

LITTLE MISSOURI RIVER CROSSING  
PUBLIC HEARING  
for the Draft Environmental Impact Statement

July 26, 2018

5:30 O'clock P.M.

TAKEN AT: Courtyard by Marriott  
3319 N 14th Street  
Bismarck, ND

REPORTER: JESSE L. ANDERS

(PURSUANT TO NOTICE)

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1	A P P E A R A N C E S	17:32:52 1	of the project as well, and, with that, I wanted to just
2	JEN TURNBOW	17:32:58 2	make mention that public hearings were advertised and
3	PROJECT MANAGER	17:33:02 3	then they were rescheduled, and we apologize for any
4	KLJ	17:33:08 4	inconvenience that caused anyone. We basically, the
5	PO Box 1157	5	notice of availability for the draft environmental
6	Bismarck, ND 58502	6	impact statement has to be in the federal register, and
7	lmrc@kljeng.com	7	that was delayed, and so, therefore, because of time
8	TROY RIPPLINGER	8	requirements we needed to then postpone and reschedule
9	PROJECT ENGINEER	17:33:23 9	the public hearings so that there was enough time for
10	KLJ	17:33:27 10	public notice as well as public comments, so, with that,
11		17:33:32 11	the public hearings were rescheduled, and the deadline
12		12	for the comments was also extended to August 20, so we
13		17:33:39 13	apologize about that. We have a good crowd out here
14		17:33:41 14	tonight so we'll get started. So just a little bit
15		17:33:45 15	about the project. The project is for a proposed river
16		17:33:50 16	crossing or bridge over Little Missouri River and the
17		17:33:54 17	associate roadways to connect the bridge, and we are
18		17:33:58 18	doing an environmental impact statement. The draft EIS
19		17:34:02 19	was out for public viewing, and it was also in the
20		17:34:06 20	federal register, and this project is also a gravel
21		17:34:08 21	roadway, 35 miles an hour speed limit, and the lead
22		17:34:12 22	agencies for the project are Billings County, the North
23		17:34:17 23	Dakota DOT and the Federal Highway Administration, and
24		17:34:20 24	we also have two cooperating agencies, and those are the
25		17:34:23 25	US Forest Service and US Army Corps of Engineers, and
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17:31:26 1	MS. TURNBOW: So thank you all for coming	17:34:25 1	along with that with safety lieu we had numerous
17:31:26 2	out this evening for the Little Missouri River Crossing	17:34:30 2	participating agencies as well working on the project
17:31:30 3	Environmental Impact Statement public hearings. We held	17:34:32 3	throughout the length of the project. We're just, talk
17:31:33 4	our first public hearing in Medora on Monday, and so	17:34:36 4	a little bit about the project's purpose and need, and
17:31:37 5	tonight is the second public hearing for the project,	17:34:38 5	the real driver of the project and the overall purpose
17:31:40 6	and we'll just get started, and there are some chairs	17:34:42 6	is to improve the internal system linkage within
17:31:43 7	here up front. There's five and there's some in the	17:34:49 7	Billings County, basically to connect the east river to
17:31:50 8	middle for those who need a chair, and I just wanted to	17:34:49 8	West River to provide the public with a very safe
17:31:52 9	let everyone know we have a court reporter here this	17:34:52 9	reliable and efficient connection over Little Missouri
17:31:53 10	evening, and his name is Jesse and Jesse will need you	17:34:56 10	River and to also utilized that existing transportation
17:31:58 11	to, if you have a comment or a question, please state	17:35:01 11	network and upgrade roadways and create new roadways as
17:32:01 12	your name for the official transcript tonight and so we	17:35:05 12	well as to accommodate a variety of vehicles. This need
17:32:05 13	may remind everyone, so I just wanted to let you know,	17:35:10 13	dates back to the 30s, and then in the 70s was kind of
17:32:08 14	and, in addition, in your, if everyone got a handout,	17:35:15 14	where this project started, and Billings County has
17:32:15 15	there is a public participation survey in there for the	17:35:19 15	identified this need for a river crossing since that
17:32:17 16	North Dakota Department of Transportation, and we would	17:35:22 16	time, and, basically documenting concerns that roadways
17:32:18 17	encourage everyone to fill those surveys out. It is,	17:35:27 17	in the area were unreliable in inclement weather, and
17:32:24 18	you don't have to but we definitely encourage that for	17:35:31 18	they made them virtually impossible especially with the
17:32:27 19	the North Dakota DOT, and you can leave those surveys in	17:35:34 19	Little Missouri River. There was no connection between
17:32:31 20	the comment basket that's right outside the door where	17:35:36 20	the east river and West River. There are bridges at, in
17:32:35 21	you signed in, so we really appreciate that, and today	17:35:39 21	Medora on the I-94, so there's I-94 bridges, and then
17:32:39 22	we're just going to walk through some of the objectives	17:35:43 22	the next bridge is the Long X Bridge on US Highway 85,
17:32:42 23	of the hearing tonight, and we'll talk a little bit	17:35:46 23	and so it's about 70 miles round trip if you cannot ford
17:32:44 24	about the project, about the project's purpose and need,	17:35:53 24	one of the, ford the river, and so it's really, this
17:32:48 25	the preferred alternative and then some of the impacts	17:35:55 25	project and the driving need is to improve that system

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17:35:58 1 linkage within Billings County and have it safe and  
 17:36:01 2 reliable, and that's for farm to market, local traffic  
 17:36:06 3 and emergency vehicles and then other users such as  
 17:36:10 4 agriculture, oil and gas and recreation and tourism.  
 17:36:17 5 This is just a photo basically depicting that most of  
 17:36:21 6 the crossings on Little Missouri River are on private  
 17:36:26 7 fords. There is one public ford, but basically how most  
 17:36:28 8 people get across is that they drive through the Little  
 17:36:31 9 Missouri River, and so you have to gain land owner  
 17:36:32 10 permission to do so. With this, in North Dakota, what  
 17:36:37 11 we've heard a lot is, you know, what is, there's not  
 17:36:41 12 enough population sometimes to have, construct a new  
 17:36:45 13 bridge or a roadway associated with that. We live in a  
 17:36:51 14 very rural state where the North Dakota Department of  
 17:36:54 15 Transportation does construct bridges and roadways for  
 17:36:57 16 one to two users because farm to market, for, also for  
 17:37:01 17 safety, and so this is done, and, across the state, and  
 17:37:04 18 just a scenario here is just when you have to cross the  
 17:37:09 19 river you have to get land owner permission to ford the  
 17:37:10 20 river or else drive the 70 miles around. Some of the  
 17:37:16 21 other questions that we've received is regarding  
 17:37:22 22 traffic, and so the primary traffic types are oil and  
 17:37:26 23 gas, recreation, agriculture and then local users, and  
 17:37:30 24 most of these roadways, the main roadways within in the  
 17:37:33 25 county, they carry about a hundred to two hundred

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17:37:38 1 vehicles per day, and with the river crossing, basically  
 17:37:41 2 the local traffic will be redistributed, so they'll just  
 17:37:43 3 have different travel patterns, and most of that local  
 17:37:46 4 traffic will use the bridge for, in that area, and so  
 17:37:51 5 through that the traffic growth rate is for a no-build  
 17:37:57 6 scenario under the North Dakota Department of  
 17:38:01 7 Transportation. What they say as a percentage for rural  
 17:38:04 8 traffic is two and a half percent, and through the  
 17:38:06 9 traffic study an additional one percent was added, so  
 17:38:09 10 with a build it was three and a half percent a year.  
 17:38:12 11 That would be in addition to the one hundred to two  
 17:38:16 12 hundred vehicles which is basically not very much over  
 17:38:18 13 that one hundred to two hundred vehicles per day. And  
 17:38:28 14 so for the need, emergency services is one of the  
 17:38:31 15 driving forces for the project, and, basically, in the  
 17:38:35 16 county there are five fire districts within the city  
 17:38:39 17 area, and Billings County Road Fire Protection District  
 17:38:41 18 covers over 1,500 square miles. Most of the counties  
 17:38:46 19 and the communities in the area have mutual aid  
 17:38:50 20 agreements, so they help one another out, so, basically,  
 17:38:54 21 if there is an emergency call, either by fire or  
 17:38:57 22 ambulance, they coordinate with each other to see who  
 17:39:02 23 can get there the fastest and on what side of the river  
 17:39:03 24 it is, but what happens is sometimes when the calls come  
 17:39:04 25 in they don't know which side of the river they need to

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17:39:07 1 be on, and, as Billings County has said, there has been  
 17:39:12 2 folks that they have to, the emergency services managers  
 17:39:17 3 and the teams go to the river, and one of their team  
 17:39:20 4 members has to get out and walk through the river to see  
 17:39:21 5 if they can cross or not, and that puts their own team  
 17:39:26 6 at risk as well, so, for the need, we want to improve  
 17:39:30 7 that emergency response time within the county. So  
 17:39:37 8 industry, there'll be a need for industry as well, and  
 17:39:40 9 that's agriculture, it's oil and gas and recreation and  
 17:39:45 10 tourism. For agriculture we have local ranchers that  
 17:39:48 11 have land on both sides of the river. If they can't  
 17:39:51 12 ford or cross the river then they have to drive around  
 17:39:53 13 to feed their cattle and that type of thing, and so for  
 17:39:57 14 that need, agriculture, for that internal system linkage  
 17:40:02 15 within the county is needed and also for oil and gas.  
 17:40:07 16 Billings County has oil and gas. It's more of a  
 17:40:10 17 historic type of oil field where there's only a couple  
 17:40:13 18 drills on right now, and there are, is built out quite a  
 17:40:17 19 bit, and so there is ongoing daily maintenance that is  
 17:40:20 20 needed for the oil and gas industry that is also a need  
 17:40:23 21 for the project. Recreation and tourism, in this area  
 17:40:31 22 there is a lot of recreation areas. We have the Elkhorn  
 17:40:36 23 Ranch Unit at Theodore Roosevelt National Park, the  
 17:40:38 24 Elkhorn, or ranch lands that's managed by the US Forest  
 17:40:41 25 Service, Little Missouri National Grasslands and also

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17:40:44 1 the City of Medora, and so there's a lot of, and the  
 17:40:47 2 Maah Daah Hey Trail. A lot of users that come out, a  
 17:40:48 3 lot of hunters that recreate, and the ability to have  
 4 that internal linkage to cross the river is also one of  
 17:40:56 5 the driving needs for the project and here is a video.  
 17:41:00 6 (Beginning of Video.)  
 17:41:00 7 VIDEO NARRATOR: The Little Missouri River  
 17:41:02 8 separates the east and west sides of Billings County.  
 17:41:02 9 Without a local connection across the river, it forces  
 17:41:07 10 local residents, emergency responders, recreationists  
 17:41:10 11 and commercial users to make one of two choices, drive  
 17:41:13 12 through the river which can be dangerous or drive all  
 17:41:17 13 the way around.  
 17:41:18 14 UNIDENTIFIED INTERVIEWEE: When you see  
 15 traffic go across that probably shouldn't go across it,  
 17:41:20 16 firefighting abilities that are hindered because of it,  
 17:41:23 17 ambulance services that are injured because of it. You  
 17:41:27 18 know, we've had incidences where people have been  
 17:41:29 19 stranded or caught in the river, breaking through the  
 17:41:31 20 ice, and almost every year there's somebody that has to  
 17:41:33 21 be helped out of the river crossings. It's definitely  
 17:41:37 22 a, a concern.  
 17:41:38 23 VIDEO NARRATOR: Billings County is working  
 17:41:39 24 on a project to solve those problems by seeking a safe  
 17:41:42 25 and reliable crossing.

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17:41:44 1 UNIDENTIFIED INTERVIEWEE: The real intent  
17:41:45 2 of this project is for connectivity. Right now there's  
17:41:48 3 no connection out there. The river kind of divides  
17:41:49 4 Billings County. It'll, it'll be a great help for  
17:41:54 5 access. It's going to be huge for convenience. It's  
17:41:55 6 going to be huge for emergency management. It's going  
17:41:58 7 to be huge for commerce.  
8 VIDEO NARRATOR: Currently there's 70 miles  
17:42:00 9 between the I-94 bridges and the Long X Bridge over The  
17:42:05 10 Little Missouri River. A lack of a river crossing is a  
17:42:07 11 huge issue to emergency responders.  
17:42:10 12 UNIDENTIFIED INTERVIEWEE: Coming from the  
17:42:11 13 fire department standpoint is the response times. You  
14 get lost or get in an accident or go in the ditch, they  
17:42:18 15 don't know if they're on the east side or the west side.  
17:42:19 16 You know, they think they're on one side but then  
17:42:20 17 they're on the other. It's kind of a hardship on the  
17:42:23 18 departments to try to connect the search and rescue to  
17:42:25 19 rescue these people. It's not a pleasant situation when  
17:42:29 20 somebody's waiting for emergency service. Our resources  
17:42:33 21 responding, they have to make that decision whether they  
17:42:35 22 can drive through the river or not. And time you drive  
17:42:37 23 through a water crossing they are unpredictable.  
17:42:42 24 Generally our units will show up, an individual gets out  
17:42:45 25 and actually walks the path across the river first to

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17:42:47 1 assure that there's no holes, any washouts. That's also  
17:42:51 2 putting a member of the department at risk. And it's  
17:42:53 3 just a matter of time before somebody does get seriously  
17:42:55 4 hurt where it could definitely be a life or death  
17:42:58 5 situation, or somebody may not survive because of the  
17:43:02 6 lack of response time.  
17:43:03 7 VIDEO NARRATOR: This project involves  
17:43:04 8 building a bridge over the Little Missouri River. This  
17:43:07 9 bridge will connect the east and west sides of Billings  
10 County.  
17:43:12 11 UNIDENTIFIED INTERVIEWEE: It's been  
17:43:12 12 something that Billings County's wanted to have for  
17:43:13 13 many, many years for, for many, many reasons. This  
17:43:16 14 project isn't knew. It's something Billings County has  
17:43:20 15 been thinking of back in the 80s. Almost 30 years later  
17:43:24 16 we still don't have a connection between the east and  
17:43:27 17 the west side. About 25 years ago today is when we  
17:43:27 18 started the NEPA Process on this, and we've went above  
17:43:31 19 and beyond what NEPA's required. We've done every test,  
17:43:33 20 we've done every visual, every sound, every traffic  
17:43:39 21 study. It's going to be a nice resource for all  
17:43:42 22 emergency services. It's also going to be a nice  
17:43:46 23 resource for local ranchers and farmers. It's always  
17:43:48 24 been a plan. It's, it's two regions that need to be  
17:43:51 25 connected, and everybody will enjoy that bridge when it

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17:43:56 1 gets put in.  
17:44:02 2 (End of Video.)  
17:44:02 3 MS. TURNBOW: So I didn't learn my lesson  
17:44:07 4 from Monday, and if I switch it it automatically plays,  
17:44:07 5 so there's just a video kind of just from the county's  
17:44:13 6 perspective on the purpose of the -- (inaudible) -- so  
17:44:13 7 just going to now take a minute and walk through some of  
17:44:16 8 the study area and the agency and overall public  
17:44:20 9 involvement, and then we'll get into the preferred  
17:44:23 10 alternative, so in 2006 that was when the first notice  
17:44:29 11 of intent was filed in the federal register, and as you  
17:44:32 12 can see from the graphic here the study area basically  
17:44:36 13 was encompassed the south unit of Theodore Roosevelt  
17:44:37 14 National Park up to the Billings and McKenzie County  
17:44:40 15 line, and then we went through agency scoping and public  
17:44:45 16 scoping meetings, and what we heard from the public and  
17:44:49 17 the agencies is that they wanted that south unit of  
17:44:52 18 Theodore Roosevelt National Park taken out of the city  
17:44:55 19 area, and so then in 2008 that study area was revised,  
17:45:02 20 and as you can see the south unit of Theodore Roosevelt,  
17:45:07 21 Theodore Roosevelt National Park was taken out, and we  
17:45:08 22 presented some preliminary alternatives at an  
17:45:13 23 alternatives public workshop as well, and most, some of  
17:45:17 24 those alternatives then were ruled out due to the  
17:45:20 25 proximity of the Elkhorn Ranch Unit of Theodore

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17:45:23 1 Roosevelt National Park, and then the study area was  
17:45:24 2 revised again and this time, and also the agency, in  
17:45:30 3 public comments they wanted that study area expanded,  
17:45:35 4 and so in two thousand, in 2008 we revised the study  
17:45:40 5 area again based on public comments and agency comments,  
17:45:45 6 and then it was expanded to include McKenzie County as  
17:45:48 7 well as, and then another notice of intent was issued in  
17:45:53 8 2010 in the federal register for the EIS, and just a  
17:45:57 9 couple notes on this study area as well is that the  
17:46:01 10 Elkhorn Ranch unit of Theodore Roosevelt National Park  
17:46:04 11 was excluded and well as McKenzie County was expanded,  
17:46:06 12 and we did look at many alternatives in McKenzie County  
17:46:11 13 as well, and if you review the draft EIS that's out on,  
17:46:15 14 for public viewing you'll see that the alternatives  
17:46:20 15 that, in McKenzie County were not going forward, and the  
17:46:22 16 reason for that is, is Billings County cannot expend  
17:46:26 17 funds for, in McKenzie County, and so that's why those  
17:46:29 18 alternatives were not carried forward even though the  
17:46:32 19 study area was expanded, so through all the  
17:46:39 20 alternatives, development and the EIS definitely shows  
17:46:40 21 all the alternatives that were looked at and why they  
17:46:43 22 weren't carried forward, but we have carried forward in  
17:46:46 23 the EIS Alternative A which is near the Billings and  
17:46:50 24 McKenzie County line, County line and Alternatives K,  
17:46:57 25 Option One, Option Two and Option Three, and then their

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17:46:58 1 no build alternative as well, and Troy is going to walk  
17:47:00 2 through the preferred alternative, alternative at this  
17:47:03 3 time which is Alternative K, Option One.  
17:47:08 4 MR. RIPPLINGER: Right. So as, as Jen  
17:47:11 5 mentioned throughout this process, we, we've looked at a  
17:47:13 6 number of alternatives, both in Billings and McKenzie  
17:47:15 7 County, and generally the theme of the alternatives  
17:47:19 8 were, as everyone's probably familiar with the badlands,  
17:47:23 9 that terrain is one of the constraining issues, and so  
10 as we were looking at the alternatives and looking at  
11 the process, really the, the best way to get our, an  
17:47:31 12 alternative down to the river was to follow an existing  
17:47:33 13 road, and so a lot of the alternatives were eliminated  
17:47:36 14 through the process, and, like Jen said, we, we landed  
17:47:38 15 with these four that were in the draft EIS, and,  
17:47:42 16 generally speaking, these alternatives follow the  
17:47:45 17 existing roads, and so today I'm going to spend my part  
17:47:48 18 of the presentation just talking about Alternative K,  
17:47:52 19 Option One which is the preferred alternative. So  
17:47:56 20 Alternative K, Option One, it starts on the west side.  
17:47:59 21 It starts and connects with Belle Lake Road. It's about  
17:48:02 22 8.3 miles in length, and on the east side it connects in  
17:48:06 23 with east river road. As the, as the alternative  
17:48:11 24 traverses across the badlands, it, about in whole  
17:48:13 25 numbers or in round numbers if you want to say, about 50

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17:48:16 1 percent of it crosses forest service land. 40 percent  
17:48:18 2 is on private land, and then there's 10 percent that  
17:48:21 3 crosses the North Dakota Department of Trust lands or  
17:48:25 4 state land. As far as the blue areas which are called  
5 the expanse, this expanded study area, we do have a  
17:48:32 6 small expanded study area on the west side where we  
17:48:34 7 connect with Belle Lake Road. That's going to give us  
17:48:38 8 some flexibility in final design to design that  
17:48:40 9 intersection, so that it can align at 90 degrees and  
17:48:43 10 adjust some of the curves in that area. On the, on the  
17:48:46 11 east side where we cross the river there's also a, quite  
17:48:50 12 a large expanded study area. That's there for a couple  
17:48:54 13 of reasons. The first one is that when we do the final  
17:48:54 14 design we want to survey the river crossing and make  
17:48:57 15 sure that we get the bridge in the right location. It  
17:49:01 16 also gives the county an opportunity to work with the  
17:49:02 17 private land owners to, to shift the roadway and adjust  
17:49:06 18 the alignment to better suit their, their ranching  
17:49:09 19 operations or, or to let them have some input on where  
17:49:12 20 they'd like to see it cross. In addition of the  
17:49:16 21 8.3 miles, approximately two miles would be constructed  
17:49:19 22 a new roadway, and that two miles, if, it includes a lot  
17:49:23 23 of the curve realignments that have to be done to get  
17:49:23 24 the road to a 35 mile an hour design speed, but when you  
17:49:28 25 get it down to the road itself it's generally it's about

