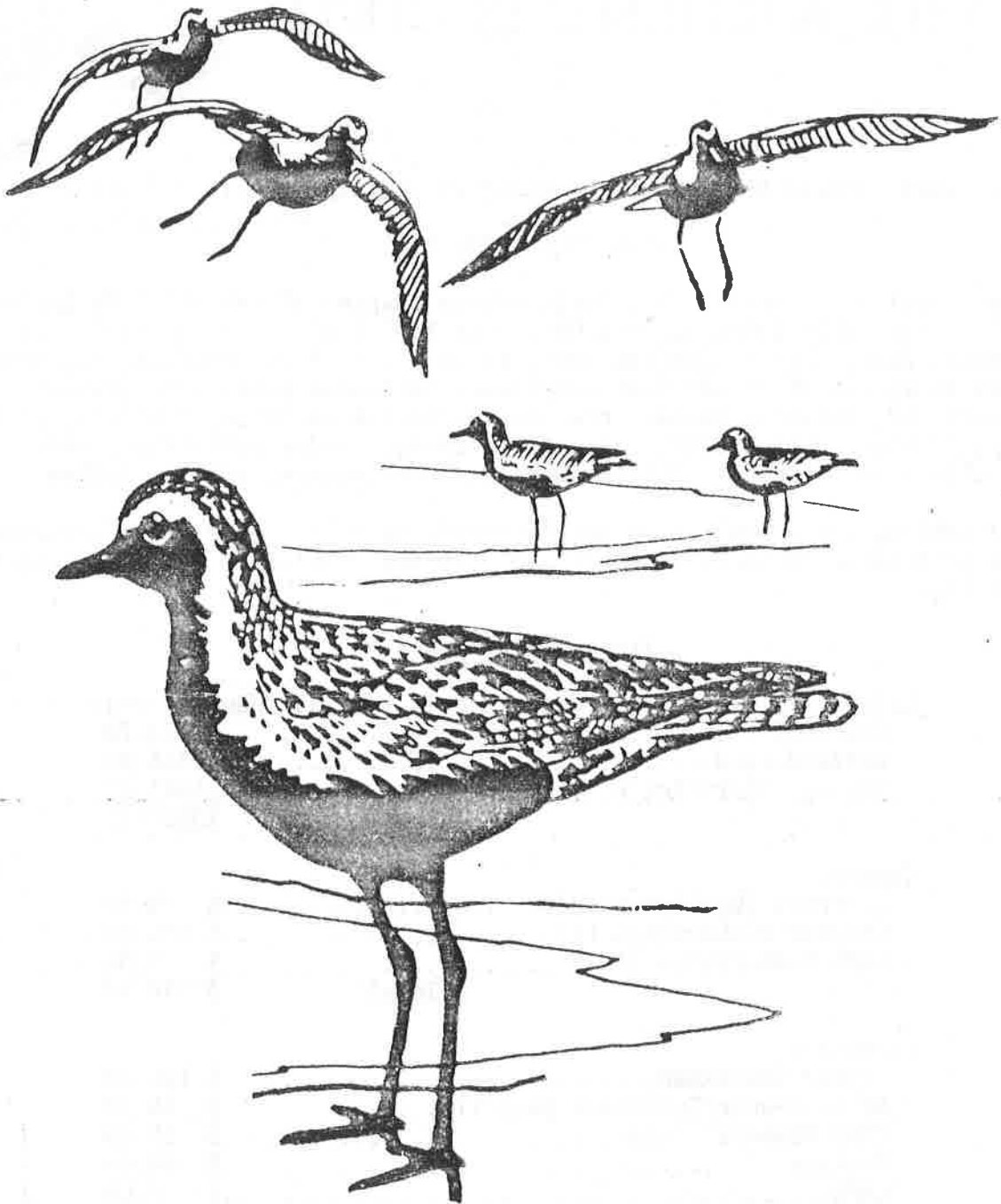


NEWSLETTER



NORTH DAKOTA CHAPTER
THE WILDLIFE
SOCIETY

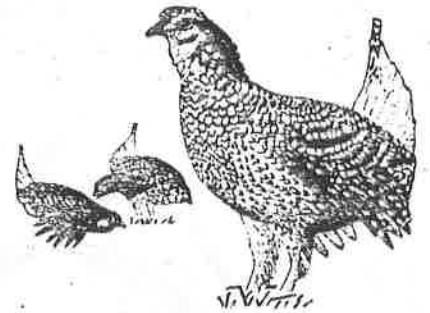


JULY 1980



North Dakota Chapter

THE WILDLIFE SOCIETY



North Dakota Chapter of The Wildlife Society Council Meeting

June 23 and 24, 1980

The Executive Council of the North Dakota Chapter of The Wildlife Society met at the USFWS Bismarck Area Office at 1:00 p.m., June 23, 1980. Council members Jerry Serie, John Lokemoen, Lloyd Jones, Kevin Brennan, Dan Schmidt, Dave Sharp and Assistant Secretary/Treasurer Renee Duval were present. Guests and committee members present included Fred Geise, Tom Gatz, Al Sapa, Mike McEnroe, John Shultz, Larry Kruckenberg, Sandra Hellickson, Phil Arnold, Jerry Kobriger, Don Fitzgerald, Terry Messmer and Ted Upgren.

The meeting was brought to order by President Serie, Dave Sharp presented the Secretary/Treasurer's Report and read the minutes of the last council meeting.

Treasurer's Report

Balance as of April 11 (reported in the last newsletter):

Checkbook.....	\$ 933.70
Wetland Fund.....	\$1354.83
Savings Certificate.....	\$1644.62
Total	<u>\$3933.15</u>

Income:

Interest (Wetland Fund).....	\$ 9.79
Chapter Memberships (27).....	\$ 135.00
CMPS Memberships (1).....	\$ 2.00
Total	<u>\$ 146.79</u>

Expenses:

United Sportsman.....	\$ 100.00
ND Landowner/Sportsman Council.....	\$ 25.00
CMPS Memorial Fund.....	\$ 25.00
Postage.....	\$ 60.00
CMPS.....	\$ 2.00
Total	<u>\$ 212.00</u>

Balance as of June 23, 1980:

Checkbook.....	\$ 858.70
Wetland Fund.....	\$1364.62
Savings Certificate.....	\$1644.62
Total	<u>\$3867.94</u>

John Lokemoen moved to accept the Treasurer's Report, Kevin Brennan seconded, motion carried.

Dave Sharp indicated that the deadline for all 1979 members to renew their 1980 memberships has passed, and a membership directory has been prepared. After deleting members with unpaid memberships, we currently have 211 members paid in full for 1980. The following seven members were accepted for membership:

Mia Hay	Lloyd Nelson
Michael Corbett	Sherry Schmautz
