



Resource Report 3
Fisheries, Vegetation, and Wildlife

Permian Basin Expansion Project
FERC Docket No. CP26-____-000

May 2026

RESOURCE REPORT 3 - FISHERIES, VEGETATION, AND WILDLIFE	
MINIMUM FILING REQUIREMENTS	
INFORMATION	DATA SOURCE
1. Classify the fishery type of each surface waterbody that would be crossed, including fisheries of special concern – 18 CFR § 380.12(e)(1)	Section 3.1
2. Describe terrestrial and wetland wildlife and habitats that would be affected by the project – 18 CFR § 380.12(e)(2)	Sections 3.2 and 3.3
3. Describe the major vegetative cover types that would be crossed and provide the acreage of each vegetative cover type that would be affected by construction – 18 CFR § 380.12(e)(3)	Section 3.2 and Table 3.2-1
4. Describe the effects of construction and operation procedures on the fishery resources and proposed mitigation measures – 18 CFR § 380.12(e)(4)	Section 3.1
5. Evaluate the potential for short-term, long-term, and permanent impact on the wildlife resources and state-listed endangered or threatened species caused by construction and operation of the project and proposed mitigation measures – 18 CFR § 380.12(e)(4)	Sections 3.3 and 3.4
6. Identify all federally listed or proposed endangered or threatened species that potentially occur in the vicinity of the project and discuss the results of the consultations with other agencies. Include survey reports as specified in 18 CFR § 380.12(e)(5)	Section 3.4 and Table 3.4-2-1
7. Identify all federally listed essential fish habitat that potentially occurs in the vicinity of the project and the results of abbreviated consultations with the National Oceanic and Atmospheric Administration’s National Marine Fisheries Service, and any resulting essential fish habitat assessment – 18 CFR § 380.12(e)(6)	Section 3.1
8. Describe any significant biological resources that would be affected. Describe impact and any mitigation proposed to avoid or minimize that impact – 18 CFR § 380.12(e)(4,7)	Not applicable
ADDITIONAL INFORMATION OFTEN MISSING AND RESULTING IN DATA REQUESTS	
Provide copies of correspondence from federal and state fish and wildlife agencies along with responses to their recommendations to avoid or limit impact on wildlife, fisheries, and vegetation.	Resource Report 1, Appendix 1C
Provide a list of significant wildlife habitats crossed by the project. Specify locations by milepost and include length and width of crossing at each significant wildlife habitat.	Not applicable
Provide a description of project-specific measures that would be implemented during construction and operation of the project to avoid or minimize impacts on migratory birds. Include comments from the U.S. Fish and Wildlife Service on the proposed measures.	Section 3.3.1
For aquatic and marine species, be sure to include effects of sedimentation, changes to substrate, effects of blasting, etc. This information may be needed on a location-specific (i.e., milepost) basis and may require geophysical and other surveys. Results of such surveys and analyses should be included in the application.	Not applicable

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Abbreviations and Acronyms

BCC	Birds of Conservation and Concern
BCR	Bird Conservation Region
BGEPA	Bald and Golden Eagle Protection Act
BISON-M	Biota Information System of New Mexico
CFR	Code of Federal Regulations
CS	Compressor Station
DPS	distinct population segment
ESA	Endangered Species Act
ESB	environmental survey boundary
ESFO	Ecological Services Field Office
FERC	Federal Energy Regulatory Commission
IBA	Important Bird Area
IPaC	Information for Planning and Conservation
MBTA	Migratory Bird Treaty Act
Merjent	Merjent, Inc
NABCI	North American Bird Conservation Initiative
NMDGF	New Mexico Department of Game and Fish
Northern	Northern Natural Gas Company
NRCS	Natural Resources Conservation Service
Plan	FERC Upland Erosion Control, Revegetation, and Maintenance Plan
Project	Permian Expansion Project
SGP CHAT	Southern Great Plains Crucial Habitat Assessment Tool
TPWD	Texas Parks and Wildlife Department
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey

3.0 FISHERIES, VEGETATION, AND WILDLIFE

Northern Natural Gas Company (Northern) owns and operates a natural gas transmission pipeline system and associated aboveground facilities in New Mexico and Texas. Northern is seeking a Certificate of Public Convenience and Necessity from the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act, as amended, for its Permian Basin Expansion Project (Project).

The Project includes constructing approximately 15.1 miles of 24-inch-diameter and 1.1 miles of new 16-inch-diameter pipelines, a new International Organization for Standardization-rated 7,700 horsepower compressor station, one interconnect with Transwestern Pipeline Company, LLC within the existing Phillips 66 Linam Ranch Plant, one bi-directional receiver within Northern's existing launcher facility, replacing a recycle valve at Northern's Plains compressor station, and one new delivery point for the customer at the Gaines County Generating Station.

In accordance with the FERC regulations at 18 Code of Federal Regulations (CFR) 380.12(e), *Resource Report 3 – Fish, Wildlife, and Vegetation* describes aquatic life, wildlife, and vegetation in the vicinity of the proposed project; expected impacts on these resources including potential effects on biodiversity; and proposed mitigation, enhancement or protection measures.

Merjent, Inc (Merjent), on behalf of Northern, conducted biological field surveys in December 2025 and January 2026 that encompassed the proposed Project facilities plus a buffer, referred to as the environmental survey boundary (ESB).

3.1 FISHERIES

Fisheries are typically classified based on water temperature (i.e., warmwater, coolwater, or coldwater), salinity (i.e., freshwater, marine, or estuarine), and primary use (e.g., commercial, recreational). The FERC further delineates significant fisheries resources, which are defined as waterbodies that provide essential habitat for fish species during foraging, rearing, or spawning; serve as important commercial or recreational fishing areas; or support substantial populations of fish species that are commercially or recreationally important or are protected under federal or state regulations.

The Project area was assessed for the presence of waterbodies that could support fisheries, including special waters such as springs, National Wild and Scenic Rivers, Outstanding Resource Value Waters, Public Water Inventory, trout streams, and other special state and local waterbody designations. No waterbodies were identified within the Project workspaces.

No waterbodies will be crossed or otherwise affected by the Project based on field surveys, and there are no fisheries of special concern or essential fish habitat within or near the Project (National Marine Fisheries Service, 2025). Hydrostatic testing or pneumatic testing will be conducted in accordance with Department of Transportation regulations codified at 49 CFR Part 192 to verify the integrity of the pipelines before being placed into service. If water is used, it will be withdrawn from public water sources and pumped into the test section behind a fill pig. Hydrostatic test water will be obtained in compliance with state regulations and existing water rights. Therefore, Northern anticipates construction and operation of the Project will not result in impacts on fisheries.

3.2 VEGETATION

Vegetative habitats are classified by the presence of the dominant vegetation species. Defining habitats based on vegetation community type assists with identifying the potential presence of wildlife, threatened and endangered species, communities, and other ecologically sensitive areas. In turn, these evaluations make it possible to identify areas that require protection or conservation management plans.

The Project is located within the southwestern and southern parts of the Southern High Plains Major Land Use Areas, characterized by the Llano Estacado plateau with wide expanses of flat to slightly sloping plains. Historically, this ecoregion supported natural mixed grass prairies with sparse communities of woody shrubs and trees. However, the landscape has been largely converted to agricultural land, predominantly cotton, corn, and livestock (Natural Resources Conservation Service [NRCS], 2022).

Project Components	Herbaceous		Shrub-scrub		Cultivated Crops		Total ¹	
	Const	Oper	Const	Oper	Const	Oper	Const	Oper
Pipeline Facilities (Segments 1 and 2)								
TWS (Pipeline ROW)	5.0	2.5	160.6	80.3	28.0	13.9	193.6	96.8
ETWS	2.6	-	29.5	-	2.7	-	34.7	-
Access Roads	6.7	-	23.7	-	3.4	-	33.8	-
Staging Areas	2.3	-	48.5	-	0.1	-	51.0	-
Subtotal ¹	16.6	2.5	262.3	80.3	34.2	13.9	313.1	96.8
Aboveground Facilities								
Hobbs Compressor Station	1.9	-	9.9	5.2	-	-	11.8	5.2
Transwestern - Lea County Interconnect	0.5	<0.1	1.4	0.3	-	-	1.9	0.4
Hobbs - Plains Bi-directional Receiver ²	-	-	-	0.9	-	-	-	0.9
Plains Recycle Valve	2.1	0.1	-	-	2.2	0.4	4.3	0.4
Gaines County Generating Station	-	-	-	-	6.9	0.9	6.9	0.9
Access Roads	2.3	2.2	3.2	2.6	-	-	5.5	4.8
Subtotal ¹	6.7	2.3	14.5	9.0	9.1	1.2	30.3	12.5
PROJECT TOTAL ¹	23.3	4.8	276.8	89.3	43.3	15.1	343.4	109.2
¹ Addends may not sum due to rounding. Total of Table 3.2-1 will not match acreage totals provided in other resource reports due to developed land being excluded from this table. ² Construction impacts are accounted for as part of the pipeline facilities construction.								

Using a combination of the National Landcover Data (U.S. Geological Survey [USGS], 2021) and field surveys, Northern documented three vegetation communities that will be crossed by the Project: herbaceous; shrub-scrub; and cultivated crops. Herbaceous habitat within the Project area is mostly limited to a maintained field adjacent to the existing Phillips 66 Linam Ranch Plant that is dominated by planted grass such as non-native Bermuda grass (*Cynodon dactylon*), sand dropseed (*Sporobolus cryptandrus*), and tumble windmill grass (*Chloris verticillata*). The majority of the Project area consists of rangeland shrub-scrub communities dominated by honey mesquite (*Prosopis glandulosa*). The rangeland herbaceous stratum is made up of blue grama (*Chloris verticillata*), sideoats grama (*Bouteloua curtipendula*), James’ galleta (*Pleuraphis jamesii*), buffalo grass (*Bouteloua dactyloides*), sixweeks threeawn (*Aristida adscensionis*), plains bristlegrass (*Setaria vulpisetia*), vine mesquite (*Panicum obtusum*), brome snakeweed (*Gutierrezia sarothrae*), prairie broomweed (*Amphiachyris dracunculoides*), silverleaf nightshade (*Solanum*

elaegnifolium), and pricklyleaf dogweed (*Thymophylla acerosa*). Agricultural fields in the Project area consist of alfalfa (*Medicago sativa*), winter wheat (*Triticum aestivum*), and cotton (*Gossypium hirsutum*) intermixed with undesirable species of sandbur (*Cenchrus spinifex*) and palmer amaranth (*Amaranthus palmeri*). Six palustrine emergent wetlands were also delineated within the Project ESB, but they will not be affected by the Project (see Resource Report 2 for information).

Construction of the Project will result in the disturbance of approximately 23.3 acres of herbaceous vegetation, 276.8 acres of shrub-scrub vegetation, and 43.3 acres of cultivated crops. Temporary and permanent impacts from construction and operation of the Project on vegetation cover types are presented in Table 3.2-1 and discussed below.

