

DAKOTA COUNSEL

Watchdogs of the Prairie

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DRC Celebrates 42nd Annual Meeting On-Line

Dakota Resource Council held their 42nd annual meeting on Saturday, October 24 and due to the pandemic, it was held on-line, our usual routine in 2020.

Although the meeting's online venue was new, much of the agenda and schedule was the same. Regular annual meeting business such as the approval of minutes, reports from the Executive Director and organizers were included. DRC staff highlighted successes such as the Davis Refinery being held off for a 5th year,, Buffalo and Devils Lake members keeping their communities CAFO free, wins limiting the roll-back of EPA and BLM methane flaring rules, and Farmers and Ranchers in Crisis, a DRC storytelling project highlighting North Dakota farmers and ranchers telling their stories about working in these difficult times of trade wars and a pandemic.

DRC Annual Meeting attendees participated in a training session called, "Unconscious Bias Training" with Jeffon Seely. During this training, members and staff discussed definitions of diversity, worked to identify unconscious perceptions and behaviors that prevent development, utilization, and performance of all members and employees. We began to learn how to identify and resolve unconscious patterns of exclusion, and brainstormed strategies to (Story Continued on Page 3)

Letter From the Chair



I have been around DRC long enough to have read a few chairperson's columns, but this is the first time that I have written one as the chairperson! Many of the members know me from my long association with DRC, but for the ones who have not met me, I thought I would introduce myself.

I am originally from Cogswell, North Dakota, graduated from North Dakota State University with a BS with majors in sociology and political science, and I received my PhD and a MS in rural sociology from Iowa State University. I returned to North Dakota in 1987 to work for one year at the Economic Development Commission on the Alternatives for Agriculture project which became incorporated into the Growing North Dakota legislation. After the project ended, I took a one-year position in the sociology department at the University of North Dakota which turned into a nearly 30-year career there. At UND I taught courses in community, and environmental sociology, rural, development, research methods, and theory. My most recent research focused on cooperative conversions and about the community effects of industrialized agriculture. In 2017 when I was department chair, I took the buyout in order to save the positions of two young instructors and retired from the university.

I had been active in university governance, my professional society, and in farm organizations. I have been a long time DRC member, having served on several committees, since returning to North Dakota in 1987. I was active in university governance having
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Executive Committee

Curt Kralicek, Chair
Curt Stofferahn, Vice Chair
April Fairfield, Past Chair
Lisa DeVille, Secretary
David Rydell, Treasurer

At-Large

Linda Weiss
Bernie Parkhurst

Affiliate Reps

Pat Ashley, BARC
Delvin Rabbit Head, Sr, Ft. Berthold POWER
Donny Nelson, MCETA
Vacant, MVRC

DRC Affiliates

**Badlands Area Resource Council
(BARC)**

**Fort Berthold Protectors of Water
& Earth Rights (POWER)**

**McKenzie County Energies &
Taxation Association
(MCETA)**

**Missouri Valley Resource Council
(MVRC)**

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(Annual Meeting Cont.)

work towards eliminating biases, from an organizational and an individual perspective. Members broke out into small “virtual rooms” and discussed problems and solutions of biases and limited diversity within the organization.

Later in the day, DRC presented the Art and Grace Link Leadership Award. This award goes to members doing outstanding volunteerism work. This year it went to former DRC Chair, April Fairfield for her tireless work with DRC. She volunteered her time on all issues that affected DRC members....she even sewed a mascot costume, Dexter the Prairie Dog.



Dexter the Prairie Dog getting a bear hug.

The final event of the meeting was the business meeting where among other things, new board members were elected. Curt Stofferahn was elected as Chair to finish Curt Kralicek's term. Kralicek will still serve on the board as Past Chair. Linda Weiss of Belfield, ND will serve as Vice-Chair, Lisa DeVille of Mandaree will continue her term as Secretary, David Rydell of Grand Forks will still be treasurer for another year and the At-Large members will be Bernie Parkhurst of Mandan and April Fairfield of Bismarck.

Other business taken care of at the business meeting were some changes to the bylaws. Including a change to the required date for the annual meeting. For years, the DRC's Annual Meeting has taken place on the fourth Saturday of October. For the past few years, members seem to agree that schedules and lifestyles have changed and more flexibility was warranted. Curt Kralicek, DRC Chair, along with the Bylaw Committee persons David Rydell & Nicole Donaghy proposed a change. Now, rather than having to be held the fourth Saturday of October it can be held anytime during the

4th Quarter of the year. The Annual Meeting Committee will recommend a date for the annual meeting in 2021 and the DRC board will vote on a finalized date.

The annual meeting went smoothly, particularly for our first time hosting it on-line. It was quite different not being able to meet new friends and reconnect with long-time members. All DRC members and staff are keeping their fingers crossed for an in-person meeting in 2021.

(Chairperson Letter Continued)

served as a senator to University Senate senator from 1997-2017, and I was chairperson of the senate in 2011-2012. I remain active in the Rural Sociological Society (RSS) having been a member since 1979; I was an elected member of RSS Council for two years and RSS Secretary for three years. I was a two-year elected board member of Northern Plains Sustainable Agriculture Society, and I served on the Grand Forks County Committee for the North Dakota Farmers Union for several years. After my post doctorate position, and before I began work with the ND Economic Development Commission, I worked for the North American Farm Alliance in Ames, IA as a grant writer, researcher, and newspaper editor.

My father, Warren, and my brother, Scott have had a long history of involvement with DRC going back the mid-1970s. In the early 1980s, with the assistance of DRC, they fought the siting of the MANDAN Line near our farm. Manitoba Hydro and the Nebraska Public Power District had proposed a line between Manitoba and Nebraska that would pass through the Dakotas to facilitate the flow of electricity to Nebraska from Manitoba in the summer when the demand for electricity from central pivot irrigation systems peaked in Nebraska, and then reverse the flow from Nebraska to Manitoba in the winter when the electricity demand peaked in Manitoba. With the assistance of an attorney hired by DRC, they proved that there was insufficient demand for electricity from the MANDAN Line, and the Manitoba Public Power District eventually shelved the project.

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(Chairperson Letter Cont.)