Mark Sharp	Gerald Anderson
Bruce Garlinger	

President Serie briefed the Council on correspondence which had been completed since the last Council Meeting.

- (1) On June 20, 1980 the Chapter sent telegrams to four Senators in surrounding states urging them not to support supplemental appropriations for Garrison Diversion.
- (2) A letter was sent to the Public Service Commission on problems concerning surface mining in North Dakota.
- (3) A letter was submitted to TWS informing them that the ND Chapter would continue collecting its own dues, and asking clarification of the legal ramifications surrounding the acceptance of donations and subsequent spending of donated funds, including the role of litigation using these funds.
- (4) Letters were sent to Senators Burdick and Young, asking them to support the package of five strengthening amendments or the Tsongas-Roth Substitute to the Alaska Lands Bill. Lloyd Jones moved that the Chapter enclose Alaska Wildlife Lands Flyers in the next newsletter. John Lokemoen seconded, motion carried. Dave Sharp moved that we send a telegram to the ND Senators before July 21 asking them to support the Tsongas-Roth Substitute and reply as to their voting record; Kevin Brennan seconded, motion carried.
- (5) Harold Duebbert drafted a letter for the Chapter supporting the establishment of a National Grassland Park in Canada.

New Business

- (1) The Council has received correspondence pointing out problems with the way the National Wildlife Federation handled the legal aspects surrounding the Channel A lawsuit. This matter was discussed with the resulting motion by John Lokemoen; that the Chapter write a letter to the NWF expressing our concern about the manner in which the lawsuit was handled; Lloyd Jones seconded, motion carried.
- (2) The Chapter will nominate two of its members for the CMPS Achievement Award.
- (3) The Ad Hoc Resolutions Committee has also been assigned the task of revising our bylaws for compliance with the new model TWS bylaws. Doug Johnson, Chuck Schroeder and Al Sapa comprise this committee.

