



McKENZIE COUNTY

Sir/Madame,

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

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

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

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

Sincerely,

Amber Higgins

McKenzie County Weed Officer

Office 701-842-4131

Fax 701-842-4731

18 PU-22-164 Filed 06/02/2022 Pages: 13
McKenzie County Weed Plan
ONEOK Bakken Pipeline, L.L.C.
Casey Furey, Crowley Fleck, PLLP

McKenzie County Weed Control
Amber Higgins Weed Control Officer
1300 12th St. S.E. Watford City, North Dakota 58854
Telephone: (701) 842-4131 Cell (701) 609-9622 Fax: (701) 842-4731
Weedcontrol@co.mckenzie.nd.us

McKenzie County Weed Management Plan

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

Date May 25, 2022 Circle One: PRIVATE **COMMERCIAL**

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

Name of Party Responsible for Weed Control if Different than Landowner

Joel Robidoux, ONEOK Project Manager

Address of Responsible Party

100 West Fifth Street
Tulsa, OK 74103

Phone Number 918-595-1579 (office), 405-401-9255 (cell)

E-Mail joel.robidoux@oneok.com

Approximate Size of Property 8.3 acres

Legal Description of Property

Southwest ¼ of Section 3, Township 148 North, Range 102 West

Purpose of Property

ONEOK is proposing to modify its Demicks Lake Pipeline (Pipeline) system by adding a new pump station. The Spring Creek II Pump Station (Station) will be built along the Pipeline system, and will consist of three 5,000 horsepower electrically driven pumps within buildings at the Station.

Surface Movement for Commercial Construction Purposes: Circle or highlight one

Scoria Manure Dirt Sand Gravel Construction Other _____

ONEOK has entered a long-term lease agreement to construct and operate the pump station. Upon completion of construction activities, the pump station will be graveled and fenced.

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

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

ONEOK plans to prevent and control the spread of noxious weeds during and following construction of the Spring Creek II Pump Station. Management goals and practices for the Project include the following:

1. Manage ground clearing in such a manner that will prevent the spread of any weeds that may be present in the area.
2. Ensure vehicles and equipment are clean and free of noxious weeds prior to arrival on site and when leaving the site.
3. Following construction, weed infestations reported by landowners (suspected to originate from the project) will be monitored. If needed, ONEOK will utilize herbicides or other treatments if noxious weeds are identified post-construction.

If herbicide application is deemed necessary, ONEOK and/or its Contractor will obtain required permits from the McKenzie County Weed Board, state and/or federal agencies, in addition to landowner approval, prior to application. Herbicide application would be conducted by a state-licensed Contractor (or via contract with the County Weed Board, if requested by the landowner). Please see the enclosed ONEOK Weed Management Plan for more details.

2.0 Weed Control Objectives:

Knowing which weed species occur on your property and where they are located is very important in developing control priorities. Weed species vary considerably in the threat that they pose to the resource values of the property. In addition, weed species vary greatly in their susceptibility to control measures. Thus, weed species that pose the

greatest threat to achieving the management goals for the property and which can be most easily controlled are the highest priority for management. To create weed control objectives for your weed management plan, first search your property for weeds (if you have not already done so).

Field surveys were conducted in October and November 2021 to record the presence of state- and county-listed noxious weeds. No noxious weeds were noted within the boundary of the pump station. An environmental inspector (EI) will be assigned to the Project. If noxious weeds are identified prior to construction activities, ONEOK will mow or treat these areas in accordance with its enclosed Weed Management Plan.

3.0 Weed Control Objectives – 3-year plan

1st Year Weed Control Objective:

Following construction, weed infestations reported by adjacent landowners (suspected to originate from the project) will be monitored as part of ONEOK's operations and maintenance surveys. EIs or other ONEOK staff will periodically monitor the site and adjacent areas. Should the EI or ONEOK staff identify noxious weed populations on or adjacent to the pump station (suspected to originate from the project), they will report their findings to the ONEOK operations and maintenance division to determine the appropriate action to control the spread of the weeds. Noxious weed management will be conducted in accordance with state and county regulations and in coordination with landowners, where applicable.

Individuals wishing to report noxious weeds suspected to originate from the project should call ONEOK at (605) 642-2197, extension #5. ONEOK staff will work with the McKenzie County Weed Board and/or landowner(s) on an appropriate treatment method.

2nd Year Weed Control Objective:

Similar to the 1st Year Weed Control objective, individuals wishing to report noxious weeds suspected to originate from the project should call ONEOK at (605) 642-2197, extension #5. ONEOK staff will work with the McKenzie County Weed Board and/or landowner(s) on an appropriate treatment method.

