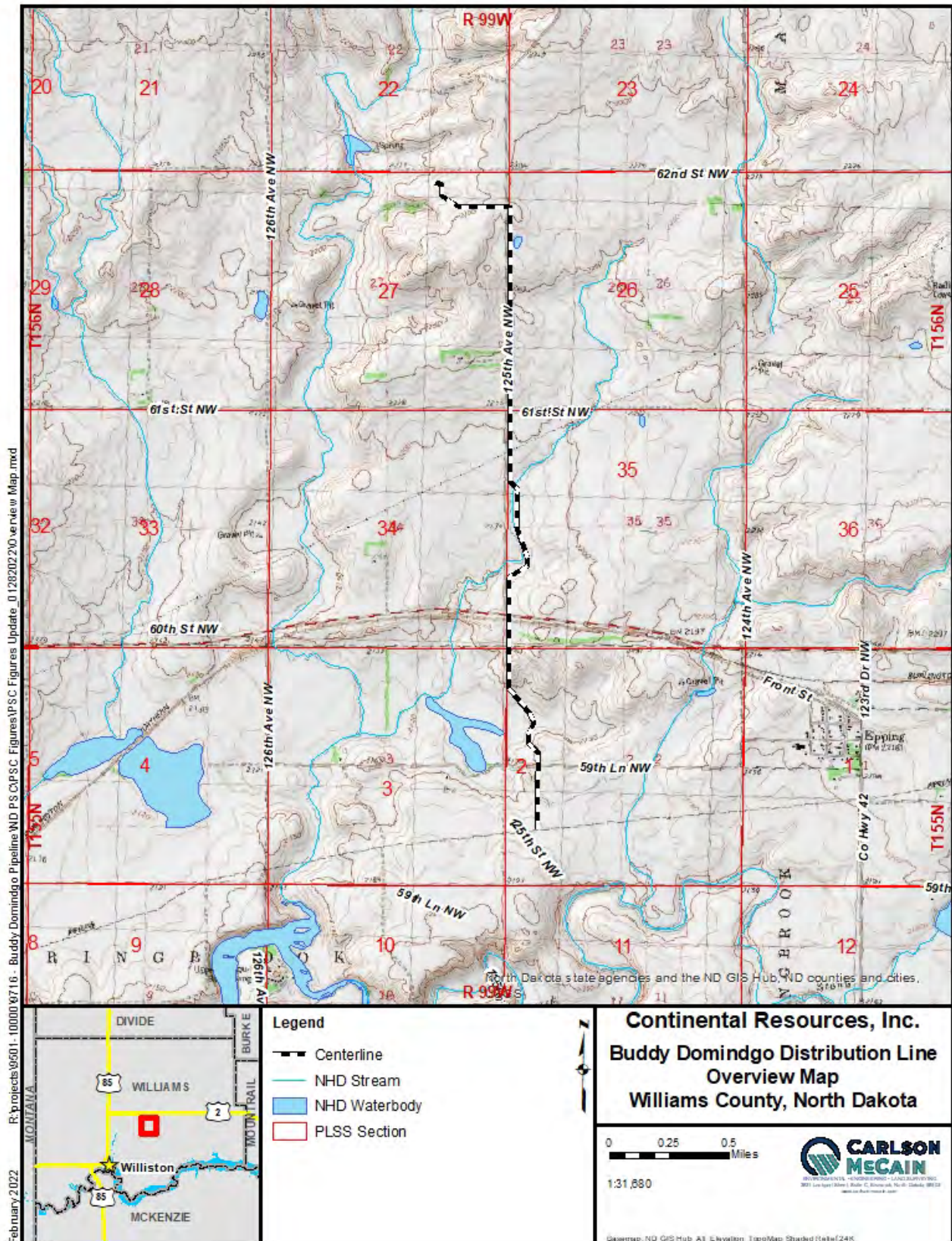
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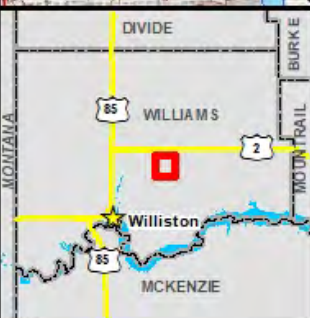
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 February 2022



**Legend**

- Centerline
- NHD Stream
- NHD Waterbody
- PLSS Section

**Continental Resources, Inc.**  
**Buddy Domindgo Distribution Line**  
**Overview Map**  
**Williams County, North Dakota**

0 0.25 0.5 Miles

1:31,680

**CARLSON MCCAIN**  
 SURVEYING • ENGINEERING • LAND SURVEYING  
 301 Lee Street, Suite C, Bismarck, North Dakota 58103  
 www.carlsonmccain.com

Basemap: ND GIS Hub, A3, Elevation, TopoMap, Shaded, 10m/24K

NORTH DAKOTA GAME AND FISH DEPARTMENT



November 3, 2021

Greg Link  
North Dakota Game and Fish Department  
Conservation and Communication Division  
100 North Bismarck Expressway  
Bismarck, ND 58501-5095

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Dear Greg Link,

Continental Resources, Inc. is proposing to construct and operate 5.1 miles of natural gas pipeline in Williams County. The project is referred to as the Buddy Domindgo Pipeline Project (Project) and will be located in Williams County, North Dakota spanning across:

- Section 2, Township 155N, Range 99W
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- Section 26, Township 156N, Range 99W
- Section 27, Township 156N, Range 99W
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The Project will transfer natural gas that will be compressed and used for enhanced oil recovery. Construction activities are scheduled to begin in the first quarter of 2022 with pipeline commissioning and right-of-way restoration immediately following construction. The Project site and a 1-mile-wide corridor (Study Area) are depicted on the attached map.

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Carlson McCain Inc. has been retained by Continental Resources, Inc. to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at 701-595-7007 or [ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com).

In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

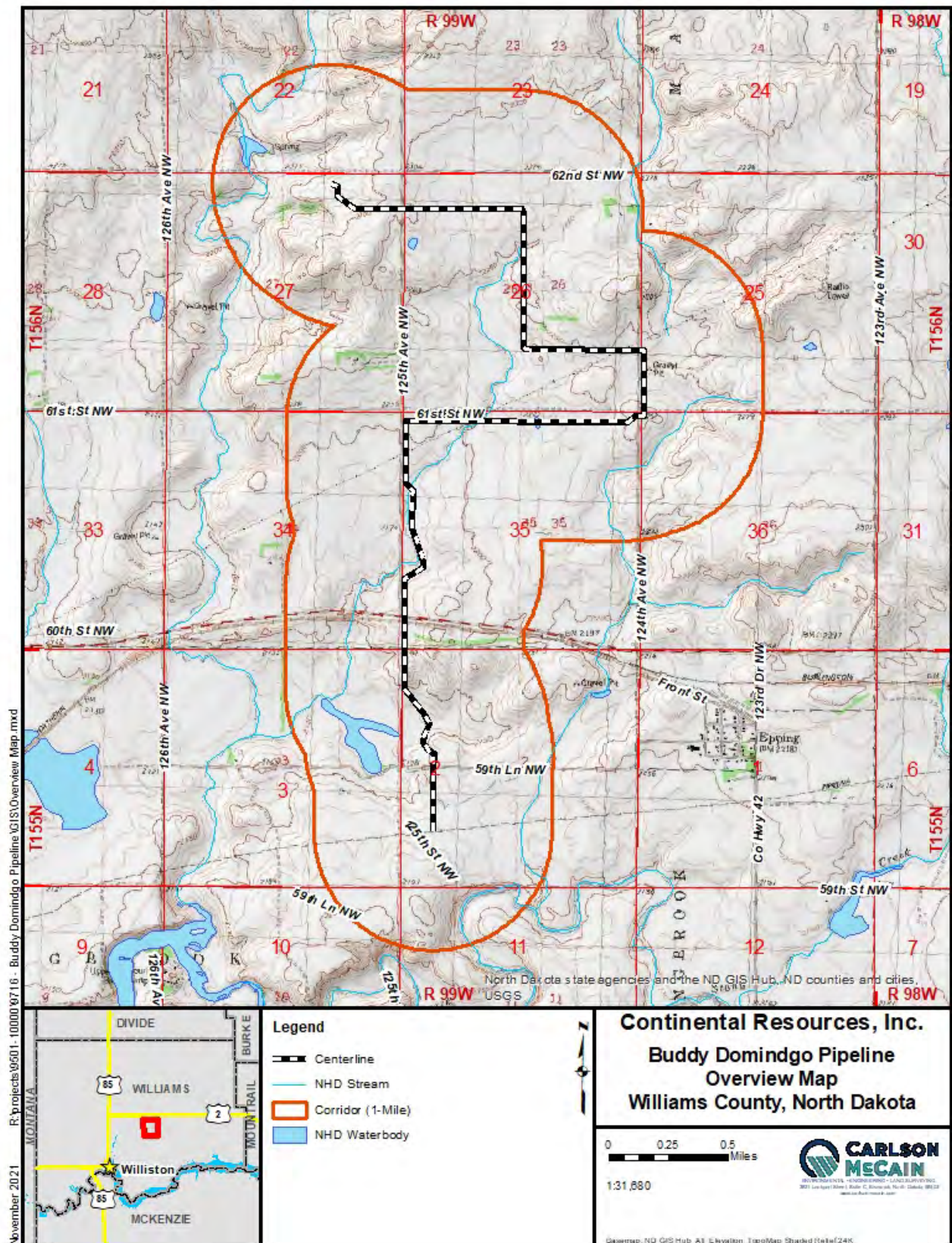
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



**From:** [Schumacher, John D.](#)  
**To:** [Chad Tucker](#)  
**Subject:** Buddy Domingo Pipeline Project  
**Date:** Monday, November 29, 2021 5:38:42 PM  
**Attachments:** [image001.png](#)

---

Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

RE: [Buddy Domingo Pipeline Project](#)

Continental Resources, Inc. is proposing to construct and operate 5.1 miles of natural gas pipeline in Williams County, North Dakota. The North Dakota Game and Fish Department has reviewed this project for wildlife concerns.

The National Wetland Inventory indicates various wetlands within the proposed project corridor. Steps should be taken to protect any wetlands that cannot be avoided, no alterations should be made to existing drainage patterns, and above-ground appurtenances should not be placed in wetland areas. Unavoidable destruction or degradation of wetland acres should be mitigated in kind.

We do not believe this project will have significant adverse effects on wildlife or wildlife habitat provided these recommendations are implemented where appropriate during project construction.

**J.D. Schumacher**  
*Resource Biologist*

701.328.6321 • [jdschumacher@nd.gov](mailto:jdschumacher@nd.gov) • [gf.nd.gov](http://gf.nd.gov)

NORTH  
**Dakota** | Game and Fish  
Be Legendary.™



February 8, 2022

Greg Link  
North Dakota Game and Fish Department  
Conservation and Communication Division  
100 North Bismarck Expressway  
Bismarck, ND 58501-5095

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In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

Sincerely,

*Buddy Domindgo Distribution Line  
Williams County, North Dakota*

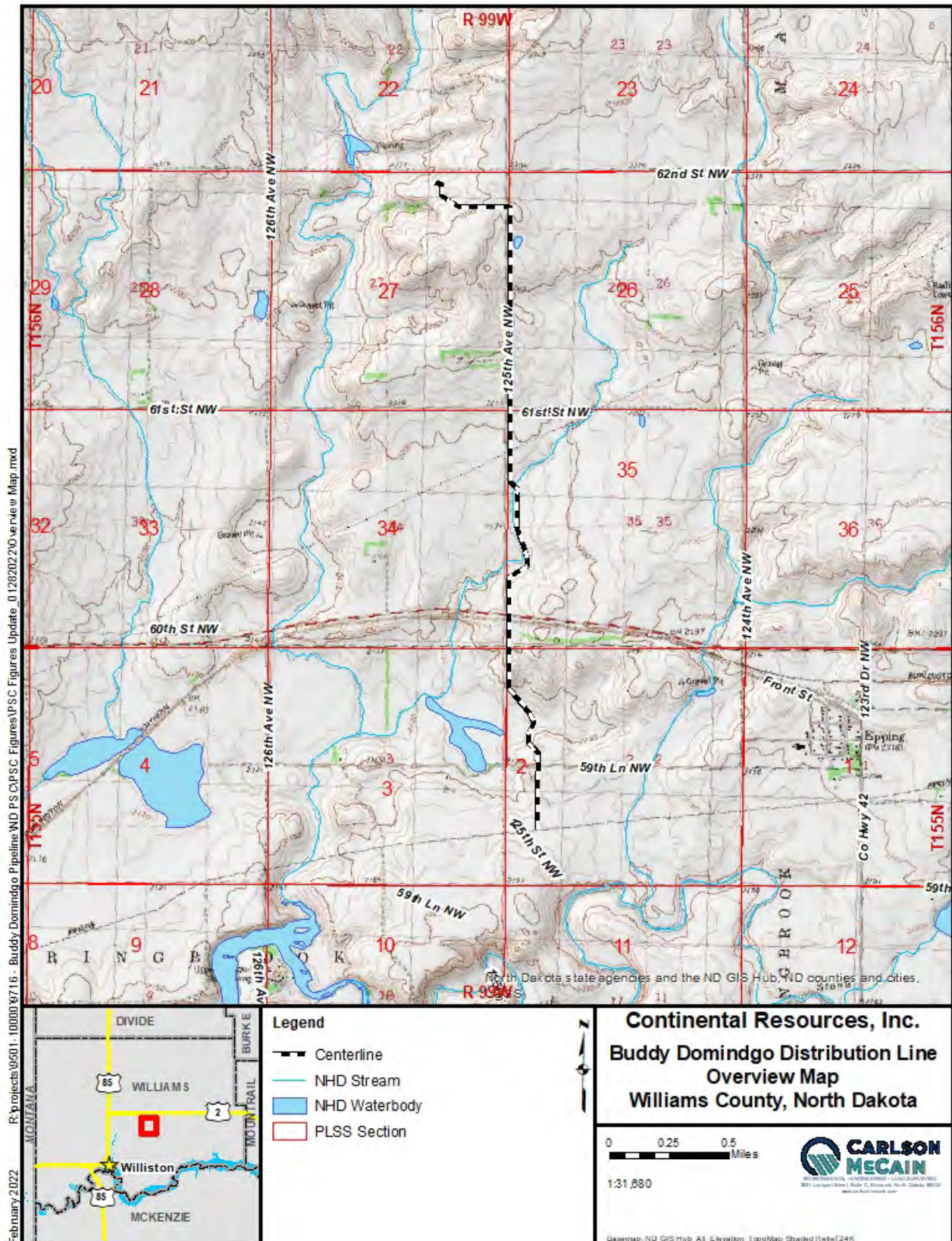
*February 8, 2022*

*Chad Tucker*

Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

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NORTH DAKOTA GEOLOGICAL SURVEY



November 3, 2021

Fred Anderson  
North Dakota Geological Survey  
600 East Boulevard, Dept. 405  
Bismarck, ND 58505

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Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

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*Buddy Domindgo Pipeline Project  
Williams County, North Dakota*

*November 3, 2021*

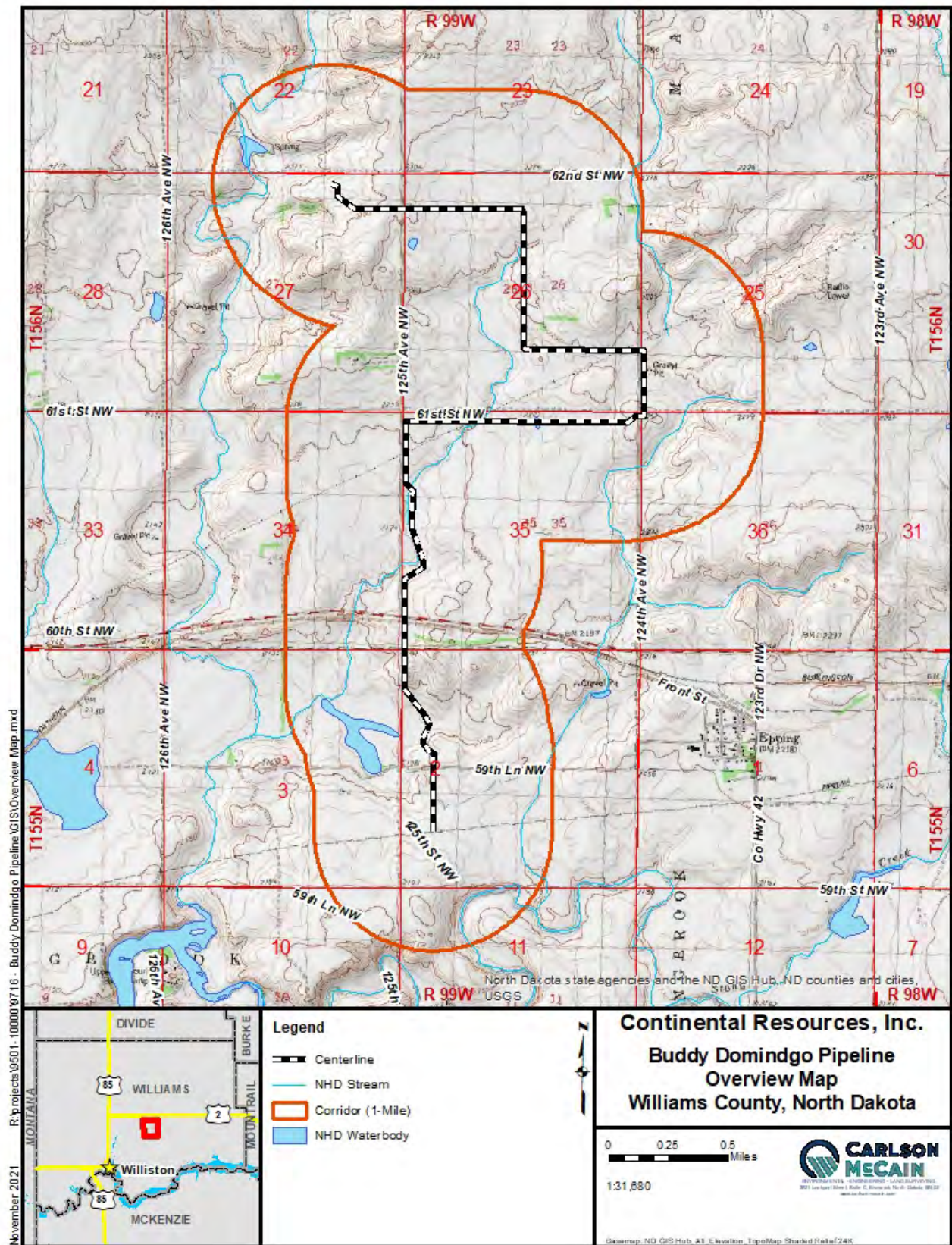
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Wildlife Biologist  
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February 8, 2022

Fred Anderson  
North Dakota Geological Survey  
600 East Boulevard, Dept. 405  
Bismarck, ND 58505

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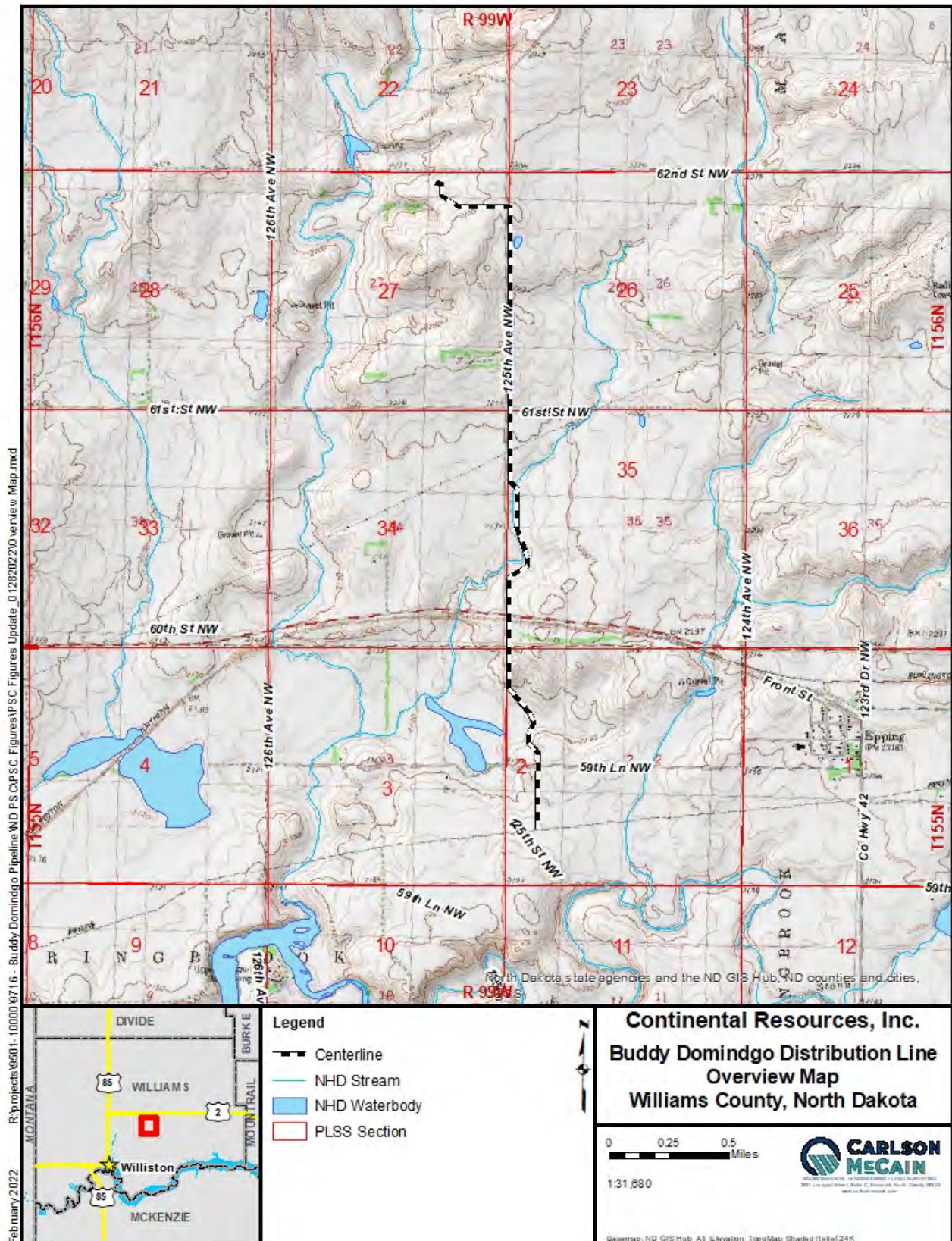
*February 8, 2022*

*Chad Tucker*

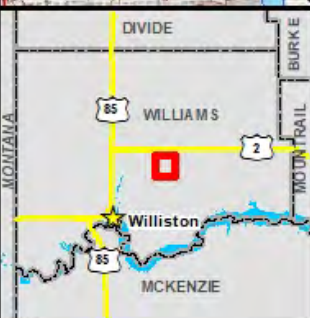
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Wildlife Biologist  
Carlson McCain Inc.

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R:\projects\9501-10000\9716 - Buddy Domindgo Pipeline\ND PS\VPSC Figures\PS Figures Update - 01282022\210\review Map.mxd  
 February 2022



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**Continental Resources, Inc.**  
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**Overview Map**  
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1:31,680

Geomap: ND GIS Hub: A3: Elevation TopoMap Shaded (8x8)/24K

**From:** [Anderson, Fred J.](#)  
**To:** [Chad Tucker](#)  
**Subject:** N.D. Geological Survey Comments: Continental Resources Buddy Domindgo Distribution Line Route Change Comment Solicitation Letter of February 8, 2022  
**Date:** Monday, February 14, 2022 2:44:27 PM  
**Attachments:** [image001.png](#)

---

Hello Mr. Tucker-

I reviewed the revised proposed distribution line alignment against our recently completed landslide mapping work for this area and would not note any geologic concerns at this time.

Our geologic mapping products (maps, shapefiles, etc.) are available on our website for free download at: [North Dakota Geologic Survey \(nd.gov\)](http://North Dakota Geologic Survey (nd.gov))

Feel free to contact our offices directly if you have any questions or comments.

Regards,

**Fred J. Anderson**

*Geologist, North Dakota Geological Survey*

701.328.8000 (Survey Main Office) • 701.328.8037 (Office Direct) • [fjanderson@nd.gov](mailto:fjanderson@nd.gov) • [www.dmr.nd.gov/ndgs](http://www.dmr.nd.gov/ndgs)



701.328.8020 (Front Office) • [oilandgasinfo@nd.gov](mailto:oilandgasinfo@nd.gov) • [www.dmr.nd.gov](http://www.dmr.nd.gov) • 600 E Boulevard Ave, Dept. 405 • Bismarck, ND 58505

NORTH DAKOTA INDIAN AFFAIRS COMMISSION



November 3, 2021

North Dakota Indian Affairs  
600 East Boulevard Avenue, #316  
Bismarck, ND 58505

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

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*Buddy Domindgo Pipeline Project  
Williams County, North Dakota*

*November 3, 2021*

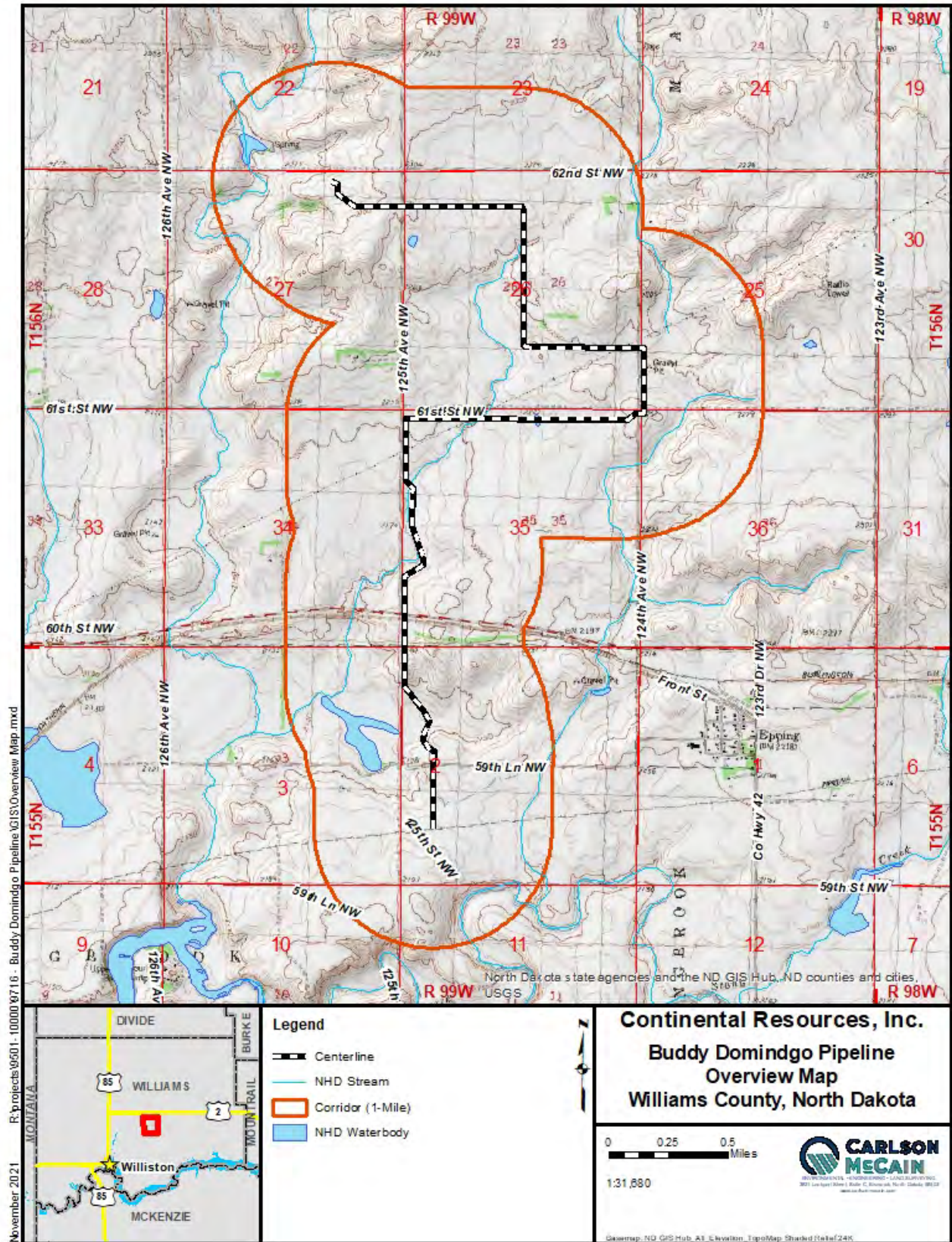
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files





February 8, 2022

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600 East Boulevard Avenue, #316  
Bismarck, ND 58505

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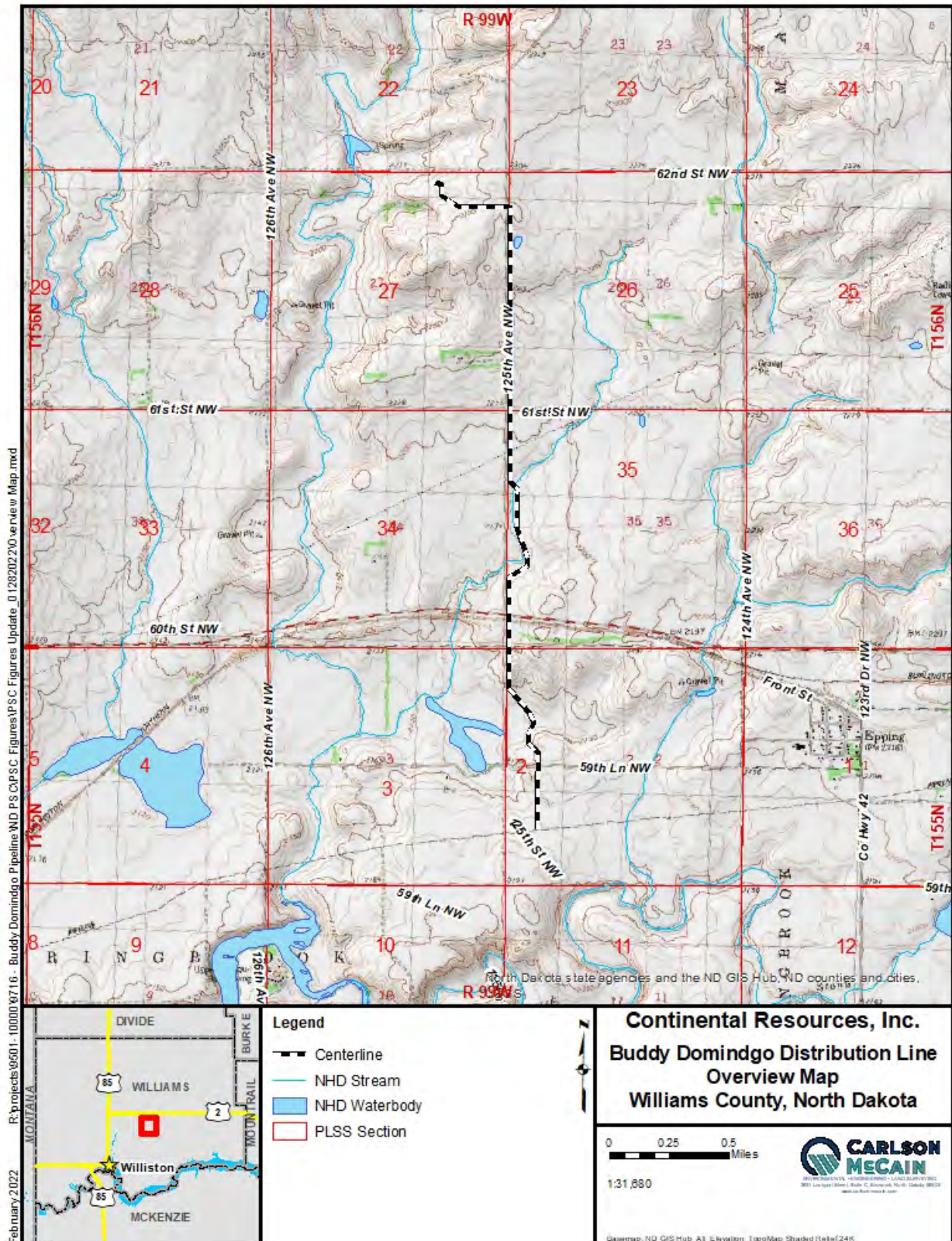
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Williams County, North Dakota*

*February 8, 2022*

Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



NORTH DAKOTA INDUSTRIAL COMMISSION  
PIPELINE AUTHORITY



November 3, 2021

Justin Kringstad  
North Dakota Industrial Commission  
Pipeline Authority  
600 East Boulevard Ave. Dept. 405  
Bismarck, ND 58505-0840

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Dear Justin Kringstad,

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*Buddy Domindgo Pipeline Project  
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*November 3, 2021*

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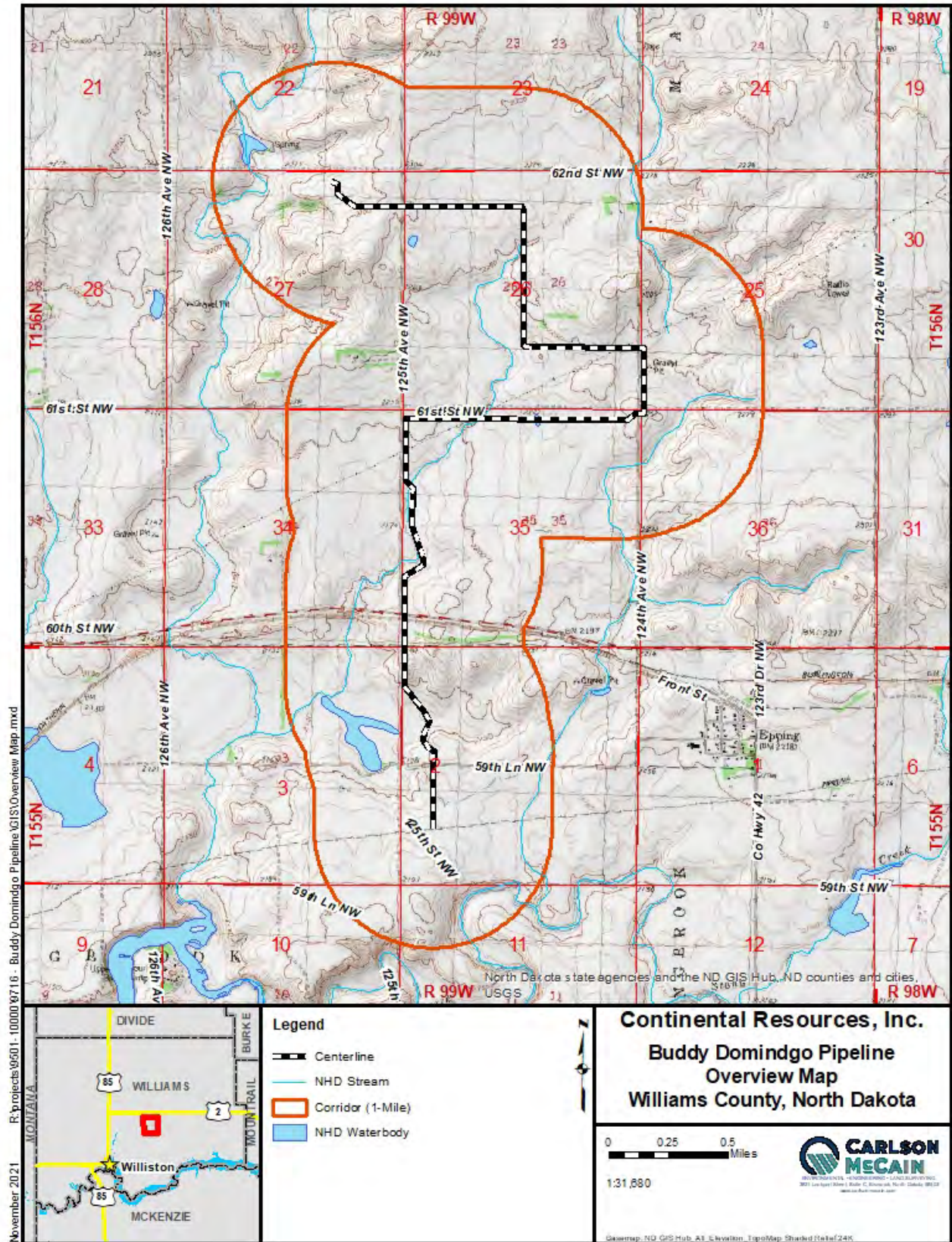
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Wildlife Biologist  
Carlson McCain Inc.

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February 8, 2022

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Pipeline Authority  
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Bismarck, ND 58505-0840

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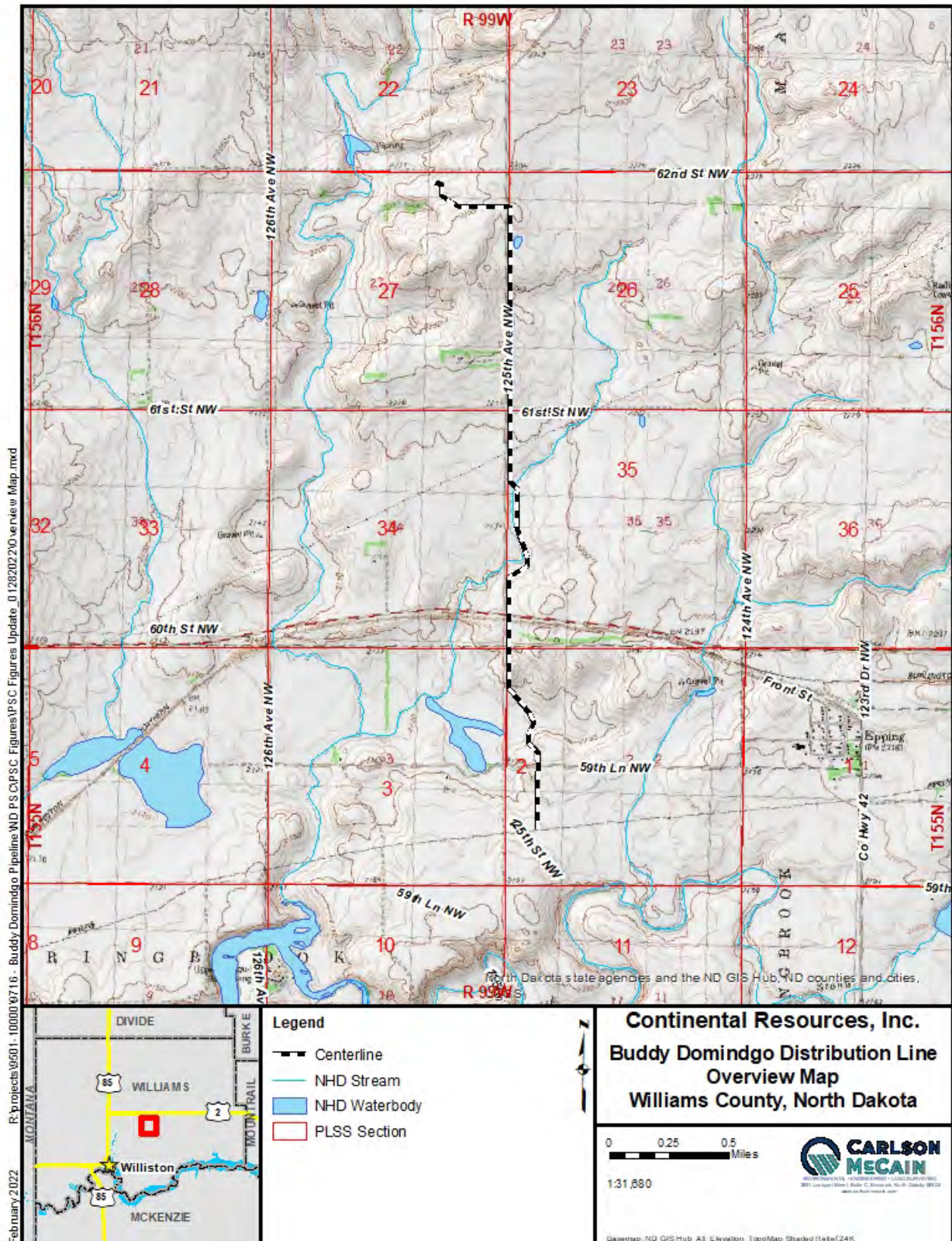
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Chad Tucker  
Wildlife Biologist  
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NORTH DAKOTA LABOR DEPARTMENT



November 3, 2021

North Dakota Labor Department  
600 E. Boulevard Avenue  
Department 406, Room 107  
Bismarck, ND 58505

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Buddy Domindgo Pipeline Project  
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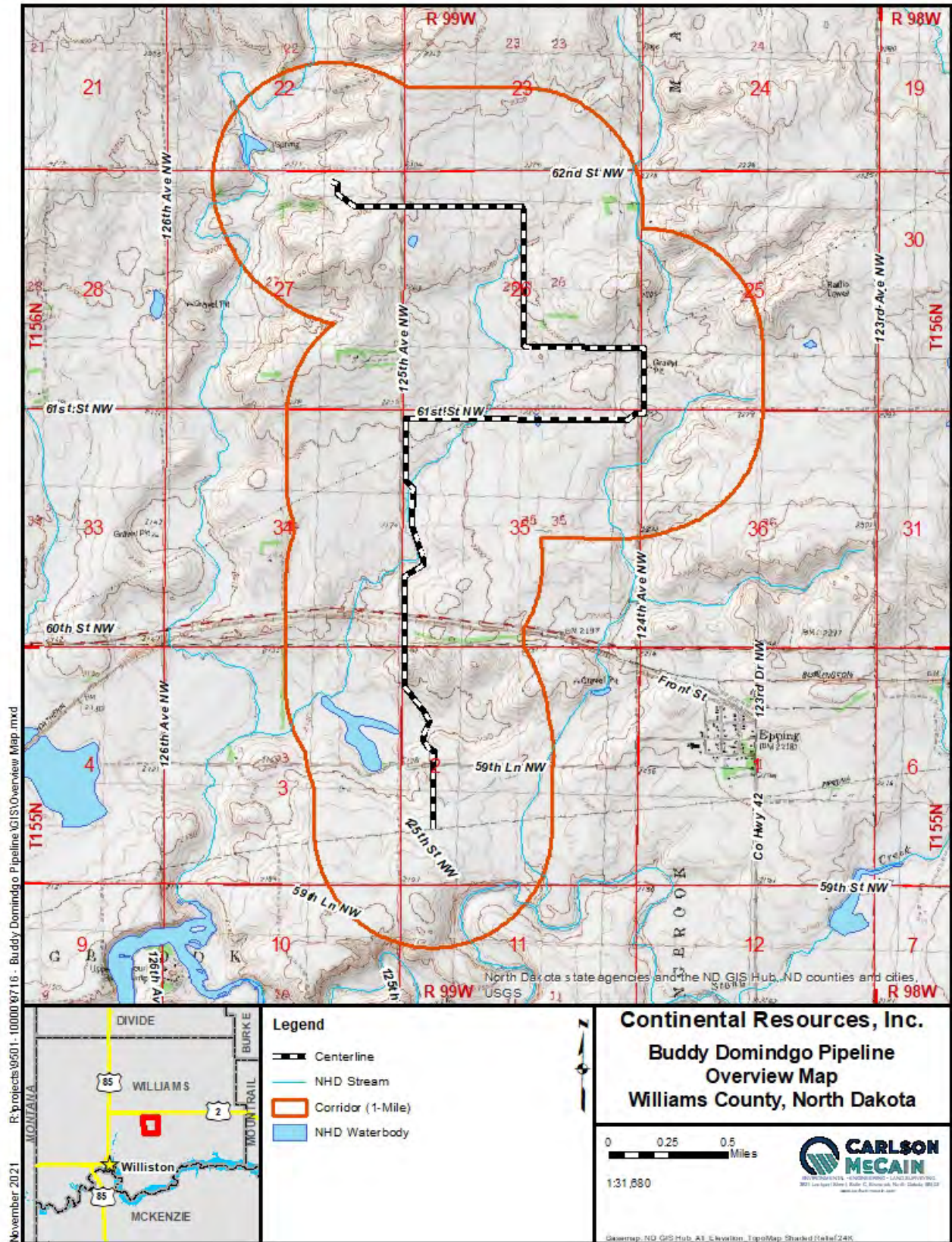
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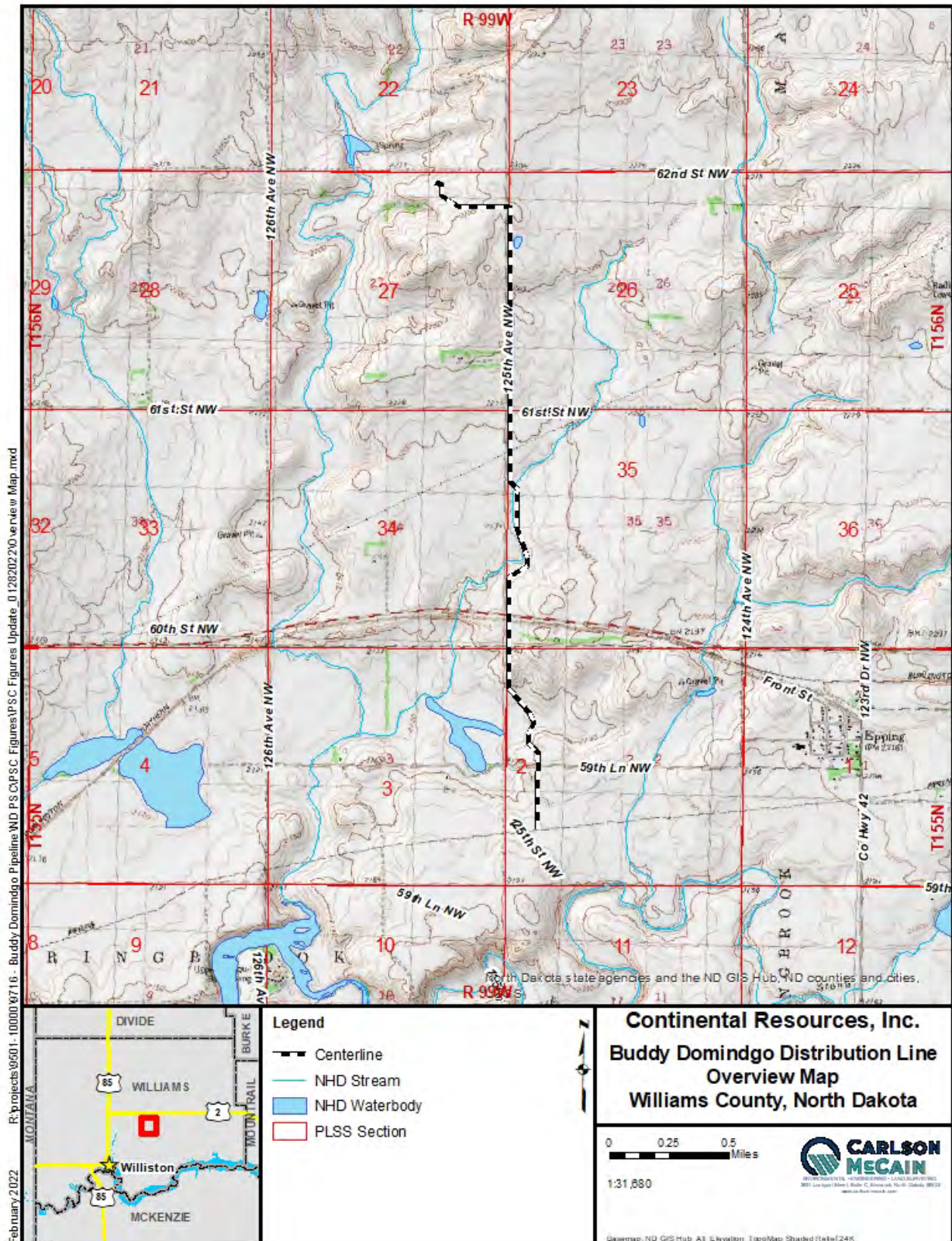
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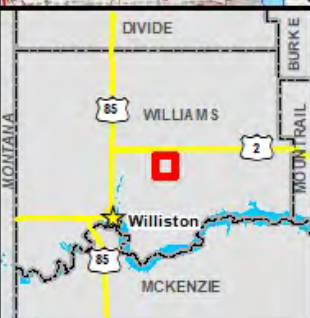
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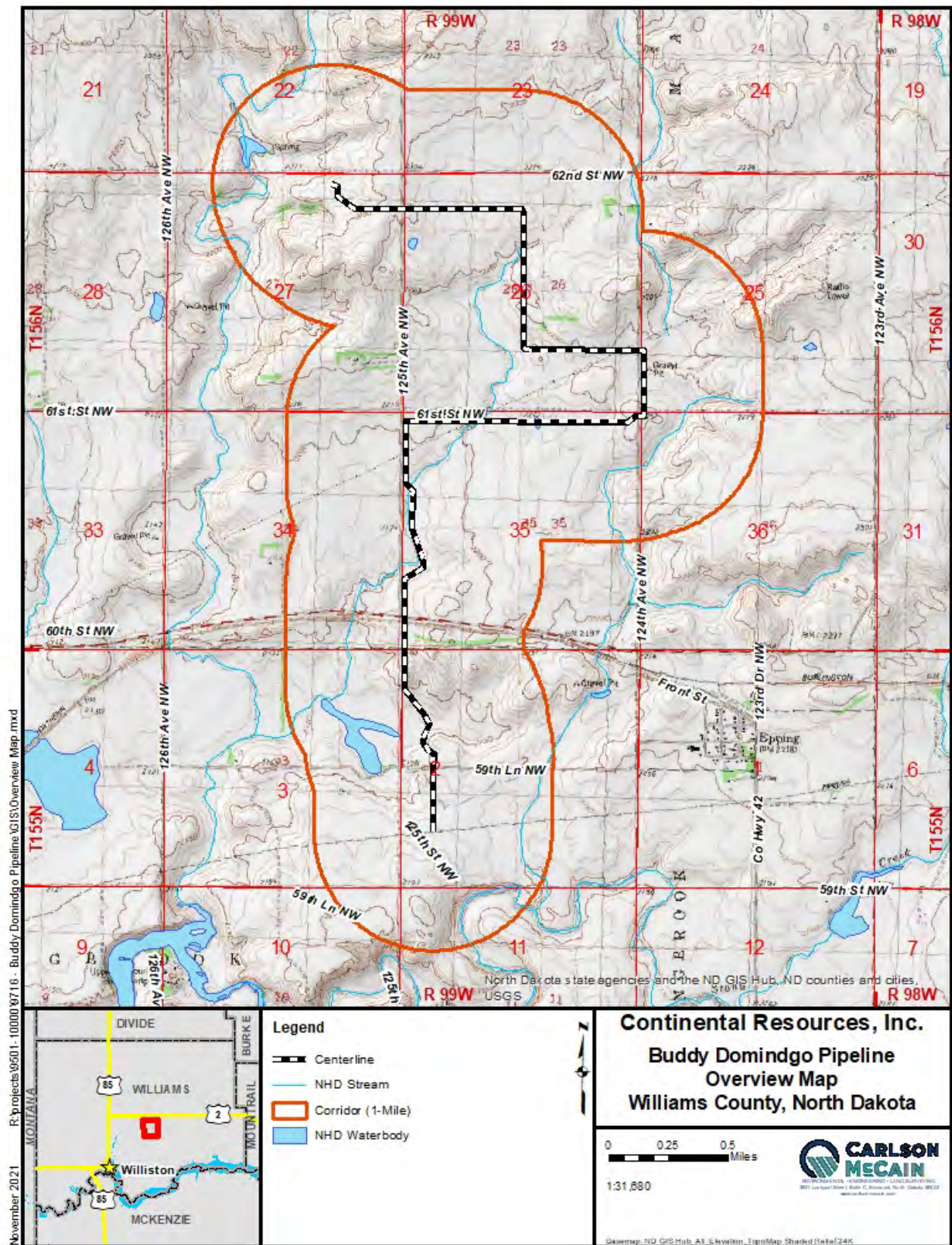
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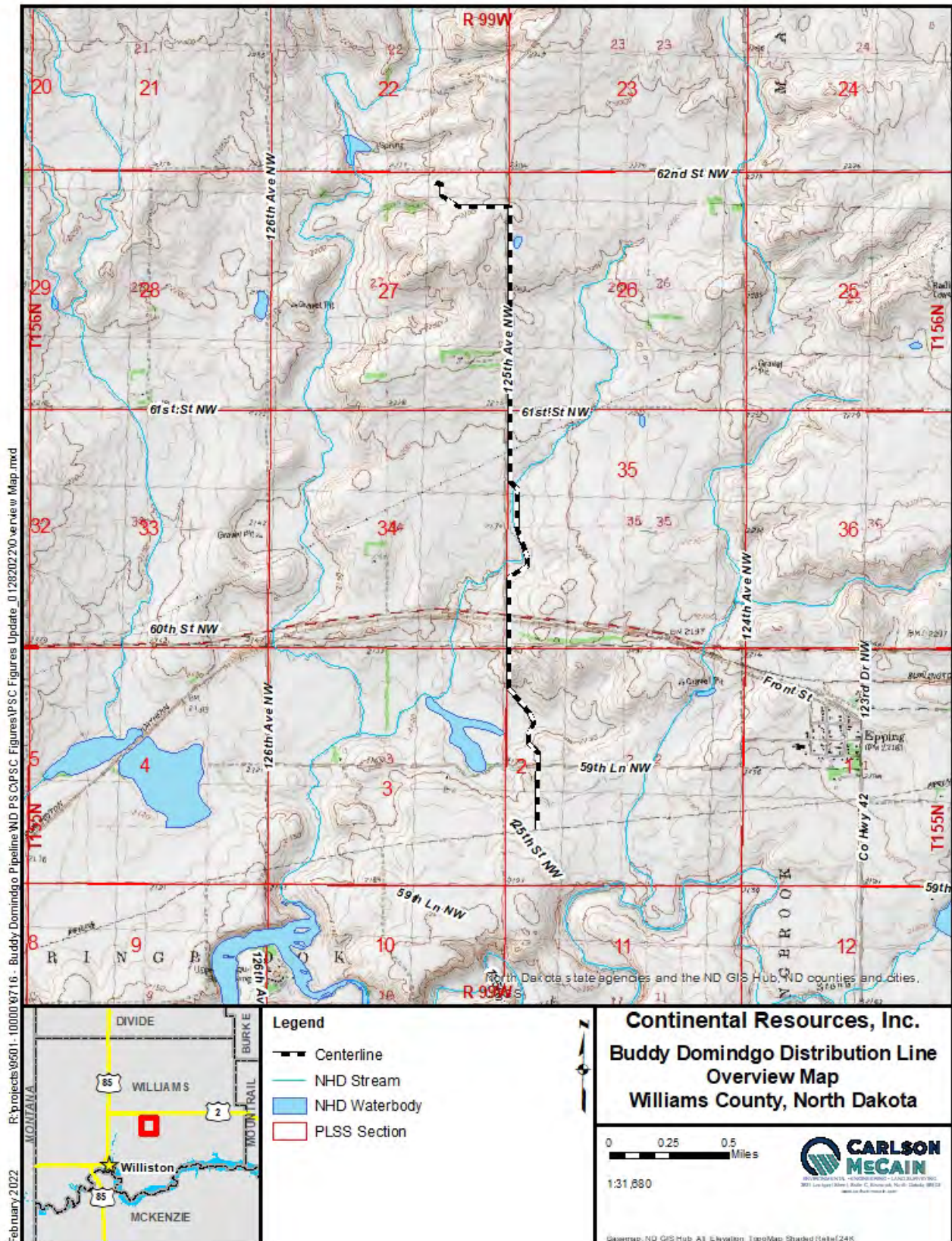
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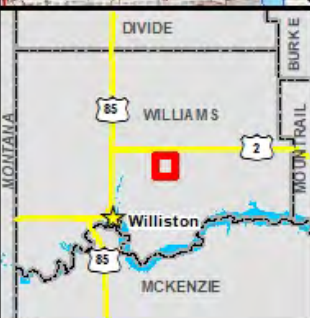
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0 0.25 0.5 Miles

1:31,680

Geomap: ND GIS Hub: A3: Elevation TopoMap Shaded (8x8)/24K

NORTH DAKOTA PARKS AND RECREATION DEPARTMENT



November 3, 2021

Kathy Duttenhefner  
North Dakota Dept. of Parks and Recreation  
1600 East Century Ave., Suite 3  
Bismarck, ND 58503-0649

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Dear Kathy Duttenhefner,

Continental Resources, Inc. is proposing to construct and operate 5.1 miles of natural gas pipeline in Williams County. The project is referred to as the Buddy Domindgo Pipeline Project (Project) and will be located in Williams County, North Dakota spanning across:

- Section 2, Township 155N, Range 99W
- Section 25, Township 156N, Range 99W
- Section 26, Township 156N, Range 99W
- Section 27, Township 156N, Range 99W
- Section 35, Township 156N, Range 99W
- Section 36, Township 156N, Range 99W

The Project will transfer natural gas that will be compressed and used for enhanced oil recovery. Construction activities are scheduled to begin in the first quarter of 2022 with pipeline commissioning and right-of-way restoration immediately following construction. The Project site and a 1-mile-wide corridor (Study Area) are depicted on the attached map.

