

IN THE MATTER OF

LITTLE MISSOURI RIVER CROSSING  
ENVIRONMENTAL IMPACT STATEMENT  
PROJECT # FHO-02-04(001)  
PCN # 16970  
BILLINGS COUNTY, NORTH DAKOTA

TRANSCRIPT OF  
ALTERNATIVES PUBLIC WORKSHOP

Taken At  
Best Western Doublewood Inn  
1400 East Interchange Avenue  
Bismarck, North Dakota  
July 22, 2008

BEFORE KADRMAS, LEE & JACKSON

1           (The proceedings herein were had and made  
2 of record, commencing at 5:15 p.m., Tuesday, July  
3 22, 2008, as follows:)

4           MS. TURNBOW: I'd like to get started and  
5 welcome everyone for coming out this evening. This  
6 is for the Little Missouri River crossing  
7 environmental impact statement. And I would just  
8 like to do some quick introductions tonight. I'm  
9 Jennifer Turnbow with Kadrmas, Lee & Jackson, and  
10 along with -- we have some members from KLJ here.  
11 We have Becky Rude sitting right here in the front,  
12 Wade Frank, Craig Kubas, we have Charlotte Brett,  
13 who's sitting at the sign-in table, Jerry Krieg in  
14 the back, and Troy Ripplinger was here, so he'll be  
15 coming back. I'm sure. And then we also have  
16 representatives here from the North Dakota  
17 Department of Transportation and the Federal  
18 Highway Administration.

19           And with that, I will get started with  
20 tonight's presentation. We're just going to do a  
21 quick -- we'll do a quick overview of what we're  
22 going to be discussing, and that would be we're  
23 going to talk about the purpose and need,  
24 alternatives development, roadway alternatives,  
25 structure options, kind of what's the next step in

1 the process and the project schedule and then we  
2 can go to some questions and comments.

3 So just to first get started, an  
4 environmental impact statement was initiated for a  
5 proposed roadway river crossing in conjunction with  
6 upgrading existing roadways to connect east river  
7 to west river from North Dakota Highway 16 to U.S.  
8 Highway 85. The Little Missouri River crossing  
9 environmental impact statement project was  
10 initiated in a federal -- a notice of intent was  
11 filed in The Federal Register on October 12th,  
12 2006.

13 And here is a graphic of the study area.  
14 Basically the study area includes everything  
15 between the two units of Theodore Roosevelt  
16 National Park between 16 and 85, and it excludes  
17 the Elkhorn Ranch of the National Park Service.

18 Last March we held a lot of public and  
19 agency scoping meetings, and at that time we were  
20 seeking input on defining the purpose and need and  
21 the range of alternatives, and a lot of times at  
22 that meeting we heard that the study area needed to  
23 be expanded to include McKenzie County, and that  
24 was one of the reasons why the study area was  
25 expanded.

1           Just to give a quick overall purpose of  
2 this proposed project, it's to provide for the safe  
3 and efficient movement of people and commerce. And  
4 then specifically the purposes are to improve the  
5 transport of goods and services within the study  
6 area; to provide the public with a centrally  
7 accessible, safe, efficient, and reliable link  
8 between Highway 16 and U.S. Highway 85, and we  
9 often refer to that as system linkage; also, to  
10 connect the transportation network on the east side  
11 of the Little Missouri River to the transportation  
12 network on the west side, we refer to that as  
13 internal linkage; and, also, to accommodate a  
14 variety of vehicles ranging from two-wheel-drive  
15 passenger vehicles to also sorts of commercial,  
16 agricultural and industrial equipment.

17           As far as more of the need is concerned,  
18 it's to meet a variety of socioeconomic needs, and  
19 that is fire management, industry, which includes  
20 agriculture, oil and gas, and recreation and  
21 tourism.

22           And I just kind of wanted to quick back  
23 up. The last time that we came to the public was  
24 with the scoping meetings, and at that time we did  
25 not have a defined purpose and need, and what we

1 did is we took a lot of the input from the agencies  
2 and the public and we were able to have a more  
3 defined purpose and need, but we need to remember  
4 that a purpose and need is a living document and it  
5 may and should evolve throughout this environmental  
6 process. So I'm going to go through the need, but  
7 it may evolve throughout time, and tonight the bulk  
8 of our presentation will be about the alternatives  
9 and the structure options.

10 And with that, we'll jump right into fire  
11 management. Now, this graphic displays basically  
12 the 10 fire districts within the study area, and  
13 the different colors just represent those 10  
14 different districts. And between 2003 and 2007,  
15 142 wildfires were recorded in the study area, and  
16 I think, as most of you know in this room, that  
17 this area is pretty well-known for its fire  
18 potential, and the U.S. Forest Service has primary  
19 jurisdiction over wild land fires in the area and  
20 definitely over the U.S. Forest Service property.  
21 There's an average of about 600 wildfires that  
22 burned over 8,080 acres. And what we found in sort  
23 of our data collection is that these fire districts  
24 within the study area, they receive mutual aid and  
25 they also give assistance, so it's both. They're

1 helping each other out within the study area.

2           Agriculture. I just wanted to point out  
3 what's in the graphic. This white area is  
4 basically the farm service land, and I know it's  
5 kind of hard to see, but there's some dots within  
6 the study area and those represent farms or  
7 ranches. Approximately about 34 percent of  
8 Billings and Golden Valley and McKenzie County is  
9 for agricultural land, and the number of farms is  
10 decreasing, but the size of farms is increasing,  
11 and these farms and these ranches usually use  
12 fords, and the larger areas to manage creates  
13 higher farm-to-market costs.

14           For oil and gas, in 2006 approximately 348  
15 drilling permits were issued in the state. North  
16 Dakota produces approximately 2 percent of the  
17 nation's crude oil and it ranks ninth in its crude  
18 oil production. North Dakota has had two booms --  
19 oil and gas booms, and we're presently probably in  
20 a third boom. And basically in the area one of the  
21 concerns is the lack of system linkage within the  
22 study area.

23           And the last need for the project is  
24 recreation and tourism, and I'll just point out  
25 again on the study area map, the green represents

1 Forest Service land, the light green is National  
2 Park Service land, and this red sort of dashed line  
3 represents the Maah Daah Hey Trail. And there is a  
4 lot of tourism within the study area. We were in  
5 Medora last week and that's also kind of a tourist  
6 -- it is a tourist spot, and just sort of the  
7 influx of tourists creates demands on the local  
8 resources and we have heard that some of the  
9 general public does want increased access to some  
10 of these recreational opportunities in the study  
11 area.