3rd Year Weed Control Objective:

Similar to the 1st and 2nd Year Weed Control objectives, individuals wishing to report noxious weeds suspected to originate from the project should call ONEOK at (605) 642-2197, extension #5. ONEOK staff will work with the McKenzie County Weed Board and/or landowner(s) on an appropriate treatment method.

4.0 Evaluating Weed Control: After you have created weed control objectives and have begun to control the priority weed species on your property, you should evaluate the results of your control methods. This requires follow-up visits to the areas where weeds

were controlled and a re-assessment of the size and density of an infestation. (For example, compare the size of the infestation after a growing season has elapsed to the size before control actions were initiated.) In most cases, the elimination of an infestation will take several years with multiple treatments per year to kill the plants and eliminate the bank of weed seeds in the soil.

As noted previously, upon completion of construction, the pump station will be graveled and fenced. ONEOK does not anticipate any long-term issues related to the spread of noxious weeds from the pump station; however, will work with adjacent landowners if it is determined that noxious weeds have spread from the Spring Creek II Pump Station property.

ND Law 4.1-47. Control of noxious weeds.

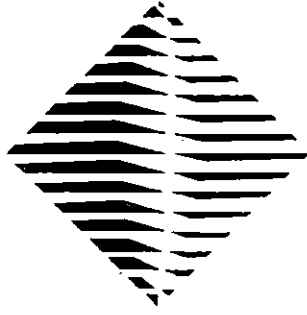
Each Person shall do all things necessary and proper to control the spread of noxious weeds.

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

Responsible Party DocuSigned by:
Todd McKimney
D9AC1DA0B5D742F... Date 5/26/2022

McKenzie County
Weed Board: *Amber Mergis* Date 5-31-2022

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



ONEOK

BAKKEN PIPELINE

A SUBSIDIARY OF ONEOK

ONEOK BAKKEN PIPELINE, L.L.C.
SPRING CREEK II PUMP STATION PROJECT

WEED MANAGEMENT PLAN

ISSUED FOR CONSTRUCTION

April 2022

TABLE OF CONTENTS

1.0	INTRODUCTION	1
2.0	GOALS AND OBJECTIVES	1
3.0	NOXIOUS WEED SPECIES LISTS.....	1
4.0	NOXIOUS WEED SPECIES MANAGEMENT	1
4.1	IDENTIFICATION OF PROBLEM AREAS	2
4.2	TREATMENT MEASURES	2
4.3	PREVENTIVE MEASURES	2
4.4	POST-CONSTRUCTION TREATMENT METHODS.....	3
5.0	MONITORING	4
6.0	HERBICIDE USE	4
6.1	HERBICIDE APPLICATION AND HANDLING	4
6.2	HERBICIDE SPILLS AND CLEANUP	5
6.3	WORKER SAFETY AND SPILL REPORTING	5

LIST OF ACRONYMS AND ABBREVIATIONS

EI	Environmental Inspector(s)
ONEOK	ONEOK Bakken Pipeline, L.L.C.
Plan	Weed Management Plan
Project	Spring Creek II Pump Station Project
SPCC	Spill Prevention, Control, and Countermeasure Plan

1.0 INTRODUCTION

Noxious weed control practices for the ONEOK Bakken Pipeline, L.L.C. (ONEOK) Spring Creek II Pump Station Project (Project) described in this Weed Management Plan (Plan) have been developed based on a review of requirements from state regulations and the McKenzie County Weed Board.

2.0 GOALS AND OBJECTIVES

This Plan prescribes methods to prevent and control the spread of noxious weeds during and following construction of the Project. ONEOK and its contractors will be responsible for implementing the methods described in this Plan.

This Plan is applicable to the construction and operation of the proposed pump station, including the proposed aboveground facilities and any temporary workspaces disturbed during the construction and operation of the proposed facilities.

3.0 NOXIOUS WEED SPECIES LISTS

A weed is commonly defined as a plant that grows out of place. A noxious weed is any plant officially designated by a federal, state, or county government as injurious to public health, agriculture, recreation, wildlife, or property (Sheley, Petroff, and Borman, 1999). Noxious weeds are opportunistic plant species that readily flourish in disturbed areas, thereby preventing native plant species from establishing successive communities.

Invasive species in North Dakota are controlled and regulated under North Dakota Law (NDCC § 4.1-47-02). Counties and cities have the option to add additional weeds for enforcement only in their jurisdiction.

The State of North Dakota has 13 state-listed noxious and invasive weeds:

Absinth wormwood	Leafy spurge	Saltcedar
Canada thistle	Musk thistle	Spotted knapweed
Dalmatian toadflax	Palmer amaranth	Yellow toadflax
Diffuse knapweed	Purple loosestrife	
Houndstongue	Russian knapweed	

McKenzie County recognizes the common Burdock, Black Henbane, Halogeton, and Baby's Breath as additional invasive weeds beyond the state-listed species above.

