NORTH DAKOTA
STATE REPORT
June 2010

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Oil and Gas Industry in North Dakota

Improvements in technology, increased global energy demand and the push for energy independence have resulted in a tremendous increase in gas and oil development across the United States.

Locally, development and oil production from the Bakken Formation has rapidly elevated North Dakota to one of the national leaders, currently ranking fourth in the nation for oil production. The energy industry has long been an important part of North Dakota's economy and the state has undergone numerous booms and busts over the years. However, never has the rate of oil and gas development approached the level of recent years, and projections suggest even more accelerated development in the immediate future.

The recent oil boom has been a huge economic benefit to North Dakota and is largely responsible for our ranking as one of the most financially stable states. However, huge financial gains from energy production cannot be expected without having negative influences on agriculture and tourism in the state. As the footprint of oil development expands and the cumulative impacts to natural resources such as water supplies and wildlife habitat increase, maintaining the sustainability of our rich natural resources will become increasingly challenging.

Natural resource impacts have been addressed to some extent in the past, but the industry is moving forward at an unprecedented rate and is predicted to continue at that pace, or increase. North Dakota's Department of Mineral Resources has been quoted as saying there are 4,631 active wells in the state, and to take full advantage of the oil reserves in the Bakken Formation the agency expects 20,000 wells to be active sometime in the future. Additionally, another formation, Three Forks, is expected to be even larger, which will lead to further development and subsequent impacts.

As a result, an energy task force was developed in the North Dakota Game and Fish Department to predict impacts to the fish and wildlife resource and its users. The vision is to approach the oil/gas companies and ask for voluntary conservation contributions to offset negative impacts to fish and wildlife resources. The basic philosophy is when a public trust resource is either exploited or damaged by industry, a portion of the proceeds be reinvested in the resource for the good of the public.

Renewable Energy in North Dakota

The state of North Dakota has two principle forms of renewable energy. Those are wind and corn based ethanol. The American Wind Energy Association ranks North Dakota as the number one state for wind energy potential. Although wind farms were never very common in the state, wind developers have erected dozens of projects in the past 3 to 4 years. Currently the state ranks tenth in wind production with 800 wind turbines (1200 megawatts) and estimates are that the state could ultimately have as many as 10,000 turbines in the next few years.

As we see it wind power has two broad impacts to fish and wildlife resources. One is the direct loss of habitat from constructing a wind turbine, access road and transmission line. When turbines are constructed on tilled lands the direct impacts tend to be relatively minor. However, when wind farms are constructed in areas that have important native habitat (i.e. native prairie and woodlands) the impacts have the potential to be much greater. Unfortunately, much of the highest wind potential in North Dakota overlaps those areas that contain large remaining portions of native habitat. With that said, grasslands with wind power are still better habitat than tilled ground.

The other concern is the indirect impacts caused by wind farms. As wind farms are constructed, dozens of miles of new roads and transmission lines are built. This fragments the habitat and causes disturbance to fauna that utilize the habitat.

Most of the land in North Dakota is privately owned (roughly 90%). To date, all of the wind development has been on private land. While the state's Public Service Commission has regulatory oversight on most of the wind farms being built, the North Dakota Game and Fish Department is limited in its ability to provide recommendation. We routinely meet with wind farm developers in the early design stage of projects, offering recommendations to avoid native habitats, minimize footprints of roads and transmission lines and notifying them of rare species locations.

North Dakota currently has five ethanol production facilities. North Dakota ethanol makers have the ability to produce about 350 million gallons of fuel each year, a tenfold increase in the last five years. However the industry has struggled to meet expectations for its economic viability and is initiating a new promotional effort to encourage investment and use of the product. The primary resource issues associated with ethanol production is the use of vast amounts of water (surface or ground) for production and the increased impetus for sodbusting of native habitats. The department's involvement in this issue is limited.

Elk in Theodore Roosevelt National Park

The National Park Service's preferred alternative that includes using certified volunteers to lower the elk population in Theodore Roosevelt National Park is similar to an alternative previously recommended by the North Dakota Game and Fish Department.