Based on the field survey data and review of the NRCS Stewardship Lands Inventory data and the USGS's Protected Areas Database (NRCS, 2026; USGS, 2026a), there are no known unique or sensitive vegetation types that will be affected by the Project.

Lists of potential noxious and invasive weeds were obtained from state agencies. State lists are maintained by the Texas Department of Agriculture (2026) and the New Mexico Department of Agriculture (2026). Northern completed a noxious weed survey of the Project area concurrent with the wetland and waterbody surveys. No noxious or invasive weed species were identified within the ESB.

Northern has developed a Project-specific *Noxious and Invasive Plant Management Plan* (see Appendix 3A) to prevent the introduction of new noxious weeds and control the spread of noxious weeds during construction and operation of the Project. Northern will implement measures in accordance with the *Noxious and Invasive Plant Management Plan* to minimize the risk that noxious weeds are introduced to the Project area, such as minimizing the time that bare soil is exposed, quickly seeding disturbed areas to establish vegetative cover, and ensuring that equipment is free of noxious and invasive species prior to entering and exiting work sites.

Project impacts on vegetation will primarily result from clearing and grading activities, but the majority of these impacts will be temporary and short term. Approximately 330.9 acres of vegetation will be temporarily cleared for construction and 12.5 acres will be permanently converted to developed land for operation of the Hobbs compressor station, Gaines County Generating Station, permanent access roads, and other aboveground appurtenant facilities. Additionally, 80.3 acres of shrub-scrub vegetation will be permanently converted to herbaceous vegetation for operation and maintenance of the permanent pipeline easement. No tree clearing or trimming is proposed. Northern will segregate topsoil from subsoil within cultivated or rotated croplands and will decompact agricultural soils after backfilling and regrading the pipeline right of way. Following construction, all temporary workspace and extra temporary workspace will be restored to pre-construction contours and conditions to the extent practicable in accordance with the FERC *Upland Erosion Control, Revegetation, and Maintenance Plan* (Plan). Gravel and geotextile fabric will be removed from any temporary access roads or construction entrances that required placement of new gravel, unless otherwise requested by the landowner. Northern will revegetate workspaces using a native, weed-free seed mix developed in consultation with the New Mexico and Texas NRCS offices. Northern will use pollinator-friendly plant seed mixtures within Northern-owned properties, where feasible, and offer landowners the option of using pollinator-

friendly seed mixtures on privately owned lands within the Project workspaces where temporary impacts occur. Project workspaces within cultivated cropland will be restored in accordance with landowner agreements. Northern will continue revegetation efforts until the density and cover of non-nuisance vegetation is similar to that of adjacent undisturbed areas.

On March 20, 2026, the New Mexico Department of Game and Fish (NMDGF) made recommendations regarding seed mixes for the Project (see Resource Report 1, Appendix 1C). The NMDGF recommended that Northern use only native, weed-free seeds that enhance pollinator habitat, and that Northern source seeds from the same region as the Project, when possible. As discussed above, Northern will use native, weed-free, and pollinator-friendly seed mixtures developed in consultation with the NRCS to restore the Project area, unless otherwise stipulated in landowner agreements. Northern will obtain seeds from a reputable vendor.

Given the measures listed above, Northern believes that the Project will not result in significant impacts on vegetation.

3.3 WILDLIFE

Wildlife species that may be present within the Project area are typical species found in rangeland and semi-developed areas of the American southwest. Some of the major wildlife species that are common in the Project area are mule deer (*Odocoileus hemionus*), white-tailed deer (*Odocoileus virginianus*), coyote (*Canis latrans*), badger (*Taxidea taxus*), bobcat (*Lynx rufus*), raccoon (*Procyon lotor*), skunk (*Mephitis mephitis*), fox squirrel (*Sciurus niger*), jackrabbit (*Lepus spp.*), cottontail (*Sylvilagus spp.*), turkey (*Meleagris gallopavo*), pheasant (*Phasianus colchicus*), Canada goose (*Branta canadensis*), scaled quail (*Callipepla squamata*), bobwhite quail (*Colinus virginianus*), mourning dove (*Zenaida macroura*), and rattlesnakes (NRCS, 2022).

3.3.1 Protected and Sensitive Areas

The Project will not cross any Designated Wilderness Areas, National Wild and Scenic River Systems, National Forests, U.S. Fish and Wildlife Service (USFWS) conservation easements or management areas, or New Mexico or Texas state parks (National Park Service, 2026; National Wild and Scenic Rivers System, 2026; USGS, 2026a; USFWS, 2025a; New Mexico Energy, Minerals, and Natural Resources Department, 2026; Texas Parks and Wildlife Department [TPWD], 2026a). In addition, the Project will not cross any public lands managed by the Bureau of Land Management or the Texas General Land Office (Bureau of Land Management, 2026; Texas General Land Office, 2026). The Project will cross state land trust lands managed by the New Mexico State Land Office (New Mexico State Land Office, 2026). Additional information on state-managed lands is provided in Resource Report 8.

The NMDGF and TPWD manage a variety of game species for hunting and recreation including big game species such as pronghorn, elk, and mule deer. The Project does not cross any public hunting lands or big game migration corridors (New Mexico State Land Office, 2026; TPWD, 2026b; USGS, 2026b).

On March 16, 2026, the NMDGF's environmental review report made recommendations regarding three Species of Greatest Conservation Need with the potential to occur within 1 mile of the Project area: the burrowing owl (*Athene cunicularia*); black-tailed prairie dog (*Cynomys ludovicianus*);

and Gunnison's prairie dog (*Cynomys gunnisoni*). The burrowing owl is a migratory bird protected under the Migratory Bird Treaty Act (MBTA), which is further discussed below. The black-tailed prairie dog and Gunnison's prairie dog are not granted protection from take at the federal or state level. However, Northern has designed the Project to minimize impacts on all wildlife to the extent practicable by routing the pipeline and siting aboveground facilities within or adjacent to previously disturbed lands, including active agricultural fields, oil and gas well pads, access roads, and utility rights-of-way. In addition, Northern will implement the following best management practices to reduce the risk of wildlife entrapment during Project construction:

- minimize the length of time that trenches are left open;
- install wildlife escape ramps within open trenches;
- inspect open trenches on a daily basis for trapped wildlife and have any trapped wildlife relocated outside of the Project area by a qualified biologist; and
- cap the ends of open pipe left in trenches overnight and inspect all staged pipe outside of the trench for wildlife prior to use.

Migratory Bird Treaty Act

Migratory birds are protected under the MBTA (16 USC 703-711), which prohibits take of individual birds, their eggs and chicks, and active nests. The MBTA states that it is unlawful to pursue, hunt, take, capture, kill, possess, sell, purchase, barter, import, export, or transport any migratory bird, or any part, nest, or egg of any such bird, unless authorized by the Secretary of Interior. Executive Order 13186 (January 2001) directs federal agencies to consider the effects of agency actions on migratory birds, with emphasis on bird species of concern (Clinton, 2001). On April 11, 2025, the Acting Solicitor for the U.S. Department of the Interior issued an M-Opinion (M-37085) repealing the M-Opinion (M-37065) issued in 2021, which specified that the MBTA prohibits both intentional and incidental take of migratory birds. M-37085 also restores M-Opinion M-37050 issued in 2017, which specifies that only intentional take of migratory birds is prohibited (U.S. Department of Interior Office of the Solicitor, 2025). As such, under the most current interpretation of the MBTA, incidental take of migratory birds is not prohibited.

On March 30, 2011, the USFWS and the Commission entered into a Memorandum of Understanding that focuses on avoiding or minimizing adverse effects on migratory birds and strengthening migratory bird conservation through enhanced collaboration between the two agencies. This voluntary Memorandum of Understanding does not waive legal requirements under the MBTA, Bald and Golden Eagle Protection Act (BGEPA), Endangered Species Act (ESA), Federal Power Act, Natural Gas Act, or any other statutes and does not authorize the take of migratory birds.

The North American Bird Conservation Initiative (NABCI) maintains a list of Bird Conservation Regions (BCR) (NABCI, 2021). A BCR is an ecologically distinct region in North America with similar bird communities, habitats, and resource management issues. Important Bird Areas (IBA) are discrete sites that provide essential habitat for one or more bird species and include habitat for breeding, wintering, or migrating birds (Audubon, 2026). The Project area is located in BCR 18 –

Shortgrass Prairie, and the USFWS Birds of Conservation and Concern (BCC) 2024 report (USFWS, 2024) identifies 29 BCCs within BCR 18. The ESB does not intersect an IBA. The nearest IBA to the Project area is the Yoakum Dunes Preserve, located over 25 miles northeast of the Project.

Based on a review of the USFWS Information for Planning and Consultation (IPaC) project planning tool (Appendix 3B), six BCCs have the potential to occur in the ESB in Texas and New Mexico. A summary of BCCs and the Project’s potential impact on BCCs is provided in Table 3.3.1-1.

Species¹	Life History Information²	Seasonal Occurrence (Breeding Season)^{1,2}	Impact Assessment
Broad-tailed hummingbird <i>Selasphorus platycercus</i>	Broad-tailed hummingbirds breed at high elevations in the Rocky Mountains and move to lower elevations during migration to travel south and overwinter in Mexico. Breeding habitat is typically associated with forests, such as pinyon-juniper, pine-oak, and evergreen.	Breeding (May – August)	Breeding habitat is not present within the Project area. If any individuals migrate through the Project area, they will likely avoid active construction and seek other stopover habitat.
Chestnut-collared longspur <i>Calcarius ornatus</i>	Chestnut-collared longspurs overwinter in the southern Great Plains and Chihuahuan Desert. Preferred habitat includes short-grass prairies and desert grasslands.	Non-breeding	Overwintering habitat is present within the Project area. However, individuals will likely avoid active construction and seek other foraging habitat.
Chimney swift <i>Chaetura pelagica</i>	Chimney swifts typically rely on chimneys or similar artificial structures for breeding but may use natural hollow trees and caves if available. Foraging habitat consists of open lands, forests, lakes, and urban areas.	Breeding (March – August)	Suitable nesting structures are not present within the Project area; however, chimney swifts may forage in open and developed areas within Project workspaces. Individuals will likely avoid active construction and seek other foraging habitat.
Northern harrier <i>Circus hudsonius</i>	Northern harriers breed in a variety of habitat, such as open wetlands, pastures, old fields, prairies, mesic grasslands, and croplands. They need large expanses of undisturbed habitat for breeding and foraging. Females build nests on the ground in patches of tall, dense vegetation.	Year-round (April – September)	While active croplands in the Project area could provide suitable nesting habitat, they are within discontinuous patches of disturbed and undisturbed lands that are not preferable for breeding. Foraging habitat is present within the Project area, but individuals will likely avoid active construction and seek other foraging habitat.
Sprague's pipit <i>Anthus spragueii</i>	Sprague’s pipits overwinter in grasslands dominated by high-density grasses with low shrub cover. Cultivated croplands and sparsely vegetated grasslands may also be used.	Non-breeding	Overwintering habitat is present within the Project area. However, individuals will likely avoid active construction and seek other foraging habitat.
Ferruginous hawk <i>Buteo regalis</i>	Ferruginous hawks overwinter in open land habitats, such as grasslands and deserts. Their main prey source is burrowing mammals, particularly black-tailed prairie dogs in New Mexico.	Non-breeding	Overwintering habitat is present within the Project area. However, individuals will likely avoid active construction and seek other foraging habitat.
¹	The list of BCCs with the potential to occur in the Project area was obtained from the IPaC review; however, these BCC species are not listed in the USFWS Official Species List generated by IPaC. An additional list of resources was obtained from IPaC and is included with the official species lists in Appendix 3B.		
²	Source: Cornell Lab of Ornithology, 2026a, 2026b.		

