

Testimony of Troy Coons on behalf of  
Northwest Landowners Association  
in favor of  
SENATE BILL NO. 2264  
House Energy and Natural Resources Committee  
March 2, 2023

Chairman Porter and members of the committee, thank you for taking my testimony into consideration today. My name is Troy Coons and I am the Chairman of the Northwest Landowners Association. Northwest Landowners Association represents over 525 farmers, ranchers, and property owners in North Dakota. Northwest Landowners Association is a nonprofit organization, and I am not a paid lobbyist.

We support SB 2264 because it requires notice of PSC siting and routing proceedings be given to landowners whose property will host a project under review. In 2021, we worked with legislators to pass SB 2263 (2021). This prior bill added the notice language you see in SB 2264, but it was added to North Dakota Century Code section 49-22-08 which is titled “Application for a certificate — Notice of filing — Amendment — Designation of a site or corridor.” There are three other sections of the Century Code which relate to and form the basis for the PSC’s siting authority, as follows:

- 49-22-08.1. Application for a permit - Notice of filing - Amendment - Designation of a route.
- 49-22.1-06. Application for a certificate - Notice of filing - Amendment - Designation of a site or corridor.
- 49-22.1-07. Application for a permit - Notice of filing - Amendment - Designation of a route.

It was an oversight on our part not to request to add the same language to all four provisions of the PSC siting chapters. In our view, it should not matter if it is a wind farm or a pipeline, or a route permit versus a corridor permit – the notice to the impacted landowners should exist, and should be the same. This bill simply adds the same language from the prior legislation to the other three sections listed above. This legislation merely requires notice to be provided to landowners when the PSC is considering issuing a permit for a facility on their property. An amendment was offered to only require a single notice when corridor and route permits are sought in the same proceeding and we also supported that amendment.

We have heard some criticism from the other side that they already have to send a lot of notices but it is critical that landowners get notice specifically of these PSC siting proceedings

because it is often a way for them to address their concerns without needing to hire attorneys. We are simply asking to have notice of legal proceedings for permits that affect our land. We feel this should be the law and ask that you vote do pass on SB 2264.

Thank you,

Troy Coons

*Northwest Landowners Association*