- (4) President Serie indicated that Chapter stationary and postage is available to all committee chairmen for the handling of Chapter business. Chairmen should feel free to conduct committee business such as fact finding and correspondence. The Council should be advised as to specific recommendations by the committee and should receive copies of all correspondence.
- (5) President Serie announced that the Wisconsin Chapter TWS will be holding a symposium entitled "Wildlife Management on Private Lands", on May 3-6, 1981.
- (6) The Chapter will prepare a draft of comments on the proposed Fish and Wildlife Policy.
- (7) The mechanism for supporting the Cross Ranch issue was discussed. John Lokemoen indicated he would contact Dr. Horne of the Park Service and find out the most effective method of providing support for the purchase of the Ranch for a state park. The issue will be decided by the voters September 2, 1980.
- (8) John Shultz, chairman of the newly formed Western Energy Development Committee, informed the Council on various issues which the committee will monitor.
 - a) Coal mine reclamation, b) abandoned mine reclamation, c) oil exploration and drilling impacts, d) transmission line sighting and construction, and e) power plant sighting and construction.

This committee will work closely with the Public Service Commission and other state agencies to develop regulations and monitor habitat changes related to stepped up energy development. This area will be of increasing concern in the next ten years.

- (9) Larry Kruckenberg, ND Game and Fish Commissioner, addressed the Council concerning problem areas in the state and how the Chapter may improve its effectiveness in these areas. To maintain close communication and better understanding between state and federal agencies on natural resource matters is an important function of the Chapter. Larry indicated the department at this time is primarily working on habitat related projects. He thought the Chapter might be involved with aspects of the following:
 - a) State strip mining regulations - insure safeguards for habitat and wildlife, b) Pembilian Dam (30 year old project) mitigation package which was previously agreed to may now be in question, c) West Fargo flooding - 3 alternatives: 1. raising Lake Ashtabula, 2. Kindred Dam project, and 3. dike diversion around city. d) North Border pipeline - a federal project which will transport natural gas. The major problem in North Dakota is that the route is poorly planned. It will transverse delicate habitats in the western part of the state as it is now proposed, e) Benny Pierre

Roadless Area - the Forest Service has recommended that 10 acres be declassified as wilderness due to increased oil testing and drilling activities. The Chapter should oppose any attempt to further develop these wilderness areas.

Larry strongly supported the Chapter and felt a high level of professionalism was essential. He did not like to see us gain a negative image which some other environmental groups in the state have received.

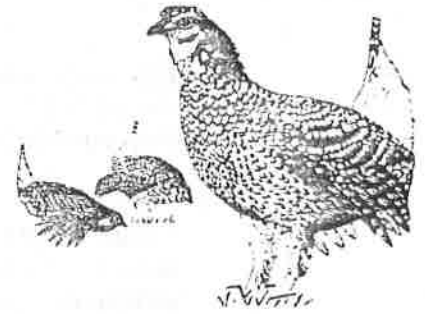
- (10) Ted Upgren, Chapter Representative to the Landowner/Sportsman Council, briefed the Council on the activities of the group. This organization is to improve landowner/sportsman relationships and has received \$7000.00 this past year from the legislature. They are currently active in public relations via T.V., radio, newspaper pamphlets and billboards. Ted is working with the Council to develop information and education programs to promote better landowner/sportsman relations. ASK...and the gates may open...
- (11) Mike McEnroe, chairman of the Garrison Diversion Committee briefed the Council on the current status of the project. Presently, little money remains from the last appropriation. The latest developments however, indicate Congress will approve an additional 10 million as supplemental funding FY 80. Mitigation plans are becoming much more restrictive and continue to lag behind the project. Opposition to the GDU project seems to be growing. No specific action was recommended at this time.
- (12) Annual Meeting Arrangements Committee - Mike McEnroe and Al Sapa. The 1981 annual meeting will be in Bismarck February 19-21 at the Kirkwood Motor Inn. Reservations are strongly encouraged as soon as possible due to the legislative session. Bismarck is centrally located and should provide good participation.
- (13) Annual Meeting Program Committee - Tom Gatz and Fred Giese. After some discussion, it was decided to focus this years' theme on WATER. Water resources and water management have been the subject of much confusion, controversy and concern throughout the state. An attempt will be made to discuss management and technical issues such as flooding hydrology, chemistry, irrigation and water quality. We will encourage legislators to attend and hopefully provide a better understanding of water resource problems.
- (14) Terry Messmer briefed the Council concerning the resolution regarding wetland drainage into highway rights-of-ways. Apparently, new regulations and guidelines concerning wetland drainage into rights-of-ways are pending or have been developed at the federal level. The Council approved the resolution and specific action will await further clarification.
- (15) Phil Arnold - Update of proposed State Water Management Bill. This draft bill is viewed as an improvement. Three main changes are:

