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BUS TOUR: NOT ALL BIOFUELS EQUAL

With the WORC biodiesel bus in the background, DRC unveiled its biofuels report card July 11 at the State Capitol to help decision makers evaluate projects on the basis of both environmental solutions and community well-being. (See the report card on page 3.)

“Not all biofuels are created equal,” said Gene Wirtz, Underwood, chair of DRC’s Biofuels Task Force.

The report card “grades” projects on the type of feedstock used and where it is sourced, the energy source for biofuels production, where and how by-products are used, and other criteria.

Wirtz noted that many current practices in biofuels production actually contribute to the problem of global warming.

These include running plants on coal and other fossil fuels, shipping feedstocks and refined products long distances, and relying on feedstocks that require intensive energy inputs.

“We think that if communities adhere to the report card’s principles, they will be able to avoid these problems, and biofuels will truly become part of the global warming solution,” said Wirtz.

So far the task force has used the report card to evaluate three ethanol projects—a community-based plant in Minnesota, a North Dakota plant that uses waste heat from electricity production and the coal-fired Red Trail ethanol plant in Richardton.



Biofuels Bus at the “Turtle Days” parade in Turtle Lake

None of the projects is perfect. Scores of the three plants range from 37 to 80 on a scale of 100.

Leading the pack was the Minnesota plant, Corn Plus, with a grade of 80, largely because of local investment and local feedstocks. Blue Flint Ethanol and Red Trail brought up the rear with 44 and 37, respectively.

Higher corn prices and high water consumption have sidetracked some ethanol projects recently, including the Spiritwood plant that was to use waste heat from an adjacent 99-mega-watt Great River Energy coal-fired power plant.

The coal plant is under construction, but the extra generator needed for the ethanol plant is for sale.



WORC’s Chelsea Hummon (l), Sr. Paula and Sacred Heart wind turbines

Besides the press conference, DRC leaders were involved in several other activities with WORC’s Homegrown Prosperity Tour, featuring the biodiesel bus, during its tour of North Dakota, July 8-17.

The North Dakota leg of the tour began July 8 with a solar-powered community presentation at Assumption Abbey in Richardton. The sisters at Sacred Heart Priory put up the state’s first utility-scale wind turbines near Richardton in 1997.

The bus and its crew took part in the Turtle Days parade at Turtle Lake July 12, and a demonstration later that day of canola crushing for local biodiesel production.

In Bismarck, Grand Forks and Fargo, the bus crew and DRC leaders gathered signatures on a clean energy petition and handed out information on “homegrown” efforts, such as Missouri Valley Resource Council’s recycling campaign (see p. 8) and South Agassiz Resource Council’s local foods initiative.

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

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COOL, FINALLY

By DRC Board Chair Roger Brenna

It's been a long wait, but it looks like both consumers and livestock producers are going to get country-of-origin labeling for meat.

The U.S. Department of Agriculture issued its final interim rule for mandatory COOL, which was published in the Federal Register for public comment August 1—about six years after Congress made COOL the law of the land.

Implementation is slated for September 30, and consumers will finally have the information they need to make a choice about the origin of the meat they buy and eat.

Ranchers will also benefit from country of origin labeling. Labeling will finally give us a chance to differentiate our beef from that which was born, raised and slaughtered in another country. It opens up a whole new opportunity for us to market U.S. beef to U.S. customers.

Fortunately, the rules for verification of U.S. beef will not be cumbersome to beef producers. Ranchers, feeders and others in the beef production chain will simply have to submit a signed “producer affidavit” verifying origin.

No electronic record keeping or standard record system will be required for producers whose livestock was born and fed in this country.

Despite the positive move forward in this labeling program, the rules still need some improvements.

USDA missed the mark when they broadly defined “processed foods.” The current rules have loopholes that exempt products if they've been only slightly changed during processing.

For example, smoked hams, would not have a country-of-origin label. Most pork products and nearly all peanuts, pecans, and macadamia nuts would be exempt.