In the late 1980s, dad and Scott worked with DRC and other landowners in southern Sargent County, to stop the development of the Over the Horizon Backscatter Central Radar System. It was a Cold War relic that was no longer relevant to its original mission to detect incoming missiles from the USSR. The system design included an underlay of buried cables on a wide swath of land in northeastern South Dakota and southeastern North Dakota that would act as a receiver for signals bounced off incoming missiles from a radar site in Thief River Falls, MN. When the need for the system no longer existed with the collapse of the USSR, the Air Force proposed redeploying the system in the drug war by detecting drug-carrying planes incoming from Mexico or Central America. With the efforts of DRC and local members, they proved that the system was virtually worthless in detecting incoming planes. Members in Sargent County wrote a slew of letters to Sen. Daniel Inouye, chair of the Senate Military Appropriations Committee. After a while, the project was quietly shelved, but the General Accounting Office concluded in a 1991 report that the system was unworkable for the repositioned purpose.

Because DRC organizers spent so much time in Sargent County in the 1980s on these two projects, the farmhouse became known as DRC South because so many strategy sessions were held there, and the folks offered the guest bedroom for their use.

I come from a long background of farm movement activity, so it is probably no surprise that I have been involved in farm organizations. My father, Warren, was a member, director, and organizer for the National Farmers Organization. Later he helped to organize American Energy, Inc. (an ethanol cooperative) and American Grain and Cattle (a marketing cooperative). My great grandfather, Johann H. Mundt, was a populist member of the South Dakota State Legislature as well as an organizer of cooperatives and mutual insurance companies. My grandfather, Ed Stofferahn, was active in the Farm Holiday Movement in southern Minnesota. My grand uncle, Bill Strand was a member of the United Farmers Educational League at Forbes ND.

Upon moving to Fargo after taking the buyout from UND, I told Scott Skokos that I wanted to connect with DRC members in the Fargo area, and to establish relationships with Citizens Local Energy Action

Network, Red River Climate Action, and Fargo Local Foods. There is a significant number of DRC members in the Fargo area; I would like to see them engaged in these three groups or organize a new affiliate. Unfortunately, the pandemic has made those efforts at connecting and organizing quite difficult.

We face some particularly challenging organizing problems: how to organize during a pandemic, and how to organize in a state that took a decidedly right turn in 2016 that was reinforced in 2020 election. We have an ingenious staff at DRC who have learned how to do virtual organizing through Zoom and Go-to-Meeting calls, and they have become more reliant on email and phone calls for organizing more than ever before. During the last two elections, DRC has lost allies and friends in the legislature, and the political climate seems to be disadvantageous to our issues and concerns. The organizers and director, however, have drawn upon their experience in grassroots organizing to find common ground on some issues even with legislators and community members who would otherwise be antithetical to DRC in general.

Little did I imagine that I would be chair during a pandemic and during an orange wave that swept the state in two elections. Being a dialectician at heart, I am always looking for the contradictions between ideas and forces that offer opportunities for organizing, but I am also cognizant that sometimes the contradictions between ideas and forces must accumulate to the point that the thesis collapses and a new thesis emerges. DRC may be in a period of retrenchment fighting to hold onto gains we realized in prior years while simultaneously looking for those contradictions that permit us to make small, but perhaps not insignificant, gains.

Curt Stofferahn

Oil and Gas

DRC Questions Legality of CARES Act Funds Allocated For Fracking

North Dakota public interest groups Dakota Resource Council and North Dakotans for Public Integrity sent a letter to the North Dakota Industrial Commission, the North Dakota Emergency Commission, and the United States Treasury calling into question the use of 16 million dollars in CARES Act funds for the purpose of giving eighty separate gifts to oil and gas operators of up to \$200,000 per gift to frac and complete oil and gas wells (also known as the DUC Well Incentive Program). The letter lays out a series of reasons why the groups believe using the money for the DUC Well Incentive Program puts the state in a vulnerable position.

Specifically, the letter asserts:

- 1) The use of the CARES Act money for the DUC Well Incentive Program violates the anti-gift clause of the North Dakota Constitution (Article X, § 18).
- 2) NDIC's DUC Incentive Program may violate the CARES Act itself if the funds are not "necessary expenditures incurred due to the public health emergency."
- 3) Transparency of the DUC Well Incentive Program needs to improve.

In addition, the letter also asks for all records associated with the DUC Incentive Program, so that the organizations can better track the program and how the public dollars are being spent.

Dakota Resource Council Chair, Curt Stofferahn provided the following statement regarding why his organization joined in the letter: "As the Watchdogs of the Prairie, DRC could not stay silent on this matter.

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DRC PODCAST

Catch the DRC Podast! The Dakota Resource Council podcast is an update with organization news, member profiles & interviews. We also talk with experts that are involved with issues that affect our members. You can download our podcast on iTunes, visit drcpodcast.buzzsprout.com, go to drcinfo.com and scroll to the bottom of the page or watch for updates on our Facebook Page!

(DRC CARES ACT Letter Cont.)

It is difficult to understand why our government officials think giving the oil industry a 16 million dollar corporate welfare check is a proper use of CARES Act dollars, especially considering the unmet public health needs associated with the pandemic in North Dakota. We hope our letter is taken very seriously."

Elections (and bridges) Have Consequences

As of the November election there are two new commissioners on the three person Billings County Commission. Lester Iverson will fill the seat previously held by Mike Kasian who did not seek another term; and after 20 years on the Billings County Commission Jim Arthaud was voted out and replaced by Dean Rodne.

Perhaps it was Arthaud's disdain for renewable energy projects, or his willingness to allow an oil refinery to be built on the doorstep of Theodore Roosevelt National Park that drove people to vote him out of office. It's more likely that it was his push to build a bridge over the Little Missouri River and the lengths he was willing to go to make that bridge a reality.

Eminent domain gives the government the right to take property from private property owners, with some type of compensation, if it serves the public good. The most damaging use of eminent domain in ND was the seizure of lands from Fort Berthold Indian Reservation in 1947 to create the Garrison Dam. Nearly 3,000 people were displaced as their homes, communities, and 94% of their prime bottomland agricultural land, farmed for millennia, was drowned under Lake Sakakawea.

Today, Arthaud threatened the use of eminent to build a bridge over the Little Missouri River in Billings County. Not a small 2 lane bridge but a large multi-lane bridge that could have as many as one thousand trucks a day pass over it. Land owned by the historic Short Ranch would need to be seized to build the bridge. The River, the Ranch, and the valley would be forever altered if this bridge were to be built.