The purpose of this letter is to provide notification of the proposed Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

Carlson McCain Inc. has been retained by Continental Resources, Inc. to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at 701-595-7007 or [ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com).

In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

*Buddy Domindgo Pipeline Project  
Williams County, North Dakota*

*November 3, 2021*

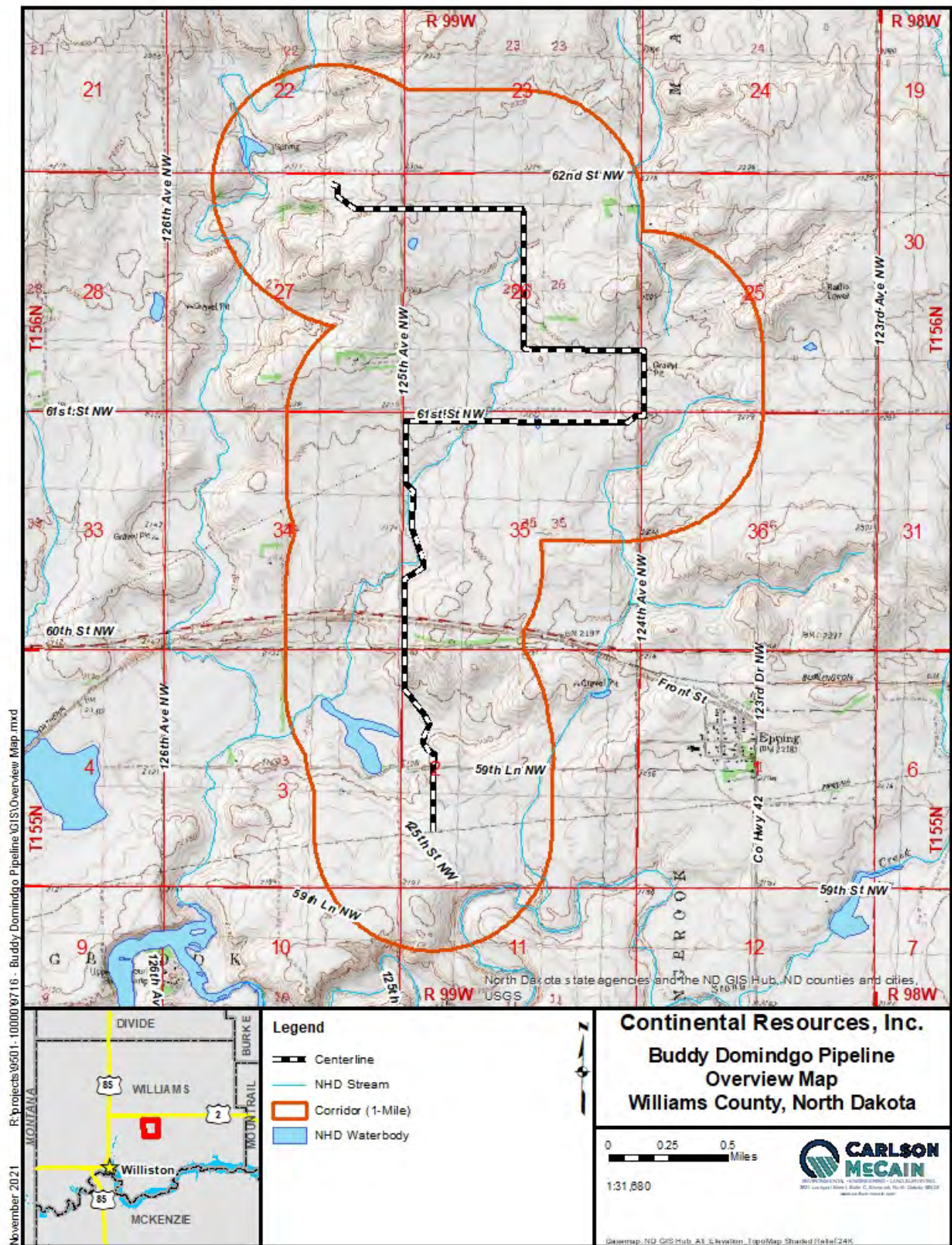
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files





November 15, 2021

Chad Tucker  
Carlson McCain Engineering  
3831 Lockport Street, Suite C  
Bismarck, ND 58503

Re: Buddy Domindgo Pipeline Project - Williams County

Dear Mr. Tucker,

The North Dakota Parks and Recreation Department (NDPRD) has reviewed the above-referenced Buddy Domindgo Pipeline Project in Williams County, North Dakota. NDPRD's scope of authority and expertise covers properties that NDPRD owns, leases, or manages; properties protected under Section 6(f) of the Land and Water Conservation Fund (LWCF); rare plants and ecological communities established through the Natural Heritage Program.

The project does not appear to affect properties that NDPRD owns, leases, or manages.

The project does not appear to affect any properties protected under Section 6(f) of the LWCF.

A North Dakota Natural Heritage biological conservation database query determines if any current or historical plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review, we have no known plant and animal species of concern or significant ecological communities documented within the project site.

We appreciate your commitment to rare plant, animal, and ecological community conservation, management, and inter-agency cooperation to date. For additional information, please get in touch with Natural Resources Coordinator Kathy Duttonhefner at 701-328-5370, 701-220-3377 (cell), or [kgduttonhefner@nd.gov](mailto:kgduttonhefner@nd.gov).

Thank you for the opportunity to comment on the proposed project.

Sincerely,

A handwritten signature in cursive script that reads "Kathy Duttonhefner".

Kathy Duttonhefner, Coordinator/Biologist II - Natural Resources Division

1600 East Century Ave. Ste. 3 | Bismarck, ND 58503

PHONE: 701-328-5357 | FAX: 701-328-5363 | EMAIL: [parkrec@nd.gov](mailto:parkrec@nd.gov) | WEBSITE: [www.parkrec.nd.gov](http://www.parkrec.nd.gov)



February 8, 2022

Kathy Duttonhefner  
North Dakota Dept. of Parks and Recreation  
1600 East Century Ave., Suite 3  
Bismarck, ND 58503-0649

RE: Continental Resources, Inc.  
Buddy Domindgo Distribution Line  
Project Notification Letter and Review Request

Dear Kathy Duttonhefner,

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In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

Sincerely,

*Buddy Domindgo Distribution Line  
Williams County, North Dakota*

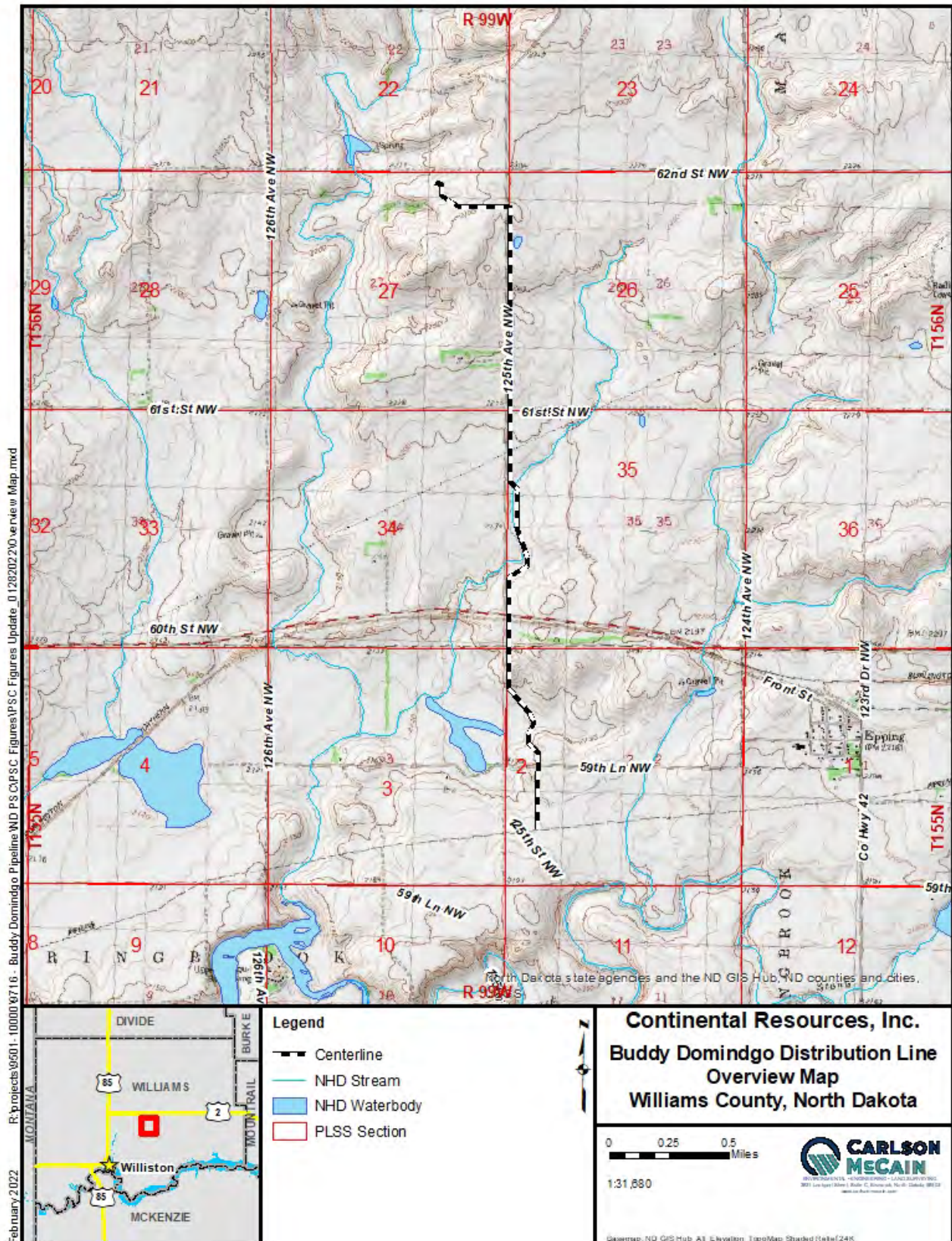
*February 8, 2022*

*Chad Tucker*

Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



NORTH DAKOTA SOIL CONSERVATION COMMITTEE  
NDSU EXTENSION



November 3, 2021

North Dakota Soil Conservation Committee  
NDSU-Extension  
2718 Gateway Ave., Suite 304  
Bismarck, ND 58503

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Dear Sir or Madam,

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*Buddy Domindgo Pipeline Project  
Williams County, North Dakota*

*November 3, 2021*

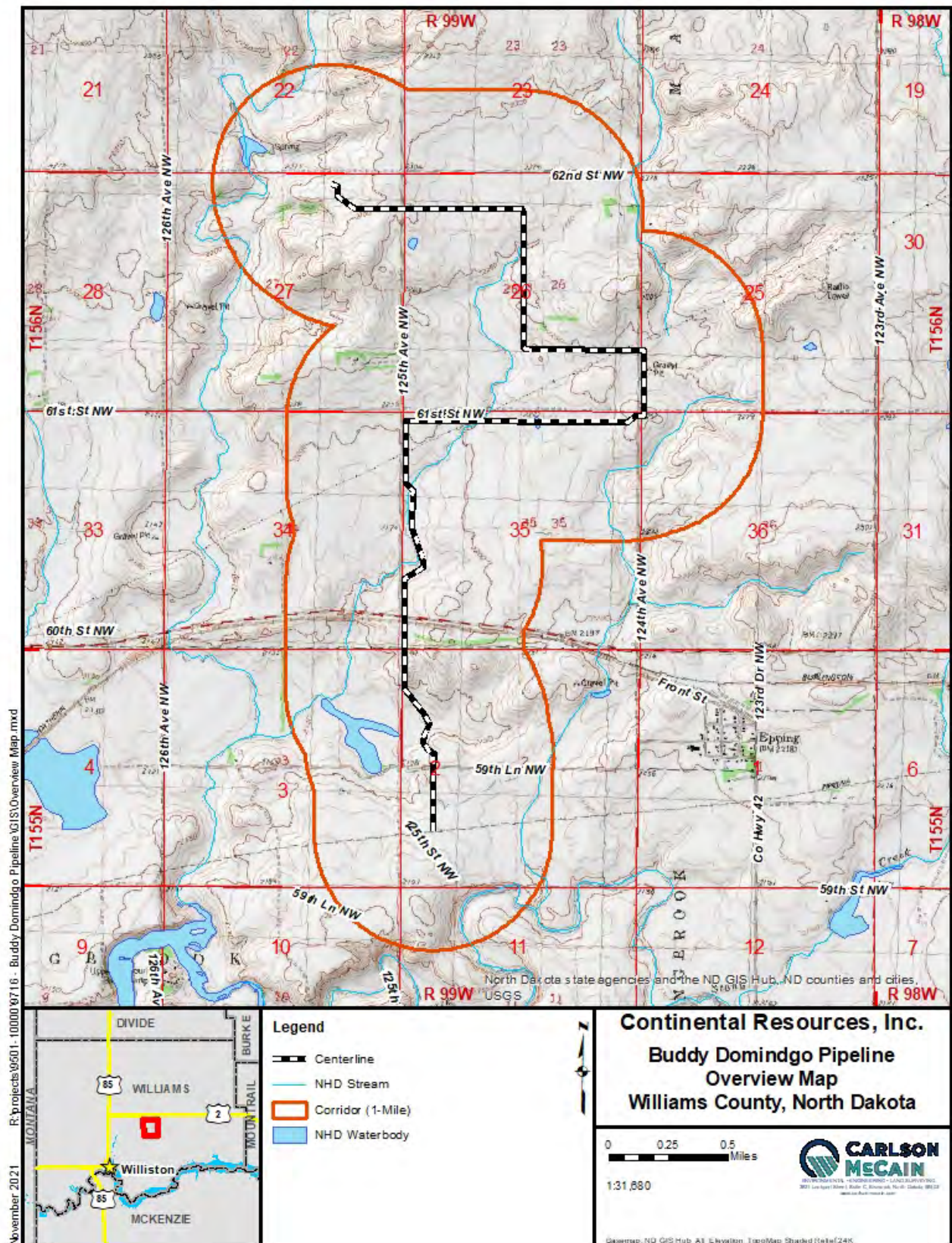
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files





February 8, 2022

North Dakota Soil Conservation Committee  
NDSU-Extension  
2718 Gateway Ave., Suite 304  
Bismarck, ND 58503

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Buddy Domindgo Distribution Line  
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Williams County, North Dakota*

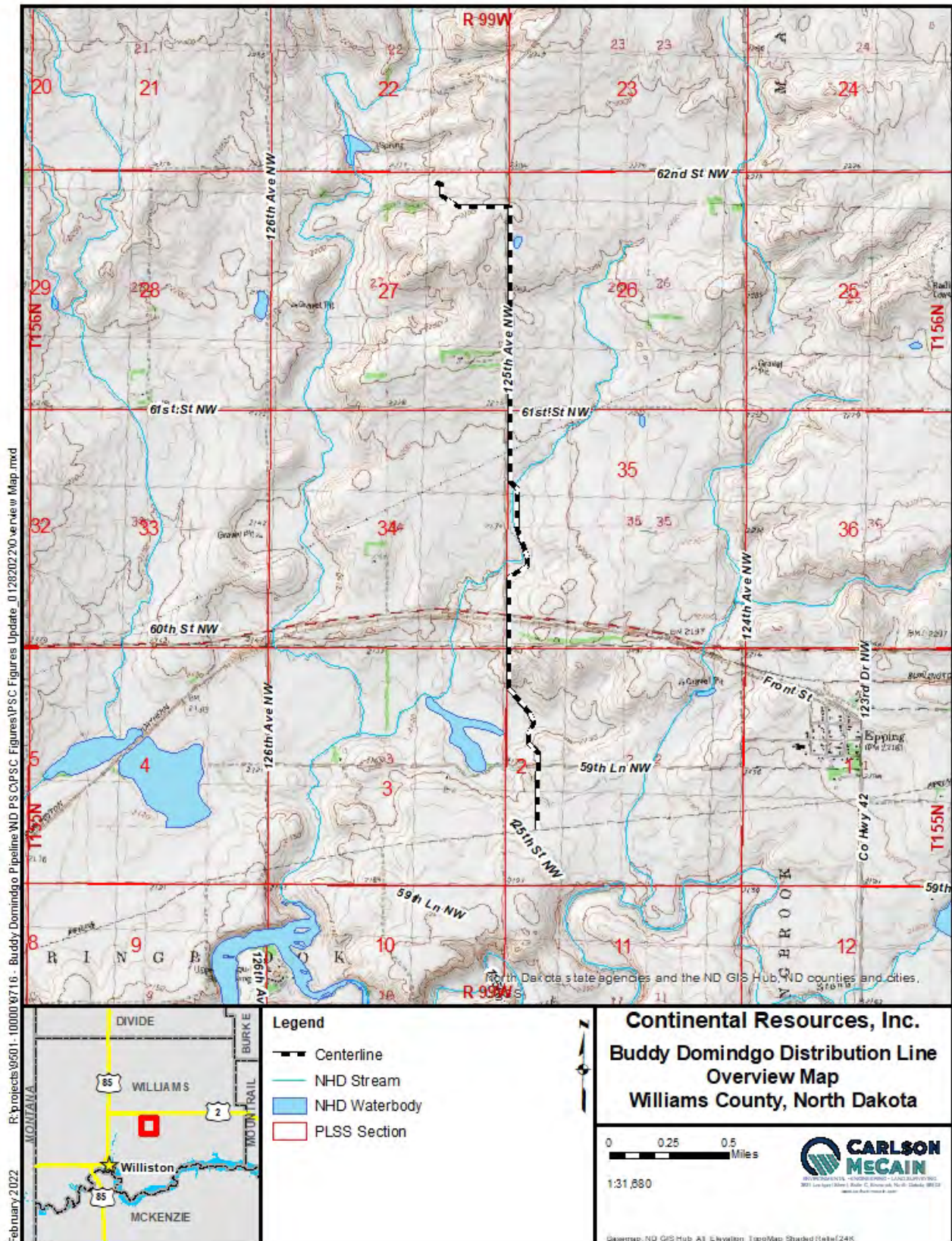
*February 8, 2022*

*Chad Tucker*

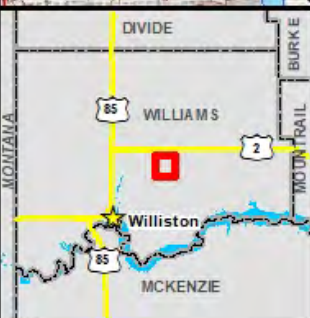
Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



R:\projects\9501-10000\9716 - Buddy Domindgo Pipeline\ND PS\VPSC Figures\PS Figures Update - 01282022\210\review Map.mxd  
February 2022



**Legend**

- Centerline
- NHD Stream
- NHD Waterbody
- PLSS Section

**Continental Resources, Inc.**  
**Buddy Domindgo Distribution Line**  
**Overview Map**  
**Williams County, North Dakota**

0 0.25 0.5 Miles

1:31,680

**CARLSON MCCAIN**  
 ENGINEERS • ARCHITECTS • LAND SURVEYORS  
 3011 Lee Street, Suite C, Bismarck, North Dakota 58103  
 www.carlsonmccain.com

Basemap: ND GIS Hub, A3, Elevation, TopoMap, Shaded, 10m/24K

NORTH DAKOTA STATE WATER COMMISSION



November 3, 2021

John Paczkowski  
North Dakota State Water Commission  
900 East Boulevard  
Bismarck, ND 58505

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Dear John Paczkowski,

Continental Resources, Inc. is proposing to construct and operate 5.1 miles of natural gas pipeline in Williams County. The project is referred to as the Buddy Domindgo Pipeline Project (Project) and will be located in Williams County, North Dakota spanning across:

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In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

*Buddy Domindgo Pipeline Project  
Williams County, North Dakota*

*November 3, 2021*

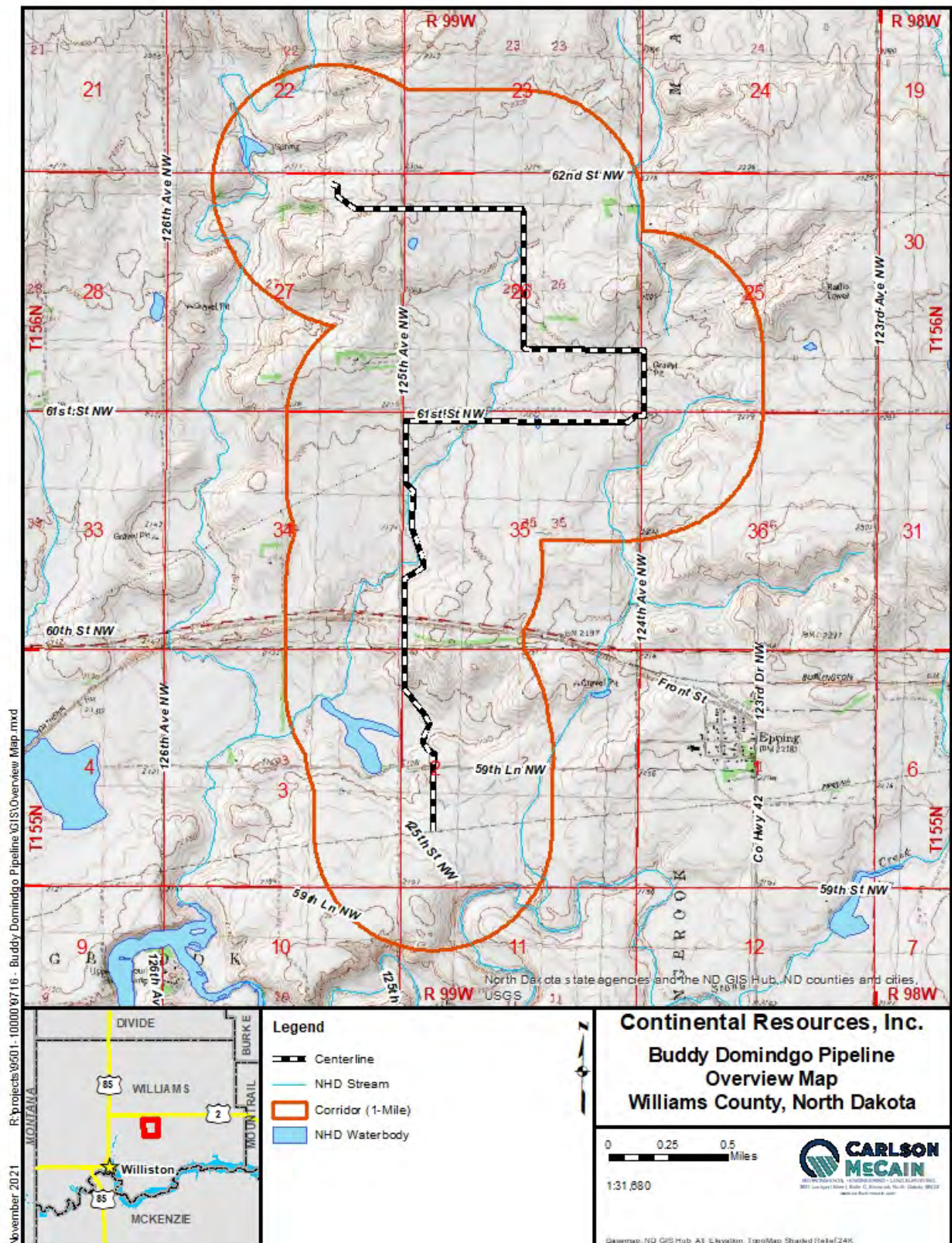
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



December 6, 2021

Chad Tucker  
Carlson McCain  
3831 Lockport Street, STE C  
Bismarck, ND 58503

Dear Mr. Tucker:

This is in response to your request for a review of the environmental impacts associated with the Buddy Domindgo Pipeline Project located in Williams County, ND.

The proposed project has been reviewed by Department of Water Resources, and the following comments are provided:

- There are no FEMA regulatory floodplains identified and/or mapped where this proposed project is to take place. No permits relative to the NFIP are required based on the current effective 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. Please consult with the Department of Water Resources Water Appropriation Division if you have any questions at (701) 328-2754 or [appropinfo@nd.gov](mailto:appropinfo@nd.gov).

Thank you for the opportunity to provide review comments. Should you have further questions, please contact me at 701-328-4970 or [stevebest@nd.gov](mailto:stevebest@nd.gov).

Sincerely,



Steven Best  
Planner III

SB:dm/1570



February 8, 2022

John Paczkowski  
North Dakota State Water Commission  
900 East Boulevard  
Bismarck, ND 58505

RE: Continental Resources, Inc.  
Buddy Domindgo Distribution Line  
Project Notification Letter and Review Request

Dear John Paczkowski,

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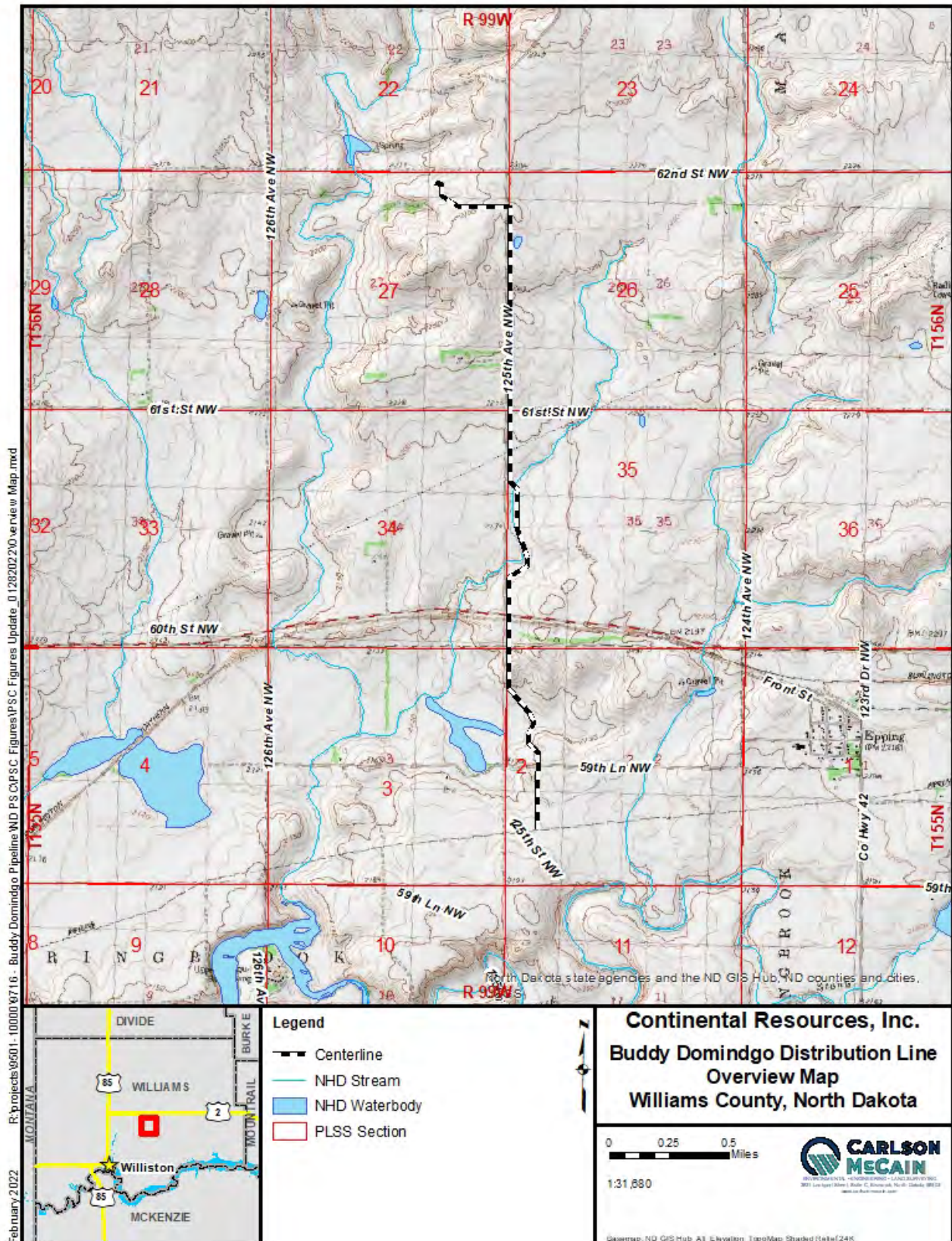
*February 8, 2022*

*Chad Tucker*

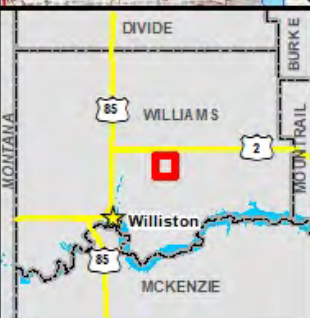
Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



R:\projects\9501-10000\9716 - Buddy Domindgo Pipeline ND PS CVPSC Figures\PS Figures Update - 01282022\210\review Map.mxd  
February 2022



**Legend**

- Centerline
- NHD Stream
- NHD Waterbody
- PLSS Section

**Continental Resources, Inc.**  
**Buddy Domindgo Distribution Line**  
**Overview Map**  
**Williams County, North Dakota**

0 0.25 0.5 Miles

1:31,680

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www.carlsonmccain.com

Basemap: ND GIS Hub, A3, Elevation, TopoMap, Shaded, 10m/24K

WESTERN AREA WATER SUPPLY AUTHORITY



November 3, 2021

Mark Owan  
Chair  
Western Area Water Supply Authority  
117 East Broadway  
PO Box 2343  
Williston, ND 58802

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Dear Mark Owan,

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*Buddy Domindgo Pipeline Project  
Williams County, North Dakota*

*November 3, 2021*

In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

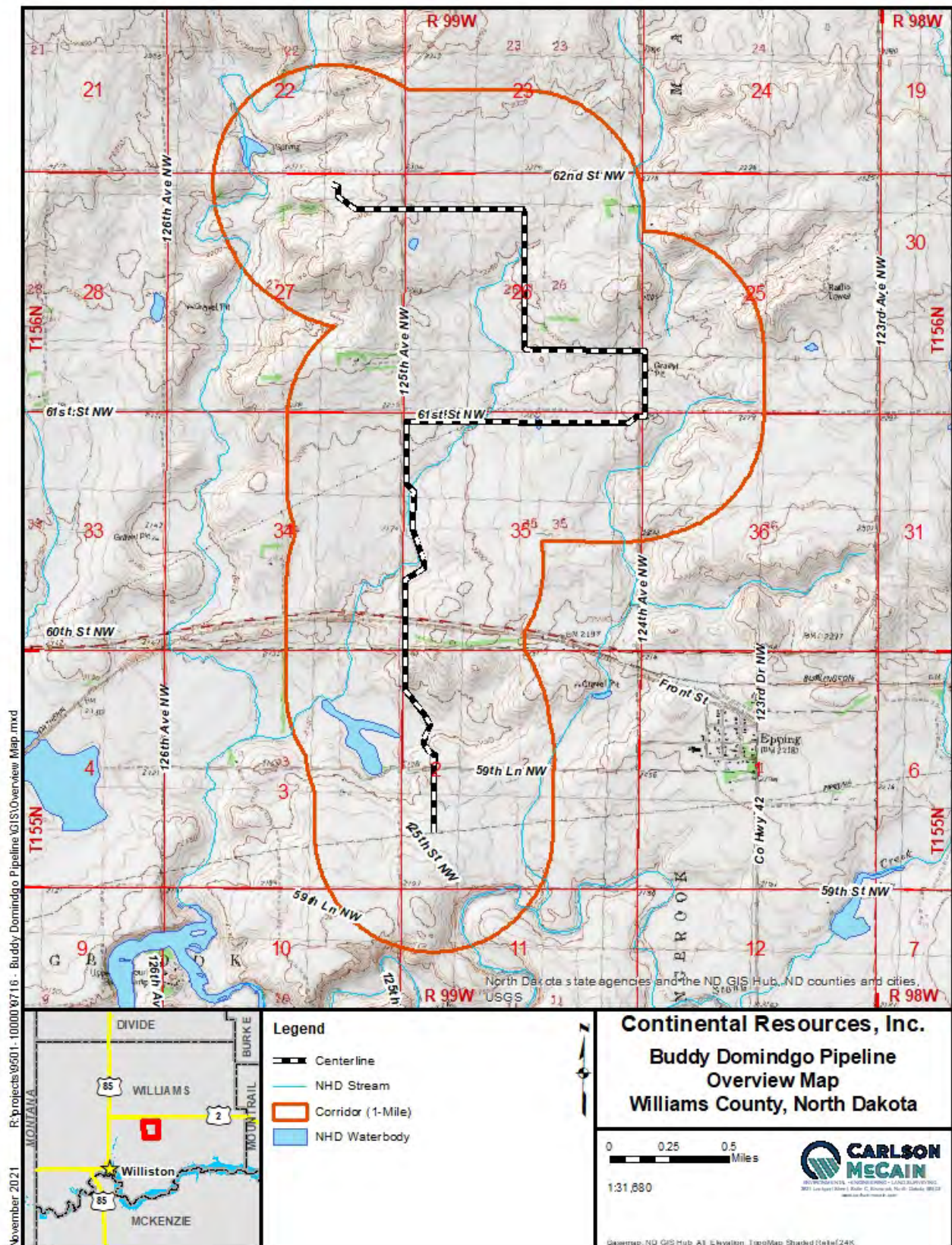
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files





February 8, 2022

Mark Owan  
Chair  
Western Area Water Supply Authority  
117 East Broadway  
PO Box 2343  
Williston, ND 58802

RE: Continental Resources, Inc.  
Buddy Domindgo Distribution Line  
Project Notification Letter and Review Request

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Williams County, North Dakota*

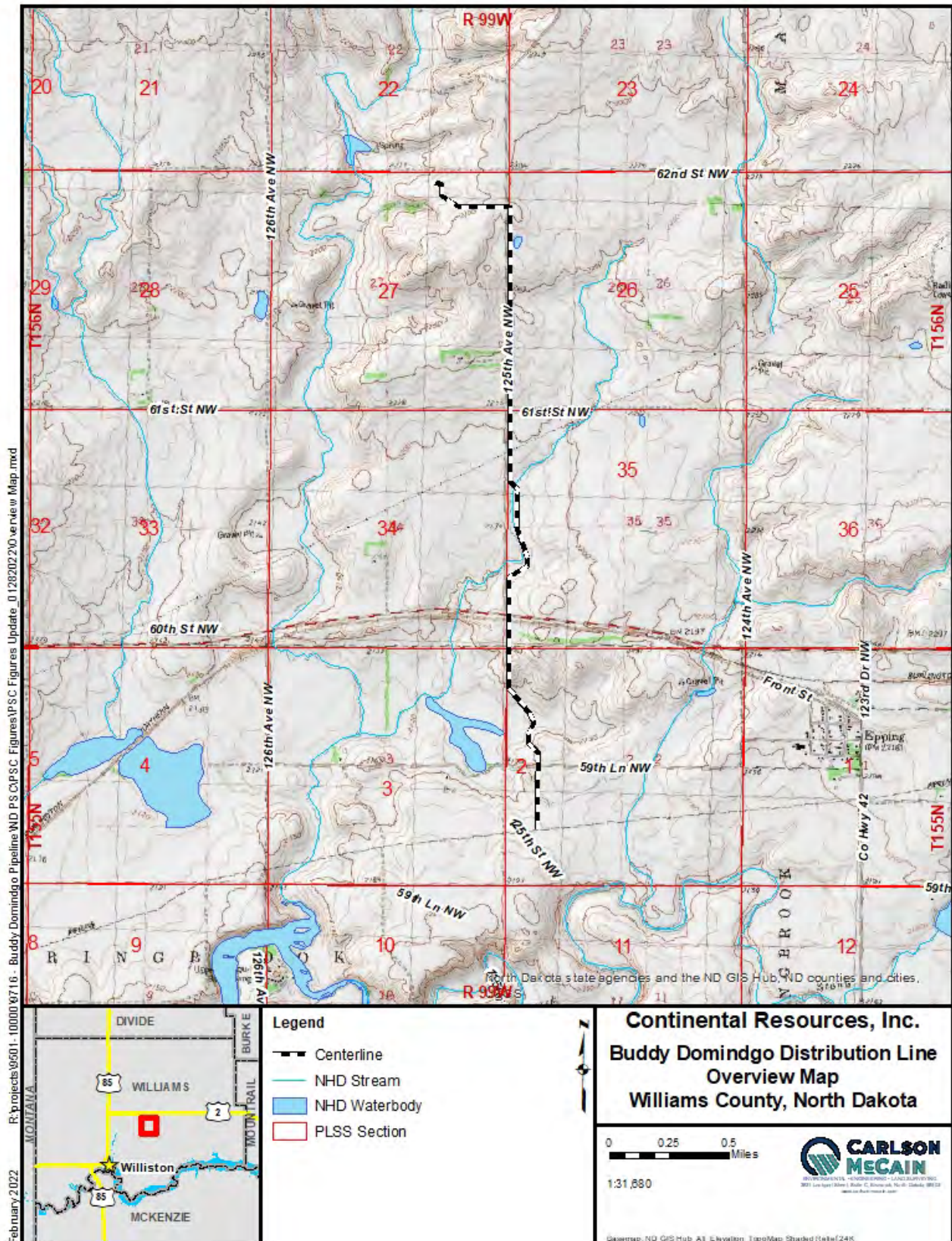
*February 8, 2022*

*Chad Tucker*

Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



WILLIAMS COUNTY COMMISSIONERS



November 3, 2021

Steve Kemp  
Chairman  
Williams County Commissioners  
206 E. Broadway  
Williston, ND 58801

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Dear Steve Kemp,

Continental Resources, Inc. is proposing to construct and operate 5.1 miles of natural gas pipeline in Williams County. The project is referred to as the Buddy Domindgo Pipeline Project (Project) and will be located in Williams County, North Dakota spanning across:

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*Buddy Domindgo Pipeline Project  
Williams County, North Dakota*

*November 3, 2021*

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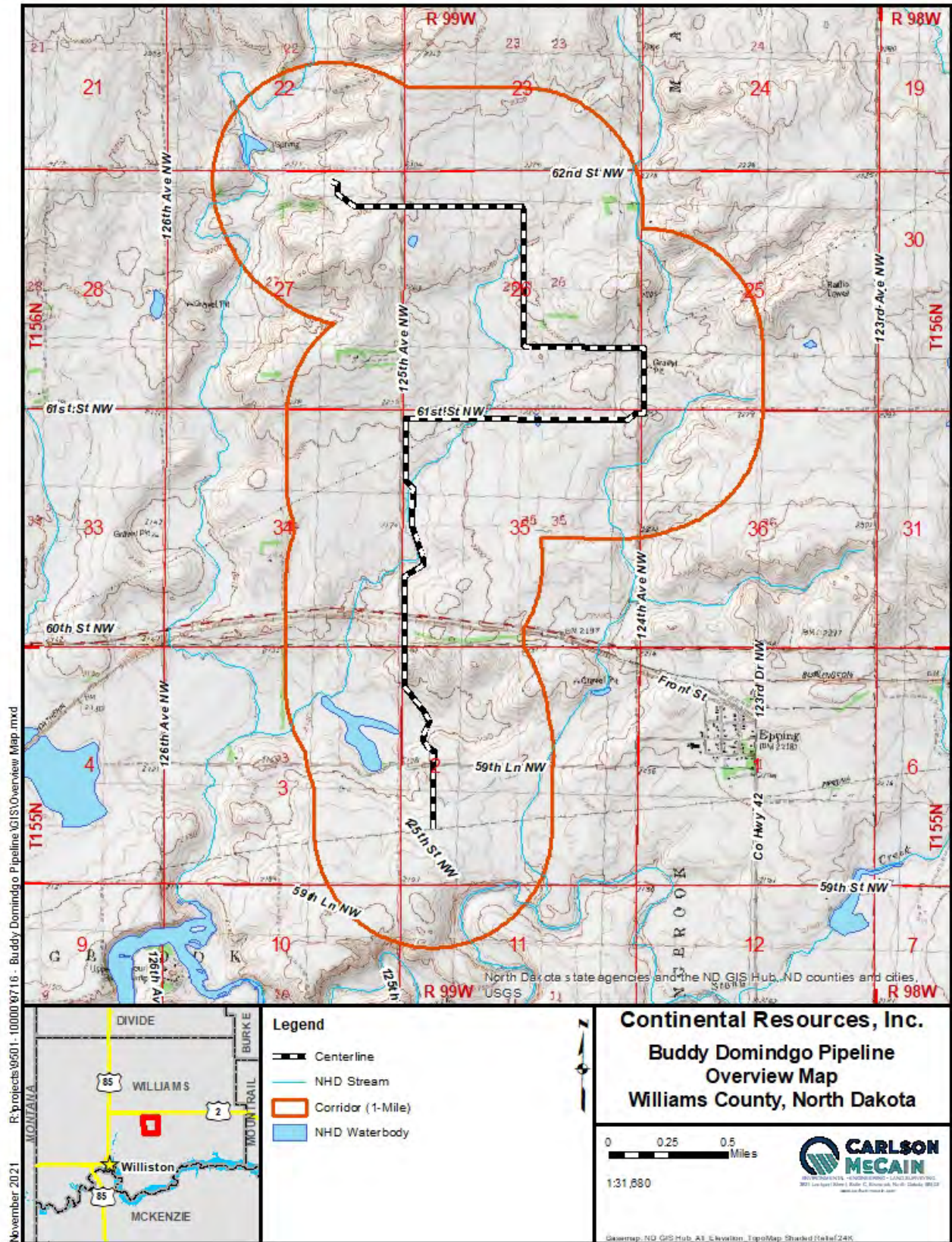
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



**From:** [Karen Prout](#)  
**To:** [Chad Tucker](#)  
**Subject:** RE: Buddy Domindgo Pipeline Project  
**Date:** Thursday, December 9, 2021 1:01:30 PM  
**Attachments:** [image001.png](#)

---

Thank you

---

**From:** Chad Tucker <[ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com)>  
**Sent:** Thursday, December 9, 2021 1:00 PM  
**To:** Karen Prout <[kprout@co.williams.nd.us](mailto:kprout@co.williams.nd.us)>  
**Subject:** RE: Buddy Domindgo Pipeline Project

**CAUTION:** This email originated from outside our organization. Please take care when opening attachments or clicking on links.

Karen –

Yes, that is correct. An application date is uncertain at this point.

Thank you

## Chad Tucker

Wildlife Biologist



3831 Lockport Street, Suite C \ Bismarck, ND 58503  
Direct 701-595-7007 \ Cell 515-783-8139  
[CARLSONMCCAIN.COM](http://CARLSONMCCAIN.COM)

---

**From:** Karen Prout <[kprout@co.williams.nd.us](mailto:kprout@co.williams.nd.us)>  
**Sent:** Thursday, December 9, 2021 11:25 AM  
**To:** Chad Tucker <[ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com)>  
**Subject:** Buddy Domindgo Pipeline Project

The Williams County Commissioners are in receipt of the letter dated November 17, 2021 regarding the subject project. Based on the map attached to the letter, I am presuming you meant to state in the letter that the project included Sections 25, 26, and 27 of T156N, R99W, instead of those Sections in T155N, R99W.

With that said, is there an anticipated time frame in submitting an application to the ND Public Service Commission for this project?

Thank you

Karen Prout  
Special Assistant States Attorney  
Williams County  
701-577-4579

---

The information transmitted by this email is intended only for the person or entity to which it is addressed. This email may contain proprietary, business-confidential and/or privileged material. If you are not the intended recipient of this message, be aware that any use, review, retransmission, distribution, reproduction or any action taken in reliance upon this message is strictly prohibited. If you received this in error, please contact the sender and delete the material from all computers.

