

Dakota Counsel

April 2013

Organizing • Research • Advocacy • Education

Vol. 36, No 3

FRACTURED:

NORTH DAKOTA’S OIL BOOM

Photo: Oil pad on Scott Davis’ Ash Coulee Ranch near White Earth. Photo by Terry Evans.

Over the past two years, Terry Evans and Elizabeth Farnsworth visited DRC members and many others across western North Dakota. Terry’s reality capturing photos and Elizabeth’s personal and in-depth narrative has been produced in a series of 11 chapters of the blog titled “Fractured: North Dakota’s Oil Boom. The April 17 chapter describes DRC’s efforts in the Bakken.

Elizabeth Farnsworth is a special correspondent with PBS NewsHour and Terry Evans has photographed the prairies and plains of North America.

The series can be viewed on the Nevada Art Museum Center for Art and Environment website:

<http://www.centerforartandenvironment.org>

The North Dakota Museum of Art in Grand Forks will host the exhibit of Terry and Elizabeth’s work. Watch this newsletter for the announcement of the time and date.



DRC COMMUNITY CALENDAR

- April 23 South Agassiz Resource Council (SARC) meeting, Fargo. See page 7.
- April 25 “Hype about Pipe,” DRC-sponsored public meeting with Donny Nelson, Mark Trechock, Rose Person, Mountrail County Fair Building, Stanley, 7 p.m.
- April 25 Release of WORC report “Gone for Good: Fracking and Water Loss in the West” by Mark Trechock. See page 3.
- April 26 Concordia College, “Both Sides of the Story,” student sponsored panel, Scott Skokos will speak about DRC’s Build a Better Bakken campaign, Moorhead, MN, 4 p.m.
- May TBD Missouri Valley Resource Council Meeting, Bismarck, page 7.
- May TBD Clean Electricity Task Force Meeting (conference call) pages 3 & 5.
- May 11 DRC Board Meeting, Jamestown, 1:00 to 4:00, at Health 2 Go and H₂O.
- May 16 Oil and Gas Task Force meeting, New Town (time and place TBD) pages 3 & 5.
- May 19 Radioactive Waste Coalition meeting, Minot (time and place TBD) page 4.
- June 6,7,8 WORC Summer Board and Staff Meeting, Bismarck.
- July 14-15 DRC Board retreat, Bismarck
- October 26 DRC Annual Meeting, Dickinson, page 8

The Dakota Counsel is published six times a year by Dakota Resource Council, a nonprofit, grassroots activist organization. The mission of Dakota Resource Council is to form enduring, democratic local groups that empower people to influence decision-making processes that affect their lives. DRC is committed to preserving sustainable agriculture and natural resources.

BOARD OF DIRECTORS

Verle Reinicke, Linda Weiss, Marie Hoff, Bette Stieglitz, Leo Walker, Terrence Kardong, Theodore Bird Bear, Scott Davis, Philip Kambeitz, Cedar Gillette, and Carmen Wold along with two representatives from each affiliate.

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DRC ON THE MOVE

By DRC Board Chair Verle Reinicke

The pot is warm and perking at DRC, activity a plenty, and I want to take this space to point to some of the heat being generated.

I have talked recently about activities at the State Legislature. The session has been disappointing; almost all of the things that we stand for and have proposed have met with a thumbs down from committees and votes on the floors of the two houses. It has been discouraging on the parts of many who have taken the time to testify and tried to influence members at the State Capitol and an eye-opening experience.

Nevertheless, the enthusiasm, determination, research, preparation and the like has been outstanding. Don Morrison says that he's inspired by you the members. DRC has emerged stronger and more determined, I think. We will continue to follow the issues on which the decision makers voted. We have almost two years to hone ourselves and do even better in 2015.

DRC will be preparing a score card to provide information as to how the members in both houses voted on the various issues, especially those relating to the concerns we have as an organization. It will be a way for you in your various districts to have on-going conversations with your representatives and Senator and hold them accountable for their decisions.

There are some staff changes, and our offices in Bismarck will be moving to a new location near the Bank of North Dakota and the Missouri River.

Lynn Wolff, in our Fargo office, will be retiring at the end of May. He has served us well for 12 years and will miss him as one of our staff. He will continue to be involved in DRC, however, probably selling raffle tickets. There is more about Lynn elsewhere here.

