

WILD BADLANDS

BADLANDS CONSERVATION ALLIANCE

www.badlandsconservationalliance.org

SPRING 2019 ISSUE No. 45

FOUNDED IN 1999.
INCORPORATED IN THE STATE OF
NORTH DAKOTA SEPTEMBER 2001.

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BCA

PO Box 2337 • Bismarck, ND 58502-2337
701-290-6209

NEW EMAIL!

BCA@BadlandsConservationAlliance.org

Thank You

Remarks for Jan Swenson Retirement Reception by Lillian Crook April 7, 2019

Jan's dedication and perseverance are the stuff of legends. From the day she and I sat perched on the rim of the Little Missouri River canyon in the North Unit until today, her leadership has built this grassroots organization, one that is respected and known for its integrity and determination, despite all odds. For, in the words of Jay Clemens, "punching above its weight class." For being a force to be reckoned with in conversations about western North Dakota's wild lands and critters and rivers.

That day, while she & I watched the sunset, we agreed that our soft voices could make a difference, that we should--in spite of our reticence about taking what were often difficult positions in our small home state -- we should move forward with confidence that our voices were valid and relevant.

I'm sure we never dreamed that day of all that has transpired.

Of all the time we would spend in meetings. Of all the time, **she** would spend in meetings. Of all the time **she** would spend in front of a computer. Of all the time, **she** would spend on the phone. Of all the sleepless nights in building this organization.

So many stories.

Time does not permit me to tell the many stories.

One story of many:

At the 10th anniversary celebration, an overnight at the North Unit group campsite, it was one of those beastly hot August days, probably 100°. Not only was it baking hot, but the wind howled ceaselessly that day -- I mean howled -- all day and all night. Other than the large herd of bison (complete with rutting bulls sparring) that surrounded us in the campground for hours, what I most remember from that event was that we just could not cook our evening meal at our picnic tables in the unrelenting wind. Finally, Jan and I took my portable grill into the women's bathroom, with our headlamps on, and cooked the brats (or whatever it was we were eating). Need's must.

One of Jan's greatest gifts is as a writer. Time and again she found eloquent words to inspire our members and defend our positions with passion. Sarah Vogel asked me to present this inscribed book of Heid Erdrich's poems, **Curator of Ephemera at the New Museum for Archaic Media** to Jan on Sarah's behalf. Erdrich is a member of the Turtle Mountain Band of Ojibwe and, although Erdrich has not met Jan, one of her poems, "Hang Fire," was inspired by a quote from Jan she came across. (See poem "Hang Fire" page 2)

Jan, our deepest thanks for all you have done. You have been our leader on many trails, into the heart of wild places. Without you, there would not be Badlands Conservation Alliance. You have been a warrior.

The poet Mary Oliver wrote, "what is it you plan to do with your one wild and precious life?" Jan, I have no doubt that you will, in upcoming years, make the most of your one wild and precious life. Godspeed.



Jan Swenson,
Photo Credit:
Lillian Crook



Photo credit
Jim Fuglie

HANG FIRE

by Heid Erdrich

Depth of dark air between us
we sense all things suspended

How tenderly we glance at Earth in her black velvet

Little strings of farmyard lights outside tiny prairie towns
—glitter of lit roads appear to adorn her

How tender our sentiment at cruising altitude—
as soon as we've taken off, we want her back

Depth of heaven beneath us
we sense nothing and all between

We wonder what's out there—

Then intercede the flares
a hundred miles of red eyes
a forever of red lights that thin but do not end

where once the darkest dark dropped through to still more dark
where even a new moon could reflect in our eyes
where that gleam alone could be our guide
out of sage scent and tumbled canyon out of a constant quiet

Out of that profound suspension
relieved of all things human

reason became quickening became our fire

Our own fire
—lit in a pact we made with the sky

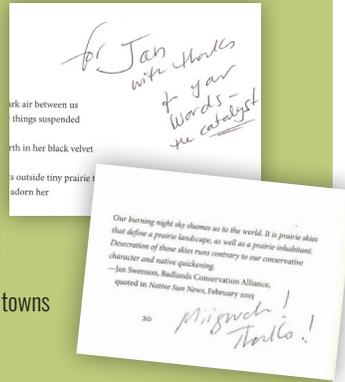
Soon our gaze strayed from the sky to flickers of ideas sparks of stories
embers of memory we banked to make a future to fashion foolish notions