Because these are interim final rules, USDA will be collecting comments from both consumers and producers until September 30. We all have an opportunity to let USDA know that we are looking forward to the long awaited implementation of these rules.

Those comments also give the public the opportunity to let USDA know that the definitions given for processed foods are too broad. The processed foods exemption should be given only to foods that are mixed with non-labeled foods or are changed significantly through processing.

You have the opportunity to weigh in on that implementation and I urge each and every one of you to do so.

Tell USDA to implement country-of-origin labeling as passed in the 2008 Farm Bill and narrow the loophole for processed foods.

You can make your comments on-line by logging on to <http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5070926>.

If you need help, contact Dakota Resource Council at 483-2851.



DOHA COLLAPSE: A CHANCE FOR FAIR TRADE

Finger-pointing and complicated analyses have followed the collapse of the Doha Round of World Trade Organization talks, but the bottom line is that the food producers and other poor people throughout the world oppose corporate-style free trade.

Existing pacts like the North American Free Trade Agreement—which conform to the corporate vision for federal farm policy—have hurt farmers in the developing countries.

“U.S. negotiators have already agreed to give away the farm in these talks by drastically slashing farm programs and increasing imports from countries that violate fair trade practices,” said Karen Englehart, Bison, South Dakota, in a Western Organization of Resource Councils statement issued prior to the collapse of the Doha talks.

As one Minnesota farmer put it a few years ago, “We need to have uniforms made up for our trade negotiators so they know what team they play for.”

Among the provisions of most free trade agreements has been “investor-to-state” privileges that grant foreign corporations the right to go before secret tribunals to challenge health and environmental protections in the United States.

One such challenge motivated the U.S. Department of Agriculture to lift prematurely the ban on imported Canadian cattle in the wake of instances of “mad cow disease.”

Tellingly, the American Meat Institute, which represents anti-competitive packer interests, lamented the breakdown of the Doha round.

Englehart noted that U.S. trade negotiators were already making offers in the Doha talks that “conflict with the Farm Bill, claiming that Congress will ‘conform’ U.S. law to whatever is agreed in Geneva.”

But no deal was reached.

“Thank God,” said Lori Wallach, Director of Public Citizen’s Global Trade Watch Division.

“The moldering corpse of the Doha expansion round should have been buried years ago,” said Wallach. “Hopefully, after this rejection... countries will move on to a new agenda focused on fixing the existing WTO rules.”

Wallach noted that over the 14-year lifespan of WTO, its initiatives have “sparked a dramatic popular protest across the world.”

The “G-7” group of industrialized nations “completely excluded African and Caribbean countries” and includes only one Latin American country, Brazil, Wallach pointed out. Free trade pacts have driven huge numbers of smaller farmers off the land in developing nations.

Job losses in the United States have become a factor in the current U.S. Presidential campaign, and opposition in Congress has slowed approval of new free trade pacts to a standstill and resulted in the termination of Presidential “fast-track” authority, which long prevented Congress from conducting full debates on individual trade agreements.

“Current WTO talks have devolved into a one-way, dead-end road,” said Englehart. “The time has come to rein in U.S. negotiators and prioritize the competitiveness of America’s producers and labor forces.”

Biofuels Plant Report Card		
Does plant mitigate carbon dioxide (CO2) effects?		
	Score Range	Your Score
Feedstock grown within 100 miles of the plant	0 - 10	
Feedstock is a perennial mix producing optimum yields with minimal off-farm inputs or dryland oilseed crops grown in rotation with small grains	0 - 10	
Local/regional producers (non-owners) can sell directly to the plant	0 - 10	
Plant uses renewable (wind) energy and/or byproducts as a fuel/process heat source	0 - 10	
Maximizes energy input/output ratio, as determined by best available commercial technology	0 - 10	
Subtotal		
Does plant contribute to rural well-being?		
	Score Range	Your Score
Owned by farmers/ranchers or local investors so money circulates in the local economy	0 - 10	
Community is aware of proposed facility and generally accepting of siting and development plan	0 - 5	
Provides necessary job training so that openings can be filled locally, if possible, and jobs with benefits reflecting regionally based wages equal to the median or average hourly rate/salary for similar positions	0 - 5	
By-products used locally/shipped for non-intensive livestock feeding	0 - 5	
Supports local tax base through property-tax assessments	0 - 10	
Fuel is marketed locally or regionally	0 - 5	
Utilizes water conserving technology or scaled to local water use	0 - 10	
Subtotal		
Final Grade		
Letter-grade Equivalent: 90-100 = A (excellent; a model) 80 = B (good) 70 = C (average; can do better) 60 = D (barely passing) 0-50 = F (failing grade; do not build)		