The nesting season for most migratory birds in New Mexico and Texas is generally from March 1 to September 1 and March 1 to October 10, respectively. Northern proposes to begin construction June 1, 2027, and place the Project into service by January 1, 2028. Project activities could result in short-term and long-term disturbance of migratory bird habitat, causing birds present in the Project area to relocate temporarily during periods of active construction and human activity.

Vegetation clearing would remove potential nesting and foraging habitat; however, such impacts will be minimal and there are suitable habitats available outside of the Project area to fulfil those life requisites.

During construction, Northern does not anticipate the routine use of artificial lighting. Artificial lighting will only be used, if necessary, to complete potential nighttime activities, which are defined in Sections 1.5.1 and 1.5.4 of Resource Report 1. Lighting will be equipped with shields and aimed downward to minimize impact on nocturnal wildlife or surrounding residences. Lenses for the lighting will be yellow or amber to minimize impacts on residents and wildlife. Operation of the proposed Hobbs compressor station will result in new operational noise and lighting impacts. Northern will mitigate operational noise by the design of the Project, which includes insulating the compressor building and providing silencers on the turbine inlet and exhaust. Access doors will be insulated and self-closing. If deemed necessary, acoustical pipe insulation may be used on above-grade, outdoor gas piping. Outdoor lighting will be minimized to the amount required for safety and security of the facilities.

Following construction, all temporary workspace and extra temporary workspace will be restored to pre-construction contours and conditions to the extent practicable in accordance with the FERC Plan. Northern will revegetate workspaces using a native, weed-free seed mix developed in consultation with the New Mexico and Texas NRCS offices.

Northern is committed to the restoration and preservation of pollinator habitat. Northern joined the USFWS Nationwide Monarch Butterfly Candidate Conservation Agreement on Energy and Transportation Lands in 2020. As part of this Project, Northern will use pollinator-friendly plant seed mixtures within Northern-owned properties, where feasible, and offer landowners the option of using pollinator-friendly seed mixtures on privately owned lands within the Project workspaces where temporary impacts occur. Pollinator-friendly seed mixtures will encourage recruitment of insects to the Project area, providing additional food resources for insectivorous birds and prey animals for raptors. Operational vegetation maintenance within the permanent pipeline right of way will be conducted outside of the primary migratory bird nesting season (April 15 – August 1) in accordance with the FERC Plan.

On March 20, 2026, the NMDGF made recommendations regarding migratory birds (see Resource Report 1, Appendix 1C). The NMDGF recommended that ground disturbance and vegetation removal activities be conducted outside of the migratory breeding season, or if activities will take place during the breeding season, then pre-construction nest surveys should be conducted and buffers around nests should be implemented. Construction of the Project is proposed to begin on June 1, 2027, during the migratory bird nesting season. Northern does not propose to conduct pre-construction nest surveys, as incidental take of migratory birds is not prohibited under the current interpretation of the MBTA. However, Northern has designed the Project to minimize impacts on migratory birds by routing the pipeline and siting aboveground facilities within or adjacent to previously disturbed lands, including active agricultural fields, oil and gas well pads, access roads, and utility rights-of-way. In addition, Northern will restore migratory bird habitat following construction using native, pollinator-friendly seed mixtures that will encourage birds to return to the general Project area. Northern will conduct routine vegetation maintenance of the full width of the permanent pipeline easement outside of the primary nesting season.

Based on the measures listed above, Northern believes that construction and operation of the Project will not result in significant impacts on migratory birds.

Bald and Golden Eagle Protection Act

Bald eagles and golden eagles are protected under the BGEPA (16 USC 668-668d), which prohibits take, possession, transport, export, or import of any bald or golden eagle, whether alive or dead, including eagle parts, nests, or eggs without a permit. “Take” is defined as pursuing, shooting, wounding, killing, or disturbing. “Disturbing” includes agitating or bothering an eagle to an extent that causes or is likely to cause injury, decreased productivity, or nest abandonment. During field surveys, several stick nests that could belong to raptor species were recorded within the Project ESB. However, none are bald or golden eagle nests. In addition, the USFWS IPaC results indicated that there are no known records of either bald or golden eagles in the Project area. In the event an eagle nest is observed prior to or during construction activities, Northern will coordinate with the USFWS. Therefore, Northern believes the Project will not have adverse impacts on eagles.

3.4 THREATENED AND ENDANGERED SPECIES

Northern assessed the potential for Project activities to affect federal and state protected species using life history, critical habitat, and conservation information obtained from the USFWS Environmental Conservation Online System (2026), TPWD’s Wildlife Fact Sheets (2026c), NMDGF’s Biota Information System of New Mexico ([BISON-M] NMDGF, 2026), and NatureServe Explorer Online Encyclopedia of Life (2026).

Field surveys conducted from December 2 to 7, 2025, and January 9, 2026, consisted of pedestrian inspections to evaluate the presence or absence of suitable habitat and potential presence of listed species within the Project area. The field crew reviewed the list of protected species identified as having the potential to occur within the Project area and within a 1-mile buffer of the Project boundary. In addition, the field crew reviewed the applicable fact sheets for specific habitat requirements and identification criteria for the potential species.

3.4.1 State-Listed Species

Northern reviewed the Texas Parks and Wildlife Department’s Rare, Threatened, and Endangered Species of Texas by County website and the Texas Natural Diversity Database for Texas state-listed species that may be present in the Project area (TPWD, 2025; Texas Natural Diversity Database, 2019). On March 16, 2026, Northern initiated consultation with the TPWD regarding state-listed species. The TPWD responded on April 7, 2026, and concluded that significant adverse impacts on rare, threatened, or endangered species, or other fish and wildlife resources are not anticipated. Northern also reviewed the NMDGF’s BISON-M (2026) to identify New Mexico state-listed species that may occur in Lea County, New Mexico. On March 16, 2026, Northern initiated consultation with the NMDGF using the Environmental Review Tool to generate an environmental review report that evaluated and provided recommendations for state-listed threatened and endangered species, along with other wildlife of conservation interest, which may be present in the vicinity of the Project. The NMDGF responded on March 20, 2026, with additional recommendations regarding migratory birds and seed mixes. Species of Greatest

Conservation Need, migratory birds and revegetation practices are discussed in Sections 3.3.1 and 3.2. All agency correspondence with the TWPD and NMDGF is provided in Resource Report 1, Appendix 1C.

There are four Texas state-listed species and eight New Mexico state-listed species with the potential to occur in Gaines and Yoakum Counties, Texas, and Lea County, New Mexico. Based on a review of the Texas Natural Diversity database, there are no records of listed-species occurrences within 1 mile of the Project ESB. The NMDGF’s BISON-M identified eight state threatened or endangered species with the potential to occur in Lea County, New Mexico, and the results of the NMDGF environmental review report concluded that there are two state-listed species (aplmado falcon and peregrine falcon) with the potential to occur within 1 mile of the Project area. Table 3.4.1-1 provides a summary of state-listed species and Northern’s impact determination for each species. State-listed species that are also federally listed and were identified as potentially present through the IPaC review are discussed in Section 3.4.2. Lists of the species with the potential to occur in each county are provided in Appendix 3B.

Scientific Name	Common Name	State Occurrence	Status	Determination
Birds				
<i>Plegadis chihi</i>	White-faced ibis	Texas	Threatened	No Adverse Impact
<i>Tympanuchus pallidicinctus</i>	Lesser Prairie-chicken	Texas New Mexico	Endangered	No Adverse Impact
<i>Cynanthus latirostris</i>	Broad-billed hummingbird	New Mexico	Threatened	No Adverse Impact
<i>Sternula antillarum</i>	Least tern	New Mexico	Endangered	No Adverse Impact
<i>Haliaeetus leucocephalus</i>	Bald eagle	New Mexico	Threatened	No Adverse Impact
<i>Falco femoralis septentrionalis</i> ¹	Northern aplomado falcon	New Mexico	Endangered	No Adverse Impact
<i>Falco peregrinus</i> ²	Peregrin falcon	New Mexico	Threatened	No Adverse Impact
<i>Vireo bellii</i>	Bell’s vireo	New Mexico	Threatened	No Adverse Impact
<i>Centronyx bairdii</i>	Baird’s sparrow	New Mexico	Threatened	No Adverse Impact
Reptiles				
<i>Phrynosoma cornutum</i>	Texas horned lizard	Texas	Threatened	No Adverse Impact
<i>Sceloporus arenicolus</i> ³	Dunes sagebrush lizard	Texas/New Mexico	Endangered/Endangered	No Adverse Impact
¹	The northern aplomado falcon is listed as state endangered in Texas, but it does not occur in Gaines or Yoakum County, Texas according to the species list by county.			
²	The peregrine falcon is listed as state threatened in Texas, but it does not occur in Gaines or Yoakum County, Texas according to the species list by county.			
³	The dunes sagebrush lizard is listed as federally endangered wherever it is found, but it was not listed in the USFWS IPaC reports as having the potential to occur in the Project area.			

3.4.1.1 White-faced Ibis

The white-faced ibis is a dark wading bird with long legs and a long, down-curved bill. Chestnut or maroon in color, the species is characterized by a white rim around the eyes and beak. The species is found in fresh marshes, flooded pastures, and irrigated fields where it forages for aquatic insects and their larvae, crustaceans, and earthworms, and may also eat frogs, fish, snails, and other larger prey.

The species breeds in colonies and roosts in nests in wide platforms of plant material harvested from near the nest site. Nests are built in low shrubs or trees above water or in dense marsh growth. In some cases, they may nest on the ground. In Texas, the white-faced ibis breeds and nests

between April and June. The species also winters along the Gulf Coast and may occur as migrants in West Texas and the Panhandle.

Per the results of the desktop habitat assessment, suitable habitat for the white-faced ibis is not present in the Project ESB, and the white-faced ibis was not identified by the Texas Natural Diversity database as having the potential to occur within 1 mile of the Project. As such, Project activities will not result in adverse impacts on white-faced ibis.

