



# WIND ENERGY RESTORATION AND RECLAMATION OVERSIGHT PROGRAM

The North Dakota Department of Agriculture, in cooperation with the Public Service Commission, connects property owners experiencing wind energy reclamation and restoration issues with an independent ombudsman, a third party resource to help reach a reasonable resolution.

The program also provides educational outreach to help property owners consider things such as site development, location and route of electrical distribution lines, site restoration after decommissioning and other issues before signing contracts.

## Vision Statement

The ombudsmen are the recognized lead facilitators for promoting fairness when resolving wind energy reclamation and restoration issues, concerns, and disputes.

## Mission Statement

To enhance property owner trust and cooperation in North Dakota's energy development future by providing timely, effective, and impartial complaint management between property owners and wind energy developers.

## Values

These values guide activities and actions of the program. They demonstrate the agriculture commissioner's belief that the manner in which the program is administered must be purposeful in progressing the goals North Dakota is trying to achieve by creating the program.

The program values:

- Fairness
- Integrity
- Respect
- Equity

This program also values a working environment that fosters innovation and collaboration.



Agriculture Commissioner  
Doug Goehring



# PROGRAM PROCESS

The ombudsmen proceed by way of independent and impartial examinations initiated upon complaints by property owners. The ombudsman's objective is to develop a service culture characterized by fairness, dedication, openness, and accountability. The ombudsmen may use informal facilitation or recommend mediation to avoid actions that can be costly and damaging to the property owner and the wind energy developer.

## NDDA and PSC will:

Establish methods for property owners to issue complaints

Complaints will be taken by:

Phone

Email

Web

Personal interview

Establish a method to track and assign complaint cases to an ombudsmen

Prepare periodic reports to the agriculture commissioner and the Public Service Commission regarding program activity

Contract with qualified ombudsmen

## The ombudsman will:

Make initial contact with the property owner within 48 hours of receiving the complaint

Conduct a site examination with the property owner and document all issues associated with the complaint

Meet with property owner and wind developer on site to review reclamation/restoration issues

Work with property owner and wind developer to develop a plan and timeline to address the complaint

Periodically monitor agreed upon reclamation/restoration site work

Provide final report to the agriculture commissioner and the Public Service Commission



## The ombudsman will not:

Provide legal counsel or assistance in negotiating an easement

Interfere with or supersede any agreements between property owners and wind developers

Conduct any regulatory functions

# THE OMBUDSMAN

## Ombudsman

Noun [om•buds•man]

Definition: One who investigates, reports on, and helps settle complaints.

The ombudsman will manage complaint cases by receiving, reviewing, and attempting to resolve complaints from property owners. In addition, the ombudsman will analyze complaint data and provide the agriculture commissioner and the Public Service Commission with recommendations for the improvement of the program. The ombudsman will have frequent contact with property owners, and representatives from wind developers by conducting outreach and managing complaints.

## Knowledge, Skills, and Abilities

To be an effective ombudsman, the individual must have the following attributes:

- Concern for fairness
- Effective consensus-building and facilitator skills
- Good listening skills
- Established analytical ability
- Effective stress management skills
- General knowledge of subject matter
- Keep professionally current by pursuing continuing education and training

## Primary Functions

An ombudsman has the following primary functions:

- Problem prevention
- Conflict resolution
- Communication facilitation

## Functional Description

The ombudsman will:

- Serve as a designated neutral resource for property owners to raise concerns and request assistance to informally resolve conflicts and problems
- Monitor and track inquiries, complaints, and disputes
- Seek to provide effective and equitable conflict resolution
- Focus on customer service to provide an identifiable and accessible process for receiving complaints and resolving disputes
- Direct property owners to the correct process or agency (outside the ombudsman program) when appropriate
- Make recommendations to the agriculture commissioner and the Public Service Commission if a general problem trend is identified

## PROGRAM GOALS

**1 Recognized Resource**  
We are a resource that can assess issues and identify options after an impartial review of the complaint

**2 Create Trust**  
Create property owner trust in working with wind developers by creating a venue to address concerns and enhance communication

**3 Save Resources**  
Save valuable resources by preventing disputes and resolving them in a timely manner in place of costly litigation

**4 Balanced Approach**  
Support property owners and the energy industry by using a non-regulatory approach to balance land use needs and foster the relationship between land stakeholders

## PROGRAM OBJECTIVES

- Wind energy reclamation and restoration problems addressed in the early stages have a higher degree of resolution and can often be resolved before further erosion of confidence by the property owner and a loss of productivity exists
- Effective education of key stakeholders regarding the goals of the program will create buy-in and cooperation
- The ombudsman does not necessarily have to identify the solution to a problem but will be most successful by helping property owners and wind developers identify and carry out solutions
- The ombudsman must be an effective consensus-builder and facilitator

## PROGRAM ASSESSMENT

NDDA will use customer satisfaction surveys and stakeholder interviews to complete an annual program assessment.

## FOR FURTHER INFORMATION

North Dakota Department of Agriculture  
600 E. Boulevard Ave., Dept. 602  
Bismarck, ND 58505-0020  
701-328-2231 or 800-242-7535  
[www.nd.gov/ndda](http://www.nd.gov/ndda)

Public Service Commission  
600 E. Boulevard Ave., Dept. 408  
Bismarck, ND 58505-0480  
701-328-2400 or 877-245-6685  
[www.psc.nd.gov](http://www.psc.nd.gov)



The North Dakota  
Department of Agriculture  
and the  
Public Service Commission  
are equal opportunity  
employers and providers.

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