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February 8, 2022

Steve Kemp  
Chairman  
Williams County Commissioners  
PO Box 2047  
Williston, ND 58802

RE: Continental Resources, Inc.  
Buddy Domindgo Distribution Line  
Project Notification Letter and Review Request

Dear Steve Kemp,

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*Buddy Domindgo Distribution Line  
Williams County, North Dakota*

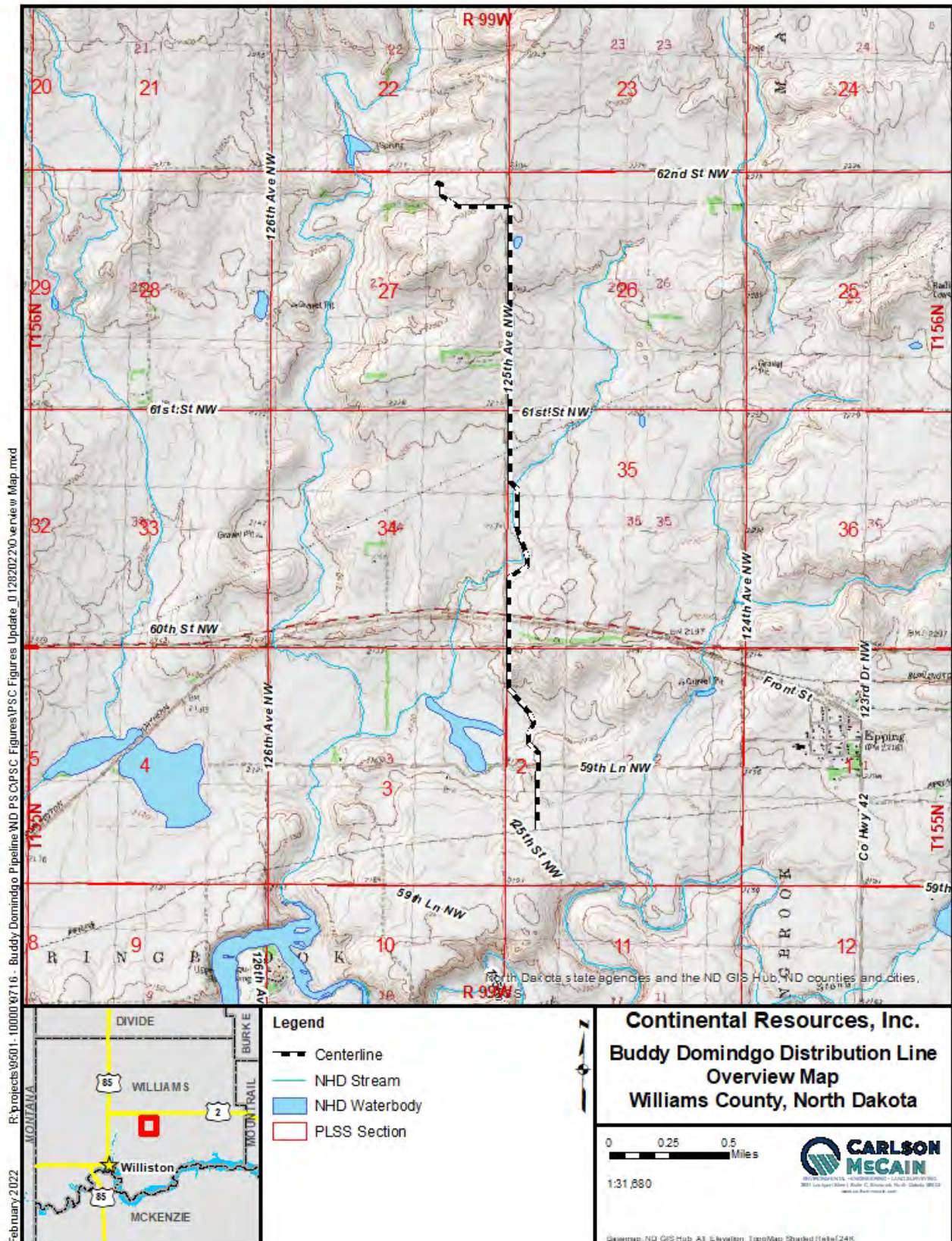
*February 8, 2022*

*Chad Tucker*

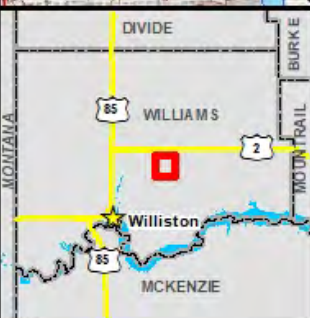
Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

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R:\projects\9501-10000\9716 - Buddy Domindgo Pipeline ND PS CVPSC Figures\PS C Figures Update - 01282022\210\review Map.mxd  
February 2022



**Legend**

- Centerline
- NHD Stream
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- PLSS Section

**Continental Resources, Inc.**  
**Buddy Domindgo Distribution Line**  
**Overview Map**  
**Williams County, North Dakota**

0 0.25 0.5 Miles

1:31,680

Carlson McCain  
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www.carlsonmccain.com

Basemap: ND GIS Hub, A3, Elevation, TopoMap, Shaded, 10m/24K

WILLIAMS COUNTY PLANNING & ZONING DEPARTMENT



November 3, 2021

Kameron Hymer  
Development Services Director  
Williams County Planning & Zoning Department  
PO Box 2047  
Williston, ND 58802-2047

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Dear Kameron Hymer,

Continental Resources, Inc. is proposing to construct and operate 5.1 miles of natural gas pipeline in Williams County. The project is referred to as the Buddy Domindgo Pipeline Project (Project) and will be located in Williams County, North Dakota spanning across:

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- Section 35, Township 156N, Range 99W
- Section 36, Township 156N, Range 99W

The Project will transfer natural gas that will be compressed and used for enhanced oil recovery. Construction activities are scheduled to begin in the first quarter of 2022 with pipeline commissioning and right-of-way restoration immediately following construction. The Project site and a 1-mile-wide corridor (Study Area) are depicted on the attached map.

The purpose of this letter is to provide notification of the proposed Project and advise you that your agency has the opportunity to participate in the regulatory process should you choose to comment on the Project.

Carlson McCain Inc. has been retained by Continental Resources, Inc. to provide environmental consulting support for this Project. Should you have any questions or require additional information, please contact me at 701-595-7007 or [ctucker@carlsonmccain.com](mailto:ctucker@carlsonmccain.com).

*Buddy Domindgo Pipeline Project  
Williams County, North Dakota*

*November 3, 2021*

In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

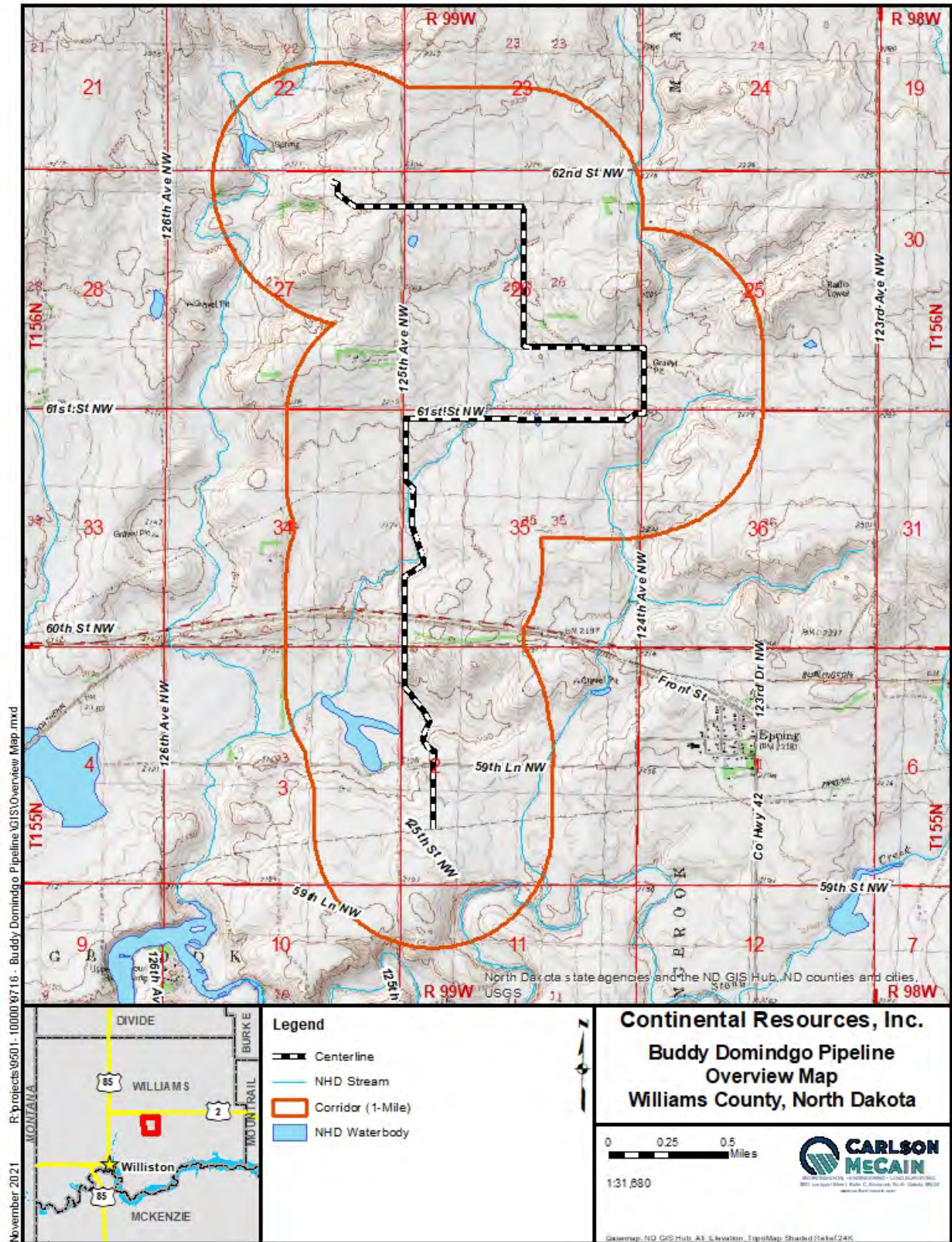
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



**From:** [Kameron Hymer](#)  
**To:** [Chad Tucker](#)  
**Cc:** [Dennis Nelson](#)  
**Subject:** Buddy Domindgo Pipeline Project  
**Date:** Tuesday, November 16, 2021 7:37:44 AM  
**Attachments:** [image001.png](#)

---

Good morning,

I am in receipt of your letter sent on 11/3/21 regarding the Buddy Domindgo Pipeline Project. If a new standalone compressor station is constructed with this project it does not require any zoning or building permits. If any accessory break rooms, restroom, etc. are added, a building permit will be required.

In addition, Road Crossing Permits from the County Highway Department along with the Township will be needed. The County Road Crossing Form can be found here:

<https://www.williamsnd.com/departments/highway/>

Please let me know if you have any questions.

Thank you,

**Kameron Hymer**

Development Services Director  
206 East Broadway, Williston, ND 58801  
701.577.4567 | [www.williamsnd.com](http://www.williamsnd.com)





February 8, 2022

Kameron Hymer  
Development Services Director  
Williams County Planning & Zoning Department  
PO Box 2047  
Williston, ND 58802-2047

RE: Continental Resources, Inc.  
Buddy Domindgo Distribution Line  
Project Notification Letter and Review Request

Dear Kameron Hymer,

Continental Resources, Inc. is proposing a route change to the proposed Buddy Domindgo Distribution Line (Project). Consultation letters were sent out for the previous alignment on November 3, 2021. A figure depicting the new alignment is attached. The new alignment is 3.1 miles long and located in Williams County, North Dakota spanning across portions of:

- Section 2, Township 155N, Range 99W
- Section 26, Township 156N, Range 99W
- Section 27, Township 156N, Range 99W
- Section 35, Township 156N, Range 99W

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In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

Sincerely,

*Buddy Domindgo Distribution Line  
Williams County, North Dakota*

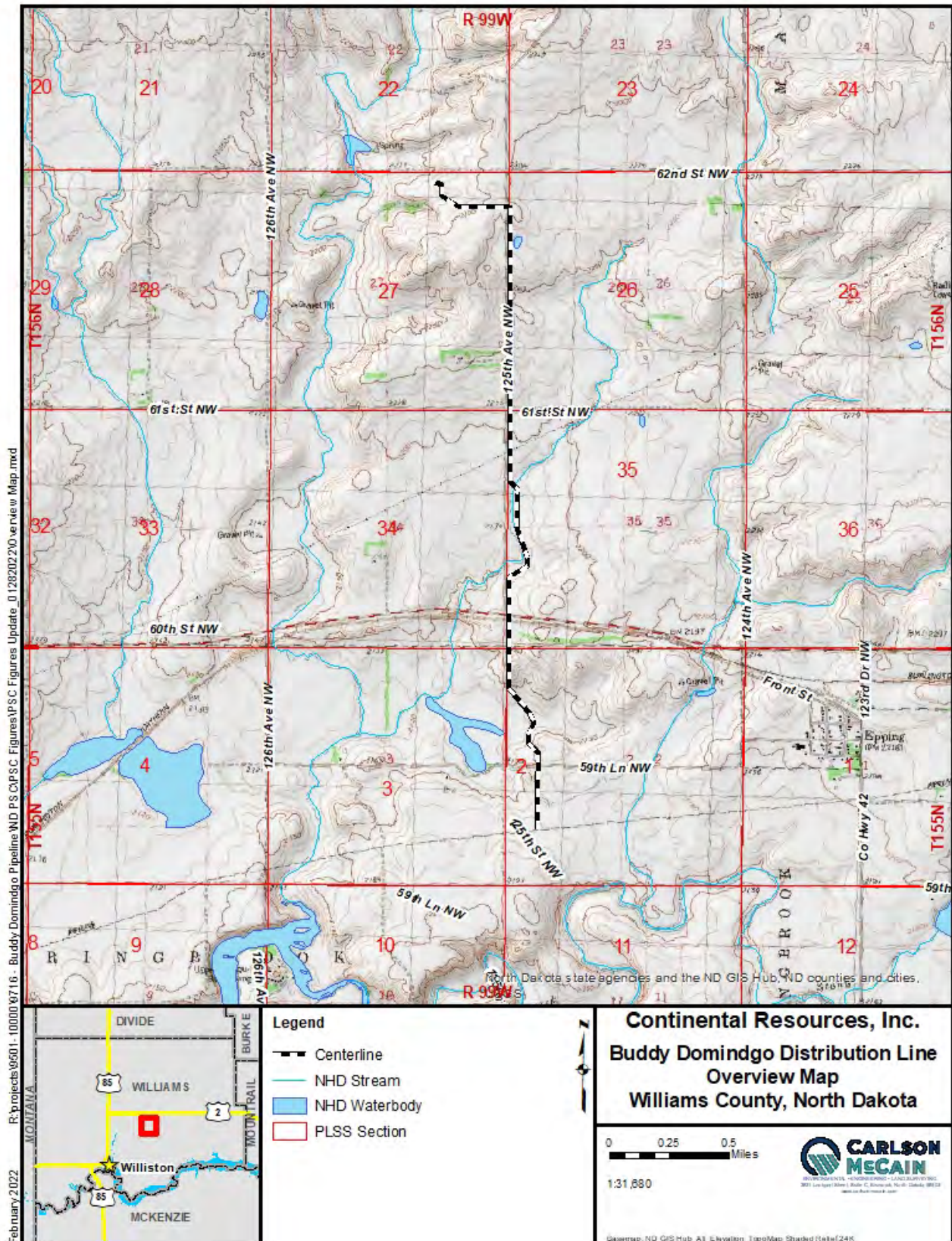
*February 8, 2022*

*Chad Tucker*

Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



WILLIAMS COUNTY WATER RESOURCES BOARD



November 3, 2021

Beth Innis  
Williams County Water Resources Board  
PO Box 2047  
Williston, ND 58802-2047

RE: Continental Resources, Inc.  
Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

Dear Beth Innis,

Continental Resources, Inc. is proposing to construct and operate 5.1 miles of natural gas pipeline in Williams County. The project is referred to as the Buddy Domindgo Pipeline Project (Project) and will be located in Williams County, North Dakota spanning across:

- Section 2, Township 155N, Range 99W
- Section 25, Township 156N, Range 99W
- Section 26, Township 156N, Range 99W
- Section 27, Township 156N, Range 99W
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- Section 36, Township 156N, Range 99W

The Project will transfer natural gas that will be compressed and used for enhanced oil recovery. Construction activities are scheduled to begin in the first quarter of 2022 with pipeline commissioning and right-of-way restoration immediately following construction. The Project site and a 1-mile-wide corridor (Study Area) are depicted on the attached map.

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In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

*Buddy Domindgo Pipeline Project  
Williams County, North Dakota*

*November 3, 2021*

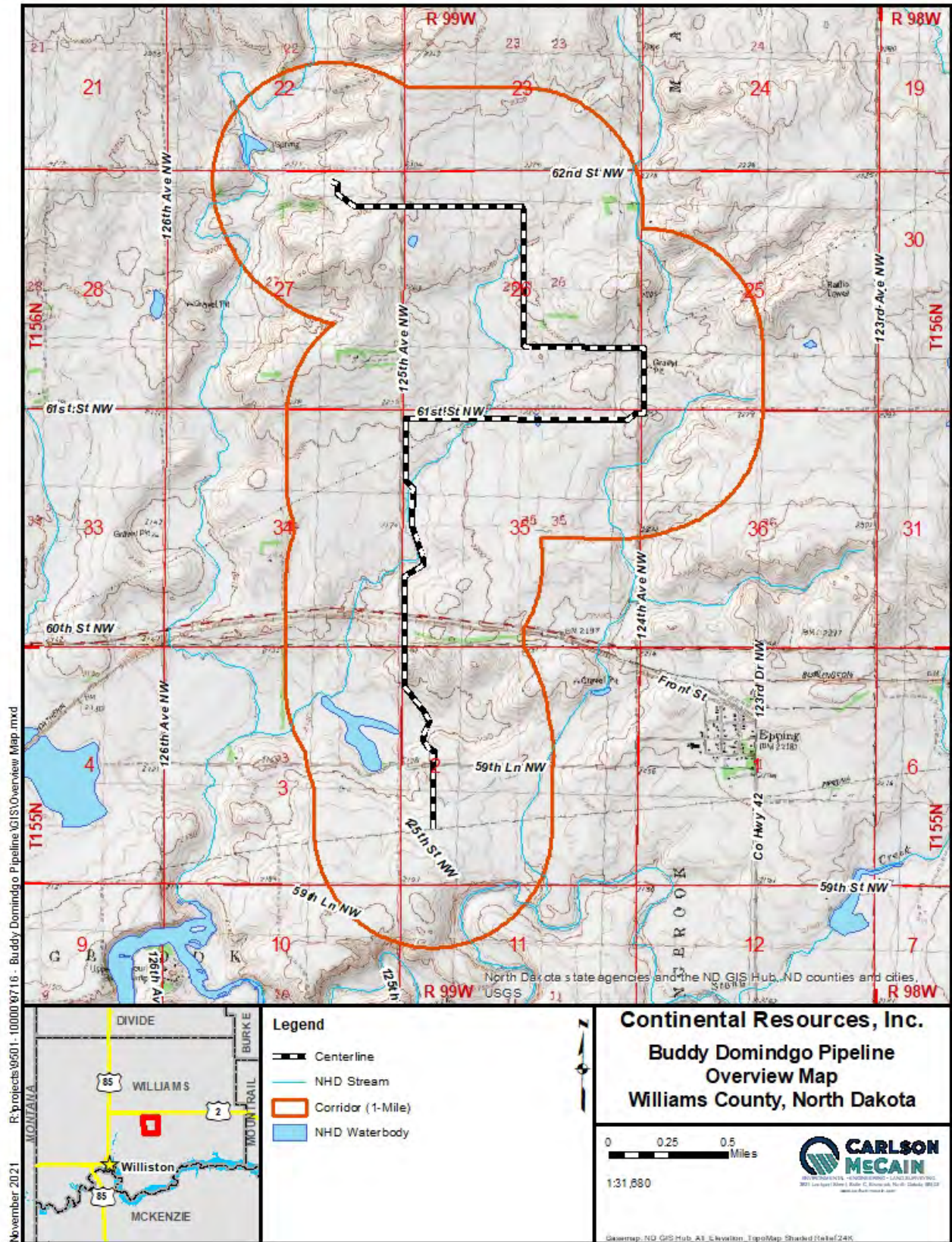
Sincerely,



Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files





February 8, 2022

Beth Innis  
Williams County Water Resources Board  
PO Box 2047  
Williston, ND 58802-2047

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Buddy Domindgo Distribution Line  
Project Notification Letter and Review Request

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*Buddy Domindgo Distribution Line  
Williams County, North Dakota*

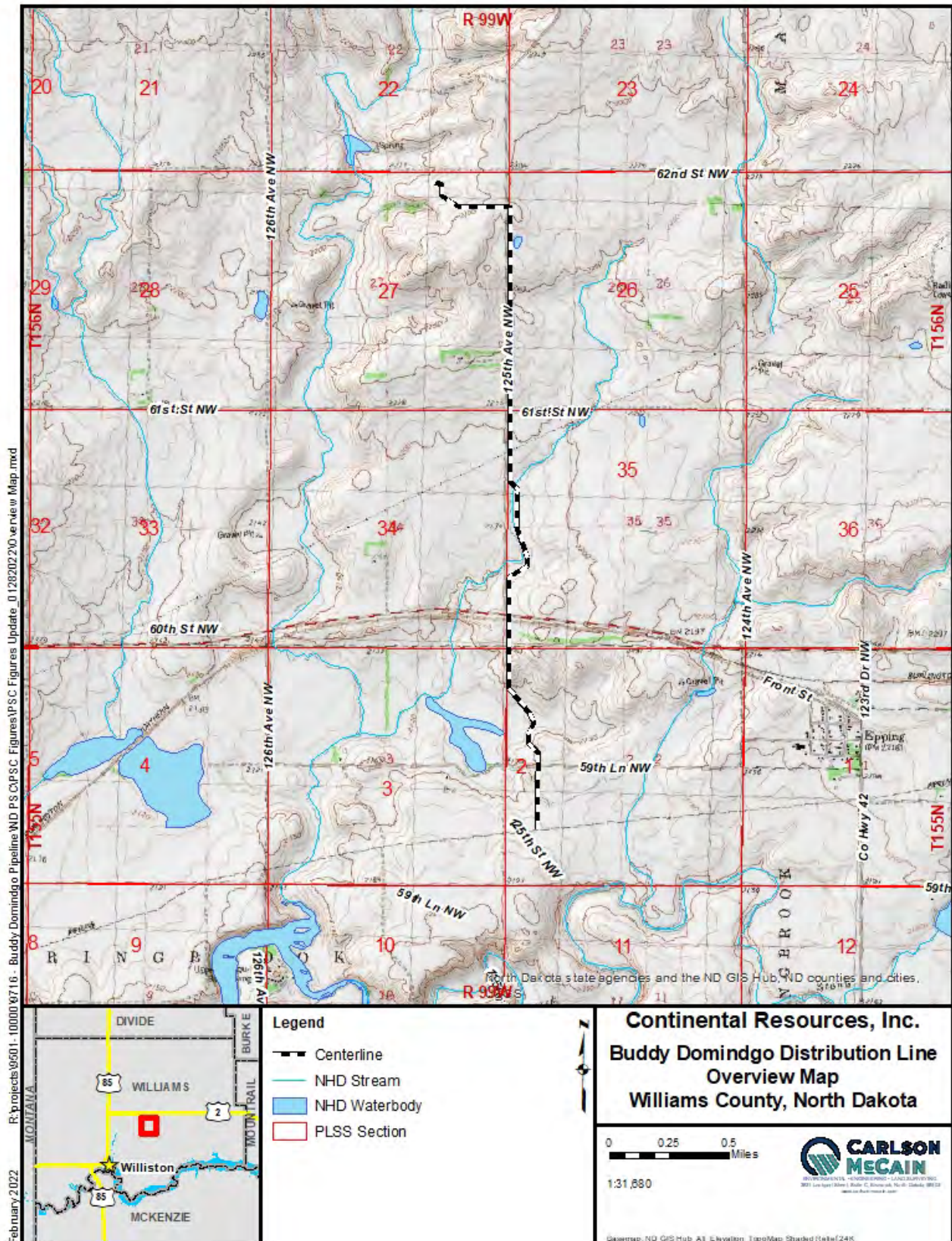
*February 8, 2022*

*Chad Tucker*

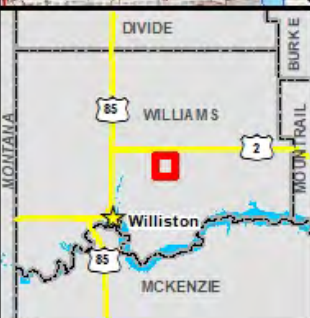
Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

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 February 2022



**Legend**

- Centerline
- NHD Stream
- NHD Waterbody
- PLSS Section

**Continental Resources, Inc.**  
**Buddy Domindgo Distribution Line**  
**Overview Map**  
**Williams County, North Dakota**

0 0.25 0.5 Miles

1:31,680

Geomap: ND GIS Hub: A3: Elevation TopoMap Shaded (8x8)/24K

WILLIAMS COUNTY WEED BOARD



November 3, 2021

Williams County Weed Board  
PO Box 2047  
Williston, ND 58802-2047

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Buddy Domindgo Pipeline Project  
Project Notification Letter and Review Request

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*Buddy Domindgo Pipeline Project  
Williams County, North Dakota*

*November 3, 2021*

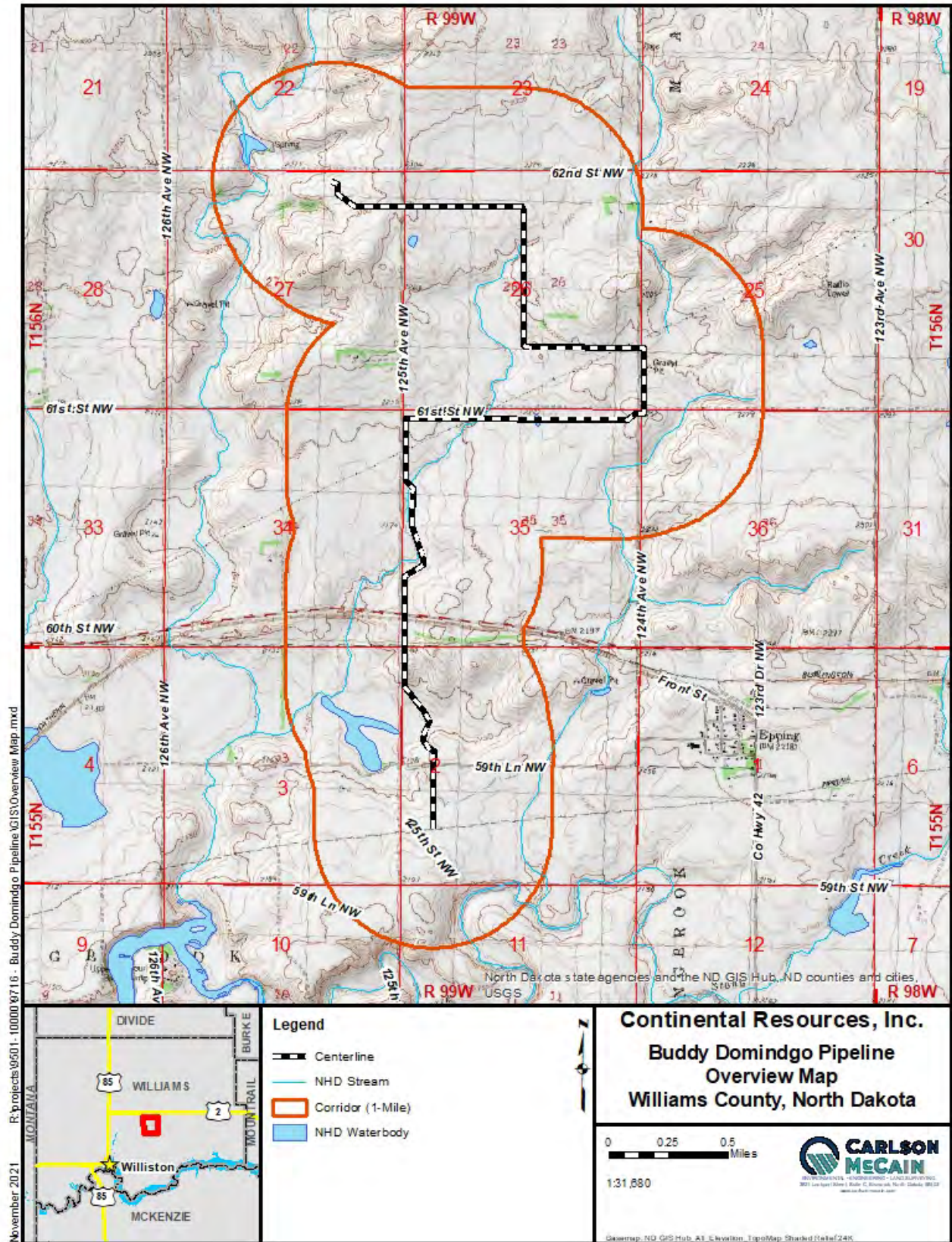
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Wildlife Biologist  
Carlson McCain Inc.

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cc: Continental Resources, Inc. Project Files





February 8, 2022

Williams County Weed Board  
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Williston, ND 58802-2047

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Buddy Domindgo Distribution Line  
Project Notification Letter and Review Request

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In closing, upon your review of this Project, should you choose to comment, a timely response is respectfully requested.

Sincerely,

A handwritten signature in blue ink that reads "Chad Tucker".

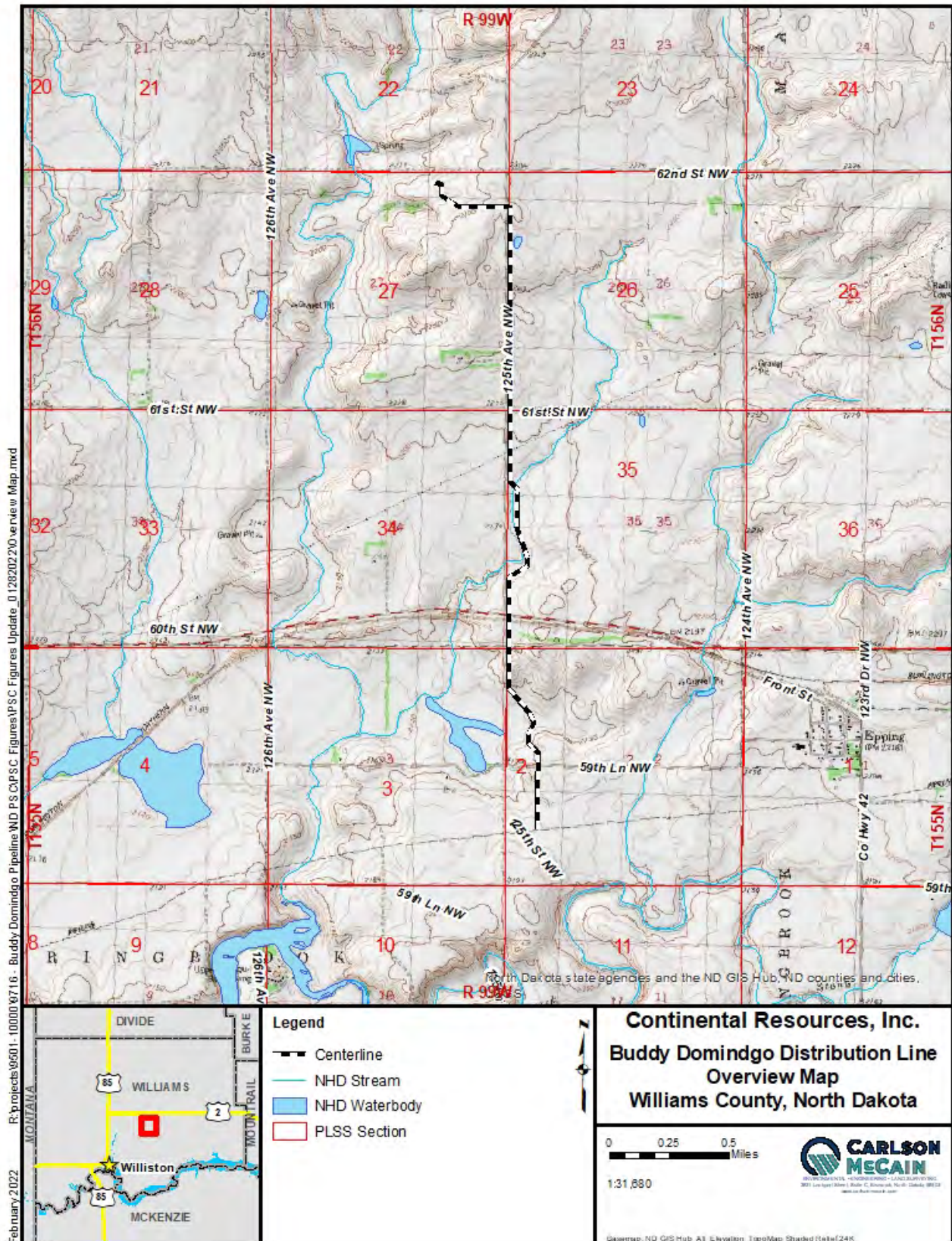
*Buddy Domindgo Distribution Line  
Williams County, North Dakota*

*February 8, 2022*

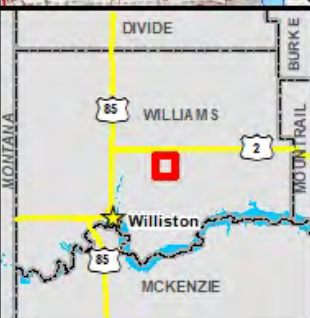
Chad Tucker  
Wildlife Biologist  
Carlson McCain Inc.

Attachment: Project Map

cc: Continental Resources, Inc. Project Files



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 February 2022



**Legend**

- Centerline
- NHD Stream
- NHD Waterbody
- PLSS Section

**Continental Resources, Inc.**  
**Buddy Domindgo Distribution Line**  
**Overview Map**  
**Williams County, North Dakota**

0 0.25 0.5 Miles

1:31,680

**CARLSON MCCAIN**  
 SURVEYING • ENGINEERING • LAND SURVEYING  
 301 Lee Street, Suite C, Williston, North Dakota 58853  
 www.carlsonmccain.com

Basemap: ND GIS Hub, A3, Elevation, TopoMap, Shaded, 10m/24K

STATE HISTORICAL SOCIETY OF NORTH DAKOTA  
ARCHAEOLOGY HISTORIC PRESERVATION OFFICE



# Metcalf Archaeological Consultants, Inc.

Est. 1980

---

Wednesday, February 09, 2022

Ms. Lisa Steckler, Review and Compliance Officer  
State Historical Society of North Dakota  
North Dakota Heritage Center  
612 East Boulevard Avenue  
Bismarck, North Dakota 58505-0830

RE: Continental Buddy Domindgo Gathering Petroleum Pipeline report

Dear Ms. Steckler,

Enclosed is one copy of the report documenting the results and recommendations for the cultural resource inventories our office conducted for Carlson McCain:

*Continental Buddy Domindgo Gathering Petroleum Pipeline: A Class III Cultural Resources Inventory in Williams County, North Dakota*

After you have had the opportunity to review and consult, please provide both the Metcalf Bismarck office and the client with your comments:

Todd Hartleben  
Carlson McCain  
3831 Lockport Street, Suite C  
Bismarck, ND 58503

We thank you for your assistance with this project. Should you have any questions or comments please contact the Metcalf Bismarck office.

Sincerely,

Damita Engel  
General Manager



December 28, 2021

Mr. Todd Hartleben  
Carlson McCain  
3831 Lockport Street, Suite C  
Bismarck, ND 58503

**ND SHPO Ref.: 22-5234 “Continental Buddy Domindgo Gathering Petroleum Pipeline: A Class III Cultural Resources Inventory in Williams County, North Dakota” in portions of [T155N R99W Section 2] & [T156N R99W Sections 25-27 & 34-36] MAC 2021.ND.078**

Dear Mr. Hartleben,

We reviewed ND SHPO Ref.: 22-5234 “Continental Buddy Domindgo Gathering Petroleum Pipeline: A Class III Cultural Resources Inventory in Williams County, North Dakota” in portions of [T155N R99W Section 2] & [T156N R99W Sections 25-27 & 34-36] MAC 2021.ND.078 and find the report by Andrea Kulevsky and Ed Stine acceptable. We find that there has been a good faith effort to avoid impacts to significant sites provided avoidance measures are followed as recommended.

Thank you for the opportunity to review this project. Please include the ND SHPO Reference number listed above in further correspondence for this specific project. If you have any questions please contact Lisa Steckler, Historic Preservation Specialist at (701) 328-3577 or [lsteckler@nd.gov](mailto:lsteckler@nd.gov)

Sincerely,

for William D. Peterson, PhD  
State Historic Preservation Officer  
(North Dakota)

22-5234

APPENDIX C: NATURAL RESOURCE REPORT

# NATURAL RESOURCES REPORT

Buddy Domindgo Transmission Line  
Williams County, North Dakota  
*Carlson McCain Project #9716*

*Prepared for:*

Continental Resources, Inc.  
20 N. Broadway  
Oklahoma City, OK 73102

*February 2, 2022*



3831 LOCKPORT STREET, SUITE C  
BISMARCK, ND 58503

TEL 701.255.1475  
FAX 701.255.1477

CARLSONMCCAIN.COM

ENGINEERING \ LAND SURVEYING \ ENVIRONMENTAL

**Buddy Domindgo Transmission Line  
Williams County, North Dakota**

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                  Figure 2. Field Survey  
                  Figure 3. T/E Species Observations and Critical Habitat
- Appendix B    Project Photographs

## 1.0 SCOPE OF WORK

Continental Resources, Inc. (Continental) has proposed to develop the Buddy Domindgo Transmission Line (Project) in Williams County, North Dakota. Carlson McCain was retained by Continental to provide environmental field services which included the identification of waterbody/wetland boundaries, an evaluation of the Project for federally listed species, a noxious weeds inventory, a woody vegetation inventory, and a line-of-sight raptor nest survey. The Project is approximate 3.1 miles in length (Appendix A, Figure1). Table 1 identifies the Public Land Survey System (PLSS) Sections that the Project is located within. The results of this evaluation are discussed in this report.

**Table 1. Legal Descriptions**

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

Continental considered multiple route alignments to minimize impacts to cultural and natural resources. The natural resources discussed in this report are those within the Survey Corridor of the proposed route as shown on Figures 1 and 2 and does not include those found within other evaluated route corridors. The Survey Corridor was typically 250-feet wide; 125-feet either side of the proposed pipeline centerline. The Survey Corridor of the proposed route contains approximately 95.3 acres. Also, 136.4 acres of Additional Survey Area was assessed for alternate routes. Carlson McCain biologist, Chad Tucker, performed the field surveys on October 25, 2021. Geospatial field data was collected using a Sony Xperia Android Tablet paired with an EOS ARROW Lite global positioning system capable of recording data to sub-meter accuracy.

## 2.0 PROCEDURES

### 2.1 Wetland and Waterbody Field Determination

Wetland identification utilized hydrological indicators found on-site such as the presence or absence of hydric vegetation and topographic position. Waterbody boundaries were recorded utilizing the criteria and definitions provided by the U.S. Army Corps of Engineers Ordinary High Water Mark criteria and definitions provided by the U.S. Environmental Protection Agency in *Draft Guidance on Identifying Waters Protected by the Clean Water Act*. Wetlands and waterbodies were field classified in accordance with guidelines set forth in the *Classification of Wetlands and Deepwater Habitats of the United States* by the Federal Geographic Data Committee. The following resources were reviewed prior to the wetland field delineation to aid in identifying potential wetlands within the Project Area: Williams County National Agriculture Imagery Program (NAIP) aerial photographs; U.S. Fish and Wildlife Service National Wetland Inventory; U.S. Geological Survey National Hydrography Dataset; and the digital web soil survey. The vegetation within the area surveyed was characterized using the hydrophytic criteria as outlined in the Manual and the *National Wetland Plant List*. No soil data was collected.

### 2.2 Federally Listed Wildlife Species Evaluation

Assessments for federally listed threatened and endangered species were conducted by evaluating historic accounts and reported occurrences of listed species within the Project Area. A desktop evaluation was conducted which was augmented with a field evaluation to confirm the presence or absence of potentially suitable habitat for federally listed species within the Survey Corridor. Background data was collected for preliminary review and to aid in the field inventory of the biological resources. The data utilized included the USFWS list of federally listed species for North Dakota, USFWS Designated Critical Habitat for Threatened and Endangered Species Geospatial Data, along with known range and habitat requirements for each species. Table 2 identifies the federally listed species with a potential of occurrence within the Survey Corridor.

**Table 2. Potential Federally Listed Threatened and Endangered Species**

Common Name	Scientific Name	Status
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Threatened
Whooping Crane	<i>Grus americana</i>	Endangered
Dakota Skipper	<i>Hesperia dacotae</i>	Threatened, Critical Habitat Designated
Piping Plover	<i>Charadrius melodus</i>	Threatened, Critical Habitat Designated
Red Knot	<i>Calidris canutus rufa</i>	Threatened

(USFWS IPaC 2022)

### 2.3 Noxious Weed Inventory

North Dakota has 13 state-listed noxious weeds. The Williams County Weed Control District lists one additional species as invasive (NDDA 2021). Table 3 provides a list of noxious and/or invasive weed species listed in Williams County.

**Table 3. North Dakota State and Williams County Noxious and Invasive Weeds**

North Dakota State Listed Noxious Weeds		Williams County, ND Invasive Weeds	
Common Name	Scientific Name	Common Name	Scientific Name
Absinth Wormwood	<i>Aremisia absinthium</i>	Narrowleaf Hawksbeard	<i>Crepis tectorum</i>
Canada Thistle	<i>Cirsium arvense</i>		
Dalmatian Toadflax	<i>Linaria genistifolia</i>		
Diffuse Knapweed	<i>Centaurea diffusa</i>		
Houndstongue	<i>Cynoglossum officinale</i>		
Leafy Spurge	<i>Euphorbia esula</i>		
Musk Thistle	<i>Carduus nutans</i>		
Palmer Amaranth	<i>Amaranthus palmeri</i>		
Purple Loosestrife	<i>Lythrum salicaria</i>		
Russian Knapweed	<i>Acroptilon repens</i>		
Saltcedar	<i>Tamarix chinensis</i>		
Spotted Knapweed	<i>Centaurea maculosa</i>		
Yellow Toadflax	<i>Linaria vulgaris</i>		

#### 2.4 Woody Vegetation (Tree and Shrub) Inventory

The tree and shrub inventory utilized a methodology previously approved by the North Dakota Public Service Commission. Trees and shrubs were recorded within the Survey Corridor that could potentially be cleared by the Project, including those that are considered invasive species. The location, number, and species of each tree and shrub were documented for this inventory. The potential impact to trees and shrubs was enumerated by one of two methods: individual count; or by inference utilizing a representative subsample plot, to count and then extrapolate the number of individuals or stems based upon the area within the Survey Corridor.

#### 2.5 Nesting Raptor Survey

A one-half mile line-of-sight survey for nesting raptors was conducted for the Project. Binoculars with 10 power magnification were used to aid in the efforts.

### 3.0 RESULTS

#### 3.1 Wetlands

Three wetlands were recorded during the field visit to the Survey Corridor. The combined acreage of the three wetlands is approximately 1.84 acres. Two of the wetlands are adjacent to drainage features and one wetland are isolated natural depression. Wetland information is summarized in Table 4 and their locations are identified in Appendix A, Figure 2. Photographs of the Survey Corridor are included in Appendix B.

**Table 4. Project Wetlands**

Feature	Type	Cowardin Classification	Acres	PLSS Section	Comments	Latitude	Longitude
Wetland 1	Natural	PEMA	0.17	Sec. 35, T156N, R99W	Drainage	48.309463	-103.387734
Wetland 2	Natural	PEMC	0.89	Sec. 35, T156N, R99W	Depression	48.292407	-103.387572
Wetland 3	Natural	PEMC	0.78	Sec. 35, T156N, R99W	Depression	48.280573	-103.386736
<b>Total</b>			<b>1.84</b>				

#### 3.2 Waterbodies

No waterbodies were identified within the Survey Corridor.

#### 3.3 Ephemeral Drains

The field survey identified two ephemeral drains within the Survey Corridor. These features convey upland water during high moisture periods, but the hydrology of these sites is insufficient to support hydric vegetation. The delineated ephemeral drains have a combine acreage of 0.04 acres. Ephemeral drain information is summarized in Table 5 and their locations are identified in Appendix A, Figure 2. Photographs of the Survey Corridor are included in Appendix B.

**Table 5. Project Ephemeral Drains**

Feature	Type	Cowardin Classification	Acres	PLSS Section	Latitude	Longitude
Ephemeral Drain 1	Upland Drainage	R6-Ephemeral Riverine	<0.01	Sec. 27, T156N, R99W	48.312199	-103.394845
Ephemeral Drain 2	Upland Drainage	R6-Ephemeral Riverine	0.03	Sec. 21, T155N, R99W	48.276264	-103.385649
<b>Total</b>			<b>0.04</b>			

#### 3.4 Threatened and Endangered Species Habitat Assessment

Threatened and endangered species that have been documented and/or have the potential to occur within the Survey Corridor are listed in Table 2 along with designated critical habitat (USFWS 2021.) A review of USFWS species information datasets along with habitat data gathered from the on-site field surveys was conducted for the proposed Project. Threatened and endangered species information gathered from the review is documented below in the species discussions.

During the field surveys, no federally listed species were observed. Four trees with the potential to provide summer roosting habitat for the northern long-eared bat were documented in Section 25, T156N, R99W. No other habitat for federally listed species was observed.

### 3.4.1 Northern Long-eared bat

The northern long-eared bat is a forest dwelling mammal. The home range of the northern long-eared bat is approximately 150 acres (60.7 ha) including a summer and winter habitat. In the summer, northern long-eared bats roost under bark or in crevices of trees, preferring to roost in tall trees with greater than 3" diameter at breast height (DBH), and under the exfoliating bark of dead or dying trees. In the winter, northern long-eared bats hibernate in caves and mines. The northern long-eared bat prefers foraging in edge habitats and forests comprised of trees with a diversity of life stages (USFWS 2014).

Occurrences of the northern long-eared bat are uncertain in North Dakota. White-nose syndrome (WNS) is the predominant threat to the northern long-eared bat currently. North Dakota is included in the current extent of WNS zone per the Final 4(d) Rule. The USFWS final 4(d) ruling prohibits incidental take from areas affected by WNS if take occurs within a hibernaculum or take occurs as the result of tree removal within 0.25 miles of a hibernaculum. The ruling also prohibits incidental take by cutting trees within a 150-foot radius from a maternity roost tree during the pup season from June 1 through July 31 (FR. 2016).

No potential summer (trees) or winter hibernacula were observed within the Survey Corridor and there are no known bat hibernacula in Williams County (NDGFD 2021). It is reasonable to expect the Project **will have no effect** on the northern long-eared bat.

### 3.4.2 Whooping Crane

The primary nesting area for the whooping crane is in Canada's Wood Buffalo National Park. Aransas National Wildlife Refuge in Texas is the primary wintering area for whooping cranes. In the spring and fall, the cranes migrate primarily along the Central Flyway. During the migration, cranes make numerous stops, roosting in large shallow marshes and feeding and loafing in harvested grain fields. The primary threats to whooping cranes are power lines, illegal hunting, and habitat loss (Texas Parks and Wildlife 2006).

The whooping crane is federally listed in all counties of North Dakota. Land use within the Project is a mixture of cropland and rangeland, and oil/gas development. The USFWS Database (USFWS 2018) shows Williams County has had 28 verified whooping crane sightings. The closest confirmed sighting to the Project was of two adults and one juvenile whooping crane in 2004, approximately 9.3 miles northeast of the Project in Section 20, T157N, R97W. The sighting locations are depicted in Appendix A, Figure 3.

Noise and vehicle activity during construction activities may cause migratory cranes to divert from the area but would be unlikely to contribute to any indirect or direct effect that would result in an increase of fatalities and, therefore, would be considered insignificant. If a crane is sighted within one mile of the project area, construction activities utilizing heavy equipment would be suspended, and the sighting would be promptly reported to the USFWS. In coordination with the USFWS, suspended activities would resume once the bird(s) have left the area. Following these guidelines, it is reasonable to expect that the Project **may affect** but is **not likely to adversely affect** whooping cranes.

### 3.4.3 Pallid Sturgeon

Pallid sturgeon are found in the Mississippi, Missouri, and Yellowstone River systems and are adapted for living close to the bottom of large, shallow rivers with sand and gravel bars. Pallid sturgeon populations in North Dakota have decreased since the 1960s (Grondahl and Martin, no

date). Weighing up to 85 pounds, pallid sturgeons are long lived with individuals possibly reaching 50 or more years of age.

A known pallid sturgeon population occurs from the Missouri River below Fort Peck Dam to the headwaters of Lake Sakakawea and the Lower Yellowstone River up the confluence of the Tongue River, Montana (USFWS 2007). Factors leading to the decline of the pallid sturgeon and a listing as an endangered species by the USFWS in 1990 include the alteration of habitat through river channelization; creation of impoundments; and alteration of water flow regimes (USFWS 1990). The effect from these alterations within the Missouri River have reduced food sources by lowering productivity, destroying spawning habitat, altered flow conditions which can delay spawning cues, and blocked movements to spawning, feeding, and rearing areas (USFWS 2007).

The Project is approximately twelve miles from the Lake Sakakawea/Missouri River System. Due to the nature of the Project, no impacts to Lake Sakakawea are anticipated during construction and/or operation. The Project is expected to have **no effect** on the pallid sturgeon.

