"Watchdogs of the Prairie"

Dakota Counsel

September 2017 ORGANIZING * RESEARCH * ADVOCACY * EDUCATION Vol. 40, No. 3

BARC Members Continue Making the Case Against Proposed Refinery Site

Belfield—Badlands Area Resource Council members continue to pressure the Billings County Commission over the proposed siting of a crude oil refinery just south of Theodore Roosevelt National Park.

BARC members work diligently to attend all County meetings to keep an ear out for updates on what Meridian (the company behind the refinery) may be saying. BARC members bring information packets including maps, expert testimony on impacts to those living near the site, and a passion to protect the land, water, air, and people.

BARC members meet with POWER members to discuss organizing strategy

Billings County Pioneer ran a front-page article about the September 7 County Commission meeting outlining members' readiness. One of the main concerns BARC members bring to light is the increased truck traffic—from 80 to 170 per day—which is an unforeseen threat to local residents because the railroad is not going to service that area as initially planned.

"With that many trucks, I'm afraid that Belfield and the surrounding area is going to be bumper to bumper" said BARC member Laura Grzanic. Another item Laura brought to the commissioner's attention is Meridian's permit applications: "My concern is they presented it one way to the county and one way to the state." Other members in attendance like Ruth Molm, clarified BARC's position on the refinery saying she was "All for the refinery." But, "it would be a dangerous precedent to have the refinery located so close to the park." She asked the commissioners if there isn't a better site for the refinery.

BARC members have been fighting to keep the threat to their water, land, and air and the National Park in the media by publishing letters to the editor and featured commentary in an AP article that went across the nation and turned up in *US News & World Report*.

The group is waiting to hear from the State Water Commission regarding the party of record request for an adjudicative hearing on water acquisition permit for refinery use.

This is one of many permits that BARC is tracking and working on in our campaign to relocate the refinery.

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April Fairfield, DRC board chair

Dakota Resource Council Moves Onward

While some may be feeling a wave of craziness and pessimism these days, a look at where DRC is headed shows what can be done by a group of people coming together in commitment and respect.

The Ag and Food Task Force's campaign to support family farmers and ranchers is taking on factory animal operations. Earlier this summer the Task Force developed its priorities for the upcoming 2018 Farm Bill, getting a jump on preparing for important policy debates.

Our local affiliate in the Belfield area is gaining ground with their persistent, steady, methodical case to convince decision-makers that the proposed refinery near Theodore Roosevelt National Park should be somewhere else.

Our Dunn County members' determined work has so far resulted in no radioactive landfills in the county. The effort continues as the County Commission is considering a new ordinance on hazardous landfills.

Fort Berthold POWER won a huge victory along the lengthy winding road for Bureau of Land Management rules that improve protection from wasteful and harmful flaring of methane on public and tribal lands. Our affiliate helped convince Sen. Heitkamp to uphold federal methane rules from repeal in May.

Boosts to our bottom up, grassroots organizing work include new members, our hosting of Wellstone Action's "Organizing for Power" training in August, and the upcoming DRC Annual meeting focus on organizing that will be inspiring and informational.

DRC Board committees have been thoughtfully working on clarifying how resolutions get the Annual Meeting, revisions to DRC's bylaws that will improve how we operate, and nominations that will mean constructive leadership on our Board.

We are thankful for our talented, committed DRC staff who work with members to make this all happen.

Thank you all for helping to move our grassroots, people power work forward. I look forward to seeing you at the 2017 Annual Meeting in Dickinson October 27 and 28.

ABOUT US

Dakota Resource Council believes that the most enduring change comes from the bottom up. DRC members organize to take actions to influence public opinion and shape public policy to advance DRC's mission and build people power. As a non-partisan grassroots organization, DRC members organize on issues impacting our three focus areas of oil and gas, agriculture and food, and clean energy to bring long-term institutional change to communities across North Dakota.