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17:49:31 1 a mile of new roadway to go across the river. As far as  
17:49:35 2 the typical section of the roadway north, of what the  
17:49:39 3 road would look like, it's going to look like any other  
4 standard county road in Billings County. It's going to  
17:49:43 5 have a 20, 28 foot graded road top, a 24 foot driving  
17:49:46 6 width. It's going to be a gravel surface. It will be  
17:49:50 7 designed for 35 miles an hour. It's also going to be  
17:49:55 8 signed for 35 miles an hour. As far as construction is  
17:49:59 9 concerned, we anticipate maintaining traffic on the  
17:50:01 10 existing roadways during construction. Drain structures  
17:50:08 11 would constructed one side at a time or require a bypass  
17:50:10 12 so any culverts or box culverts that are installed we  
17:50:12 13 build half at a time, probably a temporary bypass to  
17:50:15 14 maintain that traffic, but we estimate the construction  
17:50:18 15 timeframe as one construction season or seven months,  
17:50:21 16 and then we expect that this project would all be built  
17:50:26 17 at one time. If for some reason there's not a funding  
17:50:28 18 or some other issues where construction could be phased  
17:50:31 19 were maybe the bridge and the connecting roadways are  
17:50:33 20 constructed first, and then the rest of the road is  
17:50:36 21 built out at a later time. On this exhibit here is just  
17:50:41 22 a rendering of what the proposed bridge would look like.  
17:50:45 23 The proposed structure is, we're estimating it being  
17:50:47 24 about 600 feet long consisting of a four span bridge, so  
17:50:52 25 we'll have two augments at the ends and then two piers

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17:50:55 1 in the channel, and then as far as construction of the  
17:50:59 2 bridge goes, the bring will be construction on, on a  
17:51:03 3 deep driven piling system, and to do that the, we expect  
17:51:07 4 the contractor would construct some, a causeway out to  
17:51:10 5 those piers so that equipment can get out into the river  
17:51:12 6 to access those piers. There would be cofferdams  
17:51:18 7 constructed around the piers as you see in the middle  
17:51:19 8 photo there so that the contractors could, can do the  
17:51:23 9 footings, pour the concrete, and then we anticipate,  
17:51:28 10 again, construction timeframe, we think it's going to be  
17:51:30 11 one season, but you know how weather is. We can get a  
17:51:30 12 late spring, so in the AIS we discussed having up to two  
17:51:34 13 seasons for construction, a possibility.  
17:51:38 14 MS. TURNBOW: So for the impacts we're going  
17:51:47 15 to highlight some of the impacts for the preferred  
17:51:52 16 alternative, and in the EIS there are all the impacts  
17:51:54 17 associated with, for, but also associated with  
17:51:58 18 Alternative A and Alternatives K, Options Two and Three  
17:52:01 19 as well, so this will just be a summary of those  
17:52:05 20 impacts, and first, just to talk a little bit about land  
17:52:07 21 use, there would be permanent and temporary easements  
17:52:11 22 needed from private land owners and from the US Forest  
17:52:16 23 Service as well as from the North Dakota Department of  
17:52:19 24 Trust, and under the Federal Highway Administration  
17:52:22 25 there are social impacts that we need to take a look at,

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17:52:25 1 and those social impacts revolve around impacts to  
17:52:27 2 schools, businesses as well as churches, and it also  
17:52:31 3 talks a little bit about travel patterns, how would the  
17:52:35 4 travel patterns change in, for the project, and so for  
17:52:40 5 those social impacts there would definitely be fewer  
17:52:43 6 vehicles that are currently driving through the Little  
17:52:46 7 Missouri River. We would improve that overall emergency  
17:52:51 8 response time, and have that improved system linkage  
17:52:51 9 within the county for reliability and safety. Again,  
17:52:55 10 the Maah Daah Hey Trail currently crosses Alternative K,  
17:53:00 11 Option One, and so it would remain open during  
17:53:03 12 construction. For water resources, and we talked about  
17:53:08 13 water resources as wetlands or jurisdiction of wetlands  
17:53:13 14 of the United States. For the preferred alternative  
17:53:17 15 there would be some temporary easements as well as some,  
17:53:18 16 I mean, temporary impacts as well as permanent impacts  
17:53:22 17 to jurisdictional waters of the United States, and those  
17:53:24 18 would be mitigated and impacts would be finalized during  
17:53:29 19 final design and mitigated where appropriate. Again,  
17:53:33 20 Little Missouri Rive State Scenic River Commission,  
17:53:37 21 we'll be presenting to them in August. We did present  
17:53:41 22 them one of the last groups that went before that  
17:53:46 23 commission before they did not convene for a very long  
17:53:49 24 time until the beginning, or late last year, and so at  
17:53:53 25 that time they had really had no action and said that as

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17:53:57 1 long as there was no impoundment of the river that was  
17:54:00 2 fine, and so we will be presented again in August to  
17:54:04 3 that commission. For cultural resources, all of the  
17:54:06 4 build alternatives were surveyed, and through  
17:54:08 5 coordination with the North Dakota State Historic  
17:54:14 6 Preservation Office there is no historic preservation,  
17:54:15 7 or no historic properties impacted determination.  
17:54:17 8 Through public comments and through agency comments, one  
17:54:20 9 of the top things that we heard was the view shed and  
17:54:25 10 noise, especially to the Elkhorn Ranch Unit of Theodore  
11 Roosevelt National Park and the National Historic  
17:54:32 12 District, and so we took those comments. We actually  
17:54:34 13 worked with the North Dakota State Historic Preservation  
17:54:38 14 Office, the North Dakota DOT, Federal Highway  
17:54:40 15 Administration, the US Army Corps of Engineers, the US  
17:54:45 16 Forest Service, The National Trust for Historic  
17:54:47 17 Preservation, and we did a view shed analysis and an  
17:54:51 18 additional noise study as well, and I'm going to kind of  
17:54:54 19 walk through these next steps of what we did. Just to  
17:54:58 20 kind of put this into perspective, we did a view shed  
17:55:02 21 analysis for the Elkhorn Ranchlands, Theodore Roosevelt  
17:55:06 22 National Park, the Elkhorn Ranch Unit the National  
17:55:09 23 Historic District, and a question we get asked is how  
17:55:13 24 far away is the preferred alternative from the National  
17:55:15 25 Historic District, so at the closest point the National

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17:55:19 1 Historic District is approximately two miles away from  
17:55:21 2 the Alternative K, Option One, and from the Elkhorn  
17:55:29 3 Ranch Unit of Theodore Roosevelt National Park it is  
17:55:32 4 about three or four miles away, so when we worked with  
17:55:36 5 all the agencies regarding the view shed analysis we  
17:55:38 6 did, at certain points, we looked at the low elevation,  
17:55:42 7 the mid elevation and the high elevation, and they  
17:55:46 8 helped us with where they would like these points at, so  
17:55:47 9 we went out and took the photos of the existing, what  
17:55:53 10 you see existing, and then the roadway and the bridge  
17:55:55 11 were modelled in here, and all of these simulations and  
17:56:00 12 renderings are in the draft EIS, and so when we did  
17:56:03 13 this, this is a point here from the National Historic  
17:56:06 14 District. The bridge is approximately 2.2 miles away,  
17:56:10 15 and so this is what it would look like, so it's very  
17:56:13 16 hard to see from about 2.2 miles away. We also did a  
17:56:19 17 digital elevation model, and this is also for visual  
17:56:21 18 resources, and the difference between the simulations  
17:56:26 19 and the renderings and the digital elevation model is  
17:56:26 20 the elevation model doesn't take into consideration any  
17:56:30 21 terrain or any vegetation, so it's basically from that  
17:56:36 22 point what you could see plain line of sight, and so we  
17:56:38 23 also supplemented our view shed analysis with the  
17:56:42 24 digital elevation model, and here I believe the video is  
17:56:47 25 playing. Let me double check here. Do I need to -- so

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17:57:06 1 this is a video that we took, we are at, our visual  
17:57:11 2 analysis was at the Elkhorn Ranch Unit of Theodore  
17:57:14 3 Roosevelt National Park, and right through these two  
17:57:16 4 buttes here right here is Blacktail Road, and it's  
17:57:19 5 approximately one and a half miles away, and if we can  
17:57:22 6 get the video to play here, if you look very, very  
17:57:26 7 closely you can barely see a truck moving here on  
17:57:28 8 Blacktail Road. Is it moving, Ashley?  
17:57:34 9 MS. ROSS: It's going right now.  
17:57:35 10 MS. TURNBOW: Okay. Now I can't see it.  
17:57:37 11 MS. ROSS: Yep. It went.  
17:57:39 12 MS. TURNBOW: Okay. We'll play it one more  
17:57:41 13 time. Sorry.  
17:57:51 14 MS. ROSS: Right there.  
17:57:52 15 MS. TURNBOW: All right. Thank you. Thanks  
17:57:55 16 for your help. So the results of the view shed analysis  
17:58:01 17 is basically that the view shed would not be altered,  
17:58:04 18 and the view would be diminished, and through all of  
17:58:07 19 that agency coordination, the ACHP also sat in on those  
17:58:14 20 meetings and verbally agreed with the results of both on  
17:58:14 21 the view shed analysis and the noise analysis. So talk  
17:58:18 22 a little bit about noise. Through the Federal Highway  
17:58:24 23 Administration, once you build a new roadway or you  
17:58:26 24 reconstruct to a certain degree, a noise analysis is  
17:58:27 25 needed, and that process is through a T&M model, the

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18:04:48 1 selected alternative, and I just remembered that I  
18:04:53 2 didn't introduce myself in the beginning, Jen Turnbow  
18:04:58 3 with KLJ. Very sorry about that and this is Troy  
18:05:00 4 Ripplinger with KLJ. Ashley Ross was very nice to help  
18:05:01 5 me out with the video from KLJ. We have Liz in the back  
18:05:05 6 from KLJ. We also have representatives here from  
18:05:07 7 Billings County, the North Dakota DOT and the Federal  
18:05:12 8 Highway Administration as well, so I apologize about  
18:05:14 9 that, should have done it at the beginning, so for  
18:05:17 10 comments, due by August 20, and there's a number of ways  
18:05:19 11 you can get those comments to us. You can e-mail them  
18:05:28 12 at lmr, lmr@kljeng.com. There is a bin out on the sign  
18:05:30 13 in table if you have written comments that you would  
18:05:33 14 like to put in tonight, and we have the draft DIS on the  
18:05:39 15 Billings County website, the North Dakota DOT also has a  
18:05:44 16 link their web page to the Billings County web page, and  
18:05:45 17 then we have the actual hardcopies at these viewing  
18:05:49 18 locations as well, so, with that, we would like to  
18:05:53 19 answer or open it up to public comments, and, again, we  
18:05:59 20 have a court reporter tonight, so please state your name  
18:06:02 21 for court reporter.  
18:06:03 22 UNIDENTIFIED SPEAKER: Could you identify  
18:06:07 23 the Billings County representatives.  
18:06:07 24 MS. TURNBOW: Sure. We have Jim Arthaud  
18:06:09 25 here from Billings County Commission.

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1 UNIDENTIFIED SPEAKER: And what, which,  
18:06:15 2 which gentleman is he? Okay. Thank you.  
18:06:16 3 MS. TURNBOW: We also have Joe Kessel here  
18:06:23 4 from the Billings County Commission as well.  
18:06:23 5 UNIDENTIFIED SPEAKER: Can you speak up,  
18:06:27 6 please.  
18:06:27 7 CHARLES JOHNSON: And is the sheriff here  
18:06:30 8 from Billings County? Are you the sheriff?  
9 SHERIFF PAT RUMMEL: Yes.  
10 CHARLES JOHNSON: Okay.  
11 MS. TURNBOW: Thank you.  
12 THE COURT REPORTER: What was your name,  
13 sir?  
18:06:37 14 CHARLES JOHNSON: Charles Johnson.  
18:06:41 15 MR. RIPPLINGER: Ashley, do you want to walk  
18:06:43 16 around the microphone?  
18:06:46 17 MS. ROSS: Sure.  
18:06:46 18 TOM LEAVER: I'm Tom Leaver from Bismarck.  
18:07:04 19 I just had a question about the cost. Do I understand  
18:07:08 20 correctly that if the worst case scenario occurs  
18:07:12 21 regarding utility, pipeline relocation, that the actual  
18:07:18 22 cost would then be 22 million, not 11 million?  
18:07:25 23 MR. RIPPLINGER: Yeah. I think, so let me,  
18:07:28 24 I'll explain a little bit more on the utility relocation  
18:07:31 25 part. Like Jen said, once we have a final design we'll

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18:07:33 1 have a better understanding of how utilities are, are  
18:07:37 2 out there, and so we did, it's a pretty general cost  
18:07:41 3 estimate for you utilities, and so we'll be able to do a  
18:07:45 4 lot of things during design to avoid some of the  
18:07:49 5 utilities, raising the grade of the road, adjusting the  
18:07:52 6 depth of the ditches, and so it's probably very rare  
7 that we'll get that worst case scenario. We'll do  
18:07:59 8 everything to, to design to keep the cost down during  
18:08:01 9 the design.  
18:08:15 10 CHARLES JOHNSON: Thank you. I've got a  
18:08:17 11 series of questions and I've got some notes. I'm  
18:08:20 12 wondering if I could use the podium. Would that be  
18:08:25 13 okay.  
18:08:25 14 MS. TURNBOW: If you, I think --  
18:08:27 15 CHARLES JOHNSON: I can't hold my notes and  
18:08:32 16 hold the microphone at the same time.  
18:08:34 17 MS. TURNBOW: Okay.  
18:08:36 18 CHARLES JOHNSON: Okay. I appreciate it. I  
18:08:38 19 appreciate the, the chance to ask some question, and I  
18:08:42 20 specifically have most of my questions for some of the  
18:08:45 21 Billings County Commissioners, Mr. Arthaud and Mr.  
18:08:46 22 Kessel that are here. One of the, you know, I've, we've  
18:08:51 23 seen in the newspaper. We've heard, heard stories about  
18:08:54 24 some of the public hearings. We get bits and pieces  
18:08:58 25 here and there. Mr. Arthaud, I'd like to ask you

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18:09:01 1 specifically, we saw what the KLJ people put together  
18:09:03 2 relative to what the need is for this bridge. Can you  
18:09:07 3 tell us what the Billings County Commission feels the  
18:09:10 4 need is, or are you in line with exactly what they're  
18:09:15 5 saying.  
18:09:16 6 MR. ARTHAUD: The needs identified in the  
18:09:18 7 EIS and what's your name?  
18:09:18 8 CHARLES JOHNSON: Charles Johnson.  
18:09:20 9 MR. ARTHAUD: And who, who are you?  
18:09:22 10 CHARLES JOHNSON: I'm a friend of the  
18:09:23 11 family, long time, fifth generation Bismarcker living  
18:09:23 12 outside of Minot right now.  
18:09:25 13 MR. ARTHAUD: Yeah. The, it's all  
18:09:27 14 identified in the EIS. If you look at the document,  
18:09:28 15 you'll see it. I agreed with EIS.  
18:09:31 16 CHARLES JOHNSON: Okay. So, you know, I'm  
18:09:33 17 looking, we're looking at the purpose and need that are  
18:09:34 18 identified in the handout that KLJ handed, and it, and  
18:09:38 19 it looks like it's more of what this does rather than  
18:09:43 20 why it does it. It, it's, it's very vague. I mean,  
18:09:47 21 there's, there's a lot of things. "Improves the  
18:09:49 22 transport of goods and services within the study area."  
18:09:51 23 There's no feasibility study that I'm aware of that  
18:09:55 24 shows any economic impact to that. You talk about  
18:09:59 25 linking some roads, North Dakota 16 and Highway 85. To



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18:10:03 1 what end? You know, that's, that's, that doesn't  
18:10:07 2 necessarily generate a need. We're, we're talking, as I  
18:10:08 3 go down these bullet points, that's more of a, a want,  
18:10:11 4 not a need, and, and need is, is specifically what we're  
18:10:16 5 talking about here. I see a lot of comments, a lot of  
18:10:20 6 these issues are, this is what the Billings County  
18:10:23 7 Commission wants. This is not what is needed. You  
18:10:27 8 know, we, we saw that little video clip from some of the  
18:10:32 9 Billings County personnel about why they want the  
18:10:35 10 bridge. The sheriff was very speculative, and it was  
18:10:40 11 simply supposition that, hey, at some point we're going  
18:10:44 12 to have a problem with somebody in the river, somebody  
18:10:44 13 getting hurt. I've been crossing that river for 50  
18:10:48 14 years. I haven't heard of anybody getting hurt or  
18:10:53 15 killed, and maybe you can specifically identify that,  
18:10:54 16 but there have been people crossing that for hundreds of  
18:10:58 17 years. Whose gotten killed? The other, the other point  
18:11:02 18 that, that I'm asking, I'd like to know from these  
18:11:06 19 emergency responders is how many in responses have you  
18:11:07 20 had in Billings County on the west side of the river,  
18:11:10 21 let say in 2017. Sheriff can you tell us?  
18:11:15 22 SHERIFF PAT RUMMEL: Off the top, excuse me,  
18:11:18 23 off the top of my head, no.  
18:11:20 24 CHARLES JOHNSON: No. How about the year  
18:11:21 25 before, 2016?

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18:11:21 1 SHERIFF PAT RUMMEL: No. I did not, I do  
18:11:22 2 not --  
18:11:22 3 CHARLES JOHNSON: Any, any statistical data  
18:11:26 4 for the previous ten years or anything at all that  
18:11:27 5 you've got that you can show us.  
18:11:29 6 SHERIFF PAT RUMMEL: Our, our office, I,  
18:11:31 7 this, my first term as sheriff, our office was not  
18:11:32 8 automated until about three years ago.  
18:11:37 9 CHARLES JOHNSON: Okay. Mr. Arthaud, could  
18:11:37 10 you tell us the numbers of responses they've had in  
18:11:38 11 Burley County on that side, or Billings County on that  
18:11:38 12 side --  
18:11:38 13 MR. ARTHAUD: It's irrelevant so...  
18:11:42 14 CHARLES JOHNSON: It's not irrelevant.  
18:11:43 15 MR. ARTHAUD: Close to it. It is too. It's  
16 absolutely irrelevant.  
17 CHARLES JOHNSON: No, it's not.  
18:11:44 18 MR. ARTHAUD: If one person gets hurt out  
19 there --  
20 CHARLES JOHNSON: You're, you're --  
18:11:47 21 MR. ARTHAUD: -- that's enough.  
18:11:47 22 CHARLES JOHNSON: You are --  
18:11:47 23 MR. ARTHAUD: So I don't want to sit here  
18:11:50 24 and argue about it.  
18:11:50 25 CHARLES JOHNSON: You are very combative

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18:11:51 1 for, for public that's simply pressing you on --  
18:11:53 2 MR. ARTHAUD: It doesn't have anything to do  
18:11:55 3 with it. It's irrelevant.  
18:11:58 4 CHARLES JOHNSON: Well, if you got, if  
18:11:58 5 you've got a few people over there, and you're building  
18:12:01 6 an 11 million dollar, the bridge under the guys that --  
18:12:03 7 MR. ARTHAUD: The county has the right to  
18:12:04 8 build the bridge.  
18:12:06 9 CHARLES JOHNSON: If you want to keep  
18:12:07 10 interrupting me, go ahead. Let me know when you're  
18:12:08 11 done.  
18:12:08 12 MR. ARTHAUD: The county has the right to  
13 build the bridge.  
14 CHARLES JOHNSON: Let me know when you're  
18:12:15 15 done.  
18:12:15 16 MS. TURNBOW: You were asking him a  
18:12:16 17 question.  
18:12:16 18 CHARLES JOHNSON: I was exactly so how many  
19 people --  
18:12:17 20 MS. TURNBOW: He finished it.  
18:12:17 21 CHARLES JOHNSON: No. He didn't, he didn't  
18:12:18 22 ask. I asked how many people have, have been responded  
18:12:21 23 to in the Billings County side of the Little Missouri on  
18:12:24 24 the west side?  
18:12:24 25 MR. ARTHAUD: I said it's irrelevant.

