

Chairperson and Members of the Committee,

I am writing to express my strong opposition to House Bill 1258, which threatens the rights of North Dakota residents, weakens local governance, and prioritizes corporate interests over the well-being of our communities. This bill significantly diminishes the power of local governments to regulate energy infrastructure projects, particularly electric transmission lines, and undermines the voices of landowners and residents who will be directly affected.

1. Weakens Local Control and Zoning Authority

One of the most concerning aspects of HB 1258 is that it allows state-issued permits for electric transmission facilities within designated corridors to supersede and preempt local zoning regulations. This effectively strips townships, counties, and municipalities of their ability to make decisions that best serve their communities. Local zoning regulations exist to protect residents, preserve property values, and ensure that development aligns with community priorities. This bill disregards those protections in favor of expedited infrastructure development.

2. Threatens Property Rights and Values

This bill increases the risk of **forced development on private land** without adequate local oversight. Transmission lines have well-documented negative impacts on property values and land usability, yet this legislation makes it easier for energy companies to bypass landowner concerns. The bill's provision allowing companies to override local regulations by arguing that they are "unreasonably restrictive" further weakens the ability of landowners to defend their rights and investments.

3. Increases Risk of Eminent Domain Abuse

By prioritizing transmission line development over local regulations, this bill paves the way for greater **use of eminent domain, where landowners could be forced to allow power lines on their property against their wishes**. This is particularly troubling for North Dakota's farmers and ranchers, whose livelihoods depend on the integrity of their land. Allowing corporations to circumvent local objections

sets a dangerous precedent for future land seizures in the name of corporate convenience.

4. Limits Public Input and Fast-Tracks Approvals

Under HB 1258, townships, cities, and counties have only **45 days to respond** after an application for a transmission facility is filed. Even more concerning, if they do not submit zoning and regulatory concerns **at least 10 days before the public hearing**, those concerns will be **completely disregarded**. This unnecessarily rushed process **reduces meaningful community input** and benefits large energy corporations at the expense of residents. North Dakotans deserve to have a real voice in decisions that impact their communities and properties.

5. Potential Environmental and Agricultural Consequences

Transmission lines and associated infrastructure can have **serious environmental and agricultural impacts**, including habitat disruption, soil degradation, and interference with farm operations. By limiting local control over transmission line placement, this bill risks allowing projects in sensitive areas without proper safeguards. Farmers and rural residents should not have to suffer the consequences of poorly placed infrastructure simply because the state prioritizes corporate interests over community well-being.

6. Retroactive Application Raises Legal and Ethical Concerns

HB 1258's **retroactive application to January 1, 2025**, raises serious concerns about fairness and legal consistency. By making the law apply to projects already in progress, this provision could nullify previously established zoning protections and agreements, leaving affected landowners without recourse. Laws should not be changed after the fact in ways that harm residents who relied on existing regulations.

Conclusion

House Bill 1258 prioritizes corporate interests at the expense of **local governance, property rights, environmental protection, and community involvement**. It strips power from the people who are most affected by these decisions—North Dakota's landowners, farmers, and rural residents—and gives excessive control to

energy corporations. I urge the committee to stand with North Dakota communities and reject this harmful legislation.

Thank you for your time and consideration.

Sincerely,

Johanna Mongeon, Rolette, ND