

MINUTES

NORTH DAKOTA ATMOSPHERIC RESOURCE BOARD APRIL 4, 2006

A telephone conference call meeting of the Atmospheric Resource Board was called to order by Vice Chairman Henry Bodmer at 9:00 a.m., Tuesday, April 4, 2006.

ROLL CALL

Roll call was taken and members participating were Henry Bodmer, David Hagert, Judith DeWitz, Roger Pfeiffer representing Gary Ness, and Steven Weber. Also participating were Darin Langerud, Director; LeNor Dollinger, Business Manager; and Dan Brothers, Environmental Scientist.

MINUTES

David Hagert moved the minutes of the October 25, 2005 meeting be approved as distributed. Second by Judith DeWitz. Motion carried.

FINANCIAL STATUS REPORT

LeNor Dollinger reviewed the financial status report for the month ended February 28, 2006. Discussion was held on the budget as it related to the Pilot Internship Program. Ms. Dollinger stated the expenditures in this program only reflect salaries for the pilot interns for July and August of 2005. Salaries for June 2005 came from old biennium (2003-2005) funds. There were no further questions.

WEATHER MODIFICATION LICENSE RENEWAL APPLICATION

Darin Langerud stated one license renewal application had been received. The application is from Weather Modification, Inc. Mr. Langerud recommended approval of the renewal of the weather modification license of Weather Modification, Inc.

David Hagert moved approval of renewal of the weather modification license for Weather Modification, Inc., Fargo, ND. Second by Roger Pfeiffer. Motion carried on a roll call vote of 5-0.

LICENSE RENEWALS

Mr. Langerud stated according to the Board's Administrative Rules, 89-07-02-10, which states,

“Forty-five days before expiration of licenses, the board shall mail license application forms to all licensees and request each licensee to complete the form and file the original with the board. The board shall evaluate the available data about the licensee and the natural person designated by

the license applicant under section 89-07-02-06 and shall issue a renewal license within 30 days of receipt of the application to each applicant who pays the license fee established by subsection 1 of North Dakota Century Code section 61-04.1-14 and who has the qualifications necessary for issuance of an original license. The board shall deny a renewal license within thirty days of receipt of the application of each applicant who does not pay the renewal fee or who does not possess the qualifications necessary for issuance of an original license or who does not designate a natural person, pursuant to section 89-07-06, who satisfies the requirements of section 89-07-02-07.”

Mr. Langerud stated since the board does not meet monthly they are unable to meet the renewal rule and grant the license within 30 days of receipt of the applications. Mr. Langerud proposes that in regard to renewals only, since the licensees have already gone through the vetting process in the initial licensing process, to grant the director authority to approve license renewals without again taking it to the board. In that way we could live within the administrative rule that we have. If there were any substantive changes that would require the board's action then that could be taken up at a later time.

Upon question from Ms. DeWitz, Mr. Langerud explained that legal counsel has stated the board can through it's own motion authorize the director to approve license renewals because the rule does not differentiate between "board" or "staff".

Steven Weber moved the board authorize the director to approve weather modification license renewals. Second by David Hagert. Motion carried 4-1. Voting yea – Henry Bodmer, David Hagert, Roger Pfeiffer, and Steven Weber. Voting nay – Judith DeWitz.

2006 WEATHER MODIFICATION PERMIT APPLICATIONS

Darin Langerud informed the board that permit applications have been received by Weather Modification, Inc. for District I and District II. The fees for the permits have been received. Mr. Langerud recommended the permit applications be approved contingent upon public response after the notice of intentions have been published and time has been allowed for public comment, if any.

Steven Weber moved to approve weather modification permits for District I and II for Weather Modification, Inc., Fargo, ND, contingent upon public response. Seconded by Judith DeWitz. Voting yea – Henry Bodmer, David Hagert, Judith DeWitz, Roger Pfeiffer, and Steven Weber. There were no Nay votes. Motion carried 5-0.