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18:12:26 1 CHARLES JOHNSON: You said it's irrelevant.  
18:12:27 2 Okay.  
18:12:27 3 MS. TURNBOW: Some of that information is  
18:12:29 4 actually in the draft DIS.  
18:12:31 5 MR. ARTHAUD: Yes.  
18:12:31 6 MS. TURNBOW: And so we could definitely  
18:12:33 7 refer to the draft DIS, and just to talk a little bit  
18:12:38 8 about the project's purpose and need --  
18:12:39 9 SHERIFF PAT RUMMEL: Excuse me. There was  
18:12:41 10 one last year because I was personally involved in it.  
18:12:45 11 A guy was rescued off the Maah Daah Hey it just so  
18:12:48 12 happened that there was a doctor there. He walked up  
18:12:51 13 the hill. He called 911. They pinged his phone. They  
18:12:55 14 knew exactly where he was standing, and we ended up  
18:12:59 15 taking the gentlemen down Bell Lake Road, and the  
18:13:05 16 ambulance picked him up there.  
18:13:08 17 CHARLES JOHNSON: So we've got, we've got  
18:13:09 18 the Burley County, or excuse me, the Billings County  
18:13:12 19 Commission telling us under the guys of safety that this  
18:13:16 20 bridge is needed, and they can't even point to the data  
18:13:17 21 as to how many people have been affected, how many times  
18:13:21 22 they've had to respond, they can't tell us the  
18:13:25 23 difference in response time between utilizing the bridge  
18:13:29 24 or coming up West River Road. They, they, if, if  
18:13:30 25 something happened, we know Wannigan Camp is. If

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18:13:33 1 something happened there, would you go cross the bridge  
18:13:36 2 at Medora or go up, cross potentially this new bridge  
18:13:39 3 and then come down? Which would be the quicker response  
18:13:43 4 time?  
18:13:44 5 MR. ARTHAUD: I would say after we put in  
18:13:46 6 our new emergency manager station at Fairfield, the  
18:13:48 7 bridge would be very much faster.  
18:13:50 8 CHARLES JOHNSON: So you'll probably never  
18:13:53 9 use the West River Road again. Is that what you're kind  
18:13:57 10 of saying? But you --  
18:13:57 11 MR. ARTHAUD: Probably not.  
18:13:59 12 CHARLES JOHNSON: Do you have any estimate  
18:14:00 13 of response times?  
18:14:01 14 JULIE REIS: I do, sir.  
18:14:06 15 CHARLES JOHNSON: You do?  
18:14:06 16 JULIE REIS: So we have three stations in  
18:14:06 17 Billings County. My name is Julie Reis, for the record,  
18:14:09 18 and I am a resident of Fairfield and fourth generation  
18:14:14 19 rancher, land owner in Billings County. Between my  
18:14:14 20 husband and I, we have 45 years of volunteer service on  
18:14:20 21 the Billings County Rural Fire Protection District. Our  
18:14:21 22 closest response time, if you were to shoot straight  
18:14:23 23 across the river you would come to our Fairfield  
18:14:25 24 station. It's 23 miles from that station to the river.  
18:14:29 25 With the miles per hour you can travel on that road

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18:14:34 1 given you can probably, you can do the 10 miles over as  
18:14:35 2 an emergency responder, you're looking at 30 to  
18:14:39 3 40 minutes. Double check my notes.  
18:14:42 4 UNIDENTIFIED SPEAKER: I can't hear her.  
18:14:44 5 Can you give --  
6 MS. TURNBOW: Yep.  
18:14:44 7 UNIDENTIFIED SPEAKER: -- her the mic?  
18:14:46 8 Thank you.  
18:14:46 9 JULIE REIS: 23 miles would take 30 to 40  
18:14:51 10 minutes. Is it on?  
18:14:56 11 MS. TURNBOW: I think so.  
18:14:56 12 JULIE REIS: Hello -- (inaudible) -- so as I  
18:14:59 13 was saying, the response from Fairfield, which is a  
18:15:00 14 third of our fire department, it would be 23 miles  
18:15:04 15 straight to the river, and at that point we would hope  
18:15:07 16 to have a crossing. To come from our Medora station, if  
18:15:09 17 we were to get up the West River side you're looking at,  
18:15:23 18 from Medora to the west side of the river going up the  
18:15:25 19 area across from Blacktail Road which is where Fairfield  
18:15:28 20 Fire Station would end up if they were to get to the  
18:15:30 21 river. It's 35 miles taking anywhere from 45 to  
18:15:35 22 60 minutes depending on speed and road conditions. We  
18:15:37 23 cannot rely on just the Medora station to address major  
18:15:41 24 concerns on the west side of the river. It takes our  
18:15:45 25 three fire stations in Billings County, Fairfield, Fry

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18:15:46 1 burg and Medora, to respond to incidents because our  
18:15:50 2 resources combined is what makes our force stronger, so  
18:15:57 3 if we need the resources from Fairfield, for them to  
18:15:59 4 drive around, which if they're already at the river  
18:16:02 5 they're not going to go back to Fairfield to the  
18:16:04 6 highway. They're going to go down East River Road, down  
18:16:06 7 to Medora, back up to the other side, so you're looking  
18:16:10 8 at two hours of travel time.  
18:16:12 9 CHARLES JOHNSON: And, and, and you've, but  
18:16:15 10 you've, we've talked about these joint agreements  
18:16:15 11 between counties and, and various response  
18:16:18 12 organizations. You wouldn't utilize them in that  
18:16:23 13 situation?  
18:16:23 14 JULIE REIS: Mutually it is there for aid.  
18:16:25 15 They're there when you need help. When a call goes out  
18:16:28 16 it's nice to find out where that call is at. You don't  
18:16:33 17 just call on everybody else from other counties to go do  
18:16:36 18 the incident like the initial incident response.  
18:16:39 19 They're there. They're available. We have great  
18:16:42 20 working relationships with them, but they're not our go  
18:16:44 21 to every time there's an incident on that side of the  
18:16:48 22 river because when you're talking fire season,  
18:16:50 23 lightening comes through, generally that goes from  
18:16:54 24 Golden Valley County to Billings County, so where are  
18:16:57 25 the fires going to start? Golden Valley's going to have

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1 their own problems to take care of. Their county  
2 services aren't always going to be able, have not in the  
3 past been able to always just rush over when we've  
4 had -- our, our initial response is Billings County. We  
5 do have to take care of our own.  
18:17:12 6 CHARLES JOHNSON: See, again we're seeing  
18:17:14 7 from the Billings County representative speculation and  
18:17:15 8 supposition. There's no data showing how many  
18:17:19 9 responses, where, no, no density scatter plots showing  
18:17:24 10 where those, those responses were from, no, no data  
18:17:29 11 showing that the, the, the differences in response time  
18:17:34 12 created a more significant or catastrophic loss, no data  
18:17:39 13 that's showing any difference in response time would  
18:17:41 14 cause harm to life or property, so I mean, it's, it's,  
18:17:46 15 it's, it's, all you get is supposition without data.  
16 They didn't do their homework. There's just anecdotal  
18:17:53 17 evidence saying we need this, so I mean I think, I think  
18:17:58 18 their argument is weak on the emergency response side of  
18:18:00 19 things. One other things and --  
18:18:03 20 JULIE REIS: Sir, if you're looking for a  
18:18:05 21 specific number to justify what we do, you're putting  
18:18:08 22 the volunteers on the line to go help and do what we do.  
18:18:12 23 Time matters. In Bismarck would you like to have a two  
18:18:17 24 hour wait to get your ambulance --  
18:18:20 25 CHARLES JOHNSON: How, how --

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18:18:21 1 JULIE REIS: Would you like to have -- but,  
2 sir, realistically, minutes save time. What can be a  
18:18:23 3 one, one day incident on a fire can be, end up being two  
18:18:27 4 weeks because we can't get our resources there. These  
18:18:31 5 people have jobs. They have lives. They are volunteers  
18:18:33 6 and we're looking out for a resource that is called a  
18:18:35 7 public resource when the public can't afford the  
18:18:39 8 resources to fight the fires and the law enforcement.  
18:18:42 9 You have 1.2 million acres of grasslands in the Dakota  
18:18:47 10 Prairie Grasslands, and that's your, that's our public  
18:18:49 11 land which we are grateful to have and we work with it  
18:18:54 12 but your public lands can only provide one full time law  
18:18:57 13 enforcement agency, and that's within 1.2 million acres,  
18:19:00 14 two states worth of federal land.  
18:19:01 15 CHARLES JOHNSON: And, again, you can't show  
18:19:03 16 any --  
18:19:03 17 JULIE REIS: And two fire engines.  
18:19:05 18 CHARLES JOHNSON: Again, you can't show any  
18:19:06 19 data showing where that's an issue.  
18:19:06 20 JULIE REIS: Well, if we wouldn't have had  
18:19:08 21 five pages already since Sunday night, we probably would  
22 have had more time to throw some numbers together  
18:19:12 23 because it's all --  
18:19:12 24 CHARLES JOHNSON: You, you've had -- this  
18:19:13 25 was on the board in 1979.

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18:19:16 1 JULIE REIS: Pardon me?  
18:19:17 2 CHARLES JOHNSON: This was on the board of  
18:19:18 3 1979.  
18:19:18 4 JULIE REIS: I'm sorry. I was born in '78  
18:19:21 5 so...  
18:19:22 6 CHARLES JOHNSON: There you go. So they've  
18:19:25 7 had decades so...  
18:19:26 8 MS. TURNBOW: Just to address the purpose of  
18:19:29 9 need. Under, for the Highway Administration, there are  
18:19:29 10 certain purpose and definitely needs that they have, and  
18:19:33 11 so the draft DIS follows those needs that can be done in  
18:19:40 12 a draft DIS through the Federal Highway Administration  
18:19:43 13 which is all laid out in the draft DIS, so I think with  
18:19:47 14 that, is there other public comments?  
18:19:50 15 CHARLES JOHNSON: I've got two more, and  
18:19:53 16 I'll, and I'll let, let go of that, if you indulge me.  
18:19:57 17 One, in the, in the EIS it said there was no historic  
18:20:00 18 properties affected. I would venter to say that the  
18:20:02 19 Short Ranch which, which was created in 1903, whether  
18:20:06 20 officially designated or not, is a historic property.  
18:20:10 21 That's significantly being affected. The final thing is  
18:20:14 22 I saw in the paper, and Mr. Arthaud's here so he can  
18:20:16 23 correct the record, but we talked about, are you going  
18:20:19 24 to utilized eminent domain to, to make this happen  
18:20:25 25 because the Shorts and their family have identified that

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18:20:26 1 they are not in favor of this, and I think Dave Short  
18:20:31 2 identified that an eminent domain will be necessary. In  
18:20:35 3 the paper quotes Jim Arthaud as saying you don't even  
18:20:38 4 want to go down that avenue until you've got a record of  
18:20:39 5 decision. Well, I, I earnestly disagree with Mr.  
18:20:46 6 Arthaud. This is the exact time to find out if they're  
18:20:48 7 going to use eminent domain because, because a, a land  
18:20:51 8 grab by a government entity of private property owners  
18:20:54 9 is not a popular thing in North Dakota or elsewhere, and  
18:20:58 10 if he can't commit to saying, no, we're not going to  
18:21:03 11 utilize eminent domain, I think it's all, it's, it's up  
18:21:05 12 to us to realize that, in fact he is going to utilize  
18:21:08 13 eminent domain if he needs to.  
18:21:10 14 UNIDENTIFIED SPEAKER: You can't put words  
18:21:11 15 in his mouth.  
18:21:13 16 CHARLES JOHNSON: And, and have to prove  
18:21:14 17 that in a court of law as to, to whether that's bible.  
18:21:14 18 You've got the Shorts here, the Williams here. Those  
18:21:17 19 people are saying, Jim, we don't want it, and you've got  
18:21:20 20 the ability to say, okay, you guys don't want it, I'd  
18:21:22 21 like to let it go, let's move on, But instead of saying  
18:21:26 22 that, and you're saying, ah, we don't want to talk about  
18:21:27 23 it right now. Well, that's deflection Jim, we know  
18:21:30 24 that, and, and can you tell us right now whether you  
18:21:32 25 utilized eminent domain to try to acquire this land?

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18:21:36 1 MR. ARTHAUD: It's one of the tools that we  
18:21:39 2 have available to us if needed.  
18:21:40 3 CHARLES JOHNSON: So the answer is yes?  
18:21:42 4 MR. ARTHAUD: Well, let's wait and see what  
18:21:44 5 the record of decision says.  
18:21:44 6 CHARLES JOHNSON: Well, this --  
18:21:45 7 MR. ARTHAUD: You know, it might be a  
8 different, it might be a different alternative.  
9 CHARLES JOHNSON: Well, the record --  
10 MR. ARTHAUD: Who knows?  
11 CHARLES JOHNSON: -- the record decision --  
18:21:46 12 MR. ARTHAUD: So let's wait for the record  
18:21:47 13 of decision.  
18:21:48 14 CHARLES JOHNSON: You can, you can --  
18:21:49 15 MR. ARTHAUD: And so I'll answer it. It's a  
18:21:52 16 tool available to us if needed.  
18:21:54 17 CHARLES JOHNSON: Yeah. Okay. Is it true  
18:21:55 18 that in 2012 in a public hearing you said that this  
18:21:57 19 bridge is going to be on private land or public land  
18:22:00 20 only?  
18:22:00 21 MR. ARTHAUD: No.  
18:22:00 22 CHARLES JOHNSON: You never said that?  
18:22:03 23 MR. ARTHAUD: No. I said, I said, I said it  
18:22:06 24 belongs on public land.  
18:22:06 25 CHARLES JOHNSON: I appreciate it. Thank

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18:22:10 1 you for your time and your indulgence.  
18:22:10 2 MR. ARTHAUD: Who would like to respond  
3 to Mr. Johnson's --  
18:22:18 4 SHERIFF PAT RUMMEL: I will.  
18:22:18 5 MS. TURNBOW: Okay.  
18:22:20 6 SHERIFF PAT RUMMEL: I guess the first thing  
18:22:21 7 is --  
8 UNIDENTIFIED SPEAKER: Want to take credit  
18:22:22 9 for emergency services -- I don't care.  
18:22:24 10 SHERIFF PAT RUMMEL: Okay. Were not  
18:22:25 11 automated.  
12 UNIDENTIFIED SPEAKER: I'm sorry.  
18:22:27 13 SHERIFF PAT RUMMEL: We're not -- but  
18:22:28 14 whatever. As far as your question about has anybody  
15 ever died in the river, as a matter of fact, that was  
18:22:32 16 one of my points I was going to bring up. We have had  
18:22:34 17 someone die in the river. Have we ever had somebody  
18 stuck in the river? The river fluctuates very quickly.  
18:22:42 19 We're not talking Bismarck Missouri River. We're  
18:22:43 20 talking the Little Missouri River, so it goes up and  
18:22:46 21 down very quickly. So you're talking about response  
18:22:50 22 time, we had a person in the river. There were several  
18:22:54 23 people in the vehicle. By the time they called in and  
18:22:58 24 said, hey, we're stuck, we need help, by the time we got  
18:22:59 25 there they were on top of the roof of the car because

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18:23:04 1 that's how much the river went up. We finally had to go  
18:23:05 2 rescue them and left the vehicle because we couldn't get  
18:23:07 3 it out because the river was too high within that small  
18:23:15 4 timeframe. Who would ever though that we were looking  
18:23:18 5 for a murder suspect out there? We also did that. How  
18:23:22 6 about the times when they crossed the river, they don't  
18:23:26 7 know what's on the other side, and they break into the,  
18:23:29 8 into the farm, into the ranch house. Then they don't  
18:23:33 9 even put anything back. They just leave it. They tore  
18:23:36 10 it up and just left. I'm talking about the crossings,  
18:23:50 11 2011 flood was not a spring flood. That was in the  
18:23:57 12 summertime due to rain further south, washed out those  
18:24:04 13 crossing that they were talking about. I don't know if  
18:24:08 14 any of them are any, stable today. It's, it, it ruined  
18:24:10 15 what was developed over years and years and years. 2011  
18:24:15 16 kind of took that out, so there's no stable crossings  
18:24:18 17 there any more. We are taking a risk taking, going  
18:24:21 18 across those rivers. We can no longer take an ambulance  
18:24:24 19 across the river, a fire truck, the way the fire trucks  
18:24:29 20 are with the water capability, you can't take those  
18:24:30 21 across the river. It's just impossible. I'll probably  
18:24:35 22 jump around. I'm not generally a public speaker, so  
18:24:40 23 we'll talk about the Maah Daah Hey Trail. When Maah  
18:24:46 24 Daah Hey Trail went in, at the county commission meeting  
18:24:48 25 we were told, you know what, people expect risk when

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18:24:51 1 you're out at the Maah Daah Hey Trail. They expect that  
18:24:54 2 if they get hurt they may die out there, and I said this  
18:24:58 3 is ridiculous. You tell me who's going out for  
18:25:04 4 recreation expecting not to come back. I have yet to  
18:25:07 5 have a call that came in and said, you know what, this  
18:25:11 6 person's hurt, they're lost, but you know what, you guys  
18:25:16 7 don't look for them. Don't worry about it. Someday  
18:25:20 8 when you come across their body let us know. No. It's,  
18:25:24 9 we want them rescued now. Why aren't you guys out there  
18:25:27 10 a long time ago? So there's many instances. Was I  
18:25:33 11 totally involved in the, in the process? Nope, I  
18:25:37 12 wasn't. It's been going on for years and years and  
18:25:41 13 years and I wasn't involved. We just stood back and  
18:25:44 14 said, here's what the emergency services needs, whatever  
18:25:53 15 else goes on, I guess. When people call in an emergency  
18:25:58 16 situation, a lot of times that 911 faze two call does  
18:26:03 17 not come in at the exact place. The river is very windy  
18:26:08 18 through there, so we don't know if they're on the east  
18:26:10 19 or the west side. They don't know because they're in a,  
18:26:12 20 in a situation, they just can't remember. That's very  
18:26:16 21 common. If they get excited they don't know what side  
18:26:21 22 they're on. It happens quite regular. Do we have the  
18:26:27 23 exact numbers? You know what, sorry, I don't have the  
18:26:32 24 exact numbers, but you know what, it's time that we quit  
25 looking at the past. When are we ever going to be

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18:26:34 1 proactive to make sure that we're taking care of our  
18:26:39 2 residents, our tourists and the oil industry, so I have  
18:26:49 3 to summarize a little bit. So I'd have to summarize  
18:26:53 4 just a little bit, so the county, you know, just looking  
18:26:53 5 forward, our emergency service, our medical services,  
18:26:58 6 why should we be any less than Bismarck, Fargo,  
18:27:03 7 Jamestown, who had to help us on that? You know what,  
18:27:09 8 county commissioners did, so we go and we implement what  
18:27:12 9 is necessary so that our residents, tourists, etcetera  
18:27:18 10 have what everybody else has. Spent a lot of money in  
18:27:23 11 doing that. People question why are you doing that.  
12 Why don't we go ask the guy that went into cardiac  
18:27:27 13 arrest, that the only reason he's alive is because we  
18:27:30 14 have the equipment. Why don't we ask the tourist that  
18:27:32 15 same way. You, at some point, you have to look and be  
18:27:37 16 proactive so that we're not having deaths in Billings  
18:27:41 17 County because I sure don't want to respond to them, and  
18:27:42 18 I don't want to have to call the family member up and  
18:27:44 19 say, guess what, we never made it there, we didn't  
18:27:48 20 respond. That's not why I'm in, why I am in this  
18:27:52 21 position or our firemen or our ambulance people, and why  
18:27:56 22 should we have any less availability to medical, to  
18:28:02 23 fire, to police than somebody in Bismarck or any major  
18:28:06 24 city, so we're talking about convenience and safety.  
18:28:14 25 Isn't that, safety is the most important part, but isn't

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18:28:19 1 that on every roadway? It's for the convenience and the  
18:28:23 2 safety, down the interstate, down Highway 85, name it.  
18:28:29 3 Then you talk about the mileage. Well, it's only  
18:28:33 4 20 miles, it's only 25 miles. Do you know how long it  
18:28:38 5 takes to go up East River Road, West River Road  
18:28:43 6 responding to a call. It's not 20 miles on the  
18:28:47 7 interstate or on the highway. It's 20 miles on a windy  
18:28:53 8 narrow road that you got to make sure when you come  
18:28:55 9 around that corner you're not going to run into  
18:28:58 10 somebody, so the response time for the ambulance to a  
18:29:01 11 lot of those places is 60 minutes, so when somebody's  
18:29:07 12 having a heart attack is 60 minutes too long?  
18:29:12 13 Absolutely. And we're looking at alternatives to take  
18:29:15 14 care of that up there, but obviously, again, we need to  
18:29:18 15 be more proactive. Got anything? That's good. I'm  
18:29:28 16 done.  
18:29:30 17 CHARLES JOHNSON: Sheriff, you mentioned  
18:29:35 18 here, you mentioned comparing the, Billings County to  
18:29:37 19 Bismarck. Well, that's not comparing apples to apples.  
18:29:40 20 You should be comparing Billings County to Burleigh  
18:29:42 21 County. Burleigh County, McKenzie County; Montrail  
18:29:49 22 County, whatever county you want to pick has the same  
18:29:52 23 issues and always will have those same geographic issues  
18:29:52 24 that you do. That's the nature of county work as  
18:29:56 25 compared to metropolitan work, so saying you should have