3.4.1.2 Broad-billed Hummingbird

The broad-billed hummingbird is a small, nectar feeding migratory bird native to arid and semi-arid regions of the southwestern United States and Mexico. In the United States, it occurs primarily in southern Arizona and occasionally in New Mexico and Texas. Suitable breeding habitat includes riparian corridors, desert canyons, and areas with dense understory vegetation that provide abundant flowering plants. The species relies heavily on nectar from tubular flowers such as penstemon, agave, and ocotillo, though it also consumes small insects for protein. Nesting typically occurs in shrubs or low trees near water sources. Wintering habitat is located farther south in Mexico, where the species occupies tropical deciduous forests, thornscrub, and riparian zones with year-round floral resources.

Per the results of the field-based habitat assessment, suitable habitat for the broad-billed hummingbird is not present in the Project ESB, and the broad-billed hummingbird was not identified by the NMDGF'S environmental review report as having the potential to occur within 1 mile of the Project. As such, Project activities will not result in adverse impacts on broad-billed hummingbirds.

3.4.1.3 Least Tern

The least tern is a small, migratory seabird that nests on sparsely vegetated sandbars, beaches, and gravel flats along rivers, coastlines, and reservoirs. Suitable breeding habitat includes open, unvegetated substrates with minimal disturbance and proximity to shallow foraging waters. Least terns feed primarily on small fish captured by plunge diving in nearshore or riverine habitats. Nesting colonies are highly sensitive to human disturbance, flooding, and vegetation encroachment. Wintering habitat occurs along marine coastlines in Central and South America, where the species uses sandy beaches, estuaries, and shallow coastal waters.

Per the results of the desktop habitat assessment, suitable habitat for the least tern is not present in the Project ESB, and the least tern was not identified by the NMDGF'S environmental review report as having the potential to occur within 1 mile of the Project. As such, Project activities will not result in adverse impacts on least terns.

3.4.1.4 Bald Eagle

Bald eagles require a good food base, perching areas, and nesting sites. Traditionally, bald eagles are found nesting near rivers, lakes, and marshes. Their habitat can include estuaries, large lakes, reservoirs, rivers, and some seacoasts. They are increasingly found in drier areas that are farther from water sources such as farmland and urban and suburban habitat.

In winter, the birds congregate in large numbers near open water in tall trees that they use for spotting prey. These trees also provide night roosts for sheltering. These areas can be found below artificial dams or river tributaries that will keep larger channels open. Winter roost sites may be used all winter or only for short periods of time when other food sources are not available.

Per the results of the desktop habitat assessment, suitable habitat for the bald eagle is not present in the Project ESB, and the bald eagle was not identified by the NMDGF'S environmental review report as having the potential to occur within 1 mile of the Project. As such, Project activities will not result in adverse impacts on bald eagles.

3.4.1.5 Peregrine Falcon

The peregrine falcon is a widespread raptor known for its high-speed hunting dives and broad ecological tolerance. Suitable habitat includes cliffs, bluffs, and tall structures used for nesting, as well as open landscapes, wetlands, and urban areas that support abundant avian prey. Peregrine falcons feed primarily on medium sized birds captured in flight, including waterfowl, shorebirds, and passerines. Breeding territories require elevated nest sites with clear flight access and proximity to foraging areas. Wintering habitat varies widely and may include coastal shorelines, river valleys, and urban centers with high prey availability. Recovery of the species has been closely tied to reductions in pesticide contamination and successful reintroduction programs.

The NMDGF's environmental review report identified the peregrine falcon as potentially occurring within 1 mile of the Project area based on occurrence data or modeled habitat. However, per the results of the desktop habitat assessment, suitable habitat (e.g., cliffs and bluffs) for the peregrine falcon is not present in the Project ESB. As such, Project activities will not result in adverse impacts on peregrine falcons.

3.4.1.6 Bell's Vireo

Bell's vireo is a small, insectivorous songbird native to central and western North America. Suitable breeding habitat includes dense, shrubby riparian vegetation, thickets, and early successional shrublands with a well-developed understory. The species forages primarily on insects gleaned from foliage and requires structurally complex vegetation for nesting. Bell's vireos construct cup shaped nests suspended in shrubs or low trees. Habitat loss, degradation of riparian corridors, and brood parasitism by brown headed cowbirds have contributed to population declines in some regions. Wintering habitat occurs in western Mexico, where the species occupies thornscrub, riparian thickets, and shrubby woodland edges.

Per the results of the field-based habitat assessment, suitable habitat for Bell's vireo is not present in the Project ESB, and the Bell's vireo was not identified by the NMDGF'S environmental review report as having the potential to occur within 1 mile of the Project. As such, Project activities will not result in adverse impacts on Bell's vireos.

3.4.1.7 Baird's Sparrow

Baird's sparrow is a small, insectivorous grassland bird native to the northern Great Plains. Suitable breeding habitat includes extensive tracts of native mixed grass and tallgrass prairie with a mosaic of moderately dense grasses, scattered forbs, and limited shrub cover. The species relies

on structurally diverse vegetation for nesting, typically placing nests on or near the ground within dense grass clumps. Baird's sparrows forage primarily on insects during the breeding season, including grasshoppers, beetles, and caterpillars, and shift to a mixed diet of seeds and invertebrates during migration. Wintering habitat occurs in the desert grasslands of the southwestern United States and northern Mexico, where the species occupies open grasslands with sparse shrubs and abundant herbaceous cover. Habitat loss, fragmentation, and degradation of native prairie ecosystems remain the primary threats to the species.

Per the results of the field-based habitat assessment, suitable habitat for Baird's sparrow is not present in the Project ESB, and the Baird's sparrow was not identified by the NMDGF'S environmental review report as having the potential to occur within 1 mile of the Project. As such, Project activities will not result in adverse impacts on Baird's sparrows.

3.4.1.8 Texas Horned Lizard

The Texas horned lizard is a small brown lizard found in arid and semiarid habitats across the south-central United States and Northern Mexico. Also known as the "horny toad," the species is flat bodied with numerous, prominent horns on the head. Found in open areas with sparse plant cover, the species feeds primarily on harvester ants. Although adaptable to a wide range of conditions, the species is most commonly found in habitats with sandy or loamy soils; they burrow in these loose soils for nesting and hibernation.

Per the results of the field-based habitat assessment, suitable habitat for the Texas horned lizard is not present in the Project ESB, and the Texas horned lizard was not identified by the Texas Natural Diversity database as having the potential to occur within 1 mile of the Project. As such, Project activities will not result in adverse impacts on Texas horned lizards.

3.4.1.9 Dunes Sagebrush Lizard

The dunes sage brush lizard is a small spiny lizard endemic to the shinnery oak sand dunes and shrub lands of the Mescalero and Monahans Sandhills in southeastern New Mexico and western Texas. The species is characterized by its light brown color that often matches the sand color of the dunes which it inhabits. The species is a habitat specialist only occurring in duneland ecosystems dominated with shinnery oak and scattered sagebrush. Dunes sagebrush lizards mate from May to early-July with most eggs hatching after 30 days, generally between July to September.

The species is highly dependent on undisturbed habitats and the main factor for species' decline is attributed to habitat loss and fragmentation. Due to the sensitive nature of shinnery oak duneland habitat impacts are usually non-reversible and habitat restoration attempts are generally unsuccessful.

Per the results of the field-based habitat assessment, suitable habitat for the dunes sagebrush lizard is not present in the Project ESB, and the dunes sagebrush lizard was not identified by the NMDGF'S environmental review report or the Texas Natural Diversity database as having the potential to occur within 1 mile of the Project. As such, Project activities will not result in adverse impacts on dunes sagebrush lizards.

3.4.1.10 Impacts on State-Listed Species

Northern determined that the Project will not result in adverse impacts on state-listed species. Therefore, further consultation with the TPWD and NMDGF is not required.

3.4.2 Federally Listed Species

The ESA prohibits take of endangered species, where “take” is defined as to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct” (Title 16 USC Part 1532[19], 1538). It is also prohibited to “remove and reduce to possession any [endangered plant] species from areas under Federal jurisdiction; maliciously damage or destroy any such species on any such area; or remove, cut, dig up, or damage or destroy any such species on any other area in knowing violation of any law or regulation of any State or in the course of any violation of a State criminal trespass law” (16 USC 1538[a]). Section 7 of the ESA requires federal agencies, in coordination with the USFWS and National Oceanic Atmospheric Administration National Marine Fisheries Service, to ensure that any actions authorized, funded, or carried out by the agencies do not jeopardize the continued existence of a federally listed threatened or endangered species, or result in the destruction or adverse modification of designated critical habitat for a federally listed species.

As FERC’s designated non-federal representative for the purposes of informal Section 7 consultation, Northern reviewed the USFWS IPaC to obtain lists of federally listed threatened, endangered, proposed, and candidate species and federally designated critical habitat that may be present within the Project area. For the purposes of Section 7 consultation, the Project was divided into two pieces: New Mexico facilities and Texas facilities. The New Mexico facilities include construction of approximately 15.5 miles of new 24-inch-diameter pipeline, construction of a new 7,700 horsepower compressor station, construction of an interconnect facility with Transwestern located within the existing Phillips 66 Linam Ranch Plant, and construction of a new bi-directional receiver within Northern’s existing launcher facility, all within Lea County. The Texas facilities include construction of approximately 0.7 mile of 24-inch-diameter pipeline and one new valve setting at the point of delivery in Gaines County and a modified recycle valve at an existing compressor station in Yoakum County. The official species lists for the Project are provided in Appendix 3B.

The USFWS IPaC was completed on January 19, 2026, for the New Mexico portion of the Project and on February 10, 2026, for the Texas portion of the Project. The IPaC reports identified five species with the potential to occur within the overall Project area (see Table 3.4.2-1). No designated critical habitat for these species is currently identified within the Project area. Northern submitted letters to the New Mexico Ecological Services Field Office (ESFO) and Texas Coastal & Central Plains ESFO on February 23, 2026, with requests for their review and comment on Project impacts on federally listed species under their purview. The New Mexico ESFO and Texas Coastal & Central Plains ESFO responded to Northern’s requests on March 10, 2026, and February 27, 2026, respectively. Both ESFOs concluded that consultation or conference under Section 7 of the ESA is not needed. Copies of all correspondence with the USFWS is provided in Resource Report 1, Appendix 1C.

Scientific Name	Common Name	Project Component ¹	Status	Determination
<i>Tympanuchus pallidicinctus</i>	Lesser Prairie-chicken	New Mexico facilities	Under Review ²	No effect
<i>Falco femoralis septentrionalis</i>	Northern Aplomado Falcon	New Mexico facilities	Experimental Population, Non-essential	Not likely to jeopardize
<i>Charadrius melodus</i>	Piping Plover	Texas facilities	Threatened	No effect
<i>Calidris canutus rufa</i>	Rufa Red Knot	Texas facilities	Threatened	No effect
<i>Danaus plexippus</i>	Monarch Butterfly	New Mexico/Texas facilities	Proposed Threatened	Not likely to jeopardize

¹ Species presence within each state was determined based on the IPaC Official Species Lists generated for New Mexico facilities and Texas facilities, separately. While a species may have ESA status in both states, Northern only considered impacts on a species from Project activities that will take place in the state where the species is anticipated to occur based on the IPaC Official Species Lists.