Terry Steinwand, Game and Fish Director, is basing the Department's remarks on an evaluation of the preferred alternative announced in March by the Park Service.

"Based on what we have read, there are a lot of similarities with what we recommended in September 2007," Steinwand said. "It seems the progression of techniques used in this preferred alternative is both logical and acceptable."

Most importantly, skilled volunteers have an opportunity to harvest an elk by using a direct reduction by firearms approach, and in return will be able to keep the meat – two issues about which the Game and Fish Department has been adamant since the Park Service started developing an Environmental Impact Statement.

"Both of these components are essential to garnering public support for the preferred alternative," Steinwand said. "Unless something unforeseen happens, it is our intention to give our support to the NPS and the preferred alternative."

CRP in North Dakota

Few programs in the past half century have been as important to fish and wildlife in North Dakota as the Conservation Reserve Program. Farmers and ranchers are familiar with the farm bill conservation program, but many options are unexplained to landowners.

With that said, the Game and Fish Department has partnered with Pheasants Forever, Ducks Unlimited and the U.S. Department of Agriculture's Natural Resource Conservation Service to create and fund five farm bill and conservation program biologist positions around the state to assist landowners and sustain wildlife habitat.

The struggle continues as CRP contracts expire. North Dakota lost more than 400,000 acres in 2007, 100,000 in 2008, 180,000 in 2009, and another 200,000 are set to expire in 2010. By 2013, another 1.2 million acres are projected to expire.

Mule Deer Tests Positive for CWD

North Dakota Game and Fish Department officials were notified in March by the U.S. Department of Agriculture's Veterinary Services that a sick-looking mule deer taken last fall in western Sioux County has tested positive for chronic wasting disease. This is the first time CWD has been detected in a North Dakota animal.

Dr. Dan Grove, Game and Fish Department wildlife veterinarian, said a hunter in unit 3F2 shot an adult buck that did not appear to be healthy. "As we do with our targeted surveillance efforts, we collected the sample to test for CWD and bovine tuberculosis," Grove said.

The Game and Fish Department's targeted surveillance program is an ongoing, year-round effort that tests animals found dead or sick.

In all, more than 3,000 targeted and hunter-harvested samples from 2009 were sent to a lab in Minnesota. Only the one mule deer in unit 3F2 tested positive for CWD.

Grove said one positive test result is not cause for alarm as the deer population remains healthy. “We’ve had a plan in place because of the presence of CWD outside of the state’s borders,” he added. “It is of high importance, however, that hunters continue to provide heads for testing.”

The deer population in unit 3F2 is above management goals, Grove said, so sampling efforts and hunter pressure will continue to be put on the population in the unit again this fall.

In addition to sampling 3F2, the Game and Fish Department will continue its three-year rotation of the Hunter-Harvested Surveillance program by sampling deer this fall from units in the eastern third of the state. In addition, all moose and elk harvested in the state, regardless of hunting units, are eligible for sampling.

Since the department’s sampling efforts began in 2002, more than 16,000 deer, elk and moose have tested negative for CWD. CWD affects the nervous system of members of the deer family and is always fatal. Scientists have found no evidence that CWD can be transmitted naturally to humans or livestock.

North Dakota’s Deer Season Set

North Dakota’s 2010 deer season has been set with 116,775 licenses available to hunters this fall, a decrease of 27,625 from last year and the fewest since 2001.

Randy Kreil, wildlife chief for the North Dakota Game and Fish Department, said a significant reduction in deer numbers was evident statewide this past year because of consecutive harsh winters and several years of an aggressive management approach. As a result, statewide hunter success rates dropped to 59 percent, down considerably from 70-75 percent success rates North Dakota deer hunters typically experience.

As a result, 35 of the 38 hunting units will have fewer deer licenses. The only exceptions are three units in the southwest where deer populations remain above management objectives and winter mortality was least evident.

Another noteworthy change from last year’s deer season is the use of lighted nocks on arrows is now allowed for big game archery seasons. Kreil said this is the only exception to the regulation that prohibits the use of electronic devices attached to the bow or the arrow.