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18:30:01 1 the same resources and availability and access as  
18:30:03 2 Bismarck is, doesn't, doesn't compare. You should be  
18:30:06 3 talking about the elements associated with the county.  
18:30:11 4 They all have geographic disparities, but you haven't  
18:30:16 5 shown where, and, and, and I, we can appreciate the  
18:30:18 6 issues involved. We support our sheriffs in our, and  
18:30:20 7 our EMS people, but you haven't shown where there's  
18:30:24 8 significant cause to not use West River Road as access  
18:30:28 9 to that side of the, to the, the river.  
18:30:33 10 Q. Let's talk about West River Road, West River Road  
18:30:36 11 is not reliable. In the wintertime you can't even pass  
18:30:42 12 all the way up West River Road. In fact, I believe part  
18:30:47 13 of it is still not even county road, it's privately  
18:30:50 14 owned, so in order for us to get up West River Road we  
18:30:52 15 have to go over to Sentinel Butte, so we have to go over  
18:30:56 16 to Golden Valley County over to Sentinel Butte and go up  
18:30:58 17 through that area, and actually, when we're talking  
18:31:01 18 about roadways, you're better off going over to  
18:31:05 19 Highway 16, go up just, up on 16 and back in from the  
18:31:09 20 response time on the west side of the river. Don't  
18:31:10 21 shake your head no to me because I'm telling you that's  
18:31:12 22 the way it is. I mean you can -- whatever. I mean  
18:31:15 23 that's, that is how it works, and the other thing too,  
18:31:17 24 I've, even on East River Road, if you want to go look,  
18:31:21 25 emergency services coming out of Belfield is quicker to

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18:31:26 1 go up West, East River Road north of Freight Street than  
18:31:28 2 it is from Medora to respond, so I mean yes there is,  
18:31:33 3 there is challenges there, and we're just trying, we  
18:31:37 4 have a lot less resources than Burleigh County, a lot  
18:31:41 5 less resources than McKenzie County, so I don't think  
18:31:46 6 Burleigh County has the terrain that Billings county  
18:31:51 7 does. We, we have a totally different situation with  
18:31:56 8 that.  
18:32:01 9 MR. ARTHAUD: Charles, by the way, I  
18:32:05 10 apologize for, for losing my temper. You, you make  
18:32:08 11 safety seem like were using it for an excuse to get a  
18:32:14 12 bridge. Complete crap. Complete crap. We have spent  
18:32:18 13 millions of dollars on safety in our rural county. We  
18:32:22 14 have, we're one of the few rural counties that have full  
18:32:24 15 time paramedics. We have new ambulances. We borrowed  
18:32:33 16 Belfield money to put in an ambulance building. We have  
18:32:36 17 paid for paramedics in Golden Valley. We are putting in  
18:32:40 18 a new emergency station at Fairfield. We take care of  
18:32:44 19 Highway 85 also, so do not ever say that Billings County  
18:32:49 20 is using safety as an excuse to build this bridge. So  
18:32:54 21 let me ask you, if this bridge was not on Short's land,  
18:32:59 22 which, my god, I wasn't the one that picked Short's  
18:33:03 23 land, if it wasn't there would you still be up here,  
18:33:06 24 would you be talking about it not being necessary for us  
18:33:10 25 to have a crossing on that river to help somebody on the

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18:33:13 1 other side?  
18:33:14 2 CHARLES JOHNSON: I think the viability is  
18:33:16 3 more farther, it's farther north. I think you guys,  
18:33:18 4 you, I think it's, it's, it's a public, and, and you've  
18:33:21 5 had people from Medora at the last meeting testify that,  
18:33:23 6 hey, it's a public bridge, a public road, utilize public  
18:33:27 7 land, but you're unwilling to take on the US Forest  
18:33:32 8 Services. You've shown --  
18:33:32 9 MR. ARTHAUD: We have no choice. We have a  
18:33:32 10 NEPA process that we followed. I walked into the room  
18:33:36 11 the first day of the NEPA process. There was 20 some  
18:33:39 12 agencies in there. I looked around, I went holy  
18:33:41 13 mackerel. National Environmental Protection Act, I had  
18:33:43 14 no idea what we are getting into. It took about two  
18:33:48 15 seconds for the people in that room to tell me, you do  
18:33:52 16 not have a preconceived notion where this bridge  
18:33:57 17 belongs. You let the process play out to see where this  
18:34:03 18 bridge belongs, and we stood down and we also believe it  
18:34:07 19 belongs on public land and I've always said that, and I  
18:34:11 20 never once said that it won't go on Short's. I said it  
18:34:15 21 belongs on public land. Well, guess what, it can't be  
18:34:18 22 on public land for a lot of different reasons, and if  
18:34:22 23 you've lived out there all your life you'd understand  
18:34:24 24 many of those reasons. Now, we're going to talk about  
18:34:27 25 the river crossings because everybody goes, oh, you've

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18:34:31 1 crossed the river many times. Oh, I've crossed the  
2 river many times. Well, guess what, those river  
3 crossings that they've put up in that map that go on  
18:34:38 4 private land, a lot of those river crossings are not  
18:34:41 5 available to people anymore for various reasons.  
18:34:45 6 Absentee land owners don't keep them up anymore, don't  
18:34:48 7 want people out there, river changes, they are not  
18:34:52 8 passable anymore. Okay. That's one point and our guys  
18:34:55 9 got to go out there, and they waded in front of it when  
18:34:58 10 they can wade in front of it. You wouldn't go across it  
18:35:00 11 this spring. I can tell you that right now, and our,  
18:35:05 12 our equipment has changed. Our ambulances that we have,  
18:35:07 13 our firefighting equipment that we have, the only thing  
18:35:09 14 you can cross one of those rivers with is one of our  
18:35:11 15 grass units. Okay. In 1990 we got into a lawsuit with  
18:35:17 16 the State of North Dakota. The State of North Dakota  
18:35:21 17 wanted to make that river navigable. Okay? If anybody  
18:35:21 18 understands navigable rivers, if we wouldn't have won  
18:35:26 19 that lawsuit you wouldn't have those private crossings  
18:35:29 20 to start with. Okay? So that's always a threat. Then,  
18:35:33 21 oh, I can't remember what year it was, Wade would  
18:35:37 22 probably know or Fugely would probably know, they tried  
18:35:42 23 to get our congressional delegations to make that a  
18:35:43 24 federal wild and scenic river. Well, what do you think  
18:35:48 25 happens on a federal wild scenic river when it come to

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18:35:52 1 crossing a road? Do you understand that we're under  
18:35:53 2 threats all the time in our county being a 50 percent  
18:35:57 3 federal land county of access. We have, now have the  
18:36:02 4 opportunity and went through a 12 year study with  
18:36:06 5 20-some agencies to build a bridge that's not going to  
18:36:10 6 be taken out. I shouldn't say not going to be taken  
18:36:14 7 out. I mean, there's movement to decommission dams.  
18:36:17 8 There's movements to, to get rid of bridges, but it  
18:36:19 9 gives us some certainty that we can serve our county and  
18:36:24 10 go forward in our county. Safety is part of it.  
18:36:29 11 Congress is part of it. Industry is part of it.  
18:36:34 12 Recreation is part of it. Us county commissioners  
18:36:34 13 fought Maah Daah Hey Trail. We wanted nothing to do  
18:36:38 14 with the Maah Daah Hey Trail because we knew exactly  
18:36:40 15 what it was going to bring to our county. Now, guess  
18:36:44 16 what, we have Maah Daah Hey Trail. Guess what we do, we  
18:36:47 17 serve the Maah Daah Hey Trail. We take care of every  
18:36:51 18 person that gets lost. We take care of every person  
18:36:55 19 that gets sick. We have ridiculous requests during the  
18:36:58 20 race last year. Would you come out? I'm dehydrated.  
18:37:00 21 Give me an IV. Let me finish the race. Let me finish  
18:37:04 22 the race. We, we sat there organizer of the race down.  
18:37:09 23 The guy has got, he shaped right up and he's gotten  
18:37:13 24 professional about it. 700 registrants in that race  
18:37:14 25 next year. We know, if you've ever been to Moab, if you

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18:37:20 1 ever know what happened to the people in that part of  
18:37:23 2 Utah, as you can see the president rectified recently,  
18:37:26 3 you can see what happens, and that's what we are very  
18:37:29 4 fearful of, but we have stood up. We have taken the  
18:37:34 5 surge funding from the oil and gas money that we've had,  
18:37:35 6 and, like I said, we've improved our roads greatly. We  
18:37:42 7 have very little gravel on that side of the river, very  
18:37:46 8 little gravel. In fact the last two places that we've  
18:37:46 9 had to mine on that side of the river have taken court  
18:37:50 10 action for us to even gain access to it. 95 percent of  
18:37:52 11 our gravel comes from Golden Valley County, and we take  
18:37:57 12 that, we haul it all the way around through Medora. We  
18:38:01 13 don't go up through the park. We take it all the way  
18:38:03 14 around and we come in that way a hundred some miles.  
18:38:08 15 Tremendous amount of cost, tremendous amount of abuse to  
18:38:11 16 our roads. It is ridiculous that we don't  
18:38:16 17 interconnectivity into our county for various reasons,  
18:38:20 18 and we do not use safety as one of the, we don't, we  
18:38:23 19 don't take safety lightly, ever do we do that. Do we,  
18:38:28 20 do we want that on private land? We want that bridge  
18:38:33 21 where the NEPA process led us. I told Jeannie one day,  
18:38:40 22 I said, all people that would, that would admit to the  
18:38:42 23 National Environmental Protection Act working, I, I told  
18:38:45 24 her, I said I would never get up and say that in public,  
18:38:47 25 but by god I'm going to say it, it worked. That's where

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18:38:51 1 it ended up, and that's how the process got us there,  
18:38:54 2 and there is, if you haven't sat through the process for  
18:38:58 3 12 years to see why places got eliminated, why the  
18:39:02 4 places that we wanted to start with, why the Eberts  
18:39:05 5 ranch, who I happen to be the trustee that sold it to  
18:39:06 6 the Eberts, that Less Paul would like to come out of his  
18:39:09 7 grave that is buried out there, would like to kick me  
18:39:12 8 right here for selling that to the Eberts because I gave  
18:39:16 9 that to the forest service when we had it for the state  
18:39:21 10 where we, the state said that we couldn't put a bridge  
18:39:24 11 up. Guess what, it didn't happen and here's where we're  
12 at.  
13 UNIDENTIFIED SPEAKER: Can we hear from --  
14 CHARLES JOHNSON: What, what kind of --  
15 UNIDENTIFIED SPEAKER: -- some more people?  
16 CHARLES JOHNSON: What kind of --  
17 MS. TURNBOW: Yep.  
18 CHARLES JOHNSON: -- feedback are you  
19 getting from the land owners that are affected by  
20 alternative aid in talking about --  
21 MR. ARTHAUD: The preferred you mean?  
22 CHARLES JOHNSON: Yeah. The alternative  
23 aid --  
24 MS. TURNBOW: No. He's talking about the  
25 other alternative. So through the NEPA process

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18:39:43 1 basically we identified the alternatives that are  
18:39:46 2 carried forward, and usually through that environmental  
18:39:52 3 process, you know, individual meetings, you know, don't,  
18:39:52 4 do not happen because we have to walk through the  
18:39:55 5 process. After we get to the record of decision and  
18:39:58 6 what Jim has said is then we go into final design,  
18:40:01 7 and --  
8 UNIDENTIFIED SPEAKER: Can't hear.  
18:40:02 9 MS. TURNBOW: -- that's when a lot of the  
18:40:04 10 land owner discussions happen at that time. All right.  
18:40:07 11 I think that --  
18:40:10 12 MR. ARTHAUD: Well, I'm here if there's any  
18:40:13 13 more questions for, for me, I'm willing to take.  
18:40:18 14 UNIDENTIFIED SPEAKER: Will you hear some  
18:40:20 15 more people?  
18:40:21 16 MS. TURNBOW: Yes. Absolutely. So who else  
18:40:24 17 has an additional comment?  
18:40:27 18 LARRY HEILMANN: Okay. My name is Larry  
18:40:33 19 Heilmann. I'm from Fargo. I, I have a question. You  
18:40:37 20 have an Alternative L on the chart up there --  
18:40:43 21 MS. TURNBOW: Yes.  
18:40:44 22 LARRY HEILMANN: -- the do nothing  
18:40:46 23 alternative. What kind of data did you collect, what  
18:40:50 24 kind of research did you do in order to justify not  
18:40:55 25 going any further with that alternative?

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18:40:59 1 MS. TURNBOW: So the do-nothing or the  
18:41:00 2 no-action alternative is used as the baseline for the  
18:41:02 3 impact analysis for the build alternatives, so that is  
18:41:05 4 carried forward along with the build alternatives  
18:41:10 5 throughout the EIS.  
18:41:10 6 LARRY HEILMANN: But then you did nothing  
18:41:12 7 else.  
18:41:14 8 MS. TURNBOW: Through that process we  
18:41:15 9 identify a preferred alternative with the lead agencies  
18:41:16 10 which, which are the North Dakota DOT, Federal Highway  
18:41:20 11 Administration and Billings County. Now, the difference  
18:41:22 12 between a preferred and a selective alternative is the  
18:41:26 13 preferred is in the draft. That's what they want to  
18:41:28 14 move forward with, but through this process the --  
18:41:33 15 (inaudible) -- will identify a selective alternative,  
18:41:37 16 and a selective alternative can be different than the  
18:41:39 17 preferred, and it could also be the no-action  
18:41:41 18 alternative, so that is always carried through all NEPA  
18:41:49 19 documents.  
18:41:49 20 ALLAN RICHARD: My name is Allan Richard. I  
18:42:02 21 was born and raised in Stark County. I've been living  
18:42:05 22 in Billings County now for 28 years. I'm going to talk  
18:42:09 23 about, I met Jim when he was a high schooler. I was an  
18:42:12 24 eighth grade, and he was riding my black pony with  
18:42:16 25 Dennis Richard, first time I ever got introduced to the

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18:42:23 1 man. I met Mike Kasga, another great man that's working  
18:42:23 2 for our county, and I was a rough neck just out of high  
18:42:27 3 school. That's how I met him. I met Joe and his  
18:42:30 4 brothers used to farm together. We talked about the FAJ  
18:42:33 5 office all the time with the laws and stuff they had,  
18:42:36 6 how hard the were to deal with, and now we sit here and  
18:42:40 7 criticize the men that lived through the hard times.  
18:42:44 8 They've earned their money just like everybody else,  
18:42:47 9 they borrowed it and worked for it. That's how they got  
18:42:50 10 their money. Let's get down to what they've been doing  
18:42:54 11 for Billings County. For one thing let's start with how  
18:42:54 12 many people here are from Billings County, raise your  
18:42:59 13 hand please. Well, thank you. Let's start with our  
18:43:03 14 commissioners, Mike, Joe and Jim, start out with a  
18:43:08 15 program, they went out and hired the top road  
18:43:12 16 construction man they could, they hired Jeff Iverson who  
18:43:16 17 had 20 years into building roads. Before this happened  
18:43:19 18 our roads were junk. They were dangerous. People were  
18:43:23 19 getting hurt on them. Cars were rolling over  
18:43:24 20 everywhere, so they hired Jeff Iverson to take care of  
18:43:27 21 it, and he does a very good job at it. He's going out  
18:43:30 22 there, if we're such an oil greedy county explain to me  
18:43:33 23 why, when there's a snowstorm the first place them  
18:43:37 24 blades go, Jim, Mike, Tony tell them where to go. You  
18:43:42 25 go to Mrs. Johnson's house first. She's 80 years old.

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18:43:44 1 She's got an oxygen -- (inaudible) -- we got to get her  
18:43:46 2 snow out of there first. Why aren't we going down to  
18:43:51 3 Martha Mcutchet's road. She's 90 years old. She lives  
4 out in the middle of nowhere. Why ain't they out there  
18:43:58 5 cleaning out the oil field roads? That's where all the  
6 money's at. Why ain't we taking care of them first?  
18:43:59 7 That's where we get all our money from. That ain't how  
18:44:05 8 them men think. These men take care of everybody in  
18:44:07 9 that county. We have top quality people working. These  
18:44:13 10 people show up on their days off, their weekends when  
18:44:16 11 the weather's right to blade their roads. When it's  
18:44:18 12 raining, they're their to do it when it's done right.  
18:44:23 13 They are expected by Jim, Joe and Mike to do that. They  
18:44:25 14 are out there when there's a snow storm. They take  
18:44:27 15 snowmobiles to get there to get to the shops and get out  
18:44:30 16 there, and then when they're done cleaning out the poor  
18:44:32 17 elderly and weak people then they'll even offer you a  
18:44:36 18 chance to say, hey, people with your cattle or is your  
18:44:40 19 yard snowed in? If there's a chance a pay loader will  
18:44:42 20 be down here we'll help you out. If you can get by  
18:44:45 21 we'll go to the next guy. I ain't seen that in Stark  
18:44:50 22 County. I ain't seen that in any other county, but in  
18:44:52 23 Billings County Jim, Joe and Mike, that's what they  
18:44:56 24 offer you. They go there and then we move on to the  
18:45:02 25 weed war. Drive any county in the state and show me

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18:45:04 1 where they got weeds cleaned up in such rough terrain as  
18:45:08 2 we got. They hired a quality person -- (inaudible) --  
18:45:12 3 who took very much pride in his job, passed it on to the  
18:45:16 4 next person, Katie, very qualified job. She's got a  
18:45:21 5 budget to live with. Jim, Joe and Mike have always  
18:45:26 6 worked together with what them people needed in the  
18:45:28 7 county. Our weeds are under control. They make their  
18:45:31 8 people work. Let's get onto the EMS system. These dang  
18:45:36 9 EMS vans are getting bigger and larger every day. I've  
18:45:39 10 been in one. I've seen them things rolled over on  
18:45:40 11 Billings County because I've been there for 28 years and  
18:45:46 12 I'm going to know them roads are dangerous. Until them  
18:45:47 13 men took over these roads are better now. They take  
18:45:49 14 care of everybody. Let's get down to the school system.  
18:45:53 15 They were just as sad as we were when they had to close  
18:45:57 16 down -- (inaudible) -- school and held together with  
18:46:00 17 eight whole children left, but they kept funding it  
18:46:03 18 until they kept hanging in there, but yes they had to  
18:46:06 19 close it down. They have, their grandchildren are in  
18:46:08 20 them schools. Jim's children are in them schools. I  
18:46:09 21 know you guys don't care. We don't have to worry about  
18:46:14 22 that, but that's the kind of men that are running that  
23 county. You can sit there and look at me like who gives  
18:46:18 24 a shit. Well, I'll tell you who does. I do. These men  
18:46:22 25 don't need to be drug through the dirt when they're

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18:46:24 1 doing their job. They got 95 percent of them roads  
18:46:28 2 fixed up. Jim, why are we waisting our money on West  
18:46:31 3 River Road, KG Road and the East River Road going to  
18:46:35 4 Slope County? There's no money down there. There's no  
18:46:37 5 oil. There's just a bunch of ranchers and farmers.  
18:46:41 6 Jeez, you treat them the same as everybody else? That's  
18:46:43 7 amazing. There's no money on that end of the county but  
18:46:46 8 that's how they think. They take care of everybody  
18:46:49 9 equally. Why is the only road project, it's Billings  
18:46:52 10 County right now, two miles south of Fryburg. It  
18:46:56 11 equals, it takes care of two families. One man's 87  
18:46:59 12 years old. Why are we wasting money on that road? He  
18:47:01 13 can go around. Everybody seemed like going around's the  
18:47:04 14 answer. No. He gives, deserves a good road just  
18:47:09 15 everybody else. That is what our county's commissioners  
18:47:12 16 are doing, and on reason, another thing, the county has  
18:47:14 17 always got to jump through 10 hoops when every other  
18:47:16 18 county got to go through one. Enough's enough. We had  
18:47:22 19 our comment period in Billings County Monday night.  
18:47:22 20 This is where it should end, but we're here to please  
18:47:25 21 you people. Well, it's getting tired. These guys are  
22 trying to keep that county alive. They're doing their  
18:47:28 23 best. Why should Jim give a rat's butt when he's a  
18:47:32 24 millionaire. He could go live wherever he wants just  
18:47:34 25 like the rest of you do and oh, heck, care about

