

Mr. Chairman & Members of the Senate Agriculture & Veterans Affairs Committee.

I wanted to express my support for SB 2398 as amended to establish Military Influence Zones and a Military Compatibility Commission to protect North Dakota's military installations against encroachment in the areas of land, airspace, and electromagnetic spectrum (EMS) developments.

North Dakota's military installations are critical to our nation's defense, and they are also critical to the communities which host them. Military installations are important economic engines for the State of North Dakota. According to the Department of Defense's Office of Local Defense Community Cooperation's FY23 Defense Spending by State annual report, there were 13,324 Defense personnel in North Dakota in FY23, including a total of more than 10,800 in Ward, Grand Forks and Cass counties. Approximately two-thirds of these 13,324 personnel are Active Duty and Department of Defense civilians, while the remainder are National Guard and Reserves. Total payroll for North Dakota defense personnel totaled more than \$698 million in FY23

Across the country, military installations are being threatened by encroachment, including land, airspace and electromagnetic spectrum encroachment. As population increases, development demand also increases. From housing to medical offices to tractor dealerships to increased demand for utility services, increases in population drive increased demand for all types of development. In many areas of the country, encroachment has had a negative impact on military installations, impacting their ability to properly prepare and train for important missions related to our national security.

Some developments near military installations could interfere with military operations. For example, wind turbines in proximity to military radars can degrade the quality of radar data, negatively impacting defense and homeland security missions. While some land-based encroachment issues are subject to review by local and county entities, these issues are not handled consistently by all communities and counties, Moreover, encroachment threats to airspace and the electromagnetic spectrum, which are critical to military installations, are increasing.

North Dakota empowers local governments to create their own zoning regulations. This decentralized approach allows flexibility but can lead to gaps in military compatibility protections if local governments are unaware of or do not fully integrate federal guidelines into their planning processes. Several states across the country have enacted legislation focused on protecting their military installation from land, airspace and electromagnetic spectrum encroachment, including, Florida, Texas and Arizona, among others. The focus of these legislative efforts is to harmonize military and civilian to encourage responsible growth and development while protecting military installations from land, airspace and electromagnetic spectrum encroachment.

- Texas requires local governments to consider military compatibility in their zoning and planning decisions. The state incentivizes local governments to adopt military-compatible land use practices by offering financial assistance for projects that support military installations.
- Arizona airports. The state requires local governments to notify military installations of development proposals within Military Influence Areas (MIAs). This ensures that military installations can review and comment on projects that may impact operations. Arizona's legislation includes strict guidelines for height restrictions and land use compatibility within MIAs. It focuses on protecting airspace and ensuring that noise-sensitive developments are kept away from areas near military bases, particularly around Luke Air Force Base.
- Florida has a Military Base Protection Program codified in state law, including land use regulation and land acquisition programs to create buffer zones around military installations. The state's Florida Defense Support Task Force works closely with local governments to help ensure that military bases are protected from encroachment, offering resources and guidance on military-compatible land use planning. Florida also provides funding for land acquisition to create permanent buffers around key military facilities. Florida's land acquisition program is a major strength. It helps prevent incompatible development by acquiring land near bases such as Eglin Air Force Base and Naval Air Station Pensacola that could be used for residential or commercial purposes.

SB2398 allows for protection of North Dakota's military installations from encroachment concerns by establishing Military Influence Zones and establishing a Military Compatibility Commission to allow for consistent communication for development projects that could impact military operations, and enhance the sustainability of military operations in the State of North Dakota. These important efforts will help to strengthen North Dakota's military installations and reduce the negative impacts of land, airspace and electromagnetic spectrum encroachment, thereby strengthening our national defense.