Don will be hiring a staff person to take Lynn's place. The plan is to have someone in the next month or two, and the Fargo office will remain open. There will be more about the staff configuration as time goes on.

This year DRC will host the June meeting of WORC. A highlight of that time will be a day-long bus tour of energy activity: wind, solar, coal, oil and gas. There will be video shot that day which will be turned into a piece to be shown at the Annual Meeting in October in Dickinson.

We continue to communicate with this newsletter and email and are continuing to develop social media like Facebook and videos. We've just finished editing a 5-minute production using video Brenda Jorgenson shot about oil development on their ranch in the White Earth Valley. Look for it on our website soon.

DRC is on the move. Let's keep up the momentum.



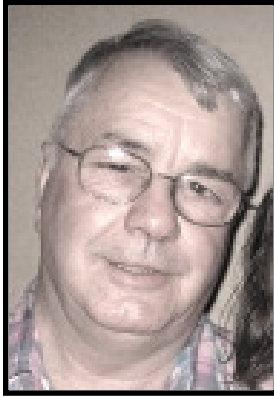
DRC ORGANIZER LYNN WOLFF TO RETIRE

After 12 years of dedicated service to DRC, Lynn Wolff is retiring.

He said he is looking forward to many things including staying active as a DRC member.

“DRC has been a large part of my life these past 12 years, as an organizer, working with assistance of members,” Lynn said. “Now it is time for me to be a DRC and affiliate member as we hire and welcome my replacement. Thanks, good luck and take care.”

He added, “If you want a raffle ticket, they’re going fast but I may have one for you.”



Lynn was born and raised on a ranch in southwestern North Dakota and began with DRC in 2001. He has been the organizer with South Agassiz Resource Council, Grand Forks County Citizens Coalition, Stutsman County Citizens Coalition, and task forces for trade and livestock, food safety and pipelines. He is married and has three children.

DRC Executive Director Don Morrison said, “Lynn has been an important and well-liked part of DRC and I am really happy he will continue as an active member. We thank him for his years of work and service and wish him well.”

Lynn will work until a replacement is hired, probably by the end of May, for the field organizer position based in Fargo.

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GETTING WIND ON THE WIRE

As part of DRC’s clean energy efforts, we are working on improving transmission for wind energy in North Dakota and the surrounding region.

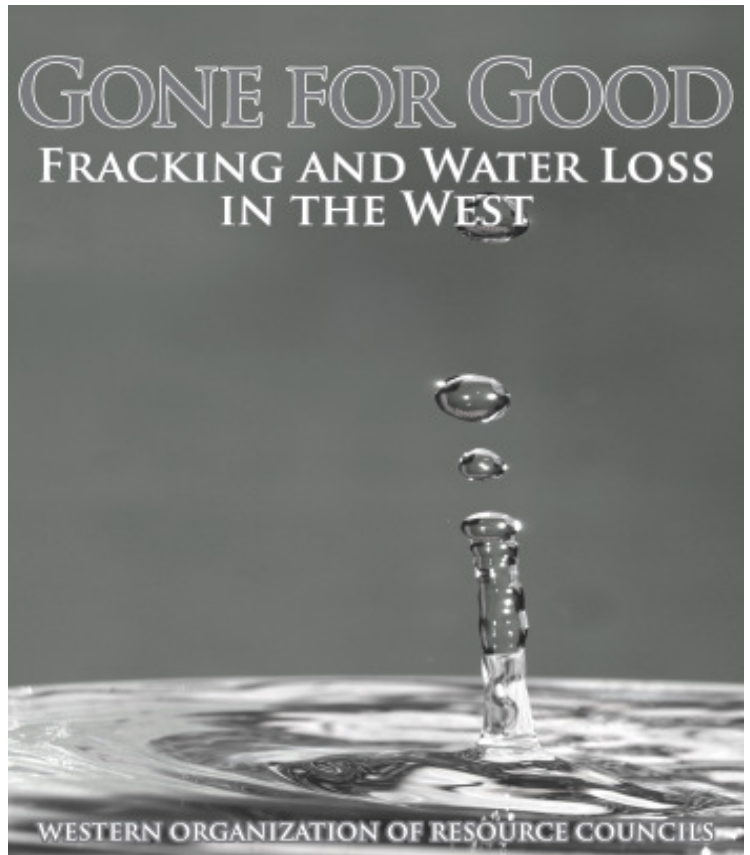
The project is focused on working with landowners and public utilities regarding the proposed MVP-6 transmission line that will run from Ellendale, ND to the Big Stone Power Plant in South Dakota. In late April DRC field organizer Scott Skokos will go to Brookings, SD to meet with representatives of Center for Rural Affairs, Dakota Rural Action, Wind on Wires, and CURE to discuss best practices for landowners potentially impacted by the proposed transmission line.