- (1)) Water resource districts to be established along watershed boundaries rather than county lines.
 - (2)) Elected board members instead of appointed.
 - (3)) Legal Drain Boards will be abolished and duties consolidated with the Water Resource District. Efforts to change the 80-acre watershed law (concerning drainage) has met with little success. Language changes regarding downstream impacts are also proposed.
- (16) Gil Keys was unable to meet with the Council and expressed his regret. Sandy Hellickson briefed the Council on several areas where we may be more effective and have the expertise to deal with the diversity of issues which the U.S. Fish and Wildlife Service can not address: a) Coal and oil development in the west - major problem for our natural resources, b) ground water recharge - hydrology, c) water quality regulations, d) flood control, e) highway lands - many more acres than we have in wildlife lands in this state, f) awards - recognize people and organizations for their accomplishments, and g) improve publicity - early warning system of upcoming problems, report news and be represented on various state-wide committees. Sandy suggested we might set up a Wetland Council made up of various other groups to help advise the Governor's office or State Water Commission on wetland issues.
- (17) Don Fitzgerald briefed the Council concerning the June 4th ruling in Federal District Court concerning wetland easements and governor approval under provisions of the Migratory Bird Hunting Stamp Act. The decision by Judge Bruce M. Van Sickle was in favor of the F&WS and against the state on all points. The state is appealing the ruling and a stay was requested and granted. This case may be tied up in court for some time.
- (18) Jerry Kobriger - Chairman Prairie Chicken Advisory Committee. A committee meeting was held May 8 in Grand Forks. Members present were Jerry Kobriger, Dan Schmidt, Bob Rollings, Leo Kirsch, Lyle Schomover, Steve Brock and Terry Wolfe. A census of the PCWMA turned up no prairie chickens. The committee visited the prairie chicken area near Crookston, Minnesota. The grasslands on the two areas appear similar. The chicken population seems to be increasing on the Minnesota area - the committee recommends:
- (1) Burn 1/4 of the state and federal areas each year beginning in the fall of 1980.
 - (2) Continue spring census to determine population status of both species of prairie grouse.
 - (3) Maintain at least two food plots (alternate year basis) on each of the state owned units.
 - (4) If pinnates have indeed disappeared, and none are present after a complete burning rotation (4 years), a trap and transplant agreement should be worked out with Minnesota to restock the area.
 - (5) Along the same vein, federal authorities should be developing pinnate habitat on the J. Clark Salyer and Arrowwood Refuges and begin restocking prairie chickens on these areas.



North Dakota Chapter

THE WILDLIFE SOCIETY



SPECIAL MEETING

July 11, 1980
Jamestown, North Dakota

In an attempt to gain further background information, Mike Dwyer (attorney for the SWC) met with members of the drainage committee and executive council at 9:30 AM in Jamestown. Mike was requested by the drainage committee to answer questions and discuss various legal aspects of the North Dakota drainage laws. In summary, the following topics were discussed:

- a) A redraft of the state water laws are currently underway and could be approved by March 1981. Mr. Dwyer was hopeful that a revision would include language to consider more than just downstream impacts and recognize the value of the state resources over an extended period of time. He further advised against litigation attempts which might jeopardize a strengthening of the state water laws.
- b) In any legal proceedings, the Chapter would first have to establish standing (a grieved party). The support of a second party (landowner) may be the strongest case.
- c) The lack of enforcement on the part of any county water board was viewed as a good course for legal action by the Chapter. In all cases, we would have to prove adverse down stream impacts.
- d) It is important for the Chapter to obtain legal council from attorneys versed in the application of state water laws.

We appreciate Mike coming over from Bismarck to talk with us.

The Executive Council convened at Big Jim's Banquet Room in Jamestown at 1:00 PM. Council members Jerry Serie, John Lokemoen, Rich Crawford, Lowell Tripp, Dan Schmidt, Kevin Brennen, Lloyd Jones and Dave Sharp were present. Drainage Committee members present included: Bill Berg, John Sidle, Darold Walls, Rich Madson, and Jim Schmidt.