To comply with North Dakota Law (NDCC § 4.1-47-02), ONEOK has prepared this Plan specifying the weed management procedures to be implemented. Regulations also require that ONEOK reseed, plant, or otherwise manage the disturbed areas to establish a beneficial plant cover, where applicable. As these are aboveground facilities, most disturbed areas will not be revegetated once construction is complete but will instead be graveled.

4.0 NOXIOUS WEED SPECIES MANAGEMENT

This Plan is designed to:

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

4.1 IDENTIFICATION OF PROBLEM AREAS

Field surveys were conducted in October and November 2021 to record the presence of any noxious weeds. No noxious weeds were noted within the boundary of the proposed Spring Creek II Pump Station Project in McKenzie County.

In addition to areas identified by surveys, Weed Boards, landowners, and/or the Project Environmental Inspector(s) (EIs) may identify noxious weeds patches prior to construction. All identified areas will be demarcated using color-coded flagging or signage. Identification of existing noxious weed locations will alert environmental inspection and construction personnel to implement weed control measures during construction.

4.2 TREATMENT MEASURES

ONEOK will implement weed control measures, pending landowner approval of specific control measures, at identified infestation areas based on input from the McKenzie County Weed Board or by the EI. Weed control measures may include the application of herbicide or mechanical and/or alternative methods. The weed control measure chosen will be the best method available for the time, place, and species of weed as identified through consultation with the appropriate regulatory agencies. Should landowners not allow the use of herbicides, ONEOK will investigate potential alternative methods to be implemented, with approval by the landowners.

Herbicide application is an effective means of reducing the size of weed populations. Herbicide treatment methods will be based on species-specific and area-specific conditions (e.g., proximity to wetlands, open water, riparian areas or agricultural areas, and time of year) and will be coordinated with the local counties and regulatory agencies. Spot herbicide applications will be the preferred option. In areas of dense infestation, a broader application may be used. Pending the seasonal start of construction, preconstruction treatment of infestation areas may be conducted and will be controlled as described in Section 7.1, to minimize the impacts on the surrounding vegetation. Preconstruction applications will be completed in accordance with applicable chemical contact times (as specified by the manufacturer) in advance of clearing and grading. Treatment may be restricted in areas that are not readily accessible (e.g., difficult topography, saturated/inundated soils; etc.).

Mechanical control (e.g., mowing) can also be an effective control measure specifically for annual species (i.e., not for perennial rhizomatous species). The efficacy of mechanical control measures is dependent upon proper timing to cut the vegetation prior to the maturation of seed and may require multiple treatments during the growing season.

4.3 PREVENTIVE MEASURES

The following measures will be implemented to prevent the spread of noxious weeds.

- Prior to the beginning of construction of the Project, all contractor vehicles and equipment (including timber mats, if applicable) will be cleaned of soil and debris capable of transporting weed propagules. The contractor will maintain logs documenting the cleaning history of each piece of equipment and will make logs available to ONEOK, upon request. Contractor vehicles and equipment will be inspected and may require additional cleaning, if necessary, prior to mobilization to the Project sites. Cleaning will be conducted using high pressure washing equipment or compressed air, and/or manually remove excess soil from the tracks, tires, and blades of equipment.
- ONEOK will utilize high pressure water or compressed air and/or manually remove excess soil and plant debris from the tracks, tires, and blades of equipment prior to movement of equipment out of weed infested areas.
- Areas of the Project sites where weed infestations are identified will be clearly marked prior to construction. In these areas, the contractor may elect to conduct full topsoil stripping and will stockpile cleared vegetation and segregated topsoil on a cleared area within the respective Project site. The stockpiles will be identified as noxious weed stockpiles with signs and will be maintained adjacent to the areas from which they were obtained to eliminate the transport of soil-borne noxious weed propagules to other areas. During reclamation, the contractor will return topsoil and vegetative material to the areas from which they were obtained, as applicable. Alternately, for annual weed

species the contractor may elect to mow the infested area before the species begins seeding, thus eliminating the threat of spreading seeds during topsoiling and construction.

- In areas where full topsoil stripping is implemented, equipment required for initial vegetation clearing and topsoil segregation will be cleaned using one of the methods described above prior to leaving the area. Once the topsoil has been segregated, subsequent equipment will not require cleaning, as it will not come into contact with noxious weeds or the topsoil containing weed seeds and propagules. Equipment required for topsoil restoration will also be cleaned prior to moving out of an infested area identified by the McKenzie County Weed Board or ONEOK.
- The contractor will ensure straw bales used to construct sediment control devices or used as mulch applications are certified weed free and obtained from approved certified sources as recommended by the McKenzie County Weed Board.
- The contractor will ensure seed mixes and mulching materials used for revegetation are certified weed free and obtained from approved certified sources as recommended by the McKenzie County Weed Board.

