

# North Dakota Wildlife Federation

## *Flickertales*

Winter 2020



*The North Dakota Wildlife Federation is a grassroots organization, which protects and enhances North Dakota's wildlife, wildlife habitat and access to that habitat, and promotes hunting, fishing, trapping and other wildlife related activities through education, programs, and projects.*

# *North Dakota Wildlife Federation*

*The North Dakota Wildlife Federation (NDWF) is North Dakota's oldest, largest, and most effective conservation organization. NDWF was founded in 1935 by hunters, anglers, landowners, and other conservationists who were concerned about the loss of North Dakota's natural lands, healthy waters, and abundant wildlife. Our dedicated affiliates, volunteers, and staff maintain this legacy.*

## **Affiliates**

Barnes County Wildlife Federation  
Bottineau County Wildlife Club  
Central Morton Sportsmen's Club  
Eddy County Rod & Gun Club  
Hannaford Conservation & Wildlife Club  
Hiddenwoods Sportsmen's Club  
Kindred Wildlife Club  
Lewis and Clark Wildlife Club  
Missouri Valley Shooting Sports Association  
North Dakota Hunters Education Association  
Red River Area Sportsmen's Club  
Richland County Wildlife  
Stutsman County Wildlife Federation  
Tri-County Trap & Wildlife Club

## **Executive Board Members**

Dave Dewald, President, Bismarck  
Kerry Whipp, Vice President, Pingree  
Mike McEnroe, Secretary, Fargo  
Terry Allbee, Treasurer, Bismarck  
Dave Brandt, NWF Representative, Buchanan  
Wayne Beyer, Past President, Wahpeton

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Nick Simonson, Director 6, Bismarck  
Daryl Simmons, Director 7 Garrison  
Gene Masse, Director 8, New Rockford  
Chuck Haus, Director 9, Hankinson

Photos: Mike LaLonde, Matt Patrias



## *From the Executive Director*



NDWF is busier than ever this winter, fighting to protect our wildlife and outdoor heritage. NDWF's affiliates and volunteers are all over the state speaking up for North Dakota's outdoor heritage, involving people in conservation, and advocating for science-based conservation of wildlife, water, and land. We are moving forward to address the decline in hunters and conservation funding by supporting the Pittman Robertson Modernization and Act and Recovering America's Wildlife Act. We are reaching out to involve more North Dakotans in tackling the challenges of Chronic Wasting Disease and protecting public access to our wildlife.

*Whenever I get out on our publicly accessible lands and waters across the state, I always think about the people who worked so hard before us to protect North Dakota's game species, fish, and access so that we can enjoy it today. They sacrificed their time, energy, and money for us - and we need to do the same for future generations. Thank you for joining me in standing on the shoulders of giants and being part of our movement as we work to secure North Dakota's outdoor heritage*

Contact John Bradley at [jbradley.ndwf@gmail.com](mailto:jbradley.ndwf@gmail.com)

## *Message from our President*

By: Dave Dewald, Board President

*It's an exciting time for the Federation. We are coming off our 85th Annual Convention and have big plans for 2020 and beyond. We are playing an active role in the Interim Study on Access. We will be continuing to grow our affiliate clubs and build the conservation army across North Dakota. We will be funding major wildlife habitat projects across the state with our conservation partners. Lastly, we are launching a new affiliate's grant program for bringing new hunters and anglers into the fold.*

*Now is a good time to contact Representative Kelly Armstrong to ask him to support the Recovering America's Wildlife Act (H.R. 3742) (RAWA). As the bill stands now, the North Dakota Game and Fish Department would receive \$13 million a year for conservation of non-game species. Check out our web site at <https://www.northdakotawildlife.org/blog> for more information on RAWA and how to contact Representative Armstrong.*



*This newsletter covers just a fraction of our activities, to learn more about what we've got going on follow us on Facebook and subscribe to our email list. For 85 years, we've been the voice for North Dakota's wildlife, habitat, and access. But we do need your help, by becoming a North Dakota Wildlife Federation member today you will help support this important work. The North Dakota Wildlife Federation is growing, we hope you'll join us.*

# 2019 Interim Land Access Study

*By: Dave Dewald, Sportsmen Representative*

Here is the charge for the committee: “Study access to public and private lands for hunting, trapping, fishing and related issues, including trespass violations and penalties, and provided recommendations regarding a land access database and the capability of electronic posting. At the direction of the Legislative Management, before August 1, 2020, the Information Technology Department and Game and Fish Department shall establish a trial electronic posting and hunter access information system in up to three counties. The Information Technology Department and Game and Fish Department may contract with a third party to assist with the electronic posting and hunter access information system development and operation.”

