

Dakota Resource Council

P.O. Box 1095, Dickinson, ND 58602-1095
(701) 483-2851; www.drcinfo.org

WHERE WE STAND: A Summary of Selected DRC Positions Taken at Annual Meetings

Fair Trade

- DRC opposes any international trade agreements that encourage shifting jobs and agricultural production to other countries and allow foreign corporations to override national laws, regulations, and court decisions. (2002, 2004, 2006)
- DRC opposes the reauthorization of Presidential Trade Promotion ("fast-track") authority. (2006)
- DRC supports the removal of food and agriculture from the authority of the World Trade Organization. (2005)

Safe Food

- DRC calls for: suspension of government approval of genetically manipulated products; a ban on the patenting of seeds, plants, and animals; consumers' right to know whether their food is genetically manipulated; liability on the part of biotech corporations for damages caused by their products; and disclosure of sponsorship of research on genetically manipulated products. (1999, 2002)
- DRC urges full environmental impact statements for all genetically modified crops prior to deregulation decisions (2005)
- DRC urges reform of federal oversight of genetically modified experiment crops to provide improved control over seeds and crop materials and analysis of economic impacts. (2009)
- DRC opposes federal legislative efforts to deny states the ability to set their own food safety and labeling standards. (2000)
- DRC urges repeal of North Dakota law denying political subdivisions the right to zone regarding seeds. (2005)
- DRC supports strong enforcement of federal law requiring country-of-origin labeling for all beef, pork, lamb, and fresh produce, with the U. S. label reserved for meat from animals born, raised, and slaughtered in the United States. (2001, 2002)
- DRC urges a North Dakota inspection program for cattle imported from Canada. (2005)
- DRC supports trace-back systems for all imported livestock, and urges that trace-back systems for U.S. livestock build on existing programs rather than creating a duplicative and wasteful system, and protect the confidential business information of livestock producers. (2004)
- DRC opposes the use of irradiated foods in school lunch menus. (2003)
- DRC urges development of food policies to encourage consumption of local foods and the development of a regional food system. (2007, 2008)

- DRC favors federal food safety legislation that provides for independent inspections of all industrial producers and processors, but less stringent standards for local and organic producers and processors. (2009)
- DRC favors a ban on all feeding of animal byproducts or waste to livestock. (1997, 2004)
- DRC urges that any confined animal feeding operation of more than 1,000 animal units be classified as an industrial or commercial land use. (2007)
- DRC urges composting of all waste products from CAFO's. (2007)

Fair Agricultural Markets

- DRC opposes any weakening of North Dakota's anti-corporate farming laws. (1990, 1994)
- DRC opposes the permitting of large-scale contract confinement hog operations in North Dakota, and urges counties to enact zoning to protect local communities against their environmental and economic impacts. (1997, 2005)
- DRC urges enforcement of antitrust laws against the meatpacking industry, and the investigation of price discovery in the livestock markets, and supports federal legislation to outlaw formula-price forward contracts that prevent competition in livestock markets. (1989, 1990, 1991, 1993, 1994, 2004)
- DRC opposes increasing the beef checkoff from \$1 to \$2 per head, favors a checkoff that is refundable and directable, and opposes any checkoff increase without a producer vote. (2007)
- DRC opposes any federal mandatory registration of premises and animal identification system. (2008)
- DRC favors replacement of the Freedom to Farm Act with legislation that sets a floor price or loan rate at the cost of production, manages supply, extends commodity loans to 18 months, re-establishes a farmer-owned grain reserve, and requires country-of-origin labeling price reporting, and inspection of imported food to ensure that it meets U. S. food safety, environmental, and worker protection standards. (1999, 2000)
- DRC favors limitation of farm payments to \$250,000 per year. (2005)
- DRC opposes direct payments from state checkoff funds to private commodity groups. (2005)
- DRC supports only those value-added agricultural projects that are owned and controlled by producers, and benefit them. (2000)
- DRC supports the federal legalization of industrial hemp production and research to promote production. (2003)
- DRC calls for increased public funding of agricultural research to counter the growing influence of agribusiness interests. (2005)
- DRC opposes privatization of grain inspection and other inspection programs that underwrite the quality of U.S. commodities. (2005)
- DRC calls for an investigation of possible collusion by millers in setting wheat protein discounts. (2009)