How quickly we returned to gazing as if above it
turned all to sentiment all suspended

Once we own it
we cannot un-own our fire

Once we suspended fire in the night sky
we could no longer see in the dark and darkness deserted us
we knew then the infinity of our fire and how our fire hangs on us

How we must hang with fire
*Our burning night sky shames us to the world. It is prairie skies
that define a prairie landscape, as well as a prairie inhabitant.
Desecration of those skies runs contrary to our conservative
character and native quickening.*
-Jan Swenson, Badlands Conservation Alliance,
quoted in *Native Sun News*, February 2015



A MESSAGE FROM THE PRESIDENT

BCA 20th Anniversary

*“Many hands
make light work.”*

“Many hands make light work.” I must have heard my mother say that phrase a thousand times when I was growing up in Slope County. It is a phrase that often comes to me when I’m pondering the work that BCA faces. Although we face great challenges and interact with entities much larger and better funded, we are stronger with each and every member. In addition to your individual memberships, critical to the organization, what BCA needs most is for individuals to step forward and serve on the board, and the board’s committees. I hope this is something you will consider as BCA marks the 20th anniversary of its founding. Putting your “hands” to the tasks will indeed make “light” the work we face.

In the past few months, BCA has submitted comments on the LMNG SEIS as well as the illegal bridge. Additionally, the board has put in many additional hours in handling matters related to the transition of staff. It was good to see so many of you at Jan’s reception.

If you haven’t already, I urge you to follow BCA on social media for the latest updates. We will continue to send periodic emails to members. Do let us know if you are not receiving these and wish to. BCA@BadlandsConservationAlliance.org is our address.

My deepest personal thank you to Jan Swenson, who has so tirelessly served as Executive Director all these years. We wish her all the best in her well-deserved retirement.

See you on the trail!
Lillian Crook, President

*During this 20th anniversary year,
we look back into the newsletter archives...*

FROM THE NEWSLETTER ARCHIVES

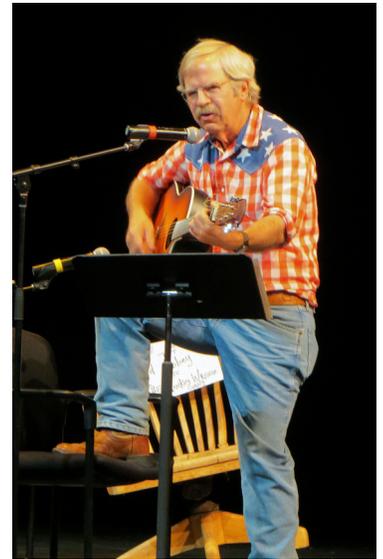
WINTER SOLSTICE 1999 ISSUE

A very special guest will be present at the next meeting of The Badlands Conservation Alliance, to be held in Dickinson at Gate City Federal Bank (204 Sims Street) on Friday, January 7, 2000, at 7 p.m. sharp. Joining us will be Bart Koehler, the Director of the Wilderness Support Center, a division of the Wilderness Society. The Center, based in Durango, Colorado, was formed to help protect wild places by collaborating with grassroots groups to build effective, successful wilderness campaigns. The WSC has developed a “wilderness toolbox” that can be used by conservationists nationwide to build a framework for wilderness protection. Bart is a very well known character on the conservation scene and it is a delight to have him join us.

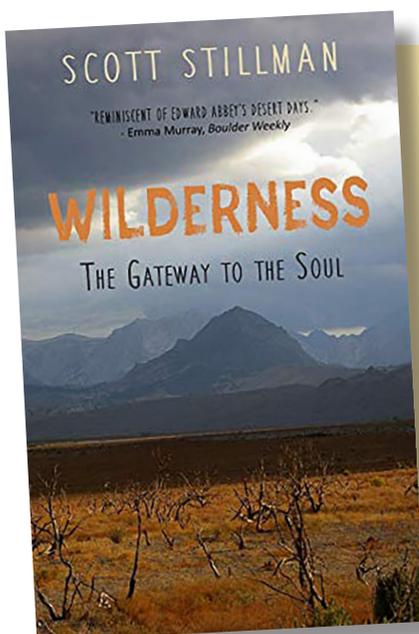
Previously, Bart was Executive Director of the Southeast Alaska Conservation Council, and in the vanguard of campaigns that resulted in the Tongass Timber Reform Act of 1990, protecting over 1.3 million acres of wild lands. For his work, he was awarded the Alaska Wilderness Federation’s Olaus Murie Award, and SEACC was named Conservation Group of the Year by the National Wildlife Federation.

