

May 19, 2003

Coal Bed Natural Gas tour in the Gillette, WY area.

May 20, 2003

Dakotas Resource Advisory Committee Meeting

Clarion Inn, Gillette WY

Mary Buchholz Jerry Kobriger Jim Melchior Gerald Reichert

Glenn Wollan Jim Wickel Larry Melvin Mike Nash

Mary Apple Roy Swalling Kelly McDermott Dave Pieper

Carol Koerner Dan Hutt Tom Quinn Bob Paulson

VickiLee Larson Marian Atkins Rod Landblom Doug Burger

Richard Zander

Chairman Rod opened the meeting with an invitation for a Public Comment Session.

No members of the public were present.

Rod invited reviews of the Coal Bed Natural Gas (CBNG) tour the members went on yesterday.

Jim M. said he enjoyed the tour. It was very informative from the BLM's point of view. We need to get what we saw here back to the North Dakota decision makers. He feels we'll need the ND Industrial Commission and other groups to make decisions. He believes the RAC could be part of the decision-making process. He thinks we need to get the rest of the information from the remainder of Wyoming, including input from environmental and operating communities.

Mary B - the proposed CBNG pilot is on state surface and minerals in North Dakota.

Rod - we want to be diligent early on as to the mistakes that were made on the state land.

Jim - the odds of what we saw happening on state school land in ND is slim to none. They're very stringent on regulations. If you saw something like that happening it would probably be on private land.

Dan - It looked like the initial development was panic driven. It's important to have a controlled plan.

Jerry K. - asked for the legal description of the site near Amidon.

Nike Nash had a copy of the legal.

Jerry K. - He felt he didn't pick up the perspective of the local landowners.

Gerry R. - concerned about water quality. Does the water belong where you're going to put it? Do we understand what's happening with the aquatics, what is it going to do long term? One thing not addressed is botany. Gerry asked if seeing wildlife were it wasn't common in the past is a good thing? And what happens when the water goes away? Gerry also mentioned that the agencies may not always be working towards the same goal.

Dave Pieper - From the FS Perspectives, just completed the plan, signed the ROD last July. It didn't address CBNG (some wells are in the RFD). On the Little Missouri we would jump in the NEPA processes and most likely go to an EIS. He went on to explain the differences between FS and BLM approaches. He thinks the water quality would be a significant matter. Needs to hear more discussion on wildlife issues. Road density could also be a concern. Infrastructure could be a large issue as well.

Jim - water is not the concern in North Dakota, so having beneficial water developed isn't as much of an issue.

Kelly - one of her main concerns - we do have two refuges. Wants to know what effect draw down might have. There could be some issues with raptor nests. Prairie Dog towns would be among the

biggest difficulties. There is concern about what we don't know. Do we even know about how the vibrations will affect the various species?

Tom Quinn - Tour was fantastic, some concerns were alleviated. Hydrology issues, in particular. When you put large amounts of water on an area that isn't used to water - there will be an impact. He's concerned about saline seep, a problem that never really goes away. Especially where there is heavy clay.

Glen - Felt he learned a lot from the technical standpoint and doesn't see a lot of problems at this time. There is some concern about discharge on the surface. The project depends on a grant from the Dept of Energy. There should be an answer in June. Lynn Helms is in charge of that.

Jim - the area itself has been leased with an independent company in the Bismarck area.

Doug - Suggested we be prepared for when/if CBNG does come to North Dakota. Now is the time to start forming how we want to mitigate impacts. We might need a steering committee, monitoring board, mitigation fund. Doug asked Richard Zander to address this.

Rich - They do not have a mitigation fund in place. No discharge to the Tongue River. Companies are talking about reverse osmosis. Forming a Monitoring and Mitigation group including anyone who has a regulatory interest. The intent will be to monitor the assumptions as the play moves forward. Regarding yesterday's tour - he hoped he did not give the impression that there aren't any problems. They have been doing adaptive management all along, working with DEQ. They permit the discharge of the water. The new species we were seeing were wetlands species. With the creation of new wetlands some migratory species stay a little longer rather than move on. Water quality is a large concern. Off channel pits will require studies to see what's underneath them. There is a web site up, all studies are on the web at www.CBNGclearinghouse.info Rich would suggest pulling the agencies together so studies aren't duplicated. The Nature Conservancy did a botany study a few years ago. They have a sensitive species list as well. They did an outreach with companies regarding species. Have done a number of wildlife inventories. Rich suggested the following web sites for more information. He also gave his email address if anyone had any questions.

www.wy.blm.gov/nepa/prb-rod/index.htm

www.wy.blm.gov/bfo

Richard_Zander@blm.gov

Habitat fragmentation is a concern. The Game & Fish Department is taking satellite imagery to help determine what pattern is going on right now.

Macro invertebrates, industry stepped forward and funded. The Game & Fish Department did sampling. Road density is definitely an issue. Working with County, trying to give them a heads up about what's happening. In some areas they are using mag-chloride for dust control.

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T&E Species issues, the land pattern in Gillette area is primarily private. The law on split estate has a lot of owners nervous.

Soils issues are a very big concern, mostly in the Powder River where the water quality changed. Looking at different amendments to the water.

Injection of water. State stance - to re-inject you have to have a void. It has to go to a zone of equal or lesser quality.

Landowner issues somewhat depend on whether they own minerals or not. That's what it comes down to. The largest problems are private/private situations. DEQ does do monitoring on water discharge points and air quality issues.

Have they had any luck with directional drilling? Richard said it's not structurally sound enough. Industry has looked at it, but has given up on it at the moment.