² The listing of the lesser prairie-chicken under the ESA was vacated by a federal court on Aug 12, 2025. The court's order was effective upon decision; however, the USFWS is expected to officially remove the lesser prairie-chicken from the list of ESA-protected species, likely with a public notice or interim final rule published in the *Federal Register*.

3.4.2.1 Lesser Prairie-chicken

The lesser prairie-chicken is a species of grouse known for its feathered legs and stout build within the grasslands and shrublands of the Southern Great Plains. The species are ground-dwellers and exhibit similar behaviors to other species of North American prairie grouse, including a lek mating system in which males congregate in a communal space (lek) to perform courtship displays and compete for females. Courtship behavior begins in early spring and typically extends through mid-April, after which females will nest on the ground in nearby habitat. Most eggs hatch by late May and into mid-June. Once ranging across the Southern Great Plains, the lesser prairie-chicken is now limited to parts of Colorado, Kansas, New Mexico, Oklahoma, and Texas. Healthy and resilient grasslands and shrublands with grass and low-growing shrub diversity make the best nesting habitat for the species. Habitats with trees, vertical anthropogenic structures, and anthropogenic disturbance are generally avoided. Habitat loss poses the greatest threat to the population of lesser prairie-chicken, resulting in loss of genetic variation and small population sizes.

On November 25, 2022, the USFWS published a final rule listing the northern distinct population segment (DPS) of lesser prairie-chicken as threatened with a 4(d) rule, and the southern DPS as endangered. This listing was vacated by a federal court on August 12, 2025, effective upon decision. However, a final rule delisting the species has not been published to the *Federal Register*, and the species' status is currently defined in IPaC as "under review." As such, Northern has chosen to include the species in the effects analysis for this Project.

Northern conducted a review of the Southern Great Plains Crucial Habitat Assessment Tool (SGP CHAT, 2026), a spatial model developed to analyze areas for lesser prairie-chicken conservation activities and industry development. The SGP CHAT mapping tool defines areas as "crucial" and "modeled" habitat and identifies surveyed and active leks within the current known range of the species. This review determined that within New Mexico:

- A portion of the ESB at the Texas/New Mexico border intersects a CHAT category 3 as defined by an ecological niche model used for describing available and potential habitat; this category is comprised of available and potential habitat.

- The rest of the Project lies outside of the Candidate Conservation Agreement with Assurances and is within CHAT category 4, which is modeled as non-habitat.
- The ESB lies within Lesser Prairie-chicken Potential Habitat as defined by the tool. This data set includes land cover classes (grass and grass/shrub cover types) that could support lesser prairie-chicken use/activities at some point in their life cycle.
- The ESB does not intersect active leks (i.e., a location where lek activity has been recorded at some point between 2021 and 2025) and falls more than 44 miles from a known active lek.
- The ESB does not intersect historic leks (i.e., a location where lek activity has been recorded at some point since 1972 but not within the last 5 years) and falls more than 5 miles from the closest historic lek.
- A portion of the CHAT category 3 area that intersects the ESB was surveyed for lek activity in 2022, and no active leks were identified.

Field-based habitat assessment surveys of the ESB conducted in December 2025 identified rangeland interspersed with active agricultural fields, oil and gas well pads, access roads, and utility rights-of-way, resulting in a highly fragmented landscape with no large, undisturbed tracts of habitat. This analysis focuses on potential habitat within the mapped CHAT category 3 area as the rest of the ESB falls outside of the estimated occupied range or within modeled non-habitat. Habitat within the CHAT category 3 area consists of rangeland segmented by active agricultural fields, an oil and gas well pad, and access roads. East Nadine Road, approximately 1 mile south of the proposed pipeline, creates a physical barrier between the ESB and more potentially intact habitat to the south. Given the highly fragmented nature of habitat within the ESB, presence of barriers to adjacent habitat, presence of vertical structures, anthropogenic disturbances (e.g., vehicle traffic), and partial lek surveys documenting absence of leks (USFWS, 2022), habitat within the ESB was determined to be unsuitable for lesser prairie-chickens. Therefore, the Project will have *no effect* on lesser prairie-chickens.

On March 16, 2026, the NMDGF’s environmental review report made recommendations regarding the lesser prairie-chicken (see Resource Report 1, Appendix 1C). As discussed above, Northern determined that the Project is not within 1.25 miles of a known active lek and will have no effect on lesser prairie-chickens. Therefore, recommended surveys and buffer zones are not proposed. The Project has been designed to minimize wildlife habitat loss and fragmentation to the extent practicable by routing the pipeline and siting aboveground facilities within or adjacent to previously disturbed lands.

3.4.2.2 Northern Aplomado Falcon

The northern aplomado falcon is a medium-sized, non-migratory raptor native to the southwestern United States, Mexico, and Central America. Northern aplomado falcons occupy desert grasslands, shrublands, and savanna-like habitats, and sometimes open pastures characterized by low vegetation with scattered trees, yucca, or mesquite that provide perching and nesting structure. The species does not build its own nests but instead relies on stick nests constructed by other raptors or corvids, as well as platforms on trees, shrubs, or artificial structures such as utility poles.

Suitable habitat is typically associated with relatively undisturbed landscapes that maintain open structure and minimal vertical obstruction, allowing for efficient hunting and visibility; however, non-breeding individuals have been known to settle for lower quality habitat with higher densities of woody vegetation. Breeding activities begin in February, and eggs are typically incubated from April through May in the United States. Young typically fledge the nest in June about 5 weeks after hatching but will remain in the vicinity of the nest for up to 3 months.

Historically, northern aplomado falcons occupied the tropical lowlands of Mexico, coastal Texas, and Chihuahuan Desert grasslands across southeastern Arizona, west Texas, southern New Mexico, and Mexico. Per the USFWS 2025 Species Status Assessment Report (2025b) for the species, habitat conversion to agriculture and livestock grazing in the early 1900s led to extirpation of the species as a breeding bird in the United States by 1986. Between 2002 and 2012, efforts were made to reintroduce the species to the United States. A successful breeding population was established in coastal Texas; however, reintroduction of breeding adults to the Chihuahuan Deserts of west Texas and southern New Mexico was met with little success. The most recent records of breeding aplomado falcons in west Texas and southern New Mexico are limited, with incidental landowner observations of two breeding pairs in west Texas and one verified nesting pair in Luna County, New Mexico as of 2022. It is uncertain whether any breeding pairs persist in southern New Mexico or west Texas. As such, the probability of breeding aplomado falcon presence within the Project area is low.

Habitat within the ESB consists of rangeland, agriculture, and palustrine emergent wetland interspersed with oil and gas well pads, utility rights-of-way and infrastructure, access roads, and roadside ditches. Rangeland vegetation included occasionally taller honey mesquite and utility poles with several larger stick nests observed that could provide suitable nesting habitat for aplomado falcons. With the exception of areas of infrastructure or active agricultural production, portions of the ESB may provide suitable nesting and foraging habitat for aplomado falcons.

For consultation purposes, experimental, non-essential populations of endangered species are typically treated as threatened species on National Wildlife Refuge and National Park lands and as species proposed for listing on private land; proposed species are not afforded legal protection under the ESA. The Project does not intersect National Wildlife Refuge or National Park lands. While suitable habitat is present within the ESB, the probability of nesting pairs is low given the current records within southern New Mexico, and individuals will likely avoid the area during construction. Therefore, the Project *is not likely to jeopardize* the continued existence of northern aplomado falcons.

In the unlikely event that this species is uplisted from an experimental population during the permitting or construction phases of the Project, Northern is also making a preliminary determination for the species to streamline Section 7 consultation, if required. Based on the effects analysis above, Northern believes that Project activities may affect, but are not likely to adversely affect, northern aplomado falcons. Upon the effective date of the uplisting, provided there are no changes to Project scope, scale, or planned activities, this preliminary determination will become final, and Merjent/Northern will complete Section 7 consultation with the USFWS as the FERC-designated non-federal Section 7 representative.

3.4.2.3 Piping Plover

Piping plovers are migratory shorebirds that breed in North America in three geographic regions: the Atlantic Coast; Northern Great Plains; and Great Lakes. Plovers from all three breeding populations winter along coastal beaches and barrier islands from North Carolina to Texas, the eastern coast of Mexico, and on Caribbean islands. Piping plovers do not breed in Texas; the species migrates through the interior of Texas from March to May, and July to September. During fall and spring, plovers use rest sites along the migration pathway including shorelines of reservoirs/man-made lakes, industrial ponds/fish farm ponds, rivers, marsh/wetlands, and natural lakes. These stopover sites are highly influenced by local water levels and tend to consist of locations with muddy/sandy substrates.

The Project is located within the migration pathway of piping plovers and is planned to be under construction during the species' fall migration. No wetlands or waterbodies were identified within the survey area for the Texas portion of the Project, and suitable stopover habitat is not present in the ESB. As such, the Project will have *no effect* on piping plovers.

3.4.2.4 Rufa Red Knot

The red knot is a large sandpiper known for its long-distance migration between breeding grounds in the Canadian Arctic and several wintering areas in the Southern Hemisphere. Large numbers of rufa red knots migrate along the Atlantic coast of North America and winter in South America. Red knots may also winter along the coast in the southeastern United States in Florida, South Carolina, North Carolina, Georgia, and Texas; some red knots wintering in the northwestern Gulf of Mexico migrate through the interior of North America during both spring (May 15 to June 15) and fall migration (July 15 to Sept 15) and may use stopover sites in west Texas; the species does not breed in Texas. Alkaline or saline lakes with abundant, high-quality prey are the red knot's preferred inland stopover habitat, but some sources suggest that the species may also use riverine wetlands and sandbars or manmade impoundments.

The Project is located within the migration pathway of red knots and is planned to be under construction during fall migration. No wetlands or waterbodies were identified within the survey area for the Texas portion of the Project, and there is no suitable stopover habitat for red knots within the ESB in Texas. As such, the Project will have *no effect* on rufa red knots.

3.4.2.5 Monarch Butterfly

The monarch butterfly is a large butterfly with an approximate 3- to 4-inch wingspan and characterized by bright orange coloring on the wings, with distinctive black borders and veining. Monarchs have two distinct populations in the United States, the eastern and western populations. Eastern monarchs range across states to the east of the Rocky Mountains and they overwinter in Mexico. This population migrates across generations. The western population overwinters in California. Adults rely on a variety of nectar producing plants that can be found over a range of habitat types, such as grasslands, prairies, roadside rights-of-way, and gardens. However, they require milkweed plants (*Asclepias spp.*) to oviposit eggs and for the larval caterpillars to feed upon. There are many species of milkweeds that grow in a variety of habitat types.