The Committee hearing recording, minutes, PowerPoint presentations, etc. can be found at the following web address: <https://www.legis.nd.gov/events/2020/01/22/natural-resources-committee> The site will be updated as the Legislative Council adds information from the meeting. The Committee charge is at the end of this report.



The third Interim Land Access Study meeting centered on getting the details for the e-posting finalized. The three counties were selected, Richland, Ransom, and Slope. McKenzie County was willing to be involved but enabling legislation only allows for 3 counties. Slope was selected since they represent how a smaller county would be updating ownership data. With all the oil activity in McKenzie County, their ownership data is top notch and is not representative of other counties in the state. ND Information Technology Department showed a mockup of how landowner/operators can put their land in the database. Committee agreed to add a comment box so landowners have the option to add specific information regarding contact, season availability, etc. Hunter access to data would be through current apps. Available on the NDG&F websites and via paper copy.

NDWF put together 6 access issues for the Committee to consider and provided to Chairman Erbele prior to the committee meeting. Senator Erbele did make copies available to the committee for discussion. Senator Erbele's goal is to develop legislation for the next legislative session to continue the pilot for one more biennium. Issue # 1 for NDWF. The committee spent a considerable amount of time discussing that issue. Legislative Council will draft proposed legislation for the next meeting in April.

Three different versions will be drafted. These 3 versions will be reviewed at the next meeting. The versions are drafts and will be modified by the committee in some way. Here is a skeleton of the versions that will be drafted:

- 1st version: Defines outdoor recreation under the Chapter 20 code (Game and Fish Code) and would create strict liability for recreational activities – fishing, berry picking, hiking, wildlife photography, etc. Hunting on posted land already falls under strict liability. Private land would be open unless posted close (physically posted or posted online)
- 2nd version: Defines outdoor recreation under the Chapter 12 code (criminal trespass code). The recreational activities would fall under criminal trespass. Private land would be open unless closed (physically posted or posted online).
- 3rd version: Defines outdoor recreation under the Chapter 12 code. The recreational activities would fall under criminal trespass. **Private land would be closed for all recreation, with the exception of hunting.**

The 1<sup>st</sup> version falls in line with the current pilot and adds other recreation activities under the ND Game and Fish code. However, penalties will need to be worked out since a person can't lose hiking or berry picking privileges under current code. I look at this positive draft legislation. At this time, snowmobiling is not treated as a recreational activity in any of these versions. The 2<sup>nd</sup> version puts recreational activities under criminal trespass. Rather not see it there.

**The 3<sup>rd</sup> version cannot be supported.** It will basically take us back to the last version of SB2315 during the last session. This version received strong verbal support for Doug Goehring, ND Ag. Commissioner. Most landowner groups on the committee remained quiet. Stockman's supported this version through public comment. After the committee hearing we met with Sen. Erbele, he was quite clear he was not going to stop the committee from discussing or considering version 3.

The balance of the meeting was reviewing the other 5 issues. We started with Issue 3, Ice Fishing Access. This discussion went nowhere with little support from NDGF. Both NDGF and NDAg made it sound like we were asking for a program to move snow from roads for winter fishing access. To say the least, I was very disappointed; no positive results came from the discussion.

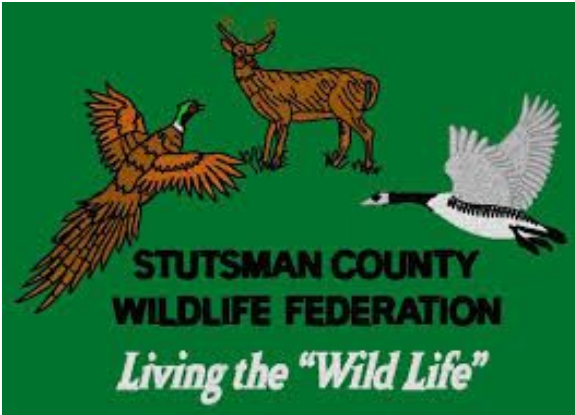
Issue 6 was next, Landlocked Parcels. At the request of Chairman Erbele, the Stockman's representative, Joe Shettler, provided an analysis of how he deals with landlocked BLM tracts surrounded by his privately owned. He stated he has even denied access to BLM when conditions are too dry or wet. He did mention he occasionally allowed hunter access. He mentioned that with ND's section line law that access is available, but it would take a lot of effort from an individual in the Badlands. Again this discussion went nowhere. Basically no support from NDGF to study the issue to look for any potential solutions.