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18:47:37 1 Billings County. No. He takes pride that his children  
18:47:40 2 are going to a descent school, and here we go find the  
18:47:46 3 least -- that will be it. As far as I'm concerned you  
18:47:50 4 tell Joel Heitkamp he can stick it up you know where.  
18:47:54 5 Thank you.  
18:47:58 6 GRANT LEVI: I don't know. I don't need to  
18:48:12 7 use the podium. Can you here me? Can you here me?  
18:48:17 8 UNIDENTIFIED SPEAKER: Talk loud.  
18:48:19 9 GRANT LEVI: I'll, I'll talk as loud as I  
18:48:22 10 can.  
18:48:23 11 UNIDENTIFIED SPEAKER: It's not on.  
12 GRANT LEVI: Pardon me.  
13 UNIDENTIFIED SPEAKER: It's not on.  
18:48:23 14 MS. TURNBOW: I think it's on and it's all  
18:48:24 15 the way up.  
18:48:27 16 UNIDENTIFIED SPEAKER: Maybe it works better  
18:48:29 17 by the podium.  
18:48:31 18 GRANT LEVI: I'll try, I'll try the podium.  
18:48:32 19 I'll try that approach. You know, I, I came here this  
18:48:35 20 evening -- I'll, I'll introduce myself. My, my name is  
18:48:40 21 Grand Levi. I'm the former director of the Department  
18:48:41 22 of Transportation. I retired there after about  
18:48:43 23 37 years, and I'm here this evening because I have an  
18:48:46 24 interest in transportation, obviously. I did that for  
18:48:51 25 37 years, but I, I came here and I sat back and I was

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18:48:53 1 listening to all of this, and I can't tell you how many  
18:48:56 2 public meetings I've been involved in my career. I'm  
18:48:58 3 going to offer to you that the process that is being  
18:49:01 4 talked about this evening, that process of going through  
18:49:05 5 the environmental work, going through everything that's  
18:49:10 6 been put into place is the same process that was used  
18:49:11 7 for much of, I'll say, the infrastructure that you all  
18:49:18 8 travelled to get here today, and, and unfortunately  
18:49:22 9 through that process there's times people disagree with  
18:49:24 10 it. That's what's the beauty of the process to take  
18:49:28 11 comments and to address it directly to the environmental  
18:49:32 12 documents that this team has put together, and as I'm  
18:49:35 13 listening this evening and I'm listening to all these  
18:49:38 14 comments, I came here really to support the project.  
18:49:40 15 The reason I'm here to support the project is I have an  
18:49:44 16 interest in transportation, and in looking at it what  
18:49:47 17 I've looked at from the environmental work that they  
18 18 have done, they've done their best to address the  
18:49:52 19 concerns that are there, not everybody's concerns,  
18:49:56 20 because I'll say that when we construct, we, I'm out of  
18:50:02 21 the business, when transportations are, projects are  
18:50:03 22 constructed, not everybody always agrees, not everybody  
18:50:09 23 always agrees, but everybody should have a voice, but it  
18:50:13 24 should, that voice hopefully is directed at that  
25 environmental document and to that environmental process



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18:50:16 1 that was put into place. Now I'll offer to you, from my  
18:50:21 2 perspective having travelled North Dakota, and I have  
18:50:25 3 travelled lots of North Dakota, and I agree every county  
18:50:28 4 is different. Every place is different and that's one  
18:50:31 5 of the reasons people are put, put into positions to  
18:50:32 6 make decisions at a local level, but as I looked at this  
18:50:37 7 particular project I'll offer to you that there are  
18:50:40 8 safety concerns. There are safety concerns because I  
18:50:44 9 could tell you I don't know how many times in my  
18:50:45 10 position where I was at I took a phone call from  
18:50:48 11 somebody who lost a family member, and one of the  
18:50:50 12 questions to me always was is, well, why didn't you do  
18:50:53 13 that? Why didn't you take care of that? Why didn't you  
18:50:57 14 be proactive to address the issue. We did the best we  
18:51:03 15 could, and it wasn't always probably the first time  
18:51:05 16 anybody ever died at that intersection, but you went and  
18:51:10 17 looked at it, and you tried to address those concerns.  
18:51:12 18 I'll just end my comments by stating there's a good  
18:51:15 19 process in place. It's there. Many of the issues that  
18:51:19 20 I heard talked about, if you took time to really read  
18:51:21 21 the document, many of those issues are being addressed  
18:51:26 22 and discussed, but they're out here this evening in case  
18:51:28 23 they did miss something, to listen to you about that  
18:51:31 24 process. Thank you for your time. Thank you.  
18:51:38 25 MS. TURNBOW: Thanks, Grant. I'd just like

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18:51:44 1 to -- oh, just, we'll get there in just one second. I  
18:51:47 2 just wanted to say to you that, if I didn't say it  
18:51:48 3 earlier, all the comments that are here tonight that we  
18:51:52 4 received through the process, we do comment, we do  
18:51:55 5 respond to those, the transcripts are in the document  
18:51:57 6 and same with the previous meetings as well, so they all  
18:52:01 7 do get answered if they weren't answered tonight, so,  
18:52:04 8 with that, there is another comment here.  
18:52:10 9 JOHN BOYCE: My name is John Boyce. My wife  
18:52:13 10 Susan is with me. I'm not mad at anybody. I don't  
18:52:17 11 think we need to attack people personally, but we can  
18:52:21 12 have a conversation among people who may differ in  
18:52:24 13 opinion, but let's see if we can keep the tone down a  
18:52:29 14 little bit. I'll do my best. Susan and I live in a  
18:52:31 15 condo about a mile from here. We also have property ten  
18:52:34 16 miles south of Medora with a house out in the badlands.  
18:52:37 17 In no way do I expect emergency services out in the  
18:52:39 18 middle of the badlands in Billings County to be the same  
18:52:43 19 as they are here in Bismarck. That's not a valid  
18:52:47 20 comparison with all do respect to the sheriff. If I  
18:52:49 21 drop dead out there or have a heart attack out there, I  
18:52:51 22 don't expect an ambulance to be there in five minutes.  
18:52:54 23 That's a risk I take by living out at a remote area.  
18:52:59 24 The people who live in this part of the county I think  
18:53:02 25 understand that. There's only a thousand people in

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18:53:04 1 Billings County, and maybe half of them live in the  
18:53:07 2 north half, so we're talking a population base of about  
18:53:07 3 five hundred people. There's more people than that  
18:53:12 4 within a mile radius of this room, so it's a totally  
18:53:15 5 different environment out there as you all. Rivers are  
18:53:19 6 natural barriers. If you go south from Bismarck the  
18:53:25 7 next binge is in Mobridge, South Dakota. That's about  
18:53:28 8 120 miles, so, and there's lots of examples of that all  
18:53:32 9 up and down the Missouri into Montana, especially rural  
18:53:34 10 areas. You just can't cross anywhere you want to, so  
18:53:36 11 you have to go around. Just, again, expect that. No  
18:53:40 12 one lives out in that, that part of the county expecting  
18:53:44 13 a bridge to be built. Emmons County is about 3,000  
18:53:52 14 people, that's south of Bismarck, way more than Billings  
18:53:53 15 County, and none of them can cross the Missouri and go  
18:53:57 16 into Sioux County or Grant County. They have to come to  
18:54:01 17 Bismarck or drive to Mobridge. That's just the way it  
18:54:01 18 is. Suzanne and I believe that -- we live in the south  
18:54:08 19 part of the county. This is not our area. I can't  
18:54:11 20 comment in, with intelligence on any of the options, but  
18:54:15 21 we think that this would create a permanent, make a  
18:54:17 22 permanent impact on a very special place, and so  
18:54:20 23 whatever decision is made needs to be made carefully. I  
18:54:24 24 would commend KLJ on the EIS. I looked through all  
18:54:28 25 hundred and whatever pages of it before I came here.

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18:54:28 1 It's a beautiful document. You did a fantastic job but  
18:54:33 2 I would just urge caution. I had three specific  
18:54:42 3 questions. If a bridge is built, will that increase the  
18:54:42 4 traffic to the Elkhorn Ranch? Right now it's hard to  
18:54:42 5 get to the Elkhorn. You either got to go on the east  
18:54:46 6 side and somehow get across the river or go way around  
18:54:47 7 on dusty roads from the west, so if this bridge is built  
18:54:52 8 have you looked at, will that make it easier to get  
18:54:54 9 there, and is that a good or bad thing? I don't know.  
18:54:58 10 I'm just asking the question. The second thing is you  
18:55:00 11 mentioned the different kinds of traffic. It was oil  
18:55:03 12 and gas and agriculture and recreational and local.  
18:55:05 13 There's really no other as far as I can tell. In our  
18:55:08 14 part of the county most of the traffic is oil and gas up  
18:55:12 15 and down the East River Road, so I'm assuming that those  
18:55:16 16 are ranked in order, and I'm wondering if you had any  
18:55:20 17 estimate on how many of those hundred or so vehicles a  
18:55:21 18 day are oil and gas vehicles versus all the others.  
18:55:23 19 That was my second question. Third question is, if they  
18:55:29 20 build an 11 million dollar bridge up there, in 20 years  
18:55:31 21 are they going to say, gee, we need to pave that road to  
18:55:35 22 that 11 million dollar bridge and make it even easier to  
18:55:39 23 get across? Maybe. I'm just raising a question.  
18:55:43 24 Otherwise that's a lot of money for a bridge. My last  
18:55:46 25 question is, I understand the need to respond to fires.

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18:55:49 1 If there was a fire and there was no bridge could they  
18:55:53 2 put a permanent, or a temporary bridge across the river  
18:55:55 3 like the national guard does to get vehicles back and  
18:55:58 4 forth to fight a fire? Is that a possibility? That's  
18:56:00 5 just another question. Thank you.  
18:56:03 6 MS. TURNBOW: Well, I'll try to remember  
18:56:05 7 your questions and try to provide some answers. I think  
18:56:09 8 the first question was about the Elkhorn Ranch.  
18:56:11 9 JOHN BOYCE: Right.  
18:56:12 10 MS. TURNBOW: And I would say that it would  
18:56:15 11 be easier to get there. Whether or not that's a good or  
18:56:19 12 bad thing, I think it depends on your perspective, and I  
18:56:25 13 think the second question was --  
18:56:25 14 JOHN BOYCE: Traffic volume by type.  
18:56:28 15 MS. TURNBOW: -- traffic volumes. That --  
18:56:29 16 MR. RIPPLINGER: We don't, we don't have  
18:56:32 17 traffic volumes by type, but when we counted their, it's  
18:56:35 18 about 50 percent trucks is what we can say.  
18:56:35 19 UNIDENTIFIED SPEAKER: What's the other  
18:56:37 20 50 percent?  
18:56:38 21 MR. RIPPLINGER: It would be pickups,  
18:56:40 22 cars --  
18:56:42 23 UNIDENTIFIED SPEAKER: Okay.  
18:56:43 24 MR. RIPPLINGER: -- other types of vehicles,  
18:56:47 25 50 percent truck --

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18:56:47 1 MS. TURNBOW: Got to help me with question  
18:56:51 2 three.  
18:56:51 3 JOHN BOYCE: Future use of an 11 million  
18:56:53 4 dollar bridge.  
18:56:53 5 MS. TURNBOW: Oh, okay. So the -- sorry.  
18:56:54 6 35 mile an hour roadway, that's gravel, and they have,  
18:56:58 7 we actually had a lot of some of the environmental  
18:57:01 8 groups and others comment that they wanted the roadway  
18:57:04 9 paved in order to not have dust, and it is important for  
18:57:07 10 the county system to stay with the gravel roadway as the  
18:57:11 11 35 mile an hour. Now, some have said that that  
18:57:14 12 connection between Highway 16 and Highway 85, it's a  
18:57:18 13 very, it's not a direct route, and going through there,  
18:57:22 14 if the bridge was built and the roadways, it would still  
18:57:24 15 take about almost an hour and 45 minutes to two hours to  
18:57:29 16 get from Highway 85 to 16, so we don't anticipate any of  
18:57:33 17 that happening.  
18:57:34 18 JOHN BOYCE: And the last one was a  
18:57:36 19 temporary bridge --  
18:57:38 20 MS. TURNBOW: That I can't answer.  
21 JOHN BOYCE: -- for the firefighters.  
18:57:41 22 MS. TURNBOW: But we will find an answer,  
18:57:43 23 and we'll respond to that question through the EIS  
18:57:44 24 process.  
18:57:46 25 GENE ALLEN: Thank you. My name is Gene

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18:57:49 1 Allen. I'm from Beach and my question kind of goes off  
18:57:56 2 of Mr. Boyce's question, and that is, have, has anyone  
18:58:02 3 explored alternatives that would be for a lighter duty  
18:58:06 4 bridge that would facilitate the EMS traffic, the, the  
18:58:12 5 squad cars, the ambulances, the fire apparatus which  
18:58:15 6 seems to be the compelling reason. I mean, that's  
18:58:18 7 where, I mean we, we have a passion to please for that  
18:58:20 8 here. It's fully understandable and those people are,  
18:58:24 9 are heavily invested in providing those EMS services.  
18:58:29 10 It seems that, that an alternative that addresses that  
18:58:34 11 is really what is needed.  
18:58:36 12 MS. TURNBOW: So, again, the purpose of the  
18:58:38 13 project and the needs are for, it is for emergency  
18:58:42 14 management and oil and gas and agriculture and that  
18:58:45 15 internal system linkage, and at the very beginning of  
18:58:50 16 the project we looked at different structure types, like  
18:58:50 17 a low water crossing and that type of thing, and what  
18:58:54 18 basically came out of all of that discussion and  
18:58:59 19 coordination and the agencies, the lead agency, the --  
18:59:00 20 (inaudible) -- agencies is that reliability, and that  
18:59:03 21 was the most important that they have in all weather,  
18:59:07 22 year around, very reliable probably in that county to  
18:59:13 23 connect that system -- (inaudible) --  
18:59:13 24 UNIDENTIFIED SPEAKER: But why does it have  
18:59:15 25 to be for oil and gas?

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18:59:18 1 MS. TURNBOW: It's for all users. It's not  
18:59:21 2 just oil and gas. It's recreation and --  
18:59:21 3 UNIDENTIFIED SPEAKER: -- (inaudible) -- for  
18:59:23 4 EMS.  
18:59:24 5 MS. TURNBOW: Well, as we stated in the  
18:59:27 6 presentation, it's for all users in that county, and  
18:59:32 7 those users are agriculture, oil and gas, it's for  
18:59:35 8 safety and for recreation and tourism and agriculture.  
18:59:46 9 Can you state your name too? I think I've been -- I'm  
18:59:48 10 sorry if we haven't been --  
18:59:48 11 MIKE FROHLICH: Mike Frohlich, I live here  
18:59:48 12 in Bismarck, but I've hunted in that lands for 25 years  
18:59:51 13 or longer. I've been out there every year. It's a  
18:59:54 14 place that I have a passion for, so I am, I am opposed  
18:59:58 15 to it just because I like the remoteness of it, and  
19:00:02 16 that's part of it, why I go out there and that's my  
19:00:04 17 thing, but I do have a question about whether we're  
19:00:06 18 increasing the traffic a one percent with that build,  
19:00:09 19 and we do have a very light population out in that area.  
19:00:14 20 It's a pretty rural and rough area. Has anybody studied  
19:00:16 21 that -- we have a, 11 million plus a minimum of 3  
19:00:18 22 million up to another 11 million for utilities, has  
19:00:21 23 anybody studied the fact that we could put another EMS  
19:00:25 24 station. I used to be a volunteer firefighter, so I  
19:00:28 25 know how important response times and things are like

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19:00:29 1 that, and maybe if we had a different station out on the  
19:00:34 2 other side of the road that was a little more north it  
19:00:35 3 could be staffed by volunteers. Maybe we could pay for  
19:00:38 4 that with 14 million dollars and have a faster response  
19:00:41 5 time without the impacts to that especially since we're  
19:00:46 6 only talking a one percent traffic increase.

19:00:50 7 MS. TURNBOW: So, again, the purpose and  
19:00:53 8 need for the project is for that overall system linkage  
19:00:54 9 in the county, and as it has been stated numerous times,  
19:01:00 10 but I guess for the traffic volumes I don't know if it  
19:01:03 11 is the 100 to 200 vehicles per day, and maybe Troy can  
19:01:09 12 explain that study just a little bit.

19:01:09 13 MR. RIPPLINGER: Sure. So as, as far as the  
19:01:10 14 traffic study goes, when we looked at it, you know, we  
19:01:14 15 all have to keep in mind, and we said it a number of  
19:01:17 16 times, this is a rural network in North Dakota, and so  
19:01:20 17 traffic volumes range from a hundred to 200 vehicles per  
19:01:22 18 day is pretty typical for any county road, and so  
19:01:23 19 providing that, that link in there we anticipate the  
19:01:28 20 traffic would still be the 100 to 200 vehicles per day.  
19:01:34 21 Were not projecting any more trips, more generation by  
19:01:35 22 putting a bridge in. Those estimates were just, that's  
19:01:39 23 kind of the standard the DOT uses when they do traffic  
19:01:41 24 projections. It's more to give an estimate of EIS for  
19:01:44 25 what traffic road could be, but generally speaking our

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19:01:47 1 traffic in rural areas is pretty flat. They, they stay  
19:01:52 2 around 100 to 200 vehicles per day range.

19:01:56 3 MIKE FROHLICH: It's definitely going to  
4 increase in that area though if you put that bridge  
19:01:58 5 there. I mean that's a pretty remote area that is on  
19:02:01 6 the dead end of the road, and unless you are traveling  
19:02:04 7 down to that area and travelling back out you're not  
19:02:06 8 going down there just to like go try to drive across the  
19:02:10 9 river.

19:02:10 10 MR. RIPPLINGER: And that's why we applied  
19:02:12 11 that growth rate to that area, but it still, it, it's  
19:02:18 12 still going to be 200 vehicles per day. It's not going  
19:02:18 13 to exceed, or I mean I shouldn't say it's --

19:02:22 14 UNIDENTIFIED SPEAKER: So a hundred are oil.  
19:02:24 15 Right?

19:02:24 16 MR. RIPPLINGER: What's that?  
17 UNIDENTIFIED SPEAKER: A hundred are oil  
18 trucks if there are 200 going?

19:02:26 19 MR. RIPPLINGER: That's what, yes, going to  
19:02:28 20 show hundred, well, trucks, so that could be  
19:02:31 21 agricultural, could be hauling gravel, hay, that stuff  
19:02:34 22 as well.

19:02:36 23 ANDY REIMNITZ: I don't need that. I'll  
19:02:38 24 just turn up the volume. My name is Andy Reimnitz. I  
19:02:41 25 also hunt out there lots. This bridge is going to

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19:02:48 1 affectively change the travel pattern. Right now the  
19:02:51 2 big trucks come down Bell Lake Road and shoot out,  
19:02:56 3 eventually wanting to end up in Belfield because that's  
19:02:56 4 where the oil is. Am I right with that? That's where  
19:02:59 5 the oil gets taken? So you're going to change the  
19:03:03 6 pattern. Everyone's going to come down that Bell, all  
19:03:08 7 those big trucks are going to come down Bell Lake Road.  
19:03:10 8 Then they're going to turn and go through the Short  
19:03:15 9 Ranch and get to Belfield because it's faster, so, and  
19:03:17 10 I, further, I spent over a month out there last year,  
19:03:21 11 not as much time as you guys maybe. Most of it is in  
19:03:24 12 the fall. I do go out in the spring. Your truck count  
19:03:30 13 is way low compared to what really exists. Other than  
19:03:37 14 opening weekend of deer gun, that's the only time light  
19:03:44 15 vehicle traffic gets anywhere near the truck traffic.  
19:03:48 16 Item 2, as you go down the short road you're going to  
19:03:54 17 turn and go by Mr. Ogeywich's feedlot and then off.  
19:04:03 18 Have you thought of what that impact of all that dust is  
19:04:11 19 going to do to his cattle? No. I mean, we're screwing  
19:04:17 20 around with guys livelihood. He's going to have to  
19:04:22 21 drive across that road in order to get to his feedlot.

19:04:29 22 MR. ARTHAUD: Can I answer that one for you?  
19:04:32 23 So Jay Ogaywich is my wife's first cousin. His brother  
19:04:33 24 manages a ranch for me. I have a ranch. We're not  
19:04:36 25 insensitive to what's happening. Okay? So the reason

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19:04:42 1 for the increased study area that we have when the first  
19:04:46 2 one went through, I go why would we split the bottom  
19:04:50 3 completely? Why don't we put the road all the way up  
19:04:54 4 against the north edge where we could put it? Why don't  
19:04:56 5 we go on the backside of Jay's feedlot? Now the oil  
19:05:00 6 field traffic goes on the front side of Jay's feed lot.  
19:05:05 7 Let's go on the back side of Jay's feedlot so yes. We,  
19:05:07 8 we're trying to mitigate all the impacts that we could  
19:05:07 9 mitigate with the choices that we have.

10 UNIDENTIFIED SPEAKER: It's, then it goes  
19:05:13 11 through his calving pasture.

19:05:13 12 MR. ARTHAUD: It goes on the north end of  
13 their -- I'm not denying this. I, I'm not, I'm not, I'm  
14 not denying this.