Funding for this bridge was to come through a 12-million-dollar grant from the US Department of Transportation, run by Secretary Chao. No funding, no bridge. No bridge, no confiscation of lands through

eminent domain.

Through organizations such as Badlands Conservation Alliance, DRC, and others, Secretary Chao received an unprecedented number of letters and comments opposing the funding of this project. The numbers and passion in the letters worked! When the list of funded projects came out, the Little Missouri River bridge project was not on the list.

Despite the fact the ND's full congressional delegation, Senators Hoeven and Cramer, and Representative Armstrong sent a letter pushing for funding to be given saying the bridge would "... provide essential service to the Bakken oil and gas field." The avalanche of letters from everyday citizens won the day.

It is our fervent hope that the new commissioners will not seek to revive this project and will listen, as Secretary Chao did, to the people they represent. Arthaud thought this project would be a feather in his cap, but it turns out it was a bridge too far.

WORC and Member Groups Set Course for Regional Oil and Gas Campaigns

Every year the Western Organization of Resource Councils (WORC) hosts a meeting of its Oil and Gas Campaign Team (OGCT) which is made up of staff and two members from each Member Group, and WORC staff including oil and gas regional organizer, David Wieland. The meeting, usually held over several days in Billings, allows for attendees to get to know each other, learn the work that has been carried out over the past year and to plan what the OGCT priorities will be for the next 2-5 years.

This year the meeting had to be held virtually and is being spread out over at least three meetings. It is different to not be in the same room with members and colleagues, but the meetings have been run well and the work is getting done and the decisions are being made.

(WORC Oil and Gas Continued on Page 7)

(WORC Oil and Gas Cont.)

After two meetings discussing what issues are a priority for Member Groups across the WORC network it was decided that bonding and reclamation, defending and strengthening federal Methane Rules, defending and strengthening National Environmental Policy Act, and perhaps a few others are where WORC will supply the most support.

The next OGCT meeting will involve campaign planning, setting goals and objectives, and continuing with the good work of our network. With a new administration coming in, many of us are hopeful we will be able to affect change at the federal level to enhance and reinstate protections lost under the current administration.

Fort Berthold POWER

Members will continue their effort to get a tribal air monitoring program on Fort Berthold. This would enable the tribe to monitor air quality within the boundaries of the reservation, run their own program, set their own standards, and be able to enforce those standards. The ND Department of environmental Quality is not allowed to place monitors within the boundaries of Fort Berthold which means the nearest monitor is miles away from the extraction and transportation activities occurring within Fort Berthold. Tribal air monitoring would protect the people, land, air and water in and around Fort Berthold from the harmful effects of oil and gas extraction. POWER members will work hard to get the motions up for a vote before the full Tribal Business Council which will set the process of tribal air monitoring into motion.

In the beginning stages is work to bring renewable energy sources to Fort Berthold. There is a great opportunity for increased use of solar, wind, and other renewable energy sources to be expanded on Fort Berthold. The price of utilities such as natural gas are many times more expensive on Fort Berthold than they are in Bismarck. Renewable energy is as much about equitable access to utilities as it is about reducing the use of fossil fuels and contributing to global warming.

Badlands Area Resource Council

We will never tire of saying this: the Davis Refinery has still not been built. Another summer has come and gone with no work at the proposed site. The only

change was the removal of the earthmoving equipment. (Goodbye earthmover with a perpetually flat-tire). We are being vigilant and have plans to put into action if activity starts up again.

There is growing interest and plenty of work to do to protect the Little Missouri River, Little Missouri Grasslands, and Theodore Roosevelt National Park from intrusion and development. Now that the immediate work around the refinery has decreased we are looking for more work for BARC to accomplish.

Ag & Food

DRC meets with John Hoeven's Staff On Cattle Issues



On December 3 DRC's Cattle Committee (a sub-committee of the Ag & Food Committee) met with John Hoeven's staff to discuss pressing issues in the lame duck session and thanked Hoeven for supporting the 50-14 spot market reform legislation sponsored by Chuck Grassley (R-Iowa) and Jon Tester (D-Montana). DRC Members Jenna Vanhorne, Travis Anderson, and Glenn Phillbrick joined in on the call. Members talked about spot market reform and the importance of Mandatory Country of Origin Labeling (COOL).

Hoeven staff member Tom Brusgaard stated that the Hoeven administration is willing to listen to ranchers across the state and agreed to meet with **(Cont. on Page 8)**

DRC members quarterly to continue talking about our issues. Tom stated that issues like Mandatory COOL and Checkoff reform are complex issues that don't always have easy fixes but generally agreed with DRC's stances. DRC's Cattle Committee will reach out to the Cramer and Armstrong staffs to discuss beef issues in the future.

DRC Meets with Lawmakers to Discuss Hemp Policy, Soil Policy.



DRC members and staff met with Representatives David Monson (R-10) and Tom Kaeding (R-45) to discuss and draft a Hemp Resolution to submit to the 2021 legislative session. The resolution will aim at pressuring the United States Department of Agriculture (USDA) to cease regulation of THC in fields and instead regulate THC within the products that are made from the hemp plant itself. The resolution aims to send a clear message to the decision makers that THC content should be regulated only at the point of sale, not in the farmers field. "Hemp grown for industrial use will never get used for recreational purposes and even if stolen, the plants have a THC concentration of .3% compared to recreational's 15% content for low end materials." Said DRC member Michael Gralum. "All testing does is add unnecessary cost and personnel to the North Dakota Agriculture Department."

DRC's goal is to make hemp a rotational crop in North Dakota and set up industry across the state to bring high tech manufacturing jobs to diversify the economy.

Meetings with Lawmakers have also revealed that the State Board of Agricultural Research and Education and NDSU extension office are asking the Ag Department to

promote healthy soil policy and cover crops. Ag Commissioner Doug Goering has yet to make a public response to their request. DRC will be closely monitoring any legislation that would be drafted and submitted.

CAFO lawsuit threatens Buffalo and Devils Lake



The Howes Township outside of Buffalo and the Concerned Citizens of Buffalo will once again face legal challenges from the Rolling Greens Family Farm and the Farm Bureau. The lawsuit, filed in East Central District Court, argues that the township failed to provide "compelling, objective evidence," the standard necessary to justify setback requirements from animal feeding operations that are longer than those allowed by the state. The lawsuit is the first attempt to define what constitutes "clear and compelling" evidence as outlined in Senate Bill 2345, which was passed in 2019. The law states that a township only has the authority to regulate within state zoning laws and strips townships abilities to regulate beyond them unless they provide "clear and compelling" evidence for doing so. The Farm Bureau is arguing that the denial infringes on their rights to employ agricultural technology, modern livestock production, and ranching practices.