He has also worked for the Greater Yellowstone Coalition from 1991 to 1995 and was a regional representative for the Wilderness Society in Wyoming from 1973 to 1979. As the Coordinator for the Wyoming Wilderness Project, he helped gain wilderness protection for well over one million acres of Wyoming wilderness. He currently serves on the board of directors for the Wyoming Wilderness Association, the Alaska Wilderness League, and the Advisory Board for the Adirondack Project.

Postscript: Bart went on to be BCA’s champion and funding from the Wilderness Support Center was critical to BCA for many years. He and his wife, Julie, continue their BCA membership to this day.



*Bart Koehler at “Wilderness 2000”
Photo Credit: Sandy Marviney*



BOOK REVIEW

Wilderness: The Gateway to the Soul by Scott Stillman. Wild Soul Press, 2018. 198 pgs.

A book review by Lillian Crook

This slim self-published volume is written by a young man, a blogger. Most of Stillman’s chapters focus on various places he visits throughout the western United States. About midway through the book, he and his girlfriend sell their house and set off on a full-time yearlong explore of the country. Read this for your own journey’s inspiration. “These pristine places of magic and beauty, they are not exclusive. They are not here solely for the rich and the famous, the royal and the privileged few. They are here for everyone, free of charge.”

Flaring by Tracy Potter

In North Dakota, an oil well leaking natural gas is allowed by law to flare that gas for one year, if they have been unable to connect to a market. They are allowed extra time with waiver approval by the state Industrial Commission. Those waivers are part of the reason the oil industry has been unable to reach the goals set by the Industrial Commission itself. In 2018, 20% of gas produced in the state was lost through flaring. That was enough to heat more than 4 million homes.

Sen. Tim Mathern's SB 2332 aimed to reduce flaring, not through additional regulation, but through economics. Companies could still seek and receive waivers to continue flaring, but they could not evade paying royalties and taxes due on the wasted gas after the first year. The Senate Energy & Natural Resources Committee the idea was supported by the Dakota Resource Council among others. It was opposed by ND Petroleum Council, though their speaker Ron Ness acknowledged a preference for the Mathern approach over stricter regulation.

Committee chair Jessica Unruh and lone Democrat-NPL member Merrill Piepkorn supported the idea, but it received a 4-2 do not pass recommendation. Judging the bill's prospects as doubtful in the full Senate, it was amended to a resolution to study the matter in the 2019-20 interim. That didn't work either and the amended bill failed 15-32.

Simultaneously, Rep. Vicki Steiner approached flaring from another perspective. She never used the word. Her HB 1480 attempted to create a larger local market for natural gas primarily through converting the state fleet to natural gas and establishing regional fueling stations. It followed a model from Oklahoma and carried a fiscal note of zero by funding the investments through fees assessed on flaring. Amended into a study without appropriation, Steiner's bill passed the House 87-3. The Senate treated it worse than Mathern's bill, killing it 13-33.

A third bill, SB2344, touched on the topic of flaring gas in an attempt to allow natural gas to be re-injected into subsurface "pore space." Sponsored by Sen. Unruh and GOP colleagues it declared that it was "a valid exercise of the state's police powers to discourage the flaring of natural gas without hindering the continued exploration and production of oil and gas resources." The bill also mentioned "greenhouse gas emissions" and used the phrase "geologic storage" in regards to both gas and carbon dioxide. With geologic storage amended out, SB 2344 passed the Senate unanimously. The House amended it further and after seven costume changes it emerged as a bill that did not mention natural gas or greenhouse gases. It simply defined landowners inability to prevent injection of carbon dioxide for secondary and tertiary recovery of oil. The bill passed the House 66-24, the Senate 34-12 on largely party line votes and was signed by Gov. Burgum.

Save the Dates

**20th Anniversary
Celebration and
Overnight**

JUNE 8 & 9

*Cottonwood Campground,
Theodore Roosevelt National
Park, South Unit*

**Overnight
Outing at Magpie
Campground**

**SEPTEMBER
14 & 15**

*Magpie Campground,
Little Missouri
National Grasslands*

BCA IS HIRING!

The job announcement and position description can be viewed at

**WWW.
badlandsconservationalliance.
org/hiring**

The position is open until filled.