Don't Waste the West

- DRC favors passage of a federal law allowing local communities to bar the importation of out-of-state waste into their landfills. (1991, 1993, 1994)
- DRC urges all counties to adopt solid waste zoning to require county permits for new or expanding landfills, and to require public hearings and a county vote prior to approval. (1995)
- DRC opposes disposing of hazardous waste by mixing it with fertilizer. (1997)
- DRC opposes exempting waste from confined hog and dairy operations from the Comprehensive Environmental Response and Liability Act, which regulates the clean-up of toxic "Superfund" sites. (2006)

Clean Energy

- DRC supports a "no net increase" policy for coal production in North Dakota, supports only new coal-fired power plants that utilize Integrated Gasification Combined Cycle (IGCC) technology in combination with carbon sequestration, and only the following criteria are met: such plants replace existing coal-fired power plants; such plants do not receive public subsidies; best management practices have been developed which guarantee the safety and effectiveness of carbon sequestration; and carbon sequestration is not used for enhanced oil recovery unless long-term net reductions in carbon dioxide can be demonstrated. (2006)
- DRC does not support production of liquid fuels from coal unless it can be demonstrated that such technologies are economically feasible, welcomed by their host communities and result in a net loss of carbon dioxide and other polluting emissions. (2006)
- DRC endorses only new energy development consistent with a 60% reduction in carbon dioxide emissions by 2030. (2005)
- DRC prefers a carbon tax to a cap-and-trade system for carbon dioxide management and control, opposes any exemptions for power generated by co-operatives, opposes providing electric utilities with free carbon dioxide allowances, and opposes prevention of the U.S. Environmental Protection Agency from regulating carbon dioxide and other greenhouse gases. (2007, 2009)
- DRC opposes the use of eminent domain for construction of private carbon dioxide pipelines and associated infrastructure. (2007)
- DRC urges Otter Tail Power and Montana-Dakota Utilities to withdraw their support for construction of the Big Stone II coal-fired power plant in favor of construction of wind and other renewable energy facilities to meet increased North Dakota electricity demand. (2006)
- DRC opposes any new power production that leaves costs and obligations to future generations. (2005)
- DRC supports a public benefits fund payable through utility bills to finance renewable energy research and development in North Dakota. (2002)
- DRC supports state purchase of a set percentage of its electricity from renewable sources. (2002)
- DRC supports setting a state goal of 10,000 megawatts of installed wind energy turbine capacity by 2020. (2003)

- DRC supports a federal renewable energy portfolio standard for all utilities, federal programs to encourage rural energy conservation projects and farmer-owned renewable energy projects, and use of Conservation Reserve Program lands for wind energy development. (2001)
- DRC urges the repeal of North Dakota Century Code 49-02-23, which prohibits the Public Service Commission from considering "environmental externality values" in planning, acquiring or selection of electric resources, or in the setting of rates. (2006)
- DRC urges the repeal of North Dakota Century Code 49-06-02, which requires the Public Service Commission to consider only investments utilizing lignite coal mined in the state when determining a utility's property value for ratemaking purposes. (2006)
- DRC opposes removal of PSC oversight of electric utility rates. (2006)
- DRC supports a fair price for small wind generators for the electricity sold back to rural electric cooperatives. (2002)
- DRC supports state standards for bonding and reclamation of wind energy sites, limitation of wind energy options to three years or less, prohibition of secrecy clauses in wind energy contracts, non-severability of wind rights from surface ownership, a guarantee of collective bargaining rights for landowners in wind energy negotiations, and protection of adjacent property rights. (2003)
- DRC supports closing the Clean Air Act loophole that allows grandfathered power plants to pollute at a higher level than new plants. (2000)
- DRC opposes weakening of federal New Source Review standards for coal-fired power plants. (2002)
- DRC supports the establishment of a new North Dakota State Implementation Plan to address violations of the Clean Air Act's Prevention of Significant Deterioration standards, and to reduce emissions from coal-fired power plants that lack modern pollution controls. (2002)
- DRC opposes federal energy legislation that allows oil drilling in the Arctic National Wildlife Refuge, or that grants new subsidies to the fossil fuel and energy industries. (2001)
- DRC supports a requirement that all diesel fuel sold in North Dakota contain at least 2% biodiesel by 2010 and all gasoline contain at least 20% ethanol by 2013. (2005)
- DRC urges the use of sustainable practices in every facet of biofuels production. (2005, 2006)
- DRC urges the use of funds from the state Resources Trust Fund for weatherization and energy assistance. (2008)