Howes Township passed a minimum distance between a feedlot or swine barn and the nearest residence of up to 2 ¼ miles before the 2019 law was passed and has submitted the compelling objective evidence following the passage of the new law. DRC member and Township official Ron Fraase stated that the process hasn't been done right to apply for the permits and that the township has received only sketchy details about
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(CAFO Continued)

the feedlot's operational plans and has no permit application pending.

Scott Carlson, a St. Paul lawyer will be representing Howes township. He stated that he is drafting an answer to the lawsuit and that the Howes Township ordinance was lawfully enacted in 2017 and it remains lawful and active today,”

The North Dakota Farm Bureau also is suing Pelican Township in Ramsey County near Devils Lake, seeking to overturn a local permit denial for a proposed animal feeding operation, Grand Prairie Agriculture. That lawsuit, which also seeks to review the local zoning decision under the 2019 law, will be argued before the North Dakota Supreme Court on Tuesday, Dec. 8.

Thomas Vilsack Nominated as Ag Secretary.



Thomas Vilsack will be named Ag Secretary once again by the Biden Administration. Vilsack is the former Governor of Iowa and served previously as Ag Secretary during the Obama administration from 2009-2017. DRC is currently working with WORC to discuss policy with the Biden transition team. Vilsack has intimate knowledge of the USDA, but will have the difficult job of rebuilding the organization that has seen budget cuts, department layoffs, and rebuilding trade after the disastrous policies of the Trump Administration. In addition, DRC, WORC, and other groups have concerns

regarding Vilsack's record as Ag Secretary and are looking into ways to pressure Vilsack to help advance our agriculture agenda.

WORC holds 'Kiss the Ground' Web Panel



After the success of Right to Harm, WORC decided to promote the movie Kiss the Ground to highlight soil issues and hosted their own Web Panel featuring Karen Rodriguez, a stewardship operations manager at Kiss the Ground, Josie Erskine, who operates Peaceful Belly Farm a 35-acre ecologically regenerative urban farm in Idaho, and Don Smith, the Stewardship Program Advisor & Teacher at Kiss the Ground.

Kiss the Ground is narrated by actor Woody Harrelson, and with appearances by actress Rosiliana Dawson, pro football Star Tom Brady, and Bismarck area soil researcher and entrepreneur Gabe Brown. The film talks about the possibilities of fighting climate change with healthy soils policies. Over 40 people attended the conference and engaged in a Q&A session along with a group breakout session to talk about what they thought about the movie and how to organize in their respective areas.

The Future of North Dakota

Visit ndfarmcrisis.com to read this blog and other blog posts about the farm crisis in ND.

Farmers and Ranchers in Crisis started as a project to highlight problems in North Dakota due the trade wars and to fairly portray the seriousness of this crisis. One thing is clear, we are at a crossroads. Rural communities are dying due to
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(Farmers in Crisis Continued)

migration and lack of services. Small farms are getting larger, oil and coal are facing a bleak future, commodities prices are falling, and overhead costs are rising. But these trends still have time to be reversed.

Family Farms Disappearing

"If the game favored little guys a bit more, maybe they could stay on the farm a few more years, rather than going under. Once small farmers go under, they do not come back."-Travis Anderson

In the United States, the number of farm bankruptcies was up in the Midwest from July of 2018 to June of 2019. The nation lost more than 100,000 farms between 2011 and 2018, 12,000 of those between 2017 and 2018. The number of farms with more than 2,000 acres nearly doubled between 1987 and 2012, according to USDA data at the expense of smaller farms. The number of farms with 200 to 999 acres fell over that time period by 44%. In the Midwest, 81% of rural counties saw population declines between 2008 and 2017.

"By spending billions of dollars on crop insurance programs, the government incentivizes big expansion of farms. This is because large operations and limited liability partnerships (LLPs) can purchase cheap crop insurance and basically the government serves as their risk management. By allowing this it gives large farms the capital to buy out or rent out the cropland base from underneath smaller farms until the little guys go under and the larger guys buy up their acreages. Get big or get out."-Todd Leake

In North Dakota the average size of a farm is 1,492 acres and growing. In North Dakota, farms over 1,000 acres account for more than 35% of farms vs the national average of 8%. The total value of

agricultural products sold is decreasing every year which means the net income of the average farmer is decreasing. This has been true every year since 2012. Farmers are getting older with an average age of 56, six years older than they were 30 years ago. The number of young producers, defined as age 35 or less accounts for 12% of all producers. The good news is farming is getting a bit more diverse, as 29% of all producers are female. The bottom line is that farms are becoming bigger, being run by older people, and the number of farms is shrinking. If commodity prices continue to fall and if fewer people are around to run them, who will run our farms in the future?

"Look at the makeup of what the feel of North Dakota is and what kind of state will it be if you don't have farmers around? I don't even know who's gonna want to live here. It's just the way life and the sense of community is slowly disappearing." -Tyler Stafslie



Changing Demographics in Rural North Dakota

Since the start of the Bakken oil play, North Dakota experienced a renaissance of sorts. Oil extraction in the northwest part of the state brought revenue, jobs, and economic growth. After being stagnant for almost the entire latter half of the 20th century, 2011 saw North Dakota's population exceed its 1930 high of 650,000. The state's unemployment level in the mid 2000s went down to 2.5% percent and stayed there for almost a decade. These oil jobs weren't just low wage jobs like other parts of the country, they were high paying jobs that didn't require much more than a high school diploma. Businesses that serviced oil companies also saw their wages increase. Small towns in western North Dakota became less dependent on farming and more on oil. Family farms lost local workers because they couldn't compete with the better
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(Farmers in Crisis Continued)

paying oil related jobs. Migrant workers were recruited to fill the gaps but farms often found themselves short of workers during the busiest times of the year. The central, northeast, and southern parts of the state have been hit hardest with thousands of people moving to Bismarck, Grand Forks, Fargo, or the Northwest oil fields in search of better paying jobs. Many farms rely on two incomes to gain access to health insurance so these new businesses provided more opportunity for off farm jobs. The oil boom brought some benefits such as more and new goods and services in rural communities, especially in northwestern ND. But it came at a cost, air quality issues, social issues, and environmental issues changed the makeup of our state.

