

Please include section or expand worker safety section by including herbicide applicator logs and retention schedule for such logs. Also, include blank herbicide log so we know what all is being recorded for compliance with worker safety, this should include the use of Personal Protective Equipment (PPE).



Magellan Pipeline Company, L.P., is a subsidiary of ONEOK

## **Denver Expansion Project**

# **Weed Management Plan**

**October 2024**

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## LIST OF ACRONYMS AND ABBREVIATIONS

EI	Environmental Inspectors
MP	milepost
Magellan	Magellan Pipeline Company, L.P.
Plan	Weed Management Plan
Project	Denver Expansion Project
SPCC	Spill Preservation, Containment, and Countermeasure

## 1.0 INTRODUCTION

Noxious weed control practices for the Magellan Pipeline Company (Magellan) Denver Expansion Project (Project) described in the Weed Management Plan (Plan) are being developed in consultation with the state agencies listed below:

- Colorado Department of Agriculture
- Kansas Department of Agriculture

Additionally, Magellan is consulting with the County Weed and Pest Districts and Weed Control Supervisors for the following counties (Table 1).

<b>Table 1</b> <b>County Weed and Pest Districts for the Denver Expansion Project</b>	
<b>Colorado</b>	<b>Kansas</b>
Denver	Wallace
Adams	Logan
Arapahoe	Wichita
Elbert	Scott
Lincoln	
Kit Carson	
Cheyenne	

## 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. Magellan 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 pipeline facilities, including the pipeline right-of-way, the proposed aboveground facilities, and extra 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 (e.g., a rose growing in a wheat field) and is "competitive, persistent, and pernicious" (James et al, 1991). 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.

Colorado and Kansas maintain official state lists of weed species that are designated noxious species. The State of Colorado Weed Management Program and species lists can be obtained at: <https://www.colorado.gov/pacific/agconservation/noxious-weed-species>. The state of Kansas Noxious Weed Control Program and species list can be obtained at: <https://www.agriculture.ks.gov/divisions-programs/plant-protection-weed-control/noxious-weed-control-program>.

### 3.1 COLORADO

Under its Colorado Noxious Weed Act, §§ 35-5.5-101 through -119, Colorado Revised Statutes (2003), Colorado has officially designated 79 plant species as noxious, which are divided into three lists based on prevalence and management approach as described below:

List A Species are noxious weeds that are not common to the state and require eradication. Upon identification of List A species, the State Weed Coordinator/County Weed Control Supervisor is to be notified to coordinate control efforts.

African rue	Giant reed	Orange hawkweed
Bohemian knotweed	Giant salvinia	Parrotfeather
Camelthorn	Hairy willow-herb	Purple loosestrife
Common crupina	Hydrilla	Rush skeletonweed
Cypress spurge	Japanese knotweed	Squarrose knapweed
Dyer's woad	Meadow knapweed	Tansy ragwort
Elongated mustard	Mediterranean sage	Yellow flag iris
Flowering rush	Medusahead	Yellow starthistle
Giant knotweed	Myrtle spurge	

List B Species are noxious weeds for which the state develops management plans to stop the continued spread of the species. While the state does not require treatment for these species, control may be required at the county level.

Absinth wormwood	Eurasian watermilfoil	Plumeless thistle
Black henbane	Hoary cress	Russian knapweed
Bouncingbet	Houndstongue	Russian olive
Bull thistle	Hybrid knapweed	Salt cedar
Canada thistle	Hybrid toadflax	Scentless chamomile
Chinese clematis	Jointed goatgrass	Scotch thistle
Common tansy	Leafy spurge	Spotted knapweed
Common teasel	Mayweed chamomile	Sulfur cinquefoil
Cutleaf teasel	Moth mullein	Wild caraway
Dalmatian toadflax	Musk thistle	Yellow nutsedge
Dame's rocket	Oxeye daisy	Yellow toadflax
Diffuse knapweed	Perennial pepperweed	

List C Species are common weed species for which the state develops and implements management plans to provide education, research, and biological control resources to jurisdictions that require management of these species. While the state does not require treatment for these species, control may be required at the county level.

Bulbous bluegrass	Field bindweed	Quackgrass
Chicory	Halogeton	Redstem filaree
Common burdock	Johnsongrass	Siberian elm

Common mullein	Perennial sowthistle	Tree of heaven
Common St. Johnswort	Poison hemlock	Velvetleaf
Downy brome	Puncturevine	Wild-proso millet

### 3.2 KANSAS

The Kansas Department of Agriculture is responsible for the administration of the State Noxious Weed Law (Kansas Statutes Annotated Article 13, Chapter 2-1314 et seq. and Kansas Administrative Regulations 4-8-13 et seq.). Kansas currently lists 12 plant species as noxious weeds.

Category A Species (i.e., “A”) are generally not found in the state or are found limited in distribution throughout the state and shall be subject to exclusion from the state or active eradication wherever detected statewide, in order to protect neighboring lands and the state as a whole.

Category B Species (i.e., “B”) have discrete distributions throughout the state and shall be subject to control wherever populations have become established within the state and subject to active eradication wherever populations are not established.