#### 3.4.4 Dakota Skipper

The Dakota skipper, a prairie obligate species, requires nectar producing native flowers and native grasses. Historically, Dakota skippers have been associated with low, wet, prairie dominated high quality tall grass prairie habitat (Type A habitat). Researchers have found that Dakota skippers also use upland mixed grass prairie that is relatively dry and includes ridges and hillsides (Type B habitat). These often have small inclusions of areas with species more commonly typified with tall grass prairie. Larvae require grass components of mixed-grass prairie that include bluestem grasses and needlegrasses, while adults require nectar sources; therefore, suitable prairie must include nectar-producing forbs. These may include purple coneflower, blue bells (*Campanula rotundifolia*), blanket flower (*Gaillardia aristata*), wood lily (*Lilium philadelphicum*), or other species that are in bloom during the adult life cycle of the Dakota skipper (Dana 1991). The nearest U.S. Fish and Wildlife Service Designated Critical Habitat for the Dakota skipper is located 20 miles southeast of the Project (Figure 3).

Habitat within the Survey Corridor was assessed and divided into habitat grades. Areas that had been previously disturbed were graded as “no habitat.” Areas that were dominated by woody vegetation or non-native species were graded as “poor habitat.” Habitat areas that were dominated by native grassland species but lacked adequate numbers of requisite cover and/or nectar species required by the Dakota skipper were graded as “moderate habitat.” The moderate habitat areas may provide a source of nectar for adult Dakota skippers but are unlikely to provide larval habitat. Habitat areas that were dominated by requisite grass species and contained requisite nectar species were graded as “good habitat.” The good habitat areas would provide dense, moist habitat for larval production and nectar species for adults.

Field surveys confirmed the absence of “good habitat.” The field survey recorded approximately 77.8 acres (82%) of “no habitat” within the Survey Corridor due to previous disturbance. Approximately 1.8 acres, or 2%, of the Survey Corridor was characterized as “poor habitat” due to non-native grassland vegetation and heavy livestock grazing. Approximately 15.7 acres (16%) of moderate habitat was documented primarily in the NW1/4 of Section 2, T155N, R99W. Appendix A, Figure 2 depicts the locations of the habitat grades. The Project is on the extreme western edge of the Dakota skipper’s known range and the available habitat surrounding the Project is heavily fragmented and not of high

quality, it is reasonable to expect that the Project **may affect** but is **not likely to adversely affect** the Dakota skipper or its designated critical habitat.

### 3.4.5 Piping Plover

The piping plover is a migratory shorebird that breeds in North Dakota. Suitable nesting habitat for piping plovers includes alkaline wetlands and the shoreline of the Missouri River system; this habitat has been characterized as sparsely vegetated channel sandbars, sand and gravel beaches on islands, temporary pools on sandbars and islands, and island margins that interface with the river channel. The piping plover feeds on worms, insects, and mollusk. The decline of piping plover populations is due to the loss of habitat from river impoundment(s) as well as the degradation of habitat related to the channelization river systems, nest predation, and human disturbance.

Critical habitat for the Northern Great Plains piping plover has been designated on alkali lakes and wetlands, the Yellowstone River, and Missouri River in North Dakota. The physical and biological features that are essential to the conservation of the species, referred to as the primary constituent elements, require special consideration for protection. These include sparsely vegetated alkaline wetlands, sand and gravel beaches on islands, temporary pools on sandbars and islands, and island margins that interface with the river channel, all protected from disturbance. This Project is approximately twelve miles north of the nearest critical habitat, which is the Lake Sakakawea/Missouri River System. (Appendix A, Figure 3) (USFWS 2021).

The Survey Corridor is predominantly cropland and contains wetlands and waterbodies that are well vegetated and do not provide bare ground suitable for nesting habitat. The Project is expected to have **no effect** on the Piping Plover or its designated critical habitat.

### 3.4.6 Rufa Red Knot

The red knot is a shorebird breeds in the central Canadian Arctic, with primary breeding grounds in Nunavut Territory, but some potential breeding habitat extending into the Northwest Territories (FR 2013a). The rufa red knot winters along the Atlantic coasts of Argentina and Chile (particularly the island of Tierra del Fuego), the north coast of Brazil, and further north into Mexico and the southeast United States (USFWS 2014b). During migration, the rufa red knot primarily follows the Atlantic coastline to and from breeding and wintering grounds. However, geolocator results from red knots wintering in Texas showed that a small population of birds migrate using a central flyway across the Midwestern U.S. and may have a northern Great Plains stopover (FR 2013). Rufa red knots spend two to three months annually on their breeding grounds located in northern Canada.

Red knots are specialized molluscivores, feeding primarily on hard-shelled mollusks in soft wet sand/sediment (USFWS 2014b). In addition to mollusks, red knots may feed upon shrimp, crabs, marine worms, and horseshoe crab eggs and other similar invertebrates. On the breeding ground, rufa red knots feed mostly on terrestrial invertebrates and grass shoots/seeds (FR 2013).

The shoreline of the Missouri River provides stopover habitat for red knots that utilize a midcontinental migratory route during annual migrations. However, the species is rare and is not reported in North Dakota in every year. Reported historical sightings since 1900 (Igl 2015), are primarily comprised of single individuals or small flocks; however, on rare occasions, larger flocks have been reported. Many of these sightings have been made in the prairie pothole region during the spring migration in late April through May. An increase in future sightings may result from an increase in public awareness.

The red knot migrates twice annually from its breeding grounds in the Arctic to wintering habitat in southern climates. It does not nest in North Dakota but may use areas along the Missouri River as stopover habitat. The Project is located approximately twelve miles north of the Lake Sakakawea/Missouri River System and the Survey Corridor does not have suitable shoreline stopover habitat for the red knot. The Project is expected to have **no effect** on the rufa red knot.

### 3.5 Noxious Weed Inventory

A pedestrian survey of the Survey Corridor was conducted for state and county listed noxious weeds. Noxious weeds were identified in nine locations. Table 6 lists the attributes of the noxious weed polygons.

**Table 6. Noxious Weed Polygons**

Feature	Species	Acres	Latitude	Longitude	PLSS
Weed Poly 1	Leafy Spurge	0.01	48.313449	-103.394643	Sec. 27, T156N, R99W
Weed Poly 2	Leafy Spurge	0.19	48.313101	-103.394814	Sec. 27, T156N, R99W
Weed Poly 3	Canada Thistle	0.12	48.312737	-103.377566	Sec. 26, T156N, R99W
Weed Poly 4	Canada Thistle	1.36	48.293477	-103.387779	Sec. 35, T156N, R99W
Weed Poly 5	Canada Thistle	0.98	48.290366	-103.387089	Sec. 35, T156N, R99W

### 3.6 Woody Vegetation (Tree and Shrub) Inventory

The woody vegetation inventory documented one native, natural growth shrub patch located in Section 35, T156N, R99W and contained 15 chokecherry (*Prunus virginiana*) stems. Appendix A, Figure 2 depicts the locations of the inventoried woody vegetation. Table 7 contains the attributes from the woody vegetation inventory.

**Table 7. Shrubs Locations (Polygons)**

Feature	Species	Count	Growth	Latitude	Longitude	PLSS
Shrub Poly 1	Chokecherry	15	Natural	48.28972	-103.386975	Sec. 35, T156N, R99W

### 3.7 Raptor Nest Survey

A one-half mile line-of-sight survey from the Project's Survey Corridor was performed to determine the presence/absence of nesting raptors. One raptor nest was located during the field survey. Table 8 contains the attributes for the raptor nest location.

**Table 8. Raptor Nest Location**

Feature	Species	Latitude	Longitude	PLSS
Raptor Nest 1	Unknown	48.285077	-103.383981	Sec. 35, T156N, R99W

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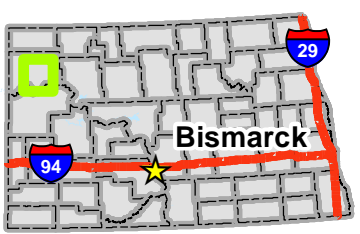
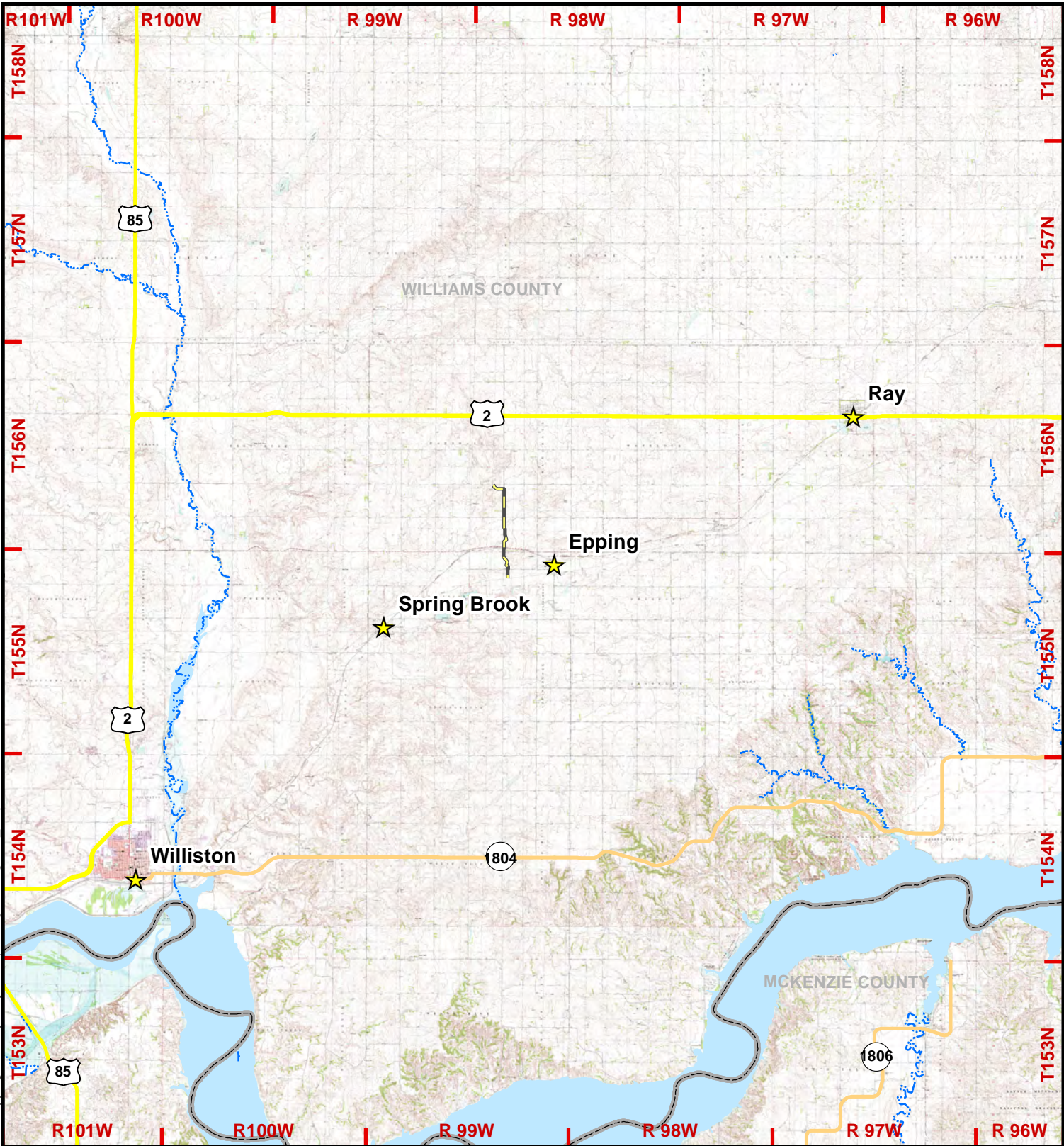
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## *Appendix A*








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January 2022

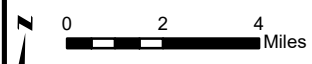


**North Dakota**

**Legend**

-  City
-  Proposed Project Centerline
-  State Highway
-  U.S. Highway
-  Perennial Stream
-  County Boundary
-  Missouri River / Lake Sakakawea

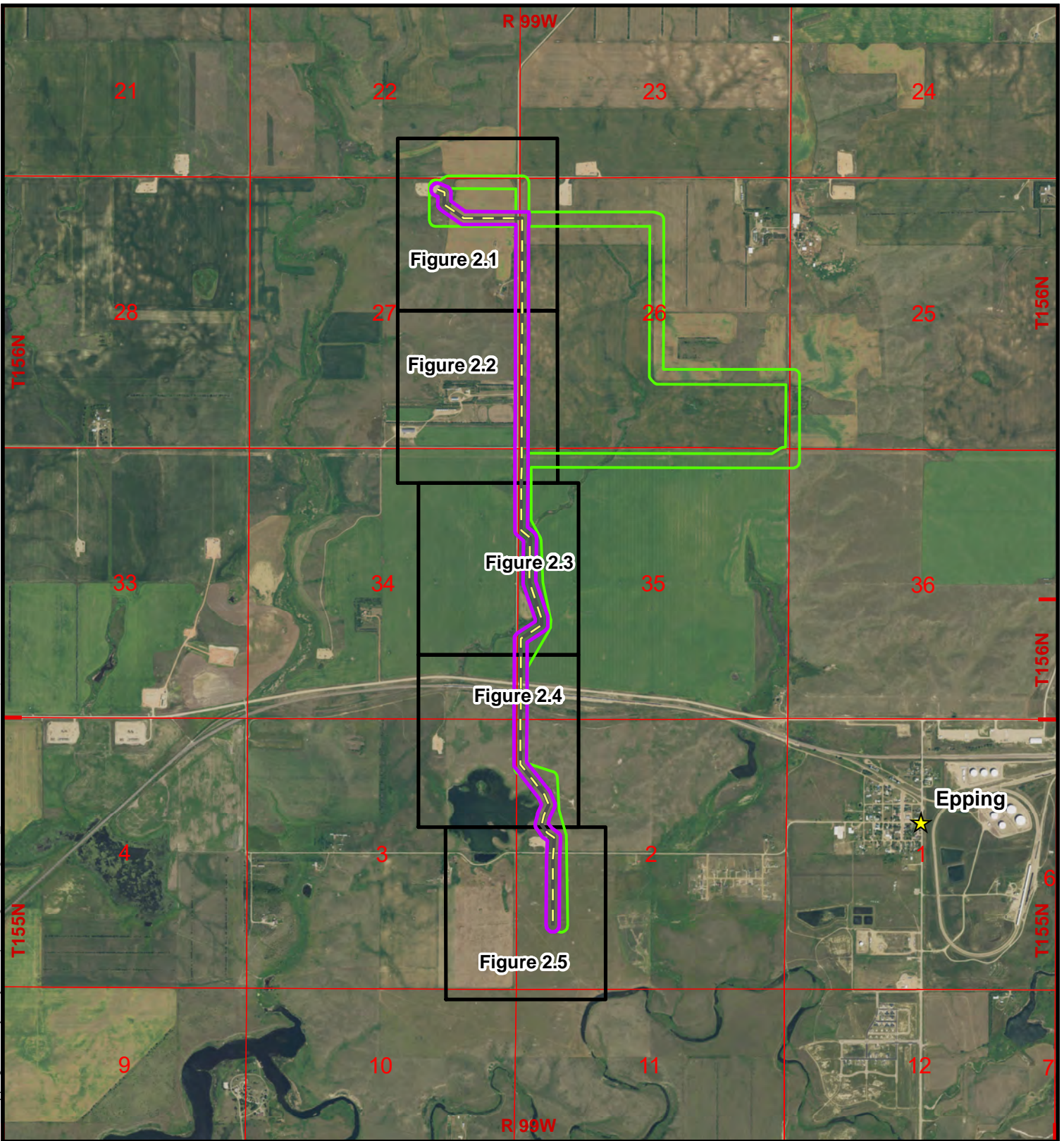
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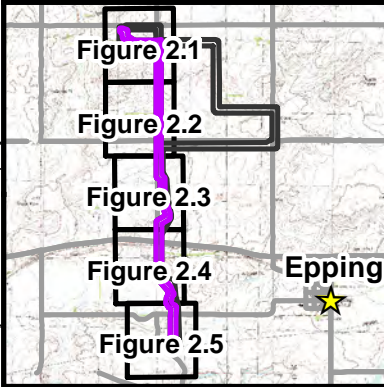
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Basemap: Williams County Topographic Image





Epping




**Legend**

- ★ City
- Proposed Project Centerline
- ▭ Proposed Survey Corridor (250-ft / 95.3 Acres)
- ▭ Additional Survey Area (136.4 Acres)
- ▭ Data Driven Page
- ▭ PLSS Section

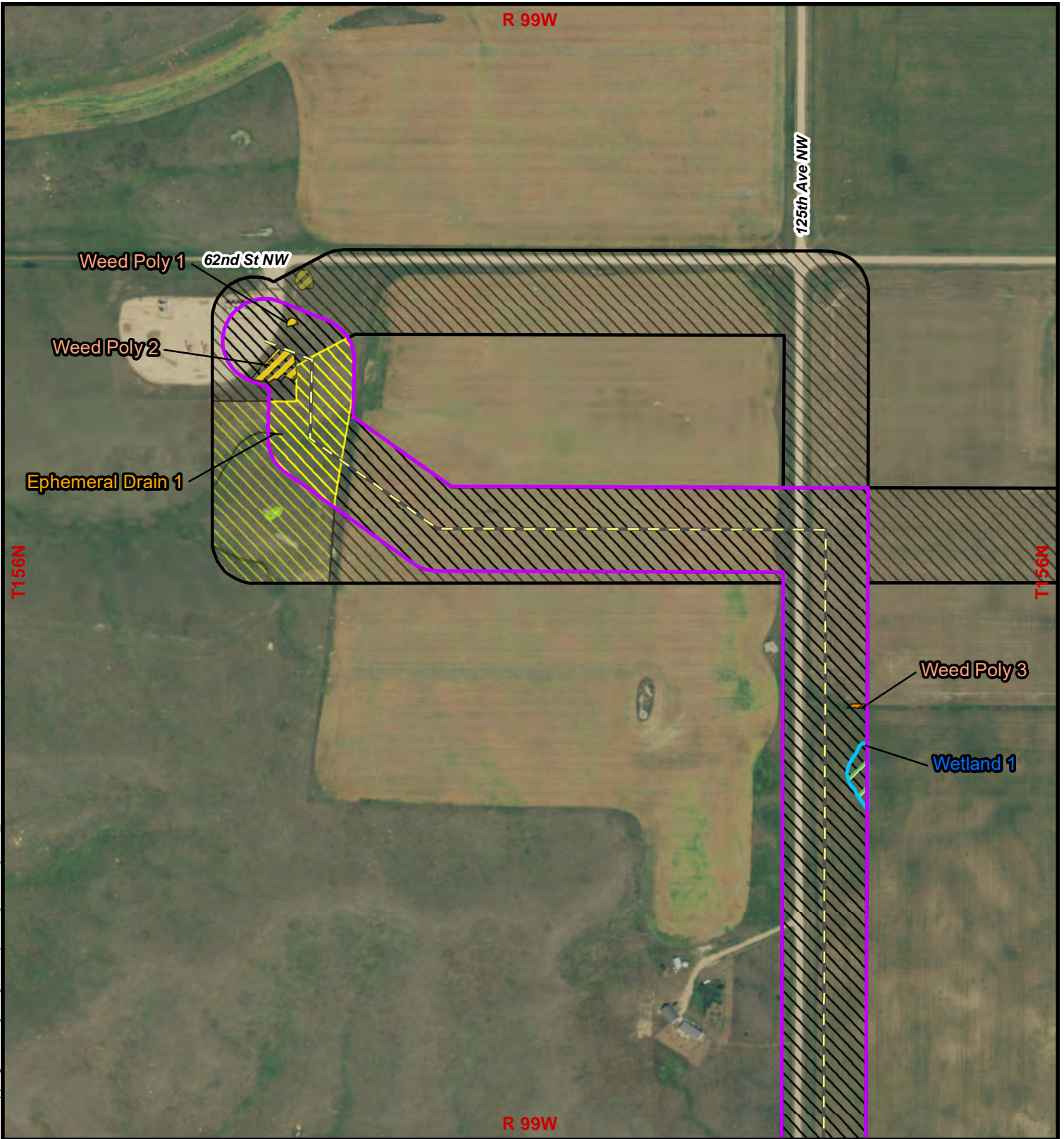
**Figure 2**  
**Natural Resource Survey**  
**Buddy Domindgo Transmission Line**

0 0.25 0.5  
Miles

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Basemap: ND GIS Hub 2020 Imagery



**Legend**

- |  |                           |
|--|---------------------------|
| Proposed Project Centerline                    | <b>Noxious Weeds</b>      |
| Proposed Survey Corridor (250-ft / 95.3 Acres) | Canada Thistle            |
| Additional Survey Area (136.4 Acres)           | Leafy Spurge              |
| Ephemeral Drain                                | <b>DASK Habitat Grade</b> |
| Wetland  | No Habitat                |
| Shrub Polygon                                  | Poor Habitat              |
| Raptor Nest                                    | Moderate Habitat          |

**Figure Figure 2.1  
Natural Resource Survey  
Buddy Domindgo Transmission Line**















1:4,800



Basemap: ND GIS Hub 2020 Imagery



**Legend**

- |  |  |
|--|--|
|  Proposed Project Centerline                    | <b>Noxious Weeds</b>   |
|  Proposed Survey Corridor (250-ft / 95.3 Acres) |  Canada Thistle   |
|  Additional Survey Area (136.4 Acres)           |  Leafy Spurge     |
|  Ephemeral Drain                                | <b>DASK Habitat Grade</b>  |
|  Wetland  |  No Habitat       |
|  Shrub Polygon                                  |  Poor Habitat     |
|  Raptor Nest                                    |  Moderate Habitat |

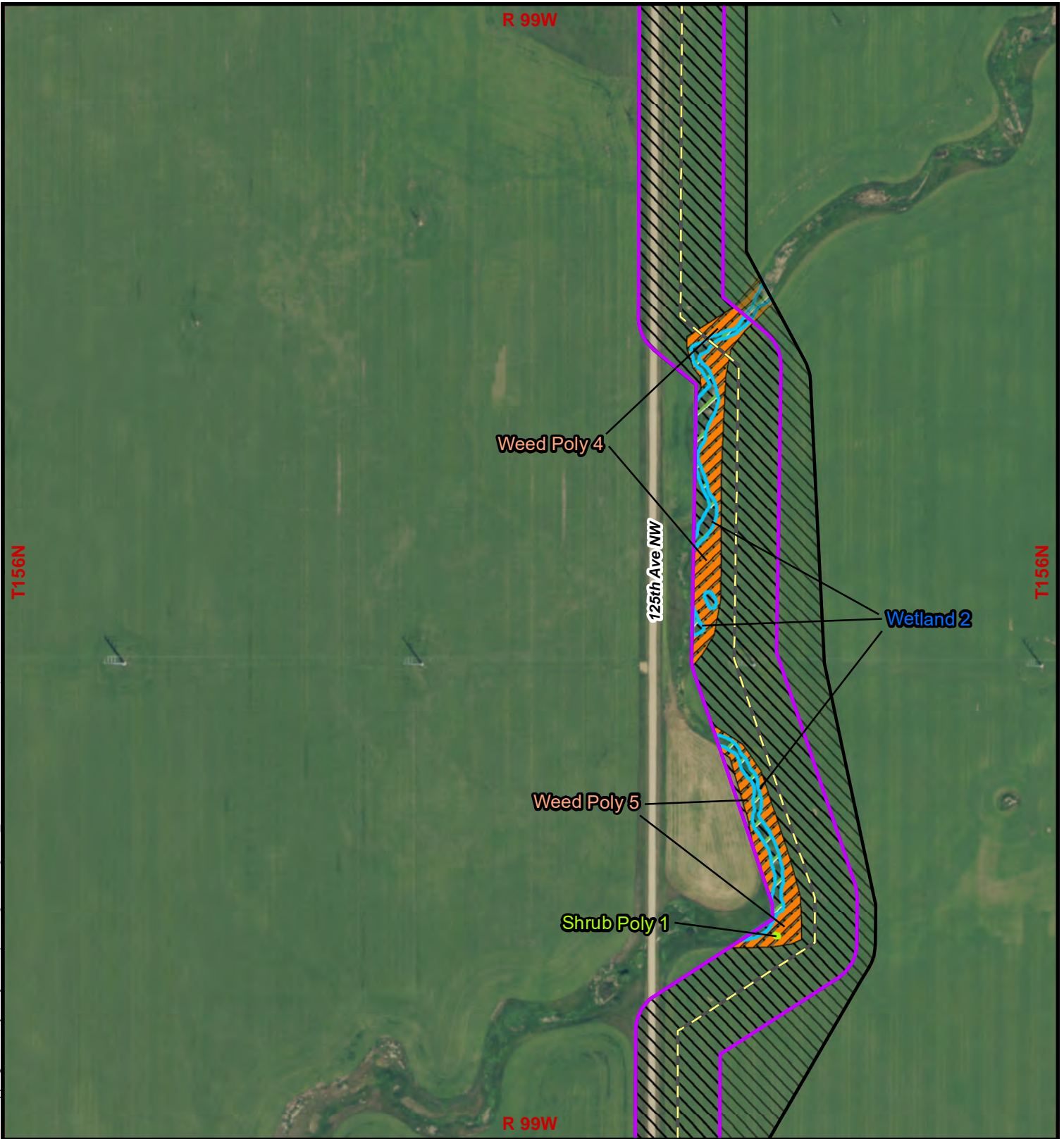
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 Natural Resource Survey  
 Buddy Domindgo Transmission Line**



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Basemap: ND GIS Hub 2020 Imagery

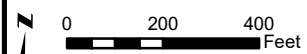




**Legend**

- |  |   |                           |                  |
|--|---|---------------------------|------------------|
|  | Proposed Project Centerline                       | <b>Noxious Weeds</b>      |                  |
|  | Proposed Survey Corridor<br>(250-ft / 95.3 Acres) |                           | Canada Thistle   |
|  | Additional Survey Area<br>(136.4 Acres)           |                           | Leafy Spurge     |
|  | Ephemeral Drain                                   | <b>DASK Habitat Grade</b> |                  |
|  | Wetland   |                           | No Habitat       |
|  | Shrub Polygon                                     |                           | Poor Habitat     |
|  | Raptor Nest                                       |                           | Moderate Habitat |

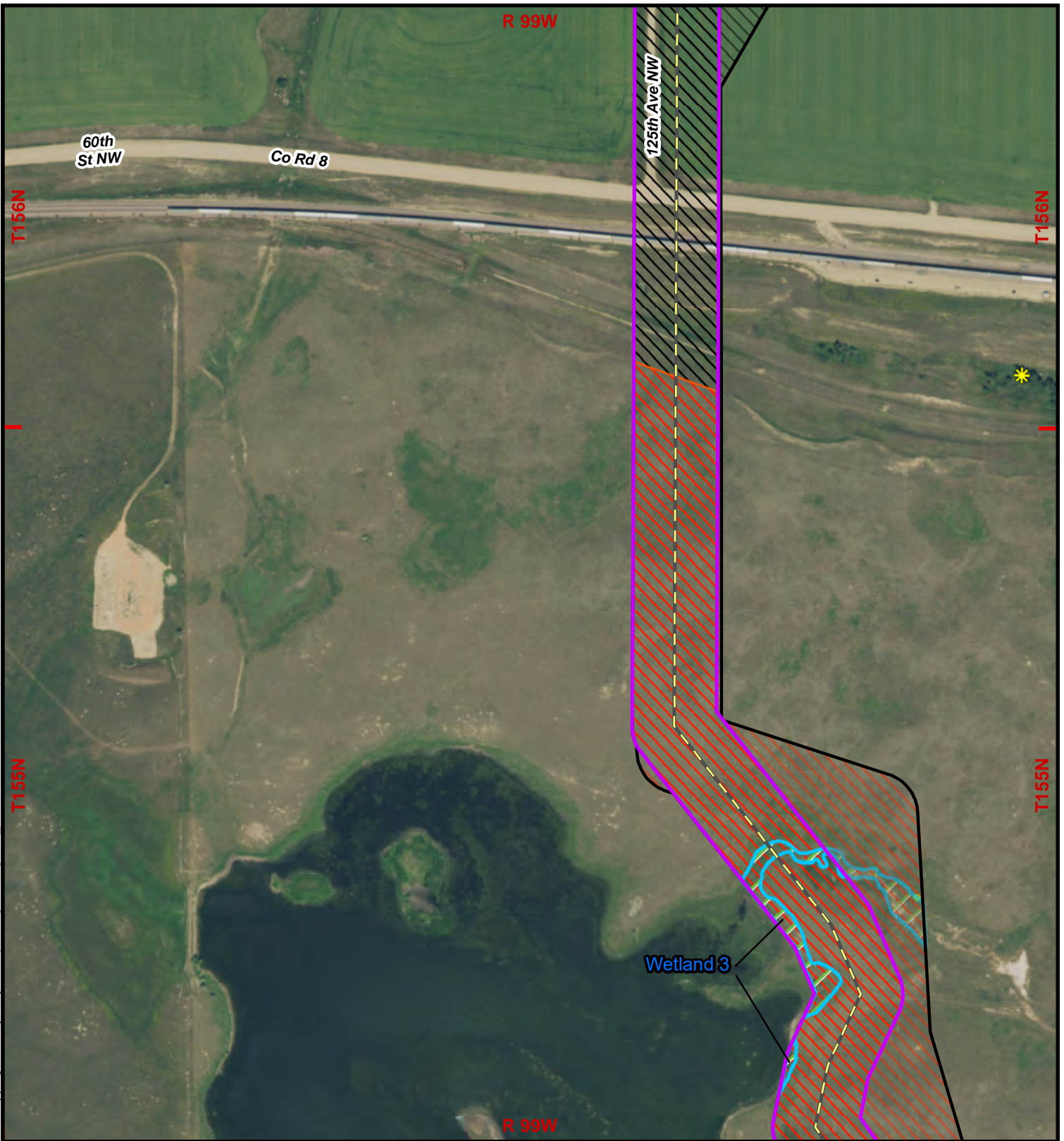
**Figure Figure 2.3  
 Natural Resource Survey  
 Buddy Domindgo Transmission Line**



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Basemap: ND GIS Hub 2020 Imagery



**Legend**

- |  |                           |
|--|---------------------------|
| Proposed Project Centerline                    | <b>Noxious Weeds</b>      |
| Proposed Survey Corridor (250-ft / 95.3 Acres) | Canada Thistle            |
| Additional Survey Area (136.4 Acres)           | Leafy Spurge              |
| Ephemeral Drain                                | <b>DASK Habitat Grade</b> |
| Wetland  | No Habitat                |
| Shrub Polygon                                  | Poor Habitat              |
| Raptor Nest                                    | Moderate Habitat          |

**Figure Figure 2.4  
 Natural Resource Survey  
 Buddy Domindgo Transmission Line**

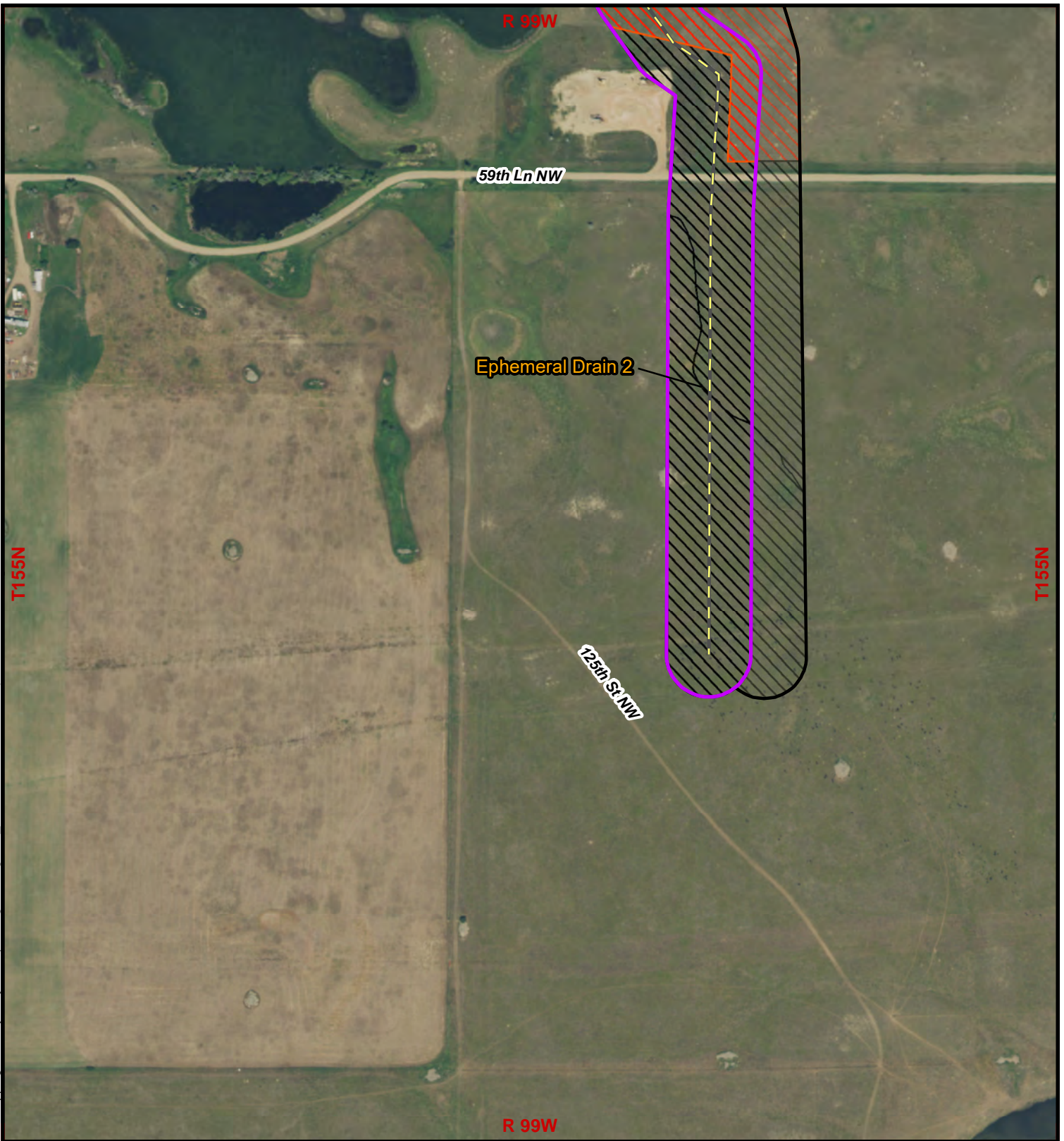


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Basemap: ND GIS Hub 2020 Imagery





### Legend

- |   |                           |
|---|---------------------------|
| Proposed Project Centerline                       | <b>Noxious Weeds</b>      |
| Proposed Survey Corridor<br>(250-ft / 95.3 Acres) | Canada Thistle            |
| Additional Survey Area<br>(136.4 Acres)           | Leafy Spurge              |
| Ephemeral Drain                                   | <b>DASK Habitat Grade</b> |
| Wetland   | No Habitat                |
| Shrub Polygon                                     | Poor Habitat              |
| Raptor Nest                                       | Moderate Habitat          |

### Figure Figure 2.5 Natural Resource Survey Buddy Domindgo Transmission Line



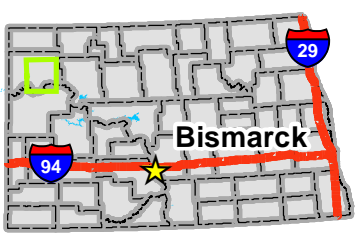
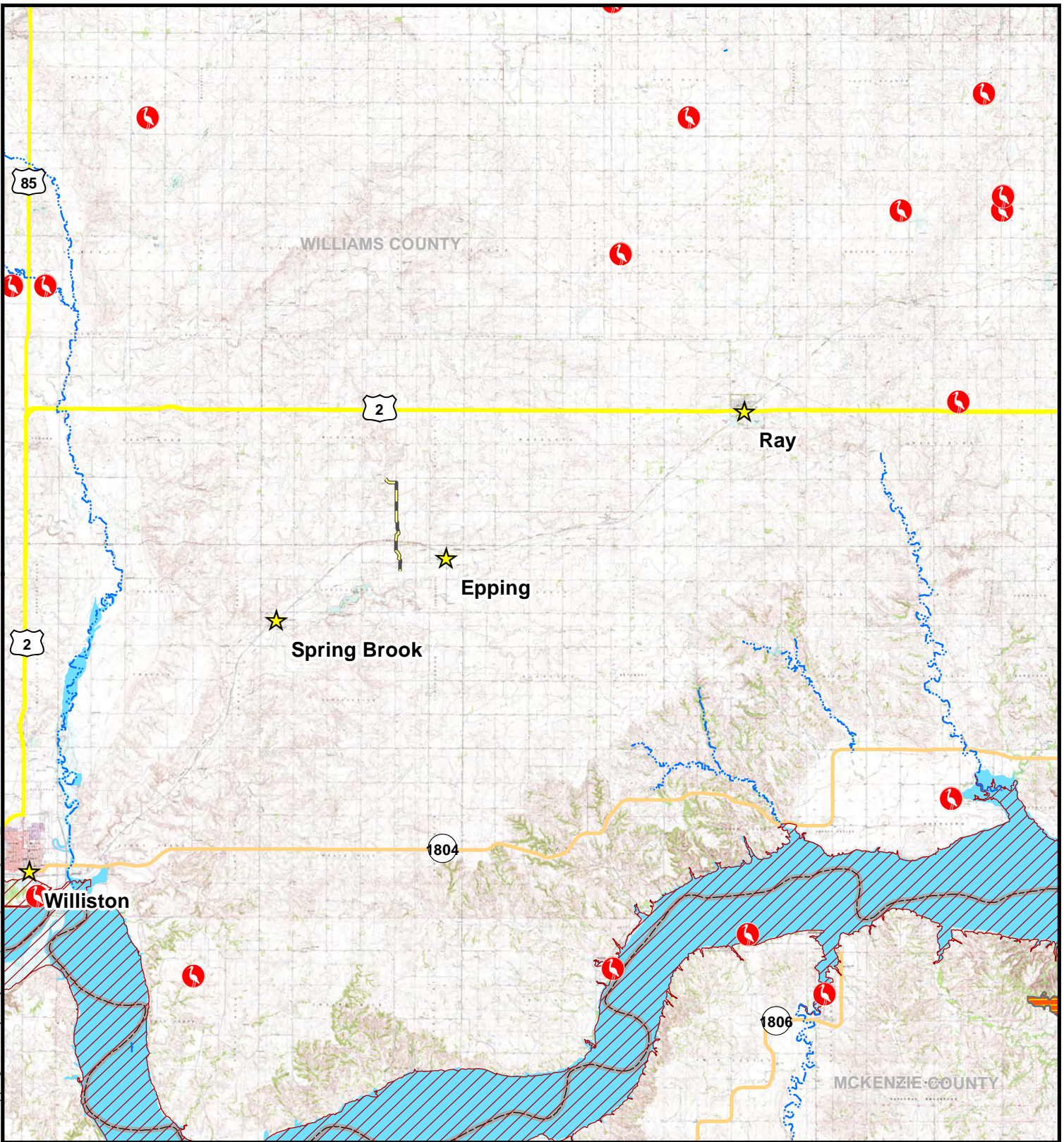
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February 2022

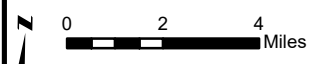


**North Dakota**

**Legend**

- ★ City
- State Highway
- U.S. Highway
- Proposed Project Centerline
- Perennial Stream
- Missouri River / Lake Sakakawea
- ⚡ Whooping Crane Sighting (Thru Spring 2018)
- ▭ County Boundary
- ▨ Dakota Skipper Critical Habitat
- ▨ Piping Plover Critical Habitat

**Figure 3**  
**T/E Species Observations and Critical Habitat**  
**Buddy Domindgo Transmission Line**



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Basemap: ND GIS Hub Topomap Shaded Relief 100k



*Appendix B*

*Project Photographs*

*Project Photographs*  
*Buddy Domindgo Transmission Line*



**Photograph 1. View looking east at Ephemeral Drain 1. This feature is in the NE1/4 of Section 27, T156N, R99W.**



**Photograph 2. View of Canada thistle in Weed Polygon 3 located in the N1/2 of Section 26, T156N, R99W.**



**Photograph 3. View looking northeast at Wetland 4 located in the NW1/4 of Section 35, T156N, R99W.**



**Photograph 4. View looking southwest at Wetland 1 in the NW1/4 of Section 26, T156N, R99W. The is an isolated depression with a PEMA classification.**



**Photograph 5. View of Shrub Poly 1, consisting of 15 chokecherry stems in the SW1/4 of Section 35, T156N, R99W.**



**Photograph 6. View looking north at Wetland 3, a PEMC classified wetland, in the NW1/4 of Section 2, T155N, R99W.**

APPENDIX E: Noxious Weed Control Plan

# **NOXIOUS WEED CONTROL PLAN**

Continental Resources, Inc.  
Buddy Domindgo Transmission Line

February 2022



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Continental Resources, Inc.  
Buddy Domindgo Transmission Line**

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**APPENDICES**

**Appendix A** Noxious Weed Inventory Location Figures

## **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**

<b>MP</b>	<b>Polygon ID</b>	<b>Latitude</b>	<b>Longitude</b>	<b>Acres</b>	<b>Species (Common Name)</b>
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
<b>Total Acres</b>					<b>2.56</b>

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.

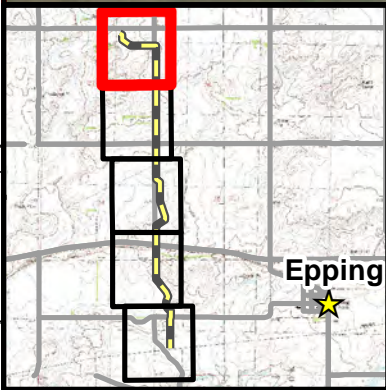
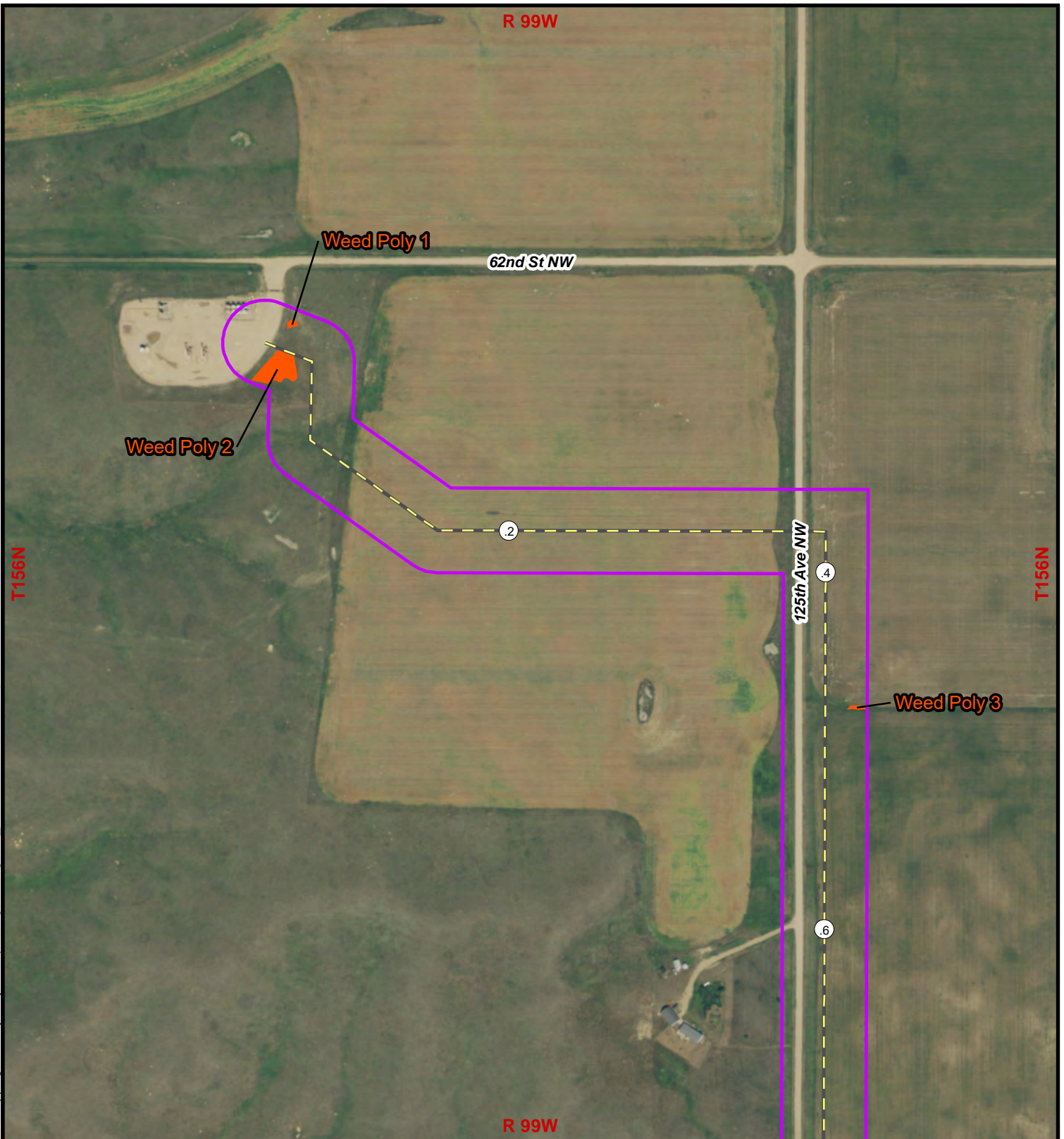
Monitoring will continue for a period of three (3) years after any ground disturbance takes place. Monitoring will be conducted on a biannual basis, or as needed following a report of an infestation. Known infestation sites will be monitored on an ongoing basis or until noxious weeds at the site are 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***

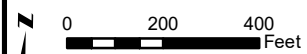
## ***Noxious Weed Inventory Location Figures***



**Legend**

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

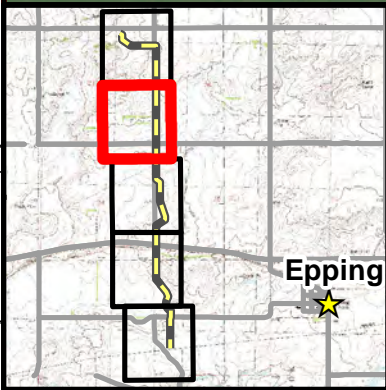
**Figure Figure 1.1  
Noxious Weed Survey  
Buddy Domindgo Transmission Line**







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Basemap: ND GIS Hub 2020 Imagery

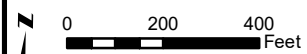




**Legend**

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

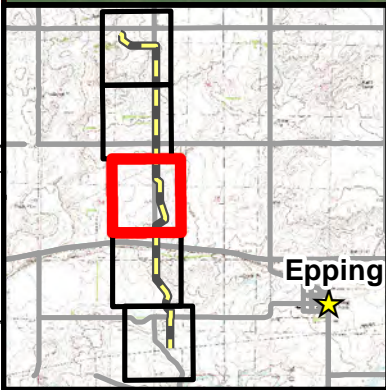
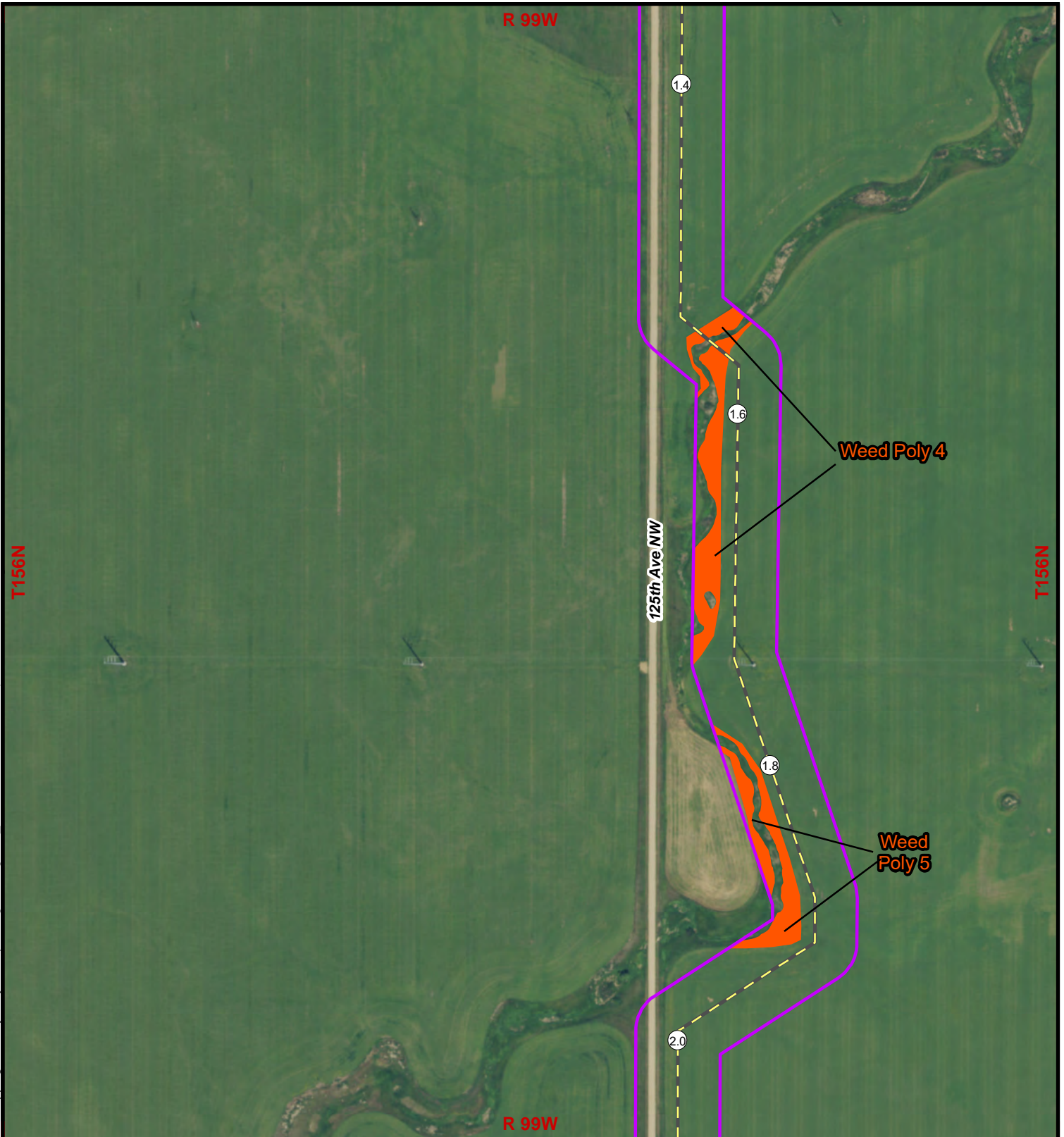
**Figure Figure 1.2  
Noxious Weed Survey  
Buddy Domindgo Transmission Line**