“Without a seismic shift in the policies that govern agriculture to make it so that smaller farms like mine can survive or even thrive, it’s gonna be desolate. There’ll be nobody left out here. I grew up in Makoti ND, I drove through it the other day and I started thinking there’s not a single farmer that lives there anymore. When I was a kid you were either a farmer, you worked for a farmer, you worked for the grain elevator, or you worked for the implement dealer. It was all a farm based economy. Today most of those people that live in that town are oil workers. Inevitably, when the oil markets eventually decline or oil is longer being produced in western North Dakota, we’re going to realize that all the small farms and medium-sized farms are gone and it’s only mega farms. You’ve got nobody left.” -Tyler Stafslie

So far North Dakota is still growing in some rural counties but the trend for rural America in general isn’t looking good. In the past 10 years 130 rural hospitals closed their doors, while none have closed their doors in North Dakota. Many hospitals have seen reduction in services or have trouble hiring staff. Grocery stores are disappearing in North Dakota with the number of full-service stores in rural communities declining from 137 to 98 in the last five years, with many more on the verge of closing. This is due in part because many of these stores need costly upgrades and have declining clientele. These two factors make it extremely tough to find investors to keep the business open when the owner retires. Access to

fresh produce and healthy food will be a challenge in the future if this trend continues. So what can reverse the trend and revitalize rural North Dakota communities?

Coal and oil has been good for the state in some respects (if you forgive the environmental externalities), bringing in tax revenue and jobs but it’s not going to be here forever. Many communities are aware of the boom/bust cycle that has happened to them in the previous decades and this cycle is no exception. It’s completely understandable that coal and oil will lobby to protect its interests and that many people living and working at the plants want to keep their jobs and not retrain late in their careers. Coal and oil have brought jobs and energy but many experts including international leaders advocate that fossil fuels must be phased out by the year 2050 (and some climate experts recommend doing it by 2030). As a result, North Dakota needs to start planning for the future.

CAFOS and North Dakota

Agriculture has seen many changes over the years but the fundamental structures have not changed much since the early 70s or in some cases the 1950s. It was Ag Secretary Earl Butz in the 1970s that started encouraging farmers to “get big or get out” and this promoted the rise of the CAFO (Concentrated Animal Feeding Operation, better known as factory farming). In recent years, states all over the country have passed “Right to Farm” laws. These laws are sold as protecting a farmer from complaints from people living in suburban developments encroaching into traditional farmland. The real intention is protecting large farming operations from environmental regulations and reducing obstacles that would prevent new CAFOs from being built. The idea of the CAFO is to maximize efficiency. However, the large concentration of animals means huge amounts of manure and urine from the animals to deal with. In 2012, livestock and poultry in the largest CAFOs in the United States produced 369 million tons of manure, or almost 13 times the waste of the entire U.S. population, according to an analysis of USDA figures done by Food & Water Watch. CAFOs dispose of animal waste by washing it into holding ponds and applying it to nearby fields as fertilizer, **(Continued on Page 12)**

(Farmers in Crisis Continued)

creating an excess of nitrogen and phosphorus in the soils. The large barns house animals that emit ammonia and fine particulates in the air. Despite its effects on the environment CAFOs are the preferred practice in the hog and poultry industry and is gaining popularity in the cattle industry.

Weakening Laws and Myths Surrounding CAFOs

In some ways North Dakota has been shielded from CAFOs because of its anti-corporate farming laws. The standard practice for building CAFOs is for an out of state or foreign company to buy the land and set it up for the operation but not have to live next to it. It's illegal for out of state or foreign entities to own land for farming in North Dakota but if a farm is owned by North Dakotans, the farmer can sign a contract with out of state or foreign companies and run it as an independent contractor. CAFOs have to be approved by the local zoning boards to be allowed to be built, which is a challenge because convincing the public to allow a CAFO next door to their property is usually a tough sell. In 2019 North Dakota took away that local control by passing Senate Bill 2345 which allows the Ag Commissioner to overrule a township 's decision to not permit CAFOs, and HB 1388, which expanded the definition of family farms to include second cousins.

Proponents of CAFOs see them as an opportunity for economic growth and believe that North Dakota is an untapped market with tons of potential. The reality is that more CAFOs can't be built in places like southern Minnesota, South Dakota and Iowa without increasing the risk of harm to the hogs and increasingly organized public opposition. The industry needs to expand if it wants to continue to be profitable and to do that they need to convince new farmers and communities to keep building them. CAFO supporters argue that they will bring new jobs to the community and a new market to sell corn and soybeans for animal feed. The truth is, the CAFO business model relies on low paid, usually migrant workers rather than members of the community. CAFOs are a closed loop system. The company that finances the CAFO also sells the CAFO owner the feed for the CAFO owners animals. As a result, none of the feed is sourced locally. This takes away potential business from local farmers because the

feed is sourced from out of state. CAFOs very rarely bring any money to the community but they do lower property values and force the community and local residents to deal with the pollution problems they cause.

Farm Reform Proposal

At the federal level there is legislation that would reform the agriculture industry in ways that haven't been done in decades. The Farm Reform bill of 2020 is sponsored by Sen Cory Booker (D-New Jersey). This legislation would go a long way in reforming not only agriculture but help revitalize rural communities, too.. It would place an immediate moratorium on new CAFOs and ban them outright by 2040. All communities affected by the ban would be subsidized for job retraining and agricultural reorganization. The bill would reinstate mandatory Country of Origin Labeling and add new enforcement tools through the Packers and Stockyard Act. This legislation, while a long shot at passing with the current congressional makeup, has the blueprint we need to start reforming the future of North Dakota and the Agricultural industry.

New Opportunities for North Dakota Farmers and Ranchers

North Dakota is positioned to be a leader in several industries if the right decisions are made and the right investors make it happen. Hemp is a recently legalized crop that could bring new industry to western North Dakota, wind energy could expand to make us self-sufficient and solar energy has many uses in rural North Dakota.