On December 12, 2024, the USFWS published a proposed rule to the *Federal Register* to list the monarch as threatened with a 4(d) rule. Proposed species are not protected under the ESA, and as such, a determination of effect is not applicable; however, federal agencies are required to confer with the USFWS on agency actions that may be likely to jeopardize the continued existence of a proposed species. This refers to an action that would reasonably be expected directly or indirectly to appreciably reduce the likelihood of both the survival and recovery of a listed species in the wild by reducing the reproduction, numbers, or distribution of said species.

Nectaring plants and a few milkweed individual plants were identified within the ESB in New Mexico and Texas. As such, suitable foraging and reproductive habitat are present. If work is conducted when the adults or larvae are present, individuals may be impacted via collisions and/or crushing by vehicles and equipment. However, adults are mobile and will likely not be impacted by Project activities due to their ability to leave and/or avoid the Project area. Loss of foraging and reproductive habitat may also impact individuals. However, other suitable foraging habitat is present in the areas surrounding planned Project workspaces, and most disturbances within the Project area will be temporary. Temporarily disturbed Project areas will be restored to pre-construction conditions to the extent practicable. In addition, much of the construction associated with the Project will take place outside of the species' active period in the state. Construction activities are planned to begin in June 2027; per guidance from Monarch Joint Venture, monarchs are still present on the landscape in New Mexico in June but are found at reduced densities. By mid-October, migrating individuals have left New Mexico, and the planned Project completion date of January 1, 2028, precedes the arrival of individuals during spring migration. Therefore, the Project *is not likely to jeopardize* the continued existence of monarch butterflies.

In the event that the listing for this species goes into effect during the Project, Northern is also making a preliminary determination for the species to streamline Section 7 consultation if required. Based on the effects analysis above, we believe that Project activities *may affect, but are not likely to adversely affect* monarch butterflies. Upon the effective date of the listing, provided there are no changes to Project scope, scale, or planned activities, this preliminary determination will become final and Merjent/Northern will complete Section 7 consultation with the USFWS as the FERC-designated non-federal Section 7 representative.

3.4.2.6 Impacts on Federally Listed Species

Northern determined that the Project actions will have no effect on the federally listed lesser prairie-chicken, piping plover, or rufa red knot. Northern also determined that Project actions will not jeopardize the continued existence of the experimental, non-essential populations and species proposed for federal listing: northern aplomado falcon and monarch butterfly. The New Mexico ESFO and Texas Coastal & Central Plains ESFO responded to Northern's request for review and comment and concluded that consultation or conference under Section 7 of the ESA is not needed. Therefore, consultation is complete.

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APPENDIX 3A

Noxious and Invasive Plant Management Plan



Permian Basin Expansion Project

**Lea County, New Mexico
Gaines and Yoakum Counties, Texas**

Noxious and Invasive Plant Management Plan

May 2026

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Abbreviations and Acronyms

Act	New Mexico Noxious Weed Management Act
CFR	Code of Federal Regulations
ESB	environmental survey boundary
FERC	Federal Energy Regulatory Commission
FERC Plan	FERC Upland Erosion Control, Revegetation, and Maintenance Plan
FERC Procedures	FERC Wetland and Waterbody Construction and Mitigation Procedures
NMDA	New Mexico Department of Agriculture
Northern Plan	Northern Natural Gas Company Noxious and Invasive Plant Management and Control Plan
Project	Permian Expansion Project
TDA	Texas Department of Agriculture

1.0 INTRODUCTION

Northern Natural Gas Company (Northern) owns and operates a natural gas transmission pipeline system and associated aboveground facilities in New Mexico and Texas. Northern is seeking a Certificate of Public Convenience and Necessity from the Federal Energy Regulatory Commission (FERC) under Section 7(c) of the Natural Gas Act, as amended, for its Permian Basin Expansion Project (Project).

The Project includes constructing approximately 15.1 miles of 24-inch-diameter and 1.1 miles of new 16-inch-diameter pipelines, a new International Organization for Standardization-rated 7,700 horsepower compressor station, one interconnect with Transwestern Pipeline Company, LLC within the existing Phillips 66 Linam Ranch Plant, one bi-directional receiver within Northern's existing launcher facility, replacing a recycle valve at Northern's Plains compressor station, and one new delivery point for the customer at the Gaines County Generating Station.

2.0 PURPOSE

The purpose of this Noxious and Invasive Plant Management Plan (Plan) is to implement preventative measures to eliminate the spread of noxious and invasive plants during construction and prescribed treatments to eliminate, to the maximum extent possible, the invasion of these species from surrounding lands. Any kind of soil disturbance often stimulates noxious and invasive seeds already present in the soil seed bank to germinate and establish.

Northern will request written review and approval from FERC in event the construction contractor proposes an alternate noxious and invasive plant control measure not included in this Plan.

3.0 SCHEDULE AND CONSTRUCTION MANAGEMENT

Northern anticipates commencing construction in August 2027, or upon issuance of all applicable permits, and is estimated to be completed no later than May 2028, subject to the receipt of necessary permits and approvals, and placing all facilities in service. Northern will continue restoration activities after the Project is placed in service until disturbed areas are stabilized in accordance with the FERC *Upland Erosion Control, Revegetation and Maintenance Plan* (FERC Plan, 2013a) and its *Wetland and Waterbody Construction and Mitigation Procedures* (FERC Procedures, 2013b) and applicable permit requirements.

4.0 NEW MEXICO REGULATORY REQUIREMENTS

The New Mexico Noxious Weed Management Act (Act; New Mexico Statutes §§ 76-7D-1 to 76-7D-6) provides the legal framework for managing noxious plants in the state. Under the Act, the New Mexico Department of Agriculture (NMDA) designates certain plant species as noxious due to their potential to decrease land value, reduce forage for livestock, threaten agricultural production, increase risk of fire, invade native ecosystems, and increase public expenditure. Landowners, including private individuals, corporations, and governmental entities, are legally required to control the spread of these plants on property under their ownership or jurisdiction.

The NMDA, in coordination with county plant control authorities, administers and enforces the Act. County programs may conduct inspections, issue notices of violation, and implement control

measures when necessary, with associated costs recoverable from the responsible landowner. It is unlawful to knowingly sell, offer for sale, distribute, or transport designated noxious plants or their propagative parts within New Mexico.

New Mexico maintains a categorized list of designated noxious plants (i.e., Class A, B, C, and Watch List species) pursuant to NMDA rule (NMDA, 2023). The current list of designated noxious plant species is provided in Attachment A of Appendix A. Counties may adopt additional species for local control in accordance with NMDA procedures. No additional species are designated as noxious within Lea County, beyond those listed by the state.

5.0 TEXAS REGULATORY REQUIREMENTS

The Texas Administrative Code Title 4 Chapter 19 Subchapter T and the Texas Agriculture Code Chapter 71 provide the primary regulatory framework for the designation and management of noxious plants in Texas. Under these authorities, the Texas Department of Agriculture (TDA) designates certain plant species as noxious based on their potential to injure agriculture, horticulture, native ecosystems, public health, or the environment. The state’s noxious plant list identifies species that are subject to regulatory restrictions intended to prevent their introduction, sale, and spread within Texas (TDA, 2023).

It is unlawful to sell, distribute, import, or introduce designated noxious plants in Texas except as authorized by rule or permit. The TDA has authority to enforce compliance through inspection, quarantine, and other regulatory actions as necessary. While Texas does not impose a blanket statewide mandate requiring all landowners to eradicate listed species, state and local agencies may implement control measures in accordance with applicable statutes and programmatic requirements, particularly where infestations threaten agricultural production or natural resources.

In addition to the state noxious plant list, Texas recognizes invasive species concerns through interagency coordination and regional management efforts. The current list of designated noxious and invasive plant species regulated by the TDA is provided in Attachment A of Appendix B. No additional locally designated noxious plant species have been identified Gaines and Yoakum counties, beyond those regulated by the state.

6.0 OBSERVED NOXIOUS AND INVASIVE PLANTS

Noxious and invasive plant surveys were conducted within the Project’s environmental survey boundary (ESB) during biological surveys from December 2 to 8, 2025, and on January 9, 2026. Noxious and invasive plant survey memos for both the New Mexico and Texas portions are attached as appendices and describe the methodology and survey results. No species from the applicable state lists were observed within the ESB.

7.0 NOXIOUS AND INVASIVE PLANT MANAGEMENT

- (1) The Project is a linear project with the potential for construction equipment to transport species to areas where noxious and invasive species were not previously established. In addition, topsoil along the Project will be exposed during construction, which may allow for the potential recruitment of noxious and invasive species. Northern will implement several management strategies within the

construction corridor and other temporary workspaces where soil disturbance and/or removal of native vegetation may occur to minimize the introduction or spread of invasive plant species.

- (2) Noxious and invasive plants are spread by a variety of means, including vehicles, construction equipment, construction activities, farm equipment, livestock, and wildlife. Implementation of preventative measures to control the spread of noxious and invasive plants is the most cost-effective management approach. Management and control measures that will be used to minimize the introduction and spread of noxious and invasive species are described below.

7.1 PRE-CONSTRUCTION AND CONSTRUCTION CONTROLS

A pre-construction meeting(s) will be held to provide Project contractors with information and training regarding noxious and invasive plant identification and management. Contractors will be provided information about measures to be taken to prevent the spread of noxious and invasive plants in uncontaminated areas and about controlling the proliferation/spread these populations if observed. Qualified environmental inspectors will be used to conduct on-site monitoring before and during construction.

7.2 PREVENTATIVE MEASURES

The following preventive measures may be used to prevent the spread of noxious and invasive plants:

- Northern will place cleaning stations along the Project route, as needed, to best minimize the spread of noxious weeds. Equipment traveling out of noxious weed areas will be cleaned free of soil and plant debris prior to proceeding into an area without invasive plants. Water from the cleaning stations will be collected and transported off-site to an appropriate disposal facility. A typical drawing of a cleaning station is provided as Figure 1.
- All ground disturbing equipment will be clean and free of soil or plant debris prior to arriving onsite. The onsite EI will inspect all equipment upon arrival and maintain a log of such inspections. In the event that equipment arrives in a manner not consistent with the above requirement(s), the EI will direct the contractor to clean the equipment at an off-site location prior to its use on the Project.
- Follow FERC Plan and FERC Procedures to minimize sediment movement and the associated movement of invasive species seeds.
- Use construction techniques that minimize the time that bare soil is exposed, thus minimizing the opportunity for invasive species to become established.
- Erosion control devices and mulch will be certified as noxious and invasive plant free.

- Seed disturbed areas with annual or winter rye to quickly establish vegetative cover to stabilize the soil and allow native species in the soil to quickly establish to ensure that suitable substrate for invasive species is not present for extended periods.
- Monitor the construction corridor and other disturbed areas following construction to verify that revegetation has been successful and that invasive species have not become widely established.
- All contractors will receive noxious and invasive plant identification, management, and control training as part of their onsite contractor orientation.

8.0 RESTORATION MEASURES FOR WEED CONTROL

Following construction, Northern will restore the project area per landowner or land managing agency requirements using native seeding and mulching as applicable. Northern will monitor mulch and seed specifications to ensure noxious weeds are not brought in through contaminated supplies. Certified weed free mulch and seed will be applied where practicable or required.