The meeting was brought to order by President Serie. Jerry briefed the council of the purpose of this special council meeting. Lloyd Jones indicated a \$10,000 donation had been received from Investment Rarities Incorporated of Minneapolis and again outlined the various aspects contained in the proposal. After much discussion, the following decisions were made by the executive council.

Kobriger moved that the Council accept the committee report and recommends that the council look into the possibility of using the remaining money in the Prairie Chicken Fund for management.

- (19) Lloyd Jones - Chairman Wetland Drainage Committee.
Lloyd briefed the council as to the development of a proposal prepared by his committee designed to reduce wetland drainage losses which are currently running between 15-20,000 acres annually. Drainage laws in many areas are generally ignored by local landowners and state officials. In one four county area surveyed, for example, over 500 unprosecuted violations of the states drainage laws were noted. The proposal asking for a \$10,000.00 grant, describes a multi-faceted approach involving legal assistance, education, and possible litigation to aide landowners and others adversely impacted as a result of illegal drainage. This proposal futher provides for up to \$5,000.00 to be used to hire a wetland coordinator to investigate factors relating to this drainage problem and work closely with the council concerning possible legal alternatives. The grant was approved ^{and} we have received a check for \$10,000.00 to initiate various aspects of the proposal. The council discussed possible plaintiffs and possible individuals who might take on the assignment as wetland coordinator. The council also discussed various approaches to provide the Chapter with legal council. President Serie indicated that background work was necessary in order to proceed and moved that final decisions concerning a wetland coordinator and specific action wait a week or so. After we learn more specifics a special council meeting will be called. President Serie asked for a motion to adjourn; Lloyd Jones so moved, Dave Sharp seconded, meeting adjourned 2:30 p.m.

Submitted by,

David E. Sharp
Secretary/Treasurer

- a) Lloyd Jones moved to cash the \$10,000 check and set up a special account for action concerning wetland drainage. Litigation may not be necessary to achieve the goals of the proposal provided steps are taken to reduce drainage. A total of \$5,000 will be retained for legal decisions. Lowell Tripp seconded, motion carried.
- b) Lloyd Jones moved that the Chapter offer a grant to a qualified individual not to exceed \$5,000 to function as our wetland coordinator or consultant. This individual would work closely with the drainage committee and executive council to determine the course of action to be taken by the Chapter and to confer with biologists, landowners and legal council. The drainage committee recommended this individual to be Dr. Gary Pearson. Kevin Brennen seconded. Motion carried. The expertise that Dr. Pearson can provide will be of great assistance.

President Serie briefed the council on upcoming matters which the Chapter would be represented:

1. John Lokemoen and Jerry Kobriger will attend the CMPS summer meeting. Jerry is a member of the executive council and John will serve as official Chapter representative.
2. Kevin Brennen will represent the Chapter at the State Water Commission meeting in Valley City on July 14, 1980. The major topic to be discussed will be wetland drainage.
3. Jerry Serie will represent the Chapter at a meeting sponsored by the North Dakota Wildlife Federation concerning a wetland tax credit bill and other problems of the wetland program on July 22.
4. Jerry Serie will represent the Chapter at the Wimbledon drain public hearing held July 24.

Darold Walls briefed the council on the present status of Holstein Slough WPA. As a result of a floodway structure installed by the SCS, Holstein Slough is not receiving adequate water. Apparently, elevation levels at the structure and the outlet of the slough were not set at agreed levels. An interagency review was conducted by SCS earlier this year. President Serie asked Darold and Kevin to draft a letter to the SCS expressing the concerns of the Chapter.

In order to educate and promote public interest regarding the Wimbledon drain public hearing, Lloyd Jones moved that the Chapter place a full page ad in the Valley City newspaper. The cost should not exceed \$250.00. Dan Schmidt seconded; motion carried.

Along a similar line, there was a great deal of discussion and support expressed over developing a leaflet on drainage which could be distributed to landowners and others. The purpose would be to educate and outline the laws and dangers involved in wetland drainage. It was thought that a leaflet titled "Wetland Drainage: Do You Know Your Rights?" would be helpful and well received. In addition, the Chapter discussed the possibility of printing caps and T-shirts with a wetland message to be sold around the state.