Plugging - haven't plugged any yet. The shallower ones they may just require cementing from top to bottom. They will not allow plugging by just using bentonite.

The leasee of the O&G estate actually owns the CBNG.

Kelly asked if they know where they're going to do the re-injection of the wells. Have specific zones have been identified?

Rod asked what the interest level and perceived roll of the RAC is in the Dakotas?

Tom - thought an established board such as this would be invaluable, makes sense to have some involvement in that processes.

Jerry R. - agreed. We aren't going to be influential in writing regulations, etc. Because we have an opportunity with various outlooks, CBNG will have a lot more public interest. Members can answer questions about where we've been, etc.

Rod - what mechanism would we use to get there?

Jim - I think the only way the RAC can participate is through BLM. There may be some indirect ways we can provide suggestions and recommendations from that direction.

Tom asked Rich if conservation districts have been involved? He said there are some key individuals who have taken on responsibilities.

Mary B- Asked what the Montana RACs are doing.

Mary Apple said the Eastern Montana RAC is setting up a subgroup to work on CBNG issues.

Jim - suggested a meeting with Lynn Helms, Ron Ness, Bob Harms and WY DEQ, Dakotas Resource Council and present to this group some of the concerns we've mentioned at this meeting

Tom - said he thought a Steering Committee would be a good way to go.

Bob - Would like to be a little more cautious up front. Water quality wasn't as much as an issue as water quantity. Surface impact is another major issue.

Jim - stressed again that even though Harms and Helms couldn't be here, he still thinks as a matter of protocol to get the ND Industrial Commission in on the front of this thing. Take a step back and brief those people on what we saw and start building a collation.

Doug said he would be calling them.

Gerry R - if you show private individuals the right way to do something, they have an interest in doing what's right. Is it too early to begin formulating what's on the list of concerns, not necessarily prioritize, and start figuring out which way to go?

Jim emphatically felt that Lynn Helms, Bob Harms (the governors office) and Ron Ness ought to be briefed ahead of time as a protocol. Doug agreed and will do this.

RAC Chair Meetings Update (Rod Landblom) - there are 24 RACs in the US. Rod reviewed the background and importance of the RAC on the Washington level.

Phoenix Meeting - Director Clarke spoke at that meeting. The chairs took a look at some of the activities. They decided to establish a National RAC coordinator. Twinkle Thompson will take on that role and will be in Phoenix. Deputy Director, Fran Cherry, addressed budget issues.

The RAC chairs suggested having alternate members to meet quorums. They are looking into paying per diem within 50 miles and the permission to provide refreshments during meetings. Karen Slater said those things are in the hands of the legal department. They will continue to hold RAC Chair National Meetings.

RAC recharge team.

- *Sustaining Healthy Landscapes*. Came out with a revision in March. RAC members asked to be given the courtesy of having input on revisions. They will not generate issues just to give RAC something to do.

RAC Annual Work Plan - Rod said he wasn't sure if Twinkle will act on that or not.

Gale Norton also spoke.

In some states RAC members are nominated by vacating RAC members rather than reaching out to the public for new members.

Montana RACs would like the opportunity to sit down and meet with the Dakota RACs and discuss some germane items.

OHV

Doug - 2 years ago the OHV issue was appealed. The protest is now resolved. Letters have gone out stating that we will go head with the OHV Plan Amendment. Doug believes the state will be satisfied with the answers to at least 5 of the 7 issues. The RAC chairs helped carry the issue forward and asked the Deputy Director to go ahead with the implementation.

Jerry K - asked if it looked like there would be continued funding for the RACs. Doug said the RACs will be continuing.

Another area is media outreach. We want to make sure the RAC activities get media coverage. Bob suggested we work toward getting more public involvement.

Rod asked about having an extra meeting. Jim felt there would be some merit to holding another meeting.

Joint Meeting with Montana RACs - Tom felt it would be good to exchange ideas and concerns. There is an Eastern, Central and Western RAC. If there was an actual purpose to have a meeting, it would be a good idea. It was decided to have the chairs get together to go over agenda's.

Sustaining Working Landscapes - Mary Apple reviewed the Sustaining Working Landscapes Issue - Jerry Kobriger passed out handouts and a copy of his notes from the meeting he attended in Miles City. More information will come out August 8th. Response is due to the director by Sept 19th. The RAC discussed working with the time frames. Dan Hutt suggested the members address this issue. Jim felt we need a little time to get back to the groups we represent or to the public.

Next Meeting - September 3 & 4th (full days).

9:00 am in Amidon on Wednesday, September 3rd for CBNG tour of pilot proposal. We will meet at the Amidon Gas Station. After the tour we will hold a meeting in Dickinson on September 4th. Bob asked if it would be beneficial to invite (state land) leasees to the tour. It would be nice to have a variety of people to provide input. Jim asked that state land people attend as well.

Bob asked that we put agendas directly in e-mail messages, not as an attachment. He would also like to see time frames listed on the agendas.

RAC charter - we'll review our charter for the next meeting. It needs to be reviewed every two years.

Be sure to let everyone know what materials they will need for the next meetings.

RAC Meeting Attendance - Rod asked if we want to continue to have the field managers at the table. Most members felt it would be beneficial. Rod brought up which agencies we want with us at the table. Dan felt members might be overwhelmed by state, federal and conservation representatives there.

Fire Management Plan - Mary Apple handed out a Fire Management Plan overview.

Jerry Reichert - thanked everyone who was involved in the CBNG tour.