BCA 20th Anniversary Outing

JUNE 8 & 9, 2019

Gather with fellow BCAers for an overnight at Cottonwood Campground, Theodore Roosevelt National Park South Unit, near Medora, to celebrate the past two decades and dream about BCA's future.

Arrive on the morning of June 8th at the campground's group campsite for personal set-up & lunch on your own. At 1 p.m. we'll share s'mores and peruse the BCA scrapbooks which Jan has lovingly curated all these years, which will no doubt spark much story-telling. Those who are joining the group for just the day are more than welcome to join in at any time!

There will be afternoon and evening hikes to South Unit destinations, including the Talkington trail, where we will find abundant badlands wild-flowers after last year's controlled burn in this part of the park and this past winter's snows.

Participants should provide their own camping equipment, food, bug spray, water bottles, hats, and other customary gear. Hikes will depend upon the desires of the group.

Evening campfire will be time for sharing of BCA memories and brainstorming about its future.



BCA Booth, ND Outdoors Day 2019, at the ND State Capitol.

RSVPs are greatly appreciated so we can plan for s'mores and don't leave anybody behind – to Tama Smith at tamasmith@gmail.com or call her at 701-260-0326.



BOARD RETREAT

On the weekend of January 5th & 6th, 2019, the members of the BCA Board gathered in downtown Bismarck for their annual retreat. The meeting began with Jan's announcement of her pending retirement as of April 1. Work continued throughout the weekend with a discussion of moving forward to hire a replacement as well as other topics, including upcoming events and topics of concern to BCA.

MEMBER PROFILE

Sarah Vogel

Sarah Vogel is an attorney, based in Bismarck. Her career has focused on family farmers and ranchers and she believes that a strong family farm economy is critical to the economic, social, and environmental health of the state. She grew up in Garrison, Fargo, and Mandan in a Nonpartisan League family. She graduated from UND, and then she went to the east coast for law school and worked as a consumer protection lawyer in New York City, Connecticut, and Washington, DC.

Working in big cities made her appreciate North Dakota's land, air, and water all the more. Upon her return to North Dakota in the early 1980s, she started to work with financially stressed farmers and was lead counsel on a class action lawsuit against USDA which protected 240,000 farmers nationwide, stopped 9,000 foreclosures that were already in court and many more thousands of illegal and unconstitutional farm foreclosures that were in the USDA's pipeline. She then worked at the Attorney General's office, mostly on farm crisis issues, from 1985 to 1988. In 1988, she was elected as Commissioner of Agriculture (the first woman in US history to be elected to that position in any state). After serving two terms (during which she strictly regulated pesticide use, started Project Safe Send and established the first EPA-approved state endangered species program) she went back into private practice in 1989. In private practice, she has worked on many significant cases for farmers and ranchers. She also sued a CAFO pig farm, challenged Health Council rules on radioactive waste storage, and sued an oil company for saltwater spills. Her latest case, which she hopes will be her last case, is *Keepseagle v. Perdue*, which took almost twenty years of litigation but resulted in many reforms of



USDA and was settled with a payment of \$780 million to the nationwide class of Native American farmers and ranchers who suffered credit discrimination by USDA.

Sarah loves the badlands and loves the Badlands Conservation Alliance for its efforts to save the Badlands from destructive development. While she hasn't had much time to volunteer for the BCA, she tries to support BCA monetarily as much as she can. She has also responded to BCA's requests for testimony on issues such as illegal flaring, the Bice bridge, and the "gag" rule. She hopes to do even more of that type of volunteer work in the future as more challenges to the Badlands arise.

Sarah has "badlands" of her own, bordering Lake Sakakawea, in a remote part of the Fort Berthold Reservation and has seen first hand the terrible waste caused by mismanagement of the Industrial Commission and the oil industry. She believes that the BCA's work protects not only the Badlands and grasslands but all lands within North Dakota.

Sarah lives in Bismarck and is a grandmother of three. She doesn't garden at all but is a stellar customer of the Bismarck Food Coop and its farmer suppliers.

