

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.

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

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

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

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