The other three issues were tabled to the next meeting. Needless to say, I am not optimistic that this committee will provide support to work on any access issues except the e-posting portion of the committee's charge.

**The next interim committee meeting will be April 15th, 2020 at the Capitol Building.**

*We need to hear from you. I will try to bring your concerns to the table. - Dave Dewald, President of NDWF*

## *Affiliate Spotlight: Stutsman County Wildlife Federation*



The Stutsman County Wildlife Federation is a sportsman's club based in Stutsman County, North Dakota. The club was founded in 1915 to promote sound wildlife management. The club hosts an annual award ceremony and fundraising banquet.

**Meeting Schedule:** The club normally meets the second Thursday of every month from September through May in Jamestown

**Upcoming Events:** Stutsman County Wildlife Annual Banquet: April 18th, The Bunker in Jamestown

The club organizes the following events throughout the year:

- Youth Fishing Day
- Youth Firearms Familiarization Day
- Youth Bird House Building Day in association with International Migratory Bird Day
- Youth Pheasant Hunt
- Census and cleaning of the over 100 wood duck boxes located in the Jamestown area
- Club land management and upkeep on land owned by the club.
- Biannual highway cleanup
- Judging at the North Dakota Southeast Regional Science Fair
- Bow Shooting Range and Contests

To learn more visit: <https://www.facebook.com/stutsmancountywildlifeclub/>



Pictured: 2019 Women's Pheasant Hunt (Left), 2019 Youth Pheasant Hunt (Right)

# Letting Go of Lead

*By: Drew YoungeDyke, Senior Communications Coordinator, National Wildlife Federation*

**FROM A STAND OF MICHIGAN JACK PINE**, a ruffed grouse flushes skyward. Marc Smith, Great Lakes director of conservation partnerships for the National Wildlife Federation, raises his shotgun and brings down the grouse with a load of steel shot. He then retrieves the bird to cook for dinner. “I stopped using lead shot years ago,” says Smith. “Using steel shot ensures that the game I hunt is safe to eat.”

Smith also wants to ensure that the fields, forests, wetlands and lakes where he hunts and fishes are safe—meaning free of lead ammunition and fishing tackle, which can poison land, water and the wildlife that depend on them.

A growing number of hunters and anglers likewise are switching to nontoxic hunting ammunition and fishing tackle to help wildlife and protect habitats. In fact, a 2013 study of dove hunters found that more than half would be willing to use non-lead shot if scientific evidence showed it would help wildlife. Today, that evidence is overwhelming.



## **No safe levels of lead**

As early as 1894, conservationist George Bird Grinnell raised the alarm about ducks, geese and swans dying from lead poisoning after ingesting lead shot. A powerful neurotoxin, lead damages tissues, organs and immune and reproductive systems, often causing paralysis and death. Waterfowl that ingest as few as one or two shot pellets can die in weeks, and studies document the deaths of raptors and scavengers that eat the carcasses or gut piles of game shot with lead. Worldwide, studies document more than 130 wildlife species that are negatively affected by lead.

In North America, pheasant, wild turkey, woodcock, mourning dove, bobwhite and ruffed grouse have all been reported with lead poisoning from ingesting lead shot likely mistaken for seed. The Missouri Department of Conservation estimates that 9 million to 15 million mourning doves die each year of lead poisoning, a toll as

great or greater than the annual legal harvest by hunters. Lead can poison raptors such as bald eagles, hawks, owls and endangered California condors if they prey on lead-shot carrion or fish containing lead sinkers or jigs. Last August, a bald eagle was found in Michigan’s Upper Peninsula hanging upside down from a tree, emaciated and dehydrated, with a blood-lead level more than three times that likely to be fatal. And from 1991

to 2018, the University of Minnesota Raptor Center admitted 2,036 eagles; 70 percent of them tested positive for lead and more than 560 had lead toxicity requiring treatment. Many of those did not survive.

Fishing gear, including lead jigs and weights, is a significant source of lead poisoning for loons, which often ingest lead when eating fish that are trailing line and tackle after breaking free from anglers. Such poisoning can have population-level effects. A 2018 New Hampshire study, for example, estimated that lead poisoning over a 24-year period led to a 43 percent reduction in the state's loon population. "An alarming number of loons die each year after ingesting lead fishing tackle," says NWF senior wildlife biologist John Kanter. "The growth and recovery of this iconic species may be compromised if anglers don't switch to nontoxic alternatives."