NORTH DAKOTA GOVERNMENT CONTACTS

The Honorable Doug Burgum

Governor of North Dakota
600 East Boulevard Avenue
Bismarck, ND 58505
701-328-2200
<https://www.governor.nd.gov/contact-us>

US Senator John Hoeven

338 Russell Senate Office Building
Washington, DC 20510
202-224-2551
<https://www.hoeven.senate.gov/contact>
/email-the-senator

US Senator Kevin Cramer

B-40C Dirksen Senate Office Bldg
Washington, DC 20002
202-224-2043
https://www.cramer.senate.gov/contact_kevin

US Rep Kelly Armstrong

1004 Longworth House Office Building
Washington, DC 20515
202-225-2611
<https://www.armstrongnd.com/contact/>

Threats To Our Beloved Badlands - Help!

by Jim Fuglie

A plaque which sat on the desk of President John F. Kennedy read “Oh God, thy sea is so great, and my boat is so small.” That’s how we feel most days about the threats to our Badlands, the landscape BCA exists to protect. Threats that never seem to go away.

There are the two bridges that won’t go away. One’s already built by a rancher named Wylie Bice. It’s illegal. He built it on BLM land without permission. The BLM is now in the final stages of an Environmental Assessment which will determine what to do about it. BCA sent in comments, saying tear it down, slap a big fine on him, and throw him in the clink for a year for blatantly violating the law and desecrating the Little Missouri State Scenic River Valley. By early summer we’ll know what BLM plans to do. Don’t bet on the bridge going away.

Also, don’t bet on stopping the other bridge from being built. BCA, and every other conservation group concerned about the Badlands, has testified against the construction of a Billings County bridge over the Little Missouri just north of Medora. With the plans by a company named NP Resources to drill more than 150 new oil wells between Medora and the Elkhorn Ranch along the river corridor, this could be the worst environmental disaster ever to face our only official State Scenic River valley, turning it into an industrial corridor. We’ll notify you re: comments and hearings.

The Federal Highway Administration and the North Dakota DOT have issued a Record of Decision on the new 4-lane Long X Bridge on Highway 85, which is going to send an army of oil trucks roaring across the Little Missouri on the east end of the North Unit of Theodore Roosevelt National Park. We’ve tried to get them to slow down traffic as the road runs through the park and over the river, but they’re not listening.

And then there’s the new management plan for the entire Little Missouri National Grasslands, creeping toward completion. BCA has been harping on the Forest Service to write a new plan for oil and gas management in the Badlands for more than a decade. Turns out you have to be careful what you ask for. The new plan, now in its final stages, is totally unacceptable to the wild critters who live in the Badlands, and the visitors who enjoy communing with them. The BCA board will be calling on you to help with this one. Watch your e-mail & social media.

Finally, and probably worst, there’s the proposed oil refinery on the South Unit of the Park’s eastern border. It could be under construction by the time you’re reading this newsletter. We’ve asked every North Dakota government official we could find, including the Governor, to put a stop to this fiasco. Right now it appears the only thing that can stop it is an economic reality that it might just be a bad idea. We’ve got our fingers crossed. It’s all we have left.



Asters TRNP SU Sept 2018 by Connie Triplett

ANNUAL MEETING

The 20th Anniversary Annual Meeting and Potluck will be held on October 13, 2019, at the Hillside Aquatic Complex, 1719 E. Boulevard, Bismarck, starting at 12:30 p.m. (Central). BCA is seeking donated items for the Silent Auction as well as volunteers to coordinate the auction. Please do mark your calendar for this time of fellowship and fun. RSVP & contribute to silent auction at bca@badlandsconservationalliance.org

BADLANDS CONSERVATION ALLIANCE

A VOICE FOR WILD NORTH DAKOTA PLACES

BCA
PO Box 2337
Bismarck, ND 58502-2337



Burning Coal Vein by Connie Triplett



@bcaorg

<http://badlandsconservationalliance.org/>

BADLANDS CONSERVATION ALLIANCE MEMBERSHIP

Badlands Conservation Alliance is dedicated to the restoration and preservation of the badlands and rolling prairie ecosystem comprising western North Dakota's public lands, both state and federal. We provide an independent voice for conservation-minded western North Dakotans and others who are appreciative of this unique Great Plains landscape. It is also our mission to ensure that the public land management agencies adhere to the principles of the laws that guide them and provide for wise stewardship of the natural landscapes which the citizens of the United States have entrusted them with – for this and future generations.

Wild Voice \$25 Wild Place \$75 Wild Horizon \$250 Wild Vision \$1000 Other \$ _____

Name _____

Street Address _____

City _____ State _____ Zip _____

Phone _____

Email _____

Or join online: <http://www.badlandsconservationalliance.org/join>

Return to:

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PO Box 2337

Bismarck, ND 58502-2337



Boicourt Hike by Connie Triplett