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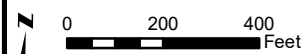




**Legend**

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

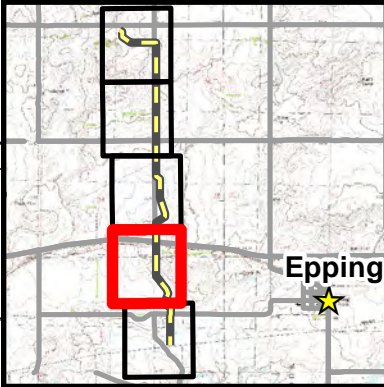
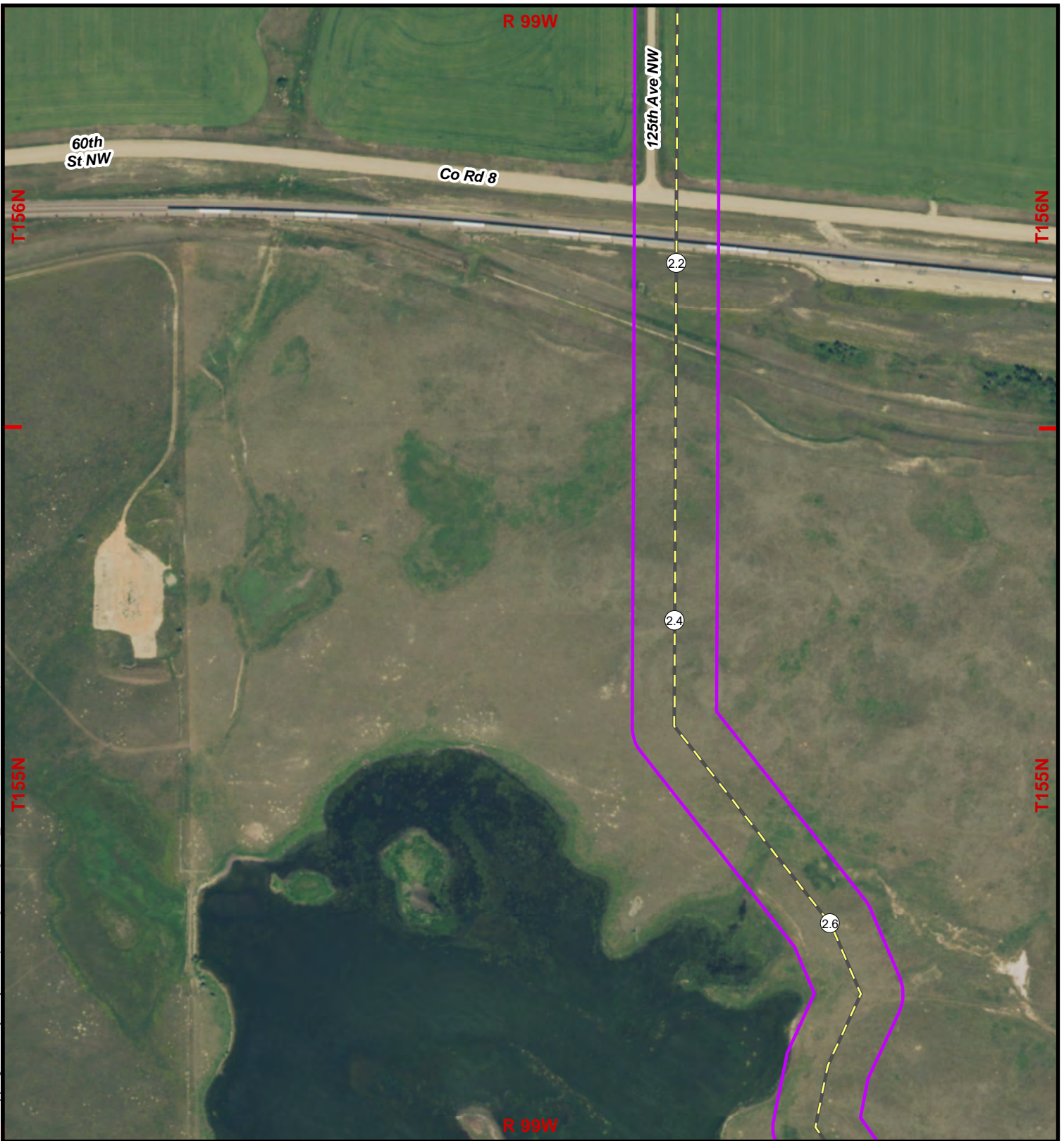
**Figure Figure 1.3  
Noxious Weed Survey  
Buddy Domindgo Transmission Line**







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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

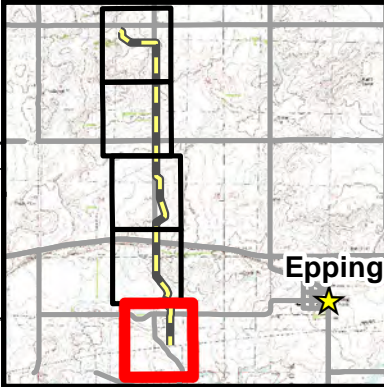
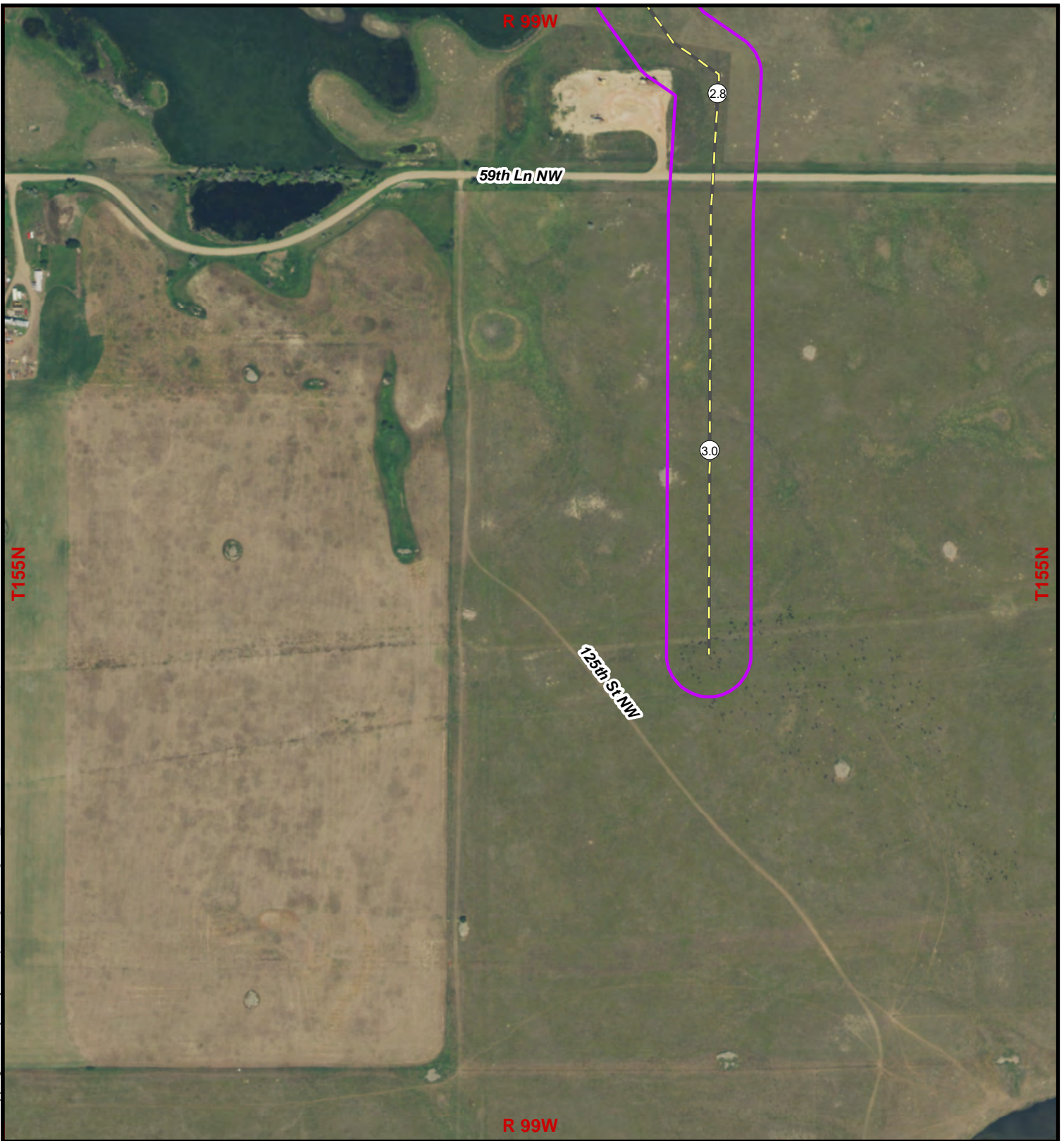
**Figure Figure 1.4  
Noxious Weed Survey  
Buddy Domindgo Transmission Line**







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Basemap: ND GIS Hub 2020 Imagery

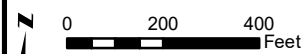




**Legend**

-  Mile Post
-  Proposed Project Centerline
-  Survey Corridor (250-Feet / 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



APPENDIX F: Unanticipated Discovery and Treatment Plan



**UNANTICIPATED DISCOVERY AND TREATMENT PLAN:  
CONTINENTAL BUDDY DOMINDGO PROJECT, WILLIAMS COUNTY,  
NORTH DAKOTA  
February 2022**

**INTRODUCTION**

Continental Resources, Inc. (Continental) intends to construct an eight-inch diameter pipeline near the town of Epping in Williams County, North Dakota to transfer natural gas from a WBI transmission line to oil well pads where the gas will be compressed and injected subsurface for enhanced oil recovery. The line will extend from the Buddy Domindgo dual well head at the north end of the project to an existing WBI transmission line at the south end.

There is no federal oversight of this project; the Public Service Commission (PSC) is the lead regulatory body for this project. They have deferred cultural resource concerns to the State Historical Society of North Dakota (SHSND).

The project area is located in Williams County, North Dakota (Figure 1), within Section 2, T. 155N, R. 99W and Sections 25, 26, 27, 34, 35, 36, T. 156N, R. 99W. The general location is depicted on the Spring Brook (1978) and Epping (1978) 7.5' USGS topographic quadrangle maps. The surveyed area is approximately 6.8 miles long with the construction corridor 75 feet wide.

**UNANTICIPATED DISCOVERY PLAN**

The Class III inventory prepared for this undertaking should minimize the chance of unanticipated discoveries (Kulevsky and Stine 2021). Nevertheless, should any unanticipated historic properties be discovered during construction they will be treated as required by the North Dakota State Historic Preservation Office (ND SHPO). Given the context of the proposed construction areas and the previously recorded sites in the vicinity, the most likely resources are stone feature sites and similar prehistoric camps. Prior to construction, crews will be provided photos of typical cultural resources for easier identification for non-archaeologists.

This plan addresses how discoveries will be handled, including roles and responsibilities of those involved in the discovery and the management thereof.

If at any time during construction anyone involved in the project finds what is or may be historic or prehistoric archaeological materials of any type, or human remains, this will be considered a discovery and will be investigated according to the procedures outlined in this document. This includes any artifact, feature, or human remains that may be found.

Upon the discovery of cultural materials during construction, the first priority will be to ensure that no further damage is done to the cultural materials. Continental's Environmental Inspector



(EI) (or other primary contact as designated by Continental) will be notified immediately by the construction crew and begin implementing this plan.

### **Discovery Procedures (Not Human Remains)**

Construction will be halted in the immediate vicinity of the location of the cultural materials, usually 100 feet. The EI or a designated individual will contact Metcalf for us to assess the likelihood of the find being cultural. Metcalf would appreciate details of the find, including scaled photos, and a description of the location and depth of the find. If Metcalf has a reason to suspect the find is cultural, we will mobilize a permitted archaeologist to the location for recording of the cultural materials.

Close communication will be maintained with Continental and the construction contractor so that all parties clearly understand any limits or constraints on the continued construction. If human remains are suspected, Metcalf may contact the ND SHPO to accompany them to the location to reduce construction stoppage times. In the event that the discovery involves human remains, the notification and investigation process is statutorily determined by North Dakota's Custody and Care of the Dead law, North Dakota Century code §23-06-27.

All parties will be kept informed of decisions being made concerning discoveries, their National Register assessments, and potential further work.

### **Discovery of Human Remains**

Discovery of human remains at any time during the course of this project shall result in the immediate cessation of all activities within 300 feet of the immediate area. Continental will ensure that those remains are respectfully protected from further disturbance or additional damage as the result of their exposure. Further treatment will be at the direction of the agency with jurisdiction.

The process by which the discovery of human remains is handled is very clearly laid out in the state's Custody and Care of the Dead law, N.D.C.C. §23-06-27. This legislation applies to the discovery of human remains anywhere in the State of North Dakota and applies regardless of how or by whom the remains come to be discovered. This statute requires notification of the County Coroner and local law enforcement agency (see Contact Information below). Their responsibility is to determine whether or not the materials constitute a crime scene or are otherwise of forensic interest, such as remains of a missing person, and to decide whether they wish to maintain jurisdiction over the materials. If they do not, the State Archaeologist is notified and further action is at the State Archaeologist's direction.

A typical process of notification and investigation upon discovery of human remains is described below, with citations to the pertinent clauses in N.D.C.C. §23-06-27. Notifications will be done by phone and/or e-mail.

- Human remains are discovered and all work stops in the immediate vicinity of the find.
- If the project archaeologist is not present, the construction contractor will immediately notify the lead inspector, who will contact the project archaeologist to request a site visit.

- If the project archaeologist is present, they will notify the EI.
- The EI or lead inspector will contact the County Sheriff’s Office to report the discovery and ask the Sheriff’s Office to contact the County Coroner and to initiate an investigation [N.D.C.C. §23-06-27].
- If the Sheriff and Coroner determine that the find is forensic (i.e. crime-related), they will continue to investigate. Work will not resume in the immediate vicinity of the find until their investigation is complete and the investigating authorities notify Continental that construction may resume.
- If the Sheriff and Coroner determine that the find is not forensic, they will contact the State Archaeologist, who will then direct further investigations in consultation with the North Dakota Indian Affairs Commission, if appropriate. Work will not resume in the immediate vicinity of the find until all investigation and consultation is complete and the State Archaeologist notifies Continental that construction may resume.
- Continental and Metcalf will not resume or initiate any activities involving discovered human remains until such time as all appropriate agencies have been contacted and agreement has been reached on treatment of the remains.

**Contact Information**

<b>Person</b>	<b>Role</b>	<b>Contact Info</b>	<b>Organization</b>
Andrew Clark	ND Chief Archaeologist	701-328-2666 <a href="mailto:andrewclark@nd.gov">andrewclark@nd.gov</a>	ND SHPO
	County Sheriff	701-577-7700	Williams County
Jared Weingartner	Staff Facilities Engineer	405-420-9569, 405-234 9091 <a href="mailto:jared.weingartner@clr.com">jared.weingartner@clr.com</a>	Continental Resources, Inc.
Damita Engel	Archaeologist	701-214-1335 <a href="mailto:dengel@metcalfarchaeology.com">dengel@metcalfarchaeology.com</a>	Metcalf Archaeology
Bill Bluemle	Archaeologist	701-400-0860 <a href="mailto:bbluemle@metcalfarchaeology.com">bbluemle@metcalfarchaeology.com</a>	Metcalf Archaeology

**Reporting**

Applicable site forms and a summary addendum report for the project will be prepared when all archaeological investigations are complete. Documentation will follow the guidelines of the North Dakota SHPO. The report will describe the results of the investigations.

**REFERENCES CITED**

Kulevsky, Andrea, and Ed Stine

2021 *Continental Buddy Domindgo Gathering Pipeline’s: A Class III Cultural Resources Inventory in Williams County, North Dakota*. Metcalf Archaeological Consultants, Inc. Bismarck, North Dakota.

APPENDIX G: Corporate Emergency Response Plan



# **CORPORATE EMERGENCY RESPONSE PLAN**

**December 9, 2014**

# **EMERGENCY RESPONSE PLAN**

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## SECTION 1

### OVERVIEW

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- 1.2 Scope and Objectives
- 1.3 Health, Safety, Security and Environment Policy
- 1.4 Plan Format
- 1.5 Administration
- 1.6 Training
- 1.7 Drills & Exercises

## **1.1 Introduction**

At Continental Resources, Inc. (CLR), we are committed to dealing with all emergency and crisis situations in an effective and efficient manner. The company must maintain a high level of preparedness to meet this responsibility.

Our HSSE vision is to comply with applicable health, safety, security and environmental regulations and conduct our operations in a manner which promotes an injury free workplace, manages HSSE risk and protects our stakeholders, assets and the environment from harm. CLR is committed to responding quickly and effectively to emergencies related to our operations and crises that impact our business.

## **1.2 Scope and Objectives**

The CLR Emergency Response Plan covers exploration, drilling and production related operations and business support activities managed across the USA and headquartered in Oklahoma City, Oklahoma.

The purpose of the Emergency Response Plan is to provide direction and guidance to company employees when preparing for and responding to emergency situations and crises involving CLR and its affiliated operations. This plan will follow the internationally recognized Incident Command System (ICS) structure.

The plan covers tasks associated with supporting emergency response activities and focuses on the consequences and strategic aspects or impacts of the incident. This Emergency Response Plan will address issues relevant to operational emergencies and business crisis situations. The plan is further supported by other field-based well control and production region plans, as well as Business Continuity and Security Plans.

The emergency response actions taken at the field level are either linked to this plan or plans that have been established by contractor companies working on our locations.

### 1.3 Health, Safety, Security and Environment Policy

#### Vision

At Continental Resources, Inc. (“CLR”), we are committed to HSSE and Operational Excellence as a cornerstone of our company’s culture and a guiding principle for its continued growth. To achieve HSSE Excellence, we will ensure CLR’s compliance with applicable health, safety, security and environmental regulations and conduct our company’s operations in a manner which promotes an injury free workplace, manages HSSE risk, and protects our stakeholders, assets, and the environment from harm. By building upon the foundation of our uncompromising HSSE culture and common passion for continuously improving performance, we will achieve our vision of HSSE Excellence.

#### Core Principles

**At Continental Resources, we believe:**

- Demanding strong HSSE performance is good business and goes hand in hand with strong operational performance.
- Building a positive HSSE culture requires EVERY employee and contractor to share in the responsibility of working safely and being a good steward of the environment.
- Being committed to HSSE Excellence means having the courage to Stop Work and never sacrificing safety or protection of the environment just to get the job done.
- Managing HSSE risk is accomplished by taking the time to think through and plan our work, ensuring we are in compliance with internal and external requirements, and effectively implementing our HSSE Management System.
- Promoting continuous improvement means we are a learning organization, openly communicating, sharing in our HSSE successes, and proactively addressing opportunities when we find them.

*Signed,*

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**Harold Hamm – Chairman and CEO**

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**Jack Stark – President and COO**

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**Gary Gould – Senior VP Operations**

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**Tom Oddie – VP HSE**

## 1.4 Plan Format

This Emergency Response Plan is comprised of distinct components that function together as an integrated document. The content of the separate components is described as follows:

### **Emergency Response Plan**

The plan outlines the command structure, notification, activation, duties and checklists, which provides a common framework for response to incidents for all operations. Key contacts and resources are also provided.

### **Supporting Information**

Additional information is provided in the Appendices for reference to preparedness, training and response. Included in this supporting information are specific guidelines, policies and additional information regarding the Incident Command System.

### **Incident Command System (ICS)**

On March 1, 2004, the Department of Homeland Security (DHS) published the National Incident Management System (NIMS). It incorporates many existing best practices into a comprehensive national approach to domestic incident management, applicable at all jurisdictional levels and across all functional disciplines.

NIMS represents a core set of principles, terminology and organizational process to enable effective, efficient and collaborative incident management at all levels. It provides the framework for interoperability and compatibility, based on a balance between flexibility and standardization. This flexibility applies across all phases of incident management: prevention, mitigation, preparedness, response, recovery and resumption.

The concept of Crisis/ Incident Command System (ICS) was developed more than 35 years ago in the aftermath of a devastating wildfire in California. ICS was established by NIMS as the common organizational structure for the management of all incidents and is based on an on-scene, all hazards approach to incident management.

ICS provides a consistent, flexible and scalable framework within which companies and government can work together to manage incidents, regardless of nature, size, location and complexity. ICS has been adopted as the all hazards incident management system

## EMERGENCY RESPONSE PLAN

by numerous emergency response agencies including firefighters, hazardous materials teams, rescuers and emergency medical teams.

ICS is a comprehensive and practical emergency management system that is widely used by both government and industry for effectively organizing and using resources for any type or size of operation. Common technology has been developed to identify major functions, personnel and responsibilities.

CLR has adopted the ICS as the core organizational structure from which response support is built because:

- It is the most widely used management system in North America and globally.
- It provides a common organization structure, terminology, and procedures that facilitates team building and communications within the emergency response organization and between them and government response organizations.

The key characteristics of ICS are:

- Standardized organizational structures.
- Common terminology.
- Unified Command capability.
- Functional jobs.
- Performance oriented by unit; task oriented by position.
- Applicable to all emergency situations.

The benefits of using ICS are:

- Efficient deployment of personnel.
- Maximized incident control.
- Modular structure expands and contracts to meet incident requirements.
- Effective incident management for fires, explosions, spills, releases and other emergency situations (all-risk).
- ICS organizational structure does not change with changes in personnel or organization in the host business.
- Easy coordination with other responders.

## **EMERGENCY RESPONSE PLAN**

- Responders can be directed with job position information rather than depending on knowledge of specific aspects of emergency response.
- Federal and provincial response agencies are increasingly using ICS.

### **1.5 Administration**

The responsibility for maintaining this Emergency Response Plan is as follows;

1. The Crisis and Emergency Management Director for CLR will be responsible for reviewing, revising and distributing updates to this plan. The CEM Director will also be responsible for training and exercises to ensure the plan's effectiveness and responder preparedness.
2. Recipients of this plan are responsible for ensuring their assigned plans are current and updated to align with plan revisions. They are also responsible for maintaining their knowledge of the plan and participating in the crisis management training and exercises that are arranged.

The plan will be reviewed on an annual basis and revised as necessary.

### **1.6 Training**

The Crisis and Emergency Management Director from CLR will ensure that training and appropriate resources are provided for successful implementation of the Emergency Response Plan.

Training for assigned roles will be critical in determining the effectiveness of the response effort. Those assigned to key roles within the ICS structure will be required to attend training according with established ICS training protocols and their competencies evaluated to ensure they are suitable to fill their designated role.

### **1.7 Exercises and Drills**

Conducting emergency exercises and drills allows CLR to validate and improve response capability without actually going through real-life incidents. The benefits of conducting drills and exercises are well known. While adding to our overall understanding and preparedness, they also meet the needs and requirements of external stakeholders.

The internal benefits of exercises include:

- Enhance capability of individuals filling key response roles;
- Improve co-ordination and proficiency;
- Find areas in need of program improvements;
- Identify resource requirements;
- Validate existing plans and procedures;
- Promote cost savings during actual response.

The external benefits of exercises include:

- Meet regulatory requirements;
- Increase stakeholder confidence;
- Respond to political and public concern;
- Avoid response being taken over by local response agencies;
- Demonstrate a commitment to preparedness and meet expectations.

Goals and objectives for each exercise or drill will be predefined, and the response evaluated against these goals and objectives.

Exercise documentation will include objectives, the scenario, and personnel in attendance, participant feedback, and an action plan and timeline for addressing the identified opportunities for improvement.

## SECTION 2

### NOTIFICATION/ACTIVATION

- 2.1 Notification Protocol
- 2.2 Levels of Alert
- 2.3 Initial Emergency Management Team Notification
- 2.4 Emergency Management Team Activation
- 2.5 Notification of the Emergency Management Teams

## 2.1 Notification Protocol

Initial notifications of actual or potential emergency situations can be received from any employee, contractor or member of the public.

The **Incident Commander** for the Emergency Management Team (EMT) is responsible for overall incident management and as such has the authority to mobilize and deploy resources as required. ***Incident Commander is the term used for the person in “command” of the emergency response efforts related to an incident.*** The degree of incident response will always remain at the lowest level that can ensure adequate response. The Incident Commander will assess the overall risk and declare or raise the emergency level as required.

In order to notify the Incident Commander and initiate a response by the EMT, the following steps should be taken:

1. Contact a CLR supervisor immediately.
2. Contact the on-duty EMT Incident Commander or alternatively, call the 24/7 CLR Security Operations Center hotline (405-234-9050).
3. The CLR supervisor or Security Operations Center officer will alert the on-duty Incident Commander and make them aware of the situation.
4. When notifying or being notified, clearly provide details and all relevant information about the situation. Document the communication for future reference and submit for document control purposes.
5. The on-duty Incident Commander will evaluate the situation and make a determination regarding full or partial activation of the EMT.
6. The Incident Commander may assign an on-scene Deputy Incident Commander at the field level, as required, to initiate response activities and ensure initial notifications are made to regulatory agencies as per local, state or federal reporting requirements.

Notifications to members of the EMT may be made concurrently through the one-call “Send Word Now” system making direct contact by telephone, cell phone, text, email and/ or other approved electronic emergency notification devices.

The Incident Commander (or their delegate) will be responsible for upward notification for all serious incidents, and ensuring that immediate notifications are made to key senior executives, including the Chief Executive Officer, the President and Chief

Operations Officer, the Senior VP Legal and the Senior VP of Operations and Resource Development.

Notifications are to be documented on a Situation Report.

## **2.2 Levels of Alert**

Emergencies related to CLR business operations will be classified as: Level 1 (Low), Level 2 (Moderate) and Level 3 (High). The CLR Alert Level table outlines these levels and their respective criteria. Typically, the Emergency Response Plan will be activated for all Level 3 incidents or when there is a serious business crisis. The Plan may be activated for any level where the Emergency Management Team takes a lead role.

By categorizing an emergency or incident, CLR responders will be able to clearly communicate severity to other responders, both internally and externally.

The on-call Emergency Management Team Incident Commander in Oklahoma City must be notified for all Level 3 incidents. The IC will assess the emergency and support needs and notify the on-call EMT.

Key senior executives, including the Chief Executive Officer, President/ Chief Operations Officer, Senior VP Legal and Senior VP of Operations and Resource Development must be notified as soon as possible for all Level 3 incidents.

The Response Levels identified in the table are provided for guidance only. Use the following chart as a general guide for possible activation characteristics for each response team.

## CLR ALERT LEVELS

INCIDENT LEVEL	CRITERIA	TYPICAL RESPONSE EXAMPLES
<b>1</b> <b>(Low)</b>	<p><b>An incident that meets <u>ALL</u> of the following conditions:</b></p> <ul style="list-style-type: none"> <li>▪ Causes no serious threat to health and safety of workers; however, personal protective equipment may be required.</li> <li>▪ Causes minimal environmental impact.</li> <li>▪ Impacts company property only.</li> <li>▪ Creates little or no media interest.</li> <li>▪ Handled entirely by company or contract personnel.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The Supervisor will assess and confirm the situation.</li> <li>▪ Additional company personnel may be placed on standby.</li> <li>▪ External notifications are made as required, complying with appropriate regulatory reporting.</li> <li>▪ Local responders prepare for potential escalation to a Level Two or Level Three incident</li> </ul>
<b>2</b> <b>(Moderate)</b>	<p><b>An incident that meets <u>ANY</u> of the following conditions:</b></p> <ul style="list-style-type: none"> <li>▪ Presents a definite risk to the public, workers or the environment.</li> <li>▪ Requires significant involvement of external emergency services, federal and/or provincial agencies.</li> <li>▪ Requires some assistance from local response agencies, mutual aid partners and regulatory authorities.</li> <li>▪ Causes moderate environmental impact that extends or has the potential to extend beyond Company property.</li> <li>▪ Creates local/regional media interest.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Local responders prepare for escalation to Level Three. Level One response duties are continued as appropriate.</li> <li>▪ Additional internal and external resources are activated.</li> <li>▪ Lead regulatory agencies are notified and involved.</li> <li>▪ Additional notifications are made as required.</li> <li>▪ Sheltering or evacuation may be required.</li> <li>▪ Planned ignition of the product may be required.</li> </ul>
<b>3</b> <b>(High)</b>	<p><b>An incident that meets <u>ANY</u> of the following conditions:</b></p> <ul style="list-style-type: none"> <li>▪ Causes serious threat to the public, workers and/or the environment.</li> <li>▪ Requires extensive involvement of external emergency services, federal and/or provincial/state agencies.</li> <li>▪ Requires considerable assistance from outside parties.</li> <li>▪ Causes significant and ongoing environmental impact which extends beyond company property.</li> <li>▪ Creates national media interest.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Level One and Two responses are continued as appropriate.</li> <li>▪ The Emergency Response Plan is fully activated (including executive involvement).</li> <li>▪ External government agencies are extensively involved.</li> <li>▪ The Company continues to liaise with key government agencies and sends representative(s) to the government's command center if established.</li> </ul>

The Response Levels identified above are provided for general guidance only.

**IF IN DOUBT ABOUT WHICH RESPONSE ACTIVATION LEVEL IS APPROPRIATE, IMPLEMENT THE HIGHER LEVEL.**

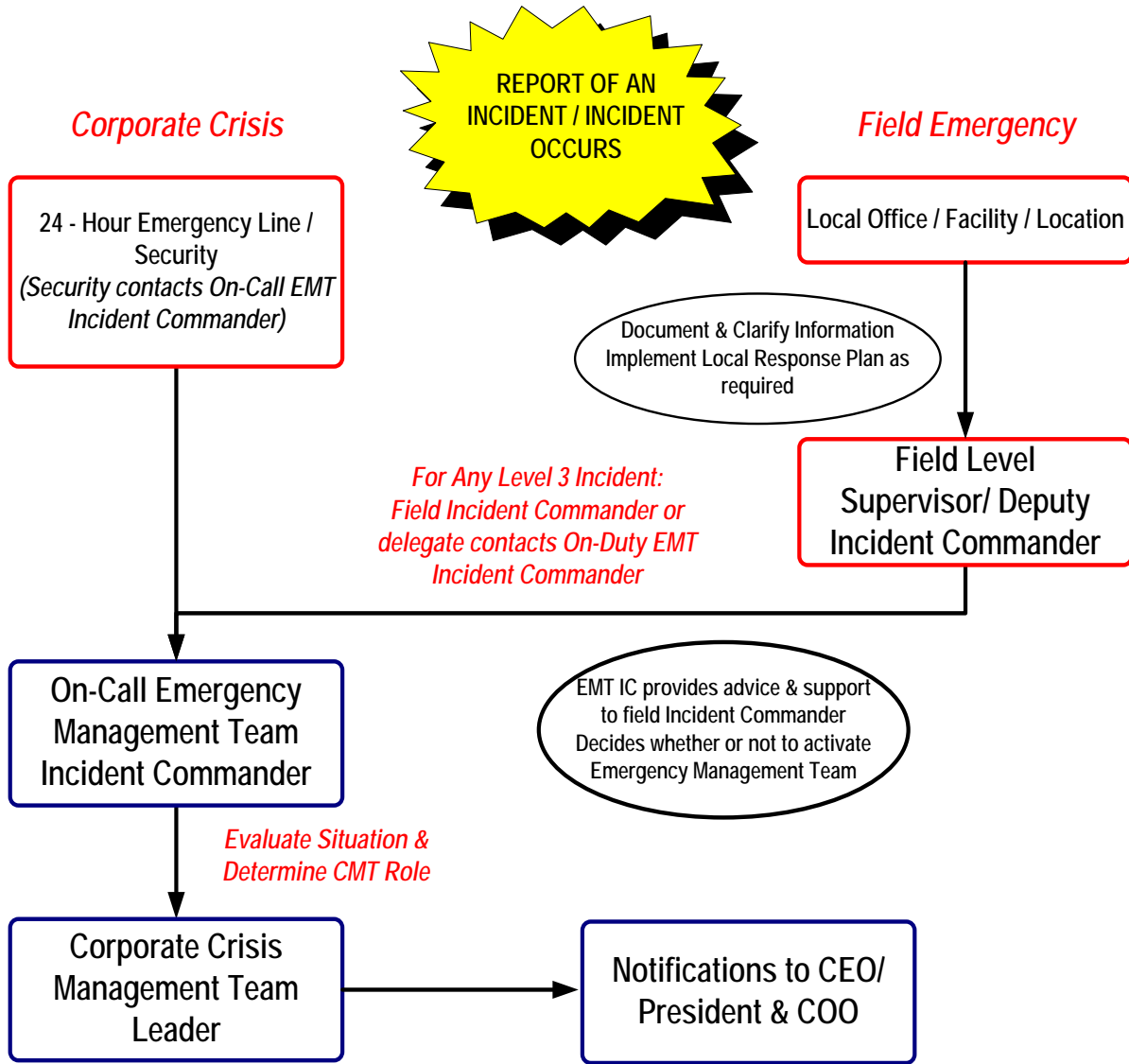
## 2.3 Initial Emergency Management Team Notification

Timely and appropriate communication during an incident is critical to the successful handling of the incident. Defining the type of incident and required level of involvement is the responsibility of the Incident Commander and members of the Emergency Management Team.

The on-duty Incident Commander for the Emergency Management Team **MUST** be notified of all Level 3 incidents and specifically for the following:

- Fatality or severe personal injury to employees or contractors on location
- Fatality or severe injury to public related to operational incident
- Uncontrolled hydrocarbon/ produced water release from a well bore
- Significant toxic/ hazardous material release
- Hostile action or media scrutiny that threatens company license to operate
- Major spills affecting off location environment with risk of entering a water body
- Serious explosion or fire
- Serious threats made to an employee or Company property
- Major asset damage (> \$500,000), pipeline or vessel ruptures
- Major process safety/ equipment integrity issues
- Major operational interruption or work stoppage

# CLR EMERGENCY NOTIFICATION PROCESS



## 2.4 Emergency Management Team Activation

Notifications will start with the impacted CLR Supervisor followed by notification to the on-duty Incident Commander. Communication may be by phone or any other approved electronic emergency notification device. Contact details for the Incident Commander are located in the emergency contact directory.

*Note: All On-Call Emergency Management Team members will carry cellular phones and be available to respond to the Emergency Command Center within a **2 hour response window**.*

If the on-duty Incident Commander for the Emergency Management Team is not contacted directly, notification of the Incident Commander may be made through the CLR 24/7 Security Operations Center in the Oklahoma City office. The Security Desk will assume the task of contacting the Incident Commander and release the caller to return to duties related to the emergency situation, as required.

### **CLR Security Operations Center**

**Main Number – (405) 234-9050 or (855)258-9601**

**Internal Extension – 1050**

### **Emergency Contact Responsibilities – Security Operations Center**

In the event of incoming emergency calls (by CLR field staff or the public) on the main CLR emergency line, during or outside of regular work hours, the following steps will be taken by the Security staff.

- Immediately contact the On-Call Emergency Management Team IC and relay the incident details and contacts to him / her.
- If the Emergency Management Team IC cannot be reached, call an alternate Incident Commander.
- Record every incident detail (phone calls made, received, action items carried out)

## 2.5 Notification of the Emergency and Crisis Management Teams

As the primary management contact and leader of corporate response, the Emergency Management Team Incident Commander has full authority to mobilize and direct Company resources and personnel to support any field or office emergency, and minimize real or potential loss or damage to CLR.

The Crisis and Emergency Management Director will provide ongoing advice and support to the Incident Commander for a field emergency, and support decisions on whether or not to activate the Emergency Management Team under the following guidance:

- At the request of the field unit or Deputy Incident Commander (person in charge of local response).
- Based on the Emergency Management Team Incident Commander's own evaluation and judgement of the current and potential corporate risk / impact.
- In accordance with the initial risk assessment of other solicited on-call core Emergency Management Team personnel.
- Where the physical requirements to meet the emergency (manpower, equipment and material) clearly exceed the authorization of the designated field unit Incident Commander.

During any emergency, time is valuable, especially for the Incident Commander. Therefore, rather than attempting to make separate notifications to various corporate personnel, the Incident Commander can simply call the one-call "Send Word Now" system for notifications of the EMT. Communication is critical and needs to be initiated to those that can provide support (both internally and outside CLR) as soon as possible.

The IC also maintains communication with executive management in accordance with standing emergency response protocols and plans. The potential exists for incidents that require a response capability beyond that provided by the EMT. If such incidents occur, executive management will be called upon to provide support and resources to the EMT.

Once the EMT is activated, response to the emergency will take precedence over the team members every day duties.

## SECTION 3

# EMERGENCY MANAGEMENT TEAM STRUCTURE

3.1 Response Structure Overview

3.2 EMT Specific Roles and Responsibilities

### 3.1 Response Structure Overview

#### Emergency Management Team (EMT)

The Emergency Management Team develops and implements tactics to carry out the strategies and priorities developed by the **Incident Commander** for emergency response operations. The EMT is comprised of management and staff who take on assigned roles under the Incident Command System (ICS). An on-scene Deputy Incident Commander may be initially assigned to coordinate local response activities.

Designated ICS Section Chiefs from the EMT will convene initially at the Continental Operations Center **Emergency Command Center** in Oklahoma City (11<sup>th</sup> Floor), and may subsequently operate from a designated **Forward Command Post**. Designated members of the EMT team will be responsible for emergency management, public and employee safety issues, liaison with primary responders and regulatory agencies, legal matters, internal and external communications, insurance and liability claims, processing invoices related to the emergency, and security pertaining to the incident.

Large incidents or events, however, may require that several functional layers be set up as separate Sections within the EMT. Each of the primary EMT Sections may be subdivided as needed. The EMT may expand or contract to meet the needs of the incident.

Most incidents will not require the activation of the entire Command and General Staff. Other incidents will require some or all members of the Command Staff and all sub-elements of each General Staff Section. Only functions and positions that are required to achieve the incident objectives should be filled. The Legal group will be notified of all incidents that may reasonably result in third party claims or litigation or regulatory issues that may result in potential regulatory claims, notices of violation, citations and penalties.

A basic ICS operating guideline is that the person at the top of the organization is responsible until the authority is delegated to another person. Thus, on smaller incidents when these additional personnel are not required, the Incident Commander will personally accomplish or manage all aspects of the incident organization.

### 3.2 EMT Specific Roles and Responsibilities

The Emergency Management Team (EMT) is responsible for managing the operational emergency on-site. The EMT is designed to respond rapidly to address incidents that pose a threat to personnel, property, and the environment. Typical EMT tasks may

## EMERGENCY RESPONSE PLAN

include oil spill response, operational fire and explosion response, safety related injury and fatality response, security response, well or pipeline source control, emergency medical response and evacuation.

Depending on the incident, these tasks may take place in conjunction with local government authorities and other specialized teams responsible for firefighting, well control, medical and technical rescue to form a Joint Command under the Incident Command System. The EMT will utilize existing site emergency procedures to deal with most incidents.

Members of the EMT should remain flexible while on duty and be prepared to mobilize to a pre-determined Forward Command location on short notice. In certain operational situations it will be more expedient for key members of the EMT to travel directly to the Forward Command location and assemble there rather than assemble in the COC Emergency Command Center.

Members of the Emergency Management Team will have predefined roles and responsibilities. Section 7 of this Plan provides detailed checklists for members to assist in accomplishing assigned tasks.

### **Incident Commander**

The Emergency Management Team is led by the Incident Commander – the person in charge. The **Incident Commander (IC)** is responsible for the overall coordination and direction of all incident activities. This includes overall responsibility for the safety and health of all personnel and the public. The senior person at the scene of the emergency becomes the field unit Deputy Incident Commander until relieved or replaced by another qualified CLR Incident Commander or authorized government response agency (fire department, EPA, OCC, etc.).

The Incident Commander will establish a command structure that meets the particular needs of each situation. They determine the overall organization to be used, then summon and assign adequate resources under Command Staff and General Staff to deal with the situation. The IC evaluates the response progress, changes strategy as appropriate, and bring incidents to a close.

The Incident Commander will establish the appropriate command structure and assign responsibility for communicating that structure within the EMT and to senior executives to ensure clarity that a formal command structure has been established.

The **General Staff** positions include an on-scene Deputy Incident Commander, Operations Section Chief, Planning Section Chief, Logistics Section Chief, Administration/ Finance Section Chief and Communications Section Chief.

The **Command Staff** positions include a Public Information Officer, Safety Officer, Legal Advisor, Liaison Officer and Security/ Intelligence Officer. The IC will also establish the role of specialized support personnel, such as well control specialists, and ensure they are assigned reporting responsibilities through a member of the General Staff (e.g., Operations Section Chief).

In small incidents and events, the **Deputy Incident Commander** or **EMT Incident Commander** may accomplish many (or all) of the five management functions. In fact, the Incident Commander is the only position that is always staffed.

### **Command Staff**

**Safety Officer** – This position monitors incident operations and advises the IC on all matters relating to operational safety and potential environmental hazards that might affect emergency response personnel. This position is typically filled by a HSSE or Operations representative. Safety is the primary concern whenever an incident occurs, and is the key objective on which all operations are based. Therefore, the Safety Officer position will be manned whenever physical work is being performed.

**Liaison Officer** – This position serves as the point-of-contact for representatives of government or private agencies involved in the incident response. This position is typically filled by a HSSE or Regulatory Affairs representative.

**Public Information Officer** – This position interfaces with the public and media and/or with other agencies having incident-related information requirements. This position is also responsible for the development and issuance of all internal and external communications. This position is filled by a Public Relations representative.

**Legal Officer** – This position advises the IC on legal matters such as emergency proclamations, evacuation orders, notices of violation, legal rights/restrictions and media access. This is an advisory position to the different elements of the EMT. This position is filled by a representative from the Legal department.

**Security / Information & Intelligence Officer** – This position is responsible for developing, conducting, and managing security plans and operations as directed by the Incident Commander. These can include information security and operational security activities. This position can also be responsible for the gathering of specialized information and may be filled at the discretion of the Incident commander based upon the size, type, and severity of the incident. This position may be moved to other parts of the ICS organization based on Command needs and is typically filled by a HSSE representative.

### **General Staff**

**Deputy Incident Commander** – This position typically handles all Level 1 and some Level 2 incidents without mobilizing the EMT and initiates local response activities for Level 3 incidents. The Deputy Incident Commander is located at the scene of the emergency and manages all locally assigned EMT members and responders.

**Operations Section Chief** – This position executes the Incident Action Plan (IAP) and directs all tactical operations for the incident. The Operations Section Chief will also supervise support provided by specialized services such as 3<sup>rd</sup> party well control contractors.

**Planning Section Chief** – This position develops the Incident Action Plan (IAP); and is responsible for the collection, evaluation, dissemination, and use of incident information and maintaining status of assigned resources. This position is filled by any number of department representatives with skills in planning.

**Logistics Section Chief** – This position is responsible for providing facilities, services, and material in support of the incident. This position is typically filled by a Purchasing, Logistics or Operations representative.

**Finance and Administration Section Chief** – This position manages the financial and human resource aspects of the response, workman compensation & benefits issues, insurance matters, procurement and payment of services, and time sheets. Finance or HR personnel will normally fill this role.

**Communications Section Chief** – This position is responsible for identifying the communication needs of the incident and developing strategies to meet those demands. It is also responsible for establishing emergency communications (voice, data) in support of the incident informational and operational needs. IT personnel will normally fill this role.

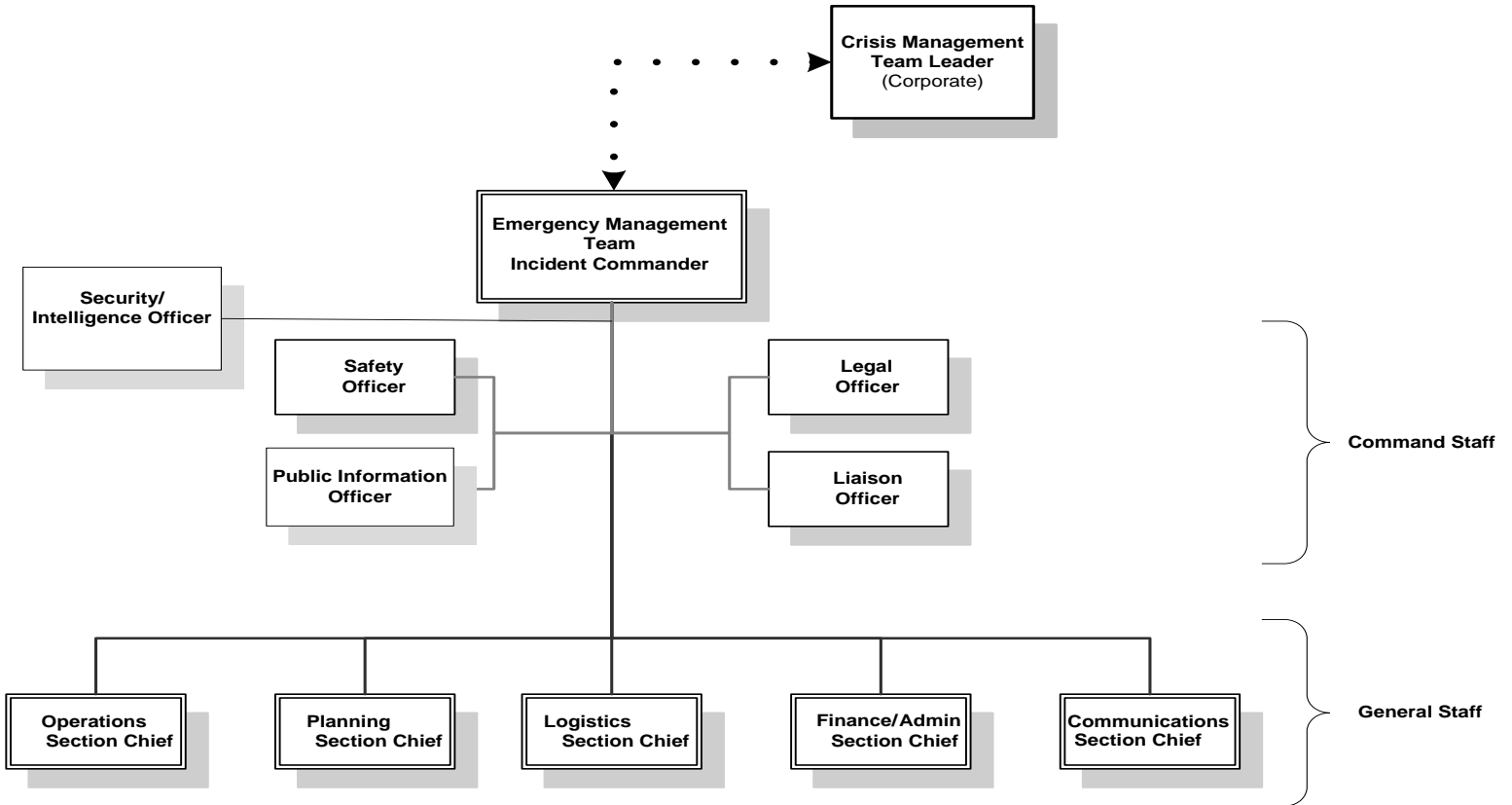
## SECTION 4

# EMERGENCY MANAGEMENT TEAM ORGANIZATION

4.1 EMT Organization Chart

4.2 EMT Structure Overview

# Emergency Management Team Organization Chart



**Note:** The Emergency Response structure may be aligned differently than portrayed herein. The attached graph is for illustration purposes only.

## EMERGENCY MANAGEMENT TEAM (EMT) OVERVIEW

Led by **Incident Commander**  
or **Deputy Incident Commander**

### RESPONSE FOCUS:

Execute Field or Facility emergency response and control actions

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- Implement the Field or Well site Emergency Response Plan
- Assess incident type, magnitude and required response level
- Develop initial Incident Action Plan
- Protect safety and health of responders and the public
- Establish Base and Forward Command Centers and establish required positions consistent with the Field or Well Response Plan.
- Conduct actions to mitigate, control, secure, clean-up and recover
- Perform required regulatory notifications and reports
- Notification of Crisis Management Team Leader where applicable
- Interface with on-scene response and media
- Ensure early activation of local/regional support (when available) as incident exceeds or could exceed field resources

NOTE: The Incident Commander must be notified of all significant or high potential (Level 3) incidents.

During any incident – notification to the On-Call Emergency Management Team Incident Commander constitutes the initiation of all initial corporate notification requirements. The IC will then decide whether or not to activate all EMT members, based on the support required by the Incident Commander and the potential risk to CLR.