Restoration specific best management practices 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.
- Use native materials where appropriate and feasible.
- If needed, a non-residual herbicide such as glyphosate will be used; however, herbicide will be restricted within 100 feet of any wetland/waterbody areas.

9.0 MONITORING FOR WEED CONTROL

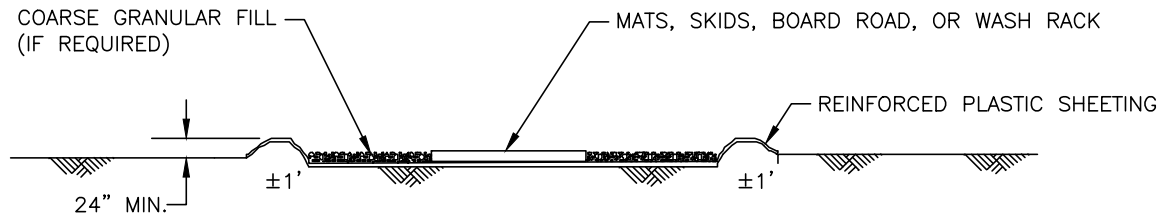
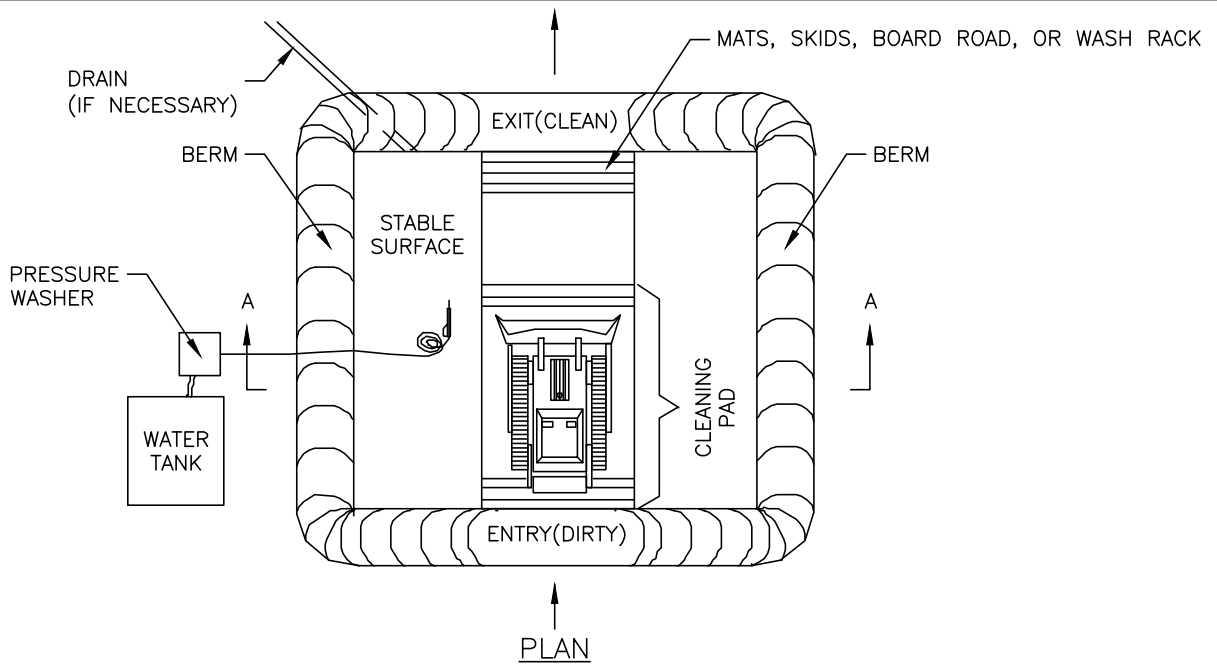
After construction is complete and the pipeline is operational, Northern will be alert for early detection of the spread of noxious and invasive species. If noxious and invasive species (individuals or colonies) are identified they will be remediated, as necessary.

Northern will address noxious and invasive plant treatment with landowners to identify any preferences or notification requirements.

10.0 REFERENCES

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Figure 1
Equipment Wash Station



WASH STATION NOTES:

SECTION A-A

1. ALL EQUIPMENT AND VEHICLES ARE REQUIRED TO BE WASHED AT WASH STATIONS LOCATED AS SHOWN ON THE CONSTRUCTION DRAWINGS OR AS DIRECTED BY THE COMPANY'S INSPECTOR. WASH STATIONS SHALL BE CONSTRUCTED BY THE CONTRACTOR. WASHINGS SHALL BE CARRIED OUT UNDER THE SUPERVISION AND TO THE SATISFACTION OF THE COMPANY'S INSPECTOR.
2. WASH WATER USED FOR CLEANING SHALL NOT BE ALLOWED TO ENTER ANY WATERBODY, WETLAND OR IRRIGATION CANAL/DITCH. ANY SOILS CONTAMINATED BY PETROLEUM-BASED OR OTHER UNDESIRABLE MATERIALS FROM WASH STATIONS SHALL BE REMOVED IN ACCORDANCE WITH APPLICABLE REQUIREMENTS.
3. SIZE OF STATION SHALL BE ADEQUATE TO ACCOMMODATE MAXIMUM SIZE OF EQUIPMENT EXPECTED AND REQUIRED WORK.
4. EQUIPMENT TO ENTER AT "DIRTY END" AND EXIT AT "CLEAN END".
5. STABLE DRAINAGE FROM SITE (IF NECESSARY) TO BE PROVIDED. WATER SHALL NOT BE DISCHARGED TO A STREAM OR WETLAND.
6. GRAVEL FILL (IF REQUIRED) AND REINFORCED PLASTIC SHEETING SHALL BE REMOVED AND DISPOSED OF IN AN ACCEPTABLE LANDFILL.
7. WASH STATIONS SHALL BE EQUIPPED WITH SKID PADS, WASHED RACKS, MATS OR BOARD ROADS TO PREVENT SOIL FROM BEING CARRIED ON TRACKS OR TIRES AS EQUIPMENT AND VEHICLES EXIT THE WASH STATION.
8. DEPRESSION SHALL BE BACKFILLED WITH BERMED MATERIAL.
9. THE BERM SHALL BE CONSTRUCTED WITH SUBSOIL; TOPSOIL SHALL NOT BE USED.
10. IF THE CONTRACTOR DOES NOT SELECT AN ALTERNATE MEANS TO AVOID POTENTIAL CONTAMINATION BY NOXIOUS/INVASIVE PLANTS, THE CONTRACTOR SHALL UTILIZE A CLEANING STATION AS DEPICTED IN THIS TYPICAL.

FAC. CODE : N/A	REL. W.O.	N/A
PL# N/A	CONST. YR	2021
STA# N/A	BY	DATE
DESIGN		
DRAWN		
ASBUILT		
FILE NO.: N/A		
SCALE: NTS		



**Northern Lights 2021
 Expansion Project**
 EQUIPMENT WASH STATION
 (EWS)

Figure 1

PROJECT NO.
N/A

DWG. NO.
TYP11
SHT. OF



Appendix A

New Mexico Noxious Plant Memo



MEMO

Date:

February 13, 2026

To:

Northern Natural Gas Company

From:

Carolyn Mestemaker, Merjent, Inc.

Subject:

Permian Basin Expansion – Lea County, New Mexico
Noxious Weed Survey Memo

INTRODUCTION

Merjent Inc. (Merjent) conducted a noxious plant survey for the Northern Natural Gas Company (Northern) Permian Basin Expansion Project (Project) in Lea County, New Mexico to document pre-construction conditions and support post-construction revegetation requirements. This memorandum summarizes our findings. Merjent also conducted a wetland delineation survey and threatened and endangered species habitat assessment in conjunction with the noxious plant survey. Please refer to the associated wetland delineation report and threatened and endangered species habitat assessment memo for more information, photos, and details about the Project.

Northern provided Merjent with a 3,070.1-acre environmental survey boundary (ESB) to complete the noxious weed survey. The ESB extends west and south of Hobbs Township to the eastern New Mexico/Texas border.

Prior to beginning the field survey, Merjent reviewed the New Mexico Department of Agriculture (NMDA) Noxious Weed List¹ for the list of species that would need to be documented if encountered during the field survey efforts (see Attachment A).

SURVEY

Merjent biologists Carolyn Mestemaker and Samantha Clark conducted field surveys from December 2 to 7, 2025, and January 9, 2026, within the ESB to document the presence of noxious plants.

The field survey occurred outside of the primary growing season and vegetation conditions consisted of late-season and/or dormant material. However, despite seasonal senescence, residual plant material present across the ESB contained enough visible characteristics that species were still readily identifiable.

Land use within the ESB consisted of rangeland, agricultural fields, oil and gas well pads, utility right-of-way (ROW) and infrastructure, access roads, and roadside ditches.

¹ New Mexico Department of Agriculture. 2020. Memorandum, New Mexico Noxious Weed List Update.

Five wetlands were identified during the wetland delineation survey. These wetlands consisted of palustrine emergent (PEM) and palustrine unconsolidated bottom (PUB) communities. Within the PEM wetlands, the herbaceous stratum was dense and dominated by erect knotweed (*Polygonum erectum*) and spikerush (*Eleocharis spp.*). The PUB wetland was primarily unvegetated, with minimal spikerush present. No other waterbodies or surface water resources were identified within the ESB.

Upland areas within the ESB included agricultural fields containing (*Medicago sativa*) and winter wheat (*Triticum aestivum*). Other fields had harvested remains of cotton (*Gossypium hirsutum*) with undesirable species of sandbur (*Cenchrus spinifex*) and palmer amaranth (*Amaranthus palmeri*) dispersed within.

The rangeland and edges of roadways contained thickets and dispersed honey mesquite (*Prosopis glandulosa*) shrubs. The herbaceous stratum ranged from occasional dense to sparsely vegetated, containing blue grama (*Chloris verticillata*), sideoats grama (*Bouteloua curtipendula*), James' galleta (*Pleuraphis jamesii*), buffalo grass (*Bouteloua dactyloides*), sixweeks threeawn (*Aristida adscensionis*), plains bristlegrass (*Setaria vulpiseta*), vine mesquite (*Panicum obtusum*), broom snakeweed (*Gutierrezia sarothrae*), prairie broomweed (*Amphiachyris dracunculoides*), silverleaf nightshade (*Solanum elaeagnifolium*), and pricklyleaf dogweed (*Thymophylla acerosa*).

RESULTS

No species from the NMDA Noxious Weeds List were identified within the ESB.

SUMMARY

Merjent completed a noxious plant survey and did not find any species on the NMDA Noxious Weed List within the ESB.

This memo summarizes ecological conditions on-site at the time of the survey. Should you have questions pertaining to the results of this survey, please contact Mark Cline at mark.cline@merjent.com.