Affiliates

Fort Berthold Protectors of Water & Earth Rights (POWER)
Lisa DeVille, Chair

Badlands Area Resource Council (BARC)
Linda Weiss, Chair

Grand Forks County Citizens Coalition
Daryl Bragg, Chair

Mckenzie County Energies & Taxation Association (MCETA)
Donny Nelson, Chair

Missouri Valley Resource Council (MVRC)
Chair Vacancy

South Agassiz Resource Council (SARC)
Bette Stieglitz, Chair

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BOARD OF DIRECTORS

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Daryl Bragg, Dexter Perkins: GFC3
Marie Hoff, Carol Jean Larsen: MVRC
Pat Hedstrup: BARC

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BARC Members Building Local Power

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Other good news is that in an open records search, the North Dakota Department of Health (NDDH) indicated that they agree with us that a Title V Clean Air Act operating permit should be a requirement meaning that the refinery would be considered a major source of pollution. This is exactly what BARC members want since obtaining a major source permit for a refinery, (so close to a national park that is designated a Class I Air Shed), is justifiably difficult. This requirement was discovered by a member, doing her own research to relocate the refinery away from the park. The research and effort being made by the members of BARC is not only helpful to the fight, also inspiring to see the work a small group can accomplish and the power that effort builds.

In support of the local people and their efforts, the Oil and Gas Task Force, with direction from the members of BARC, will decide on implementing statewide or even national actions highlighting the hazardous affects the refinery will have on the local people and the park. Recently DRC members were asked to sign a card asking the NDDH to require a major source permit for the Davis Refinery. If you haven't already signed one, please contact Liz Anderson at the DRC office to remind the NDDH that a refinery by any National Park is a big deal. Be on the lookout for invitations to help.

Dakota Resource Council Board Meets in Dickinson

The DRC Board of Directors met in Dickinson September 16. The Board welcomed Pat Hedstrup, the new affiliate representative from BARC.

Highlights of the meeting included: reviewing the organization's finances, approving the Resolutions Task Force's written process for annual meeting resolutions, discussing the summary with suggested timelines for follow up items from the July Board and Staff Retreat; reviewing status of current personnel hiring, discussing how CAFO's fit into our work especially in Devils Lake and Buffalo, and approving revisions to the bylaws to be submitted to the membership's Annual Meeting in October.

In addition to Board members, attending the meeting were two staff members and one member guest.

Dakota Resource Council's 39½ Annual Membership Meeting

Mark your calendars to save the date for our 39 ½ Annual Meeting **Saturday, October 28, 10 am - 5 pm MT, at the Elks Lodge in Dickinson.**

At this year's meeting, you will have the opportunity to:

- Meet other DRC members and staff who are passionate about bringing positive change for a healthier North Dakota
- Hear presentations from members and staff highlighting the campaign work and wins from the past year
- Get inspired and energized with a keynote speech on the merits and importance of community organizing
- Review, discuss, and vote on resolutions
- Review nominations and vote for incoming DRC Board Members
- Win some beautiful art or a great gift basket to take home from the art show and silent auction

And don't miss **the DRC Meet and Greet Friday, October 27th, 5-9 pm MT**, also at the Elks Lodge in Dickinson! Here members will have the chance to meet other members from across the state, engage with member leaders, and have a good time! Be sure to bring a friend! This is a great opportunity for non-members to come and get to know who DRC is and how great all our members are!!

A block of discounted rooms has been reserved at the Ramada Inn in Dickinson for both Friday and Saturday night. To get the block rate, please reserve your room no later than Friday, October 6.

Annual Meeting Volunteers Needed

Are you excited about our upcoming annual meeting? Do you want to make sure it's the best annual meeting EVER? Well thankfully we all know that we do best when we work together! And there are many ways you can chip in:

- Be a Carpool Captain and find members in your area to make the fun and memorable trip with
- Help with set up, tear down, or clean up following the annual meeting Make calls to members to ensure we have a great turnout
- Recruit a business in your community to sponsor our annual meeting

If any of these sound like something you want to do, **call Sonda Sauers at 701-224-8587** to learn how to get involved. Let's make this annual meeting a tough one to beat!

DRC Welcomes New Staff

Tanner Herbert joined DRC staff in September as the Food and Agriculture Field Organizer. Midwestern by birth and North Dakotan by choice, Tanner has always been drawn to the rural way of life. During the 2016 election he realized the importance of organizing in general, but on the local level in particular while he was helping raise support for several initiated measures and campaigning for several local candidates. After the election, this passion only grew and he became even more involved in local issues leading up to joining the team at DRC.