Meeting adjourned at 3:00 P.M.

"FROM OUR HISTORIC PAST"

EDITOR: DENNIS JORDE

OFFICERS NORTH DAKOTA CHAPTER

<u>Year</u>	<u>President</u>	<u>Pres. Elect.</u>	<u>Sec. Treas.</u>	<u>1st Council</u>	<u>2nd Council</u>	<u>3rd Council</u>	<u>4th Council</u>	<u>5th Council</u>
1963	C. Grondahl	J. Salyer	C. Schroeder	E. Podoll	D. Duerre	D. Rettinger	V. Blazevic	
1964	R. Morgan	A. Klett	J. Carlson	E. Podoll	R. Seabloom			
1965	R. Morgan	R. Seabloom	R. Randall	H. Miller	E. Podoll			
1966	R. Seabloom	E. Podoll	R. Fries	B. Adams	H. Miller	R. Morgan		
1967	H. Miller	C. Schroeder	G. Enyeart	M. Hammond	B. Adams (G. Cross)	R. Seabloom		
1968	C. Schroeder	L. Kirsh	H. Duebbert	G. Cross	M. Hammond	H. Miller		
1969	K. Harmon	E. Podoll	V. Blazevic	A. Kruse	G. Cross	C. Schroeder		
1970	H. Duebbert	P. Aus	G. Pearson	R. Stuart	A. Kruse	K. Harmon		
1971	E. Podoll	R. Fields	R. Erickson (L. Kruckenberg)	C. Meslow	R. Stuart	H. Duebbert		
1972	R. Fields	A. Kruse	W. Cushing	L. Tripp	W. Boldt	E. Podoll		
1973	A. Kruse	R. Erickson	G. Krapu	L. Kruckenberg	L. Tripp	R. Fields		
1974	H. Troester	G. Enyeart	T. Berry	G. Patton	L. Kruckenberg	A. Kruse		
1975	G. Enyeart	L. Kirsh	L. Kruckenberg	G. Kobriger	G. Patton	H. Troester		
1976	L. Kirsh	T. Upgren	K. Higgins	J. Serie	G. Kobriger	G. Enyeart		
1977	T. Upgren	W. Boldt	K. Higgins	C. Peck	J. Serie	L. Kirsh		
1978	W. Boldt	J. Lokemoen	D. Nilson	R. Crawford	C. Peck (A. Harmoning)	T. Upgren		
1979	J. Lokemoen	J. Serie	D. Sharp	L. Jones	J. Foster	J. Malcom (L. Tripp)	R. Crawford	W. Boldt
1980	J. Serie	R. Crawford	D. Sharp	D. Schmidt	K. Brennen	L. Jones	L. Tripp	J. Lokemoen

North Dakota Chapter of The Wildlife Society, NEWSLETTER,
December 3, 1965, page 2.

An interesting note from Keith Bayha. "On October 9, 1965, Vic Blazavic and I concealed ourselves on a well known pass in northwestern Stutsman County. We observed hunting activity on this pass from before 6:30 a.m. until about 6:30 p.m. "Eleven different hunters hunted approximately 65 man-hours and fired a minimum of 397 shots, downing at least 43 ducks, including at least 11 cripples and unretrived dead. They fired an average of 9.2 shots for every duck hit, or connected on 11 percent of their shots."

"If two-thirds of their shots fell in the water, and each shell contained one ounce of lead shot -- then this group of hunters deposited at least 16 1/2 pounds of lead shot on the slough bottoms in one day."

NOMINATIONS

THE NORTH DAKOTA AWARD

THE NORTH DAKOTA WILDLIFE HABITAT AWARD

Richard Crawford, President-Elect, is now accepting nominations for the North Dakota Award and The North Dakota Wildlife Habitat Award. The North Dakota Award is presented to an individual or group that has made an outstanding contribution towards furthering the aims of professional wildlife endeavors in the State of North Dakota. The North Dakota Wildlife Habitat Award is presented to an individual or group that has made an outstanding contribution towards preserving and/or establishing high quality wildlife habitat upon the lands of North Dakota

Nominations from members in good standing will be accepted until November 30. Send nominations:

Dr. Richard Crawford
Department of Biology, U.N.D.
Grand Forks, N.D. 58201

1981 MEMBERSHIP AWARD

Again this year the Chapter is sponsoring a membership drive. Another award will be presented at our annual meeting. Our goal this year is to have 250 paid up members by our 1981 annual meeting. Dave Nilson and his membership committee urges all members to help and sign up a new member today!! Send membership applications to: Dave Sharp, P.O. Box 1747, Jamestown, ND 58401

APPLICATION FOR MEMBERSHIP

I am () / am not () a member of TWS.

