



North Dakota House of Representatives

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COMMITTEES:

Education
Energy and Natural Resources

March 8, 2023

Mr. Chairman, members of the committee-

For the record, my name is Anna Novak, Representative for District 33. You have before you the Christmas tree version of HB1512. This bill started off as redefining the way our Public Service Commission permits wind farms in the state. The original bill tackled many of the problems associated with the wind industry but in hindsight, it was probably too aggressive, which is why it was changed to a study. But I'm thankful that I had a vehicle to have the conversation on this side of the chamber to try again.

The first wind farm in ND was permitted about 25 years ago. At that time, there was extra room on our transmission lines so adding a few megawatts of wind power wasn't displacing our baseload power and it didn't jeopardize the jobs at our local coal mines and power plants. But both of those things have changed. And in addition to those issues, the majority of land leased for wind projects is leased by non-resident landowners, which can lead to lower property values for the people that actually live in an area. There are also no public notices given to the local communities affected by the wind farms until the leases are secured, the developer or utility requests permitting and not much can be done to reverse the course.

Much of the wind permitting process seems to be shrouded in secrecy, which is frustrating to our local communities because wind projects have such a large footprint. You can't really compare it to any other business or industry because they can literally take up miles of land and are visible from so far away.

One of my constituents from Oliver County testified at the hearing on the House side. She and her husband have a decent amount of land and ranch on their property. She has been vocal in that they do not want wind or solar projects near their property but they obviously can't control what their neighbors do. She testified that in the last two years, there have been multiple wind and solar project developers approaching their neighbors and other local landowners about obtaining leases. She has contacted the companies and even the local county officials and she can't seem to get any information about the projects that are possibly taking place around her property. Why can't our communities know what is happening around them? Why does the process have to be so secretive? And shouldn't resident landowners have more of a say about what happens in their communities than non-resident landowners that might live in another state?

I'm hopeful that these questions will be answered and that there will be a full evaluation of how the permitting of wind projects takes place with this study. And I respectfully urge a due pass recommendation on HB1512.

With that, I'll stand for questions, thank you.

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1512

Introduced by

Representatives Novak, Fisher, Heinert, Koppelman, Strinden

Senators Beard, Boehm, Kessel, Magrum, Patten

- 1 A BILL for an Act to provide for a legislative management study relating to statutory provisions
2 governing certification of site compatibility for electric energy conversion facilities.

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

4 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - ELECTRIC ENERGY**

- 5 **CONVERSION FACILITIES - SITE COMPATIBILITY.** During the 2023-24 interim, the legislative
6 management shall consider studying statutory provisions governing certification of site
7 compatibility for electric energy conversion facilities. The study must include a review of the
8 provisions of the North Dakota Century Code that allow the North Dakota public service
9 commission to issue a certificate of site compatibility for electric energy conversion facilities, the
10 certification process for site compatibility for electric energy conversion facilities, and the impact
11 of certifying site compatibility of electric energy conversion facilities in conjunction with
12 subsurface minerals rights for mineral owners or mineral lessees. The legislative management
13 shall report its findings and recommendations, together with any legislation necessary to
14 implement the recommendations, to the sixty-ninth legislative assembly.