



BADLANDS ADVISORY GROUP ACTION PLAN

The Badlands Advisory Group (BAG) was formed in August 2016 after Covenant Consulting Group (CCG) released a stakeholder assessment detailing the opinion and perceptions of western North Dakotans on oil development in the Badlands (see next page). Recommendations from the assessment included the development of an advisory committee to identify and work out the practical details of the assessment's recommendations. The assessment recommended that committee members have practical experience in oil development, represent various interests in western North Dakota, and take a common-sense approach to "what works and what does not" in their communities of interest.

BAG's objectives were: 1) to think big picture at a landscape scale; 2) to prioritize the key issues that are most important and achievable; and 3) to identify those practical, achievable action steps that would promote land stewardship. They brainstormed solutions that recognize the value of surface assets in North Dakota as well as the need to protect those assets and their owners while still allowing for the development of subsurface mineral assets.

The BAG members and their respective interest areas are:

- Daryl Dukart, County Commissioner
- Josh DeMorrett, Oil Industry
- Bill Schaller, North Dakota Game & Fish Department (retired)
- Vicky Steiner, Legislator
- Gene Veeder, Rancher
- Rod Backman, Board Member

BAG met six times between August and December of 2016. During the four-month process, the team reviewed research data, consulted with experts, discussed potential actions, and debated the merits of various proposed action steps.

The issues prioritized by BAG were (not in a priority order):

- Transparency & Communication
- Wildlife Habitat
- Reclamation Standards & Education
- Best Management Practices
- Long Term Strategic Planning
- Environmental Review

RECOMMENDATIONS

The Action Plan includes discussion and proposed action steps by topic area. Appendices are included with relevant supporting material (visit www.ndstakeholders.org to read the full Action Plan).

Below is a condensed summary of the proposed action steps:

- Promote a state driven, long-term strategic plan for the development of North Dakota's natural resources
- Encourage North Dakota Industrial Commission (NDIC) and Department of Mineral Resources to do larger landscape planning to promote the smallest possible infrastructure footprint
- Promote a pilot project area to NDIC, North Dakota Petroleum Council, and oil companies for testing these action steps
- Initiate wildlife habitat improvement program to industry and landowners when developing the state's resources
- Recommend the Governor establish a task force of cabinet or other agencies to coordinate efforts to accomplish these action steps in a timely manner, or establish an energy sub-cabinet to do so
- Initiate conversations between landowners, energy interests, and local governments

- Promote responsible pipeline and infrastructure corridors to lessen impacts to landowners and our other natural resources
- Use more boring in sensitive areas to reduce surface disturbance and erosion
- Promote best management practices for surface assets and landowner relations
- Encourage DMR to strengthen the policy process and public input or access for surface and environmental issues
- Support additional state funding for narrow pipeline disturbance and Badlands sensitive soil research
- Educate landowners about reclamation best management practices, utilizing North Dakota State University publications and Natural Resources Conservation Service standards
- Promote property baseline data for landowners before disturbance starts to aid in reclamation efforts

BACKGROUND

In August 2016, CCG released the Stakeholder Assessment of the North Dakota Badlands and Little Missouri River Valley (www.ndstakeholders.org). The assessment was a yearlong project involving interviews and research on oil development in the Badlands. It documented the opinions and perceptions of 71 North Dakotans from four stakeholder groups: ranching, oil industry, government, and conservation. The assessment's goal was to use the interview results to create strategies for how best to develop mineral resources with responsible stewardship of the Badlands.

The assessment revealed widespread support for protection of surface assets in the Badlands as well as throughout North Dakota. At the same time, the CCG team found no one who wished to stop oil production. The common response was “produce oil, but ensure valuable surface resources are protected and recognize the rights and concerns of surface owners”. Most respondents felt that the recent Bakken boom has brought prosperity and growth to the state. However, because of its rapid development, some participants pointed out that the boom created unnecessary, duplicate infrastructure. Other participants believed there was not enough concern for surface resources, upfront planning, or reclamation. While few participants were critical of any individual, government entity, or oil producer, most agreed that the boom came fast. North Dakota was simply not prepared for such an acceleration in activity over such a large area. Drawing upon that experience, most felt that there was room for improvement in future oil development.

Responses to the interviews highlighted the following key concerns about oil development: 1) planning, 2) communication, 3) reclamation of the landscape, 4) regulations, standards, and best management practices, 5) cultural resources and special places, and 6) wildlife habitat and access to public lands. Based on the findings of the stakeholder assessment, the CCG team developed three recommended strategies to achieve the project's goal: 1) a collaborative process that includes all parties, 2) regulatory and statutory changes, and 3) a landscape pilot project that includes all parties.

Recommendations from the assessment included the development of an advisory committee to identify and work out the practical details of the assessment's recommendations. They reviewed the Stakeholder Assessment and prioritized the issues they thought were most important and that had achievable solutions. The stakeholder assessment and the convening of BAG were supported by a grant from the Bush Foundation through World Wildlife Fund.



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