



STATE OF NORTH DAKOTA
County of Burleigh

221 NORTH 5TH STREET • P.O. BOX 5518 • BISMARCK, NORTH DAKOTA 58506-5518

January 22, 2025

RE: HB 1239

Representative Warrey and Members of the Committee:

In 2023, Burleigh County began to review data centers and crypto-currency mining facilities in Dickey, Stutsman and Williams Counties to consider amending our zoning ordinances to allow these type facilities within Burleigh County's jurisdiction. In August, October and November 2024, the Burleigh County Planning Commission held public hearings on the Draft Ordinance to amend the 2014 Zoning Ordinances by adding Special Use Permits for Data Centers. We also held 2 stakeholder meetings and 1 focus group meeting on the Data Center ordinance during this time.

With a Special Use Permit, our draft ordinance would allow crypto-currency mining in the Agricultural and Industrial zoning districts.

Weather in North Dakota can change sound levels, whereby causing a sound ordinance to be difficult if not impossible to enforce. We would have to rely on certified audiologists to verify if sound levels are appropriate- after the fact from a complaint. In the draft ordinance, pro-active setbacks are a more appropriate way to achieve sound mitigation.

Part of the proposed bill is focused on blockchain technology, all Data Centers expend computational resources, why are blockchain operations are being separated?

Without local ordinances to protect the life safety, health and welfare of citizens of Burleigh County, we will lack the very protection or support that our ordinances provide.

I strongly urge the committee to recommend denial and DO NOT PASS for HB 1239.

Thank you,

Mitch Flanagan,
Director of Planning Department, Burleigh County