12 With that, we are going to touch base on  
13 the alternatives development and Becky Rude will be  
14 speaking about that.

15 MS. RUDE: All right. Well, as Jen said,  
16 I'm just going to touch on the basic alternatives  
17 development, and the first step in this process was  
18 actually developing a methodology for developing  
19 alternatives and evaluating them, and we did this  
20 in a meeting with the lead and cooperating and  
21 participating agencies in July 2007, and what we  
22 came up with was a seven-step process.

23 And essentially what that is, the first  
24 step is gathering data from resource agencies,  
25 gathering it from state databases and using what is

1 called Geographic Information System to look at  
2 what's going on in the study area. The second step  
3 in that process was identifying the desired roadway  
4 features for the alternatives that we would be  
5 developing. And then the third step was what roads  
6 in our study area actually meet those minimum  
7 roadway features. And the next step was what  
8 roadway links can we make across the river with  
9 these minimum roads that we have identified. And  
10 the fifth step was then doing a field review, and  
11 the sixth is doing field surveys, which we're  
12 currently doing some of those and have completed  
13 some of those, such cultural resources inventory,  
14 wetland delineations, and we'll be starting  
15 biological resource surveys on the alternatives  
16 that you can see over here, which Craig will talk  
17 about in a little bit more detail.

18 And this seven-step process was done using  
19 the best data available that we received from the  
20 resource agencies and that we collected on our own.  
21 So as I talked about in one of the steps, was  
22 identifying potential roadway links across the  
23 river, and these were the river corridors, and what  
24 we did is we had such a large study area, that we  
25 broke it up into zones to make it more manageable.



1 This was done based on the existing roadway  
2 network. And we did this with the approval of the  
3 lead and cooperating agencies and we developed four  
4 zones, and we put these four zones through a macro  
5 analysis, essentially, in really basic terms, we  
6 inventoried the resources in those zones and ranked  
7 them. And from that we eliminated two zones and  
8 carried forward two zones, and within those two  
9 zones we determined eight alternatives that would  
10 be feasible to build and then we did the process  
11 all over again. We did another macro analysis  
12 basically what's going on in these eight corridors  
13 that we have identified that would be possible to  
14 construct, and from this we met with the lead and  
15 cooperating agencies, showed them what we had  
16 developed and said, here's these three build  
17 alternatives, and they approved these for carrying  
18 forward in the process. And I would like to say  
19 that these are 500-foot corridors that you'll see.  
20 You can look in more depth after our presentation,  
21 and, again, Craig will be speaking to these  
22 alternatives in greater detail than I will, but  
23 these are 500-foot corridors, and these are also --  
24 when I talk about these roadways that are -- I  
25 guess, would need little to no upgrading, we're

1 just looking at the river links. So these are --  
2 there was some confusion last week at the Medora  
3 meeting that we weren't actually connecting to  
4 Highway 16 and Highway 85. We are through existing  
5 roadways. These that you're seeing over here are  
6 actually what would need to be reconstructed or  
7 newly constructed roadways.

8           And we carried forward four alternatives.  
9 One of these is what we call alternative A, or a  
10 no-build alternative, and that would be what would  
11 happen if the project would not be carried forward.  
12 Basically it gives us a baseline condition to  
13 compare our build alternatives against what's  
14 currently out there.

15           And you can see on the screen B, C and D  
16 are the alternatives that we're going to be talking  
17 to you about tonight and, again, you can look at  
18 them in greater detail over here. And with that I  
19 will turn it over to Craig.

20           MR. KUBAS: Thanks, Becky. The first  
21 alternative that we studied was alternative B.  
22 It's approximately 10 miles long, and it connects  
23 Blacktail Road on the west side to Blacktail Road  
24 on the east side of the river. The two structure  
25 options that we were studying in alternative B were

1 a bridge and a low-water crossing.

2 And now I would like to take you through  
3 something we call a fly-through where we can take  
4 an aerial photo and follow through along this  
5 corridor. These are our three routes. The top  
6 route, the red route is route B. For a little  
7 reference, north is to the top of the page. The  
8 white ghosted-out area is what I refer to as the  
9 Eberts Ranch. The dark area in the middle is the  
10 Elkhorn Unit of the national park, and then here's  
11 route C and route D.

12 So right now we'll take a look at route B.  
13 Again, this is starting in Golden Valley County.  
14 This is Blacktail Road coming in right there. We  
15 can tilt the view to get a little perspective on  
16 the terrain that the road is going to follow  
17 through. This is following along a road that used  
18 to be called the Goldsberry Road, now I think some  
19 people refer to it as Beaver Creek Road, but it's  
20 following in general within this 500-foot corridor  
21 that Becky talked about following along an existing  
22 county road. And there's some areas that we might  
23 need to flatten out curves to meet the standards  
24 that Becky had talked about, the minimum design  
25 standards that we have, but in general we'll follow

1 this existing route, staying within that 500-foot  
2 corridor. We follow that road down to this  
3 intersection right here. At this point our route B  
4 will turn and head south for a couple thousand  
5 feet. At that point we're on the Little Missouri  
6 River bottom, following along an existing trail you  
7 can see right in the middle of our corridor, we  
8 come to a river crossing where Wade will talk a  
9 little bit more about the bridge and the low-water  
10 crossing that we're studying. For reference, this  
11 is Blacktail Creek here and Whitetail Creek going  
12 towards the top of the screen.

13 So our route as we cross the river, it's  
14 generally going to parallel Blacktail Creek the  
15 entire way from here on out, staying to the south  
16 and west, following in between a hill and Blacktail  
17 Creek, and the road here, you can see it picks up  
18 an existing road and it's following along that  
19 existing trail. Here it's skirting around the  
20 existing Eberts Ranch site, again, paralleling  
21 Blacktail Creek. At this point right here our road  
22 goes on a small realignment. The existing road  
23 hooks more to the west. We go straight through  
24 right here, hook back up with the gravel road and  
25 connect back up with the existing Blacktail Road.

1 If you followed off the top of the page, this is  
2 off towards Fairfield and this way goes back  
3 towards East River Road.

4 So if we zoom out again for some  
5 perspective, our route B is 10 miles long,  
6 approximately, the Eberts Ranch and the Elkhorn  
7 Unit.

8 Our next route we looked at, route C, is  
9 approximately eight miles long and it connects with  
10 Bell Lake Road on the west side and, again, with  
11 Blacktail Road on the east side. We're only  
12 studying one crossing option here, which is a  
13 bridge, and, again, Wade will talk about that.