DRC Biofuels Report Card, used to evaluate biofuels plants for sustainability and community benefit

ABANDONED WELL LAW WORKING

Clean-up of oilfield junk is under way thanks to a 2007 law DRC helped pass.

DRC reported July 16 that 40% of the abandoned wells on a list used in testimony on behalf of the law have been plugged and reclaimed, are in the process of reclamation, or have been

returned to production. “The state has done a commendable job, and it’s clear to us that the new law is a great success,” said DRC Oil and Gas Task Force member Tom Irgens, Springbrook.

The law requires that oil companies must take action on wells that are idle for a year, or else post a single-well bond equal to the cost of reclamation, which the state estimates at \$65,000.

Violators could face confiscation of their oil or equipment, or both.

The bill, sponsored by Rep. Shirley Meyer (D-Dickinson), was intended

to make oil companies rather than the state complete reclamation.

If not, “Who has to pay for it?” asked Irgens in an interview with the Williston Daily Herald. “The state. Who is the state? You.”

The Keene area in McKenzie County is one of the worst areas for abandoned wells, many dating from the oil boom of the 1950s.

Although impressed by the work done so far by the state so far, Irgens noted that “there is still much to do in order to get abandoned wells cleaned up.”



Abandoned oil well in McKenzie County

OIL TARGETS WATER

As the Bakken oil boom continues, local landowners and governments are increasingly worried about an even more basic community need—water.

The state Water Commission is flooded with permit applications for “water depots” in oil and gas country where companies could load up on ground water to conduct the hydraulic fracturing necessary to release oil from the Bakken formation.

By July, water depot applications, mostly in Mountrail and Dunn Counties, were asking for about half as much water as the entire city of Fargo consumes.

Most of these applications target aquifers already in use for livestock and domestic consumption.

Generally the applicant is a landowner who seeks to drill a new well on his or her property in order to sell water to the oil industry.

DRC is busy writing comments on the applications, urging the state to weigh the needs of oil production against the water needs of both existing rural residents and future generations in drought-plagued western North Dakota.

DRC earlier unsuccessfully contested 21 water permits for industrial use in McKenzie County, but the amounts requested in the Bakken formation dwarf those granted in McKenzie.

The Water Commission has issued only a few water depot permits, and has significantly reduced the water allocation in the permits it has approved.

Bob Shaver of the Water Commission told DRC it favored a “staged development” scenario that reflects a cautious approach to water allocation until the Commission had a complete picture of aquifer capacity.

DRC’s comments say the Commission should consider both beneficial use and the public trust.

A historic North Dakota Supreme Court decision limited the right of the landowner to use such amounts of percolating waters under his land as may be necessary for some reasonable useful and beneficial purpose in connection with the land from which it is taken.

Since North Dakota defines ground water as “waters of the state,” the Public Trust Doctrine “requires, at a minimum, a determination of the potential effect of the allocation of water on the present water supply and future water needs of this State,” said DRC in comments on a recent water depot application.

Dunn County officials have shown concern over both the increasing number of water depot applications and the slow release of impact money to help the county maintain roads for farmers and other rural residents.

“People are always interested in [oil] money...but you also have to understand the infrastructure it takes,” Vicky Steiner of the North Dakota Association of Oil and Gas Producing Counties told the Dickinson Press.