Wind to Supplement Farm Income

Anyone who lives in North Dakota can tell you that wind blows here almost all the time. North Dakota has more than 1,500 wind turbines. North Dakota's wind resource is ranked sixth in the country and the state ranks 11th for installed wind capacity, getting more than 20% of its power from wind resources. Wind could be the key to bringing a clean baseload of energy to the state and many rural electric co-ops are starting to integrate it into their portfolios. In addition, wind can represent a boost in off-farm income for farmers and ranchers. But questions remain, such as when wind turbines are installed, can we make sure that landowners

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(Farmers in Crisis Continued)

receive fair compensation for their land? Many landowners are given a one time payment for a wind turbine that will be on their land for the next 30 years. Is there a way to compensate them for the power that is generated? These questions and more need to be answered. Policies have been proposed at the North Dakota Legislature that aimed to get all landowners paid for wind near or on their property, even if the turbine was not sited on their property. This policy is called "Wind Unitization". If properly applied, "Wind Unitization" could assuage many landowner concerns regarding wind because all landowners would be fairly compensated.

"I'm two hours from the nearest oil well, but can see Falkirk Coal Mine from where I live. I know that there's coal under my land. We've gone green the best we can, we use solar for electric fencing, and solar to power water the wells for our cattle. I'm looking at making a solar chicken coop with heating in the floor powered by solar panels. If my house wasn't over a hundred years old, I would use solar to heat it."-Glen Phllbrick

Solar Powering Farms and Ranches

North Dakota farmers like Glen can benefit from more widespread solar in North Dakota due to recent technological advances that have lowered the cost of solar. North Dakotamight not be the first place people think of as a place that solar energy could take off but the state receives more sunlight annually than Florida or Texas. The state currently ranks last solar production but projects have been started. Solar can be used in many rural communities across the state. It is an effective way to water cattle or power irrigation pumps, some solar cells can be rented from electric companies for as little as \$18 per month. In addition, farmers and ranchers can use solar to power their homes or to get hot water. According to (who/what) distributed solar saves the cost of installing electrical power lines that can cost as much as \$15,000 per mile. Solar could be especially useful in rural communities and farmsteads because they wouldn't have to rely on expensive wiring to hook them up to the grid and could foster energy independence.

"The way that things are going in this country, my mother is all up in a kerfuffle, so we're looking into solar and other ways to be more sustainable. We're also looking into making our cisterns that haven't been used in 80 years usable again so we have access to drinking water for the cows and other livestock in case the grid goes down. We're not being crazy, we are being practical. We never thought we'd see the day when we might have to turn the wheels back in order for life to make sense again, but here we are, so here we go."-Jenna Vanhorne

Hemp Brings Jobs

Farmers may have a potential solution to our jobs problem in industrialized hemp. Hemp has been grown in the United States since the days of our founding fathers and can be used to make everything from rope to paper. As a crop it was banned in 1937 when the Cannabis genus was classified as a Schedule 1 drug. The ban was lifted in all fifty states by the 2018 Farm Bill. Hemp is a good crop for North Dakota because the climate and soil type are optimal for the plant's needs.

With legalization comes opportunity. Hemp can be used to replace plastics, fiberglass, building materials, and as a cheaper source of ethanol and paper. All of these products can be made in North Dakota from North Dakota grown hemp if the right markets are created. North Dakota is well suited in climate and could raise these crops in large quantities. Hemp's bulkiness and light weight make it inefficient to ship long distances so the processing industry needs to be built near where it is grown. Hemp has some hurdles to overcome such as creating a formal market and building the infrastructure to process it but a growing demand for biodegradable materials in manufacturing and packaging makes the hemp industry potentially lucrative in the future

A Regenerative North Dakota

North Dakota has a choice, can we find alternative energy solutions that are ripe for the taking or do we hold on to declining fossil fuel industries? Do we continue to allow farms to consolidate and grow bigger or do we change policy to ensure fair markets and policies that don't require farmers to own over 1,000 acres to survive? Can we come up
(Continued on Page 14)

(Farmers in Crisis Continued)

with economically viable practices to regenerate our topsoil and provide relief for climate change or do we continue to pay billions of dollars for weather relief? Do we invest in local foods or continue to rely on food produced outside of North Dakota?

North Dakota can be a leader; wind and solar energy are abundant here. We can bring a strong diverse portfolio of green jobs across rural North Dakota. Regionally we can build slaughterhouses and raise local produce that would provide healthy foods to residents across the area and good prices to producers. We could provide farmers and ranchers with healthy soils programs that would capture carbon. We can practice regenerative farming that could take care of our land for generations to come.

We can become a place where a farmer could give the farm to their children and those children could make a living on the farm. This North Dakota is not impossible to achieve and though the path to achieving this North Dakota has many challenges, don't we owe it to ourselves to try?

Coal Country

DRC to pursue ending self-bonding in ND

Dakota Resource Council (DRC) members have had issues with the self-bonding methods used in ND for decades. Self-bonding is a form of bond that doesn't require any collateral. This doesn't seem like a smart business practice in most circumstances, as any situation can change rapidly. Self-bonding instead relies on the good faith and financial standing of the company at the time the bond was issued. Many states around the country have already done away with this high-risk bonding practice. Unfortunately, ND is still utilizing self-bonding and those with decision-making power in the Public Service Commission (PSC) continue to support self-bonding. As we face coal's continued decline, it is becoming increasingly urgent to end self-bonding in ND.

Self-bonding seems even more dangerous now

that the industry is in decline. PSC leadership, and a couple of legislators, say that self-bonding has been working well "so far", so they don't see any reason to change it. With this logic, if your roof is really, really old, you shouldn't replace it because "it hasn't caused any problems yet". Well, DRC points out that our energy economy hasn't been changing this rapidly before and coal hasn't before experienced such a decline.

When a company goes bankrupt, they generally aren't broadcasting that they are experiencing that level of financial difficulty until it's too late to change policies on self-bonding. There are many indicators that make it clear that coal is in trouble in ND and it shouldn't be put on the taxpayers to foot the bill for reclamation should these companies go belly up. With several coal bankruptcies happening around the country over the last few years, that isn't a risk that ND taxpayers should be forced to accept. Surety bonds are an affordable and safer alternative that can be offered to coal companies, which require companies to pay an outside institution, usually a bank or insurance company to guarantee the bond amount for the company. ND already uses surety bonds, just in combination with hazardous self-bonding.

DRC is working to form a group of members interested in pursuing options to remove self-bonding in ND. Staff is also conducting research on which paths would be viable to pursue to eliminate self-bonding. If you are interested in getting involved with this campaign, please reach out to Janessa at janessa@drcinfo.com.