4.4 POST-CONSTRUCTION TREATMENT METHODS

ONEOK's objective is to comply with the requirements to prevent the spread of noxious weeds and treat areas where weed species form a significant portion of the vegetation community in comparison to adjacent undisturbed areas. ONEOK will implement established reclamation practices to prevent the spread of noxious weeds in reclaimed construction areas.

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

The contractor will limit the use of fertilizer in reclaimed areas. Fertilizer will only be applied where specified by the jurisdictional land management agency or the property owner.

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

Individuals wishing to report noxious weeds should call ONEOK at (605) 642-2197, extension #5. ONEOK staff will work with the McKenzie County Weed Boards or landowner(s) on an appropriate treatment method.

Post-construction herbicide applications will be conducted prior to seed maturation where possible. Applications will be controlled, as described in Section 7, to minimize the impacts on the surrounding vegetation. As discussed in Section 5.2, herbicide treatment methods will be based on species-specific and area-specific conditions (e.g., proximity to water, riparian areas or agricultural areas, and time of year) and will be coordinated with the local county and regulatory agencies. Spot herbicide applications will be the preferred option. In areas of dense infestation, a broader application will be used and a follow-up seeding program implemented. The timing of subsequent revegetation efforts will be based on the persistence of the selected herbicide. ONEOK will communicate with a designated representative of each County Weed Board to inform them of the location and type of treatment administered by ONEOK or its contractor.

Mechanical methods entail the use of equipment to mow weed populations for annual species (i.e., not for perennial rhizomatous species). Mechanical treatments will be conducted prior to seed maturation where required. If such a method

is used, subsequent seeding will be conducted if necessary to re-establish a desirable vegetative cover that will stabilize the soils and slow the potential re-invasion of weeds.

During routine operations activities, if noxious weed species are identified that are not listed on the County or State weed lists, ONEOK will treat the affected area(s) as quickly as possible.

ONEOK will consult with local agencies regarding the use of biological and alternate noxious weed control methods, which may be implemented through agreements with private landowners.

5.0 MONITORING

Following construction, weed infestations reported by landowners will be monitored as part of ONEOK's operations and maintenance surveys. Els will periodically monitor the Project sites to capture revegetation growth, where applicable. Should the Els identify noxious weed populations on or adjacent to the Project sites, they will report their findings to the ONEOK operations and maintenance division to determine the appropriate action to control the spread of the weeds. Noxious weed management will be conducted in accordance with state and county regulations.

6.0 HERBICIDE USE

6.1 HERBICIDE APPLICATION AND HANDLING

Herbicide application will be based on information gathered from consultations with the County Weed Boards and applicable state agencies, as well as from discussions with landowners. Before application, ONEOK or its contractor will obtain required permits from the County Weed Boards or the state agencies and receive landowner approval. Herbicide application will be conducted in accordance with applicable laws and regulations by a state-licensed contractor, or via contract with the McKenzie County Weed Board, if requested by the landowner.

All herbicide applications will follow United States Environmental Protection Agency label instructions. Application of herbicides will be suspended when any of the following conditions exists:

- Wind velocity exceeds six (6) miles per hour during application of liquid or granular herbicides;
- Snow or ice covers the foliage of noxious weeds; or
- Precipitation is occurring or is imminent.

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

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

- On-site herbicide quantities will be limited where practical;
- Concentrate will be transported in approved containers only, in a manner that will prevent tipping or spilling, and in a compartment that is isolated from food, clothing, and safety equipment;
- Mixing will be conducted in an upland area at a distance greater than 100 feet from open or flowing water and wetlands, greater than 200 feet from private wells, and greater than 400 feet from public wells. The property owner will be consulted about the presence and location of wells prior to herbicide application; and
- All herbicide equipment and containers will be maintained as needed and inspected for leaks daily.

6.2 HERBICIDE SPILLS AND CLEANUP

ONEOK has developed a Spill Prevention, Control, and Countermeasure (SPCC) Plan that incorporates all reasonable precautions to be taken to avoid spills of all potentially hazardous materials. In the event of a spill, cleanup will be immediate and will be conducted in accordance with the SPCC Plan.

Herbicide contractors are responsible to keep spill kits in their vehicles and in herbicide storage areas to allow for quick and effective response to spills. Items to be included in the spill kits 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;
- Dust pan;
- 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.

6.3 WORKER SAFETY AND SPILL REPORTING

All herbicide contractors will obtain and have readily available copies of the appropriate Safety Data Sheets and the herbicide labels for the herbicides used. All herbicide spills will be reported in accordance with applicable laws and requirements. Further information regarding spill response and reporting is detailed in the SPCC Plan.