Category C Species (i.e., “C”) are well-established within the state and known to exist in larger or more extensive populations in the state. New populations shall be subject to control efforts at reducing or eliminating those populations and known and established populations of Category C noxious weeds shall be managed by any approved control method.

Hoary cress (A)	Canada thistle (B)
Leafy spurge (A)	Field bindweed (C)
Quackgrass (A)	Musk thistle (C)
Russian knapweed (A)	Sericea lespedeza (C)
Kudzu (A)	Johnsongrass (C)
Pignut (A)	Bur ragweed (C)

### 4.0 NOXIOUS WEED SPECIES MANAGEMENT

The Plan is designed to:

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

#### **4.1 IDENTIFICATION OF PROBLEM AREAS**

Magellan will work with the county weed districts and landowners to identify known locations of weed infestations in the project area. In addition to the infestation areas identified by the weed districts and landowners, additional areas containing noxious species may be identified prior to construction by the Environmental Inspector (EI), which will be demarcated using color-coded flagging or signage on the construction right-of-way. Identification of existing noxious weed locations will alert environmental inspection and construction personnel to implement weed control measures during construction.

#### **4.2 TREATMENT MEASURES**

Magellan will implement weed control measures, pending landowner approval of specific control measure, at identified infestation areas based on weed district input, or by the EIs. 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, Magellan 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 within the construction right-of-way. 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 are 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) will be cleaned of soil and debris capable of transporting weed propagules. The contractor shall maintain logs documenting the cleaning history of each piece of equipment and will make logs available to Magellan, upon request. Contractor vehicles and equipment will be inspected by EIs and may require additional cleaning if necessary prior to mobilization to the right-of-way. 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.

- Stations will be sited at least 0.25 mile from perennial waterbodies. Additional washing stations will be installed as needed; all washing station locations will be identified prior to construction. Station design and post-construction removal will be included in the contract bid documents. Stations 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 right-of-way within Colorado and Kansas where weed infestations are identified will be clearly marked prior to construction. In these areas, the contractor may elect to conduct full right-of-way topsoil stripping and will stockpile cleared vegetation and segregated topsoil along the right-of-way. The stockpiles will be identified as noxious weed stockpiles with signs, and be maintained adjacent to the areas from which they were obtained to eliminate the transport of soil-borne noxious weed propagules to other areas along the right-of-way. During reclamation, the contractor will return topsoil and vegetative material to the areas from which they were obtained. 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 right-of-way topsoil stripping is utilized, equipment required for initial vegetation clearing and topsoil segregation will be cleaned utilizing 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 county or ONEOK.
- The contractor will ensure that straw bales used to construct sediment control devices or used as mulch applications will be certified weed free and obtained from approved certified sources as recommended by the County Weed and Pest Districts, Weed Control Supervisors, and the States of Colorado and Kansas.
- The contractor will ensure that seed mixes and mulching materials used for revegetation will be certified weed free and obtained from approved certified sources as recommended by the County Weed and Pest Districts, Weed Control Supervisors, and the States of Colorado and Kansas.

#### **4.4 POST-CONSTRUCTION TREATMENT METHODS**

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

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 Magellan's EI(s), Magellan 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 in the right-of-way, Magellan will make good faith efforts to control weeds within the right-of-way 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 Magellan receive calls from landowners concerning noxious weed on the right-of-way, Magellan 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. Magellan will control noxious weed species at Magellan -managed aboveground facility sites to prevent the spread onto adjacent properties.

Counties and landowners wishing to report noxious weeds on the right-of-way should call Magellan at (605) 642-2197, extension #5. Magellan staff will work with the county or landowner 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 counties 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 according to the Project's revegetation plan. The timing of subsequent revegetation efforts will be based on the persistence of the selected herbicide. Magellan will communicate with a designated representative of each county to inform them of the location and type of treatment administered by Magellan 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, Magellan will treat the affected area as quickly as possible.

Magellan 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 Magellan's operations and maintenance surveys. EIs will periodically monitor the right-of-way to capture revegetation growth. Should the EIs identify noxious weed populations in the right-of-way, they will report their findings to the Magellan operations and maintenance division to determine the appropriate action to control the spread of the weeds. Noxious weed management in the Denver Expansion Project easement will be conducted in accordance with the respective state regulations.

## **6.0 HERBICIDE USE**

### **6.1 HERBICIDE APPLICATION AND HANDLING**

Herbicide application will be based on information gathered from consultations with local weed districts and state agencies as well as discussions with landowners. Before application, Magellan or its contractor will obtain required permits from the local weed districts or the state agencies, and landowner approval. Herbicide application will be conducted in accordance with applicable laws and regulations by a state-licensed contractor, or via contract with the local weed and pest district 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 10 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 site daily with the following provisions:

- on-site herbicide quantities will be limited where practical;
- concentrate will be transported in approved containers only, and 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 would 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**

Magellan has developed a Spill Preservation, Containment 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 kit 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.

## 7.0 REFERENCES

- Colorado Department of Agriculture. 2024. Colorado Noxious Weeds. Available online at: <https://www.colorado.gov/pacific/agconservation/noxious-weed-species>. Accessed September 2024.
- James, L., J. Evans, M. Ralphs, and R. Child, editors. 1991. Noxious Range Weeds. Westview Press. Boulder, CO.
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