14 And, again, we'll go through the  
15 fly-through for route C. And this is Bell Lake  
16 Road right here. Our other option was starting up  
17 there. At this point this is Bell Lake Road with  
18 the intersection of Beaver Creek Road again.  
19 Again, we're looking at a 500-foot corridor that  
20 our route would stay within, and it's generally  
21 following along this existing road, following along  
22 this ridge line, heading generally in an easterly  
23 direction here, it turns north and it intersects  
24 with another gravel road right -- right up here.  
25 At this point our route turns and heads to the east

1 and then drops down and, following along a road  
2 again, follows along this draw. This is about a  
3 mile and a half down to the river, at which point  
4 we study a bridge for a river crossing right here,  
5 crosses into the Little Missouri River bottom, up  
6 over a hill and connects back up. And at this  
7 point right here it's following out with the same  
8 route that alternative B was following on as you  
9 can see there. So, again, this route is  
10 paralleling Blacktail Creek from this point out,  
11 following along the existing gravel road, staying  
12 within that 500-foot corridor, going through the  
13 small realignment area, and then eventually  
14 connecting up with Blacktail Creek Road right  
15 there.

16 So, again, for some overview perspective,  
17 this is alternative C. It's approximately eight  
18 miles long.

19 Alternative D begins at the same point  
20 that alternative C starts at, at Bell Lake Road and  
21 Beaver Creek Road, and it connects with East River  
22 Road on the east side of the river. We're studying  
23 the bridge and the low-water crossing options at  
24 this alternative.

25 And, again, we'll do the fly-through.

1 There's the beginning of route D. This is Bell  
2 Lake Road right here. And we'll spin around here  
3 just so we're kind of traveling the way we would be  
4 heading as we walk through this or fly through this  
5 alternative. We'll kind of spin around so we're  
6 facing towards the south here. Again, this is Bell  
7 Lake Road and, again, that same 500-foot corridor  
8 that we would be staying within, generally  
9 following along Bell Lake Road. This is about two  
10 and a half miles on Bell Lake Road to a point right  
11 here where it's not shown on the aerial photo, but  
12 there's a road constructed there right now, it's  
13 Forest Service Route 7089, and we'd follow that  
14 Route 7089, which follows along the ridge line for  
15 about a mile, and we follow that to a point right  
16 here where we drop down into a draw again and we  
17 stay -- it's hard to tell with the width of this,  
18 but we're staying to the north side of this draw.  
19 Here Dry Creek comes in. At this point our  
20 alignment will hook down into the river bottom,  
21 crossing Dry Creek right there. At this point  
22 we're staying on the river bottom, crossing the  
23 river, again, studying a bridge and a low-water  
24 crossing, and curving around this ridge and  
25 connecting back up with East River Road, which is

1 right here. This is East River Road heading  
2 towards Medora and East River Road heading up  
3 towards Blacktail Road.

4 If we zoom out again for an overview of  
5 route D, this is approximately seven miles, with  
6 the Elkhorn Unit and the Eberts Ranch. Again,  
7 there's route C and route B.

8 And with that, I'm going to turn it over  
9 to Wade to talk in a little more detail about our  
10 structures.

11 MR. FRANK: As Craig said, generally we're  
12 looking at bridge and low-water crossing  
13 alternatives -- or options, I should say, with the  
14 exception of at location C, which I'll talk about  
15 in a little bit.

16 For the bridge alternatives, we're looking  
17 at designing it to an elevation that would be above  
18 the 25-year flood flow, and that's based on DOT  
19 criteria for this classification of road. The  
20 bridge would be designed using DOT and Federal  
21 Highway standards. And our goal with the bridge  
22 options is to try to get them to blend into the  
23 surroundings as much as possible.

24 A low-water crossing is a little bit  
25 different. They're designed basically just to



1 carry the normal flows in the river, and during  
2 heavy rain events or during spring runoff the water  
3 and river would actually go over the top of the  
4 structure and the road would be impassable for a  
5 period of maybe one to three weeks depending on the  
6 magnitude of the flood flows. So that could happen  
7 every year, it could be every two, three, four,  
8 five years. We don't really know, but that's the  
9 general purpose.

10 This is a photo of a low-water crossing  
11 called the 3-Vs low-water crossing, which is  
12 located in Slope County, and it just consists of  
13 basically a bunch of lines of concrete box culverts  
14 and the vehicles drive right on top. And as you  
15 can see, you need the terrain to be pretty low to  
16 the water on either side to make this feasible.

17 Because this one is in Slope County, it's  
18 quite a bit upstream from the crossing sites that  
19 we're looking at here, so for our options we're  
20 probably going to end up with quite a bit larger or  
21 more of these structures to handle the magnitude of  
22 the water. Here's a photo of what it looks like  
23 when the water goes over the top. And you can see  
24 you can't see the edge anymore, so it's just not  
25 practical to go across.

1           Typically on a bridge project when we  
2 estimate the length of a bridge, we're using some  
3 pretty detailed information, including survey data  
4 and hydrologic and hydraulic analysis. Because of  
5 the size of the study area that we're looking at so  
6 far, we've used some limited survey data, and the  
7 primary limitation that we have right now is we  
8 don't have any data across the river channel  
9 because last month when our surveyors were out, the  
10 river was fairly high from the recent rains that  
11 were falling in the area so they weren't able to  
12 get into the river. So as we move forward, if  
13 these stay viable and we continue to study them,  
14 we'll probably get more survey data so we can be  
15 more accurate with our bridge length determination.

16           As a starting point, we use the survey  
17 data that we do have and some existing information  
18 we have from a gaging station in Medora that tells  
19 us the depth and flow of the river during certain  
20 flood events.

21           What we came up with so far is for  
22 alternative B, a bridge length of about 600 feet,  
23 for alternative C, 1,050 feet and for alternative  
24 D, about 750 feet.

25           We have these boards in the back that we

1 can look at on an individual basis with anybody who  
2 has a question, but basically this is alternative  
3 B, and you can see the terrain on either side is  
4 fairly similar so that the bridge fits fairly well.  
5 What we're showing right now is the distance  
6 between there and there and there and there is  
7 about 200 feet, and those structures are referred  
8 to as piers, so the span between the piers is about  
9 200 feet, and we did that to try to minimize the  
10 numbers of piers that would have to be constructed  
11 in the river to minimize potential impacts from  
12 that. As we move forward, that becomes somewhat of  
13 an engineering decision and a cost-balancing act, I  
14 guess, because the farther you put the piers apart,  
15 the bigger the beams need to be, and sometimes the  
16 beams can be more expensive and it's just a  
17 cost-balancing act. I just want to make the point  
18 that as we move forward, this may change, we may  
19 end up with more piers, but we'll determine that as  
20 we go.

