

SENATE BILL NO. 2385

Introduced by

Senators Nelson, Fairfield

1 A BILL for an Act to require the posting and publishing of notices regarding permit applications
2 for confined animal feeding operations.

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

4 **SECTION 1. Confined animal feeding operations - Notice of permit application.**

5 1. Whenever an application is filed with any governmental entity for a permit related
6 to the construction or renovation of a confined animal feeding operation, the
7 governmental entity receiving the application shall:

8 a. Post notice of the completed application in the United States post office
9 closest to the site or proposed site for a period of thirty days;

10 b. Post notice of the completed application in the building that serves as the seat
11 of government for the county in which the site is located or in which the
12 proposed site is to be located for a period of thirty days; and

13 c. Publish notice of the completed application in the official newspaper of the
14 county in which the site or the proposed site is located.

15 2. The notice required by this section must include:

16 a. The name and address of each applicant and all primary capital investors;

17 b. A brief description of the planned operation or the changes to an existing
18 operation;

19 c. A brief description of the administrative procedures to be followed, including
20 the provision of a comment period, in reaching a final determination regarding
21 issuance or denial of the permit;

22 d. The manner in which interested persons may provide comments for
23 consideration of the governmental entity;

24 e. The proposed date and time for a public hearing; and

- 1 f. The manner in which interested persons may obtain further information.
- 2 3. The applicant is responsible for any costs incurred by the governmental entity in
- 3 preparing, posting, and publishing notice of the application as required by this
- 4 section.
- 5 4. The governmental entity may not make a final determination on the issuance or
- 6 denial of the permit until thirty days have passed since the date of the publication
- 7 required by subsection 1.