Tanner will be organizing the Agriculture and Food campaigns.

Andrew Larrivee joined the DRC team in September as the Administrative Assistant. Having seen the impacts rapid Bakken oil development had on his family, Andrew felt a strong personal connection to the work of DRC. He has experience as an administrative assistant and in other office positions.

Andrew has been active for over 10 years in the Bismarck/Mandan music community. He is currently in several bands and utilizes his music to engage with and support the local community, including playing multiple DRC events and fundraisers! Andrew was raised and currently resides in Bismarck.

New Position for Training & Engaging with DRC: What Will Your Contribution Be?

We welcome Cecilia Montesdeoca back to the DRC team in her new role as Training and Member Engagement Coordinator. The position comes as DRC is gearing up more training opportunities for members and making it easier and clearer for members to participate in DRC. You'll soon see positive results of Cecilia's work in what we're doing (see list to the right).

Cecilia worked with DRC last year as an oil and gas organizer through a fellowship for her master's program. In her new role, she focuses on membership engagement across the participation spectrum. DRC believes in meeting members where they are so this means we get to know our members interests, skill sets, and help identify how they want to be involved with DRC.

Here are some upcoming events and projects in the works:

- Membership Meet-Ups, week of October 9 locations TBA
- Member Social, October 27 in Dickinson
- Annual Membership Meeting, October 28 in Dickinson
- Member Booklets
- Updated promotional materials
- Engagement Surveys

North Dakota is Gearing up to Fight CAFO's

Hog confined animal feeding operation

Last June nearly 76% of North Dakotans voted to reject corporate factory farms, yet that hasn't stopped corporate interests from bullying their way into our state. Rolling Green Family Farms LLP, which lists CEO of Pipestone System, Barry Kerkaerts as a general partner, is still planning a 9,000-hog factory in western Cass County near the small community of Buffalo. Pipestone Systems and Grand Prairie Agriculture LLP are planning a hog factory with up to 3,300 hogs on the northern shores of Devils Lake, just off Six Mile Bay. On top of these new animal factories, two permits in other parts of the state have been filed, in LaMoure and Logan Counties, to expand existing Confined Animal Feeding Operations (CAFO) to larger operating capacities.

While the owners of these CAFOs would like you to believe that the only thing they produce is quality meat and fertilizer, the truth of the matter is much darker.

In 2006, Dr. Curtis Stofferahn provided the State of North Dakota with a report on the numerous and devastating negative effects of industrialized farms and ranches. Just some of these highly impacting effects include major health problems of people living in the affected area, contaminated water tables, substantially decreased property values, and decreased economic outlook for the region. The report has since been removed from most state websites.

DRC's Ag and Food Task Force is expanding its anti-corporate framing campaign to include opposition to CAFO's in Buffalo and Devils Lake, working with new members in each area.

Buffalo

In Buffalo, local resident Liane Stout has been one of the many people who has opposed this CAFO from the beginning. "How did this happen? How have profits, productivity, and pigs become more important than people?" Stout asked. She is not alone in asking this question, and many others like it. Concerned Citizens of Buffalo brought a detailed list of concerns to the North Dakota Health Department.

A few include:

- ***A lack of a large enough easement***. While 3 to 5 miles is suggested to prevent the spread of disease, the state Health Department decided a mile is far enough from a school, church, park, public building, business, and a residence.
- ***A lack of control over the spread of disease.*** The proposed barn, which is about the size of the Fargo Dome, is open on one side. An alarming concern is being expressed about the possible spread of disease through insects and rodents that can freely move about the facility, including through the compost heap which is projected to get 370 pounds heavier each day as dead pigs are added.
- ***An improper nutrient management plan***. Randy Coon, a local farmer from the area, has voiced concern on how the solid waste will be dispersed. He doesn't believe they have enough acreage to properly spread out the 11.2 million gallons of waste produced yearly, which he believes will lead to over application on other sites. On top of that, he has found that some of the land that has been proposed as a dumpsite for the waste has Hamerly-Tonka soil types that are normally in basins that drain directly to the water table.
- ***A lack of proper compensation from the site***. "How will $320 collected in taxes yearly be enough to pay for the damage it will inflict on our roads by trucking out the waste? Not to mention the damage it will do to our health and our property values," said Stout.