CHIEF METEOROLOGIST VACANCY

Mr. Langerud noted Aaron Gilstad, Chief Meteorologist (2001-2006) left ARB employment to go to the National Weather Service station in Key West, Florida. The position was advertised internally. Two applications were received. One applicant did not meet minimum qualifications. The second applicant did meet the minimum qualifications and an offer was made. The offer was countered by the agency to keep him in his current position. The applicant accepted the counter offer. The position was then advertised externally and six applications were received. Of the six applicants three met minimum qualifications. These three applicants will be interviewed later today and tomorrow. Plans are to make an offer in the next week following interviews and reference checks. It is hoped to have the new chief meteorologist on staff by May 1.

PERMIT EXEMPTION FOR RESEARCH SEEDING

Last year the board exempted itself from the permit process for hygroscopic seeding for research purposes. Due to the wet conditions in the eastern part of North Dakota last year the aircraft portion of the research did not get underway. A number of case studies were collected by the UND research radar in Grand Forks. A lot of the data has been analyzed and discussions with UND staff on how to proceed with the seeding research component of this project.

Plans are to employ one seeding aircraft for a two to three week time period sometime in late June or early July. Weather Modification, Inc. and Ice Crystal Engineering previously agreed to put some of their flares to use for this purpose free of charge. The seeding aircraft will be provided by Weather Modification, Inc., under separate contract with the board using state cooperative research funds. The aircraft would be on call to go to the Grand Forks area and seed at cloud base with the new hygroscopic flares in a research mode. We will be looking at the resultant cases with the radar and determine the physical change in the cloud droplet spectrum that the radar can determine and report back on those findings. This is the purpose of the experiment. We are hoping to validate and demonstrate the ability for hygroscopic materials to be used for seeding in North Dakota. These flares have been used in other places in the world but not in this region. They have demonstrated quite a bit of promise in the areas where they have been used and we are hoping to be able to determine through this research that this is an area that would be beneficial for operational seeding.

Mr. Langerud noted that this research project would be carried out with the same safeguard suspension criteria that is used in the operational projects. Mr. Langerud also noted that the board's administrative rules and state statutes allow exemption from permitting for research and development activities in North Dakota.

Steven Weber moved exemption of permit for the Board for purposes of cloud seeding research trials in the Grand Forks area. Second by Judith DeWitz. Voting yea – Henry Bodmer, David Hagert, Judith DeWitz, Roger Pfeiffer, and Steven Weber. There were no nay votes. Motion carried 5-0.

2006 ND CLOUD MODIFICATION PROJECT (NDCMP) PREPARATION

Darin Langerud briefly reported on ongoing activities in preparation for the 2006 NDCMP. This includes chemical bidding, hiring 14 temporary personnel, contracting with the counties, delivery of supplies, materials, and chemicals to field sites, and a three-day ground school (May 24, 25 & 26), as well as many minor details.

Mr. Langerud noted that this is the last year of ARB's three-year contract with Weather Modification, Inc. The contract for aircraft, pilots, and related services will need to be re-bid for successive years. We are also continuing our contract with Clem Aadland for radar technician services.

SOUTH DAKOTA BUFFER ZONE

Mr. Langerud reported he and two members of the Bowman County Weather Modification Authority met with the Harding County Commission, Buffalo, SD, regarding the possibility of acquiring a seeding buffer zone in South Dakota for District I. At the meeting there was no tremendous opposition among any of the commissioners present. What they did want to do is to put notice in the papers in the area asking for public comment on the potential for them to allow a seeding buffer zone of 15 miles into South Dakota for clouds moving into the District I target area of Bowman County. To date we have not heard anything back on this issue.

Being no further business the meeting was declared adjourned.

HENRY BODMER, VICE CHAIRMAN

JUDITH DEWITZ, SECRETARY

Transcribed by LeNor Dollinger