21 Alternative C, the west side -- or I guess  
22 it would be the north side -- anyway, this side is  
23 15 to 20 feet higher than that side, and that's why  
24 I said before that a low-water crossing isn't  
25 particularly feasible at this site, because we

1 would have to cut this hill down to about there to  
2 get that to fit, and it just becomes very difficult  
3 for a road coming out of the river to try to catch  
4 up to the road that we're trying to match into with  
5 the slopes. It's just not really practical. So,  
6 again, as we move forward, it could change, we  
7 could figure out a way to evaluate it, but for now  
8 we're saying that this is the feasible option at  
9 this site.

10 Alternative D is similar to B in that the  
11 terrain is similar on each side and the bridge fits  
12 in fairly well into the terrain, and like  
13 alternative B, the bridge, at least from this  
14 perspective, doesn't obscure some of the landscape  
15 features. At all of the sites the clearance from  
16 the top of the water at the time this photo was  
17 taken to the bottom of the beam is roughly 15 feet.  
18 That's just a function of the criteria that we're  
19 using. With that, I'll give it back to Jen.

20 MS. TURNBOW: This is a slide, we are in  
21 an environmental impact statement process, and the  
22 draft EIS, the typical chapters that are in the  
23 draft EIS are the purpose and need, alternatives,  
24 affected environment, environmental impacts and  
25 mitigation, and then a chapter on agency and public

1 involvement.

2 And some of the common environmental  
3 impact categories that we analyze are listed on the  
4 screen, but we analyze anything from wetlands, to  
5 social impacts, to land use, the sort of gamut, to  
6 cumulative impacts, secondary impacts, and that  
7 will be analyzed for the no-build and for the three  
8 build alternatives that will be carried forward.

9 And just sort of a general schedule. We  
10 are taking comments from the public and from the  
11 agencies right now, and as you came in and I think  
12 in your handouts you received a comment card, and  
13 feel free to fill those out tonight, give them  
14 to -- we have a basket located in the back, you can  
15 e-mail your comments, send them in, but those need  
16 to be in by August 22nd. The draft EIS will be out  
17 the spring of '09, the final EIS the winter of '09,  
18 with a record of decision the winter of 2010, and  
19 construction would follow then somewhere in 2011 or  
20 '12.

21 Another kind of housekeeping item that I  
22 didn't say at the beginning, which I should have,  
23 is we have a court reporter here, and so if anyone  
24 has any questions or comments, if you could please  
25 state your name first for the court reporter, and

1 we just need to make sure, too, that she would be  
2 able to hear you.

3           And I do also want to clarify that when  
4 I -- Becky and I had both talked about the lead and  
5 cooperating agencies for this project. The lead  
6 agencies are Billings County, the North Dakota  
7 Department of Transportation and the Federal  
8 Highway Administration. And the cooperating  
9 agencies are the U.S. Army Corps of Engineers and  
10 the U.S. Forest Service.

11           With that, that concludes -- yes,  
12 Charlotte.

13           MS. BRETT: Just one other housekeeping  
14 item. If any of you came in and didn't sign in, if  
15 you would sign in here, that would be great to get  
16 a record of who's at the meeting, and then also  
17 leave your address -- mailing address and/or e-mail  
18 address so you can get on our mailing list and  
19 receive information about the project in the  
20 future. There are handouts here, as Jen said, and  
21 self-addressed, stamped envelopes to provide your  
22 comments if you don't leave them in this basket  
23 tonight. Thanks.

24           MS. TURNBOW: Right. And there's one  
25 other housekeeping item I would like to say, and I

1 should have at the beginning, is that, as you can  
2 see, we have different, what we call, stations  
3 here. We have the structure options, the purpose  
4 and need, the alternatives, and we will be standing  
5 at these stations after any questions that we have  
6 and comments so you can talk to us members of the  
7 KLJ team, and the DOT and Fed Highway will be able  
8 to answer your questions, too. With that we can  
9 open up for questions. That concludes our formal  
10 presentation. Yes, sir.

11 MR. SCHAFER: My name is Wayde Schafer and  
12 I'm with the Dakota Chapter, Sierra Club. I have a  
13 question. Has there been any studies as far as the  
14 noise impacts to the national park unit associated  
15 with each of the alternatives?

16 MS. TURNBOW: I should have clarified  
17 that, I guess. We have the three build  
18 alternatives, and we are doing some field studies  
19 right now, such as cultural resources and some  
20 wetland delineations and biological resources, but  
21 we will be doing some sort of a noise analysis and  
22 we will have further information on what that  
23 basically pertains, you know, to the National Park  
24 Service. We're getting further guidance in August.  
25 So right now nothing has been done, but we're

1 anticipating that there will be something done.

2 Yes.

3 MS. REINKE: My name is Colleen Reinke.

4 And I may have missed it in your presentation, but

5 it seems like in the whole stretch of river all

6 these projects are clustered just in one place.

7 Can you explain why that ended up happening?

8 MS. TURNBOW: Basically what we had -- and

9 I think probably there will be some interjections

10 here as I talk. But what we did is a zones

11 concept. Those four zones stretched out between

12 the two units of the National Park Service of

13 Theodore Roosevelt National Park, and then what we

14 were able to do was narrow down those two zones to

15 two, and then what we came up with were eight

16 feasible alternatives or alternatives that would be

17 able to be constructed, and from those eight

18 alternatives they were more spread out, then we did

19 another sort of analysis and that's how we got

20 these three build alternatives. I hope that

21 answers your question.

22 MS. REINKE: Why were the three

23 alternatives picked rather than the other ones?

24 MS. TURNBOW: What we did is we had a lot

25 of categories, sort of -- I don't know, there's



1 roughly probably 15 categories, and they range  
2 anywhere from centrally located to threatened and  
3 endangered species, to big horn sheep, and all  
4 these categories, they basically received total  
5 scores, and that's how we were able to carry these  
6 three forward.

7 MS. SHORT: My name is Sandy Short and I  
8 have two questions. How high is the low-water  
9 crossing? Will boaters get under it -- canoers?