2009 Deer Gun Season Statistics

North Dakota deer hunters took nearly 75,000 deer during the 2009 deer gun hunting season. Overall hunter success was 59 percent, down from 70 percent in 2008. The deer population was down from previous years because of the severe winter of 2008-09.

Game and Fish allocated 144,400 deer gun licenses in 2009, and more than 98 percent were issued to hunters.

Hunter success for white-tailed bucks was 69 percent and whitetail does was 61 percent.

Mule deer buck success was 73 percent, while mule deer doe hunters had a success rate of 74 percent.

Hunters with any-antlered licenses had a success rate of 59 percent, while any-antlerless license holders had a success rate of 56 percent.

Hunters drawing a muzzleloader license had a success rate of 34 percent, while youth deer season hunters had a success rate of 51 percent.

Paddlefish Snagging Season

The North Dakota Game and Fish Department announced that the state's 2010 paddlefish snagging season will close to any additional harvest effective at 10 p.m. Central Daylight Time, Saturday, May 15, 2010 to protect the paddlefish population level.

The 2010-12 fishing proclamation allows for the Game and Fish Department director to close the snagging season early if it appears more than 1,000 paddlefish will be harvested. If the season had remained open through the intended closing date of May 31, the harvest cap of 1,000 fish would have been exceeded substantially, putting additional pressure on the existing population. This marks the eighth time in the past 10 years that the season has closed early.

An additional snag-and-release season will run for a seven-day period from Sunday, May 16 through Saturday, May 22. Paddlefish snaggers with an unused paddlefish tag can continue snagging, but must release all fish immediately. Snaggers who already used their tag on a harvested paddlefish are not allowed to participate.

NASP State Tournament Expands

North Dakota's National Archery in the Schools Program is growing fast, if this year's state tournament is any indication.

"It was a great turnout," according to Jeff Long, NASP coordinator for the State Game and Fish Department. "We had 160 student archers, more than twice as many as last year. Our goal is to have 50 percent of the schools participating in NASP within the next five years."

NASP is a national program that helps schools incorporate archery target shooting into physical education curriculums. The Game and Fish Department provides grants to help schools purchase equipment, and also has equipment that schools can share.

The 2010 state tournament was the first held on-site at a central location, at the NISHU Bowmen's indoor archery range in Bismarck in March. Last year, students completed their tournament rounds at local sites and scores were compared statewide.

Spring Spawn Successful

Fisheries crews concluded a successful spawning season by surpassing a walleye egg goal that was the largest in more than a decade, and nearly reaching the target established for northern pike.

Jerry Weigel, fisheries production and development section leader for the North Dakota Game and Fish Department, said department staff, along with personnel from the Garrison Dam and Valley City national fish hatcheries, collected 60 million walleye eggs during spring spawning.

Crews collected 33.9 million walleye eggs from Lake Sakakawea over an 8-day period. In addition, 24.4 million came from Devils Lake, and another 1.9 million from Lake Audubon.

While near-record catches occurred on Lake Sakakawea, the higher water level at Devils Lake made netting difficult, resulting in a lower walleye catch at Devils Lake than in recent years.

Warm weather conditions dictated an early pike run, Weigel said, and a quick spawn resulted in an egg take of 14.3 million.

"We had a very short window, making pike egg collections a challenge," he added. "But staff netted six lakes – the most in one spring – and the above-average egg quality provided more than enough pike eggs to meet hatchery needs."

Weigel said plans are to stock approximately 9 million walleye fingerling into nearly 120 waters in mid-June, and 2.5 million pike fingerling into approximately 90 waters during the last two weeks of May.

Record Paddlefish

Alex Mergen can now stake claim to having caught the largest fish in North Dakota.

The 16-year-old angler from Rapid City, S.D., snagged a 130-pound paddlefish May 2 about 20 miles southwest of Williston near the confluence of the Yellowstone and Missouri rivers. The 74-inch fish took 10 minutes to land.

The previous record of 120 pounds was held since 1993.