Devils Lake

130 miles to the northwest, Devils Lake is experiencing a similar problem. Grand Prairie Agriculture LLP, a company owned by the son of former North Dakota Farm Bureau President Eric Aasmundstad, has partnered with Pipestone Systems to build a barn for up to 3,300 hogs. On top of the regular dangers faced by an eco-system adjacent to a CAFO, this animal factory's detrimental impacts read like a hit list against the local community and economy as well.

The proposed location, which is best viewed from the hilltop in the adjacent active cemetery, drains directly into a wetland. Every North Dakotan knows about the water issues that have plagued Devils Lake for decades. Rising yearly, the lake has eaten tens of thousands of acres of farmland. So, the Lake Region Concerned Citizens are asking why some of the proposed waste dump sights are below the high-water mark. While being given a tour of these sights Tanner Herbert, DRC's new Ag and Food organizer, was appalled to see that the apparent marshes and wetlands would even be called fields, let alone be considered for waste broadcasting sites. "These are places I would take a duck boat to go hunting. These are not fields in which you can knife the waste into the soil" commented Tanner.

Local concerned citizen Clark Steinhaus said, "Every Spring these roads become impassable. We have a local resident who used to have to use a duck boat and a four-wheeler to get to and from her house. We had to build our roads up nearly 10 feet to put them above the possible high-water mark." Clark and his wife Lois recently moved their house away from the water's edge, and unknowingly at the time, closer to the proposed factory site.

long with the danger to the water and wildlife, comes a danger to the community. "Anglers bring nearly $80 million a year in tourism to our community. What happens when the pollutants kill the lake?" asks Janelle Engstrom, the owner of a lodge and RV park in Leeds, ND.

Bird's eye view of a CAFO located in South Dakota

Other people like Rick Schwab and Jeff and Jesse Kenner who own RV parks right on the lake, have already been told by their customers that if the odor becomes apparent they will leave.

"I started the Lake Region Concerned Citizens because I was worried about the impact that this would have on my business, but now I'm fighting for entirely different reasons. I am doing it for the people that will have to live right next to the hog barn and dumpsite. I'm doing it for the little kids and the elderly that can't fight for themselves. I'm doing it for those that have health problems that will be complicated by the polluted air. I'm doing it for those that will be affected by the polluted lakes, wells, and aquifer. Lake Region Concerned Citizens will not back down. We will stand for what is right!" said Engstrom when she was asked why she was fighting.

The Department of Health held a hearing for citizens to express their concerns and is currently deliberating on whether or not to issue the permit for the site. DRC members and community members will continue to monitor the progress of the proposed permit application. DRC is participating in public informational events on October 4 near Devils Lake and October 5 in Casselton (see details below). Another way you can help the effort is to write a letter to the editor to keep these stories going in the media. Contact Organizer Tanner Herbert at the DRC office at 701-224-8587.

Upcoming Events

Family Farms, Not Animal Factories Seminar

Wednesday, October 4 at 5:30 p.m.

Spirit Lake Casino Auditorium (6 miles south of Devils Lake)

Hosted by Lake Region Concerned Citizens

DRC is a sponsor of this event

Speakers: Sonja Trom Eayrs, Tim Culver, Jeff Johnson, Chris Peterson

How Bad Is It? Answers from experts on family farms and CAFOs

Thursday, October 5, 6:30 p.m.

'Days Inn, 2050 Governor's Drive, Casselton

Hosted by DRC

Speakers: Scott Dye of SRAP, Chris Peterson, Dr. Curtis Stofferahn, UND Professor Emeritus