10 MR. FRANK: Probably not when there's  
11 running water.

12 MS. SHORT: And how high are the bridges  
13 above the water?

14 MR. FRANK: At the time the photos were  
15 taken, about 15 feet above the water, and that's  
16 just because of the --

17 MS. SHORT: Was the river up then?

18 MR. FRANK: Yeah. Yeah.

19 MS. SHORT: And, also, why a 500-foot  
20 corridor? Does that mean that land is gone?

21 MS. TURNBOW: No. That's just what we  
22 needed to pick a corridor width to study --

23 MS. SHORT: Okay.

24 MS. TURNBOW: -- for our different field  
25 studies, and just basically when we had that

1 matrices and we walked through some of these  
2 categories, we needed just a width to study and 500  
3 feet was chosen. I'm sorry. It's probably roughly  
4 like a hundred feet.

5 MR. FRANK: The limits of it.

6 MR. RUDE: It's to allow for variability.  
7 Say, if we go out in the field and we come upon a  
8 cultural resource site, we would be able to modify  
9 the route and allow for a shaping of the route.

10 MR. JENKINSON: My name is Clay Jenkinson.  
11 I thought I heard you say that this was being  
12 positioned between the two units of Theodore  
13 Roosevelt National Park, but in fact there are  
14 three units of Theodore Roosevelt National Park,  
15 and all of these alternatives are remarkably close  
16 to that third unit, which in the eyes of many is  
17 the most pristine and historically important of the  
18 three units. What weight are you attaching to that  
19 property as opposed to the two better-known units  
20 of the park?

21 MS. TURNBOW: A category in sort of our  
22 analysis was the proximity to the Elkhorn Ranch.

23 MR. JENKINSON: Right, but --

24 MS. RUDE: Essentially as we did our  
25 analysis right now, and we are talking to

1 participating and cooperating and lead agencies,  
2 you know, about that process, we just had a meeting  
3 about it, but essentially what we did is when we  
4 did our macro analysis that I talked about,  
5 everything was relative to one another. The zones  
6 were ranked relative to what was actually occurring  
7 in each zone, the corridors were ranked -- the  
8 scoring process was done relative to each corridor.  
9 Say, threatened and endangered species, if one  
10 had -- one corridor had like 15 threatened and  
11 endangered species -- that's an exaggeration, but  
12 15, that was the highest one, that would receive  
13 the highest score. Valerie.

14 MS. NAYLOR: No. I was just flexing.

15 MS. RUDE: Nothing was weighted. We were  
16 attempting to be objective on the process.

17 MR. JENKINSON: Let me ask a technical  
18 question. How close is the farthest road from the  
19 Elkhorn?

20 MS. TURNBOW: The farthest road or the  
21 farthest alternative?

22 MR. JENKINSON: Well, of the three  
23 alternatives that are on the table, which is the  
24 farthest from that?

25 MS. TURNBOW: It's alternative D. Is that

1 correct?

2 MR. FRANK: Yeah.

3 MR. JENKINSON: And how far is that?

4 MR. FRANK: Can you measure that in  
5 Google?

6 MS. TURNBOW: We'll get an answer here.  
7 Just one second.

8 MS. RUDE: Alternative D is about two  
9 miles from the Elkhorn Ranch.

10 MS. BORCHERT: I think it would be good to  
11 point out that two of the eight alternatives were  
12 eliminated because they were too close to Elkhorn.

13 MR. JENKINSON: Well, how close is -- two  
14 miles, did you say?

15 MS. TURNBOW: I guess it's something that  
16 we should -- two of the eight, as Jeani had said,  
17 actually scored lower than alternative D. However,  
18 they were on the National Park Service and the land  
19 that the State Historic Preservation Office owns,  
20 and so we did eliminate those based on their  
21 proximity to the Elkhorn Ranch.

22 MR. JENKINSON: But a viable alternative  
23 is a bridge two miles from the Elkhorn site, is  
24 what you're saying?

25 MS. TURNBOW: Right now.

1           MR. FRANK:  What we've identified is  
2 alternatives that were feasible from an engineering  
3 and construction perspective.  We didn't weight  
4 anything because we couldn't get a handle on what's  
5 more important to who, so the public input and the  
6 agency input is the opportunity, I think, to put  
7 weight to it.  We didn't feel it was appropriate  
8 for us to put weight.

9           MR. JENKINSON:  Okay.

10          MR. SCHAFER:  So you're saying that all --  
11 you didn't weight the park versus -- you know,  
12 everything out there was equal?

13          MS. RUDE:  Yes.

14          UNIDENTIFIED SPEAKER:  The cost?

15          MR. SCHAFER:  That doesn't really make  
16 sense, does it, because the park is a national  
17 park?  It obviously has more.

18          MS. BRETT:  This was a preliminary  
19 analysis that was designed to go from the whole  
20 entire study area to a few routes that could be  
21 studied in more detail, and there will be a much  
22 more detailed impact analysis that's done on the  
23 routes that are carried forward, and that will  
24 include things like noise, proximity impacts to the  
25 national park, including noise and visual impacts

1 as well as all of the other impact categories that  
2 were up on that slide that Jennifer looked at. So  
3 it's a matter of where we are in the process, and  
4 not having gotten to the point yet of doing a  
5 detailed impact analysis.

6 MR. SCHAFER: You've already eliminated  
7 alternatives that were quite a ways from the park.  
8 Now we have to choose between the lesser of three  
9 evils because you're not going to be able to bring  
10 back in a route that was 10 miles from --

11 MS. RUDE: That's actually not true. We  
12 could potentially bring -- if it shows that in our  
13 analysis that we would have, you know, a great  
14 impact on, say, the Elkhorn Ranch Unit of the park,  
15 that could throw it out and then maybe we would  
16 bring something back in. Charlotte hit the nail on  
17 the head, this is still preliminary. There's still  
18 potential for alteration.

19 MS. TURNBOW: I don't know which one is  
20 first.

21 MS. NAYLOR: I'll defer. No, go ahead.  
22 You go first.

23 MS. SWENSON: I'll go first.

24 MS. TURNBOW: Okay. Go ahead.

25 MS. SWENSON: Jan Swenson. I'm with the

1 Badlands Conservation Alliance. You know, I think  
2 we're all in this room jumping the gun. We went --  
3 I've attended all the scoping meetings in Medora  
4 and Bismarck that existed over this project, and  
5 the two initial meetings where you were getting  
6 public input for purpose and need were anecdotal.  
7 It was folks giving -- lining up and giving, you  
8 know, rah-rah speeches about fire and ambulance and  
9 all that sort of thing, and that's all well and  
10 good, that's concern for each and every one of us,  
11 whether we're talking about somebody that lives  
12 there or we're talking about a recreational user or  
13 we're talking about an oil industry worker.