In February Scott attended an informational meeting about the proposed transmission line in Ellendale, and members Paul Matthews and Bob Banderet attended a similar meeting in Briton, SD.

If any members have suggestions regarding this proposed transmission line, please send your comments or questions to Scott Skokos (scott@drcinfo.com). To learn more about the MVP-6 line please visit www.BSSetransmissionline.com

COMING SOON

(April 25)



Contact any DRC office to get your copy

LEGISLATIVE SESSION NOT GOOD FOR LANDOWNERS

Just because a legislator says it, doesn't make it so.

Shortly after the House passed a very weak setback bill, HB 1348, Rep. Todd Porter (R- Mandan) said in a KX News story, "I believe it's not only landmark but it's going to be the benchmark for other states as they move forward with oil exploration and production."

That claim sure makes it look like North Dakota is doing oil and gas development right. But this session in all reality, couldn't be further from the truth. HB 1348 started out with an oil well pad setback of 1,320 feet from a person's home. As this bill went through committee hearings, Lynn Helms, the Director of the Department of Natural Resources who claims to be both an "proponent" and a "regulator" of the industry, was always standing by Ron Ness, President of the North Dakota Petroleum Council who is very clever at pushing for the oil and gas industry and speaking against North Dakota landowners.



"I am not a cheerleader for the industry. I am a proponent"- Lynn Helms

This session, farmer and rancher members of Dakota Resource Council have gone to many hearings on oil and gas development to help build a better Bakken, only to sit there after testifying and listen to Lynn Helms speak against North Dakota farmers and ranchers.

By the end of the legislative process on HB 1348, the bill turned from a good setback bill into a very weak flaring bill. The House

Natural Resources Committee removed the setback increase and added a suggestion that Helm's agency could have flares and equipment put on the far side of the pad from the home. The setback for well pads didn't budge from the 500 feet in current law.

We aren't exactly sure how North Dakota sets the benchmark for other states for oil development because some oil producing parts of Texas have 2,000 foot setbacks. If you ask us, North Dakota seems to be behind the times compared to other states.

On bill after bill, Mr. Helms was there defending Ron Ness and the Petroleum Council and going against North Dakotans who've had generations of work building a good life in western North Dakota. After this whole process, we are wondering, if we can't trust our own state government, who can we trust? This shouldn't be happening in America.

(Letter to the editor signed by Donny Nelson, Keene, DRC Oil and Gas Task Force chairman; members Theodora Bird Bear, Mandaree; Jim Stenslie, New Town; Rose Person, White Earth)

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NEW COALITION FORMING TO TACKLE RADIOACTIVE AND HAZARDOUS OIL WASTE

Over 40 people turned out in New Town on April 13 to help develop a coalition to address radioactive and hazardous oil waste. Participants shared experiences and knowledge about what is happening in the Bakken.

The mission of the new coalition is to protect the health, welfare, history, land, water and lifestyle of North Dakota people. The group plans to tackle issues such as illegal dumping of radioactive and hazardous waste from energy development in the state. It also is working to stop the deregulation effort by others in the state to open up North Dakota as a dumping ground for these wastes.

Darrell Dorgan of Bismarck facilitated the meeting. He has been working with Anne Marguerite Coyle, a DRC member in

See New Coalition pg. 6

LEGISLATURE AND BEYOND

Oil and Gas Task Force

The 2013 North Dakota Legislative Session is winding down and the DRC Oil and Gas Task Force has been working the phones and emailing to change the outcome of the remaining bills. There were over 100 bills dealing with oil and gas this session, and the task force focused on those that hit home to our members.