15 UNIDENTIFIED SPEAKER: The, the one working  
19:05:22 16 ranch that's still there along the river.

19:05:25 17 MR. ARTHAUD: Yeah. I'm, I'm not denying it  
18 so --

19 UNIDENTIFIED SPEAKER: I know.  
19:05:26 20 MR. ARTHAUD: -- I'm not saying that.  
19:05:27 21 We're, we're trying to work within the document the best  
19:05:30 22 we can work to mitigate disturbances to the best that we  
19:05:36 23 can do. I mean, you know, I know Jay and Jolene as --

19:05:42 24 UNIDENTIFIED SPEAKER: I know.  
19:05:43 25 MR. ARTHAUD: -- as well as you guys do.

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19:05:43 1 You know? It, it's just the need for this bridge is  
 19:05:46 2 overwhelming.  
 19:05:50 3 SANDY SHORT: I have another question.  
 19:05:53 4 Okay. 70 miles -- I'm Sandy Short. It's my land, our  
 19:05:56 5 land, our family land. Seventy miles between the two  
 19:05:58 6 bridges, why do you want to put one 20 miles from  
 19:06:04 7 Medora? To me that doesn't make sense either but you  
 19:06:07 8 know I'm against it.  
 19:06:09 9 MR. ARTHAUD: It's 30 miles but anyway.  
 19:06:13 10 SANDY SHORT: 18, 18 straight. Right?  
 19:06:13 11 MR. ARTHAUD: So, so you know the, the other  
 19:06:13 12 preferred is Magpie.  
 19:06:15 13 SANDY SHORT: And those two roads were built  
 19:06:18 14 to go across the river.  
 19:06:18 15 MR. ARTHAUD: There is no, Billings County  
 19:06:20 16 doesn't use Magpie Road.  
 19:06:20 17 SANDY SHORT: Isn't it a --  
 19:06:21 18 MR. ARTHAUD: It, it, it's not, it, it's not  
 19:06:24 19 our farm-to-market rout. It's way out of the way.  
 19:06:27 20 It's, it, you know, it's, it's just not even feasible.  
 19:06:27 21 SANDY SHORT: Isn't there oil activity up  
 19:06:30 22 there too?  
 19:06:32 23 MR. ARTHAUD: I suppose there's oil activity  
 19:06:34 24 up there, I guess, I mean, I don't know. I don't know  
 19:06:39 25 that, if there's any more activity up there or any less

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19:06:42 1 than any other place. I said there's oil activity all  
 19:06:47 2 over, you know, but anyway, long, long story short, I  
 19:06:51 3 know Jay. I'm in the cattle business.  
 4 UNIDENTIFIED SPEAKER: I have one more.  
 19:06:55 5 MR. ARTHAUD: I understand.  
 19:06:57 6 UNIDENTIFIED SPEAKER: I believe this, the  
 19:06:59 7 man that built his own bridge, isn't that in Billings  
 19:07:04 8 county?  
 19:07:04 9 MR. ARTHAUD: No. That's -- no. Dunn  
 19:07:06 10 County.  
 19:07:06 11 UNIDENTIFIED SPEAKER: Oh, it's in Dunn  
 19:07:09 12 County. That's too bad. We could use that one.  
 19:07:13 13 UNIDENTIFIED SPEAKER: I don't think you  
 19:07:14 14 would.  
 19:07:25 15 MR. BOHRER: My name is Mark Bohrer, and I'm  
 19:07:27 16 not going to yell at Jim.  
 19:07:30 17 MR. ARTHAUD: You have before.  
 19:07:32 18 MR. BOHRER: I, I do have a couple of  
 19:07:33 19 questions and maybe some comments.  
 19:07:37 20 UNIDENTIFIED SPEAKER: Speak up. Can't  
 19:07:39 21 hear.  
 19:07:39 22 MR. BOHRER: Can you or, or KLJ, I mean, why  
 19:07:42 23 was option A, not eliminated, why, why is that not a  
 19:07:46 24 preferred alternative? Is there a reason for that?  
 19:07:51 25 MS. TURNBOW: Yes. I can answer that. So

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19:07:53 1 I'm going to go see if the computer sill works here.  
 19:07:56 2 I'm not going to try to be lengthy, but basically when I  
 19:08:00 3 went through all those Section 4F properties, and we  
 19:08:02 4 have the Elkhorn Ranchlands that the US Forest Service  
 19:08:05 5 manages, we have the National Historic District --  
 19:08:08 6 UNIDENTIFIED SPEAKER: Can't hear. A little  
 19:08:10 7 louder --  
 19:08:10 8 MS. TURNBOW: We have the National Historic  
 19:08:13 9 District, we also have the Elkhorn Ranch Unit of  
 19:08:16 10 Theodore Roosevelt National Park. Part of Alternative A  
 19:08:19 11 actually goes through some of the US Forest Service  
 19:08:23 12 ranchlands which is the Section 4 of property, so  
 19:08:23 13 through that law basically why the preferred was  
 19:08:28 14 Alternative K, Option One is because we have no use to a  
 19:08:34 15 Section 4F property.  
 19:08:35 16 MR. BOHRER: So that Section 4F basically  
 19:08:39 17 eliminates that?  
 19:08:41 18 MS. TURNBOW: It doesn't eliminate it but if  
 19 19 you have other viable alternatives that doesn't have a  
 19:08:44 20 use, that's what's identified as the preferred.  
 19:08:48 21 MR. BOHRER: Okay. Just out of curiosity  
 19:08:55 22 since we're talking about --  
 19:08:57 23 UNIDENTIFIED SPEAKER: Can't hear you.  
 24 MR. BOHRER: -- emergency services and --  
 25 UNIDENTIFIED SPEAKER: Hold it like right --

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1 UNIDENTIFIED SPEAKER: Speak up.  
 2 UNIDENTIFIED SPEAKER: -- next to your  
 3 mouth.  
 4 UNIDENTIFIED SPEAKER: Speak up.  
 5 UNIDENTIFIED SPEAKER: The microphone's not  
 19:09:03 6 working.  
 19:09:03 7 MR. BOHRER: Since we're talking about  
 19:09:04 8 emergency services and, and things like that, I'm not  
 19:09:07 9 saying that's the mean folks, but has a bridge been  
 19:09:10 10 considered south of Medora?  
 19:09:15 11 MR. ARTHAUD: We have how low water crossing  
 19:09:18 12 south of Medora.  
 19:09:19 13 MR. BOHRER: And that, that leads me into  
 19:09:20 14 another comment as far as access to different areas for  
 19:09:22 15 different reasons. Has it ever been considered to  
 19:09:26 16 build, improve the water crossings at multiple places  
 19:09:26 17 along the river to improve access everywhere?  
 19:09:31 18 MR. ARTHAUD: Canoers really don't like low  
 19:09:38 19 water crossings, Mark.  
 19:09:39 20 MR. BOHRER: Okay. And then --  
 19:09:39 21 MR. ARTHAUD: So yes it, it has been  
 19:09:42 22 considered, and we looked at it through the document.  
 19:09:43 23 We started off by, am a being naive, we started off by  
 19:09:51 24 going, why don't we do a low water crossing like 3D?  
 19:09:55 25 Okay. I felt it was a less impact. Got shot down

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1 immediately. It is not a viable option for, for  
19:10:04 2 numerous reason. It wasn't constant and it, disruptive  
3 to the users of the river, the recreational users of the  
19:10:14 4 river so yes it was considered.  
19:10:14 5 MR. BOHRER: So and in, in this process with  
19:10:17 6 the, the road going what I call the cut across road and  
19:10:19 7 I know it has a single lane bridge on it. Is that all,  
19:10:22 8 does that road have to be improved vastly to, in this  
19:10:25 9 project?  
19:10:28 10 MR. ARTHAUD: What, what road is that, Mark?  
19:10:30 11 MR. BOHRER: The one that crosses Roosevelt  
12 crick just --  
19:10:31 13 UNIDENTIFIED SPEAKER: On Bell Lake. Yes.  
19:10:33 14 MR. BOHRER: It's 724 or 714.  
19:10:34 15 MR. ARTHAUD: No. Not, not too much.  
19:10:35 16 MR. BOHRER: Well, there, there is a single  
19:10:36 17 lane bridge there, so that would have to be replaced?  
19:10:36 18 MR. RIPPLINGER: Yep. That would be -- yep.  
19:10:39 19 MR. BOHRER: And there's some nearly blind  
19:10:42 20 hills on that road that would have to be --  
19:10:42 21 MS. TURNBOW: Yep.  
19:10:43 22 MR. RIPPLINGER: Correct.  
19:10:45 23 MR. BOHRER: Okay.  
19:10:45 24 UNIDENTIFIED SPEAKER: So was that cost  
19:10:48 25 figured in that that --

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1 MS. TURNBOW: Yes.  
19:10:49 2 MR. RIPPLINGER: Yep. That's --  
19:10:49 3 MR. BOHRER: And then I guess my last  
19:10:52 4 question going along with some of the, some of the other  
19:10:55 5 comments people made is, was there any local rancher  
19:11:03 6 public type demand for a bridge, or is this, and I'm not  
19:11:07 7 discrediting what Billings County's doing, but I mean  
19:11:08 8 was there a grassroots area where they, they wanted the  
19:11:15 9 bridge?  
19:11:15 10 MR. ARTHAUD: Oh, I wouldn't say so, no. I  
19:11:17 11 mean, there's local ranchers that want the bridge. Is  
19:11:19 12 there local ranchers that are going to say they want the  
19:11:22 13 bridge? Probably not. I mean you had one last night,  
19:11:24 14 Doug Mosser said, or the other night Doug Mosser says,  
19:11:27 15 we need to have a bridge.  
16 UNIDENTIFIED SPEAKER: Can't hear.  
19:11:29 17 MR. ARTHAUD: Just don't want it here.  
19:11:30 18 Would probably say I just don't want it here. You know,  
19 19 Jay would probably say, I'll use the bridge, I just  
19:11:34 20 don't want it here.  
19:11:34 21 MR. BOHRER: And my, my last question even  
19:11:40 22 as far as Jay's feedlot goes, are there mitigation  
19:11:41 23 measures that can be taken for him at that site?  
19:11:46 24 MR. ARTHAUD: Well, we're, we're, we're  
19:11:46 25 going to mitigate that site the best we can. There's

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19:11:50 1 not going to be a dust problem. It may be pavement or  
19:11:51 2 it may be what we do for every other resident in  
19:11:53 3 Billings County. I'll give you an example about dust in  
19:11:58 4 Billings County. About 10 years ago Kurt Velasco with  
19:12:03 5 the United States Forest Service came to the county  
19:12:08 6 commission and they said we're going to file against  
19:12:11 7 Billings County if you guys do not start using gravel on  
19:12:16 8 your roads, a violation of Class 1 air spaces because of  
19:12:22 9 dust. You look at Billings County today, of the gravel  
19:12:26 10 that we have put on our roads and reverted away from  
19:12:29 11 scoria, it's unbelievable the amount of money that we've  
19:12:33 12 spent, and guess what, Mark, we've got two gravel  
19:12:38 13 sources on the east side of the river left in Billings  
14 County. One was on the Elkhorn Ranch, and the private  
19:12:44 15 land owner had to go to, christ, I don't know what court  
19:12:47 16 it was in Washington, D.C. to have the right to mine its  
19:12:50 17 own gravel. The other one is on, it was on Norm  
19:12:56 18 Winters's place. Sandy knows Norm Winters and the  
19:12:59 19 surface owner was going to deny us the right to go into  
19:13:01 20 that to get that gravel. We had to go to court to have  
19:13:05 21 the right to get that gravel. There's gravel within  
19:13:11 22 20 miles of that ridge in Golden Valley that we go all  
19:13:14 23 the way out through Camels Hump, beat the living crap  
19:13:21 24 out of Golden Valley's road. It's fairly embarrassing  
19:13:24 25 to us that we do that. We, as you heard from that road

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19:13:28 1 foreman over there, or road foreman has a great  
19:13:32 2 relationship with them. We do blade those roads. We do  
19:13:35 3 put gravel back on to those roads, but it's ludicrous  
19:13:40 4 that we have to go all the way around, and we can't come  
19:13:46 5 back up which people look on the map and say it's only  
6 20 miles. We can't come back through Medora and go  
19:13:48 7 through the park and come up with our gravel. We got to  
19:13:49 8 go back through Belfield or Fryburg, and we got to come  
19:13:56 9 back in on Frank's Crick, and then we got to go back up  
19:13:59 10 on -- (inaudible) -- we beat our roads so bad on  
19:14:01 11 infrastructure. We were very fortunate that we got  
19:14:04 12 surge funding from the State of North Dakota to the tune  
19:14:08 13 of like 3 million dollars to bill to justify paying for  
19:14:13 14 hauling that gravel out of there, and you know what, we,  
19:14:19 15 we feel actually a little bit of shame that we're taking  
19:14:23 16 Golden Valley's gravel because we're in a position in  
19:14:25 17 Billings County to be able to pay for that gravel, and,  
19:14:28 18 and Golden Valley County doesn't get to share in the oil  
19:14:32 19 well that comes out of those, out of them oil wells out  
19:14:34 20 there, and, quite frankly, can't compete with us on  
19:14:39 21 buying that gravel from those land owners, but getting  
19:14:43 22 back to that, we have probably the premier dust control  
19:14:46 23 program in our county for all of our residents. Like  
19:14:50 24 the one gentleman said, we don't pick and choose who it  
19:14:56 25 is or if it's in my district or whatever district or if

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19:14:58 1 she's 80 or if she's 50 or if he's a millionaire or if  
19:15:03 2 he's, you know, on social security. We don't. We, we  
19:15:06 3 treat everybody the same, and the options to mitigate  
19:15:10 4 dust on Jay's or dust control or pavement, and the  
19:15:15 5 gentleman says, are we going to put pavement. It's a  
19:15:18 6 serious consideration that we'd like to put pavement, it  
19:15:21 7 really is, so trust me, it's not comfortable for me  
19:15:27 8 anymore than it is for Jay when we're at the cousin's  
19:15:33 9 wedding two weeks ago, you know, talking about this  
19:15:37 10 stuff. I don't like it any more than I think Jay does,  
19:15:38 11 and we're going to do everything possible if this gets  
12 selected, if we get the opportunity to build there  
13 bridge there, we're going to do everything possible to  
19:15:53 14 mitigate anything we can on that ranch.  
19:15:56 15 MR. BOHRER: All right. Thanks, Jim.  
19:16:04 16 MS. TURNBOW: Thank you.  
19:16:04 17 CHARLES JOHNSON: Can you tell us who the  
19:16:08 18 ultimate decision maker is on that go, no-go on this; is  
19:16:09 19 it a committee, is it a person, is it a group of people?  
19:16:11 20 MS. TURNBOW: Federal Highway Administration  
19:16:13 21 signs the record of decision.  
19:16:15 22 CHARLES JOHNSON: So is there a single guy  
23 in that office that says I'm signing off on it? I  
19:16:20 24 mean --  
19:16:20 25 MS. TURNBOW: Well, there is a single guy

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19:16:22 1 that signs it, yes, but they do it in cooperation with  
19:16:27 2 their agency and the North Dakota DOT and Billings  
19:16:31 3 County.  
19:16:31 4 CHARLES JOHNSON: So --  
19:16:32 5 MS. TURNBOW: But it's Federal Highway's  
19:16:35 6 document and Federal Highway signs the document.  
19:16:35 7 UNIDENTIFIED SPEAKER: Who's footing the  
19:16:37 8 bill? We've never heard that.  
19:16:40 9 MS. TURNBOW: Billings County is funding the  
19:16:43 10 preliminary engineering and the environmental study.  
19:16:43 11 UNIDENTIFIED SPEAKER: No. I mean the  
19:16:45 12 bridge.  
19:16:48 13 MR. ARTHAUD: So, so I'm going to try and  
19:16:50 14 answer that too. Again, it's a question that people,  
19:16:53 15 again, go, oh, Jim, you're being evasive. I'm not being  
19:16:53 16 evasive. We don't know when the record of decision is  
19:16:57 17 going to come. We don't know who or what is going to be  
19:17:02 18 available to us. We don't know if the third quarter GPD  
19:17:07 19 is going to be six, and we don't know if there's going  
19:17:10 20 to be a lot of money. We don't know if that highway has  
19:17:14 21 got some discretionary money that they might give us,  
19:17:16 22 but in the meantime Billings County has decided that we  
19:17:21 23 will be responsible for the construction of this bridge  
19:17:25 24 if need be, but we're going to look at every option for  
19:17:30 25 money on this bridge just like anybody else does in

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19:17:33 1 America for any one of their infrastructure projects.  
19:17:36 2 We have been very, I shouldn't say aggressive, but we've  
19:17:42 3 been very -- (inaudible) -- of all moneys available for  
19:17:45 4 us. We, like I said before, we had 3 million dollars  
19:17:47 5 worth of grant money for surge money. We've gotten,  
19:17:50 6 we've got grant money for paramedics. We've got grant  
19:17:53 7 money for new ambulances. We've got grant money for new  
19:17:56 8 fire trucks. We're going to go after every avenue we  
19:18:01 9 possibly can go after. That county is 50 percent public  
19:18:08 10 land. We do not get property tax off that public land.  
19:18:09 11 We get payment in lieu of property tax. Well, guess  
19:18:12 12 what, last four or five years, what did we get, Marsha,  
19:18:17 13 half of what, what we were supposed to get because of  
19:18:20 14 whatever reason. That's, that's what we live off, so  
19:18:23 15 you know what, public land, there's nothing wrong with  
19:18:26 16 public helping to pay for us to maintain public lands.  
19:18:32 17 Four highways out there, county foots all those bills,  
19:18:36 18 so we feel entitled just like everybody else in America  
19:18:40 19 feels entitled when you pay your gas tax that we should,  
19:18:42 20 I absolutely, we're not unique, so, like I said, who  
19:18:47 21 knows who's going to be in power when the time comes?  
19:18:52 22 Who knows what funding is going to be available to us?  
19:18:56 23 I'm not being evasive but I will tell you, there are  
19:19:01 24 three county commissioners that are there now, and if  
19:19:01 25 they're still there when the time comes have made the

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19:19:04 1 decision that the county will bear the burden for that  
19:19:06 2 construction project if there's no other funding  
19:19:08 3 available.  
19:19:16 4 ALEX DOHMAN: I just want to ask you  
5 something --  
6 MS. TURNBOW: Could you state your name,  
19:19:18 7 please, sir.  
19:19:18 8 ALEX DOHMAN: Axes Dohman is my name. Will  
19:19:18 9 Billings County then be in charge of, like, future  
19:19:21 10 inspections of the bridge and all the repairs and stuff  
19:19:25 11 when it comes down the road?  
19:19:27 12 MR. ARTHAUD: Well, you -- I would imagine.  
19:19:29 13 You know, so there's DOT people in the room. We're out,  
19:19:31 14 we're out inspecting every bridge we have right now.  
19:19:32 15 You know, some bridge we want to replace but, guess  
19:19:35 16 what, there's long eared bat in there. We can't replace  
19:19:38 17 it. You know, I mean, there is, if you, as a lay  
19:19:42 18 person, would ever, ever would have experienced what  
19:19:47 19 I've just experienced for the last 12, 13 years or  
19:19:49 20 20 years as a county commissioner and working through  
19:19:53 21 NEPA process, you, you, I can tell you one thing, you  
19:19:58 22 never quit learning, I believe, until the day that  
19:20:01 23 somebody puts you in the ground, so we would be in  
19:20:06 24 charge of whatever law -- Brian, can you answer that?  
19:20:11 25 BRYON FUCHS: Yes. Bryon Fuchs, North

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19:20:13 1 Dakota DOT. As far as the inspection of the bridge, the  
19:20:15 2 DOT has a responsibility for inspecting all bridges for  
19:20:19 3 a span length of 20 feet or greater, so if that bridge  
19:20:22 4 would go in the DOT would inspect that bridge,  
19:20:24 5 maintaining safety. Billings County would be the owner  
19:20:29 6 of it, and we would give them the inspection reports of  
19:20:34 7 that bridge.  
19:20:43 8 MR. ARTHAUD: -- (inaudible) -- Jan.  
19:20:43 9 JAN SWENSON: Jan Swenson, I'm staff of the  
19:20:49 10 badlands conservation alliance. What is the weight  
19:20:53 11 capacity for, for the bridge? I, you know, it's a --  
19:20:57 12 MR. ARTHAUD: It'd be 105/5.  
19:21:01 13 JAN SWENSON: You'd have to speak layman to  
19:21:04 14 me.  
19:21:04 15 MR. ARTHAUD: It, it'd be 105,000 pounds and  
16 500 pounds, 105/5.  
17 JAN SWENSON: Okay.  
19:21:09 18 MR. ARTHAUD: So I'm going to answer this a  
19:21:12 19 long way.  
19:21:13 20 JAN SWENSON: Okay. I'm waiting --  
21 MR. ARTHAUD: I used to be --  
19:21:15 22 JAN SWENSON: -- (inaudible) --  
19:21:15 23 MR. ARTHAUD: I used to, I used to sit on  
19:21:17 24 oil and gas producing counties board when the Bakken  
19:21:23 25 boom came, and there's money flying everywhere and

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1 there's roads being constructed in more of the counties,  
19:21:31 2 and we've been, we're not understanding what to do, and  
19:21:31 3 one day, I can't even remember who we were talking with,  
19:21:36 4 and we come up with this brilliant idea. Everybody's  
19:21:37 5 going this way, that way, no uniformity, nobody  
19:21:40 6 understands what's going on, so we ended up hiring North  
19:21:43 7 Dakota State University Upper Great Plains  
19:21:48 8 Transportation Institute to do us a GIS study of all the  
19:21:50 9 roads that are oil and gas producing counties so we  
19:21:55 10 could have some uniformity, so Dunn Counties farm to  
19:21:58 11 market road wasn't here, and our farm to market road  
19:22:01 12 wasn't here, and there's was 85 thousand, and ours was,  
19:22:05 13 you know, 105,000, so long story short, under the surge  
19:22:08 14 funding and, and the, some of the other funding from the  
19:22:12 15 State of North Dakota, if the counties that were in the  
19:22:14 16 oil and gas producing counties were going to take any  
19:22:15 17 money to build their roads, they had to build their  
19:22:20 18 roads to 105,500 pounds specs of the occasion other than  
19:22:24 19 spring -- (inaudible) -- road restrictions or so on and  
19:22:27 20 so forth. And there are unique circumstances. There  
19:22:29 21 are some roads that aren't 105/5, so all of our roads  
19:22:34 22 that are leading up to this bridge, Jan, are 105,500  
19:22:39 23 pound roads, so that's what the bridge would be spec'd  
19:22:42 24 at.  
19:22:43 25 JAN SWENSON: Can I go on from there?