14 But at that time BCA sent a four-page  
15 letter with questions asking about analysis of ever  
16 so many things that pertained to a purpose and need  
17 in the first place, whether it was, is this really  
18 going -- is this road really going to provide a  
19 safer environment for the community, for oil  
20 workers, for tourists, et cetera, how will this  
21 road affect businesses already established, whether  
22 they're in Medora or Watford City, that will  
23 definitely be impacted by this road. Some kind of  
24 weight that has to do with whether a road is truly  
25 necessary, whether there are less expensive

1 alternatives to solve some of the problems. I  
2 mean, if there are fire concerns, if there are  
3 emergency concerns, can we make improvements in  
4 communications that might allow this bridge not to  
5 be built?

6 This is a huge deal. This is a huge deal  
7 for the -- for the people that live in the Little  
8 Missouri River Valley, for the Little Missouri  
9 Grasslands, for all of North Dakota, and for the  
10 nation, because we're talking about a national park  
11 unit. And it's like we have been asked to just  
12 jump over that whole purpose and need aspect of  
13 this. And if you can give me all the materials  
14 that you did, all the analysis that you did, it  
15 would be easier to hush, but, you know, until I see  
16 that, I'm going to keep saying, do we need this  
17 bridge at all? And I don't see as you move  
18 forward, when you talk about the no-action, it's  
19 like you're using it as background. You're not  
20 truly looking at it as one of the alternatives.

21 MS. RUDE: We are definitely looking at it  
22 as one of the alternatives. That's part of the  
23 National Environmental Policy Act, and it does. It  
24 provides a baseline, and, I mean, there's a  
25 potential that in the end when we go through the



1 environmental impact statement, we may very well  
2 end up picking the no-build alternative.

3 MS. SWENSON: But it's got to be more than  
4 a baseline. It's got to truly be one of the  
5 alternatives. You know, having attended all of the  
6 scoping meetings so far, and in particular the two  
7 in Medora, the meeting in Medora a year ago was not  
8 the meeting that I was at a week -- less than a  
9 week ago. It was just not as far as the purpose  
10 and need goes.

11 MS. TURNBOW: I guess just to address, at  
12 the scoping meetings, under SAFETEA-LU, which is  
13 the new federal transportation bill, they had  
14 certain guidelines that the environmental process  
15 has to follow. And under SAFETEA-LU basically  
16 what -- there was a big change. Normally what we  
17 would usually do is when we had a project, we came  
18 up with purpose and need and then we came up with  
19 alternatives and then we went to the public and  
20 said, look, here's the purpose and need, here are  
21 our alternatives. Well, that switched under  
22 SAFETEA-LU where we were not supposed to develop a  
23 purpose and need fully until we received agency and  
24 public input. That's why we didn't have a much  
25 developed purpose and need at the time. We had

1 these sort of brainstorming topics that we had  
2 thought, well, you know, it could be a number of  
3 these things, but we needed to go to the public and  
4 to the agencies and say, hey, could you help us out  
5 with the purpose and need? And that's a big  
6 change. It's a big shift for everyone involved,  
7 for the public, for the agencies, for consultants,  
8 because it's different, because we're asking for,  
9 you know, help us define that purpose and need.

10 And I guess another kind of thing that you  
11 had said, too, is all the comments that we  
12 received, all the comment letters, all those type  
13 of things will be in the draft EIS with responses,  
14 so your questions will be definitely answered, you  
15 know, in that draft environmental impact statement.  
16 And I hope I explained that okay with the new  
17 SAFETEA-LU and why there was a large difference  
18 between how projects are normally done. Yes.

19 MR. JENKINSON: Clay Jenkinson. How will  
20 you develop a methodology to attach weight to  
21 endangered species, noise abatement, national park  
22 units, heritage ranches, and so on, as you move  
23 forward? Since at the moment everything is  
24 weighted equally, how will you develop a weighting  
25 system to know what matters more than something

1 else?

2 MS. TURNBOW: What will happen in the next  
3 steps is we have alternative A, which is the  
4 no-build, and three build alternatives, is we go  
5 through kind of the laundry list of environmental  
6 impact categories and then for each alternative we  
7 disclose in the draft environmental impact  
8 statement what those impacts are. They won't  
9 necessarily be weighted. All of it will just be  
10 disclosed. Like maybe -- this is totally  
11 hypothetical. You know, maybe alternative B, it  
12 could impact, you know, an endangered species, C  
13 would say this one doesn't, or whatever. I mean,  
14 all of that is analyzed and described in the draft  
15 environmental impact statement, so it's not  
16 necessarily weighted. It's just all disclosed.

17 MR. JENKINSON: But at some point isn't it  
18 necessary to determine that some weights are more  
19 important than other weights? I mean, at some  
20 point before a decision can be made, we'll have to  
21 decide whether, say, the national grasslands or a  
22 heritage ranch are as important as Roosevelt's home  
23 in the Badlands. At some point things aren't  
24 equal. At some point decisions are made based upon  
25 either an emotional weighting system or a

1 measurable weighting system, but that will occur  
2 whether we talk about it now or not, won't it?

3 MS. TURNBOW: Well, once it gets towards  
4 the end of the environmental process, the Federal  
5 Highway will have to sign the record of decision,  
6 and at that time they're going to have to balance,  
7 you know, along with Billings County and the DOT,  
8 the cost, the social impacts and the impacts to the  
9 environment for which one actually gets  
10 constructed, if any. I guess I hope that answers  
11 your question.

12 MS. BORCHERT: And public comments, also,  
13 weighs in.

14 MS. TURNBOW: I'm sorry.

15 MS. BORCHERT: And public comments.

16 MS. TURNBOW: And public comments, of  
17 course, yes. Alexis.

18 MS. DUXBURY: But I thought at the meeting  
19 last week what had gotten laid out, and correct me  
20 if I'm wrong, but that Federal Highway is a neutral  
21 party in this. They're simply interested in  
22 ensuring a process is followed. So can they  
23 participate in weighting?