Dakota Resource Council begins an assessment of Rural Electric Cooperatives in ND

Dakota Resource Council (DRC) believes in increasing energy democracy and is beginning an assessment to evaluate the landscape of Rural Electric Cooperatives (RECs) in ND. Some of you may be wondering what exactly is a Rural Electric (Story Continued on Page 15)

(Electric Cooperatives Continued)

Cooperative and how do they differ from other energy providers?



People in the United States generally get their electricity from three different types of utilities which include investor-owned, municipal-owned, and electric cooperatives. Both investor-owner and municipal-owned utilities have their own set of problems with little consumer input, but we won't go into detail about that here. What sets RECs apart is that they are owned by member-owners, in other words, consumers that live and work in the area make up a democratic board that serves its constituents. This unique cooperative way of conducting business puts the power back into the hands of the people or, at least, it is supposed to. Many seats on cooperative boards across the state are filled by industry representatives who are not always focused on reducing rate-payers costs, increasing energy efficiency, diversifying energy portfolios, or sustainability.

In DRC's view RECs are a form of democracy, and the members of RECs have every right to ensure that their cooperatives are making good decisions. When RECs are functioning properly, and have diverse representation, they increase democratic participation in our energy portfolios that power our homes, transportation, and lives. However, they don't always function as they are intended for a variety of reasons. Some of those reasons include corruption, lack of engagement, lack of electricity education, or simply that people are unaware of their rights to participate if their electricity is provided by a REC. We know many DRC members are served by RECs and might be interested in the opportunity to get more involved in decision-making.

DRC is looking to increase our member involvement in RECs around the state in hopes of creating more diverse representation on REC boards and thus in decision-making of the REC. As our members become more involved we hope to increase REC transparency, democratic processes, and other member-led reforms. There are also potential opportunities for DRC members to work on federal legislation around REC reform in the coming months and years.

In order to assess the REC landscape in ND, DRC is partnering with the Western Organization of Resource Councils in conducting research on cooperatives in ND, their election processes, and which of our members get their energy from RECs. DRC hopes to conduct meetings in 2021 with members who are interested in working on RECs to achieve meaningful movement towards true energy democracy. We are also exploring partnerships with other organizations interested in energy democracy and increasing community member representation in RECs around the state.



If you are interested in learning more about this issue or already know you are served by a REC, please do not hesitate to contact one of our organizers at janessa@drcinfo.com.



A Touchstone Energy® Cooperative 

Other News and Notes

DRC staff attend virtual RE-AMP Annual Meeting

This year DRC staff attended the RE-AMP Annual Meeting and for the first time ever it was not in person. RE-AMP network with over 130 nonprofits across the Midwest. DRC was among the founding members of the RE-AMP Network when it was formed in the early 2000s. RE-AMP's members work on a variety of issues like finding climate solutions, as well as developing more clean energy in the Midwest. The RE-AMP Annual Meeting is a space to connect people from different organizations who are working on similar issues in order to learn from each other and collaborate. RE-AMP's motto is to "Think Systemically, Act Collaboratively".

With the COVID-19 pandemic, this year's annual meeting was moved to the virtual setting of Zoom and was held over the course of two days. There were speakers on transportation infrastructure, community solar, and regenerative agriculture projects. There were workshops on negotiating, unconscious bias training, DIY social media, and more. Stories are powerful, both successful and unsuccessful. Hearing stories from groups in the Network that are similar, but also different, can provide inspiration for our staff to bring back to our members. Networking provides opportunities to share ideas, strategies, and solutions to problems many are facing simultaneously around the Midwest.

The keynote speaker was Vu Le with Nonprofit AF. Vu Le is pushing the boundaries in how nonprofits think about philanthropy, fundraising, and grants. The COVID-19 pandemic has shown the world that things we thought were set in stone, are not. Structures of work, life, and school are changing before our very eyes. Vu Le talked about strategies and changes to make funding more realistic and accessible so that nonprofits can actually do their work, especially during COVID-19.

Overall, the staff that attended the meeting this year left feeling refreshed and inspired to continue supporting our members. Our members are the real heroes doing the important work in North Dakota. Our members are what make DRC a powerful grassroots organization, a force to be reckoned with. In 2020 and beyond, our members are continuing to fight for the sustainable use of our natural resources and to make people's voices heard by those in power. We join dozens of nonprofits across the Midwest who are doing the same.

WORC Holds Winter Meeting

WORC's Winter Meeting was, of course, held virtually this year. In attendance were staff directors and one staff from all of the member groups in the network, WORC board members elected by and representing each Member Group, and WORC staff. Representing DRC on the WORC board were Lisa DeVille and Linda Weiss, and for the WORC Education Project Board Joletta Bird Bear represents DRC. Scott Skokos, E.D. and Liz Anderson, Lead Organizer were also in attendance.

The WORC December meeting is the time when we discuss the coming year's operating plan, reflections and planning after the 2020 election, regional priorities, and this year, the report from WORC's months long Equity Assessment was also discussed. The WORC board meeting was held the second day of the meeting.

The equity assessment report, which will be emailed to all DRC members, is the result of in depth and thorough examination of WORC through personal interviews of examination of documents and trainings manuals such as POCO, specific folks and a survey by Be Bold company made available to every member in the network. It is a large body of work that shows areas of weakness and strengths areas both specific and broad that are problematic to WORC becoming a just and equitable organization. The conversation held at this meeting was a good start but there was

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not enough time to dig really deep into issues. Fortunately, this is not the only place the assessment will be discussed. There is a lot of work to do and it's clear discussions and more importantly, actions will need to be taken immediately and forever going forward.



WORC's "Home on the Range" office in Billings, MT

WORC's operating plan includes finances, diversity, equity and inclusion, programs such as communications, grassroots democracy, leadership and capacity building, and issues and campaigns.

The board meeting took care of board usual business such as approval of minutes, financial statements, etc. as well as a self assessment, an Equity Assessment and Diversity, Equity, and Inclusion Operating Plan, and the adoption of the 2021 Operating Plan.

DRC's WORC board representatives will be appointed in the beginning of the year by the DRC board and will continue to represent the interests of DRC and its members at the WORC level.