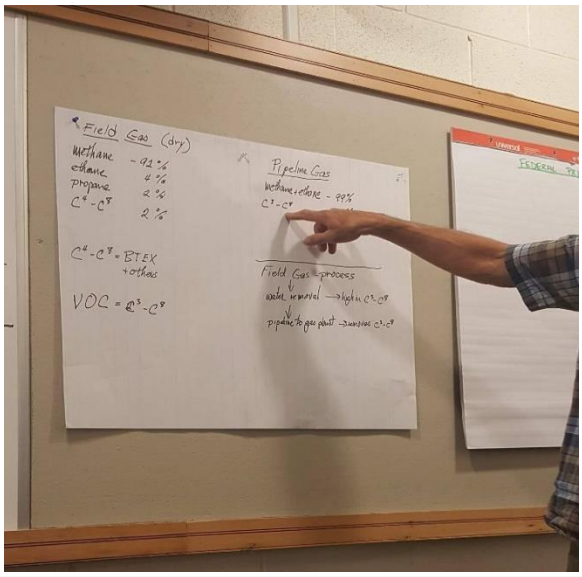
Oil and Gas

Oil & Gas Campaign Team Meeting Brings Together Members and Organizers

Members and organizers from the oil and gas states of Western Organization of Resource Councils (WORC) met in Billings for a three-day Oil and Gas Campaign Team Meeting in September. Organizer Nicole Donaghy represented DRC for the third year and Organizer Liz Anderson attended her first meeting as part of her transition into working with the Oil and Gas Task Force.

The meeting is held annually to discuss the campaign work from the previous year, including wins, lessons learned, and the ways WORC supported member groups in their campaigns.

The group identified common campaigns and issues and formed outlines for the work we will do next year and beyond. DRC will continue to focus on BLM and EPA Methane rules, and radioactive waste, while all groups are excited to help fight the Davis Refinery being sited near Teddy Roosevelt National Park. WORC will continue to support member states by funding, research, and strategy building.



Western Colorado Congress Member, Rodger Steen, a retired air quality specialist, discusses the chemical make-up of natural gas

Although a lot of planning and work have been done, one of the best things to come out of the meeting was new or strengthened team relationships. Nicole commented that she "liked how the team came together" over discussions of the work and a desire to share information so that we can learn from each other as we fight similar issues be they at all levels. Liz appreciated "how the experienced people in the room were so welcoming and encouraging." The work we do can be slow, risky, and difficult but having a diverse group of people that are dedicated to the work, willing to share information, and able to recognize and celebrate each another's wins is wonderful. Everyone left the meeting feeling energized and a profound sense of solidarity.

Mobile Rad Waste Unit Approved Despite Public Concern

There's a new facility coming to North Dakota that will separate radioactive waste via mobile truck. We're not too sure how this will work, but what we do know is that the facility will travel around four counties in western North Dakota—Williams, Dunn, McKenzie and Mountrail. At a hearing in Dunn County, members of DRC's Oil and Gas Task Force requested more information before the state woud permit a mobile unit of White Wing Limited, LLC. Folks at the meeting left with unanswered questions operators refused to disclose detailed operational plans. The ND Department of Health will not respond to any written public comments and believes that all questions were addressed at the hearing. The permit was approved at the beginning of September.

BLM Methane Reduction Rule on Stay Under Trump Say

On June 14, after years of work to create protections for air quality, taxpayer dollars, and protection of finite natural resources, the Bureau of Land Management (BLM) made the decision to delay the Methane Waste and Prevention Rule just 6 months after the effective date. The rule is supposed to be phased in until full implementation by 2025 and aims to curb methane emissions from oil and gas infrastructure by 45 percent.

On May 10, the Senate voted not to proceed to debate on the resolution to disapprove the BLM venting, flaring and leak rule. The motion failed with a 51-49 vote to move forward on the debate to repeal BLM methane waste rule. It is important to note that this vote was the first loss in Congress for President Trump and the first loss in this Congress for the American Petroleum Institute.

BLM said in its Register notice that it would postpone the compliance dates "in light of the regulatory uncertainty created by the pending litigation and the ongoing administrative review."

New Report Details Impacts of Methane Pollution on Children, Families in North Dakota

In August, DRC released a report titled "Oil & Gas Pollution's Impacts on North Dakota Families" which shows that over 2,000 new and modified oil and gas wells in the state are leaking harmful pollution.

The report outlines how oil and gas development in North Dakota has intensified methane and other toxic air pollution and public health issues in communities across the state, including those on the Fort Berthold Reservation.