Humans, too, can be exposed to lead by eating venison or game birds that contain lead shot or bullet fragments. A 2009 study in North Dakota tested ground venison from meat-processing plants and found that nearly 6 percent was contaminated with lead. And a study by the Centers for Disease Control and Prevention found elevated blood-lead levels in people who ate wild game. The findings prompted warnings that children and pregnant women should avoid game harvested with lead, which can cause brain damage, developmental defects, neuropathy, attention deficit disorder, even death. The impacts are most pronounced in children, whose brains are still developing—one reason why lead additives in paint and gasoline were banned long ago.



### **Common-sense solutions**

The National Wildlife Federation has long been a leader in the effort to reduce lead in the environment. In 1985, it sued the U.S. Fish and Wildlife Service (FWS) to ban lead shot. The suit failed, but it helped prompt FWS in 1986 to begin a phased-in ban on lead shot for waterfowl hunting, which took full effect in 1991. Just nine years later, one study found a 64 percent drop in lead poisoning in waterfowl, which saved an estimated 1.4 million birds.

Several of the Federation's 52 state and territorial affiliates also have taken steps to reduce lead. The Minnesota Conservation Federation, for example, recently passed a resolution supporting state agencies

regulating lead when studies indicate population-level impacts on wildlife, and the New Mexico Wildlife Federation (NMWF) is now using only non-lead ammunition in its shooting-instruction programs. "This is consistent with the leave-no-trace ethic," says NMWF Executive Director Jesse Deubel. "By choosing lead-free ammunition, our membership continues to be proper stewards of both the land and the wildlife it harbors."

More than 30 states have adopted policies to steer hunters and anglers away from lead. Many require nontoxic shot for species such as rail, snipe and woodcock on certain state and federal lands, including wildlife management areas or national wildlife refuges. In South Dakota, target shooting with lead shot is prohibited in

some areas, and Arizona offers incentives for hunters within the range of the California condor to use non-lead ammunition or to remove gut piles of field-dressed game, a voluntary program that has had an 88 percent compliance rate over 10 years.

California originally banned lead hunting ammunition within the range of the California condor but then expanded the ban, which became statewide in 2019. And in 2016, New Hampshire implemented a ban on the sale or use of lead sinkers or fishing weights weighing one ounce or less.

Hunters and anglers can choose to use non-lead alternatives no matter where they live as nontoxic alternatives are increasingly available in stores and online. Hunters can choose steel, bismuth and tungsten shot and copper bullets, which stay more intact than lead upon impact, leading to cleaner wild game meat. And anglers can readily find tin and tungsten fishing weights to replace lead sinkers, jig heads, bead heads, wire fly wrap and dumbbell eyes.

### **Worth the price for wildlife**

Nontoxic options are more expensive than lead products, but less so than might be assumed. At one major retailer, steel shot costs about 50 cents more per box for a comparable brand, but many hunters view that marginal cost as well worth the benefits to wildlife and habitats. And there's mounting evidence that nontoxic options are as effective as lead. In 2015, the *Wildlife Society Bulletin* published a study showing no statistical difference in effectiveness of steel and lead shot for dove hunters. Wyoming hunter Chris Madsen sees the same with copper. "I've hunted elk with copper bullets and they've opened perfectly," he says, "and the cost [of the bullets] is utterly insignificant in the overall cost of a hunt."

Through its Lead-Free Landscapes initiative, the Federation works with hunters and anglers to increase knowledge about how lead can poison wildlife and habitats and discusses nontoxic alternatives for hunting and fishing. The program also collaborates with partners, NWF's state affiliates, other conservation groups and the outdoor industry to host information sessions and share knowledge through traditional and social media.

Ultimately, the move away from lead is a question of personal responsibility. As noted conservationist Aldo Leopold wrote in *A Sand County Almanac*: "A peculiar virtue in wildlife ethics is that the hunter ordinarily has no gallery to applaud or disapprove of his conduct. Whatever his acts, they are dictated by his own conscience."

*Learn more about hunting and fishing with non-lead ammunition and tackle at [nwf.org/leadfreelandscapes](http://nwf.org/leadfreelandscapes).*



# Policy Update: Migratory Bird Protection Act



At the turn of the twentieth century, the future did not look bright for birds. Due to overhunting, habitat loss and unregulated trade, millions of birds across America were killed and some species even became extinct.