“You cannot expect the few farmers and ranchers that live out here to pay that bill,” added Steiner.

NEW KEYSTONE CHALLENGE

DRC and three other groups took new legal action August 6 to stop a pipeline slated to deliver the world's most polluting fuel from the Canadian tar sands.

Together with Dakota Rural Action, Plains Justice and the Natural Resources Defense Council, DRC filed suit against the U.S. State Department for failing to consider the full health and environmental impacts of the TransCanada Keystone pipeline.

The suit brings together local concerns about leakage into water sources with international concerns about global warming.

DRC first intervened last year in North Dakota Public Service Commission permitting of the pipeline, which would cross North Dakota from north to south about 60 miles from the Minnesota border.

The pipeline would pump nearly 2.5 million gallons daily of heavy sour crude

oil across both Dakotas at a pressure of 1,440 pounds per square inch.

TransCanada's own estimates show that a leak of 1.5% of capacity might take 90 days to detect, which would mean a leak equal in volume to 35 tanker trucks per day, each carrying 9,000 gallons of oil.

In terms of environmental impact, Canadian tar sands oil is not your father's gasoline.

The U.S. Conference of Mayors recently recognized that production of tar sands oil releases up to three times the amount of greenhouse gases as conventional oil.

This impact is based not just on burning the oil.

The finished product requires vast amounts of natural gas used to extract and process the oil, and the destruction of large tracts of Canada's boreal forest ecosystem—the world's largest carbon dioxide storehouse.

"To extract this low quality oil from tar sands, oil companies are burning through reserves of natural gas our children will need one day," said attorney Carrie La Seur of Plains Justice, which represents DRC and DRA.

"Dredging up dirtier and dirtier oil to fuel inefficient vehicles is like washing the dishes with scotch, and the damage to our rural way of life keeps mounting," she added.

The suit, filed in the U.S. District Court for the District of Columbia, says that Secretary of State Condeleezza Rice failed to investigate the full extent of risks and impacts to rural communities, or ways to protect people, land and waters from pollution.

DRC abandoned its state challenge of the PSC permit for the pipeline July 7 after South Central District Judge Gail Hagerly declined to stay construction, saying DRC's legal arguments against the permit were not likely to succeed.



DRC URGES EFFICIENCY

North Dakota should change building codes and provide better support to weatherization efforts, DRC told an interim legislative committee August 5.

Calling energy efficiency the "low-hanging fruit" in the battle against global warming, DRC Board member Marie Hoff, Bismarck, urged the Energy Development and Transmission Interim Committee to support stronger residential and commercial energy efficiency building codes.

"People come and go, but commercial buildings and homes remain a constant for many years," said Hoff.

"It is imperative that buildings be as efficient as possible to reduce energy use and costs for North Dakota residents as both taxpayers and consumers," she added.

State building codes lag behind federal standards despite our hot summers and frigid winters, noted Hoff, and "with no requirement to meet residential energy codes, homes will very likely be constructed with inadequate insulation and less efficient heating and cooling systems."

Hoff also asked the committee to support use of the state's Resources Trust Fund to fund weatherization

projects for existing homes for lower-income families and individuals who do not fall within the current low-income parameters for assistance.

The fund was established as a Constitutional provision by voters in 1990 for energy efficiency and water projects.

So far water projects have gotten all the money.

The state Commerce Department's Empower ND Commission has stated support for both improved building codes and use of the Resources Trust Fund for energy efficiency programs.

The committee tabled action until its September 23 meeting.

DRC ANNUAL MEETING SET FOR OCTOBER 25

Homegrown prosperity will be the theme for DRC's annual meeting Saturday, October 25, at the Amvets Club in Bismarck.

Keynote speaker for the event will be Terry VanDerPol of Land Stewardship Project.

VanDerPol directs the Land Stewardship Project's Community Based Food Systems and Economic Development Program and farms near Granite Falls, Minnesota.