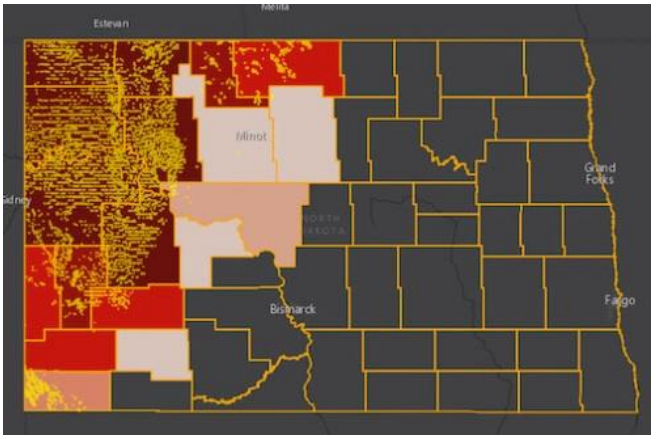
Infrared camera shows fugitive emissions coming off leaky Bakken oil infrastructure detailed in the report

DRC released this report as the comment period ended for the proposed two-year stay of the Environmental Protection Agency's (EPA) standards to reduce methane and other pollution from new and modified oil and gas wells known as the New Source Performance Standards (NSPS). EPA's standards are key to curbing methane emissions and other toxic air pollutants such as benzene - in new, reconstructed and modified oil and gas sources-just like the ones featured in the report.

The report tells the story of three Fort Berthold Protectors of Water & Earth Rights (POWER) members who live with the devastating impact that methane and other pollution released by the oil and gas industry has had on their community.

The report also discusses how Environmental Protection Agency Administrator Scott Pruitt is threatening to suspend vital safeguards that would help reduce pollution from oil and gas activities and protect public health.

"The air pollution detailed in this report is, in many cases, preventable. No one should have to worry about living near toxic pollution that is spewing into the air like an invisible oil spill, but that is the reality thousands of North Dakotans will face if the EPA's NSPS standards are suspended—or even worse, dismantled," said Lisa DeVille, DRC Board member and President of Fort Berthold POWER. **"**My family and all *residents of the Fort Berthold Reservation and across North Dakota are already paying the price for oil and gas leaking and venting, and they will continue to do so if we get rid of these vital pollution safeguards."*



This map depicts asthma attacks in children concentrated in the western part of the state near the Bakken

Currently, North Dakota does not have meaningful standards for detecting and repairing leaks, which means they rely on protections afforded them by federal pollution standards. The NSPS standards are crucial to safeguard against methane, hydrocarbons, and other harmful air pollutants from oil and gas activity.

DRC Hosts Wellstone Action Training and 3rd Annual Fundraiser on the Farm

In August DRC members and members of allied organizations participated in the Wellstone Action "Organizing for Power" training. Wellstone Action is the top national training and leadership development organization for the progressive movement. In the name and spirit of former Minnesota Senator Paul Wellstone, Wellstone Action ignites the leadership in people and power in communities to win positive change.

The Wellstone model on public policy, electoral politics, and community organizing are woven together to mobilize everyday people and accomplish long-term change. The training focused on building a strong membership base through one-on-one meetings. One-on-one exercises helped members practice building relationships through conversation focused on creating community and building power around common issues, interests and values. One-on-ones are essential to effective organizing as they move people to collective actions to address a common goal.

Following the training members made their way to Riverbound Farm in Mandan for DRC's third Fundraiser on the Farm. The fundraiser promoted Dakota-Grown Prosperity by celebrating our local economy. Local vendors and musicians sponsored the food, drinks, and music. We'd like to thank our sponsors: Riverbound Farm, Taylor Made BBQ, Laughing Sun Brewery, and Chameleon Moonflower and Anonymous Phenomena.

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What to do at the meeting:

- **Meet other DRC members and staff**
- **Hear campaign highlights from members and staff**
- **Learn about the importance of community organizing**
- **Review, discuss, and vote on resolutions**
- **Elect DRC Board Members**
- **Re-energize yourself for the coming year**

RSVP by going online at drcinfo.org/events/ -Mail to 1200 Missouri Ave Suite 201, Bismarck, ND, 58554 -Call our office at 701-224-8587201

Name of Member(s) attending:

_____

_____

Annual Meeting: □
Member Social: □
Interested in carpooling? □
Interested in helping with setup? □
Interested in helping with takedown? □

Organizing for a prosperous and healthy North Dakota Since 1978

Dakota Resource Council