Then on July 3 of 1918, the Migratory Bird Treaty Act (MBTA) became law and put an end to unregulated trade, limited overhunting, supported wildlife habitat, and set in motion a century of protections for migratory birds. The MBTA has since helped underpin the nation's bird conservation efforts, protecting over 1,000 species from harm.

Unfortunately for birds, this bedrock environmental legislation is now under threat. In April 2018 the U.S. Department of Interior issued guidance signaling that it would no longer enforce the Migratory Bird Treaty Act except in cases of purposefully causing death and harm. This unprecedented legal opinion turns back the clock, voiding essential protections for migratory birds. Luckily, conservationists once again took note, and a newly introduced bill is poised to pipe up for migratory birds.

The Migratory Bird Protection Act (MBPA) can stop the reinterpretation of the law, and advance conservation for the future of migratory birds.

If passed H.R. 5552 will affirm that the Migratory Bird Treaty Act's prohibition on the unauthorized killing of migratory birds includes incidental harm and kill by commercial activities. The proposed law will help minimize certain industrial hazards, incentivize best management practices and, create an incidental take permit to provide clear guidance for industry, and advance bird conservation.

In order to underscore the importance of passing the Migratory Bird Protection Act we've compiled a list of a few birds who's futures have been fought for, and until recently, ensured by the Migratory Bird Treaty Act. These animals were each threatened, recovered, and are now at risk again.

**How can you help? Call North Dakota's Congressional Delegation and ask for their support to pass the Migratory Bird Protection Act for a safer and more dependable future for migratory birds. (202-224-3121)**

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*In 1918 the Migratory Bird Treaty Act abolished the unregulated hunting of all migratory birds. Hunting for commercial markets and habitat loss brought birds such as the eye-catching wood duck to the brink of extinction. About a decade after the MBTA laid ground, National Wildlife Federation founder Ding Darling helped establish the Federal Duck Stamp. This stamp purchased by all waterfowl hunters, has helped raise the necessary funds to preserve wetland habitats. In part due to the Duck Stamp's success, just 23 years after all migratory duck hunting had been abolished, the wood duck hunting season reopened in 1941.*



## *R3: NDWF's New Program to Support Affiliate Efforts*

NDWF has long supported youth shooting sports across North Dakota. The expansion of the North Dakota State High School Clay Target League has provided many affiliates an opportunity to invest not only in the rapidly- rising popularity of shooting sports in the state, but also secure a longer-term return in the creation of competent shooters, hunters and conservationists who will become future members of their clubs.

Now NDWF is looking to further support affiliates efforts to recruit new hunters and anglers. NDWF's affiliates host numerous youth and women events each spring and fall. The Federation has set up a small grants program for these hunts, fishing days, butchering demonstrations, and other events that work to recruit new hunters and anglers from a variety of backgrounds. **The deadline to apply for summer 2020 projects is June 1st.**

Want to learn more or have a project idea? Contact John Bradley at [jbradley.ndwf@gmail.com](mailto:jbradley.ndwf@gmail.com) or 701-390-7196



*NDWF supports multiple R3 activities - including youth shooting sports, fishing days, and outdoor skill demonstrations.*

## *Winter Fish Factors*

*By: Nick Simonson*



As January fades into memory and anglers eye up a faster bite as the back half of winter settles in, a number of conditions are at play which will help angling improve through the ice and provide a portent for what can be expected for spring and summer populations when waters open up. With dissolved oxygen and light penetration being significant items of concern, and forage not as much of an issue, North Dakota Game & Fish Department (NDG&F) Fisheries Management Supervisor Paul Bailey shares his insight on what makes the bite better as winter wears on and when it's time to be concerned about water.

"There's a few different reasons for that January lull occurring, one is that we're dealing with a lack of light penetration in a lot of our lakes," Bailey relates as to the here-and-now of slower mid-winter fishing, "that sun is still pretty low on the horizon through January and as January

progresses we get a little more snow depth happening on the lakes as well," he concludes.

On sunnier days the activity of sight-feeding fish such as pike and perch is notably better as even through the ice some light penetrates and facilitates better bites for those species. That light penetration is also vital to sustaining iced-over waters and their fish populations until spring – and keep pursued sportfish healthy and active - by helping to sustain dissolved oxygen levels through amounts produced by remaining plants and algae beneath the surface.