FB POWER Organizing Opportunity

Dakota Resource Council is now accepting applications for an organizing position for Fort Berthold POWER. FB POWER organizes on federal, local and tribal issues, including getting tribal air quality monitoring in the area and working on renewable energy projects. If you or someone you know would be interested to apply, please send resume and cover letter to DRC Executive Director, Scott Skokos at scott@drcinfo.com. For more information you can call the DRC office at (701) 224-8587.

Haaland nominated to head the Department of Interior (DOI).



In a historic decision, President-elect Joseph R. Biden Jr. nominated Deb Haaland, a congressional representative from New Mexico and a Native American, to head the Department of Interior (DOI). The decision is historic because DOI has been an agency that for much of U.S. history has played a major role in the dislocation and abuse of Indigenous communities throughout the United States.

DRC affiliate, Fort Berthold POWER supported Rep. Haaland's nomination earlier this month by signing onto a letter asking the Biden Administration to nominate Haaland. This is the second historic moment that Haaland has been a part of in recent years. In 2018, Haaland along with Sharice Davids were elected to Congress as the first two Native-American women elected to the body.

In her new role, Haaland could be tasked with restoring protections to the monuments and dealing with oil and gas leasing in sensitive areas. That land, she said, "is now open to leases and desecration by extractive industries, which will exacerbate climate change and destroy countless sacred sites and erase our history." DRC and its affiliate, Fort Berthold POWER will be following her Senate confirmation hearings that will likely be slated for January.

Thank You To The Farmers of ndfarmcrisis.com



"North Dakota Agriculture has many new faces already and that will increase with time. New blood and new ideas will make agriculture better in our state for decades to come." -Bill Hejl



"I would love to pass on the farm to my children. I have memories as a kid of farming. Working with your family, the rural way of life and the small community feel when I was a kid, that made farming so much fun, is slowly disappearing. I don't know if it still exists and it would be almost cruel to encourage my children to deal with the issues I deal with today in the future" -Tyler Stafslie



"One of the positive things that has come out of this pandemic is that people are realizing that their food supply should not be taken for granted. But that being said, I'm a businessman, we gotta make money to do this or we're not going to last that much longer either. I can't feed the world for a pat on the back. Those days are over. I've gotta get paid to cover my expenses, but everyone just expects us to take the hit and get back up. I'm glad people appreciate us, but the system will collapse soon if farmers and ranchers can't be prosperous." -Travis Anderson



"When it boils down to it, I want to live a simple life, raise my kids to be good human beings, sell our livestock, and be comfortable, not rich.

Unsustainable farming practices, corporate interests, and the federal government are all getting in the way of being able to do that. These things are what is killing rural America. The federal and state governments aren't going to do anything significant to change the situation unless the people really wake up and hold them accountable. If no one will stand for us we must stand up for ourselves. Small farmers built this state, my great grandparents being some of them, and I'll be damned if I'm going to sit here and do nothing to stop the extermination of the small farmer." -Jenna Vanhorne



"I have a lot of worries for rural North Dakota because consistently, since the great depression, we've seen many rural communities diminish or continually go downhill. It's become so bad that people are just becoming complacent with it. They accept that this is the way that it is. I think we have to identify what are the resources we have and what is the best way to use them. There has to be a cultural change. Rural communities need to take control. We can't accept people that access and utilize our natural resources for their benefit and then leave when our communities and natural resources are no longer useful to them." "I love being on the farm. I like my cows. Producing your own food and working with animals is rewarding. You know where your food is coming from and you know how your animals were treated. The future of farming should be finding new ways to leave the land better than when we started farming it." That's very important to me." -Glen Philbrick



"I'm an optimist about the future of North Dakota and the people in agriculture but I am concerned about Main Street. Retail business is moving out of rural locations and moving to population centers. Rural grocery stores are closing at an accelerated pace. It's not just North Dakota, this is going on in just about every state between here and Texas. People are happy with their quality of life in North Dakota, they like the idea that they're in an uncongested area where they feel safe. There's a lot of security here but if basic services keep closing in rural communities, I don't know how much longer we can sustain rural living." -Jim Dotzenrod

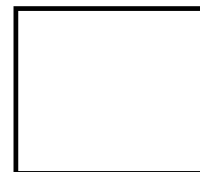


As the laws and the system stand, the policies in action today promote large LLCs in North Dakota to buy up the land base from under smaller farms. Large farms are renting out and systematically gobbling up the smaller farms and it doesn't have to be that way. Europe has figured out how to make small farms profitable, especially in France. We can do it here too. Make the land base available to actual family farms, encourage local markets and level the playing field by ending the subsidies based on acres so that larger farms don't disproportionately get awarded more than small farms. If we put the brakes on our current system we might have a chance. If we don't change our policies soon, the only things North Dakota will have left are large megafarms and ranches, turning North Dakota into desolate areas worked on by migrant workers who will essentially be second class citizens, and a few cities to supply the new farm system." -Todd Leake



"Farmers and ranchers are optimistic pessimists because you wouldn't be in this if you didn't think it would get better. It feels like every time something gets better, something happens to knock you back. I don't know the future of what North Dakota Agriculture holds. It's a whole different time, even our parents really didn't live through anything like this (COVID). You have to be optimistic. I'd like to see a lot more local foods. It was amazing how many people called me to try to buy beef, but we've got no place to slaughter them and all smaller plants are at least a year out. I'm not set up for local sales and don't have the time to do it but if there were more places to process my meat locally, it would be a step in the right direction towards creating a more localized meat market. -Donnie Nelson

Dakota Resource Council
1720 Burnt Boat Dr. Ste 104
Bismarck, ND 58503
www.drcinfo.org



I want to join Dakota Resource Council and affect positive change in North Dakota!

Please make your tax-deductible payment to DRC and mail to 1720 Burnt Boat Dr, Ste 104, Bismarck, ND 58503, OR join at drcinfo.org/join

1. Choose membership level

- ☐ \$1000* Watchdog of the Prairie
- ☐ \$500 Sustaining
- ☐ \$250 Supporting
- ☐ \$100 Century Club
- ☐ \$55 Household
- ☐ \$35 Individual
- ☐ \$15 Student/Senior

2. I ALSO want to join my local affiliate, please choose one at \$10.00

- ☐ Badlands Area Resource Council
- ☐ Fort Berthold Protectors of Water & Earth Rights
- ☐ McKenzie County Energy & Taxation Association
- ☐ Missouri Valley Resource Council

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