## SECTION 5

### FORMS

#### 5.1 Standard ICS Forms

ICS 201 .....	Incident Briefing/Incident Action Plan
ICS 202 .....	Incident Objectives
ICS 203 .....	Organization Assignment List
ICS 204 .....	Assignment List
ICS 205 .....	Incident Radio Communications Plan
ICS 205A .....	Communications List
ICS 206 .....	Medical Plan
ICS 207 .....	Incident Organization Chart
ICS 208 .....	Safety Message Plan
ICS 209 .....	Incident Status Summary
ICS 210 .....	Resource Status Change
ICS 211 .....	Incident Check in List
ICS 213 .....	General Message
ICS 214 .....	Activity Log
ICS 215 .....	Operational Planning Worksheet
ICS 215A .....	Incident Action Plan Safety Analysis
ICS 213RR .....	Resource Request Message



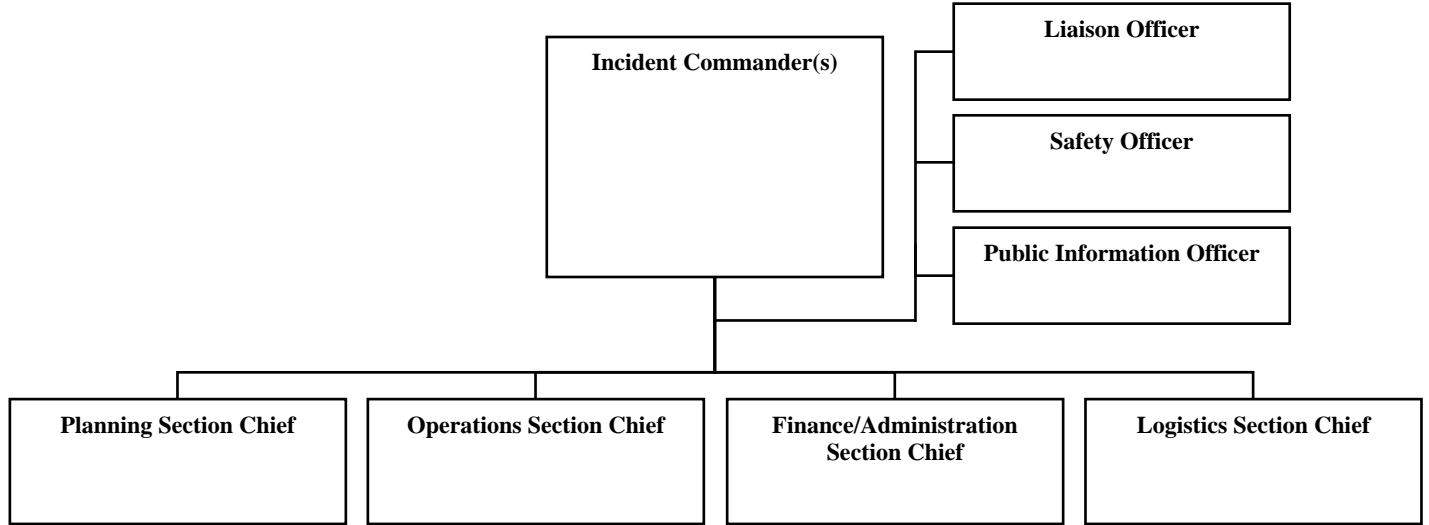
### INCIDENT BRIEFING (ICS 201)

<b>1. Incident Name:</b>	<b>2. Incident Number:</b>	<b>3. Date/Time Initiated:</b> Date: _____ Time: _____
<b>7. Current and Planned Objectives:</b>		
<b>8. Current and Planned Actions, Strategies, and Tactics:</b>		
Time:	Actions:	
<b>6. Prepared by:</b> Name: _____	Position/Title: _____	Signature: _____
<b>ICS 201, Page 2</b>	Date/Time: _____	

### INCIDENT BRIEFING (ICS 201)

<b>1. Incident Name:</b>	<b>2. Incident Number:</b>	<b>3. Date/Time Initiated:</b> Date: _____ Time: _____
--------------------------	----------------------------	---

**9. Current Organization** (fill in additional organization as appropriate):



**6. Prepared by:** Name: \_\_\_\_\_ Position/Title: \_\_\_\_\_ Signature: \_\_\_\_\_

ICS 201, Page 3 Date/Time: \_\_\_\_\_





**ORGANIZATION ASSIGNMENT LIST (ICS 203)**

<b>1. Incident Name:</b>		<b>2. Operational Period:</b> Date From: _____ Date To: _____ Time From: _____ Time To: _____	
<b>3. Incident Commander(s) and Command Staff:</b>		<b>7. Operations Section:</b>	
IC/UCs		Chief	
		Deputy	
Deputy		Staging Area	
Safety Officer		<b>Branch</b>	
Public Info. Officer		Branch Director	
Liaison Officer		Deputy	
<b>4. Agency/Organization Representatives:</b>		Division/Group	
Agency/Organization	Name	Division/Group	
		Division/Group	
		Division/Group	
		<b>Branch</b>	
		Branch Director	
		Deputy	
<b>5. Planning Section:</b>		Division/Group	
Chief		Division/Group	
Deputy		Division/Group	
Resources Unit		Division/Group	
Situation Unit		Division/Group	
Documentation Unit		<b>Branch</b>	
Demobilization Unit		Branch Director	
Technical Specialists		Deputy	
		Division/Group	
<b>6. Logistics Section:</b>		Division/Group	
Chief		Division/Group	
Deputy		<b>Air Operations Branch</b>	
<b>Support Branch</b>		Air Ops Branch Dir.	
Director			
Supply Unit			
Facilities Unit		<b>8. Finance/Administration Section:</b>	
Ground Support Unit		Chief	
<b>Service Branch</b>		Deputy	
Director		Time Unit	
Communications Unit		Procurement Unit	
Medical Unit		Comp/Claims Unit	
Food Unit		Cost Unit	
<b>9. Prepared by:</b> Name: _____ Position/Title: _____ Signature: _____			
<b>ICS 203</b>	<b>IAP Page</b> _____	<b>Date/Time:</b> _____	







### MEDICAL PLAN (ICS 206)

<b>1. Incident Name:</b>		<b>2. Operational Period:</b>		Date From: Date	Date To: Date		
				Time From: HHMM	Time To: HHMM		
<b>3. Medical Aid Stations:</b>							
Name	Location	Contact Number(s)/Frequency	Paramedics on Site?				
			<input type="checkbox"/> Yes <input type="checkbox"/> No				
			<input type="checkbox"/> Yes <input type="checkbox"/> No				
			<input type="checkbox"/> Yes <input type="checkbox"/> No				
			<input type="checkbox"/> Yes <input type="checkbox"/> No				
<b>4. Transportation (indicate air or ground):</b>							
Ambulance Service	Location	Contact Number(s)/Frequency	Level of Service				
			<input type="checkbox"/> ALS <input type="checkbox"/> BLS				
			<input type="checkbox"/> ALS <input type="checkbox"/> BLS				
			<input type="checkbox"/> ALS <input type="checkbox"/> BLS				
			<input type="checkbox"/> ALS <input type="checkbox"/> BLS				
<b>5. Hospitals:</b>							
Hospital Name	Address, Latitude & Longitude if Helipad	Contact Number(s)/ Frequency	Travel Time		Trauma Center	Burn Center	Helipad
			Air	Ground			
					<input type="checkbox"/> Yes Level: ____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes Level: ____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes Level: ____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes Level: ____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>6. Special Medical Emergency Procedures:</b>							
<input type="checkbox"/> Check box if aviation assets are utilized for rescue. If assets are used, coordinate with Air Operations.							
<b>7. Prepared by (Medical Unit Leader):</b> Name: _____				Signature: _____			
<b>8. Approved by (Safety Officer):</b> Name: _____				Signature: _____			
<b>ICS 206</b>		<b>IAP Page</b>		Date/Time: Date			

**INCIDENT ORGANIZATION CHART (ICS 207)**

<b>1. Incident Name:</b>	<b>2. Operational Period:</b> Date From: _____ Date To: _____ Time From: _____ Time To: _____	
<b>3. Organization Chart</b>		
<pre> graph TD     IC[Incident Commander(s)] --- LO[Liaison Officer]     IC --- SO[Safety Officer]     IC --- PIO[Public Information Officer]     IC --- OSC[Operations Section Chief]     IC --- PSC[Planning Section Chief]     IC --- LSC[Logistics Section Chief]     IC --- FASC[Finance/Admin Section Chief]          OSC --- SAM[Staging Area Manager]     OSC --- U1[ ]     OSC --- U2[ ]     OSC --- U3[ ]     OSC --- U4[ ]          PSC --- RUL[Resources Unit Ldr.]     PSC --- SUL[Situation Unit Ldr.]     PSC --- DUL[Documentation Unit Ldr.]     PSC --- DUL2[Demobilization Unit Ldr.]     PSC --- U5[ ]          LSC --- SBD[Support Branch Dir.]     LSC --- SUL2[Supply Unit Ldr.]     LSC --- FUL[Facilities Unit Ldr.]     LSC --- GUL[Ground Spt. Unit Ldr.]     LSC --- SBD2[Service Branch Dir.]     LSC --- CUL[Comms Unit Ldr.]     LSC --- MUL[Medical Unit Ldr.]     LSC --- FUL2[Food Unit Ldr.]          FASC --- TUL[Time Unit Ldr.]     FASC --- PUL[Procurement Unit Ldr.]     FASC --- CUL2[Comp./Claims Unit Ldr.]     FASC --- CUL3[Cost Unit Ldr.]     FASC --- U6[ ]             </pre>		
ICS 207	IAP Page ____	<b>4. Prepared by:</b> Name: _____ Position/Title: _____ Signature: _____ Date/Time: _____

**SAFETY MESSAGE/PLAN (ICS 208)**

<b>1. Incident Name:</b>	<b>2. Operational Period:</b>	Date From: Time From:	Date To: Time To:
<b>3. Safety Message/Expanded Safety Message, Safety Plan, Site Safety Plan:</b>			
<b>4. Site Safety Plan Required?</b> Yes <input type="checkbox"/> No <input type="checkbox"/> <b>Approved Site Safety Plan(s) Located At:</b>			
<b>5. Prepared by:</b> Name: _____ Position/Title: _____ Signature: _____			
ICS 208	IAP Page _____	Date/Time: _____	

**EMERGENCY RESPONSE PLAN**

**INCIDENT STATUS SUMMARY (ICS 209)**

<b>*1. Incident Name:</b>		<b>2. Incident Number:</b>		
<b>*3. Report Version</b> (check one box on left): <input type="checkbox"/> Initial      Rpt # <input type="checkbox"/> Update      (if used): <input type="checkbox"/> Final		<b>*4. Incident Commander(s) &amp; Agency or Organization:</b>		<b>5. Incident Management Organization:</b>
<b>*6. Incident Start Date/Time:</b> Date: _____ Time: _____ Time Zone: _____				
<b>7. Current Incident Size or Area Involved</b> (use unit label – e.g., “sq mi,” “city block”):	<b>8. Percent (%) Contained</b> _____ <b>Completed</b>	<b>*9. Incident Definition:</b>	<b>10. Incident Complexity Level:</b>	<b>*11. For Time Period:</b> From Date/Time: _____ To Date/Time: _____

*Approval & Routing Information*

<b>*12. Prepared By:</b> Print Name: _____ ICS Position: _____ Date/Time Prepared: _____	<b>*13. Date/Time Submitted:</b>  <b>Time Zone:</b>
<b>*14. Approved By:</b> Print Name: _____ ICS Position: _____ Signature: _____	<b>*15. Primary Location, Organization, or Agency Sent To:</b>

*Incident Location Information*

<b>*16. State:</b>	<b>*17. County/Parish/Borough:</b>	<b>*18. City:</b>
<b>19. Unit or Other:</b>	<b>*20. Incident Jurisdiction:</b>	<b>21. Incident Location Ownership</b> (if different than jurisdiction):
<b>22. Longitude</b> (indicate format): <b>Latitude</b> (indicate format):	<b>23. US National Grid Reference:</b>	<b>24. Legal Description</b> (township, section, range):
<b>*25. Short Location or Area Description</b> (list all affected areas or a reference point):		<b>26. UTM Coordinates:</b>
<b>27. Note any electronic geospatial data included or attached</b> (indicate data format, content, and collection time information and labels):		

*Incident Summary*

<b>*28. Significant Events for the Time Period Reported</b> (summarize significant progress made, evacuations, incident growth, etc.):				
<b>29. Primary Materials or Hazards Involved</b> (hazardous chemicals, fuel types, infectious agents, radiation, etc.):				
<b>30. Damage Assessment Information</b> (summarize damage and/or restriction of use or availability to residential or commercial property, natural resources, critical infrastructure and key resources, etc.):	A. Structural Summary	B. # Threatened (72 hrs)	C. # Damaged	D. # Destroyed
	E. Single Residences			
	F. Nonresidential Commercial Property			
	Other Minor Structures			
	Other			
ICS 209, Page 1 of ____		* Required when applicable.		

**EMERGENCY RESPONSE PLAN**

**INCIDENT STATUS SUMMARY (ICS 209)**

<b>*1. Incident Name:</b>	<b>2. Incident Number:</b>
---------------------------	----------------------------

*Additional Incident Decision Support Information*

	A. # This Reporting Period	B. Total # to Date		A. # This Reporting Period	B. Total # to Date
<b>*31. Public Status Summary:</b>			<b>*32. Responder Status Summary:</b>		
<i>C. Indicate Number of Civilians (Public) Below:</i>			<i>C. Indicate Number of Responders Below:</i>		
D. Fatalities			D. Fatalities		
E. With Injuries/Illness			E. With Injuries/Illness		
F. Trapped/In Need of Rescue			F. Trapped/In Need of Rescue		
G. Missing ( <i>note if estimated</i> )			G. Missing		
H. Evacuated ( <i>note if estimated</i> )			H. Sheltering in Place		
I. Sheltering in Place ( <i>note if estimated</i> )			I. Have Received Immunizations		
J. In Temporary Shelters ( <i>note if est.</i> )			J. Require Immunizations		
K. Have Received Mass Immunizations			K. In Quarantine		
L. Require Immunizations ( <i>note if est.</i> )					
M. In Quarantine					
<i>N. Total # Civilians (Public) Affected:</i>			<i>N. Total # Responders Affected:</i>		

<b>33. Life, Safety, and Health Status/Threat Remarks:</b>	<b>*34. Life, Safety, and Health Threat Management:</b>
	A. Check if Active
	A. No Likely Threat <input type="checkbox"/>
	B. Potential Future Threat <input type="checkbox"/>
	C. Mass Notifications in Progress <input type="checkbox"/>
	D. Mass Notifications Completed <input type="checkbox"/>
	E. No Evacuation(s) Imminent <input type="checkbox"/>
	F. Planning for Evacuation <input type="checkbox"/>
	G. Planning for Shelter-in-Place <input type="checkbox"/>
	H. Evacuation(s) in Progress <input type="checkbox"/>
	I. Shelter-in-Place in Progress <input type="checkbox"/>
	J. Repopulation in Progress <input type="checkbox"/>
	K. Mass Immunization in Progress <input type="checkbox"/>
	L. Mass Immunization Complete <input type="checkbox"/>
	M. Quarantine in Progress <input type="checkbox"/>
	N. Area Restriction in Effect <input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

**35. Weather Concerns** (synopsis of current and predicted weather; discuss related factors that may cause concern):

**36. Projected Incident Activity, Potential, Movement, Escalation, or Spread** and influencing factors during the next operational period and in 12-, 24-, 48-, and 72-hour timeframes:

**12 hours:**

**24 hours:**

**48 hours:**

**72 hours:**

**Anticipated after 72 hours:**

**37. Strategic Objectives** (define planned end-state for incident):

**EMERGENCY RESPONSE PLAN**

**INCIDENT STATUS SUMMARY (ICS 209)**

<b>*1. Incident Name:</b>	<b>2. Incident Number:</b>
---------------------------	----------------------------

*Additional Incident Decision Support Information (continued)*

**38. Current Incident Threat Summary and Risk Information in 12-, 24-, 48-, and 72-hour timeframes and beyond.** Summarize primary incident threats to life, property, communities and community stability, residences, health care facilities, other critical infrastructure and key resources, commercial facilities, natural and environmental resources, cultural resources, and continuity of operations and/or business. Identify corresponding incident-related potential economic or cascading impacts.

**12 hours:**

**24 hours:**

**48 hours:**

**72 hours:**

**Anticipated after 72 hours:**

**39. Critical Resource Needs** in 12-, 24-, 48-, and 72-hour timeframes and beyond to meet critical incident objectives. List resource category, kind, and/or type, and amount needed, in priority order:

**12 hours:**

**24 hours:**

**48 hours:**

**72 hours:**

**Anticipated after 72 hours:**

**40. Strategic Discussion: Explain the relation of overall strategy, constraints, and current available information to:**

- 1) critical resource needs identified above,
- 2) the Incident Action Plan and management objectives and targets,
- 3) anticipated results.

**Explain major problems and concerns such as operational challenges, incident management problems, and social, political, economic, or environmental concerns or impacts.**

**41. Planned Actions for Next Operational Period:**

**42. Projected Final Incident Size/Area** (use unit label – e.g., “sq mi”):

**43. Anticipated Incident Management Completion Date:**

**44. Projected Significant Resource Demobilization Start Date:**

**45. Estimated Incident Costs to Date:**

**46. Projected Final Incident Cost Estimate:**

**47. Remarks** (or continuation of any blocks above – list block number in notation):

ICS 209, Page 3 of ____	* Required when applicable.
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### INCIDENT CHECK-IN LIST (ICS 211)

<b>1. Incident Name:</b>	<b>2. Incident Number:</b>	<b>3. Check-In Location</b> (complete all that apply):					<b>4. Start Date/Time:</b>
		<input type="checkbox"/> Base	<input type="checkbox"/> Staging Area	<input type="checkbox"/> ICP	<input type="checkbox"/> Helibase	<input type="checkbox"/> Other	Date: Time:

**Check-In Information** (use reverse of form for remarks or comments)

5. List single resource personnel (overhead) by agency and name, OR list resources by the following format:								6. Order Request #	7. Date/Time Check-In	8. Leader's Name	9. Total Number of Personnel	10. Incident Contact Information	11. Home Unit or Agency	12. Departure Point, Date and Time	13. Method of Travel	14. Incident Assignment	15. Other Qualifications	16. Data Provided to Resources Unit
State	Agency	Category	Kind	Type	Resource Name or Identifier	ST or TF												

<b>ICS 211</b>	<b>17. Prepared by:</b> Name: _____ Position/Title: _____ Signature: _____ Date/Time: _____
----------------	---

**GENERAL MESSAGE (ICS 213)**

<b>1. Incident Name</b> (Optional):		
<b>2. To</b> (Name and Position):		
<b>3. From</b> (Name and Position):		
<b>4. Subject:</b>	<b>5. Date:</b>	<b>6. Time</b>
<b>7. Message:</b>		
<b>8. Approved by:</b> Name: _____ Signature: _____ Position/Title: _____		
<b>9. Reply:</b>		
<b>10. Replied by:</b> Name: _____ Position/Title: _____ Signature: _____		
<b>ICS 213</b>	Date/Time: _____	





**OPERATIONAL PLANNING WORKSHEET (ICS 215)**

1. Incident Name:				2. Operational Period:				Date From:	Date To:	Time From:				Time To:					
3. Branch	4. Division, Group, or Other	5. Work Assignment & Special Instructions	6. Resources													7. Overhead Position(s)	8. Special Equipment & Supplies	9. Reporting Location	10. Requested Arrival Time
			Req.																
			Have																
			Need																
			Req.																
			Have																
			Need																
			Req.																
			Have																
			Need																
			Req.																
			Have																
			Need																
ICS 215		11. Total Resources Required		/	/	/	/	/	/	/	/	/	/	/	14. Prepared by: Name: _____ Position/Title: _____ Signature: _____ Date/Time: _____				



## RESOURCE REQUEST MESSAGE (ICS 213 RR)

<b>1. Incident Name:</b>				<b>2. Date/Time</b>		<b>3. Resource Request Number:</b>	
<b>Requestor</b>	<b>4. Order</b> (Use additional forms when requesting different resource sources of supply.):						
	Qty.	Kind	Type	Detailed Item Description: (Vital characteristics, brand, specs, experience, size, etc.)	Arrival Date and Time		Cost
					Requested	Estimated	
<b>5. Requested Delivery/Reporting Location:</b>							
<b>6. Suitable Substitutes and/or Suggested Sources:</b>							
<b>7. Requested by Name/Position:</b>				<b>8. Priority:</b> <input type="checkbox"/> Urgent <input type="checkbox"/> Routine <input type="checkbox"/> Low		<b>9. Section Chief Approval:</b>	
<b>Logistics</b>	<b>10. Logistics Order Number:</b>					<b>11. Supplier Phone/Fax/Email:</b>	
	<b>12. Name of Supplier/POC:</b>						
	<b>13. Notes:</b>						
	<b>14. Approval Signature of Auth Logistics Rep:</b>					<b>15. Date/Time:</b>	
<b>16. Order placed by (check box):</b> <input type="checkbox"/> SPUL <input type="checkbox"/> PROC							
<b>Finance</b>	<b>17. Reply/Comments from Finance:</b>						
	<b>18. Finance Section Signature:</b>					<b>19. Date/Time:</b>	
<b>ICS 213 RR, Page 1</b>							

# SECTION 6

## CONTACT DIRECTORY

### 6.1 Emergency Management Team

### 6.1 Emergency Management Team

The contact lists in this section are for Emergency Management Team members who are required to carry out Emergency Command Center responsibilities. These lists show the primary candidate for each position. Alternate candidates who may be more suitable depending on the incident circumstances are also listed.

These individuals will not always be available at the time of an emergency. Therefore, each member will ensure that a candidate is assigned to substitute in his/her absence. This will normally be the member who acts in the capacity of the absentee unless specified otherwise.

Name	Position	Telephone Numbers		
		Office	Cellular	Residence
<b>Executive Management Sponsor</b>				
	Lead			
	Alternate			
<b>Crisis and Emergency Management Team</b>				
	Lead			
	Alternate			
<b>Incident Commander</b>				
	Lead			
	Alternate			
	Alternate			
<b>Operations Section Chief</b>				
	Lead			
	Alternate			
<b>Planning Section Chief</b>				
	Lead			
	Alternate			

**EMERGENCY RESPONSE PLAN**

Name	Position	Telephone Numbers		
		Office	Cellular	Residence
<b>Logistics Section Chief</b>				
	Lead			
	Alternate			
<b>Finance/ Admin Section Chief</b>				
	Lead			
	Alternate			
<b>Communications Section Chief</b>				
	Lead			
	Alternate			
<b>Liaison Officer</b>				
	Lead			
	Alternate			
<b>Legal Officer</b>				
	Lead			
	Alternate			
<b>Public Information Officer</b>				
	Lead			
	Alternate			
<b>Safety Officer</b>				
	Lead			
	Alternate			

**EMERGENCY RESPONSE PLAN**

Name	Position	Telephone Numbers		
		Office	Cellular	Residence
<b>Security/ Intelligence Officer</b>				
	Lead			
	Alternate			

## SECTION 7

### APPENDICES & SUPPORT INFORMATION

- 7.1 Post-Incident Procedures
- 7.2 Incident Reports
- 7.3 Mutual Aid
- 7.4 Training and Exercises
- 7.5 Emergency Command Center
- 7.6 Emergency Management Team Position Checklists
- 7.7 Emergency Specific Response Procedures

## 7.1 Post-Incident Procedures

The Emergency Management Team Leader is responsible for coordinating post-incident activities. These include but are not limited to:

Emergency Management Team (EMT) stand-down notification:

- Ensure that all EMT members are notified about the incident stand-down.
- Ensure that all external contacts (government, investment community, etc.) are notified about the stand-down.
- Advise all EMT members to document their participation and call-down notifications.
- Prepare and release a statement to the Media as required.
- Provide updates to employees about the incident.
- Notify and conduct debriefing meetings with stakeholders as required.

Support on field level incidents:

- Ensure support from EMT continues for field units as required.
- Ensure follow-up with field units on incident reporting and investigation.

Public assistance and support:

- Ensure ongoing support to the public affected.
- Support field unit where necessary to visit all members of the public who have been directly affected by the incident and assist in addressing their outstanding concerns or problems.
- Assist the Division where required in providing all affected public with post-incident CLR contacts and telephone numbers. If an incident has affected a large number of the public, a temporary public relations office should be set up in the affected community.
- Schedule follow-up meetings with the public to ensure that concerns are fully addressed.
- Ensure all public damage claims are dealt with in an expedient manner.

### Communications:

- Ensure all communication issues are addressed following incident; these include the public, media, communities, investor relations, etc.

### Document Control:

- Collect and compile all incident records, event logs, forms and other documentation that may be relevant to the incident.
- Make copies of originals and work only from the copies.
- Securely store all incident documentation.
- Ensure that all reports are provided to senior management as required.

### Incident investigations and report follow-up:

- Participate in Level 3 field level incident investigations.
- Lead all Corporate incident investigations.
- Ensure that the field unit receives support required to assist in the Incident investigation process.
- Obtain a copy of the incident investigation report and any follow up documentation to assist in the de-briefing meetings.
- Third party investigations by regulators, insurance companies and others may be required, given the complexity and severity of the incident. It is important to fully cooperate with all third party investigators, thus the following guidelines should be adhered to:
  - Give third party investigators only the information they request.
  - Always speak the truth and never speculate.
  - Ensure legal counsel is present if the investigator is from a body that has the authority to prosecute or file civil claims.

### Post Incident De-Briefing:

- De-briefing sessions should be held within a few days following the incident with the IC and the affected Emergency Response team leaders where applicable. These sessions should focus on the response and opportunities for improvement.
- These sessions should be recorded and agreed changes implemented where applicable into the response plans.

## 7.2 Incident Reports

There are two main types of reports when dealing with an incident:

1. Incident Report
2. Incident investigation, containing follow-up information

### Incident Reports

Any reports that define responsibility or liability could have the potential to be presented during legal proceedings. Where there is a risk of litigation, reports should be generated under legal privilege to provide legal protection. Incident reports include facts such as the location of the incident, when it occurred, who responded, the number of injuries, casualties or property type damage.

### Investigation Reports

An Investigation Report contains the analyses and evaluation of the incident. The report will provide advice on how to prevent a reoccurrence and will make emergency preparedness recommendations. In addition, it may identify the immediate and root causes of the incident, if known.

Reports will contain information collected during the interview and incident investigation process, including:

- Sequence of events that led up to the incident, during the incident & follow-up of incident.
- Details relating to the severity and the potential of reoccurrence of the incident.
- A root-cause determination of the cause of the incident.
- Evaluation of the emergency management response.
- Systems used for internal and external communications.
- Effectiveness of communication efforts with the media, community and government.
- Public safety actions.
- All actions taken to reduce risks and liability.
- Assessments of legal or environmental issues that were raised because of the incident or the company's response actions.
- Plans to reduce the risk of a similar incident including recommendations for future actions and improvements to the emergency preparedness program.

In addition to internal company reports, there may be a detailed report (s) prepared by other agencies such as the police, fire department, and government departments. In the case of certain incidents, the regulating body has jurisdiction over an incident investigation and becomes the prime investigator, being directly responsible to identify the cause of the incident. There are times where it may become necessary for CLR investigators to obtain permission from regulatory bodies to carry out an investigation following an incident.

### **7.3 Mutual Aid**

Mutual aid agreements may be established within each field unit area. For corporate related incidents the mutual aid process is through the established legal jurisdictions of the government policing, firefighting and emergency responder agencies.

### **7.4 Training**

Training is a key to maintaining the company's emergency preparedness standards. Training exercises are an integral part of the training process. The exercises may involve mutual aid partners and regulatory agencies. These exercises allow responders to practice their roles and identify opportunities to improve emergency preparedness.

An Emergency Management Plan training exercise will be held annually and may be held in conjunction with the field emergency response exercises or separate. Training may include any of the following types of exercises:

#### **Tabletop Exercise**

Tabletop exercises are conducted in a conference room setting. Participants discuss the responses to various prepared scenarios. Tabletop exercises can involve small or complex emergencies (Level One, Two or Three) or any combination or escalation of incidents.

#### **Drills**

Drills require responses by individuals and teams and limited mobilization of personnel, equipment and resources. Examples are notification drills, evacuation drills, Emergency communications drills or fire drills.

### **Communication Exercises**

Communication exercises require responders to play their roles from their assigned locations using the communication equipment that would usually be deployed in a real emergency. However, there is little or no mobilization of resources other than company personnel.

### **Full-scale Exercises**

Full-scale exercises validate the major aspects of the company's emergency preparedness program and involve all levels of the organization and other stakeholders, agencies and regulators.

## 7.5 Emergency Command Center

In the event of an incident that would necessitate the activation of the Emergency Management Team, the section chiefs will meet in the Emergency Command Center on the 11<sup>th</sup> Floor of the Continental Oil Center. The Emergency Command Center is located in Room 11.244. Surrounding the command center are several offices and breakout rooms that may be utilized during an incident to meet the requirements of individual team working areas. Also located on the same floor are copy / fax / print and kitchen. A table outlining the available breakout and resource rooms with their accompanying contact numbers is listed below:

Room	Room #	Telephone #	Fax #
<b>Emergency Command Center</b>	<b>11.244</b>	<b>(855) 387-9189</b>	<b>(405) 234-9370</b>
<b>Conference Room 11<sup>th</sup> Floor</b>	<b>11.212</b>	<b>(405) 234-9205 X1205</b>	<b>N/A</b>
<b>Conference Room 12<sup>th</sup> Floor</b>	<b>12.250</b>	<b>(405) 234-9546 x1546</b>	<b>N/A</b>
<b>Board Room 14<sup>th</sup> Floor</b>	<b>14.206</b>	<b>(405) 234-9400 x1400</b>	<b>N/A</b>
<b>Copy / Fax 11<sup>th</sup> Floor</b>	<b>11.456 11.426</b>	<b>N/A</b>	<b>(405) 234-9293 (405) 234-9562</b>
<b>Copy / Fax 14<sup>th</sup> Floor</b>	<b>14.202</b>	<b>N/A</b>	<b>(405) 234-9082</b>
<b>Break Room 11<sup>th</sup> Floor</b>	<b>11.204</b>	<b>N/A</b>	<b>N/A</b>

## 7.6 Emergency Management Team Position Checklists

**Incident Commander**

**Security/Intelligence Officer**

**Safety Officer**

**Public Information Officer**

**Legal Officer**

**Liaison Officer**

**Operations Section Chief**

**Planning Section Chief**

**Logistics Section Chief**

**Finance/Admin Section Chief**

**Communications Section Chief**

## Incident Commander Checklist

- Establish communication with the field based Deputy Incident Commander or individual reporting the incident
- Obtain a status briefing.
- Complete an Incident Notification Report form.
- Document all actions, decisions, contacts and requests (chronologically) on a Time and Event Log.
- Assess the severity of the incident and the potential to escalate.
- Determine the level of alert.
- Establish immediate priorities.
- Provide an initial status briefing for senior management.
- Determine the requirement for, and size of, the Emergency Management Team.
- Establish and activate the Emergency Command Center.
- Appoint members to the Emergency Management Team as required.
- Distribute all available incident documentation to the Emergency Management Team members.
- Brief the Emergency Management Team on the following issues:
  - Incident status
  - Estimated impact (based on Incident Commander's assessment)
  - Projected outcome (based on Incident Commander's assessment)
- Solicit preliminary and intermediate evaluations about the following issues:
  - Potential risks to CLR (legal, financial, environmental, security, etc.)
  - Regulatory reporting requirements
  - Potential business impact (e.g. business interruption, duration, severity, stakeholder impact, etc.)
  - Recommended course of action
- Establish preliminary and intermediate goals and objectives related to the incident
- Develop a 12-hour corporate action plan. The period may be reduced, but not extended, depending on the scale of the incident.
- Coordinate the initial activities of the Emergency Management Team.

## EMERGENCY RESPONSE PLAN

- Assign responsibility for communicating the command structure across the EMT, the Crisis Management Team and senior executives to ensure clarity that a formal command structure has established control.
- Establish and maintain ongoing communications with the on-site Deputy Incident Commander.
- Identify the support requirements of the site based Emergency Response Team.
- Co-ordinate the follow-up activities of the Emergency Management Team.
- Conduct frequent planning meetings.
- Mobilize additional Company resources as required.
- Ensure that the Crisis Management Team Lead has mobilized support units for complex incidents.
- Review and authorize all media releases.
- Update the senior management team regularly.
- Review and update the Incident Action Plan.
- Ensure that for prolonged incidents, provisions for relieving and rotating personnel on a regular basis is arranged.
- Collaborate with the site based Deputy Incident Commander regarding reducing or calling down the level of alert.
- Direct the demobilization of the Emergency Management Team.
- Initiate and co-ordinate the post-incident activities of the Emergency Management Team.
- Ensure that the critical post-incident services are provided for employees, first responders, families, members of the public and next of kin.

**Security/Intelligence Officer Checklist**

- Proceed to the Emergency Command Center.
- Obtain a status briefing from the Emergency Management Team Leader.
- Document all actions, decisions, contacts and requests on a Time and Event Log.
- Identify and Provide Emergency Team Leader with assessment of current security requirements.
- Liaise with local authorities and provide support as necessary.
- Consider ongoing security requirements and develop short term and long term security needs.
- Oversee implementation of short term and long term security needs.
- Liaise with other Officers.
- Participate in status meetings as necessary.
- Report problems to the Emergency Team Leader.
- Assist with post incident security matters.
- Liaise with and provide support to local authorities in any post-incident investigation.

## Safety Officer Checklist

- Obtain briefing from Incident Commander.
- Coordinate Search and Rescue Operations.
- Follow up on evacuated personnel until they reach a safe location/medical facility.
- Advises HR on issues related to Workers Compensation claims or sensitive communications that require further attention.
- Debrief Team, including medical fit for return screenings or baseline medical exams.
- Consider drug testing, if appropriate.
- Consider safety of personnel at site, spill responders and surrounding population.
- Establish a Site Safety Plan, including areas for controlled access by first responder equipment, fluid recovery and earth moving equipment, and specialized well control equipment.
- Evaluate and ensure monitoring of the following (if applicable):
  - Oxygen levels
  - Explosive character
  - Toxicity of the air on scene
  - Splash and ingestion hazards.
  - Confined space and other PTW programs.
- Determine if off site operators or public could be affected by the spill or incident.
- Ensure the preparation and implementation of a Site Safety Plan.
- Issue Safety Guidelines for all personnel.
- Establish First Aid Posts and Rest Stations.
- Ensure Safety Inspections are conducted.
- Verify personnel have appropriate PPE.
- Consider use of local fire, police, etc. for safety support and establishing access control.
- Monitor personnel for conformance with Site Safety Plan.
- Ensure site safety plan is communicated to field work groups.
- Ensure the preparation and implementation of a medical plan, if needed.
- Ensure the preparation and implementation of a decontamination plan, if needed.
- Ensure response operations are conducted in compliance with HAZWOPER requirements.
- Exercise emergency authority to stop and prevent unsafe acts, if necessary.
- Develop and issue safety bulletins, alters, etc. on issues affecting or likely to affect worker safety.

## EMERGENCY RESPONSE PLAN

- Investigate, report and record safety-related accidents that occur during response operations. Develop remedial actions to avoid future occurrences.
- Demobilize as ordered.
- Facilitate the investigation process and establishment of root cause and contributing factors related to the incident.
- Evaluate and discuss possible worst-case safety escalation associated with emergency.

## **Public Information Officer Checklist**

- Proceed to the Emergency Command Center.
- Obtain an incident status briefing from the Emergency Management Team Leader.
- Document all actions, decisions, contacts and requests on a Time and Event Log.
- Determine the immediate personnel requirements to support the Emergency Management Team
- Assess who in community organizations, local, regional, provincial, state and national government bodies or regulators needs to be informed of the incident.
- Following discussions with fellow Emergency management team members, contact all appropriate officials and provide clear information and details as required.
- Create a go – forward plan for communications during the incident.
- Work with all community and government officials and agencies to help minimize the public impact of the incident.
- Provide ongoing support to the Division / BU / Corporate response teams for Public Relations issues
- Participate in status meetings as necessary.
- Once the immediate crisis is over, assess what follow up actions are required and ensure that all are completed in order to maintain favourable relations with all organizations and officials.
- Assist the Emergency Management Team Leader with required post-incident activities.

## Legal Officer Checklist

- Obtain a status briefing.
- Document all actions, decisions, contacts and requests on a Time and Event Log.
- Identify and provide the Emergency Management Team Leader with evaluations regarding the following issues:
  - Possible exposures to CLR
  - Liability implications of response
  - Liability implications of news releases
  - Mobilize additional legal support staff as required.
- Assist with other functional leaders.
- Advise the Emergency Management Team about legal obligations and consequences.
- Ensure that the Emergency Management Team members are aware of document requirements and liability implications of incident documentation.
- Ensure documentation procedures for responders are communicated to the field based Emergency Response Team.
- Assist the Finance Lead in reviewing and auditing claims as required.
- Assist the Finance Lead in assessing/authorizing compensation as required.
- Identify potential legal actions and make necessary preparations.
- Assist with post-incident activities as required.

## Liaison Officer Checklist

- Obtain briefing from IC.
- Notify Federal, State and Local Agencies as required.
  - Record names of agency personnel notified.
  - Record time/date of each call and appropriate spill # assigned to the incident.
  - Advise each agency that you will be the Responsible Party Contact.
  - Respectfully request review of all public statements prior to issuance by agencies, in order to ensure accuracy of data.
- Identify representatives from each agency, including communications link and location.
- Participate in planning meetings. Provide current agency resource status information.
- Prepare “initial” written reports to agencies as required. Obtain approval from Legal Officer and Incident Commander prior to submittal to agencies.
- Work with Logistics Section Chief to arrange tours and briefings for elected officials, if appropriate
- After cleanup operations cease, obtain composite log from agencies Documentation Unit Leader and prepare final written reports as required. Obtain approval from Incident Commander and Legal Office prior to submittal to agencies.

## Operations Section Chief

- Obtain briefing and special instruction from IC regarding:
  - Status of incident.
  - Assist with personnel safety.
  - Notification of offset operations.
  - Notification to affected pipeline companies.
  - Objectives.
  - Resources already called out.
  - Determine personnel needed for Operations Section and brief same as they arrive at the IMC.
- Send representative to field. Assistant response personnel and report status to IC.
- Establish surveillance program.
  - If on water, track spill by use of small aircraft, helicopter, vessels (applicable for oil spill).
  - Work with Logistics Section Chief to obtain resources necessary to support surveillance ops, including aircraft, maps, and communications equipment.
  - Advise Planning Section of status as appropriate.
- Contact spill reporting agency; discuss strategy, availability and location of equipment. Involve Logistics Section Chief in initial call.
- Report results of slick surveillance as follows:
  - Status of source
  - Size of slick
  - Description of slick
  - Leading edge of slick
  - Direction of slick movements.
  - Status of response operations
  - Threat to shoreline/ coastline
  - Wildlife spotted in area
- Obtain samples of spilled oil.
- Work with Spill Consultants/Oil Spill Response Organizations to develop and implement response strategies.

## EMERGENCY RESPONSE PLAN

- Request resources needed to implement the Operations tactics as part of the Incident Action Plan development.
- Identify shoreline sites for immediate pre-cleaning operations.
- Participate in planning meetings as required.
- Supervise the execution of the Incident Action Plan for Operations.
- Coordinate operations with those conducted by Federal and State agencies.
- Make or approve expedient changes to the Incident Action Plan during the operation period as necessary.
- Submit daily summary for each location to Situation Unit Leader.
- Work with Planning to de-mobilize equipment not in use.
- Assist in investigating the cause of the incident and the effectiveness of the spill response operations.
- Provide relief for essential employee assignments.
- Do not use collecting agent or dispersant without express approval from the Incident Commander.

## Planning Section Chief Checklist

- Obtain briefing from IC
- Activate Planning Section Units as necessary to support planning needs.
- Request weather reports and trajectories.
- Determine sensitive areas.
- Consider available strategies
- Gather/display incident information and ensure Status Boards are kept updated.
- For oil spills to water, coordinate immediate submission for Dispersant Pre-Approval Initial Call Checklist, or direct development of Dispersant Use Information Form (long form), if necessary.
- Collect and process situation information about the incident.
- Monitor Situation Status Report prepared by Situation Unit Leader.
- If EMT is activated, establish contact with Information Coordinator, provide requested information and establish plan for routine updates.
- Advise CMT Leader of any special requests for needs from the EMT.
- Assess resources at risk and suggest plans to protect accordingly.
- Supervise preparation of the Incident Action Plan. (Only applicable for oil spill).
- Develop short range and long range tactical plans.
- Participate in Planning and other meetings as required.
- Establish information requirements and reporting schedules for all ICS organizational elements for use in preparing the Incident Action Plan.
- Provide Situation Unit Leader with the Planning Section organizational structure including names and locations of assigned personnel.
- Determine need, call out and assign the following Technical Specialists as required:
  - Legal Specialist
  - Sampling Specialist
  - Responder Training Specialist
  - Disposal (Waste Management Specialist)
  - Alternative Response Technologies (ART) Specialist
- Assemble information on available strategies
- Assemble and disassemble Teams or Task Forces as necessary.
- Provide periodic predictions on incident potential.
- Prepare and distribute orders from Incident Command.
- Instruct Planning Section units in distribution and routing of incident information.

## EMERGENCY RESPONSE PLAN

- Ensure that information collection and reporting requirements are being met.
- Prepare recommendations for release of resources for submission to members of Incident Command
- Maintain Section records.
- Demobilize in accordance with the Demobilization Plan.

### Logistics Section Chief

- Obtain briefing from IC
- Locate and mobilize equipment, personnel and transportation as requisitioned by EMT.
- Identify service and support requirement for planned and expected operations and inform Operations Section of the following:
  - The types and capabilities of on-site equipment, personnel and material assets.
  - Logistics shortfalls.
  - The assets received into/released out of operating areas.
- Communicate directly with contractors in the field to identify and resolve logistics requirements.
- Support decontamination, reconstitution and redeployment of equipment resources.
- Provide input to and review Communications Plan and Medical Plan.
- Review Incident Action Plan and estimate Section needs for next operational period.
- Ensure Incident Communications Plan is prepared.
- Prepare service and support elements of the Incident Action Plan.
- Receive Demobilization Plan from Planning Section.
- Recommend release of unit resources in conformance with Demobilization Plan.

## Finance/Admin Section Chief Checklist

- Proceed to the Emergency Command Center.
- Obtain a status briefing from the Emergency Management Team Leader.
- Document all actions, decisions, contacts and requests on a Time and Event Log.
- Determine the immediate logistical requirements to support the Field Emergency Response Team.
- Identify and provide the Emergency Management Team Leader with evaluation regarding the following issues:
  - Status of available logistical services for supporting the Field Emergency Response Team tactical activities
  - Possible exposures to CLR
  - Recommended course of action
- Implement procedures to secure the Emergency Command Center.
- Mobilize personnel, equipment and services requested by the Emergency Management Team Leader and Emergency Management Team Leads.
- Ensure that communication equipment at the Emergency Command Center is adequate.
- Arrange special transportation and accommodation needs for Emergency Management Team members.
- Ensure the Emergency Management Team logistical requirements are supported.
- Consider and make necessary preparations to ensure an alternate Emergency Command Center is available, if required.
- Determine the funding requirement for the incident response activities.
- Arrange banking for funding incident activities.
- Contact Rating Agencies if required.
- Advise the Corporate / Division / Business Unit Emergency Response Team on incident banking procedures.
- Ensure that accounting procedures are in place for the Corporate/Division/ Business Unit Emergency Response Team to record and collect all financial transactions related to the incident.
- Ensure that accounting procedures are in place for the Emergency Management Team to record and collect all financial transactions documents related to the incident.

## EMERGENCY RESPONSE PLAN

- Dispatch financial or administration staff as required, supporting the Division/Business Unit Emergency Response Teams efforts.
- Establish payment authorization limit for Public Protection staff to provide for evacuee basic needs and legitimate expenses.
- Review/audit evacuee and other third party claims.
- Assist in the procurement of materials and resources as required.
- Participate in frequent Emergency Management Team meetings.
- Prepare a 12-hour plan.
- Refer media and public inquiries to Media Relations.
- Assist with post incident activities.
- Consider the 24-hour staffing requirements. Call in off-duty staff as required.

## Communications Section Chief Checklist

- Obtain briefing from Logistics Section
- Determine level of service required to support operations. Source and mobilize the following as necessary:
  - Field communications.
  - Incident Communications Center and Message Center.
  - Phone system in Command Center.
- Maintain radio logs
- Ensure accountability for communications equipment (log).
- Advise communications capabilities/limitations.
- Prepare and implement the incident Radio Communication Plan.
- Prepare telephone directory.
- Initiate request to FCC for temporary radio frequencies.
- Determine requirements and provide communications equipment for Security personnel.
- Implement request to establish 800 number access for Claims and PR
- Establish appropriate communications distribution/maintenance locations.
- Ensure communications systems are installed and tested.
- Distribute communication plans to field personnel.
- Ensure personal portable radio equipment is distributed per radio plan.
- Recover equipment from relieved or released units and de-con as necessary.

## **7.7 Emergency Specific Response Procedures**

**Active Shooter Response Procedure**

**Anthrax**

**Bomb Threat Call Checklist**

**Bomb Threat Procedure**

**Civil Disorder and Demonstrations**

**Death in the CLR Community**

**Earthquake Procedures**

**Evacuation Procedures**

**Hazardous Material Accident**

**Psychological Crisis**

**Shelter-In-Place**

**Tornado Preparedness**

**Utility Failures**

**Violent or Criminal Behavior**

**Weapons of Mass Destruction Information**

**Weather Emergency Operating Plan**

## Active Shooter Response Procedure

Nationally, active shooter situations do not occur often on inside of large businesses, but we know all too well that the possibility exists and it is important to have protocols in place on how to respond. These kinds of situations are unpredictable and usually evolve rapidly and the response decisions are influenced by numerous variables.

Members of Law Enforcement are trained and equipped to respond to an emergency incident of this nature. The police will evaluate the situation to determine the best course of action for the safety of the CLR community. Law enforcement Officers will be responsible for all tactical operations and CLR/COC security officers will provide assistance.

The immediate response of the first officers on the scene is to take aggressive action to find and stop the shooter or shooters. As they move into the affected area, rescue efforts will be delayed until the shooter is located and stopped or no longer a threat to life safety. If you are wounded or with someone who is wounded, these officers will bypass you to search for the shooter. Rescue teams will follow shortly to aid you and others.

*The following protocol is sound and generally applicable but must be adapted to the specific situation. **Bottom line, if you hear shots fired, or if you see or know that an armed person is shooting people, protect yourself first – move to a safe location.***

### IF THE SHOOTER IS OUTSIDE YOUR BUILDING:

- If you can do so safely, inform building occupants.
- Close and lock your office door and all windows. If you cannot lock the door, place your door keeper in the downward position to prevent it from being opened and try to block the door with furniture.
- Turn off all lights.
- Close the blinds and stay away from the windows and doors.
- Seek protective cover.
- Keep quiet and act as if no one is in the room.
- Do not answer the door or respond to commands until you are certain they are issued by a police officer.
- Silence your cell phones.
- Have ONE person call 911.
- Call the Security Operations Center; 234-9050 (x 1050)
- Wait for police to assist you in getting out of the building.

### IF THE SHOOTER IS INSIDE THE BUILDING:

- If it is possible to escape the area safely and avoid danger, do so by the nearest exit or window.

## EMERGENCY RESPONSE PLAN

- Evacuate to the established area of safe refuge away from the danger, and take protective cover. Stay there until emergency responders arrive. Leave books, backpacks, purses, laptops, etc. in your office or the room you are currently in.
- Notify anyone you may encounter to exit the building immediately.
- As you exit the building, keep your hands above your head and listen for instructions that may be given by police officers. If an officer points a firearm at you, make no movement that may cause the officer to mistake your actions for a threat. Try to stay calm.
- If you get out of the building and do not see a police officer, call 911 and Security at x1050 or (405) 234-9050 and provide the following information:
  - Your name
  - Location of the incident
  - Number of shooters, if known
  - Identification or description of shooter(s)
  - Number of persons who may be involved
  - Your exact location
  - Injuries to anyone, if known
- If you are unable to escape the building, move out of the hallway and into an office or classroom and lock the door.
- If you cannot lock the door, place your door keeper in the downward position to prevent it from being opened and/or try to block the door with furniture.
- Remain silent.
- Silence cell phones.
- If possible, place signs in exterior windows to identify the location of injured persons.
- Wait for the police to come and find you.

### **IF THE SHOOTER ENTERS YOUR OFFICE:**

There is no set procedure in this situation.

- If possible call 911 and talk with a police dispatcher.
- If you cannot speak, leave the phone line open so the police can hear what is going on.
- Use common sense. If you are hiding, stay hidden,
- If flight is impossible, attempts to negotiate with the suspect may be successful.
- Playing dead may also be a consideration.
- Attempting to overcome the suspect with force is a last resort that should only be considered in the most extreme circumstances. **Only you can decide if this is something you should do.**

If the shooter exits your area and you are able to escape, leave the area immediately. Do not touch anything in the area and remember to be alert for responding police officers who may mistake you as the shooter.

## **ANTHRAX**

### **Introduction**

Anthrax is an acute infectious disease caused by the spore-forming bacterium *B.anthraxis*. It occurs most frequently as a disease of herbivores (e.g., cattle, goats and sheep) that acquire spores from direct contact with contaminated soil. Humans usually become infected through contact with, or ingestion of, *B.anthraxis* spores from infected animals or their products. Human-to-human transmission has not been documented.

The spore form of *B.anthraxis* is durable and can be delivered as an aerosol, making it an effective biological warfare candidate. The incubation period of anthrax is 2 – 60 days. Inhalation causes the most serious form of human anthrax, and although contemporary experience in humans is limited, mortality may be high even with the appropriate therapy.

In order to cause disease, at least 8,000 to 10,000 spores need to lodge deep in the lungs, in the tiniest air sacs known as alveoli. This warm environment stimulates the bacterium to emerge from its protective spore. As each bacterium reproduces it releases toxins, which eventually spread throughout the body and destroy tissue and organs. One of the toxins, called protective antigen, attaches to a receptor found on most cells. Once seven of these antigens find a cell, they latch together to form a ring with a hole in the middle. Then one of the other toxins produced by the bacterium—either a killing or swelling toxin—plugs the hole and puts the cell immune system into overdrive to the point where tissue destruction starts.

The likelihood of developing cutaneous disease (i.e., being infected through the skin) is low, however, in situations where the threat for transmission of *B.anthraxis* spores is deemed credible, decontamination of skin and potential contact points (i.e., clothes, disks, chairs, etc.) must be considered, to reduce the risk of cutaneous and gastrointestinal (ingested) forms of disease.

### **Symptoms and Effects of Anthrax**

After an incubation period of 1-7 days, the onset of inhalation anthrax is gradual. Possible symptoms may include; fever, malaise/depression, fatigue, cough or mild chest discomfort followed by severe respiratory distress. This mild illness can progress rapidly to respiratory distress and shock in 2-4 days followed by a range of more severe symptoms, including breathing difficulty and exhaustion. Death usually occurs within 24 hours of respiratory distress.

### **Clinical Features of Anthrax**

Anthrax is an acute bacterial infection of the skin, lungs or gastrointestinal tract. Infection occurs most commonly via the skin. The cutaneous or skin form of the infection occurs most frequently on the hands and forearms of persons working with infected livestock or contaminated animal products and represents 95% of cases of human anthrax. It is initially characterized by a small solid elevation of the skin, which progresses to a fluid-filled blister with

swelling at the site of infection. The scab that typically forms over the lesion can be black as coal, hence the name anthrax—Greek for coal.