"Small, independent stores can distinguish themselves from the "big box," low-cost leaders by providing the locally and sustainable grown, high-quality food consumers are increasingly saying they want," said VanDerPol.

Local products for local markets will be the theme of a panel discussion at the meeting.

One panelist is Rick Thompson, Sharon, who is working to develop a locally-owned wind farm.

Another is Holly Mawby, who heads a local foods project the North Dakota State Extension Service in Bottineau.

The third panelist is Linda Grotberg, who produces her own biodiesel near Wimbledon.

The meeting will feature a meal of locally-produced foods.

As usual, the meeting will feature a silent auction, election of officers and resolutions on a variety of DRC issues.

Set the date aside now, and watch for registration materials arriving later.

LOCALLY-OWNED WIND FARM GETS CONTRACT

M-Power, a locally-owned wind project, announced August 11 it has contracted with Otter Tail Power Company to sell the power.

Its proposed wind farm near Luverne would have a total capacity of up to 49.5 megawatts.

"We've been at this for about 10 years now. This is a significant achievement for us, especially to be able to strike a deal with a local utility," said Keith Monson, M-Power's co-founder.

M-Power is requesting site and transmission route approval for the full 157.5-MW project from the North Dakota Public Service Commission. M-Power and Otter Tail Power Company expect to close the purchase later in 2008, subject to state Public Service approval and other standard conditions.

Otter Tail Power Company President Chuck MacFarlane said that taking part in this homegrown effort by M-Power will benefit Otter Tail customers and the region.

The project would "increase the amount of economical wind-generated electricity owned or purchased by Otter Tail Power Company to 179.5MW," he said. "That's enough to power approximately 52,000 homes."

The M-Power wind farm would be North Dakota's first major locally-owned wind project.

Long-term studies show that Griggs and Steele Counties have about 500 MW of developable wind resources, according to the company, which hopes to expand in the future.

THE BOOK IS COOKING (on simmer, that is)

The DRC Commemorative cookbook started out on high but now is simmering slowly to perfection. This is where you, our members, can help put the sizzle back on the griddle. **We need more recipes.** If you originally contributed the 3 recipes that were requested, please feel free to submit additional recipes. If you have not submitted any recipes, now would be a great time to do so. We would like this to truly be a "member cookbook."

The following are the categories that have been entered thus far:

- | | | |
|-------------|---------------------------------|----------------------|
| Beverages~5 | Breads/Pancakes/French Toast~22 | Bars~10 |
| Cakes~7 | Cookies~9 | Meats/Main Dishes~15 |
| Soups~7 | Salads~8 | This & That~4 |
| | Pies~8 | |
| | Desserts~9 | |
| | Vegetable sides~6 | |

The goal is to have 25 recipes in each category for a total of 300 recipes. **Please help!** If you have access, e-mail is the easiest way to submit your favorite recipes. Send them to aleta@drcinfo.com. Snail mail is good too, we'll take them anyway we can get them. Many thanks to those who have already contributed and thanks in advance for those to come!

Biofuels, Not Coal-to-Liquids

by Dean Hulse

Converting coal into liquid fuel is a 19th century idea.

In the July 2 issue of the *Forum*, Timothy Ryan offers two key reasons why coal-to-liquid is a misdirection of human energy and capital.

First, "the conversion process creates additional greenhouse gas emissions that make CTLs greater GHG emitters than petroleum-based fuels."

Second, just one new CTL plant "would cost \$40 billion to construct and multiple plants would be required."

Further, unlike the editorial claims made in the same issue of the *Forum*, the potential is not "unlimited." A finite resource—coal—cannot offer unlimited potential, and to assert otherwise is to engage in wishful thinking.

By contrast, biofuels represent cheaper, cleaner and faster ways to replace oil than proposals to build multi-billion-dollar CTL plants.

In addition, commercial-scale CTL plants require massive amounts of water (less water for Fargo?), more mountaintop removal mining in Appalachia, and strip-mining hundreds of square miles of farm and ranch land.