ATTACHMENT

Attachment A – NMDA Noxious Weed List

Attachment A
NMDA Noxious Weed List




NEW MEXICO DEPARTMENT OF AGRICULTURE
Office of the Director/Secretary
MSC 3189
New Mexico State University
P.O. Box 30005
Las Cruces, NM 88003-8005
Phone: (575) 646-3007

July 2, 2020

MEMORANDUM

TO: General Public

FROM: Director/Secretary Jeff Witte 

SUBJECT: New Mexico Noxious Weed List Update

Petitions to add new plant species to the state noxious weed list were solicited and received by the New Mexico Department of Agriculture (NMDA) from Cooperative Weed Management Areas, individuals, agencies and organizations. The petitions were reviewed by the New Mexico Weed List Advisory Committee using ecological, distribution, impact, and legal status criteria within the State of New Mexico and adjoining states.

This list does not include every plant species with the potential to negatively impact the state's environment or economy. Landowners and land managers are encouraged to recognize plant species listed on the federal noxious weed list and other western states' noxious weed lists as potentially having negative impacts and to manage them accordingly.

As required by the Noxious Weed Management Act of 1998, the following plant species (*see attached New Mexico Noxious Weed List*) are designated as noxious weeds to be targeted for control or eradication. Thank you to the Cooperative Weed Management Areas, individuals, agencies and organizations who participated in this process.

attachment: New Mexico Noxious Weed List

IMG/jm/jw

New Mexico Noxious Weed List

Updated June 2020

Class A Species

Class A species are currently not present in New Mexico or have limited distribution. Preventing new infestations of these species and eradicating existing infestations is the highest priority.

<u>Common Name</u>	<u>Scientific Name</u>
Black henbane	<i>Hyoscyamus niger</i>
Camelthorn	<i>Alhagi psuedalhagi</i>
Canada thistle	<i>Cirsium arvense</i>
Dalmation toadflax	<i>Linaria dalmatica</i>
Diffuse knapweed	<i>Centaurea diffusa</i>
Dyer's woad	<i>Isatis tinctoria</i>
Giant salvinia	<i>Salvinia molesta</i>
Hoary cress	<i>Cardaria spp.</i>
Leafy spurge	<i>Euphorbia esula</i>
Oxeye daisy	<i>Leucanthemum vulgare</i>
Purple loosestrife	<i>Lythrum salicaria</i>
Purple starthistle	<i>Centaurea calcitrapa</i>
Ravenna grass	<i>Saccharum ravennae</i>
Scentless chamomile	<i>Matricaria perforata</i>
Scotch thistle	<i>Onopordum acanthium</i>
Spotted knapweed	<i>Centaurea biebersteinii</i>
Yellow starthistle	<i>Centaurea solstitialis</i>
Yellow toadflax	<i>Linaria vulgaris</i>

Class B Species

Class B species are limited to portions of the state. In areas with severe infestations, management should be designed to contain the infestation and stop any further spread.

<u>Common Name</u>	<u>Scientific Name</u>
African rue	<i>Peganum harmala</i>
Bull thistle	<i>Cirsium vulgare</i>
Chicory	<i>Cichorium intybus</i>
Halogeton	<i>Halogeton glomeratus</i>
Malta starthistle	<i>Centaurea melitensis</i>
Perennial pepperweed	<i>Lepidium latifolium</i>
Poison hemlock	<i>Conium maculatum</i>
Quackgrass	<i>Elytrigia repens</i>
Spiny cocklebur	<i>Xanthium spinosum</i>
Teasel	<i>Dipsacus fullonum</i>

Class C Species

Class C species are widespread in the state. Management decisions for these species should be determined at the local level, based on feasibility of control and level of infestation.

<u>Common Name</u>	<u>Scientific Name</u>
Cheatgrass	<i>Bromus tectorum</i>
Curlyleaf pondweed	<i>Potamogeton crispus</i>
Eurasian watermilfoil	<i>Myriophyllum spicatum</i>
Giant cane	<i>Arundo donax</i>
Hydrilla	<i>Hydrilla verticillata</i>
Jointed goatgrass	<i>Aegilops cylindrica</i>
Musk thistle	<i>Carduus nutans</i>
Parrotfeather	<i>Myriophyllum aquaticum</i>
Russian knapweed	<i>Acroptilon repans</i>
Russian olive	<i>Elaeagnus angustifolia</i>
Saltcedar	<i>Tamarix spp.</i>
Siberian elm	<i>Ulmus pumila</i>
Tree of heaven	<i>Ailanthus altissima</i>

Watch List Species

Watch List species are species of concern in the state. These species have the potential to become problematic. More data is needed to determine if these species should be listed. When these species are encountered, please document their location and contact appropriate authorities.

<u>Common Name</u>	<u>Scientific Name</u>
Buffelgrass	<i>Pennisetum ciliaris</i>
Crimson fountaingrass	<i>Pennisetum setaceum</i>
Meadow knapweed	<i>Centaurea pratensis</i>
Myrtle spurge	<i>Euphorbia myrsinites</i>
Pampas grass	<i>Cortaderia sellonana</i>
Yellow bluestem	<i>Bothriochloa ischaemum</i>

Appendix B

Texas Noxious and Invasive Plant Memo



MEMO

Date:

February 13, 2026

To:

Northern Natural Gas Company

From:

Carolyn Mestemaker, Merjent, Inc.

Subject:

Permian Basin Expansion – Gaines and Yoakum Counties, Texas
Noxious Weed Survey Memo

INTRODUCTION

Merjent Inc. (Merjent) conducted a noxious plant survey for the Northern Natural Gas Company (Northern) Permian Basin Expansion Project (Project) in Gaines and Yoakum counties, Texas to document pre-construction conditions and support post-construction revegetation requirements. This memo summarizes our findings. Merjent also conducted a wetland delineation survey and threatened and endangered species habitat assessment in conjunction with the noxious and invasive plant survey. Please refer to the associated wetland delineation report and threatened and endangered species habitat assessment memo for more information, photos, and details about the Project.

Northern provided Merjent with a 220.3-acre environmental survey boundary (ESB) to complete the noxious weed survey. The ESB within Gaines County is 194.1 acres and is located along the western Texas border. The area within Yoakum County is 26.2 acres and is near the Plains compressor station near Denver City.

Prior to beginning the field survey, Merjent reviewed the Texas Department of Agriculture (TDA) Noxious and Invasive Plant List¹ for the list of species that would need to be documented if encountered during the field survey efforts (see Attachment A).

SURVEY

Merjent biologists, Carolyn Mestemaker and Samantha Clark, conducted field surveys from December 7 to 8, 2025, within the ESB to document the presence of noxious and invasive plants.

The field survey occurred outside of the primary growing season and vegetation conditions consisted of late-season and/or dormant material. However, despite seasonal senescence, residual plant material present across the ESB contained enough visible characteristics that species were still readily identifiable.

Land use within the ESB consisted of agricultural fields, access roads, and maintained fields.

¹ Texas Department of Agriculture. 2017. Texas Administrative Code, Title 4, Chapter 19, Subchapter T, Noxious and Invasive Plant List.

No wetlands, open waterbodies, or other surface water resources were identified within the ESB.

Upland areas within the Survey Area included agricultural fields containing harvested remains of cotton (*Gossypium hirsutum*). Adjacent uplands showed evidence of prior disturbance and were dominated by non-native lovegrass species, with scattered sand sagebrush (*Artemisia filifolia*) present throughout. Soils consisted of Patricia fine sand, a characteristically red, loose, and sandy substrate typical of the Southern High Plains.

The rangeland and edges of roadways contained thickets and dispersed honey mesquite (*Prosopis glandulosa*) shrubs. The herbaceous stratum ranged from occasional dense pockets to sparsely vegetated, containing blue grama (*Chloris verticillata*), sideoats grama (*Bouteloua curtipendula*), James' galleta (*Pleuraphis jamesii*), buffalo grass (*Bouteloua dactyloides*), sixweeks threeawn (*Aristida adscensionis*), plains bristlegrass (*Setaria vulpiseta*), vine mesquite (*Panicum obtusum*), broom snakeweed (*Gutierrezia sarothrae*), prairie broomweed (*Amphiachyris dracunculoides*), silverleaf nightshade (*Solanum elaeagnifolium*), and pricklyleaf dogweed (*Thymophylla acerosa*).

The grassy field adjacent to the compressor station was semi-maintained and supported moderately dense herbaceous cover such as sand dropseed (*Sporobolus cryptandrus*), Bermuda grass (*Cynodon dactylon*), and tumble windmill grass (*Chloris verticillata*).

RESULTS

No species from the TDA Noxious and Invasive Plant List were identified within the ESB.

SUMMARY

Merjent completed a noxious and invasive plant survey and did not find any species on the TDA Noxious and Invasive Plant List within the ESB.

This memo summarizes ecological conditions on-site at the time of the survey. Should you have questions pertaining to the results of this survey, please contact Mark Cline at mark.cline@merjent.com.

ATTACHMENT

Attachment A – TDA Noxious and Invasive Plant List

Attachment A
TDA Noxious and Invasive Plant List

Common Name	Botanical Name
Noxious plants	
alligatorweed	<i>Alternanthera philoxeroides</i>
balloonvine	<i>Cardiospermum halicacabum</i>
Brazilian peppertree	<i>Schinus terebinthifolius</i>
broomrape	<i>Orobanche ramosa</i>
camelthorn	<i>Alhagi camelorum</i>
Chinese tallow tree	<i>Triadica sebifera</i>
Eurasian watermilfoil	<i>Myriophyllum spicatum</i>
giant duckweed	<i>Spirodela oligorrhiza</i>
giant reed	<i>Arundo donax</i>
hedge bindweed	<i>Calystegia sepium</i>
hydrilla	<i>Hydrilla verticillata</i>
itchgrass	<i>Rottboellia cochinchinensis</i>
Japanese dodder	<i>Cuscuta japonica</i>
kudzu	<i>Pueraria montana var. lobata</i>
lagarosiphon	<i>Lagarosiphon major</i>
paperbark	<i>Melaleuca quinquenervia</i>
purple loosestrife	<i>Lythrum salicaria</i>
rooted waterhyacinth	<i>Eichhornia azurea</i>
saltcedar	<i>Tamarix</i> spp.
salvinia	<i>Salvinia</i> spp.
serrated tussock	<i>Nassella trichotoma</i>
torpedograss	<i>Panicum repens</i>
tropical soda apple	<i>Solanum viarum</i>
water spinach	<i>Ipomoea aquatica</i>
waterhyacinth	<i>Eichhornia crassipes</i>
waterlettuce	<i>Pistia stratiotes</i>
Invasive plants	
chinaberry	<i>Melia azedarach</i>
Chinese tallow tree	<i>Triadica sebifera</i>
Japanese climbing fern	<i>Lygodium japonicum</i>
kudzu	<i>Pueraria montana var. lobata</i>
saltcedar	<i>Tamarix</i> spp.
tropical soda apple	<i>Solanum viarum</i>