

To the members of the Energy and Natural Resources Committee,

My name is Dr. Travis Kuhlka, I am a beef cattle veterinarian and a local landowner, from District 36. I am writing in OPPOSITION to SB 2208.

The language of the paragraph starting on page 5, line 28, seems like a gross overreach of government. Local municipalities should not have their authority stripped to govern themselves, specifically regarding ordinances related to energy infrastructure projects. The language in this paragraph tells me that local planning and zoning boards could have their decision forced on them in fear of losing critical funding for rural areas. When has it come to be that the state government of North Dakota thinks it knows how to utilize the land better than the people that live on it.

Due to federal government tax incentives, there has been a drastic increase in out of state agencies trying to place new, unproven, and in many situations, dangerous green energy projects in rural areas. In most cases there are no ordinances or zoning parameters in the books, which is known by these outside interests. North Dakota is a great state to live in, one of the positive aspects is the low population of the rural areas, hence a common reason these projects are aimed for us. Firsthand, I witnessed outside influence disrupt the regulatory process in Oliver County at a planning and zoning meeting just last year. It was an example of a landowner wanting to express their concerns through accepted protocols related to ordinances or the lack thereof regarding an energy project. That landowner was rudely excluded from the agenda, illegally, at the start of the meeting. I was appalled.

With no regulations in place green energy projects can get approved with fanfare for the cash they hand out to landowners and local towns. The unseen risk to the lives and health of the people living nearby is real, but disregarded thanks to the lack of critical ordinances.

I live in Mortin County, where recently a moratorium was enacted to allow zoning ordinances to be drawn from scratch related to Direct Air Carbon Capture. There were no regulations in existence guiding the zoning or permitting for this project. If this bill was enacted at the time the commissioners made their decision, they would have had to weigh the option of losing critical funding for infrastructure against safe permitting of the proposed project. In this example a company from Denver, CO wanted to place an unproven, first of its kind facility in a rural area. They garnered local support through large payouts to landowners, but in the end could not show proof of nor be honest when questioned on the safety of the technology.

This bill is simply not in the best interests of anyone, I am left wondering why it is being proposed at all. I am not against green energy, but not when it is forced into their lives and backyards by the state government.

I urge you to stop this bill and recommend DO NOT PASS. Thank you for your time.

Respectfully submitted,

Dr. Travis Kuhlka

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