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19:22:47 1 MS. TURNBOW: Sure.  
19:22:48 2 JAN SWENSON: If you were just going to  
19:22:55 3 build this bridge for all the people in this room that  
19:22:59 4 have a concern about safety and rescue and fire, but  
19:23:07 5 that's not totally what it's about, and, and it's not  
19:23:11 6 about tourism and the Elkhorn Ranch because it, it's  
19:23:16 7 going to take just as much time to get to the Elkhorn if  
19:23:22 8 there is a bridge crossing there or not a bridge  
19:23:27 9 crossing there. You know for Monday night people that  
19:23:31 10 talked about that it was too far, people don't go to the  
19:23:34 11 Elkhorn Ranch because it's too far, you know, people  
19:23:37 12 don't go to the Elkhorn Ranch because they don't like to  
19:23:41 13 drive on gravel roads, so whether they're crossing a  
19:23:46 14 bridge or going over to Bell Lake, you know, is not  
19:23:49 15 going to suddenly, there's not going to be a sudden  
19:23:54 16 surge of tourists at the Elkhorn Ranch. My concern is  
19:23:59 17 that if you build this bridge will we be building  
19:24:05 18 another bridge and another bridge because basically this  
19:24:08 19 bridge is going to serve a select few, a select few, and  
19:24:12 20 whether that is the select few who need to be rescued,  
19:24:18 21 and I'm not, I'm not trying to be brash when I say that,  
19:24:23 22 if it's the select few that need to be rescued or the  
19:24:30 23 select few that are impacted by a fire or the select few  
19:24:35 24 oil companies in the area that would benefit.  
19:24:37 25 MR. ARTHAUD: Hell, it might be a haul a

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1 wind turbine out there for the wind farm you want, Jan.  
19:24:41 2 Who knows.  
19:24:41 3 JAN SWENSON: You know what, I don't want a  
19:24:45 4 wind farm out here.  
5 MR. ARTHAUD: Well, you sure didn't oppose  
19:24:47 6 one that was going to be seen from Painted Canyon.  
19:24:52 7 JAN SWENSON: Excuse me? You don't know who  
19:24:55 8 our members were that were in that room, Jim, Jim, and  
19:25:00 9 it, and this is --  
19:25:00 10 MR. ARTHAUD: So my point is, Jan, it --  
19:25:00 11 JAN SWENSON: Okay. So --  
19:25:03 12 MR. ARTHAUD: -- serves many purposes.  
19:25:03 13 JAN SWENSON: So my --  
19:25:05 14 MR. ARTHAUD: And you know what, my son who  
19:25:07 15 is seven years old and lives there for the next 50 years  
19:25:13 16 and there seem to be a need for another bridge, maybe  
19:25:19 17 there's another bridge.  
19:25:19 18 UNIDENTIFIED SPEAKER: Jim, the ranchers  
19:25:22 19 down south were wondering if you could get us one too.  
19:25:23 20 I talked to them. They said they're fine with it.  
19:25:23 21 UNIDENTIFIED SPEAKER: Okay. You can have  
19:25:24 22 this one.  
19:25:30 23 MR. ARTHAUD: Yes, Jan. I'm sorry.  
19:25:32 24 JAN SWENSON: So my point is I know that  
19:25:35 25 there is one company in that area northern, north of the

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19:25:40 1 bridge and along, and along the Little Missouri that,  
19:25:45 2 that has orders written for 76 wells, one company along  
19:25:49 3 the Little Missouri River, and when I looked at the oil  
19:25:55 4 and gas page as of yesterday there were 22 spots in that  
19:26:03 5 same section north of, north of the south unit and south  
19:26:09 6 of the McKenzie-Billings line, 22 wells that show that  
19:26:17 7 they, that they have permits and would be -- (inaudible)  
19:26:22 8 -- will be starting to drill within the next year.  
19:26:27 9 Okay?  
19:26:27 10 MR. ARTHAUD: Well, they're going to drill  
19:26:29 11 them if there's a bridge there or not.  
19:26:32 12 JAN SWENSON: Absolutely we know they're  
19:26:35 13 going to build them if there's a bridge there or not.  
19:26:37 14 Absolutely they're going to.  
19:26:37 15 MR. ARTHAUD: So will the bridge mitigate  
19:26:39 16 the impact?  
19:26:40 17 JAN SWENSON: But if, but if we, if we  
19:26:43 18 proliferate that kind of infrastructure up and down the  
19:26:48 19 river to serve industry --  
19:26:51 20 MR. ARTHAUD: The number one industry in  
19:26:54 21 North Dakota?  
19:26:56 22 JAN SWENSON: You know, it's too bad, it's  
19:27:00 23 too bad that you're in Billings County. It's too bad  
19:27:04 24 that you don't appreciate that public land more.  
19:27:07 25 MR. ARTHAUD: I'll never, I'll never forget

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19:27:09 1 touring around with Senator Dorgan. I'd never feel  
19:27:17 2 forgiveness for all of my life when we had turned around  
3 to, turned around to Senator Dorgan and, and some people  
19:27:21 4 that were very concerned about the oil and gas industry,  
19:27:26 5 and we'd stop out on top of that butte, and we'd look  
19:27:26 6 around and look at the beautiful ground and everybody  
19:27:27 7 would just be in awe, and guess what we were standing  
19:27:32 8 on, a reclaimed oil and gas site and nobody knew it,  
19:27:39 9 nobody knew it. I go back multiple generations in  
19:27:43 10 Billings County. I've lived in that area all my life  
19:27:46 11 versus maybe a year and a half. There's nobody that's  
19:27:52 12 more attached to Billings County than myself but also  
19:27:57 13 I'm a realist, and most of the people in Billings County  
19:28:03 14 that live there are realists, and we try to take  
19:28:07 15 everybody's concerns into consideration, and I think  
19:28:10 16 we've done a fine job of it, and we're going to continue  
19:28:14 17 to go a fine job of it.  
19:28:22 18 JAN SWENSON: You know, it's great to hear  
19:28:25 19 you say that, Jim, but, you know, we're just on  
19:28:30 20 opposites sides. We have different values here and --  
19:28:33 21 MR. ARTHAUD: The Billings County Commission  
19:28:35 22 turned down the wind farm that you were going to be able  
19:28:39 23 to see 40 turbines from Painted Canyon --  
24 JAN SWENSON: You know --  
19:28:41 25 MR. ARTHAUD: We turned that down.

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19:28:43 1 JAN SWENSON: You did.  
19:28:43 2 MR. ARTHAUD: The park service didn't talk  
19:28:44 3 against it. You guys didn't publically talk against it.  
19:28:47 4 We were astonished the, probably the number one jewel of  
19:28:52 5 all of North Dakota, Painted Canyon. I will guarantee  
19:28:57 6 you there's traffic counts that tell you how many people  
19:28:58 7 pull over there, and you were going to see that many  
19:29:03 8 turbines from there. In fact, right now, when I come to  
19:29:07 9 Bismarck, since it's on central time, and I get up at  
19:29:09 10 4:00 in the morning to make a meeting in Bismarck, when  
19:29:12 11 I pull up on top of Painted Canyon I can see the damn  
19:29:18 12 wind farms south in New England. I can see that and you  
19:29:22 13 talk about destroying a view shed? So we can sit and  
19:29:28 14 have that argument all day long, but the county  
19:29:33 15 commissioners that are currently county commissioners  
19:29:37 16 and they are, versus Joe I think was the county  
19:29:39 17 commissioner when he started this, and then he'd missed  
19:29:40 18 a term. We've all, we've been there for a long, long  
19:29:46 19 time, and we've been very, very patient in this process,  
19:29:50 20 and like I told Jeanie who actually used to work for, I  
19:29:56 21 met her when she worked for UND archeological, married  
19:30:00 22 to a very good high school friend of mine, and I told  
19:30:05 23 her that the NEPA process worked. I was shocked that I  
19:30:09 24 would say that because when I first started I'm going,  
19:30:10 25 are you kidding me, is this NEPA or is this an

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19:30:16 1 obstruction? 13 years, 12, 13 year and, and we have  
19:30:20 2 people that would go how does the bridge at Williston go  
19:30:26 3 through it's EIS in two years? How does the one at, at  
19:30:32 4 little, at, at Highway 85 go in three years and we're 12  
19:30:36 5 to 13 years into it? The document, the people that  
19:30:42 6 participated and the agencies that participated in this  
19:30:48 7 thing uncovered every stone, made sure that everything  
19:30:49 8 was, was crossed, made sure that there was court  
19:30:54 9 reporters. Like I heard Mr. Fugely saying, whispering  
19:30:58 10 to Heidi deciding not too long ago. There's one thing  
19:31:01 11 about this process, the county's doing everything right  
19:31:02 12 according to the law of, of NEPA, and guess what, we're  
19:31:09 13 lay people. We have no idea how to -- we, we go through  
19:31:13 14 guidance from the professionals to do this. I mean,  
19:31:16 15 this is where we ended up, and the purpose and need is  
19:31:21 16 proven, and we, we agree with it, and we hope that, that  
19:31:26 17 Highways signs it.  
19:31:31 18 MS. TURNBOW: We have a comment back here,  
19:31:33 19 Jim.  
19:31:34 20 ALISHA MUELLER: I -- Alisha Mueller. I  
19:31:36 21 just have a question I guess for you guys and then for  
19:31:40 22 you as well, so my understanding is between no-build and  
19:31:44 23 build there was only a one percent increase in traffic  
19:31:45 24 that you guys are estimating; is that correct?  
19:31:49 25 MR. RIPLINGER: I'd have to double check.



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19:31:53 1 I, I don't, I don't recall --  
19:31:53 2 ALISHA MUELLER: I believe it was 2.5 to  
19:31:55 3 3.5, so one percent increase in traffic, a hundred cars  
19:31:56 4 a day, that's one, so that would be one truck that  
19:32:00 5 benefits from this bridge, so to me it doesn't really  
19:32:05 6 seem like the industry is being serviced. It's just one  
19:32:10 7 truck out of a hundred, so it doesn't seem like it,  
19:32:13 8 upwards of 22 billion dollar or whatever it is, million  
19:32:15 9 dollar project, makes sense for one truck, so I would  
19:32:18 10 think that the need would be more for emergency and  
19:32:23 11 services, so this gentleman right here, you know,  
19:32:25 12 pointed out a great idea, why is there not another EMS  
19:32:31 13 station that could serve these people so I'm curious.  
19:32:32 14 I'm just trying to understand the need here.  
19:32:35 15 MR. ARTHAUD: You're missing the, you're  
19:32:36 16 missing what he said. There's a one percent increase in  
19:32:36 17 total traffic. It's internal traffic is what it does.  
19:32:42 18 It's connectivity of internal. We don't go up and down  
19:32:45 19 both sides of the river. We go across the river. We  
19:32:48 20 don't go up and down. We don't go up that, we don't  
19:32:48 21 beat our roads. We don't, we don't put dust by the  
19:32:53 22 park. We don't beat up Golden Valley County roads.  
19:32:57 23 It's internal linkage.  
24 MR. RIPPLINGER: And the one percent is  
19:32:58 25 actually, it's a growth rate that's applied to the

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19:33:01 1 traffic, so it's applied every year for the next  
19:33:06 2 20 years. It's a growth rate. It's not just the one  
19:33:09 3 percent increase. It's a rate that's applied.  
19:33:10 4 ALISHA MUELLER: So it will increase one  
5 percent every year --  
6 MR. RIPPLINGER: That's what --  
7 ALISHA MUELLER: -- over the length --  
8 MR. RIPPLINGER: -- the projection is.  
9 ALISHA MUELLER: -- of the bridge.  
10 MR. RIPPLINGER: Yes. That's the  
19:33:14 11 projection.  
19:33:14 12 ALISHA MUELLER: Okay. That's not very  
19:33:16 13 clear in the EIS.  
19:33:18 14 MR. ARTHAUD: Anybody that can read the EIS,  
19:33:22 15 I think you have to be a professional to read the EIS  
19:33:30 16 and to really understand.  
19:33:30 17 CHARLES JOHNSON: Could one safely assume  
18 that if you, this paved road that Jim mentioned is a  
19:33:33 19 possibility comes to be that that increase would be more  
19:33:36 20 significant; is that a fair statement? Seems --  
19:33:38 21 MR. ARTHAUD: I don't --  
19:33:39 22 CHARLES JOHNSON: It seems intuitively to be  
19:33:42 23 the case.  
19:33:45 24 MR. ARTHAUD: I don't think so because this,  
25 the only part we're talking about paving is the part

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19:33:45 1 across the ranch to mitigate, just for dust control  
19:33:47 2 mitigation so...  
19:33:48 3 CHARLES JOHNSON: Okay.  
19:33:48 4 MR. ARTHAUD: We, we, on Blacktail Road that  
19:33:52 5 was paved years ago. That pavement was taken out. It  
19:33:54 6 was too costly for us to maintain.  
19:34:01 7 UNIDENTIFIED SPEAKER: You talked about a 35  
19:34:04 8 mile per hour speed.  
9 MR. RIPPLINGER: Correct.  
19:34:05 10 UNIDENTIFIED SPEAKER: If you pave it is it  
11 going to increase that speed through there?  
19:34:06 12 MR. ARTHAUD: No. We, we have a paved road  
19:34:06 13 by Fryburg, brand new paved road by Fryburg is 35.  
19:34:13 14 We're county wide 35.  
19:34:13 15 UNIDENTIFIED SPEAKER: Okay. So now I'm  
19:34:15 16 going to speak from experience. I've driven out there  
19:34:17 17 many times, been going out since, to this area for close  
19:34:20 18 to 30 years. How many people drive 35 on those roads?  
19:34:28 19 MR. ARTHAUD: Well, we get a -- (inaudible)  
19:34:31 20 -- sheriff -- (inaudible) -- we get a speeding report  
19:34:32 21 every time. There's, there's, there's ways to mitigate  
19:34:35 22 speed too. You know, is it speed bumps, is it -- there,  
19:34:40 23 there's ways to mitigate it. We, we have probably the  
19:34:43 24 finest law enforcement. I've, I'm very proud of our law  
19:34:46 25 enforcement that we have in our county. The guys are

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19:34:49 1 out there all the time. We, we, you know, somebody  
19:34:54 2 getting a ticket for doing 42, probably not. You're  
19:34:58 3 going to get a ticket for doing 55. I can tell you that  
19:35:04 4 so, so many people.  
19:35:14 5 SUSAN BOYCE: I'm Susan Boyce and I think I  
19:35:18 6 heard you say, correct me if I'm wrong, several times,  
19:35:23 7 if this -- which one is the preferred one, alternative  
19:35:25 8 to K one?  
19:35:25 9 MS. TURNBOW: Yes.  
19:35:26 10 SUSAN BOYCE: You said if it's picked or  
19:35:29 11 chosen. Why wouldn't it and how could it not be chosen?  
19:35:35 12 MS. TURNBOW: So, again, in the draft EIS --  
19:35:39 13 (inaudible) -- preferred alternative that's identified,  
19:35:39 14 and through the public process and agency process and  
15 that type of thing, Federal Highway makes the final  
19:35:48 16 determination and record of decision, and so there have  
19:35:50 17 been cases or times that the preferred isn't the one  
19:35:55 18 that's selected once you get to the record of decision,  
19:35:58 19 so the preferred is usually the one that rises to the  
19:35:59 20 top, and in the majority of NEPA cases is the one that  
19:36:03 21 is selected, but there can be times when the preferred  
19:36:08 22 is not selected.  
19:36:09 23 SUSAN BOYCE: And do you know any specific  
19:36:11 24 instances when that preferred was not chosen and why it  
19:36:17 25 was not chosen?

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19:36:18 1 MS. TURNBOW: I don't off the top of my  
19:36:20 2 head, but Highway probably can pull up some cases at  
19:36:21 3 some point, but I, I can't answer that off the top of my  
19:36:27 4 head.  
19:36:35 5 CHRISTINE HOGAN: Hi. My name is Christine  
19:36:45 6 Hogan. I'm a member of the Badlands Conservation  
19:36:48 7 Alliance. I wasn't really planning to say anything  
19:36:51 8 today, but I'm hearing that we're not ruling out federal  
19:36:56 9 funding or public funding for all this, and so I think  
19:37:00 10 we have to look pretty carefully when we make a decision  
19:37:05 11 like this that's going to involve public funds, but this  
19:37:11 12 isn't just about infrastructure. It's about maybe some  
19:37:13 13 bigger issues that we as North Dakotans need to think  
19:37:17 14 about, and I just want to throw out that a couple years  
19:37:21 15 ago, maybe three, the New York Times made a list of the  
19:37:25 16 best places on earth that I think they called it, and  
19:37:29 17 the Badlands I think were number 5. That really stuck  
19:37:34 18 in my mind. The Badlands I've noticed have, have been  
19:37:38 19 kind of going downhill, and I'm just going to give you  
19:37:42 20 my quick thought that what Theodore Roosevelt said when  
19:37:47 21 he came out here and found physical and spiritual  
19:37:53 22 renewal, he described this last of vast and silent  
19:37:54 23 spaces, and many of us grew up here and depended on the  
19:37:59 24 Badlands to nourish us. I came here as an adult, but I  
19:38:04 25 certainly go there to find serenity, and I think we're

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19:38:07 1 talking about one bridge. Now we're talking about more  
19:38:12 2 bridges. You know, maybe if the kids down next, you  
3 know, generation need it, I think the kids next  
19:38:16 4 generation aren't going to be so happy with what we've  
19:38:19 5 done, and, and I'll just give you one, one thought that  
19:38:23 6 I've thought about saying if I can find it. In the  
19:38:35 7 early 1970s, which some of you weren't born then, over a  
19:38:43 8 half million acres in the Little Missouri National  
19:38:48 9 Grassland were inventoried as roadless, half a million  
19:38:52 10 acres. By the late 1970s that number had been cut in  
19:38:58 11 half mostly due to oil and gas development. The record  
19:39:02 12 of decision for a new Dakota dairy, Prairie Grassland  
19:39:06 13 plan was signed in July of 2002 way before this latest  
19:39:12 14 boom. Guess how many acres were managed as suitable for  
19:39:18 15 wilderness. It was down to 40,000. I don't know what  
19:39:21 16 the number is now but it's low, as suitable for  
19:39:26 17 wilderness in North Dakota. To my knowledge, we have  
19:39:32 18 zero wilderness designated in the Badlands. I don't  
19:39:38 19 think history is going to be kind when they consider  
19:39:42 20 this kind of decision, especially if public money is  
19:39:44 21 involved. Thank you.  
19:39:46 22 MS. TURNBOW: Thank you.  
19:39:47 23 BUEL SONDERLAND: I have a follow up  
19:39:49 24 statement to her statement. My name is Buel Sonderland.  
19:39:54 25 I'm from Fargo and how much weight has the public

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19:40:00 1 opinion been given in this study, and the reason is the  
19:40:04 2 public appreciates the public grasslands. They enjoy  
19:40:09 3 being out there for the solitude, the beauty, the  
19:40:12 4 quietness, to refresh themselves, and now we're going to  
19:40:19 5 build another avenue, add an access to the heart of the  
19:40:21 6 badlands, the very heart. What are you going to get?  
19:40:22 7 You're going to get a bunch of people with recreation  
19:40:26 8 out there, driving their four wheelers on the public  
9 lands, coming out there with their automatic rifles,  
19:40:36 10 shooting up the county side which has been done. We  
19:40:37 11 know it's going on. This is a permanent structure.  
19:40:41 12 It's going to be there forever. How much weight is  
19:40:45 13 given to the public desire to have this solitude?  
19:40:49 14 That's my question.  
19:40:50 15 MR. ARTHAUD: Do you know what the number  
19:40:54 16 one through the road management analysis from the United  
19:40:57 17 States Forest Service, the number one activity on the  
19:41:01 18 Little Missouri National Grasslands million some plus  
19:41:03 19 acres is? Do you know what it is?  
19:41:06 20 BUEL SONDERLAND: I can't hear you very  
19:41:08 21 well.  
19:41:08 22 MR. ARTHAUD: I said do you know what the  
19:41:09 23 number one activity on the Little Missouri National  
19:41:15 24 Grasslands is?  
19:41:15 25 BUEL SONDERLAND: Okay.