### **Risks Associated with Anthrax**

Anthrax is only deadly when you inhale a huge number of spores. Once the spores hit the ground, they stay there, so the risk from re-aerosolization is minuscule. In Sverdlovsk (now Ekaterinburg) there was a large release of anthrax spores from a bio-weapons factory, due to a faulty or missing filter, in 1979. Only 66 people in the town of more than 1 million died from anthrax, although the citizens were not notified of the release, and therefore did not receive prompt antibiotics or optimal medical therapy.

Anthrax does NOT spread from person to person. When it travels with the wind, it follows a narrow path, and does NOT spread out widely over long distances. That is why there were so few cases in Sverdlovsk. Workers in American factories who were grossly contaminated with anthrax spores, who inhaled hundreds of spores a day, almost never developed inhalation anthrax, the most deadly form of the disease. Therefore, if anthrax is used, it will affect only a limited area, and relatively small numbers of people.

### **Coordination of Response Teams**

The public health response to bioterrorism requires effective communication and coordination with response teams and law enforcement. Senior management personnel should work with these groups to define the roles of each agency, including protection of first responders; and ensure that procedures are tested through simulation.

### **Terrorist Attacks – Chemical and Biological Agents**

In the aftermath of the September 11, 2001, World Trade Center and Pentagon tragedies, fears mounted that both chemical and biological agents could be used in terrorist actions against civilian targets. In fact, chemical agents identified as Anthrax have been sent through the mail in such a fashion, affecting the Washington, DC area and other communities throughout the United States.

### **Emergency Supplies**

It is recommended that the COC keep an ample supply of bathrobes, plastic trash bags, soap, and household bleach reserves onsite in a detached storage facility (i.e., external to central air-conditioning supply system that feeds main building/office areas). If practical, portable shower enclosure(s) should also be kept onsite. These resources will be used to effectively mitigate further spread of anthrax on clothing and skin beyond the primary infection area.

## **Information About Possible Exposure to Anthrax**

### **What constitutes a “suspicious parcel?”**

Some typical characteristics that Postal Inspectors have detected over the years, that ought to trigger suspicion, include parcel's that;

- are unexpected or from someone unfamiliar to you,
- are addressed to someone no longer with your organization or are otherwise outdated,
- have no return address, or have one that can't be verified as legitimate,
- are of unusual weight, given their size, or are lopsided or oddly shaped,
- are marked with restrictive endorsements, such as “Personal” or “ Confidential,”
- have protruding wires, strange odors or stains,
- show a city or state in the postmark that doesn't match the return address.

### **What should a person do who has received a suspicious parcel in the mail?**

- Do not try to open the parcel.
- Isolate the parcel.
- Evacuate the immediate area.
- Call the SOC (x1050)

### **What should a person be advised to do if they receive an anthrax threat by mail?**

The person should be advised not handle the mail piece or package suspected of contamination. Notify the SOC (x1050) and the Director of Emergency Response and Crisis Management (x1394). Make sure that damaged or suspicious packages are isolated and the immediate area cordoned off.

All persons who have handled a suspicious package should wash their hands with soap and water. List all persons who have touched the letter and/or envelope. Place all items worn when in contact with the suspect mail in plastic bags and keep them available for law enforcement agents. Contact Security and provide the above list of involved persons, informing them if clothing has been collected. Security will contact the police who will collect the mail, assess the threat situation, and coordinate with responding authorities. When practical, shower with soap and water.

### **Preserve the Immediate Area**

Avoid moving items in the direct area of the perceived threat. If possible, cover the threat area with a cloth or piece of clothing to prevent additional aerosol contamination. Leave the immediate area closing the door behind you. Evacuate the building, and immediately wash your hands with soap and water.

### **Evacuation – to “Staging Areas” only**

Security (once notified) should evacuate personnel from the building, but ensure that they remain at the secure, localized staging area until emergency authorities arrive and conduct an initial assessment of the threat. Personnel should NOT be sent home or allowed to leave the assembly area(s) until an initial assessment has been completed, and they have been properly debriefed by responding authorities.

### **HVAC shutdown**

If time permits, Facilities Management should shut down all HVAC systems to prevent further spread of airborne contaminants. HVAC systems should NOT be restarted until an initial assessment has been completed, and only under the instruction of responding authorities.

### **Evidence Preservation**

Local police and Scene of Crime officials will coordinate the collection of evidence (e.g., letters, packages, or air-handling supply system samples) and deliver materials to an authorized local laboratory for testing. The intent is to obtain either a false or positive indication of anthrax contamination with 24-48 hours following a reported incident. This timeline is mission critical in order to commence treatment within the first 48 hours; otherwise, incubation of the disease will transpire, and the effects may not be controlled even given the proper treatment.

CLR management is NOT to engage in any anthrax investigation activities. This task is to be left to the properly tooled and trained emergency response authorities.

### **Signs and symptoms debriefing**

Once the initial assessment is complete, local authorities should collect contact information for potentially exposed persons and all personnel should be debriefed and provided with information about the signs and symptoms of illness associated with the suspected biologic agent, and given details about who to contact if they develop a related illness. All staff is to be advised to also contact their supervisor if they become ill.

Once debriefed, all personnel should be instructed to engage in precautionary decontamination activities at the designated on-site location (if practical), or sent home to carry out these initial prevention activities.

### **Decontamination – personal**

All staff should remove their clothing and personal effects, place clothing items in a sealed plastic bag, and shower using copious quantities of soap and water. All personal effects (i.e., watches, bracelets, etc.) should be decontaminated with a 0.5% hypochlorite solution (i.e., one part household bleach to 10 parts water).

## EMERGENCY RESPONSE PLAN

Clothing and personal items not decontaminated using hypochlorite solution must be kept in labeled plastic bags as potential evidence. These items will be quarantined by responding authorities and returned to the owner once the threat has been analyzed and a false-positive, or retained indefinitely as evidence if the threat is real.

### **Decontamination – Affected Environment**

For incidents involving possibly contaminated letters, the environment in direct contact with the letter and its contents should be decontaminated with a 0.5% hypochlorite solution (i.e., one part household bleach to 10 parts water) following a crime scene investigation.

CLR personnel are NOT to engage in any anthrax abatement activities. This task is to be left to the properly tooled and trained emergency response authorities.

### **What is the treatment for anthrax?**

Treatment with antibiotics beginning one day after exposure has been shown to provide significant protection against death in tests with monkeys, especially when combined with active immunization. Penicillin, doxycycline, ciproflaxin, are all effective drugs against most strains of the disease. Penicillin is the drug of choice for naturally occurring anthrax. If untreated, inhaled anthrax is fatal.

A Cipro vaccine is available and consists of a series of six doses over 18 months with yearly boosters. This vaccine, while known to protect against anthrax acquired through the skin, is also believed to be effective against anthrax inhaled spores. Does the government have a plan in place to make Cipro available if there were mass exposure to anthrax? Yes. Under emergency plans, the Federal government in the USA would ship appropriate antibiotics from its stockpile to wherever they are needed.

Effective decontamination can be accomplished by boiling contaminated articles in water for 30 minutes or longer and using common disinfectants. Chlorine is effective in destroying spores and vegetative cells. Remember, anthrax spores are stable, able to resist sunlight for several hours and able to remain alive in soil and water for years.

## **Anthrax Treatment Recommendations from the CDC**

Post-exposure treatment (prophylaxis) for personnel infected with *B.anthraxis* consists of chemoprophylaxis and vaccination. Oral (i.e., ingested) flouroquinolones are the drugs of choice for adults, including pregnant women. If flouroquinolones are not available, or are contraindicated by medical practitioners, doxycycline is an alternative. Treatment (prophylaxis) should continue until *B.anthraxis* exposure has been excluded.

Post-exposure vaccination with an inactivated, cell-free anthrax vaccine is indicated in conjunction with chemoprophylaxis following a proven biologic incident. Post-exposure

## EMERGENCY RESPONSE PLAN

vaccination consists of three injections; 1) as soon as possible after exposure, 2) at 2 weeks after exposure, and 3) at 4 weeks after exposure. Anthrax vaccine can be requested through the CDC or locally supplied agency; however, routine vaccine of civilian populations is not recommended as this vaccine has not been evaluated for safety and efficacy in children less than 18 years of age or adults more than 60 years of age. Recommended post-exposure prophylaxis for exposure to *B.anthraxis*\*

Drug: <b>Oral Fluoroquinolones</b> One of the Following	Adults	Children**
Ciprofloxacin	500mg daily twice	20-30mg per kg of body mass per day divided every 12 hours
Levofloxacin	500mg daily twice	Not recommended
Ofloxacin	400mg daily twice	Not recommended
<b>If Fluoroquinolones are not available or are contraindicated:</b> Doxycycline	100mg daily twice	5mg per kg of body mass per day divided every 12 hours

\*Prophylaxis should continue until exposure to *B.anthraxis* has been excluded. If exposure is confirmed, prophylaxis should continue for 4 weeks and until 3 doses of vaccine have been administered, or for 8 weeks if vaccine is not available.

\*\*Use of tetracyclines and fluoroquinolones in children has well-known adverse effects. These risks must be weighed carefully against the risk for developing life threatening disease. If a release of *B.anthraxis* is confirmed, children should receive oral amoxicillin 40mg per kg of body mass per day divided every 8 hours (not to exceed 500mg three times daily) as soon as penicillin susceptibility of the organism has been confirmed.

## **Bomb Threat Call Checklist**

**EMERGENCY RESPONSE PLAN**

Use the bomb threat call checklist below to record details of the threat. Call the SOC at X1050. Security will respond and evaluate the threat. In the event an evacuation is necessary, the Police Bomb Squad and Security will coordinate an orderly and safe evacuation.

**Questions to Ask:**

- 1. When will it go off?
- 2. Where is it located?
- 3. What type of bomb is it?
- 4. What type of explosive is it?
- 5. Why are you doing this?
- 6. Who are you?

**Exact wording of the threat:**

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**Date** \_\_\_\_\_ **Time of call** \_\_\_\_\_

**Voice on the phone** (circle as applicable): Male Female Adult Child

**Estimated age** \_\_\_\_\_ **Race** \_\_\_\_\_

**Speech** (circle as applicable):

Slow	Foul	Impeded
Rapid	Broken	Soft/high pitched
Normal	Sincere	Deep
Excited	Accented	Calm
Loud	Intoxicated	Angry

**Background Noises** (circle as applicable):

Music	Typing	Factory
Talking	Machines	Trains
Laughing	Traffic	Quiet

**Additional Observations:**

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## **Bomb Threat Procedures**

### **Overview**

In most cases, bomb threats are designed to disrupt the normal business operations of the company. Additionally, true terrorists are interested in killing or maiming as many people as possible and therefore will not typically make phone calls prior to the bomb going off. For these reasons and others, the recommended course of actions is to:

- Notify Security that we have received a bomb threat.
- Have Security inconspicuously conduct a visual search for suspicious packages or devices.
- Notify Security if a suspicious device or package is located.
- If package is confirmed as suspicious, conduct a safe and orderly evacuation of the building.
- Notify law enforcement that a suspicious device or package has been located in the building after receiving a bomb threat.

It must be emphasized that Security has no credible information that Continental Resources is the proposed target of any attack. This plan is being devised simply as a precautionary measure and predefined plan to deal with bomb threats and suspect devices or packages. This plan is designed to have Security, the EMT and law enforcement work as a team to ensure a safe environment.

### **Notification**

It is extremely important that staff members avoid using terms like “we have a bomb threat” or providing members of the audiences with details about what is going on. Any inquiries, especially from members of the press, should be directed to the Public Relations spokesperson. Except for making visual searches for suspect devices, staff members should look and act like nothing is wrong.

### **Searches**

- Staff members should simply visually look in their immediate surroundings for packages or items that look out of place or unusual.
- DO NOT TOUCH ANY SUSPICIOUS DEVICES.
- If you see something that truly looks suspicious, then quietly notify the nearest security officer or call the SOC (x1050).
- Try to be as accurate as possible about the device and why you deem it to be suspicious.
- Avoid using radios or walkie-talkie devices as radio signals can detonate explosive devices.
- Do not start any evacuation procedures without authority from Security, law enforcement or the Incident Commander.
- Security officers or a member of law enforcement will conduct visual searches of primary areas and report back to the Incident Commander on status.

### **Evacuation**

If a suspect device is located and verified then the building will need to be evacuated. The decision to evacuate will only be made by the President or CEO after consultation with the Incident Commander. If evacuation is decided, the President or CEO and others should use soft words like “We have a possible problem in the building and would like to ask you to leave the building in an orderly fashion while the situation is further evaluated.”

Security officers will assist staff in evacuation of building. All evacuation efforts should be directed away from the area where the suspect device is located. The recommended safe distance from an explosive device is 300 feet. Security and the EMT should evacuate patrons so that all are outside the 300 foot radius.

Law Enforcement will be notified to respond to check out the suspicious device. No one will be allowed back in the building unless local law enforcement provides the ALL CLEAR.

### **All Clear**

If no suspicious device is located, then the incident commander will issue an “All Clear” and all personnel can resume normal operations.

### **Examples of packages or devices that can be suspicious:**

- Unattended book bags, brief cases, knapsacks, etc.
- Boxes with strange markings on them and look out of place.
- Packages or boxes with unexplained “ticking or humming.”
- Items or boxes with wires protruding from it in an unexplained manner.

Remember, bombs can be concealed in just about anything these days. When looking for these items, also look for anything that looks out of the ordinary. Do not touch the item. Contact Security immediately (x1050).

It must be emphasized that 99.9% of the time, no evacuation will be necessary. This plan is a simple precautionary measure to ensure that we are ready to handle a bomb threat situation in an organized and professional manner with minimum disruption to Company activities and no loss of life or property.

### **Monitoring Suspicious Activities & Items**

Maintain a high level of awareness at all times. Monitor and observe people, events, activities, and items around you and note irregular or suspicious behavior or happenings.

### Look for people who:

- Are not where they are supposed to be (restricted area, etc.);
- Look lost and/or wandering around;
- Appear to be conducting unusual surveillance;
- Cause disruptions or intentionally distracting behavior;
- Show an unusual interest in employees;
- Abandon an item and leave the area quickly;
- Openly possess a dangerous item; and/or
- Use a vehicle in a suspicious way (parking, erratic driving, following, etc.).

\*Monitoring a suspect should not be based on national origin, ethnicity, color, race, gender or age.

### Look for items or devices that:

- Were abandoned and left in the open;
- Were abandoned and hidden;
- Appear to be suspicious or dangerous, such as a canister, tank, metal box, bottle, etc.;
- Have an attached message;
- Appear to be emitting a mist, gas, vapor, or odor;
- Seem to have seepage or leakage of a suspicious substance;
- Are connected to wires, timers, tanks or bottles; and/or
- Appear to be the source of a foreign substance that is causing people to cough, have trouble breathing, feel nauseated, lose consciousness, or have any other medical reaction.

### Identifying and Responding to Suspicious People

**ONLY** approach or question a suspicious person if you feel comfortable. If you feel uncomfortable or threatened, seek assistance from Security or a law enforcement officer.

Avoid using a “rough” approach – being aggressive, confrontational, abusive or offensive. Avoid detaining or getting physical with the suspect. Make sure to note individual’s original location. Focus on his/her behavior and physical characteristics. Keep him/her in your sight, if possible. If suspicious person is no longer visible, note the last known direction headed. If he/she is seen in a vehicle, be ready to describe the vehicle, including license plates, stickers and/or logos.

When reporting on individual(s), note the following characteristics:

- Head – eyes, ears, hair, mouth, nose, forehead, cheeks, chin, complexion, and if wearing any jewelry, clothing, hats.
- Body – neck, arms, chest, stomach, shirt/blouse/dress, coat, accessories, tattoos, scars, and/or birthmarks.
- Legs – pants, skirt, belt, feet, socks, shoes.
- Overall appearance – height, weight, gender, age.

## **Mail Bombs**

Public awareness of mail bombs has increased at all levels, including mailrooms and offices. To apply proper safety procedures, it is important to know the type of mail normally received and be aware of the following:

- Mail bombs come in letters, books, and packages of various sizes, shapes, and colors.
- Letter texture may feel ridged, look uneven or lopsided, or feel bulkier than normal.
- Excessive amounts of postage may be present—often far more than needed.
- Sender is unknown or there is no return address.
- Handwritten notes appear such as “rush” “personal” or “private.”
- Addressee normally does not receive mail at the office.
- Cut or pasted homemade labels are used for lettering.
- The letter or package may emit an odor or appear to have been disassembled and re-glued.
- Distorted or foreign writing is present.
- Resistance or even pressure is felt when trying to remove contents from package.
- Several combinations or tape are used to secure the package.
- Contents of the parcel may slosh or sound like liquid; some packages may emit noises.

If suspicious piece of mail is received and its contents cannot be verified, the following protocol applies:

- Stop. Do not open the item. Do not panic.
- Isolate the letter, parcel, or package.
- All people should be asked to leave the area quickly.
- The package should be observed from a safe distance until the bomb squad arrives.
- Call Security at x1050.
- Never move or place the item in water, a drawer, or a cabinet.

## **Civil Disorder and Demonstrations**

Most demonstrations that might take place such as marches, meetings, picketing and rallies will occur at the COC and are peaceful and non-obstructive. **However, Security and Field Offices reserve the right to call for police assistance without counsel from others if it is deemed to be of paramount importance to the safety of the persons involved.** Any demonstration should not be disrupted unless one or more of the following conditions exists as a result of the demonstrations:

- Interference with the normal operations of the company.
- Prevention of access to office buildings or other facilities.
- Threat of physical harm to persons or damage to company property.

If any of these conditions exists, Security should be notified at x1050. Security will be responsible for contacting and informing the President and appropriate CLR executives. Depending on the nature of the demonstration, the appropriate procedures listed below should be followed:

- The President or CEO, Director of Corporate Security, the Senior VP of Legal and Chief Counsel, and the HSSE VP will consult and determine the need for an injunction and intervention by civil authorities.
- If civil authorities are asked to intervene, the Director of Corporate Security will inform the demonstrators, if possible.
- If demonstrators are still remaining when civil authorities arrive, they will be warned of the intent to arrest and, if necessary, demonstrators may be arrested for violations of law.

### **Peaceful, Non-Obstructive Demonstration**

Peaceful, non-obstructive demonstrations should not be interrupted, blocked or provoked, and efforts should be made to conduct business as usual.

If demonstrators are asked to leave, but refuse to do so by regular facility closing time, the Director of Corporate Security will make arrangements to monitor the situation during non-business hours or decide to treat the violation of regular closing hours as a disruptive demonstration.

If the demonstrators persist in the disruptive activity, the Director of Corporate Security will inform them that failure to discontinue the activity within a specified period of time may result in possible intervention by civil authorities.

Efforts should be made to secure positive identification of demonstrators, including photographs or videotaping, to facilitate later identification and testimony, if necessary.

## **Nonviolent, Disruptive Demonstrations**

Demonstrations that block access to facilities or interfere with the operation of the COC are considered disruptive and will be responded to by:

- Director of Corporate Security, COC Security Manager, Vice President of the HSSE Department or alternate designee asking demonstrators to terminate the disruptive activity.
- Director of Corporate Security or appropriate designee asking key COC personnel to go to the area and request that the demonstrators desist.

## **Violent, Disruptive Demonstrations**

### During Business Hours

- Security should be immediately notified of the disturbance (x1050).
- If injury to persons or property appears to be imminent in a violent demonstration, Director of Corporate Security, COC Security Manager, Vice President of the HSSE Department or alternate designee will be notified.
- The President or CEO, appropriate senior vice president or alternative designee will assemble a crisis management team and will respond accordingly.
- If physically possible, photographing and videotaping the incident should be considered.
- The President or CEO, in consultation with the senior VP of Legal, security and other appropriate COC executives, will determine the possible need for an injunction.

### After Business Hours

- Security should be immediately notified of the disturbance (x1050).
- Security will investigate the disruption immediately and report and notify the Director of Corporate Security.
- The Director of Corporate Security will report the circumstances to the President or CEO, notify key Senior Executives, and/or public relations.

## **Death in the CLR Community**

One of the important touchstones for creating community involves establishing guidelines for use on the occasion of the death of a member of the CLR community. Continental Resources needs to provide caring leadership when a member of the CLR community passes.

When CLR learns of the death of a member of the CLR community, the Vice President of Human Resources will immediately notify the president and/or CEO. A chaplain contracted by CLR, if needed, will initiate steps to assist the larger community in coping with the loss.

### **CLR Community Notification**

#### **Employee Death**

In the event of an employee death, the Human Resources Vice President will notify the employee's family and will inform the President and the CEO of CLR. The HR VP's staff will then inform the CLR community of the death through the following contacts:

- Public relations (x1480), in case there is media interest in the death.
- Marquee at the south and north entrances to the COC to notify all employees of the death.
- Provide CLR printing department (x1033) with an advance copy of the printed announcement to the CLR community.
- The HR department (x1422) and a staff contact designated in the event that family and friends of the deceased wish to make gifts to a chosen charity in the person's memory.

COC Security, if appropriate, will be asked to adjust the CLR flag to half-staff for 48 hours following notification of an employee death.

### **Memorial Service**

The HR Vice President or an appropriate contributing faith chaplain will consult with the family of the deceased to ascertain whether it is all right to proceed with a CLR memorial service, and if so, what role the family may wish to have in planning and participating in the service. If the family has no objection to the CLR service, but chooses not to participate or attend, the HR VP or chaplain will organize a memorial service consistent with the needs of individuals and CLR groups affected by the loss.

### **Counseling Service**

#### **Psychological Support**

A contracted chaplain will work with a counseling center to insure that all affected parties and groups know about the availability of counseling services provided by CLR. Counseling may be provided to individuals or groups. The counseling staff suggests sending the following notice to all CLR employees via email, in the CLR Employee Handbook, and in policy manuals or other guides on CLR's response to the deaths of fellow employees:

## **EMERGENCY RESPONSE PLAN**

Continental Resources offers counseling and support to members of the CLR community experiencing bereavement and grief. If you wish to talk to a counselor, please call the CLR Employee Assistance Program at 800-272-7255 to arrange for an appointment. A support group may also be offered during the work week if needed.

### Spiritual Counseling

A contracted member of the chaplain's staff will use internal communication means to remind the CLR community that contributing faith community chaplains are available for spiritual counseling as well.

### **Death of a CLR Executive**

In the event of the death of a CLR executive, Continental Resources will need to inform internal and external audiences of this matter ensuring that other executives and capable, experienced staff will provide stable interim management. This will be accomplished in the following manner:

- As soon as possible, informing CLR staff about the death and circumstances.
- Presenting information to staff about who will assume duties on an interim basis.
- Informing CLR staff about funeral/memorial services.
- Informing the media about the death and CLR plans to move forward.
- Providing opportunities for CLR staff to grieve and share appropriately.

### Communication Steps

The President or appropriate vice president will notify the immediate family of the death and circumstances, and will provide appropriate assistance. He or she will then notify the CLR community of the death as quickly as possible through the Sendwordnow notification system and through the CLR Intranet website providing as much information as possible.

The President and/or the CEO and the public relations office will work together to notify CLR publications, local, national and international media.

The President and/or the CEO, appropriate senior vice president or appropriate designee will ask facilities to adjust the flags to half-staff for 48 hours following notification of the death. The President and/or the CEO and the public relations office will be designated recipients in the event that family and friends wish to make gifts to CLR in memory of the deceased.

## **Earthquake Preparedness**

### **Preparation**

Know the safest places in your office or work area. These areas should be away from heavy furniture, appliances, and large panes of glass (windows, mirrors, etc.).

### **During an Earthquake**

- If you are indoors, drop to the floor. Take cover under a sturdy desk, table or other furniture. Hold on to it and be prepared to move with it. Hold the position until the ground stops shaking and it is safe to move. Stay clear of windows, fireplaces, wood stoves, and heavy furniture or appliances. Stay inside. If you are in a crowded area, take cover and stay where you are; encourage others to do likewise.
- If you are outside, get into the open, away from buildings and power lines. Be watchful for falling glass and building debris.
- If you are driving, stop if it is safe, but stay inside your car. Stay away from bridges, overpasses and tunnels. Move your car as far out of the normal traffic pattern as possible. If possible, avoid stopping under trees, light posts, power lines or signs.

### **After an Earthquake**

- Check for injuries. Do not move a seriously injured person unless he or she is in immediate danger of further injuries. If you need emergency assistance, call the security operations center at x1050.
- Be aware of any structural damage around you. If necessary and safe to do so, carefully leave the building per the “General Emergency Evacuation Procedures.”
- Check for hazards:
  - Fire and fire hazards.
  - Damaged electrical wiring.
  - Downed or damaged utility lines. Stay away from downed lines, even if power appears to be off.
  - Fallen objects in closets and cabinets. Displaced objects may fall when you open the door.
  - Potentially harmful materials and/or medicines that may have spilled.
- Expect aftershocks. Most of these are smaller than the main earthquake, but some may be large enough to do additional damage to weakened structures.
- Make sure each phone is on its receiver. Telephones off the hook can tie up the telephone network.
- If you are instructed to go to a shelter, take blankets, a flashlight, clothing, prescription medications, and snack items, etc.

## Evacuation Procedures

- All occupants are required to evacuate the building immediately when a fire alarm sounds or some other evacuation signal is given.
- Individual personnel will turn off personal computers to protect CLR data from possible damage.
- The last person to leave an office will close and lock the door behind them.
- Keep calm.
- Use the nearest exit to leave the building.
- Use the exit stairwells only (hold on to hand rails).
- **Do not use elevators.**
- In the COC, person(s) with disabilities should be assisted to the stairwell landing.
  - Request assistance from local Fire Department personnel and direct them to the area where the disabled person(s) is waiting.
- In a medical emergency, seriously injured persons should not be moved unless they are in an immediately life-threatening situation. If medical assistance is needed, contact the SOC (x1050).
- Do not smoke.
- Do not panic – walk slowly.
- Never attempt to travel through smoke-filled or other imminently hazardous areas. If you encounter smoke in the stairwells, close the door and use a different exit.
- Never assemble near exits or fire lanes.
- A perimeter will be established by CLR Security personnel and/or the local Fire Department.
- Do not return to the evacuated building unless you are told to do so by Security, HSSE or local Fire Department personnel.

### **General**

All CLR employees should be aware of emergency evacuation procedures. Each office has personnel assigned to assist in the case of emergency.

### **Process**

Each department/office is responsible for ensuring that its employees are aware of the proper emergency evacuation procedures. Each department/office should also consider the particular activities being conducted in the department, as well as a means to account for all individuals after an evacuation.

### **Evacuation Plans**

Evacuation plans consist of written statements describing exit routes and the expected response of personnel to an alarm or other call for evacuation. These plans are located on the CLR Intranet.

## **EMERGENCY RESPONSE PLAN**

The evacuation plan addresses, as appropriate, the following:

- Sensitive or valuable items to be secured.
- Assembly areas after evacuation and accounting for personnel.
- All building occupants should be familiar with evacuation plans through training sessions provided or arranged by the HSSE Department.
- For a list of Assembly points, please refer to the respective Emergency Action Plan

## **Hazardous Material Accident**

Spills of a hazardous chemical or radioactive material need to be reported immediately to the security operations center at x1050. When reporting, be specific about the kind of material involved and exact location of the spill. The SOC will contact the necessary specialized authorities and medical personnel.

Anyone who may have been contaminated by a spill should avoid contact with others as much as possible, and remain in the vicinity. Specialized personnel will provide required first aid and cleanup such as removing contaminated clothing, and flushing with water. Small spills are best handled by the person(s) using the material because he/she is probably familiar with the hazardous material.

The key person on site should vacate the affected area at once, if necessary, and seal it off to prevent further contamination of other areas until the arrival of emergency response personnel.

If an emergency exists:

- Do not attempt to clean up a spill yourself.
- Alert others and quickly exit the building, if appropriate.
- The nearest exit may be blocked in the event of a hazardous material accident. The building marshal will assist with evacuation; however, building occupants should try to familiarize themselves with all building exits.
- Assist the handicapped in exiting the building. Do not use elevators and do not panic.
- Once outside, move to a clear area away from the affected building(s).
- Keep streets, fire lanes, hydrants and walkways clear for emergency vehicles and crews.

An Incident Command Center may be set up near the emergency site. Do not return to an evacuated building unless you have permission to do so by the EMT or HSSE.

## **Psychological Crisis**

A psychological crisis exists when an individual is threatening harm to him or herself, to others, or is out of touch with reality because of a drug reaction or psychosis.

A major psychological crisis always requires the intervention of trained personnel. Public Safety personnel should immediately be contacted in situations requiring medical or peace-keeping intervention. A Counseling Center employee may also be contacted for consultation or assistance in resolving the situation.

Less severe psychological crises may involve uncontrolled crying, feelings of panic, or anger/yelling (without indications/threats of physical harm). If the psychological crisis resolves quickly in response to attention and kindness, no intervention of professional counselors or officers may be necessary. Plans for follow-up support should be put in place (i.e., a follow-up conversation, a referral to counseling, an action-plan should the situation become acute again, etc.). If the crisis does not resolve, or escalates, follow the guidelines above for a major psychological crisis.

### **If a psychological crisis occurs:**

- Never try to handle a situation on your own that you feel is dangerous.
- Notify the SOC at x1050. Clearly state that you need immediate assistance, give your name, your location and the area involved.
- A counseling center or the CLR Employee Assistance Program will provide post-trauma counseling and referrals.
- In extreme situations, call 911.

## **Shelter-In-Place**

In certain emergency situations, the employees and visitors may be advised to shelter-in-place to avoid or minimize exposure to outside risks. Risks could include chemical or radioactive releases and some weather-related emergencies.

Once shelter-in-place instructions have been communicated, employees and visitors should stay in the building and await further instructions.

The Emergency Management Team (EMT) will be responsible for keeping Floor Wardens/EAP Coordinators informed of the situation as it unfolds. In addition, Floor Wardens/EAP Coordinators will:

- communicate information to occupants in their building;
- shut and lock all windows and doors;
- limit egress to one door or area of the building;
- instruct occupants to gather in the center of the room, away from doors and windows;
- account for employees in the building;
- communicate when the all clear message is received.

A member of the EMT or Security will communicate the appropriate message (based on information provided) to facilities staff about shutting down heating, ventilating and air conditioning systems in all buildings.

## **Tornado Preparedness**

Tornado Watch - tornadoes are possible in the warning area

Tornado Warning - a tornado has actually been sighted somewhere in the warning area

### **During a Tornado**

- If you are indoors and if time allows, move to the lowest floor possible or tornado shelter. Move into an inside room away from windows. Everyone must remain inside the building for maximum protection. If time allows, close all doors to rooms. Assume the fetal position to protect your head and eyes.
- If you are outside and hear a tornado warning or see a tornado, try to reach a building immediately. If you cannot reach a building, then you should lie flat in the nearest depression such as a ditch or ravine away from power lines, buildings and trees.
- If you are driving, do not remain in the vehicle. Get out of your vehicle and follow the instructions above. Do not attempt to outrun a tornado.

### **After a Tornado**

- Check for injuries. Do not move a seriously injured person unless he or she is in immediate danger of further injuries. If you need emergency assistance, call the SOC at x1050.
- Be aware of any structural damage around you. If necessary and safe to do so, carefully leave the building per the “General Emergency Evacuation Procedures.”
- Always check for hazards:
  - Fire or fire hazards.
  - Damaged electrical wiring.
  - Downed or damaged utility lines. Stay away from downed lines, even if power appears to be off.
  - Fallen objects in closets and cabinets. Displaced objects may fall when you open the door.
  - Make sure each phone is on its receiver. Telephones off the hook can tie up the telephone network.
  - Potentially harmful materials and/or medicines that may have spilled.

## **Utility Failures**

If a major utility failure occurs, immediately call the SOC at x1050. If there is the potential danger to people, ensure the SOC has been made aware of this information.

- If an emergency exists, activate the building alarm.
- Assist the disabled in getting to the marked areas of refuge so they can safely wait to be evacuated.
- Once outside, move to a clear area at least 500 feet away from the affected building.
- Keep streets, fire lanes, hydrants, and walkways clear for emergency vehicles and crews.

## **Electrical/Light Failure**

- Building lighting is designed to provide only minimal lighting in corridors and stairs for exiting. Flashlights and portable radios should be kept available for emergencies.

## **Elevator Failure**

- If you are trapped in an elevator, use the emergency phone to notify Security.

## **Plumbing Failure/Flooding**

- Cease all operations.
- Do not turn on any lights or any electrical equipment.
- Wet areas can present the danger of electrocution if someone comes in contact with the wet area and electricity at the same time.
- Leaking natural gas can be ignited or exploded by lighting or electrical equipment. Notify the SOC at x1050 and if possible, evacuate the area.

## **Ventilation Problem**

- If smoke odors come from the ventilation system, notify the SOC at x1050.
- If necessary, cease all operations and vacate the area.

## **Violent or Criminal Behavior**

Everyone is asked to assist in making the company a safe place by being alert to suspicious situations and promptly report them. If you are a victim or a witness to any offense, avoid further risks. Immediately notify Security at x1050 and report the incident, including the following information:

- Nature of the incident
- Location of the incident
- Description of person(s) involved
- Description of property involved

Additionally,

- Assist Security when they arrive by supplying them with any additional information requested and ask others to cooperate.
- Take cover immediately using an available concealment if gunfire or explosives endanger you or others.
- After the disturbance, seek emergency first aid if necessary.

If taken hostage, try to remain calm, avoid drastic action, and try to keep the following ideas in mind:

- The initial 45 minutes are the most dangerous.
- Try to stay alert.
- Don't speak unless you are spoken to and then only when necessary.
- Don't talk down to the captor, who may be in an agitated state, but treat him or her with dignity.
- Avoid appearing hostile.
- Maintain eye contact if the captor is engaging in conversation, but do not stare.
- Avoid maintaining eye contact if the captor is hostile, agitated, or aggressive.
- Avoid speculating, and arguments. Expect the unexpected and comply with instructions as best as you can.
- Inform the captor, if medications, first aid, or restroom privileges are needed.

## **Weapons of Mass Destruction**

This document is intended to provide general information to assist in efforts to recognize potential WMD-related threats or incidents. The information is not all encompassing, and its applicability should be evaluated on a case-by-case basis, in accordance with local conditions, policies, and procedures.

Chemical, biological, and radiological material can be dispersed in the air we breathe, the water we drink, or on surfaces we physically contact. Dispersion methods could include placing an open container in a heavily used area, using conventional (garden/commercial) spray devices, or detonating an improvised explosive device to disseminate chemical, biological or radiological material.

Chemical incidents are characterized by the rapid onset of medical symptoms (minutes to hours) and easily observed signatures (colored residue, dead foliage, pungent odor, and dead insect and animal life). In the case of a biological or radiological incident, the onset of symptoms requires days to weeks and there are typically few characteristic signatures

In all cases, being alert to the following could assist law enforcement and emergency responders in evaluating potential threats.

### **Potential Indicators of WMD threats or Incidents**

- Unusual packages or containers, especially those found in unlikely or sensitive locations, such as near HVAC or air intake systems.
- Unusual powders or liquids/droplets/mists/clouds, especially those found near air intake/HVAC systems. Indications of tampering in targeted areas/equipment (i.e., locked ventilation/HVAC systems; stocks of food; water supply).
- Reports of suspicious person(s) or activities, especially those involving sensitive locations within or around a building.
- Surveillance of targeted areas, including but not limited to hotels, entertainment venues, subway systems, aircraft; water sources, office buildings, apartment buildings.
- Theft of chemical products/equipment.
- Dead animals/birds, fish, or insects.
- Unexplained/unusual odors. Smells may range from fruity/flowery to sharp/pungent, garlic/horseradish-like, bitter almonds, peach kernels, and new mown grass/hay.
- Unusual/unscheduled spraying or discovery of spray devices or bottles.

### **Protective Measures**

- Maintain a heightened sense of awareness.
- Place an increased emphasis on the security of immediate surroundings.

## **EMERGENCY RESPONSE PLAN**

- Conduct periodic inspections of building facilities and HVAC systems for potential indicators/irregularities.
- Review emergency operations and evacuation plans/procedures for all locations/organizations to ensure that plans are up-to-date.
- Promptly report suspicious activities to appropriate law enforcement authorities.

### **Emergency Procedures – Potential Threat Identified/Confirmed**

- Maintain a safe distance/evacuate area (if outside move to upward location; if inside keep outside doors/windows closed).
- Call your local 911 (law enforcement and Security at x1050) after reaching safe area.
- Do not handle or disturb suspicious objects.
- Remove possibly contaminated external clothing (including hats, shoes, and gloves).
- Follow emergency operations plans/instructions from emergency response personnel.

Please contact the SOC (x1050) if you observe any suspicious activity.

## **Weather Emergency Operating Policy**

### **Operating Status of Continental Resources**

The operating status of Continental Resources will be determined by evaluating the condition of the downtown area, the condition of roads and public transportation, and the predicted weather. When a decision is announced, it will only apply to all activities in all Oklahoma City facilities.

Activities at all other locations outside of Oklahoma City will be governed by the operating status of that location. This policy and the decision-making process are in effect seven days a week and apply to all CLR activities. An announced decision will reflect one of the following choices:

- Open – Continental Resources is open as usual with all services normally provided.
- Closed – Only designated “essential” personnel are expected to work unless told otherwise.
- Department heads are responsible for designating essential personnel and notifying those employees prior to a weather emergency.
- Delayed – If conditions are unsafe in the early hours but expected to improve through the day, Continental Resources may delay opening until an appropriate time.
- Employees on Liberal Leave – If conditions are such that travel is extremely difficult, Continental Resources will announce liberal leave and non-essential staff will have the discretion to decide whether or not they come to work. Days/hours not worked will be charged against vacation time as per Continental Resources policy. Any employee choosing to take the day off must notify his/her supervisor immediately.

### **Communicating Continental Resources Operating Status**

Continental Resources operating status will be communicated to employees via the Sendwordnow mass communications/notifications system.

Information will be available by the following times so that employees can make appropriate arrangements:

- Morning closing or delayed opening – by 6:00 a.m.
- Changing a delayed opening to a closing – by 7:30 a.m.
- Early dismissal – by 2:00 p.m.

### **Leave and Compensation**

Full-time employees excused due to an emergency closing or delay will be paid for the days and hours they were scheduled to work. Part-time staff will not be compensated for time lost due to a closing. Non-exempt employees classified as essential will receive an additional hour's pay for each hour worked during an emergency closing period. The effective times of emergency closing periods are as follows:

## **EMERGENCY RESPONSE PLAN**

- Closed for the entire day – from 6:00 a.m. on the day of closing until 6:00 a.m. the following day.
- Closed during the day – from the announced time of closing until 6:00 a.m. the following day.
- Delayed opening – from 6:00 a.m. until 11:00 a.m. If a delayed opening is changed to a closing, the emergency pay period is extended to 6:00 a.m. the following day.

Appendix H: Damage Prevention Plan

Prior to construction start, the contractor will submit a one call request and wait for it to clear before starting any construction activities. During construction, when the pipeline crosses foreign lines, the contractor will use hydro excavation to spot the pipeline. The foreign line shall then be exposed using hydro excavation and man powered excavation. The contractor will not contact the foreign pipeline with any excavation equipment, and any equipment present must maintain a minimum of 6 feet from the pipe during excavation. No mechanical excavation shall occur within 2' of any underground pipe or utility. The line crossing shall have a minimum of 2' clearance from the foreign pipeline, or as determined by the owner/operator of the foreign line, whichever is greater.

Appendix I: Erosion and Sediment Control Plan

# **EROSION AND SEDIMENT CONTROL PLAN**

Continental Resources, Inc.  
Buddy Domindgo Transmission Line

February 2022



3831 LOCKPORT STREET, SUITE C  
BISMARCK, ND 58503

TEL 701.255.1475  
FAX 701.255.1477

[CARLSONMCCAIN.COM](http://CARLSONMCCAIN.COM)

ENGINEERING \ LAND SURVEYING \ ENVIRONMENTAL

# Erosion Control Plan Continental Resources Inc. Buddy Domindgo Transmission Line

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## APPENDICES

**Appendix A** Inspection Log

## 1.0 Introduction

Continental Resources, Inc. (“Continental”) is proposing to build, own, and operate an approximately 3.1-mile-long pipeline for the transportation of natural gas from an existing natural gas pipeline and to an existing Continental oil well pad. The proposed pipeline will be constructed in Williams County, North Dakota (Figure 1).

### 1.1 Plan Purpose/Objectives

The Erosion and Sediment (ESCP) shall identify potential sources of pollution, which may reasonably be expected to affect the quality of storm water discharges from construction of the pipeline. The ESCP shall describe and ensure the implementation of Best Management Practices (BMP’s), which will be used to reduce the pollutants in storm water discharges associated with construction activity at the construction site and to assure compliance with the terms and conditions of this permit.

The ESCP shall:

- Be completed prior to initiating construction activities and updated as appropriate; and
- Provide for compliance with the terms and schedule of the ESCP beginning with the initiation of construction activities.

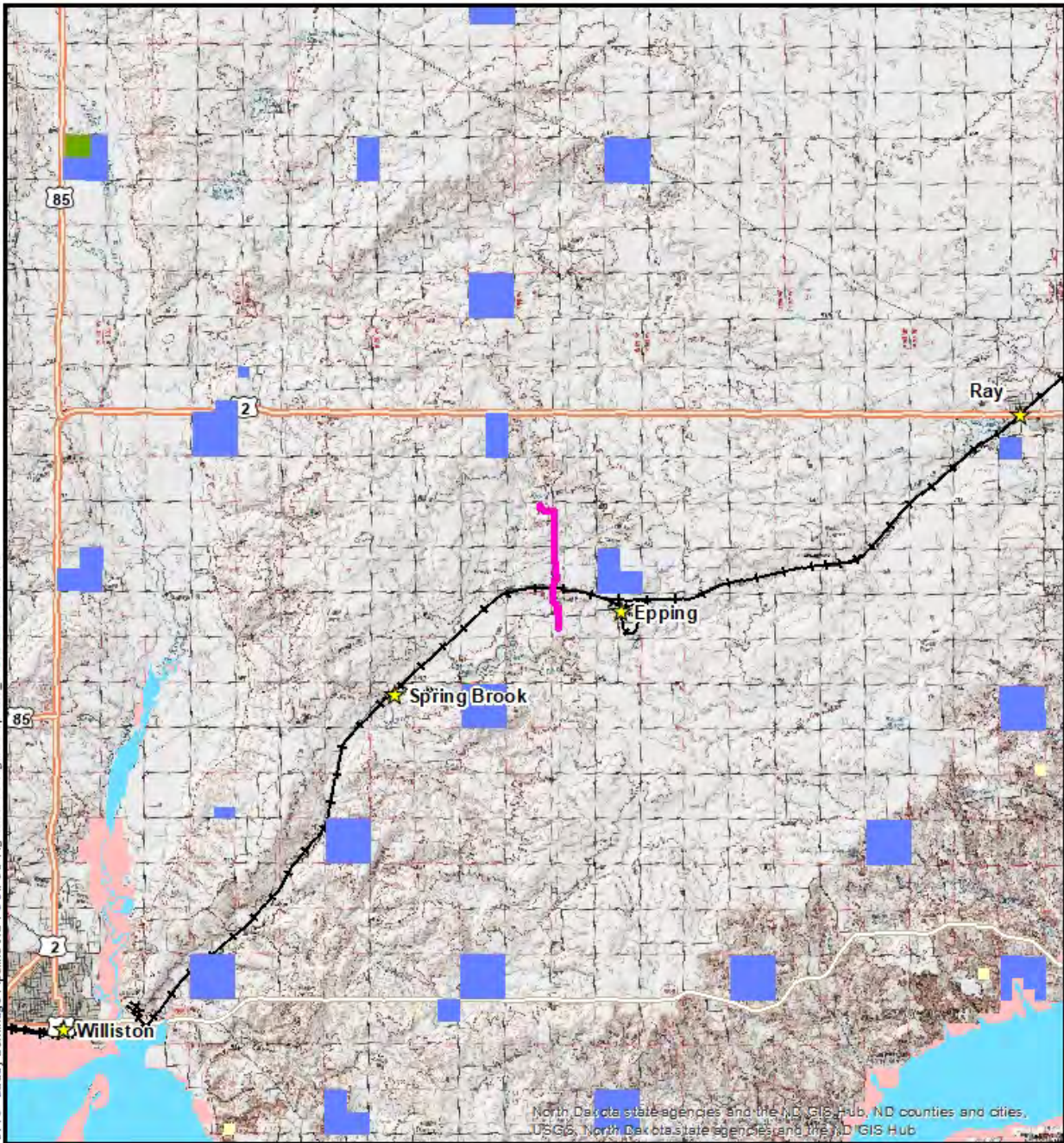
For the purposes of this plan, runoff management is defined as practices that divert, infiltrate, reuse, or treat storm water runoff, and not practices that limit exposure of potential pollutants to direct rainfall or runoff. The purpose of the ESCP is to:

- Identify sources of pollutants associated with construction activities that may affect the quality of storm water runoff from construction sites; and
- To identify storm water management practices to abate pollutants in storm water discharges from the construction site, both during and after construction.

This ESCP has been designed to outline the specific measures implemented at the construction site for minimizing potential pollutants that may otherwise impact storm water runoff during construction. BMPs are used to prevent or minimize the discharge of pollutants. Specific BMPs for minimizing runoff and erosion are described in Section 5 of this ESCP. BMPs should be employed to properly cover and store materials, minimize contact of materials with rainfall and runoff, minimize waste, properly dispose of waste, and recycle where possible.

Conformance with the requirements of this ESCP includes timely inspections, proper maintenance, record keeping, tracking, and documentation. Required maintenance will be conducted as soon as practicable before the next anticipated storm event. If existing BMPs need to be modified or additional BMPs are necessary, corrections will be completed before the next anticipated storm event.

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 February 2022



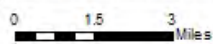
North Dakota state agencies and the ND GIS Hub, ND counties and cities, USGS, North Dakota state agencies and the ND GIS Hub



- Legend**
- Centerline
  - Missouri River
  - ND State Lands
  - Army Corps of Engineers Lands
  - Bureau of Land Management Surface Lands
  - Waterfowl Production Areas



**Continental Resources, Inc.**  
**Buddy Domindgo Transmission Line**  
 Location Map  
 Williams County, North Dakota



1:190,080



Basemap: ND GIS Hub, A1, Elevation, TopoMap Shaded (148x) 24K

## 2.0 Responsible Party/Signatory Certification

Continental is responsible for implementing the provisions of this operational control over the construction plans and specifications, including the ability to make modifications to those plans and specifications, or day-to-day operational control of those, which are necessary to ensure compliance with the ESCP for the site or other permit conditions.

### Operator

Continental Resources, Inc.  
20 N. Broadway  
Oklahoma City, OK 73102  
(405) 234-9000

### Staff Facilities Engineer

Jared Weingartner, P.E  
Continental Resources, Inc.  
20 N. Broadway  
Oklahoma City, OK 73102  
(405) 420-9569

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

### **3.0 Delegation of Authority**

Continental will own and operate the pipeline; however, construction of the pipeline will be performed by independent Contractors and construction inspectors hired by Continental. These Contractors and inspectors will have day-to-day responsibility to ensure compliance with this ESCP. Continental, by completing the Delegation of Authority Form (following page), grants authority to the named parties to act on its behalf on matters pertaining to this ESCP. Any signed Delegation of Authority form shall be always kept with this ESCP.

# Delegation of Authority Form

## Delegation of Authority

I, \_\_\_\_\_ (name), hereby designate the person or specifically described position below to be a duly authorized representative for the purpose of overseeing compliance with environmental requirements, including the Construction General Permit, at the \_\_\_\_\_ construction site. The designee is authorized to sign any reports, storm water pollution prevention plans and all other documents required by the permit.

\_\_\_\_\_ (name of person or position)  
\_\_\_\_\_ (company)  
\_\_\_\_\_ (address)  
\_\_\_\_\_ (city, state, zip)  
\_\_\_\_\_ (phone)

By signing this authorization, I confirm that I meet the requirements to make such a designation as set forth in \_\_\_\_\_ (Reference State Permit), and that the designee above meets the definition of a "duly authorized representative" as set forth in \_\_\_\_\_ (Reference State Permit).

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

**Name:** \_\_\_\_\_

**Company:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## 4.0 Project Description

The project consists of a pipeline transportation system to natural gas oil from the existing East Mon-Dak WBI Energy Transmission Line to the Continental Buddy Domindgo oil well pad. The pipeline will be installed within a defined right-of-way (ROW). The temporary construction ROW will be 75 feet wide. The temporary construction ROW may be reduced in some areas as necessary to avoid impacts to environmentally sensitive areas. The pipeline is proposed to be constructed in rural areas with no established storm water drainage systems. Local roads are predominantly gravel/clay. No major paved roads exist in the area.

Generally, the permanent pipeline ROW will be 25 to 50 feet wide, with the pipeline centered within that ROW. The location of the pipeline within the permanent ROW may vary depending on terrain, the presence of other existing facilities, and landowner requests.

Additional temporary workspace will be required at certain locations (e.g., road and railroad crossings). These workspace areas may vary in size depending on the feature being crossed and crossing construction method(s).

Equipment and pipe storage areas will also be required. These areas may not be located adjacent to the proposed ROW. Off-site material storage areas (also including overburden and stockpiles of dirt, borrow areas, etc.), used solely by the permitted project, are considered a part of the project and shall be subject to the same control requirements as the ROW.

### 4.1 Sequence of Construction Activity

Pipeline construction is much like a moving assembly line. The construction activities will occur in the general order listed and include, but are not limited to, the following:

- Clearing
- Grading
- Stringing
- Bending
- Welding
- Ditching (excavation)
- Laying pipe
- Backfill
- Tie-ins
- Clean up

Construction will proceed along the pipeline in one continuous operation. As construction proceeds along a spread, construction at any single point along the pipeline, from initial surveying and clearing, to backfilling and finish grading is anticipated to last about three to four weeks. Different phases of construction may occur at multiple locations at the same time. The entire process will be coordinated in such a manner as to minimize the total time an individual tract is disturbed, exposed to erosion, or temporarily precluded from its normal use.

## 4.2 Construction Site Estimates

Total disturbed acres (assume 75-foot temporary ROW) = 95.3 acres

Temporary workspace acres = ~45 acres

## 4.3 Soils, Slopes, Vegetation, and Drainage Patterns

The construction ROW will be cleared and graded (where necessary) to provide a relatively level surface for construction equipment, a sufficiently wide workspace for the passage of heavy equipment, and safety for pipeline workers. The construction contractor will limit ground disturbance wherever possible. Natural features will be retained to the maximum extent possible. Native vegetation, especially trees, is to be retained to the maximum extent possible.