Law and Order in the Coal, Oil and Gas Fields

- DRC opposes weakening state and federal reclamation laws, including North Dakota's 100% productivity requirement for all reclaimed agricultural lands, or federal enforcement authority. (1990, 1995, 1998)
- DRC urges state rules to require mines to make public their plans for final bond release. (2004)
- DRC urges federal standards for coalbed methane development with protections similar to those provided under the Surface Mining Control and Reclamation Act. (2000)

- DRC favors a state law requiring coal and oil companies to pay abstract fees resulting from mineral rights transactions with parties other than the surface owner, and a state law forbidding companies from mortgaging surface mineral leases. (1991)
- DRC favors moving the seismic shot hole setback rule from 660 feet back to 1,320 feet. (2004)
- DRC supports the reform of standards for surface use agreements to improve the leverage of surface owners and residents who do not hold minerals. (2006)
- DRC supports repeal of the 50% "risk penalty" for non-leasing mineral owners participating in oil extraction. (2005)
- DRC opposes issuance of temporary water permits to oil and gas extraction companies for industrial use. (2005)
- DRC opposes any law or rule interpreting an oil and gas lease as conveying a fresh water right. (2008)
- DRC urges an exhaustive inventory of state aquifers prior to issuance of additional permits for water depots for oil and gas industry use. (2008)
- DRC supports policies designed to guard against leakage from underground pipes transferring saltwater produced in oil and gas operations to disposal wells. (2006)
- DRC opposes any use of waste oilfield saltwater for de-icing North Dakota roads. (2007)
- DRC supports an increase in state oil and gas well reclamation bonding sufficient to protect the public against clean-up costs. (2006)
- DRC urges federal legislation to close the "Halliburton loophole" and allow regulation of hydraulic fracturing fluids under the Safe Water Drinking Act. (2009)
- DRC urges federal legislation to confer to private landowners above federal oil and gas reserves the right to know in advance when those reserves are offered for lease and when drilling operations are to commence, and to require a good-faith offer of a surface use agreement prior to surface occupancy. (2009)
- DRC opposes state and federal permitting of the TransCanada Keystone pipeline. (2007)

Corporate Accountability

- DRC supports a state requirement that businesses receiving public business incentives pay a living wage to all employees, that every such incentive be voted on by a publicly elected body with the right of public hearing in the locality affected, that businesses give a full accounting of the benefits produced through incentives, and that the state or political subdivision retain the right to reclaim incentive payments if the terms of the agreement are not met. (2001)
- DRC supports the WORC position on reform of the 1872 Mining Law to include public involvement in hard rock mining permitting on public lands, environmental standards for reclamation and operation, and just public compensation. (1994)
- DRC opposes legislation that makes corporate environmental self-audits privileged information and grants complete immunity from penalties for violations discovered in self-audits, but it supports comprehensive audits whose results are accessible to the public, and it supports the concept of reduced penalties for companies that assume responsibility for correcting violations. (1995)

- DRC opposes legislation that expands the concept of takings. (1995)
- DRC urges the state legislature to overturn the law preventing the Department of Health from issuing regulations more stringent than the U. S. Environmental Protection Agency. (1992)
- DRC opposes legislation that makes risk assessment and cost-benefit analysis the paramount consideration in public health and safety rules, opposes the elevation of peer review over public comment, opposes the administrative determination of the monetary value of human life, and opposes opening administrative channels for challenging existing rules. (1995)
- DRC supports the expansion of the federal Toxic Release Inventory to include the public's right to know what toxic chemicals are used in the manufacturing process. (1996)

Miscellaneous

- DRC supports protection of the landowner's rights against trespass on unposted land. (2003)
- DRC urges amendment of state eminent domain laws to outlaw the taking of private property for private development. (2005)
- DRC supports retaining public ownership of state correctional facility lands along the Missouri River. (2009)
- DRC disavows the use of violence to achieve any of its goals. (2003)
- DRC urges the support of locally-owned businesses. (2004)
- DRC supports planned development in overlapping jurisdictions in North Dakota through joint decision-making by all affected governments. (2008)
- DRC will not accept any grants from the federal government, but will accept state grants for Kidwind educational programs as long as no state agency takes over direct sponsorship of the program. (2009)