The dissolved oxygen in a water is there predominantly due to surface contact with the air in the open- water months and occurs right up until ice-up in late fall or early winter. As plants and algae die off under the ice due to changing conditions and less sunlight entering the water, there is less photosynthesis occurring below to transfer plant-made oxygen into the water. When dissolved oxygen levels sink to their typically lowest point in area waters by mid-February, that's when biologists like Bailey get concerned about more than just a slowing bite due to stressed fish and worry more about potential winter-kills.

"We really have some concerns when dissolved oxygen levels drop below that about two-parts-per- million present in the water, that's where we start seeing some of our primary sportsfish – walleye, northern pike, yellow perch – start succumbing," Bailey relates.

In his area of south-central North Dakota, Bailey and his team survey 80 to 100 lakes each winter to investigate which ones have the potential of winter-killing due to low oxygen content. Typically by the end of February he has a good bead on waters that may winterkill and he helps the NDG&F adjust stocking plans and other measures to help those lakes recover. This season, with the wet conditions leading to ice-up, lakes big and small were in good condition with deeper reaches to help sustain fish through the winter, but deeper snow cover in the southern and eastern regions of the state are quickly working against the good conditions at the start of the season.



The prairie lakes in the south-central stretch, particularly those around the Ashley and Wishek area may be of some concern, along with many of the shallower lakes in eastern North Dakota. Out in the western third of the state, where snow has not been significant, Bailey anticipates little winterkill concern if all things remain equal. Access to bodies of water across the region also follow the same pattern, with anglers finding easy entry onto the ice in the west, and difficulty increasing as they move to the eastern third of the state, as with significant snow on the ground, winds can quickly drift in those traditional areas and approaches where anglers find their way onto the hardwater.

As snow and ice melts, it's likely fishing will improve along with the increasing daylight and loss of snow cover as dissolved oxygen levels increase from inflowing water. By the end of February, the NDG&F will have a good idea from waters around the state as to how fish fared this season. With the seasonal factors in play, anglers should also find the traditional late-ice bites setting up on those waters where fish did well. The agency typically updates its winterkill list as spring approaches and reports can be found at [gf.nd.gov/fishing/where-to-fish](http://gf.nd.gov/fishing/where-to-fish).

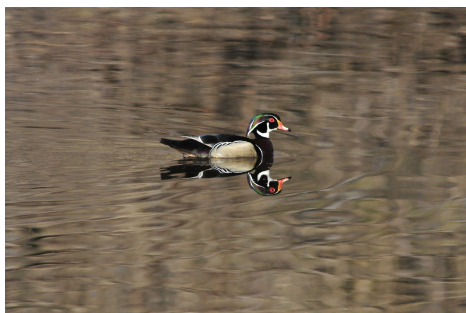
## NDWF Events

*NDWF and our affiliates host educational and social events throughout the year. Check out our Facebook events page for details. Visit [www.northdakotawildlife.org](http://www.northdakotawildlife.org) for upcoming board meetings.*

- ND Fur Hunters & Trappers Assoc. Meeting: February 29th, Joan Hetzel 4H Building, Bismarck
- Lewis & Clark Wildlife Club Membership Drive: March 10th, Elks in Bismarck
- Barnes County Wildlife Big Spender's Event: April 4th, Eagles Club in Valley City
- Stutsman County Wildlife Annual Banquet: April 18th, The Bunker in Jamestown
- **Our next meeting will be held April 4th, 2020 in Valley City.**

## Make an Impact

*For over 80 years, the North Dakota Wildlife Federation has depended on donations from conservationists like you to support our work to protect North Dakota's abundant wildlife, our natural lands and waters, and our unmatched public access to the outdoors for future generations to enjoy. We are able to do so much to protect North Dakota's outdoor heritage because people like you decide to chip in \$25, \$50, or \$100 to support our work. Your financial support is crucial to our ability to stand up to well-funded special interest groups at the North Dakota Capitol and in Congress. We need everyone who values North Dakota's outdoor heritage to get involved. Please donate to NDWF today!*



### Make Checks Payable To:

North Dakota Wildlife Federation  
PO Box 1091  
Bismarck, ND 58502-1091



## NDWF Membership Form

*Individual Membership: \$15 - Associate/Business Membership: \$25 - Educational Organization: Free*

*Name* \_\_\_\_\_

*Address* \_\_\_\_\_

*Email* \_\_\_\_\_

*Phone* \_\_\_\_\_

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