To avoid soil mixing, topsoil will be removed and segregated from underlying subsoil. Topsoil will be stored separately from subsoil and protected from construction-related activities. Topsoil is typically stored at the far edge of the ROW on the opposite side of the trench from where construction machinery does its work.

Once the pipeline is installed, the trench will be backfilled and then compacted while grading. Disturbed areas will be restored to their original contours and condition to the extent practical unless landowner consent is obtained to do otherwise. After grading is complete and during the process of backfilling, final stabilization measures will be taken to ensure minimal erosion. In general, the ROW will revert to the previous land use after construction is completed and during operation of the pipeline.

The general flow of storm water will remain the same throughout the project. Measures will be taken to ensure the minimal amount of erosion possible, as well as the least impact on the receiving bodies of water.

## 4.4 Receiving Waters

A comprehensive wetland and waterbody delineation survey has been conducted along the route. The proposed pipeline will cross wetlands and ephemeral drainages. The location of delineated wetlands and ephemeral drainages are indicated on the construction drawings. In general, the following practices will be observed at these locations:

- In wetland or riparian zones, the Contractor will install sediment control structures along the construction right-of-way edges prior to vegetation removal where practicable.
- Where drainages or wetlands are adjacent to the construction right-of-way, the Contractor shall install sediment barriers along the edge of the construction right-of-way as necessary to contain spoil and sediment within the construction right-of-way.
- Sediment barriers will be installed across the entire ROW way immediately upslope of the wetland boundary at all standard (saturated or standing water) wetland crossings as necessary to prevent sediment flow into the wetland. Sediment control barriers are not required at “dry” wetlands.
- Sediment barriers will be installed across the entire ROW immediately upslope of any flowing waterbody or impoundment.

## 5.0 Erosion and Sediment Control BMPs

Erosion and sediment controls include stabilization practices, as well as structural controls. General structural practices may include, but are not limited to, silt fences, earth dikes, drainage swales, sediment traps, check dams, reinforced soil retaining systems, gabions, temporary or permanent sediment basins and flow diversion.

Temporary erosion and sediment control measures shall be installed immediately after initial disturbance of the soil, maintained throughout construction, and reinstalled as necessary until replaced by permanent erosion control structures or restoration of the construction ROW is complete.

Specifications and configurations for erosion and sediment control measures may be modified by Continental as necessary to suit actual site conditions. However, all work shall be conducted in accordance with applicable permits.

The intent of the BMPs is to prevent any damage due to transported sediments or adding any erosion burden by diverting storm water runoff into sensitive areas. The intent is not to vegetate areas that are not naturally vegetated and to not increase any erosion rates over and above what is caused by natural drainage in the area. In general:

- Construction-phase erosion and sediment controls should be designed to retain sediment on-site to the maximum extent practicable.
- All control measures must be properly selected, installed, and maintained in accordance with the manufacturer's specifications and good engineering practices. If periodic inspections or other information indicates a control has been used inappropriately or incorrectly, the permittee must replace or modify the control for site situations.
- If sediments escape the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize off-site impacts.
- Sediment must be removed from sediment traps or sedimentation ponds when design capacity has been reduced by 50%.
- Litter, construction debris, and construction chemicals exposed to storm water shall be prevented from becoming a pollutant source for storm water discharges (e.g., screening outfalls, picked up daily, etc.).
- Ensure that silt fences are intact and that there are no gaps at the fence-ground interface or tears along the length of the fence. If gaps or tears are found, they should be repaired, or the fabric should be replaced immediately. Accumulated sediments should be removed from the fence base when the sediment reaches one-third to one-half the height of the fence.
- Large debris, trash, and leaves should be removed from check dams (hay bales). The center of a check dam should always be lower than its edges. If erosion or heavy flows cause the edges of a dam to fall to a height equal to or below the height of the center, repairs should be made immediately. Accumulated sediment should be removed from the upstream side of a check dam when the sediment has reached a height of approximately one-half the original height of the dam (measured at the center).
- Sediment control barriers shall be placed so as not to hinder construction operations. If silt fence or straw bale sediment barriers (in lieu of drivable berms) are placed across the entire construction ROW, a provision shall be made for temporary traffic flow through a gap for vehicles and equipment to pass within the structure. Immediately following each day's shutdown of construction activities, a row of straw bales or a section of silt fence

shall be placed across the upgradient side of the gap with sufficient overlap at each end of the barrier gap to eliminate sediment bypass flow, followed by bales tightly fitted to fill the gap. Following completion of the equipment crossing, the gap shall be closed using silt fence or straw bale sediment barrier.

- The Contractor shall remove sediment barriers, except those needed for permanent erosion and sediment control, during cleanup of the construction right-of-way.

The following sections describe erosion and sediment goals to be considered during construction and practices expected to be implemented to achieve those goals during construction.

## **5.1 Run-on Protection**

The pipeline ROW will be graded to provide relatively flat surfaces that facilitate the movement and maneuvering of heavy equipment. Natural drainage swales will be utilized to the extent possible when planning locations to intercept, divert and convey storm water and runoff around the ROW. Some minor contouring may be necessary to enhance the drainage and take advantage of the natural drainage characteristics of the terrain; however, to capture sediment transported by overland flow, some structural BMPs may be installed. These include:

- Earthen dikes established on high side of location to intercept, divert and convey storm water and/or runoff around the project site.
- Trenching/ditching around high side of location to intercept, divert and convey surface runoff around the project site.

Drainage channels or ditches shall be used on a limited basis to provide drainage along the construction right-of-way and toe of cut slopes as well as to direct surface runoff across the construction right-of-way or away from disturbances and onto natural undisturbed ground. Channels or ditches shall be constructed by the Contractor during grading operations. Where there is inadequate vegetation at the channel or ditch outlet, sediment barriers, check berms, or other appropriate measures shall be used to control erosion.

## **5.2 Stabilizing Soils**

The soils that generally will require stabilization are those used for berm construction and soil stockpiles. Stabilization includes, but is not limited to, soil compaction and seeding of disturbed soil once backfilling and/or grading is complete. General stabilization practices may include, but are not limited to, establishment of temporary vegetation, establishment of permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures.

Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased.

The ROW may be bare in heavily travelled areas. Reseeding should be completed in areas (uncultivated) that have no traffic if foliage has not grown in those areas already. Use approved seed to reseed/vegetate existing locations in areas no longer traveled. Stabilize the topsoil piles as soon as practical after stripping is complete. Erosion control matting may be installed on slopes, as needed.

Interim stabilization practices are not expected to be needed or implemented during active construction. Wherever possible, existing vegetation will remain in place to minimize erosion potential. Final re-vegetation and stabilization of each disturbance area will occur once active construction is completed.

Soil stockpile may be stabilized by wetting with water or using soil tackifiers. When wetting topsoil piles with water does not prevent wind erosion, the Contractor shall temporarily suspend topsoil handling operations and apply a tackifier to topsoil stockpiles at the rate recommended by the manufacturer.

Should construction traffic, cattle grazing, heavy rains, or other related construction activity disturb the tackified topsoil piles and create a potential for wind erosion, additional tackifier shall be applied by the Contractor. Soil stockpiles may also be stabilized by seeding with an approved temporary seed mixture or by hydromulching.

### 5.3 Slope Protection

Use berms to divert location flow from slopes to established drainages where practical. Minimize removal of existing vegetation on new locations. Use approved seed to reseed/vegetate existing locations in areas no longer traveled.

Trench breakers shall be installed in steep terrain where necessary to limit the potential for trench line erosion and at the base of slopes adjacent to waterbodies and wetlands. Trench breakers shall be constructed of materials such as sandbags, sand/cement bags, bentonite bags, or other suitable materials. The Contractor shall not use topsoil in trench breakers.

Permanent slope breakers (water bars) shall be constructed of soil or, in some instances, sandbags. The Contractor shall construct permanent slope breakers on the construction right-of-way where necessary to limit erosion, except in cultivated areas. Slope breakers shall divert surface runoff to adjacent stable vegetated areas or to energy-dissipating devices. In general, permanent slope breakers should be installed immediately downslope of all trench breakers. Permanent slope breakers shall be installed as specified on the construction drawings or generally with a minimum spacing as shown on the following table:

<u>Slope (%)</u>	<u>Spacing (feet)</u>
5 - 15	300
>15 – 30	200
>30	100

The gradient (fall) for each slope breaker shall be two percent to four percent unless otherwise approved by Continental based on site-specific conditions.

Manufactured erosion control mats shall be installed across areas that have eroded and cannot be stabilized by normal seeding and mulching practices. Erosion control matting shall be made of biodegradable, natural fiber such as straw or coir (coconut fiber).

The Contractor shall prepare the soil surface and install the erosion control matting to ensure it is stable and the matting makes uniform contact with the soil of the slope face or waterbody bank with no bridging of rills, gullies, or other low areas. Ensure that the mats are properly anchored.

## 5.4 Perimeter Controls and Sediment Barriers

Install silt fence or fiber rolls (wattles) as necessary to provide a sediment barrier. Sediment barriers should be installed at the lowest elevation of the location, at the boundary where disturbed (bare) soils meet undisturbed (vegetated) soils. Sediment barriers should be installed in ditches along the lower perimeter of locations. Straw bales may be installed as an alternative to silt fence or fiber rolls.

If none of the above BMPs are effective, installation of systems that are more complex are required. This may include the construction of sediment traps or detention basins.

## 5.5 Construction Entrance/Exits

Existing location entrances/exits are assumed to be stabilized. All roads begin on established roads and have proper entrances established with provisions for drainage. County roads are surfaced with gravel and have established drainage ditches. Control of sediment deposition is required prior to accessing the country road from a lease road.

## 5.6 Additional BMPs

Additional/optional BMPs will be used as necessary when other methods are not effective. BMPs are subject to approval from the project engineer as well as permitting/land management agencies. Other BMPs will be used site-wide to minimize pollutants in storm water from other potential sources in accordance with the control requirements. These include:

**Waste Disposal** – No solid materials, including building materials, shall be discharged to waters of the State. Solid materials refer to such items as boards, wrapping materials, bricks and concrete debris, and land clearing debris such as leaves and tree limbs, but do not include total suspended solids.

**Off-Site Vehicle Tracking** – BMPs will be used in the minimization of vehicle tracking of sediments off-site and minimization of dust generation. The construction site will have limited access. Gravel drives will be used at the entrances to undeveloped areas.

**State/Local Sanitary Sewer, Septic System or Waste Disposal Regulations** – All sanitary wastewater from temporary facilities located within the construction site (trailers, portable toilets, etc.) will be removed for disposal off-site by a contractor. No sanitary wastewater will be discharged from the construction site.

**Storage of Construction and Waste Materials** – Vehicle maintenance, repair, refueling, and cleaning will be performed in a designated area at the construction site to minimize the potential for contamination of storm water by oil and grease. Any waste oil collected during such activities will be collected in drums or other compatible oil container and will be removed from the site. All waste collected from the site will be disposed of off-site at a registered waste disposal facility. There will be no on-site storage of gasoline or diesel for refueling vehicles.

## 5.7 Maintenance

Maintenance of the erosion and sediment control BMPs will be conducted in a timely manner once the need for maintenance activities is deemed necessary. If during inspections, a BMP

requiring maintenance is identified, the maintenance will be accomplished prior to the next anticipated storm event, or as necessary to maintain the continued effectiveness of the BMP. When maintenance of the BMP cannot be accomplished prior to the next storm event, the maintenance will be scheduled and performed as soon as practicable.

Except for sediment basins, all accumulated sediment shall be removed from structural controls when sediment deposits reach  $\frac{1}{3}$  to  $\frac{1}{2}$  the height of the control. For sediment basins, accumulated sediment shall be removed when the capacity has been reduced by 50%. All removed sediment deposits shall be properly disposed of. Non-functioning controls shall be repaired, replaced, or supplemented with functional controls within 24 hours of discovery or as soon as field conditions

## 6.0 Good Housekeeping BMPs

Good housekeeping is used to maintain a clean and orderly workplace and to reduce the potential for accident spills or releases of materials that could contaminate storm water. Generally, the following general good housekeeping BMPs will be used:

- Designate areas for equipment maintenance and repair. These areas must have provisions to contain any potential pollutants in an area that can be regularly removed and properly disposed.
- Establish proper equipment/vehicle fueling and maintenance practices (drip pans, spill kits).
- Spills that occur shall be cleaned up immediately and reported, as necessary.
- Designate equipment wash-down areas and provide appropriate control of wash water.
- Construction materials should be stored in designated areas until these materials are required and should be loaded and off-loaded in the designated areas.
- Each contractor and subcontractor are encouraged to bring to the job site only the material to be used that day.
- Large items should be placed next to their installation locations to minimize handling.
- Provide protected storage areas for chemicals, paints, solvents, fertilizers, and other potentially toxic materials. If such materials are used, these storage areas should be enclosed with temporary fencing where practical. Curbing/temporary berms can be provided to minimize storm water run-on onto storage areas.
- Provide waste receptacles at convenient locations and provide regular collection of wastes.
- Debris and waste should be properly disposed of according to the applicable federal, state, and local laws.
- Provide adequately maintained sanitary facilities.
- Contractors/subcontractors should be provided with a storage yard in which to park vehicles during off-hours.
- Drums and tanks will be clearly tagged and labeled.
- Tanks and equipment will be regularly inspected.

### 6.1 Material Handling and Waste Management

Keep area policed of all trash and debris. Garbage will be stored in a dumpster and its contents disposed of according to local and state regulations at an approved facility. Disposal will not be allowed on location. No burning or burying of garbage will be allowed.

Portable chemical toilets will be provided for construction personnel. Do not locate near drainage facilities or in areas that will collect/accumulate water. Sewage will be disposed of according to local and state requirements

### 6.2 Material Staging Areas

Store materials indoors when possible. Do not store any hazardous materials on the ground. Store bags and boxes on pallets under cover and liquids in drums under cover. Ensure that all bags/boxes are completely covered when not being used. Store materials in their original packages with the original product labels. Have MSDS information available on site for all materials. Provide for proper containment in accordance with the Spill Prevention Control and

Countermeasure (SPCC) Plan developed for the project. Store all products with sufficient space to allow for spill cleanup and emergency response access.

### **6.3 Equipment/Vehicle Fueling and Maintenance**

Fuel will be delivered to the construction areas via steel tanks mounted in pick-up trucks or by bulk delivery trucks. Trucks shall be equipped with spill containment kits and tools. All personnel engaged in refueling operations on site will be required to attend all nozzles or transfers during the entire time fuel transfer is occurring.

Oil and oily wastes, such as crankcase oil, cans, rags, and paper dropped in oil and lubricants, can be best disposed of in proper receptacles or recycled. Waste oil for recycling should not be mixed with degreasers, solvents, antifreeze, or brake fluid. Dumping of these wastes in storm sewers and other drainage channels is illegal and could result in fines or job shutdown.

A further source of these pollutants is leaky vehicles. Proper maintenance of equipment and placing tarps/drip pans underneath vehicles parked for a period of one or more days will further reduce pollution by this source. Refer to the SPCC Plan prepared for this project.

### **6.4 Additional BMPs**

Wash facilities will not be provided to clean mud/dirt from construction equipment/vehicles. If excessive mud is on vehicles, use shovels and or brooms to brush off prior to entering county roads.

## 7.0 Post-Construction BMPs

Post construction activities shall, at a minimum, include:

- Reseeding/restoration of areas not needed for agricultural operations.
- Drainage ditches, earthen dikes, drainage swales, and other sediment control and diversion structures shall remain in place. Those not made permanent should be made permanent prior to final stabilization of the project area.
- Any exposed slopes should be protected using already established BMPs cited above.
- Reference is made to all the above BMP specifications mentioned previously in this plan and they are hereby incorporated into this section of the plan.

Only certified, weed-free, seed will be used for reseeded. Once the points of disturbance have been re-contoured, broadcast seeding will be used as the application method for re-vegetation. If necessary, the seeded area will be lightly dragged after broadcasting the seed to get ¼- to ½-inch soil coverage and certified noxious weed-free mulch, composed of either annual grain residue or native hay, will be crimped into the soil. If seeding is done by drill seeding methods, the rates above will be reduced by 50%.

Final stabilization means that all soil-disturbing activities at the site have been completed and either of the two following criteria is met:

- A uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover adequate to stabilize disturbed areas and prevent future impacts to the environment has been established, or
- Equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

Once the site has undergone final stabilization, structural controls may be removed.

## 8.0 Potential Sources of Pollution

The following substances listed below may be expected to be present on-site during construction:

- Concrete
- Detergents
- Paints (enamels and latex)
- Metal studs
- Fertilizers
- Fuels
- Cleaning solvent
- Lubricants
- Wood
- Pipe coatings/lubricants

The most economical and effective way to control pollutants other than sediment is to exercise good housekeeping practices and to require construction workers, planners, engineers, and developers to be aware of the need to comply with federal, state, and local regulations. The following sections discuss practices that will minimize the potential for pollutants to enter storm water discharges.

Petroleum products are commonly used during construction activities. These products are used as fuels and lubricants for vehicular operations, power tools, general operation, and equipment maintenance. These pollutants include oils and fuels such as gasoline, diesel oil, kerosene, lubricating oils, and grease. Most of these pollutants adhere to soil particles and other surfaces easily. One of the best practices of control is to retain sediments that contain oil, if any, on the construction site.

Soil erosion and sediment control practices can effectively accomplish this. Improved maintenance and safe storage facilities will reduce the potential for contaminating construction sites. Guidelines for storing construction related products are as follows:

- Clearly label all products.
- Keep tanks off the ground.
- Keep lids securely fastened.
- Post information for procedures in case of spills. Persons trained in handling spills should be always on-site or on-call.
- Keep materials for cleaning up spills on-site and easily available. Spills should be cleaned up immediately and the contaminated material properly disposed of.
- Specify a staging area for all vehicle maintenance activities. This area should be away from all drainage courses.
- During subcontractor or safety meetings, remind workers about proper storage and handling of materials.

### 8.1 Non-Storm Water Discharge Management

Allowable non-storm water discharges are:

- Fresh water used for dust control,

- Fresh uncontaminated water used to test pipelines and flowlines,
- Air Conditioning condensate from vehicles on location,
- Discharges from fire-fighting activities,
- Uncontaminated ground water or spring water,
- Uncontaminated excavation dewatering,
- Landscape irrigation.

## 9.0 Inspections

The project area will be regularly inspected by qualified personnel to ensure that BMPs are maintained in good and effective order. Personnel shall receive training in the ESCP plan, ESCP Plan implementation and BMP purpose, construction, use and inspection.

Erosion and sediment control measures shall be inspected on a regular basis. Disturbed areas and storage areas that are exposed to rainfall or run-on must be inspected for evidence of, or the potential for, pollutants entering site runoff. Site access shall also be inspected to determine if sediment is being tracked onto adjacent roads.

During day-to-day operations, inspections will be conducted by construction personnel. Each location is normally visited at least once per week. An inspection shall be conducted at this time and any problems areas noted on the Inspection Log (Appendix A). If all BMPs are in place and functioning properly, a negative report should be entered.

### 9.1 Inspection Schedule

Routine inspections will occur a minimum of once every 14 calendar days and within 24 hours of the end of a storm event of or greater than 0.5 inches of precipitation. The frequency of inspections will be reduced if:

- The entire site is temporarily stabilized;
- Runoff is unlikely due to winter conditions (e.g., site is covered with snow, ice, or the ground is frozen);
- Construction is occurring during a seasonal arid period.

Inspections must include all areas of the site disturbed by construction activity and areas used for storage of materials that are exposed to precipitation. Sedimentation and erosion control measures identified in the ESCP must be inspected to ensure proper operation. Discharge locations must be inspected to ascertain whether erosion control measures are effective. Locations where vehicles enter or exit the site must be inspected for evidence of off-site sediment tracking.

Based on inspection results, the site description and pollution prevention measures must be revised in this ESCP if inadequacies are discovered. The inspection and plan review process must include timely implementation of any changes to the ESCP within seven (7) calendar days after the inspection. If existing BMPs need to be modified or if additional BMPs are necessary, implementation shall be completed before the next anticipated storm event. If implementation of changes to BMPs is not practical before the next anticipated storm event, modifications shall be implemented as soon as practical.

A waiver of the inspection requirements is available until one month before thawing conditions are expected to result in a discharge if all the following requirements are met:

- Frozen conditions are anticipated to continue for more than one month;
- Land disturbance activities have been suspended; and
- Beginning and ending dates of the waiver period are documented in the ESCP.

## **9.2 Inspection Report**

The inspection reports should summarize the scope of inspections, names and qualifications of inspection personnel, the inspection dates, major observations, and remedial actions taken. These records shall be retained as part of the ESCP for at least three (3) years after the date of inspection.

The Inspection Form describes what to look for during inspections and the types of maintenance measures to undertake. The checklist includes:

- Visual inspection
- Good housekeeping
- Site assessment

## **9.3 Corrective Action Log**

If problems are encountered, the issue shall be promptly reported to the field superintendent or his designated representative. Corrected action shall be planned immediately and initiated as soon as feasible. Corrective actions shall be recorded on the Inspection Log included in Appendix A.

## **10.0 Recordkeeping and Training**

### **10.1 Recordkeeping**

The following records should be kept for a period of at least three (3) years from the date all site work has been completed:

- Dates of grading, construction activity, and stabilization;
- Inspection reports; and
- Date(s) when an area is either temporarily or permanently stabilized.

### **10.2 Training**

ESCP training sessions will be held prior to and during construction, as needed. Contractor construction supervisory personnel and construction inspectors are required to attend. Training topics will include the following items:

- General storm water and BMP awareness training for staff and subcontractors;
- Spill prevention and response, as described by the SPCC components of this ESCP;
- Standard housekeeping measures;
- Materials handling procedures; and
- A review of the most recent inspection results and any resulting changes to storm water pollution prevention or new requirements.

## ***Appendix A***

### ***Inspection Log***



Appendix J: Fugitive Dust Control Plan

# FUGITIVE DUST CONTROL PLAN

Continental Resources, Inc.  
Buddy Domindgo Transmission Line

February 2022



3831 LOCKPORT STREET, SUITE C  
BISMARCK, ND 58503

TEL 701.255.1475  
FAX 701.255.1477

[CARLSONMCCAIN.COM](http://CARLSONMCCAIN.COM)

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**Fugitive Dust Control Plan  
Continental Resources, Inc.  
Buddy Domindgo Transmission Line**

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## **1.0 Introduction**

Continental Resources, Inc. ("Continental") is proposing to build, own, and operate the 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 Williams County, North Dakota. Construction activities are slated to occur in 2022. This Fugitive Dust Control Plan outlines the methods that will be used to reduce dust emissions.

Dust may become airborne during construction activities. Once dust becomes airborne due to a mechanical disturbance it is considered fugitive dust. Fugitive dust, spread by winds, can have negative impacts on native vegetation and agriculture by reducing photosynthesis and causing soil erosion. Dust can also affect human health by creating disorders such as asthma and in chronic cases, cardiopulmonary disease. Dust can also create a safety hazard by creating reduced visibility along roadways.

## **2.0 Dust Generating Activities**

Construction activities that have the potential to release fugitive dust include, but are not limited to:

- Vegetation removal
- Topsoil removal
- Trenching / backfilling
- Movement of construction equipment on the site
- Vehicle use of unpaved roads
- Material loading, hauling, and unloading
- Use of soil storage piles

## **3.0 Fugitive Dust Controls Methods**

The Project Contractor and Environmental Inspector are responsible for identifying potential sources of fugitive dust, monitoring for fugitive dust, and applying techniques to minimize fugitive dust. The use of water is the primary tool for fugitive dust control. The Environmental Inspector has the authority to determine when water or other dust control measures are needed.

Possible dust control measures include, but are not limited to:

- Water trucks may be used to apply wet suppression to access roads, temporary workspace, county roads, and pipeline right-of-way
- Reducing vehicle speeds on roadways and pipeline right-of-way
- Using rock on roadway approaches to reduce track-out onto public roadways
- The application of approved tackifiers

## **4.0 Inspection, Monitoring and Record Keeping**

The Project Contractor will oversee implementing fugitive dust control measures and the Environmental Inspector will have responsibility for monitoring the implementation and effectiveness of the measures. When conditions dictate the need for dust control, the Environmental Inspector should conduct daily record keeping on weather conditions, number of water trucks in use, approximately volume of water applied, effectiveness of methods and if alternative methods should be applied, etc. During watering or on rainy days, track-out on to public roadways should be monitored and the use of sweepers or vacuums used as appropriate.

Appendix K: Spill Prevention Control and Countermeasure Plan

# **SPILL PREVENTION, CONTAINMENT, AND COUNTERMEASURE PLAN**

Continental Resources, Inc.  
Buddy Domindgo Transmission Line

February 2022



3831 LOCKPORT STREET, SUITE C  
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## **1.0 Introduction**

Continental Resources, Inc. (Continental) has prepared this Spill Prevention, Containment, and Countermeasure (SPCC) Plan to be implemented during construction of the Buddy Domindgo Transmission Line (Project). This SPCC Plan outlines specific preventive measures to be followed to reduce the likelihood of an accidental release of a hazardous or regulated liquid during construction activities. This SPCC Plan also sets forth procedures and response actions in the event of an actual release.

This SPCC Plan restricts the location of fuel storage, refueling activities, and construction equipment maintenance along the construction right-of-way and provides procedures, materials, and lines of communication to facilitate the prevention, containment, and cleanup of spills during construction activities. It also sets forth minimum standards for handling and storing regulated substances. The goal of the SPCC Plan is to minimize the potential for a spill of these materials, to contain any spillage to the smallest area possible, and to protect areas that are considered environmentally sensitive (e.g., streams, groundwater wells, wetlands, etc.). This SPCC Plan does not certify the Contractor or individuals as licensed waste haulers.

Measures and procedures defined in this SPCC Plan will be implemented by independent Contractors and construction inspectors hired by Continental. These Contractors and inspectors will have day-to-day responsibility to ensure compliance with this SPCC. Continental, by completing the Delegation of Authority Form (following page), grants authority to the named parties to act on its behalf on matters pertaining to this SPCC. Any signed Delegation of Authority form shall be kept with this SPCC at all times.

# Delegation of Authority Form

## Delegation of Authority

I, \_\_\_\_\_ (name), hereby designate the person or specifically described position below to be a duly authorized representative for the purpose of overseeing compliance with environmental requirements, including the Spill Prevention Control and Countermeasure plan, at the \_\_\_\_\_ construction site. The designee is authorized to sign any reports, storm water pollution prevention plans and all other documents required by the permit.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (name of person or position)  
\_\_\_\_\_ (company)  
\_\_\_\_\_ (address)  
\_\_\_\_\_ (city, state, zip)  
\_\_\_\_\_ (phone)

By signing this authorization, I confirm that I meet the requirements to make such a designation as set forth in \_\_\_\_\_ (Reference State Permit), and that the designee above meets the definition of a "duly authorized representative" as set forth in \_\_\_\_\_ (Reference State Permit).

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

**Name:** \_\_\_\_\_

**Company:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## 2.0 Regulated Materials Storage and Handling

Table 1 presents typical vehicle and equipment fuels, lubricants, and hazardous materials stored or used during construction, and briefly describes the location, typical quantities, and usual methods of storage. Storage methods and quantities vary with length of construction segment, time of year, and type of terrain.

**Table 1.  
Typical Fuel, Lubricants, and Hazardous Materials**

<b>Fluid Uses</b>	<b>Fluids</b>	<b>Typical Quantity</b>	<b>Method of Storage</b>	<b>Storage Location</b>
Fuels	Diesel	5,000 to 10,000 gallons	Tanks or Tankers	Contractor Yard Warehouse
	Gasoline	5,000 to 10,000 gallons	Tanks or Tankers, 5-Gallon Containers, Pick-up Tanks	Contractor Yard Warehouse
Lubricants	Engine Oil	<100 gallons	Bulk Storage Retail Packaging	Contractor Yard Warehouse Service Trucks
	Transmission/Drive Train Oil	<50 gallons	Retail Packaging on Service Trucks	Contractor Yard Warehouse Service Trucks
	Hydraulic Oil	<100 gallons	Bulk Storage Retail Packaging	Contractor Yard Warehouse Service Trucks
	Gear Oil	<50 gallons	Retail Packaging on Service Trucks	Contractor Yard Warehouse Service Trucks
	Lubricating Grease	<25 gallons	Tubes stored in paper cases	Contractor Yard Warehouse Service Trucks
Coolants, Hydraulic Fluids, Other	Ethylene Glycol	<100 gallons	Bulk Storage Retail Packaging	Contractor Yard Warehouse Service Trucks
	Propylene Glycol	<100 gallons	Bulk Storage Retail Packaging	Contractor Yard Warehouse Service Trucks
	Power Steering Fluid	<50 gallons	Retail Packaging on Service Trucks	Contractor Yard Warehouse Service Trucks
	Brake Fluid	<50 gallons	Retail Packaging on Service Trucks	Contractor Yard Warehouse Service Trucks
	Propane	25-100 gallons	Pressurized Tanks	Contractor Yard Warehouse Welding Trucks

### **3.0 Preventive Measures**

Continental will ensure that all practicable measures are implemented to minimize the potential for and consequences of a spill during construction of the Project and related facilities. Continental intends to comply with applicable environmental and safety laws and regulations and to provide training and equipment designed to prevent pollution. The Contractor will ensure that a copy of this SPCC Plan is available onsite to all construction crew members. In addition, Contractors will ensure that construction crew members are properly trained in handling fuels to prevent spills and to effectively contain spills, and that equipment required to implement the provisions of this SPCC Plan are available on site.

Continental will provide training on the provisions of this SPCC Plan to Construction and Inspection personnel.

#### **3.1 Staging Areas/Work Yards**

Fuel and hazardous liquid storage will require secondary containment structures as described below:

- The Contractor will construct temporary liners and seamless berms around aboveground bulk tanks so that in the event of a leak or spill, liquids will be contained and collected in specified areas that are isolated from water bodies. Storage tanks will not be placed in areas subject to periodic flooding and washout.
- The Contractor will visually inspect aboveground tanks frequently and whenever the tank is refilled. The Contractor will maintain inspection records for every tank.
- Secondary containment structures must be constructed so that no outlet is provided and any spill will be contained within the containment structure. Accumulated rainwater may be removed if authorized by an Environmental Inspector. Accumulated water that has a visible sheen will be collected for proper storage and disposal.
- The Contractor will remove secondary containment structures at the conclusion of the Project. The Contractor is also responsible for returning the storage impoundment area to its original ground contours and appearance upon completion of the Project.
- Fuels and lubricants will be stored only at designated staging areas and in proper service vehicles. The storage area will be at least 100 feet away from the edge of a wetland or waterbody, at least 200 feet away from a private water supply well, and at least 400 feet away from a municipal water supply well, unless a larger buffer is required by governing agencies.
- Storage containers will display labels that identify the contents of the container and whether the contents are hazardous. Appropriate labels will identify the specific hazard (flammable, toxic, etc.) will be affixed to the containers and readily visible. The Contractor shall maintain and furnish on demand to Continental copies of all Material Safety Data Sheets.

- To the extent practicable, Contractors will conduct routine equipment maintenance such as oil changes in staging areas and will dispose of waste oil in a proper manner (e.g. place in labeled, sealed containers and transport to a recycling facility).
- The Contractor will correct visible leaks in tanks as soon as possible.
- Drain valves on temporary storage tanks will be locked to prevent accidental or unauthorized discharges from tanks.
- Fuel nozzles shall be equipped with functional automatic shut-off valves.
- Drivers of tank trucks shall be responsible for spill prevention during tank truck unloading. Procedures for loading and unloading tank trucks will meet the minimum requirements established by the Department of Transportation. Drivers will observe and control the fueling operations at all times to prevent overfilling.
- Prior to departure of a tank truck, outlets of the vehicle will be examined by the driver for leakage, and tightened, adjusted, or replaced as required to prevent liquid leakage while in transit.
- The Contractor shall stock a sufficient supply of sorbent and barrier materials at the construction staging area to allow the rapid containment and recovery of a spill. Sorbent and barrier materials will be utilized to contain runoff from spill areas.
- Shovels and labeled 55-gallon drums will be kept at each of the staging areas. If small quantities of soil become contaminated within a staging area, they will be collected and placed in the drums. Large quantities of contaminated soil will be collected using heavy equipment and stored in drums or other suitable containers prior to disposal. Disposal of contaminated soil will be in accordance with applicable state and federal regulations. Typical disposal methods will include transporting the soil to a licensed disposal or treatment facility or thin-spreading in compliance with state guidelines.

### **3.2 Right-of-Way**

The following preventive measures apply to refueling and lubrication activities within the construction right-of-way:

- Refueling and lubricating of construction equipment will be restricted to upland areas located at least 100 feet from stream channels and wetlands, at least 200 feet from private water supply wells, and at least 400 feet from municipal water supply wells. Where this is not feasible, the equipment will be fueled and lubricated by designated personnel with specific training in refueling, lubricating, and spill containment and cleanup.
- Fuel trucks transporting fuel to construction areas shall travel only on approved access roads.
- Equipment shall not be washed in streams.
- Fuel and service trucks shall carry a minimum of 20 lbs. of suitable commercial sorbent and barrier materials.

### **3.3 Vulnerable Aquifer Areas**

The Contractor's Construction Superintendent or designated Spill Coordinator must immediately notify the Continental Representative and the Environmental Inspector of any release or spill of a petroleum product or hazardous liquid, regardless of volume. The Spill Coordinator shall implement the following response actions:

- Follow spill containment response actions described in Section 4 below.
- Immediately excavate obviously impacted soils. Store and dispose of impacted soils in accordance with this SPCC Plan.

## **4.0 Spill Response**

The response action priorities upon discovery of a spill are to protect the safety of personnel and the public, minimize environmental impacts, and control costs associated with cleanup and restoration. Key actions immediately following discovery of a spill are:

- Assess the safety of the situation, both in the immediate vicinity and for the surrounding public.
- Remove sources of ignition if it is safe to do so.
- Shut off the source of the spill if it is safe to do so.

The person discovering a spill shall promptly notify the Spill Coordinator, the Environmental Inspector, and the Construction Superintendent. The Spill Coordinator shall implement spill control measures as described below.

### **4.1 Land Spill Response**

Implement the following response actions for spills on land:

- Construct berms using available equipment and/or deploy barrier materials to contain the spill.
- Apply sorbent materials to the spill area.
- Minimize traffic on contaminated soils.
- Excavate contaminated soils and vegetation and transport to a licensed and approved treatment or disposal facility.

### **4.2 Wetland or Waterbody Spill Response**

Implement the following response actions for spills in or near a wetland or waterbody:

- Implement the response actions described in Section 4.1 in shoreland areas. Excavate trenches if necessary to create collection sumps to prevent liquids from entering wetlands or waterbodies.
- If a spill occurs into a stream, lake, or other waterbodies containing standing or flowing water, the Continental Representative shall notify the National Response Center immediately.
- Secure the services of an Emergency Response Contractor (see Appendix B) if required to assist with containment and cleanup of the spill.
- Deploy booms, curtains, and sorbents to minimize the spread of the spill.
- Use skimmer pumps and holding tanks to remove released materials from the water surface.

- Excavate contaminated soils from wetlands and place on plastic sheeting in an approved containment area located at least 100 feet from the wetland and waterbodies. Cover stockpiled soil with plastic sheeting. Remove stockpiles as soon as practicable and transport to a licensed and approved treatment or disposal facility.
- Restore the contaminated area in accordance with recommendations from site remediation specialists and as required by state guidelines.

#### **4.3 Field Coordinator**

Subject to approval by Continental, the Contractor shall appoint a Field Coordinator who will be responsible for reporting of spills, coordinating personnel for spill cleanup, completing subsequent site investigations, and preparing incident reports. The Field Coordinator will report to the designated Continental Representative and the Environmental Inspector. The Continental Representative will contact and report to state and federal agencies as required.

## 5.0 Unanticipated Discovery of Hazardous Materials

Soil contamination, not directly resulting from construction of the pipeline, may be encountered during construction of the Continental pipeline. Locations where contamination may be present include:

- Third party pipeline crossings;
- Oil and natural gas processing facilities;
- Injection/disposal wells;
- Undocumented disposal/dump sites; and
- Agricultural equipment refueling, pesticide/herbicide loading areas, and storage areas.

Identification and recognition of existing contamination is the first step in the response action. During construction, indicators of possible contamination include, but are not limited to:

- Gasoline smells or other odors which emanate when the earth is disturbed;
- Stained or discolored earth in contrast with adjoining soil;
- Oily residue intermixed with earth;
- Sheen on groundwater;
- Fill material containing debris other than construction-related items;
- Household trash covered by earth or industrial waste debris;
- Rusted barrels and containers;
- Cinders and other combustion products like ash; and
- Structures such as asbestos cement (transite) pipe, abandoned oil & gas lines, and underground storage tanks also require special handling when disturbed.

When unanticipated soil contamination is discovered in the right-of-way (ROW), especially if it will be excavated, the appropriate response actions will need to be performed to address the contamination. The following are the major steps that should be taken when contamination is discovered:

- Recognize that the area may be contaminated with hazardous materials;
- Secure the site to protect workers and the public;
- Do not allow the prime contractor, subcontractor, or other personnel to handle or disturb the contaminated material or the surrounding soil;

- Notify the Environmental Inspector(s) and construction manager(s).

The Environmental Inspector will in turn notify the proper authorities (North Dakota Department of Environmental Quality (NDDEQ) contact information is given in Section 7). Reporting procedures are like those employed if a spill has occurred.

In no instance will an effort be made to characterize the contamination or begin remedial action(s), including hauling and disposal of the contaminated soil, until the NDDEQ has decided as to the appropriate action(s) to take. The Contractor shall make every effort to limit the spread of contamination and shall employ BMPs to prevent the contamination from reaching a water supply well, surface water, stockpiled material, and other construction areas.

## **6.0 Training**

Continental will provide spill prevention and response training and safety training to its supervisory and inspection personnel. In addition, training will be required of all construction personnel. Training will be required before construction personnel are allowed to enter the ROW. The training program will be designed to improve awareness of safety requirements, pollution control laws, proper operation and maintenance of equipment, and implementation of spill response actions.

## **7.0 Reporting Procedures**

Continental will prepare a Spill Report Form (Appendix A) and notify state and federal agencies as required in the event of a release. These agencies may include but are not necessarily limited to:

National Response Center (Washington, D.C.)  
Phone: 800-424-8802 (24 hours)

North Dakota Department of Environmental Quality  
Division of Emergency Management  
24-hour State Notification (State Radio)  
In-State Phone: 800-472-2121; Outside North Dakota 701-328-2121

North Dakota Division of Water Quality  
Phone: 701-328-5210

Continental will coordinate with these agencies regarding contacting additional parties or agencies.

***Appendix A***  
***Spill Report Form***

**Spill Report Form  
Continental Resources, Inc.**

Date/Time of Spill: \_\_\_\_\_ Date/Time of Spill Discovery \_\_\_\_\_

Name and Title of Discoverer: \_\_\_\_\_

Legal Description of spill location and milepost: \_\_\_\_\_

Type, estimated volume, and manufacturer's name: \_\_\_\_\_

Media in which the release exists (circle): sand silt clay upland wetland waterbody other \_\_\_\_\_

Topography and surface conditions: \_\_\_\_\_

Proximity to wetlands or waterbodies (including ditches): \_\_\_\_\_

Proximity to private or public water supply wells: \_\_\_\_\_

Directions from nearest community: \_\_\_\_\_

Weather conditions at the time of release: \_\_\_\_\_

Describe the causes and circumstances resulting in the spill: \_\_\_\_\_

\_\_\_\_\_

Describe the extent of observed contamination, both horizontal and vertical (i.e. spill stained soil in a 5-foot radius to a depth of 1 inch): \_\_\_\_\_

\_\_\_\_\_

Describe immediate spill control and cleanup methods used and implementation schedule: \_\_\_\_\_

\_\_\_\_\_

Location of excavated/stockpiled contaminated soil: \_\_\_\_\_

Describe the extent of spill-related injuries and remaining risk to human health and the environment: \_\_\_\_\_

\_\_\_\_\_

Name, company, and telephone number of responsible party (Contractor): \_\_\_\_\_

\_\_\_\_\_

Current status of cleanup actions: \_\_\_\_\_

\_\_\_\_\_

Name and Company for the following:

Construction Superintendent: \_\_\_\_\_

Field Coordinator: \_\_\_\_\_

Continental Representative: \_\_\_\_\_

Environmental Inspector: \_\_\_\_\_

Chief Inspector: \_\_\_\_\_

Government agencies notified:

Agency: \_\_\_\_\_ Date: \_\_\_\_\_

Agency: \_\_\_\_\_ Date: \_\_\_\_\_

Agency: \_\_\_\_\_ Date: \_\_\_\_\_

Landowner Notified: \_\_\_\_\_ Date: \_\_\_\_\_

Form Complete By: \_\_\_\_\_ Date: \_\_\_\_\_

**Field Coordinator must complete this form for any spill, regardless of size, and submit the form to the Continental Representative and Environmental Inspector within 24 hours of the occurrence. Any spill to water shall be reported IMMEDIATELY.**

## ***Appendix B***

### ***Emergency Response Contractors***

## **Emergency Response Contractors Buddy Domindgo Transmission Line**

The Contractor must dispose of all wastes according to applicable state and local requirements. A listing of potential Emergency Spill Response contractors is listed below. This list was developed from state-wide databases and represents firms operating at the time the database was queried. This list is presented as a service to the user and does not represent a recommendation by the state agencies or Continental. It is the user's responsibility to assure that the emergency response contractor is properly licensed. Selection of an Emergency Response Contractor is subject to approval by Continental.

### **North Dakota Contractors**

Ambipar Response Watford City, ND	866-610-7928
Bob's Oilfield Service Inc. Belfield, ND	701-575-4666
JMAC Resources Williston, ND	701-774-8511
Keitu Engineers & Consultants, Inc Mandan, ND	701-667-1800
Martin Construction Inc. Dickinson, ND	701-483-3478
Massive Services LLC Watford City, ND	970-456-5326
North Country Oil Parshall, ND	701-570-7074
Treadstone Environmental Services LLC Williston, ND	701-609-6675
WRI Environmental Response Minot, ND	701-595-0785

## ***Appendix C***

### ***Licensed Waste Disposal Facilities***

## **Licensed Waste Disposal Facilities Buddy Domindgo Transmission Line**

The Contractor must dispose of all wastes according to applicable state and local requirements. Licensed disposal facilities in the State of North Dakota are listed below. This list was developed from state-wide databases and represents facilities operating at the time the database was queried. This list is presented as a service to the user and does not represent a recommendation by the state agencies or Continental. It is the Contractor's responsibility to assure that the facility is properly licensed.

### **North Dakota Facilities**

Dishon Disposal 15242 39 <sup>th</sup> Lane NW Williston, ND 58801	720-242-9853
Indian Hills Disposal 14070 43 <sup>rd</sup> Street NW Williston, ND 58801	701-774-8514
McDaniel Landfill, Inc. 12300 247 <sup>th</sup> Avenue Sawyer, ND 58781	701-624-5250
McKenzie County Sanitary Landfill 2491 132 <sup>nd</sup> Avenue NW Watford City, ND 58854	701-5863445
Minot Municipal Landfill 3100 20 <sup>th</sup> Avenue SW Minot, ND 58701	701-857-4140
Noonan Landfill Noonan, ND 58765	701-838-1182
Prairie Disposal Tioga, ND 58852	800-490-2160
Williston Municipal Landfill 5176 134 <sup>th</sup> Avenue NW Williston, ND 58801	701-577-6368

Appendix L: Acronyms and Abbreviations Table

**ACRONYMS AND ABBREVIATIONS**

BGEA	Bald and Golden Eagle Act
BMPs	best management practices
CFR	Code of Federal Regulations
Continental	Continental Resources, Inc.
Corridor	1-mile-wide area centered upon the proposed alignment
DOT	U.S. Department of Transportation
EIIO	North Dakota Energy Infrastructure and Impact Office
ESA	Endangered Species Act
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FSA	Farm Service Agency
HDD	Horizontal Directional Drill
ICBM	intercontinental ballistic missile
IPaC	USFWS Information for Planning and Consultation
MBTA	Migratory Bird Treaty Act
MMSCFD	million standard cubic feet per day
MOP	maximum operating pressure
NDDEQ	North Dakota Department of Environmental Quality
NDDTL	North Dakota Department of Trust Lands
NDGFD	North Dakota Game and Fish Department
NDGS	North Dakota Geologic Survey
NDPDES	North Dakota Pollution Discharge Elimination System
NDPRD	North Dakota Parks and Recreation Department
NDSWC	North Dakota State Water Commission
NFIP	National Flood Insurance Program
NHD	National Hydrography Data
NLEB	Northern long-eared bat
NRCS	Natural Resources Conservation Service
NWI	National Wetland Inventory
PHMSA	Pipeline and Hazardous Materials Administration
PLSS	Public Land Survey System

Project	Buddy Domindgo Transmission Line
PSC	North Dakota Public Service Commission
psi	pounds per square inch
Route	approximate centerline of proposed pipeline
ROW	right-of-way
SHPO	North Dakota State Historic Preservation Office
Study Area	1-mile-wide area centered upon the proposed alignment
Survey Corridor	typically 250-foot corridor centered upon the proposed alignment
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USDOD	U.S. Department of Defense
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
WAWSA	Western Area Water Supply Authority
WCPZ	Williams County Planning and Zoning Department
WCWCB	Williams County Weed Control Board
WCWRD	Williams County Water Resource District
WNS	White-nose syndrome
WPA	Waterfowl Protection Area

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Continental Resources, Inc.**  
**Buddy Domindgo Transmission Line**  
**Consolidated Siting Application**

Case No. PU-22-\_\_\_\_\_

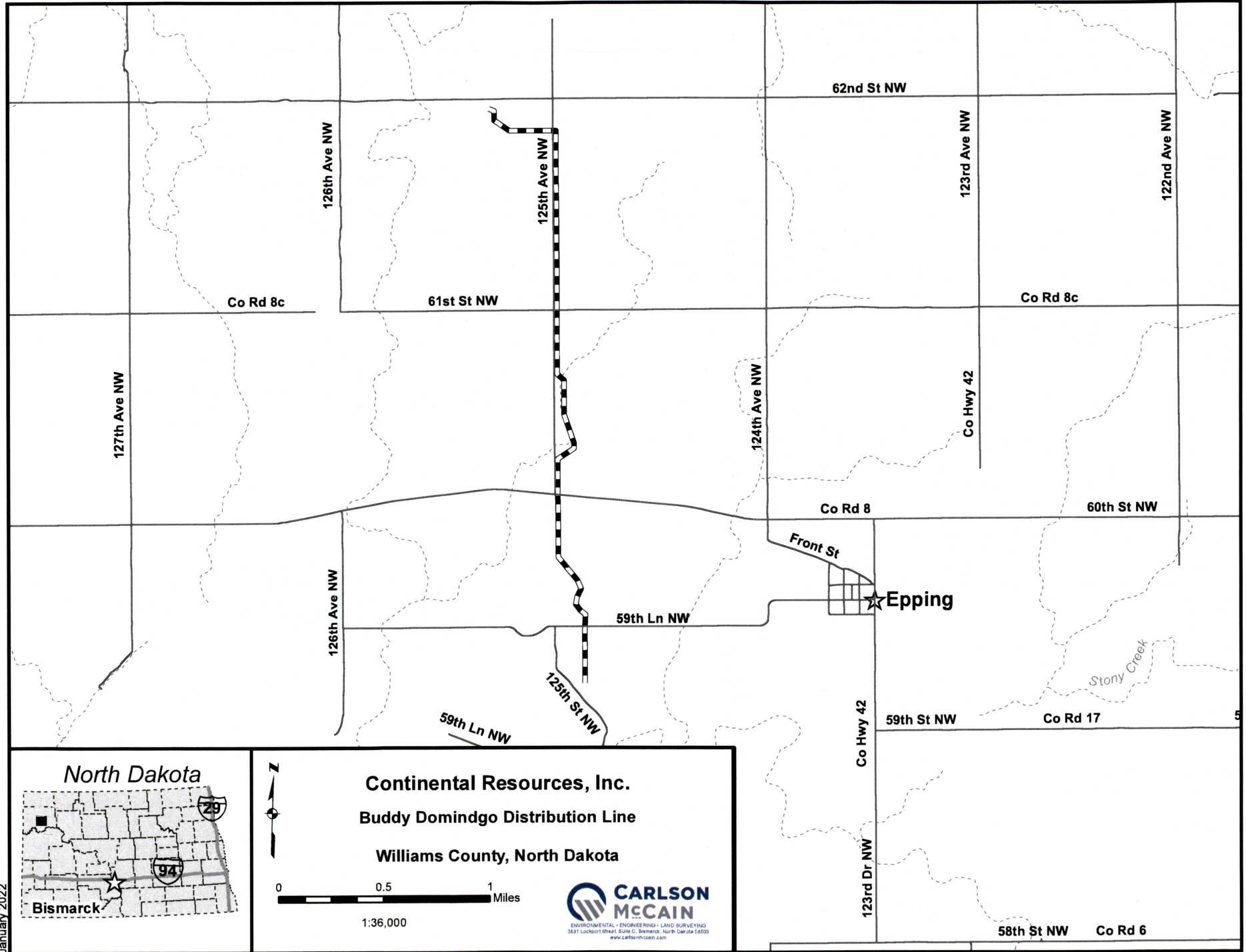
**Municipal, Township & County Contact Information**

The townships of Springbrook (T155N-R99W) and Marshall (T156N-R99W) are partially located within the one (1) mile study area; however, none of these townships have retained zoning authority.

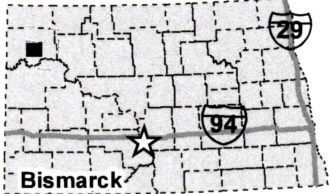
Trevor Bemis  
Mayor of Epping, North Dakota  
P.O. Box 44  
Epping ND, 58843

Cory Hanson  
Chairman, Williams County Board of County Commissioners  
206 E. Broadway  
Williston, ND 58801

Beth M. Innis  
Auditor, Williams County, North Dakota  
Williams County Administration Building, Suite 118  
206 E. Broadway  
Williston, ND 58801



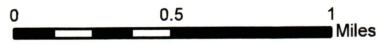
North Dakota



Bismarck



**Continental Resources, Inc.**  
**Buddy Domindgo Distribution Line**  
**Williams County, North Dakota**



1:36,000



January 2022