

HB 1239

Chairman and Members of the Committee:

Please consider the following written testimony in opposition of HB 1239.

This bill appears to be taking local control away from the local zoning authority. Land use and the placement of various industries is best decided and regulated by the people of the area. They are the ones who will be impacted the most and the local zoning authority can place conditions on land use that can mitigate negative impacts on the residents and environment, while still allowing orderly growth. NDCC 58-03-11 already states “All regulations and restrictions under this section must be uniform throughout each district, but the regulations and restrictions in one district may differ from those in other districts” so it seems unnecessary to try to protect one industry with this bill.

Noise from any industry or activity isn't the only impact that will negatively affect residents. However, there may be some industry activity that can be allowed, for a limited time, to exceed permitted noise levels stated in noise ordinances, through a conditional use. Length of time of noisy conditions must be a consideration. As is often said, “One size doesn't fit all.” There are options for noise mitigation, such as fully-enclosed operations, which will be agreed upon if the individuals/companies are honorable and serious about their project.

To summarize, this bill is for one business only (digital asset mining), state residents of the affected areas are being dismissed, and local control that is legally given to counties, cities, and townships is being undermined by this bill, therefore, I oppose HB 1239.

Thank you.

Shelly Ventsch

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