

HOUSE BILL NO. 1315

Introduced by

Representatives Novak, Dockter, S. Olson

Senator Patten

1 A BILL ~~for an Act to amend and reenact subsection 1 of section 49-22-09 of the North Dakota~~
2 ~~Century Code, relating to factors to be considered when evaluating applications and~~
3 ~~designation for sites, corridors, and routes.~~for an Act to create and enact a new subsection to
4 section 49-22-09 of the North Dakota Century Code, relating to factors to be considered when
5 evaluating applications and designation for sites, corridors, and routes.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 ~~**SECTION 1. AMENDMENT.** Subsection 1 of section 49-22-09 of the North Dakota Century~~
8 ~~Code is amended and reenacted as follows:~~

- 9 ~~1. The commission shall be guided by, but is not limited to, the following considerations,~~
10 ~~where applicable, to aid the evaluation and designation of sites, corridors, and routes:~~
- 11 ~~a. Available research and investigations relating to the effects of the location,~~
12 ~~construction, and operation of the proposed facility on public health and welfare,~~
13 ~~natural resources, and the environment.~~
 - 14 ~~b. The effects of new electric energy conversion and electric transmission~~
15 ~~technologies and systems designed to minimize adverse environmental effects.~~
 - 16 ~~c. The potential for beneficial uses of waste energy from a proposed electric energy~~
17 ~~conversion facility.~~
 - 18 ~~d. Adverse direct and indirect environmental effects that cannot be avoided should~~
19 ~~the proposed site or route be designated.~~
 - 20 ~~e. Alternatives to the proposed site, corridor, or route which are developed during~~
21 ~~the hearing process and which minimize adverse effects.~~
 - 22 ~~f. Irreversible and irretrievable commitments of natural resources should the~~
23 ~~proposed site, corridor, or route be designated.~~
 - 24 ~~g. The direct and indirect economic impacts of the proposed facility.~~

- 1 ~~h. Existing plans of the state, local government, and private entities for other~~
- 2 ~~developments at or in the vicinity of the proposed site, corridor, or route.~~
- 3 ~~i. The effect of the proposed site or route on existing scenic areas, historic sites~~
- 4 ~~and structures, and paleontological or archaeological sites.~~
- 5 ~~j. The effect of the proposed site or route on areas unique because of biological~~
- 6 ~~wealth or because the areas are habitats for rare and endangered species.~~
- 7 ~~k. Problems raised by federal agencies, other state agencies, and local entities.~~
- 8 ~~l. Sufficient evidence establishing the impact on the reliability, integrity, or~~
- 9 ~~resilience of the existing electric supply and distribution system.~~

10 **SECTION 1.** A new subsection to section 49-22-09 of the North Dakota Century Code is
11 created and enacted as follows:

12 Before the commencement of operations of the proposed facility, the applicant shall
13 inform the commission that the applicant has executed or filed an unexecuted
14 generation interconnection agreement, or comparable transmission services
15 agreement, with the affected regional transmission organization or transmission
16 owner.