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**Testimony of
Matt Perdue
North Dakota Farmers Union
In support of SB 2174
House Agriculture Committee
March 7, 2025**

Chairman Beltz and members of the committee,

Thank you for the opportunity to testify on Senate Bill No. 2174. My name is Matt Perdue, and I am testifying on behalf of North Dakota Farmers Union's members. NDFU supports SB 2174.

NDFU was a member of the interim Model Zoning Task Force, which consisted of agricultural, county and township stakeholders. The Model Zoning Task Force was required to develop updates to the model zoning ordinance and review various other aspects of local zoning for animal feeding operations. SB 2174 embodies the Senate-approved recommendations of the Model Zoning Task Force.

SB 2174 makes identical changes in two different chapters of Century Code. Section 1 of the bill addresses county zoning authority, while Section 2 of the bill addresses township zoning authority. The bill makes two changes to state law governing local zoning:

1. Paragraph 4 clarifies that a county or township may not preclude development of an animal feeding operation except as provided by state zoning law. This is important clarity for counties and townships who have shared feeling somewhat uncertain about where there authority starts and ends.
2. Paragraph 8(c) authorizes counties or townships to increase or decrease setbacks based on the results of an odor footprint tool. An odor footprint tool is a science-based tool for determining the dispersion of odor emissions from a livestock facility. NDFU's member-driven Policy & Action supports the development of an odor footprint tool for North Dakota. The odor footprint tool offers counties and townships an alternative to standard zoning methods, allowing the community to respond to local conditions and project-specific factors. To be clear, SB 2174 gives counties and townships the option to use the odor footprint tool on a voluntary basis.

Thank you for your consideration of my testimony. We respectfully request a "Do Pass" recommendation on SB 2174. I will stand for any questions.