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19:41:16 1 MR. ARTHAUD: It is driving around and  
19:41:18 2 viewing. It is driving around and viewing.  
19:41:22 3 BUEL SONDERLAND: And viewing.  
19:41:24 4 MR. ARTHAUD: And viewing. Just thought I'd  
19:41:30 5 give you some trivia there. Another thing, these are  
19:41:35 6 not public -- (inaudible) -- lands. These are  
19:41:37 7 reacquired lands. These lands were reacquired in the  
19:41:42 8 30s during the depression, and I'm telling you a lot of  
19:41:47 9 rights were retained when they were reacquired,  
19:41:52 10 reacquired, and, again, I tell you, if you didn't live  
19:41:56 11 it and breathe it and understand what we went through  
19:42:00 12 since the record of decision in 2002, since the  
19:42:04 13 inventory that Bill Clinton started in 1999, what we  
19:42:12 14 have done to fight and preserve the rights of the people  
19:42:12 15 that make their living off that land is unbelievable.  
19:42:15 16 We got it shelved. Guess who shelved that decision?  
19:42:22 17 John Podesta.  
19:42:24 18 BUEL SONDERLAND: Am I hearing you right --  
19:42:26 19 MR. ARTHAUD: John Podesta shelved that. It  
19:42:31 20 got signed during the Bush administration. We got the  
19:42:33 21 Ag component of it shelved. They were absolutely,  
19:42:39 22 absolutely going to reduce grazing on those grasslands  
19:42:43 23 out there by 75 percent. The VOR, the, we got attacked  
19:42:50 24 every possible way that you could be attacked on the use  
19:42:54 25 of, the multiple use, the Theodore Roosevelt multiple

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19:42:57 1 use of those lands was unbelievable. We hired  
19:43:01 2 universities. We went to the, all the, arranged  
19:43:07 3 scientists, we went everywhere to preserve the rights of  
19:43:11 4 the people that use that land.  
19:43:12 5 BUEL SONDERLAND: Okay. Can I follow up?  
19:43:15 6 You're telling me the answer to my question is as to how  
19:43:20 7 much consideration is given to the general public for  
19:43:21 8 use of their public lands is being denied because of  
19:43:26 9 history back in the, in the 30s, they no longer had the  
19:43:29 10 right to come out here and expect to be welcome on their  
19:43:33 11 public land? Don't forget that --  
19:43:36 12 MR. ARTHAUD: What, what, what you  
19:43:36 13 don't understand --  
19:43:36 14 BUEL SONDERLAND: -- this is, this is public  
19:43:37 15 land.  
19:43:37 16 MR. ARTHAUD: -- is is our rights as people  
19:43:41 17 that live their and run on those lands. That's what you  
19:43:44 18 don't understand, and yes we do respect that, and yes we  
19:43:48 19 did turn down a wind farm that the view shed analysis  
19:43:53 20 was going to show that all over the Badlands so yes  
19:43:57 21 there is examples.  
19:44:00 22 BUEL SONDERLAND: Thank you for your answer.  
19:44:02 23 MR. ARTHAUD: You're welcome. Thank you for  
19:44:04 24 the question.  
19:44:10 25 MELISSA HAMILTON: I'm, my name is Melissa

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19:44:12 1 Hamilton and I grew up in Billings County, and since I  
19:44:16 2 was born they have talked about putting a bridge across  
19:44:18 3 the river. I remember there was a schoolhouse on one  
19:44:19 4 side of the river and it had a trolley cart to go across  
19:44:24 5 the river because those school kids, if they needed to  
19:44:24 6 get to the other side they left their car on one side,  
19:44:24 7 and they did a trolley cart because they could not get  
19:44:28 8 across. I know that it's hard to have it go through  
19:44:31 9 your land. This has been going on forever, and, and my  
19:44:35 10 dad worked in the oil industry, and he was late one day  
19:44:37 11 and went to cross the river, fell through the ice,  
19:44:39 12 ripped the back end off of his vehicle. There, there  
19:44:43 13 needs to be a better way for the residents of Billings  
19:44:44 14 County to get across that river. I understand the  
19:44:47 15 concerns. I understand the concerns of people of having  
19:44:49 16 it go through their land, but I think the time has come.  
19:44:54 17 They've done the process. It's, the time has come to do  
19:44:57 18 something about it.  
19:44:57 19 MR. ARTHAUD: It was interesting, the  
19:45:00 20 Billings County Pioneer, just to start aging myself,  
19:45:05 21 25 years ago today, about three months ago it said the  
19:45:06 22 Billings County commissioners started the EIS to have a  
19:45:13 23 bridge. You know, so, you know, I realize Jay and  
19:45:17 24 Jolene don't have children that are school age anymore,  
19:45:21 25 but their boy, when he comes back, if he has school aged

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19:45:26 1 children if he's still running on the ranch, we are now  
19:45:31 2 expanding the school at Fairfield, then have the option.  
19:45:35 3 Odds are their -- (inaudible) -- people. They'll  
19:45:37 4 probably go to Beach. Jolene, you know, lives in Beach,  
19:45:42 5 and they do the home on the range stuff, so odds are  
19:45:42 6 they probably will, but they'll have the option to go  
19:45:46 7 the 20 miles to the new Fairfield, new addition to the  
19:45:49 8 new Fairfield school. It gives options. It gives us  
19:45:51 9 the way to keep our county going. We're very proud  
19:45:56 10 people in Billings County if anybody hasn't noticed, and  
19:46:01 11 we want the best for our county. We want to be able to  
19:46:05 12 have the schools. We want to be able to have the  
19:46:09 13 conveniences, and guess what, we love the Badlands too,  
19:46:15 14 so it, it, it's just we've, it's just time.  
19:46:19 15 MS. TURNBOW: Yes, sir.  
19:46:22 16 BRUCE WENT: I'd like to just change gears  
19:46:25 17 here for a second. My name is Bruce Went. I'm a visual  
19:46:32 18 artist and a documentary film maker, and I've been  
19:46:32 19 living out in Western North Dakota for a long time,  
19:46:37 20 40 years of film, filming North Dakota, and I've come to  
19:46:41 21 the realization at this point in my retirement, and  
19:46:46 22 it's, but I'm still filming, I've come to the  
19:46:48 23 realization that the planet as I grew up knowing it,  
19:46:50 24 it's pretty much over, and by that I mean esthetically  
19:46:58 25 we have to start taking control of how we want it to

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19:47:02 1 look, and I want to just throw this out to you, now not,  
19:47:05 2 not making money on it, but just saying, and, Jan, I  
19:47:09 3 think you're absolutely right. I get this gut feeling  
19:47:09 4 that this is just the first of many bridges that are  
19:47:13 5 going to continue to be proposed and built along the  
19:47:17 6 Little Missouri River, and I think the strangest term  
19:47:21 7 I've heard ever maybe is, what is it called, visual  
19:47:25 8 shed, visual, view shed, view, is that -- what's the  
19:47:29 9 term?  
19:47:29 10 MS. TURNBOW: View shed.  
19:47:30 11 BUEL SONDERLAND: View shed.  
19:47:33 12 MR. ARTHAUD: View shed analysis.  
19:47:33 13 BRUCE WENT: I got to get, I got to get the  
19:47:34 14 definition of that because it puzzles me. I think what  
19:47:39 15 we should do is spend money, wherever it comes from, to  
19:47:40 16 build some of the most beautiful bridges that have ever  
19:47:40 17 been built along the Little Missouri River and wherever  
19:47:40 18 we build bridges so that instead of trying to hide them  
19:47:51 19 by making them, you know, not seen, we should build them  
19:47:56 20 so that when you come over the ridge you look down and  
19:47:59 21 here is this beautiful bridge, designed by whom, I don't  
19:48:04 22 know, but, but is not just functional, not just  
19:48:09 23 utilitarian but is aesthetically pleasing to see. I  
19:48:15 24 mean the planet is, the wilderness is gone. We know  
19:48:19 25 that. So let's see what we do aesthetically with taking

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19:48:19 1 the best technology structurally that we -- (inaudible)  
19:48:23 2 -- have available and making this river, incorporating  
19:48:28 3 it into the beauty of what we are capable of designing  
19:48:32 4 and building. Just think, quickly think of Europe, the  
19:48:38 5 bridges of Europe that have been preserved for all these  
19:48:39 6 years and how people love to go and see them and go  
19:48:43 7 underneath them and drive over them. Why not switch our  
19:48:48 8 thinking to that. Let's make the, the technological  
19:48:52 9 structures that we have to have as aesthetically  
19:48:58 10 interesting as we can, and pretty soon people are  
19:49:01 11 saying, well, have you seen, have you come across this,  
19:49:03 12 over this bridge and seen the bridge north of --  
19:49:05 13 (inaudible) -- or have you seen the bridge north of the,  
19:49:09 14 you know, instead of just -- yeah. I know that's way  
19:49:11 15 off what we've been talking about.  
19:49:13 16 MR. ARTHAUD: Well, you're not going to get  
19:49:15 17 me arguing with you.  
19:49:17 18 BRUCE WENT: But, but just think if we  
19:49:17 19 switched our, our, what's, what's the, our paradigm by  
19:49:20 20 saying the planet has to be made as beautiful as we can  
19:49:25 21 make it from here on out, incorporating the technology  
19:49:30 22 that we now have.  
19:49:30 23 UNIDENTIFIED SPEAKER: Well, not everybody's  
19:49:31 24 definition of beautiful is the same though.  
19:49:34 25 BRUCE WENT: It isn't but I think you could,

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19:50:52 1 the top.  
19:50:52 2 UNIDENTIFIED SPEAKER: I don't think K2 or 3  
19:50:55 3 has them.  
19:50:55 4 MS. TURNBOW: They do.  
19:50:55 5 UNIDENTIFIED SPEAKER: They do?  
19:50:56 6 MS. TURNBOW: They do, yes.  
19:50:56 7 UNIDENTIFIED SPEAKER: Bighorn sure inhabit  
19:50:57 8 that area.  
19:50:57 9 MS. TURNBOW: Yeah. Some of the management  
19:50:59 10 areas.  
19:51:01 11 UNIDENTIFIED SPEAKER: Well, one has an  
19:51:05 12 eagle's nest.  
19:51:05 13 MR. ARTHAUD: Our 2002 Forest Service plan  
19:51:07 14 blessed us with that.  
19:51:09 15 UNIDENTIFIED SPEAKER: Well, I have seen  
19:51:11 16 Bighorn Sheep It --  
19:51:12 17 UNIDENTIFIED SPEAKER: There's a whole herd  
19:51:14 18 of Bighorn Sheep on that corner.  
19:51:20 19 MR. ARTHAUD: It has nothing to do with the  
19:51:22 20 sheep. It's the management plan. It's the area.  
19:51:26 21 MS. TURNBOW: Oh, I'm sorry. I'm sorry.  
19:51:29 22 MARIE HOFF: Yeah. My name is Marie Hoff.  
19:51:32 23 I live here in Bismarck. I grew up in a very rural,  
19:51:35 24 remote area of North Dakota that was not the Badlands,  
19:51:37 25 although we had our own little private Badlands, and we

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1 I think you could pick and choose from four different  
19:49:35 2 bridge designs, it might be a pretty interesting  
19:49:39 3 problem. I'm, I'm just, I'm just throwing that out  
19:49:42 4 there to switch our thinking a bit here because I think,  
19:49:46 5 Jan, you're absolutely right, and I get this gut feeling  
19:49:48 6 this is just the first of many, many more bridges so  
19:49:52 7 there you go. Thank you.  
19:49:53 8 MS. TURNBOW: Thank you.  
19:49:57 9 UNIDENTIFIED SPEAKER: Probably all be dead  
19:49:59 10 by the time the next one comes around.  
19:50:01 11 BRUCE WENT: Well, but on the other hand who  
19:50:01 12 knows what nanotechnology's got in store for us.  
19:50:05 13 MS. TURNBOW: We have about 10 minutes left  
19:50:07 14 in our allotted time for the public hearing, and just a  
19:50:08 15 reminder, and we'll take comments through August 20.  
19:50:12 16 There's many ways you can get those comments to us, and  
19:50:17 17 so with the remaining time is there any other comments  
19:50:22 18 or questions for tonight?  
19:50:27 19 UNIDENTIFIED SPEAKER: Yeah. Why was Okay.  
19:50:30 20 Disregarded? That would be less invasive on our ranch?  
21 CHARLES JOHNSON: K3.  
19:50:37 22 MS. TURNBOW: Again, it's the same answer  
19:50:40 23 going, moving through that Section 4F process,  
19:50:46 24 Alternative K, Option One was the one with no use to  
19:50:49 25 those 4F properties, and so that's the one that rose to

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19:51:42 1 didn't depend on public access for, you know, immediate  
19:51:46 2 things like emergency services that have been talked  
19:51:52 3 about here, but what I'd really like to say is I've been  
19:51:53 4 to a number of meetings that have pertained to things  
19:51:56 5 going on out in the area of the national park, Billings  
19:52:00 6 County, and this is not the first time that I've felt  
19:52:03 7 that those of us that, that do not live in Billings  
19:52:06 8 County are somehow or another stared at, yelled at that  
19:52:11 9 we're invaders or something because we have an interest  
19:52:14 10 in what goes on in Billings County which happens to be,  
19:52:17 11 you know, one of the main centers there in terms of the  
19:52:20 12 Badlands, and maybe the folks in the, in the Badlands  
19:52:24 13 area could also remember that those of us who are  
19:52:28 14 federal and state tax payers help pay for everything  
19:52:32 15 that makes Billings County work. You're not the only  
19:52:35 16 ones that pay out there. I also spend plenty of tourist  
19:52:40 17 money coming out to the Badlands every summer, and I'm  
19:52:43 18 sure you don't mind my coming out, you know, to spend my  
19:52:45 19 money out there, so maybe in future meetings the people  
19:52:47 20 from Billings County could just recognize that you have  
19:52:54 21 some disadvantages where other people are interested in  
19:52:54 22 what you consider your business, but you also have the  
19:52:57 23 advantages that we come and spend our money with out tax  
19:53:00 24 money and our personally money here and not have to be  
19:53:04 25 yelled at in public meetings. I just don't take very

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19:53:09 1 well to being yelled at. Thank you.  
19:53:16 2 MR. ARTHAUD: And if you take it that way, I  
19:53:18 3 apologize.  
19:53:19 4 MARIE HOFF: I'm not talking to you  
19:53:21 5 personally. I'm just saying in general this is not the  
19:53:23 6 first time --  
7 MR. ARTHAUD: I apologize.  
8 MARIE HOFF: -- that I've gone to a meeting  
19:53:25 9 like that and then I end up feeling like --  
19:53:28 10 MR. ARTHAUD: We just, we just become very  
19:53:31 11 frustrated.  
19:53:31 12 MARIE HOFF: -- that I can just hardly speak  
19:53:32 13 because it just does not feel good, and it's, I'm not  
19:53:34 14 addressing this to any individual.  
19:53:37 15 MR. ARTHAUD: Yeah.  
19:53:37 16 MARIE HOFF: I said I've been to a number of  
19:53:37 17 meetings. One time I went to a meeting in Medora, and I  
18 think the entire county sheriff contingency, highway  
19:53:49 19 patrol, every police officer in the county was there,  
19:53:49 20 and that was another form of intimidation so...  
19:53:52 21 MR. ARTHAUD: Well, if you would see some  
19:53:53 22 text messages that I've received you would understand  
19:53:55 23 why law enforcement -- it isn't too long ago where we  
19:53:58 24 had, we just --  
19:53:58 25 MARIE HOFF: I don't -- you don't have to

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19:53:59 1 respond.  
19:53:59 2 MR. ARTHAUD: -- where we had a disruption  
3 south of Bismarck --  
4 UNIDENTIFIED SPEAKER: This public  
5 hearing --  
19:54:02 6 MR. ARTHAUD: -- that makes people very  
19:54:03 7 concerned about public hearings --  
19:54:04 8 MARIE HOFF: You don't have to respond to  
19:54:07 9 every comment that someone makes. Okay. I didn't --  
19:54:10 10 MR. ARTHAUD: I have the right to respond to  
19:54:14 11 any comment I want.  
19:54:14 12 MARIE HOFF: I didn't comment to you  
19:54:14 13 personally.  
19:54:16 14 MR. ARTHAUD: Well --  
19:54:16 15 MS. TURNBOW: Okay. Is there any other  
19:54:18 16 comments for this evening?  
19:54:24 17 UNIDENTIFIED SPEAKER: I just have, I just  
19:54:24 18 want to make one. Just, just, this -- (inaudible) --  
19:54:27 19 yeah. A lot of us might live in Bismarck, but we do  
19:54:31 20 care about you guys out there, so we do spend a lot of  
19:54:35 21 our time out there. I'm out there all year around, so  
19:54:37 22 don't be thinking that we don't care. That's why we  
19:54:41 23 come here to these public hearings.  
19:54:46 24 MR. ARTHAUD: We spend a lot of time in  
25 Bismarck too.

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19:54:46 1 MS. TURNBOW: All right. Jeff.  
19:54:56 2 JEFF IVERSON: Thanks. I'm Jeff Iverson,  
19:54:59 3 the highway superintendant from Billings County. I'm a  
19:55:00 4 very small spoke in this wheel. We do appreciate people  
19:55:05 5 from all over the state out there. I've had friends  
19:55:10 6 that come out hunting out there enjoying the roads and  
19:55:15 7 made some great friends from all over the state that  
19:55:21 8 come to enjoy Billings County. The county commission  
19:55:24 9 has done a great service allowing us to do the work we  
19:55:27 10 do on the roads. This state has gave us the funding  
19:55:30 11 that's needed. We can always use a little more, but  
19:55:33 12 we're doing the best we can with what we have. We do  
19:55:36 13 appreciate everybody's input whether for or against.  
19:55:40 14 That's what we're here for, but just one note is, is,  
19:55:45 15 whether it's wants or needs, when road and bridge, is  
19:55:51 16 what our crew is called, when we go out to assist in a  
19:55:55 17 fire and we realize that the fireman and women that go  
19:56:00 18 out there and ford the river, chase the lightening, look  
19:56:06 19 for that fire, we know the families are at home worried  
19:56:10 20 about those people that are volunteering and going out  
19:56:14 21 to help anybody, residents, nonresidents, I personally  
19:56:20 22 see that, and that's something that really needs to be  
19:56:24 23 noted that these people are above and beyond, and  
19:56:27 24 whether it's a want or I need that's what they do.  
19:56:31 25 Thank you.

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19:56:49 1 MS. TURNBOW: Any other comments this  
19:56:53 2 evening? Well, we appreciate everyone coming out. It  
19:57:02 3 was a lively debate tonight. We appreciate everyone's  
19:57:05 4 opinions and as we move forward through the process  
19:57:10 5 we'll have of course those comments and responses and  
19:57:14 6 work with all the agencies through the next step, so we  
19:57:17 7 appreciate all of you taking your time out of your day  
19:57:20 8 today to attend this meeting so thank you very much.  
9 (This hearing was concluded at 7:57 p.m.)  
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1 REPORTER'S CERTIFICATE

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5 I, Jesse L. Anders, a Shorthand Reporter, 118  
6 Broadway North, Suite 200, Fargo, North Dakota, do  
7 hereby certify that the foregoing one hundred and  
8 thirteen(113) pages of typewritten material constitute a  
9 full, true and correct transcript of my original  
10 stenotype notes, as they purport to contain, of the  
11 transcript of proceedings reported by me at the time and  
12 place hereinbefore mentioned.

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*JL Anders*

Dated this 29th day of August, 2018.  
My commission expires: Jan 31, 2019

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