24 MR. SCHRADER: Mark Schrader, Federal  
25 Highway. Part of the process is making that

1 decision at the end, but being we're working with  
2 the Corps of Engineers and the Forest Service as  
3 cooperating agencies, we would need their approval  
4 for the project to happen as well, so it would be a  
5 joint effort with multiple federal agencies all in  
6 agreement of the alternatives that would be  
7 allowed. It's possible that Billings County could  
8 choose from two alternatives if the federal  
9 agencies saw very similar impacts, similar costs,  
10 or it's possible that one or none of the  
11 alternatives would be allowed by the federal  
12 agencies. So the first round will be the federal  
13 agencies. Normally it's Federal Highway by  
14 ourselves on projects, but here we're with the  
15 Forest Service and the Corps of Engineers because  
16 each federal agency would have a federal action for  
17 this project to happen. So there's three. Federal  
18 Highway is the lead federal agency, but there will  
19 be three federal agency decisions for three federal  
20 agency actions for this project to move forward.

21 MS. DUXBURY: So to go back to the  
22 original discussion then, will the three  
23 agencies -- the three agencies that have an action  
24 to undertake, will they concurrently weight? How  
25 would that equate?

1 MS. BRETT: I would like to speak to that.  
2 My name is Charlotte Brett. I'm with KLJ. There  
3 are a lot of other state and federal laws and local  
4 regulations and permitting processes that all kind  
5 of fall under the umbrella of the National  
6 Environmental Policy Act, so when we're doing this  
7 EIS under NEPA, that says you have to look at the  
8 purpose and need, you have to look at a reasonable  
9 range of alternatives, you have to fully study and  
10 disclose impacts and disclose your coordination  
11 process, but then there are other laws that sort of  
12 do assign weights. For example, Section 4(f) of  
13 the Department of Transportation Act says that you  
14 can't impact something like a national park unless  
15 there's no feasible or prudent alternative. The  
16 Corps says you can't -- they can't issue a permit  
17 under 404 unless it's the least environmentally  
18 damaging practicable alternative. State law says  
19 that if you hit certain thresholds for traffic  
20 noise, you have to study abatement and look at  
21 that. You know, there are laws that protect  
22 cultural resources, a lot of different things, and  
23 so the weighting sort of comes into play on each  
24 resource based on the legal protection that's in  
25 place and that's afforded by that. So it is

1 something that happens as part of this process.

2 MS. REINKE: Colleen Reinke again. I  
3 guess I just say that I would have liked to have  
4 seen all of the alternatives that you looked at  
5 rather than having people I don't know pick the  
6 ones that might have been chosen for the reasons  
7 that you listed before, but it would be nice to see  
8 where the other ones were -- not just curiosity,  
9 but if you do end up not having one of these.

10 MS. TURNBOW: We can -- if everyone would  
11 like to see them, we can show like the eight we  
12 originally had.

13 MS. REINKE: Sure.

14 MS. TURNBOW: And all of this -- the  
15 matrices that we're talking about and all eight  
16 alternatives, all those types of things will be in  
17 like either a technical memo in the draft EIS or in  
18 appendices. It will be somewhere with all the  
19 information.

20 MS. BRETT: And one other thing. We are  
21 looking for feedback at this meeting, so as part of  
22 your comments if you think that you have ideas of  
23 alternatives that we should study or shouldn't  
24 study and why, that's what we're asking you for  
25 today. So please comment on it. This isn't a

1 final product. We don't even have a draft yet.  
2 We're just working our way through the process.

3 MS. TURNBOW: And I guess I'll just give  
4 you a quick rundown. These are the eight. They  
5 start here. Hold on one second here before we -- I  
6 guess these are the tiered -- we'll just turn those  
7 off right now. Okay. These were the eight. They  
8 started, this is 1, this is 2, 3, 4, 5, 6, 7 and 8.  
9 Now, the ones, of course, that we had just showed  
10 you that we are moving forward in the EIS were the  
11 red, the blue/purple and the green. Now, these  
12 two, which you can see one is right here by the  
13 Elkhorn, and this alternative right here, they did  
14 have lower scores than D, but we, of course, cannot  
15 carry these forward because of their proximity to  
16 the Elkhorn Ranch. But these were the eight that  
17 we used our macro analysis for to get the three  
18 build alternatives. And we did an iteration of  
19 this prior, and what we called that was a zones  
20 concept and those zones -- basically there were  
21 four zones and they stretched basically through the  
22 entire study area. Yes, ma'am.

23 MS. ROGERS: What was the study area? Was  
24 it the entire --

25 MS. TURNBOW: Yes. The study area is like



1 basically right here in this graphic right here.  
2 This is the entire study area.

3 MS. ROGERS: And where are those eight  
4 sites? If you could just circle a little circle  
5 around them.

6 MS. TURNBOW: These eight sites were  
7 basically kind of -- I don't know. They were like  
8 right in this area.

9 MS. ROGERS: But what about all the stuff  
10 north and south?

11 MS. TURNBOW: We had the four zones and  
12 they went basically, you know, one, two, three,  
13 four, the four fit in here, and we did an  
14 analysis -- a macro analysis and we are able from  
15 there, from the four zones, to eliminate down to  
16 two and in those two zones we developed these eight  
17 feasible alternatives.

18 MR. JENKINSON: Can you explain why the  
19 two that are most distant of the eight from the  
20 Elkhorn were eliminated?

21 MS. TURNBOW: The zones basically.

22 MR. JENKINSON: Well, you showed us eight  
23 and the one on the north perimeter and the one on  
24 the south perimeter are not in your short list.  
25 Can you explain why they were eliminated?

1 MS. TURNBOW: And you're basically, Clay,  
2 talking about like these up here?

3 MR. JENKINSON: That one is the north and  
4 that's the south. They're not in your short list,  
5 so what happened to that?

6 MS. TURNBOW: Those alternatives -- and  
7 you guys can help me out here. Some of the reasons  
8 why they were eliminated, I think, were because of  
9 40 percent slopes.

10 MR. FRANK: Very steep terrain.

11 MR. SKATTUM: Cultural.

12 MR. FRANK: Cultural resources, a lot of  
13 drainage features to try to cross or impact with  
14 the road. I think those were kind of the big ones.

