Appendix T

Aquatic Nuisance Species Management Plan

Prepared for:
Bison Pipeline LLC

Aquatic Nuisance Species Management Plan

AECOM, Inc.
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AECOM

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Aquatic Nuisance Species Management Plan

Bison provided a general plan for the management of aquatic nuisance species in response to comments received from the FERC in the Draft Environmental Impact Statement (EIS). This Aquatic Nuisance Species Management Plan has not been previously submitted.

1.0 Introduction

In response to comments to the Draft Environmental Impact Statement (EIS) from the Wyoming Game And Fish Department, Bison prepared a general plan for the management of aquatic nuisance species (ANS) in October 2009. That plan included pre-construction surveys in Spring 2010 to document the presence/absence of specific species, followed by consultation with appropriate state agencies to determine a mutually agreeable solution to minimizing the spread of these species.

Additionally, in the Final EIS, the FERC requested that Bison "file, for review and written approval, its final list of invasive species potentially occurring within the Project area based on field surveys, all associated agency consultations, and any species-specific mitigation measures to avoid or limit the spread of invasive aquatic species".

Based on additional consultation with state agencies that has occurred since issuance of the Final EIS, Bison has modified the plan to remove pre-construction surveys, and has provided state-specific cleaning measures as detailed below.

2.0 All States

All equipment will be required to arrive at the construction area clean and dry, and drained of all water. Upon arrival, Bison's Environmental Inspectors (EIs) will inspect each vehicle to determine that it is free of soil, debris and water.

Equipment cleaning procedures discussed below should be applied to all equipment, equipment components (e.g., backhoe buckets, etc.), or materials (e.g., mats, flume pipes, etc.) that come into contact with water (in Wyoming and Montana) or the aquatic features (North Dakota) defined below.

3.0 Wyoming

Wyoming Game and Fish Department provided the following recommendations to address ANS in all perennial and intermittent waterbodies in Wyoming that have flowing water or are inundated at the time of crossing:

When work will occur in or near water, all equipment must be decontaminated. Decontamination should first occur before arrival at a project site, so aquatic invasive species (AIS) are not transferred from the last visited area. Decontamination should again occur before leaving a project site, so AIS are not transferred to the next site.

Decontamination may consist of:

1) Drain all water from equipment and compartments;

2) Clean equipment of all mud, plants, debris, or animals; and,

3) Dry equipment for 5 days in summer (June, July & August); 18 days in Spring (March, April & May) and Fall (September, October & November); or 3 days in Winter (December, January & February) when temperatures are at or below freezing, OR for as long as possible.

4.0 Montana

Though not state law, Montana Game & Fish recommends a high-pressure, hot water wash for any equipment that crosses any waterbody with flowing or standing water. All washed equipment should be allowed to dry for as long as possible, and should not contain any free water. No cleaning is required for equipment that crosses dry waterbodies or waterbodies with no flowing or standing water.

5.0 North Dakota

ND State Law (Chapter 30-03-06) requires that "Upon leaving any water body or while in transit, all watercraft, watercraft motors, watercraft trailers, and recreational and commercial equipment used in fishing, hunting, and watercrafting or construction equipment shall be free of prohibited or regulated aquatic nuisance species, as defined in the state's aquatic nuisance species list". Further, "No aquatic vegetation, or parts thereof, shall be in or on watercraft, watercraft motors, watercraft trailers, and recreational, commercial, or construction equipment when out of water". The law also includes that water must be drained from any and all compartments, extending to construction equipment. Further, it is a matter of law as defined by Administrative Code to require cleaning (including removal of all mud, plant parts, etc.) of any construction equipment after that equipment has exited <u>any waterbody</u> .

The North Dakota Game and Fish Department defines completely dry waterbodies as "dry land" and all other waterbodies (e.g., inundated and saturated waterbodies) as "aquatic", and requires that every good faith effort be made to thoroughly remove all visible material from construction equipment. No cleaning is necessary for equipment that crosses dry land. For equipment that crosses aquatic features, the North Dakota Game and Fish Department has stated that the cleaning methodology is up to the Project proponent, but whichever cleaning method is chosen must result in "clean equipment". One suggested cleaning method was a high pressure wash using water (where present) obtained from the crossed waterbody. It is acceptable to allow the wash water to flow back into the waterbody from where it came, provided the water was discharged far enough away from the waterbody, or within a vegetated area, to reduce stream side erosion or turbidity.

Based on this consultation, Bison prepared the following ANS management procedure for North Dakota:

1. Dry land – no cleaning necessary, though general cleanliness is recommended

2. Aquatic environment (no surface water) – Use broom, hand tools and/or compressed air to clean after exit from waterbody.
3. Aquatic environment (with surface water) – Carry pressure washer and clean with high-pressure water [using water screened (using a 0.1-inch mesh screen) from the crossed waterbody], brooms, hand tools and/or compressed air after exit from waterbody. Ensure that any cleaning water is discharged far enough away from the waterbody, or within a vegetated area, to reduce stream-side erosion or turbidity.
4. All equipment that crosses or comes into contact with aquatic environment water or soil must be clean upon completion of the chosen cleaning method.
5. All water must be drained from any and all compartments on any construction equipment.

6.0 Hydrostatic Test Water

All hydrotest water removed from reservoirs will be returned to the same watershed. Similarly, all hydrotest water removed from waterbodies will be returned to the same watershed in an upland area at a sufficient distance to prevent the overland transport of any aquatic nuisance species into a water feature. For these reasons, no treatment of hydrostatic test water for aquatic nuisance species is required. Bison's Hydrostatic Testing Plan provides details on the measures that will be taken to minimize the entrainment of any organic or mineral material in the hydrostatic testing water.