Name: _____

Address (use school, if student): _____

Occupation - Student (X) _____ Other _____

Annual Dues: \$5.00

Send Applications: Dave Sharp, Secretary-Treasurer, North Dakota Chapter of The Wildlife Society, P.O. Box 1747, Jamestown, North Dakota.

1981 NDCTWS ANNUAL MEETING

FEBRUARY 19, 20 AND 21 1981

KIRKWOOD MOTOR INN, BISMARCK N.D.

ARRANGEMENTS CHAIRMEN :

MIKE McENROE

AL SAPA

CALL FOR PAPERS

The theme of papers presented at the annual winter conference of The Wildlife Society Feb. 19-21, 1981 will be Water Resources and their management in North Dakota. Papers on all aspects of the Water Resources of North Dakota are being solicited including wetland management and wetland values, water quality and chemistry, hydrology, water management on refuges, water projects, reservoirs and river systems.

The Friday session will cover the more technical aspects of water-related research while the Saturday session will be devoted to an overview of water resources in the state and the present and future potential applications of various water management techniques.

We would like to keep presentations of specific number data to a minimum and request papers that are educational and informative and oriented to a diverse audience since the legislature will be in session in Bismarck at this time and will be invited to attend the sessions.

Please submit paper titles concerning water management to Fred Giese and papers on other water related topics to Tom Gatz. A brief summary would be helpful but is not required.

PROGRAM CHAIRMEN

Fred Geise
J. Clark Salyer NWR
Upham, ND 58789

Tom Gatz
Box 1017
Water and Power Resources Service
Bismarck, ND 58502

MAKE YOUR RESERVATIONS EARLY

MEETINGS OF INTEREST

CMPS ANNUAL SUMMER CONFERENCE - NEBRASKA

August 17-20, 1980

Aksarben Aquarium, Schram Park

Information: Fred Deines
% USFWS
1811 W. 2nd. St., Suite 3
Grand Island, Nebraska 68801

WISCONSIN CHAPTER - TWS

Wildlife Management on Private Lands - Wisconsin

May 3-6, 1981

Milwaukee, Wisconsin

Information: Thomas J. Niebauer
Wisc. Chapter The Wildlife Society
608/266-5893

WHERE ARE YOU ? ? ?

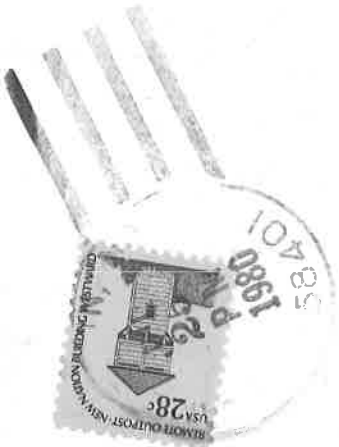
Anyone knowing the correct address of three of our following members should contact Dave Sharp immediately..... P.O. Box 1747, Jamestown, ND 58401

- 1) Jerome Mastel
 - 2) Jim Samson
 - 3) Marsha Samson
-

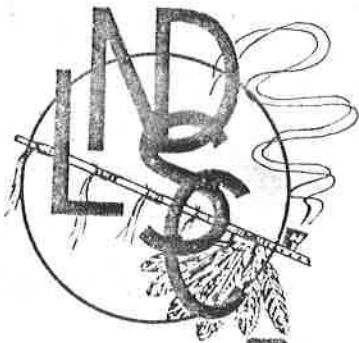
CHAPTER STATIONARY

Committee Chairman needing Chapter stationary and postage should direct their request to the Secretary. Any bills for postage can also be sent. Dave Sharp, P.O. Box 1747, Jamestown, ND 58401

ARLEN HARMONING
1708 NORTH 4TH ST.
BISMARCK ND 58501



DAVID SHARP, SEC. TREAS.
N. D. CHAPTER THE WILDLIFE SOCIETY
BOX 1747
JAMESTOWN, NORTH DAKOTA 58401



ASK!

...And the
gates may
open...