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Chairman Warrey and members of the Committee,

My name is Charlie Sorenson, a 4<sup>th</sup> generation farmer, resident, and landowner from Ross, ND. I am opposed to HB1239 and encourage you forward this bill with a DO NOT PASS recommendation.

Sections 1, 3, and 5 of this bill override local zoning and force zoning commissions to approve all applications for asset mining businesses without noise restrictions. In 1994 as a senior at Stanley High School, I took a class titled "Government" in which my teacher highlighted the foundation of all law: "Your rights end where someone else's begin." HB 1239 is written contrary to this basic principle by granting new rights to the digital asset mining industry while overriding the rights of existing property owners.

In particular, HB1239 prevents the local jurisdiction from restricting noise emissions from asset mining businesses differently than any other activities. This poses significant problems. Asset mining produces noise much different from other noises because it's a continuous and nauseating noise with a short wavelength. This noise never stops. Unlike the pleasant music we hear in waiting rooms or grocery stores, the noise emitted from asset mining is unpleasant to hear at any volume. Short wave length noise creates additional problems in that it is almost impossible to mitigate because of its ability to bend around obstacles like noise reducing walls. Noise from asset mining is in a class by itself and needs to be treated as such, differently from other noise.

HB 1239 attempts to create exclusive rights for the asset mining industry by fast tracking the approval process without regard to others. I have served on my county's planning and zoning commission for 10 years and have been part of an estimated 1500 individual zoning hearings. I can only think of 4 those hearings that resulted in denials. Although requests had to go through the process of changes and amending at times, we ultimately approved 99.7% of the requests. This bill is unnecessary for North Dakota and the digital asset mining industry as we already have solid local processes for approving nearly all zoning requests after reasonable and prudent adjustments.

Please forward this bill with a DO NOT PASS recommendation.

Sincerely,



Charlie Sorenson