There were two oil well setback bills that DRC members worked tirelessly on this session. The first bill, sponsored by Sen. Bill Bowman (R-Bowman), didn't make it through the Senate. This setback bill increased the setback from a dwelling for a single well pad from 500 feet to 750 feet and a multi well pad to 1,000 feet. Frank and Wanda Leppell, along with Don Nelson, worked with Bill Bowman on writing this bill.

The second bill, brought on by the Northwest Landowners Association, increased the setback to 1,320 feet from a person's home. Many DRC members testified, called and wrote letters to legislators to support this bill concentrating on why the setback needed to be increased. During the process, the bill was amended to leave oil well pads at the current 500 feet but have the flaring equipment on the far side of the well pad from the home. For task force members and those who live next to oil well, this is not good enough.

Flaring is a big problem in North Dakota. While North Dakota flares 30 percent of its natural gas, the national average is 1 percent. Sen. Tim Mathern (DNPL-Fargo) sponsored a DRC bill that would have oil companies pay royalties and oil tax if they flare after a year. This bill was voted down. Sen. Triplet (DNPL-Grand Forks) sponsored a bill to provide property tax incentives to gather and use the gas, but that also defeated.

HB 1134, sponsored by Rep. Porter (R-Mandan) gives tax breaks to companies that gather and use the gas. The Senate amended this bill with a DRC supported amendment to reduce the royalty and tax exemption from one year to six months. However, the House refused to accept that and the conference committee returned the bill to its original form. As of April 21, this bill is headed

back to the Senate. If they say no again, this could be a long process. We will continue to fight for some movement on this bill.

Task force members have worked on other bills dealing with Local Emergency Response during a spill, eminent domain practices, mediation and pipelines. The task force met on the phone Saturday mornings at 8:00(CT) / 7:00(MT) to prepare for each week.

Now that the session is about finished, task force members are working on plans to meet May 16 in New Town to identify post-legislative plans. It looks to be a busy summer, but, the Oil and Gas Task Force is ready to take on the issues and tasks ahead!

Clean Electricity Task Force

As the legislature reaches its end, legislators deleted energy efficiency funding from the Resource Trust Fund. The funding was originally included in the governors budget, and was for approximately 6 million dollars. This was intended to be the first appropriation from the Resources Trust Fund for energy efficiency and renewable energy since the fund was established in the early 1990s. DRC and North Dakota Alliance for Renewable Energy (NDARE) encouraged the governor to include this funding in his budget, which he did in November. Currently the bills are in conference committee and will be voted upon before the end of the session.



Sharon Anderson, rancher and DRC member from Powers Lake, testifies on HB 1348 to increase oil well setbacks from homes

WORC AG TEAM MEETS IN RAPID CITY

By Bette Stieglitz collaborating with Link Reinhiller

Twenty-two members and staff from WORC and all seven WORC affiliates met in Rapid City to launch WORC's newest campaign team, the Ag and Food Campaign Team.

In December 2012, the WORC board decided to merge the Local Foods and Livestock Teams into one new team to coordinate regional agriculture and local food campaigns that support family farmers and ranchers and build grassroots power.

Representing DRC was Bette Stieglitz, Fargo and DRC Board Secretary; Link Reinhiller, rancher from Hazen; and Lynn Wolff, field organizer from Fargo. Other participants were from WORC, Dakota Rural Action, Northern Plains Resource Council, Oregon Rural Action, Powder River Basin Resource Council, Western Colorado Congress, and Idaho Organizing Project.

The team reviewed strategies on issues and developed plans for 2013 work, including federal issue campaigns on food safety, country of origin labeling, animal ID, GMOs, and the Farm Bill. Also identified were some potential local food regional campaigns.

Many DRC members have talked with Lynn Wolff and have responded to WORC's recent survey on ag and food issues. Stay tuned.



Participants of the WORC Ag Team meeting in Rapid City, April 5-7. Representing DRC were Link Reinhiller, Bette Stieglitz and Lynn Wolff.

NEW COALITION (from Pg. 3)

Jamestown; Don Morrison, DRC executive director; and others to start the effort. Many DRC members are participating.

"I was very impressed that the tribe was able to stop the dump at White Shield and I hope my neighbors will be as successful with the dump proposed in my township," said Gene Wirtz, a DRC member from Underwood who attended the meeting with a fellow township officer.