If there is any fuel in North Dakota that shows unlimited potential, it is cellulosic ethanols derived from native perennial grasses such as switchgrass, big bluestem and Indiangrass.

As reported in *The Economist* (June 21), Ceres, a California-based company, is focusing on switchgrass and "using a mixture of 'smart' breeding techniques (in which desirable genes are identified scientifically but assembled into plants by traditional hybridization) and straightforward genetic engineering."

Ceres intends to produce strains that can tolerate heat, cold, drought or salt and can grow on marginal lands not suited for food crops.

The recently passed farm bill contains two exciting provisions: biorefinery assistance and the Biomass Crop Assistance Program.

These provisions will help fund commercial and precommercial biorefineries and establish project areas for converting biomass crops into advanced biofuels or bioenergy.

Let's leave 19th Century thinking to buggy whip manufacturers because

North Dakota can begin enjoying renewable, sustainable homegrown prosperity once 21st Century ideas prevail.

(Hulse, Fargo, is a DRC Board member. This article ran as a letter to the editor in the July 5 Forum.)



I'D LIKE TO SUPPORT DRC ENCLOSED PLEASE FIND:

- General Membership
___ \$200 • "200 Club" Membership
- ___ \$100 • Patron Membership
- ___ \$ 75 • Contributing Membership
- ___ \$ 45 • Family Membership
- ___ \$ 25 • Individual Membership
- ___ \$ 10 • Student/Low Income

BARC/DRC Membership
Family \$50___ Individual \$30___

GFC3/DRC Membership
Family \$50___ Individual \$30___

MCETA/DRC Membership
Family \$55___ Individual \$ 35___

MVRC/DRC Membership
Family \$50___ Individual \$30___

SARC/DRC Membership
Family \$65___ Individual \$ 35___

SVC/DRC Membership
Family \$50___ Individual \$30___

Name _____

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e-mail _____

KIDWIND MINOT

DRC joined the North Dakota Commerce Department and Minot State University in sponsoring another Kidwind teacher workshop with Michael Arquin, August 4-5.

Thirty teachers attended the Minot workshop, which provided hands-on experience at building turbine models and teaching ideas to bring wind energy into North Dakota classrooms.

Teachers also toured the Acciona wind farm near Velva.

One teacher, Cindy Braaten of Velva, told the Minot Daily News she would use lessons learned at the workshop in sixth-grade science lessons, where "kids learn better by doing."

Dana Kemmet, Mercer County extension agent, was one of two extension agents who attended. She taught students about wind energy at 4-H camp this summer.

MVRC SEEKS BETTER RECYCLING

Responding to an initiative by Missouri Valley Resource Council, the Bismarck City Commission decided August 12 to build on its successful recycling program by forming a Recycling Task Force.

MVRC hopes the task force will recommend expanded recycling of plastics.

Bismarck started recycling plastics in 2006 at its five most-used drop-off sites after MVRC turned in 850 signatures asking the city to do so.

The city has reported strong usage of current plastic recycling bins and strong public opinion in favor of curbside recycling.

Plastics recycling containers now in use frequently overflow. According to a city report, the six-month volume of plastic recycling has increased by more than threefold from 6.27 to 21.45 tons since the city program began.

A telephone poll of city residents showed that "Bismarck residents are supportive of recycling"

and "most believe that something should be done and are willing to participate if a reasonable program can be implemented," according to the University of North Dakota's Bureau of Government Affairs, which analyzed the data.

Since initiating plastic recycling, the city has accepted only plastic types 1 and 2, even though Waste Management, which takes the city recyclables, accepts types 1-7.

According to estimates, plastic makes up 25-30% of waste that goes into our landfills. Even though the city bales the garbage before putting it into the landfill, plastics do not compress as well as other waste and take much longer to break down.

"It will take education and persistence to make it successful, but I think curbside recycling is an idea whose time has come," said MVRC member Anita Casey Reed, Bismarck.

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