15 MR. JENKINSON: Did you say cultural  
16 resources?

17 MR. FRANK: Yes.

18 MR. JENKINSON: Meaning what?

19 MS. TURNBOW: Archeological sites,  
20 prehistoric sites. Valerie. I'm sorry.

21 MS. NAYLOR: I'm Valerie Naylor,  
22 superintendent, Theodore Roosevelt National Park.  
23 I certainly appreciate the complexity of an  
24 environmental impact statement and doing detailed  
25 analysis and the amount of time and energy that

1 takes, and I understand that this is preliminary.  
2 However, the three alternatives that are currently  
3 being considered are unacceptable to Theodore  
4 Roosevelt National Park because of their proximity  
5 to the Elkhorn Ranch, and there's a lot of  
6 confusion I can tell in this room about how and why  
7 some of those other alternatives were eliminated.  
8 You had a matrix that had a lot of factors that  
9 were unweighted and then now they're saying that it  
10 was certain specific factors that caused those  
11 other alternatives to be dropped from the analysis.  
12 So that's confusing to me and probably to others.  
13 The noise considerations of these three  
14 alternatives will be huge. If anybody has ever  
15 spent the night in Cottonwood Campground in  
16 Theodore Roosevelt National Park's South Unit, the  
17 distance between the interstate bridge and  
18 Cottonwood Campground is about the same from any of  
19 these alternatives to the Elkhorn Ranch and you can  
20 hear that highway all night long. So I would  
21 question whether this is truly analyzing a range of  
22 reasonable alternatives at this point. And someone  
23 asked a question, I think it was Wayde, regarding  
24 whether we would ever go back to any of those other  
25 alternatives and it was stated that, yes, if these

1 all prove to be not feasible, we may revisit one  
2 other, but by not doing a detailed analysis on the  
3 other ones, you are skewing it towards these three  
4 particular alternatives, which are unacceptable to  
5 the national park.

6 In addition, if I may make one other  
7 comment, we have just spent about \$5 million of  
8 public money and a half million dollars of private  
9 donated funds to protect the Elkhorn Ranch lands,  
10 the former Eberts Ranch, and two of these three  
11 alternatives cut right through the heart of those  
12 Elkhorn Ranch lands, as well, and I think that that  
13 needs to be considered.

14 And one other comment on a completely  
15 different note. Somewhere in the beginning there  
16 you had a note about tourism being one of the  
17 reasons that this bridge or river crossing would be  
18 needed. I think some of that information was  
19 misleading because it said an influx of tourists  
20 requires this need and the Theodore Roosevelt  
21 National Park has the best data as it relates to  
22 the numbers of visitors to the Badlands over the  
23 last 60 years or so, and those numbers have been  
24 primarily steady for the last 20 or 30 years.

25 You also said that some of the general

1 public want increased access. Well, I'm sure that  
2 you can say some of the general public want  
3 anything, but I don't know how that's been  
4 quantified. And it's also that we have heard that.  
5 But I've actually never been told that by a member  
6 of the general public. So those are just a few  
7 comments. Thank you.

8 MS. RUDE: Just to go back to one of your  
9 comments, and I made that comment to Wayde about  
10 the possibility of adding in a previous  
11 alternative. That does not mean that it wouldn't  
12 go through a detailed analysis. It would be  
13 required to go through a detailed analysis.

14 MS. NAYLOR: But only if these three prove  
15 not feasible, but I think at this point you're only  
16 looking at doing a detailed analysis on the three  
17 that have already been narrowed down, and it seems  
18 to me that some of these critical resources,  
19 including the Elkhorn Ranch and the Elkhorn Ranch  
20 lands, require that a full range of reasonable  
21 alternatives go through the entire analysis  
22 process.

23 MR. SCHAFER: That was my concern, too.  
24 Yeah, those are still out there, but you're focused  
25 on these, so we have to prove a negative. We have

1 to prove that these aren't worthy, then we can look  
2 at those. I don't know the criteria that you used  
3 to come to these three, and that's where --

4 MS. RUDE: I can probably list some of  
5 them off. It was things relating to purpose and  
6 needs, such as centrally located, resources in the  
7 area, cultural resource sites, threatened and  
8 endangered species, natural heritage sensitive  
9 species. It is basically what we could quantify in  
10 the area. And also engineering feasibility. Is it  
11 possible with the topography in the area, can we  
12 actually construct a road, can we actually put a  
13 crossing in, that sort of thing.

14 MS. TURNBOW: And I guess --

15 MR. SCHAFER: I don't know very many  
16 people in this room that would think that those  
17 criteria you just listed are -- would be outweighed  
18 by the fact that it's a national park. That's  
19 where I'm having a problem. Yeah, the topography  
20 and all that. This is a national park. To me that  
21 should be thought about to be weighted. Well, you  
22 know, yeah, that should have a huge weight and  
23 these other things are way down the list. So  
24 that's why -- then come up with three alternatives  
25 that are definitely going to impact the park

1       whereas yet ten miles away, it wouldn't impact at  
2       all. That's the problem.

3               MS. TURNBOW: Oh, I'm sorry.

4               MR. SHORT: My name is Con Short. I have  
5       a ranch in the Badlands right in the middle of all  
6       of this. I think I can make -- I already have at  
7       the previous meeting. I don't think anyone who  
8       knows me think I have a preference of any  
9       alternative except A. I can't believe, I really  
10      can't, that -- what is it, 2008 and we're talking  
11      about running roads through the Badlands for one  
12      reason. We all know one reason. That's oil.  
13      There's no other reason. It hasn't been brought  
14      here, but that's it. I mean, I have several deer  
15      hunting friends here, some of them so old they  
16      can't hunt anymore, that hunted at the ranch for  
17      30, 40 years, they don't want to see a road out  
18      through the Badlands. They wanted to walk. As I  
19      say, they're getting old.

20              I think you've done a very nice job of  
21      presenting, by the way. You know, you guys have  
22      been honest and fair and you're not as complete yet  
23      as we would like to. I just want to register my  
24      opinion of being against the whole damn thing. I  
25      just think North Dakota will benefit and Medora and

1 the Badlands will benefit if we didn't do it.

2 Thank you very much.

3 MS. TURNBOW: Thank you. We will be  
4 around till 7, and all of us will be at some of  
5 these stations, so if you definitely have more  
6 questions or comments, come talk to us. Thank you  
7 very much for everyone coming out tonight. We  
8 really appreciate it.

9 (Concluded at 6:15 p.m., the same day.)

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CERTIFICATE OF COURT REPORTER

I, Denise M. Andahl, a Registered Professional Reporter,

DO HEREBY CERTIFY that I recorded in shorthand the foregoing proceedings had and made of record at the time and place hereinbefore indicated.

I DO HEREBY FURTHER CERTIFY that the foregoing typewritten pages contain an accurate transcript of my shorthand notes then and there taken.

Bismarck, North Dakota, this 31st day of July, 2008.

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Denise M. Andahl  
Registered Professional Reporter

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