



# WESTERN DAKOTA ENERGY ASSOCIATION

February 2, 2023

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Testimony of:

Geoff Simon, Lobbyist #144  
in support of HB 1512 – Exclusion Areas for Electric Generation  
House Energy & Natural Resources Committee

Chairman Porter and Committee members:

On behalf of the city, county and school district members of the Western Dakota Energy Association (WDEA), we wish to express our strong support for HB 1512 which would require notice to counties by companies planning to build an electric energy conversion facility, and that a public hearing be held before any property leases are secured.

This is good public policy both for the citizens in the affected area of the proposed facility as well as the entity planning to build it. WDEA has received documented reports that representatives of wind energy companies have sought lease agreements with landowners long before notifying the affected county. Most concerning for local residents is that the company's earliest efforts to secure leases focused on absentee landowners, rather than county residents whose lives and property would be directly affected by a proposed wind farm. Let's just say this is not the way to conduct business in North Dakota.

Section 2 of HB 1512 would require notification of each affected county before a company submits an application for a certificate of site compatibility or secures any property leases for its proposed facility. It also directs the county commission to conduct a public hearing to review the proposed site for adequacy of infrastructure and various economic and social impacts. The legislation also specifies that counties may designate "exclusion zones," areas off limits to development, a power which WDEA believes counties already possess. Examples may include areas of significant wildlife habitat, hunting and recreation hotspots, scenic areas attractive to tourists, and perhaps most significantly, property overlying valuable lignite coal reserves or other mineral resources subject to future exploitation.

WDEA urges the House Energy and Natural Resources Committee to respect the rights of our state's citizens and their elected leaders to be provided advance notice of plans to develop energy conversion projects, and give HB 1512 a Do Pass recommendation.

Thank you for the opportunity to offer testimony on this important issue.

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