Theodora Bird Bear, DRC Board member from Mandaree,

said, "The turn-out was really good. I think the joining of non-Indian residents from statewide and tribal members at Ft. Berthold was a good thing. We are dealing with the same oil companies. This is potentially a mechanism we can all use together to develop a voice on oil and gas impacts in the state and the region. Our commitment has to remain constant."

The next meeting will be in Minot in mid-May. Contact DRC for more information.

FIRST RECYCLING, NOW DOWNTOWN BISMARCK

In February, Missouri Valley Resource Council won its campaign to get curbside recycling in Bismarck. MVRC's victory means that Bismarck residents can now pay \$3.81 a month to receive what many consider the Cadillac of recycling: single sort recycling, including glass.

MVRC met in March to decide what's next. During the meeting members discussed potential new campaigns. After some discussion, the group decided to work in support of revitalizing downtown Bismarck which will involve supporting the downtown Civic Center, expanding green space, and reducing urban sprawl in places to the north and south of the city.

The first action of the campaign was a letter to the editor by Marie Hoff, MVRC Treasurer, published in the *Bismarck Tribune* April 17 entitled "Keep Bismarck Alive and Vibrant." The letter argued in favor of developing downtown Bismarck. See: <http://drcinfo.org/?p=1732>



SARC TACKLES ISSUES

South Agassiz Resource Council (SARC) is collaborating with other organizations in the Fargo community to achieve common goals of locally grown foods, processed and purchased within our community. We have been meeting on monthly basis with Healthy Foods Initiative of Cass Clay.

Most recently SARC members have teamed up with "Idle No More" which started in Canada by indigenous people and is spreading around the globe. The goal is to raise basic respect for quality of life for people and our natural resources of water and land.

SARC members feel this is an essential goal to bring to our North Da-

kota legislators because we value quality of life for families living in the Bakken. They deserve respect for their work and lifestyle. Currently the oil companies have the upper hand to create huge profits for themselves and mineral owners at the expense of others living and working in the region.

In addition, members are concerned with the impact of oil development on Theodore Roosevelt National Park and the Elkhorn Ranch.

The most recent SARC meeting was Tuesday, April 23, in the Black Building on Broadway in Fargo. DRC Executive Director Don Morrison was scheduled to attend.

Keep up to date with DRC!



Like **DRC on FACEBOOK**
To get the word out 'SHARE' our posts with your friends.



**I'D LIKE TO SUPPORT DRC
ENCLOSED PLEASE FIND:**

General Membership

- ___\$500 • Watchdog of the Prairie
- ___\$250 • Sustaining
- ___\$100 • Century Club
- ___\$ 55 • Household
- ___\$ 35 • Individual
- ___ \$ 15 • Student/Low Income

BARC/DRC Membership

Household \$60___ Individual \$40___

GFC3/DRC Membership

Household \$60___ Individual \$40___

MCETA/DRC Membership

Household \$65___ Individual \$ 45___

MVRC/DRC Membership

Household \$60___ Individual \$40___

SARC/DRC Membership

Household \$75___ Individual \$ 45___

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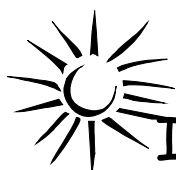
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**DRC IS NOW DOING WEEKLY VIDEO
UPDATES ON:**



TO FOLLOW US PLEASE VISIT OUR YOUTUBE PAGE:

GOO.GL/TJ1FZ



IN JUST ONE DAY

- *You will join with other great minds to voice your opinions about the direction your organization should take;
- *You will hear great visions for the future;
- *You will take a virtual tour and see first hand the North Dakota energy sector in action;
- *You will meet a MacArthur Fellowship "Genius" award recipient and hear the commitment this person has to protecting the environment and health and safety of citizens, dealing with the facts and sticking to the point;
- * You will be able to shop for some terrific items all day at the silent auction and also have the opportunity to taste and purchase great Abbey wines.



IN JUST ONE NIGHT

- *You can rest peacefully in a comfortable, quiet, inexpensive room;
- *You can experience the serene country feel of a small town;
- *You can see up close and personal the whirling wind turbines and feel the warmth of the geothermal heating.

You don't want to miss this one!

**Plan to attend the
DRC Annual Meeting in Dickinson
October 26th.**

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