

House File 2227 - Enrolled

House File 2227

AN ACT

RELATING TO LAND RESTORATION FOLLOWING THE INITIAL CONSTRUCTION OF ELECTRIC TRANSMISSION LINES, AND INCLUDING EFFECTIVE DATE AND RETROACTIVE APPLICABILITY PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 478.18, Code 2026, is amended to read as follows:

478.18 Supervision of construction — location.

1. The utilities commission shall have power of supervision over the construction of a transmission line and over its future operation and maintenance, including inspections for compliance with the standards adopted under section 478.34 after restoration of the land is complete.

2. A transmission line shall be constructed near and parallel to roads, to the right-of-way of the railways of the state, or along the division lines of the lands, according to the government survey, wherever the same is practicable and reasonable, and so as not to interfere with the use by the public of the highways or streams of the state, nor unnecessarily interfere with the use of any lands by the occupant.

3. The utilities commission may contract a qualified individual for the purpose of inspections authorized under section 478.34. The reasonable cost of the inspection shall be paid by the electric transmission owner. The utilities commission shall instruct the inspector appointed by the commission regarding the content of the statutes and rules and the responsibility of the inspector to require restoration

conforming with the applicable standards established in section 478.34. For purposes of this section, "qualified individual" means the same as defined in section 478.34.

Sec. 2. NEW SECTION. **478.34 Land restoration.**

1. As used in this section, unless the context otherwise requires:

a. "Electric transmission line" means a high-voltage electric transmission line with a capacity of two hundred kilovolts or more that has been approved on or after July 1, 2024, for construction in a federally registered planning authority transmission plan with costs allocated regionally.

b. "Electric transmission owner" means an individual or entity who owns and maintains an electric transmission line.

c. "Landowner" means the same as defined in section 478.2.

d. "Qualified individual" means someone who is capable and knowledgeable enough to determine compliance with the standards set forth in this section.

2. The commission shall adopt rules pursuant to chapter 17A to administer this section, which shall include rules regarding the restoration of agricultural lands following the initial construction of an electric transmission line, as specified in subsection 3.

3. The commission shall adopt rules to implement the following requirements, which shall not apply within the corporate limits of a city or to any construction, activity, or electric transmission lines other than the initial construction of an electric transmission line with a voltage of two hundred or more kilovolts and for which an election to construct has been made under this section:

a. An electric transmission owner shall repair a damaged underground drain tile as soon as practicable during construction of the electric transmission line. Permanent repairs to the damaged underground drain tile shall be completed as soon as practicable after the initial construction of the electric transmission line is complete. The repairs made to the damaged drain tile shall be of at least equal quality, size, and flow capacity of the original drain tile.

b. Following the initial construction of an electric transmission line, the electric transmission owner shall remove from the easement area all rock larger than three inches in

average diameter not native to the soil of the excavated land. The rock removed from the excavated land that cannot be used to backfill shall be disposed of at a location and in a manner agreed upon by the electric transmission owner and the landowner.

c. Upon completion of construction activities on a property, the electric transmission owner shall deep till agricultural land, including right-of-way access points or roads traversed by heavy construction equipment, to alleviate soil compaction. The land shall be tilled at least eighteen inches deep in land used for crop production and twelve inches deep in other lands unless otherwise agreed to by the landowner.

d. Upon completion of the electric transmission line, the electric transmission owner shall restore the soil conservation practices and structures damaged during construction of the electric transmission line to the elevation and grade existing on the land prior to the construction. The soil used to repair embankments intended to retain water shall be well compacted. Any vegetation disturbed during construction shall be reestablished, including cover crops when appropriate.

e. Following compaction of the land, agricultural land that is not in row crop or small grain production at the time of construction, including hay ground and land in conservation or set-aside programs, shall be reseeded and a cover crop shall be utilized when appropriate. Seeding for cover crops may be delayed if the construction of the electric transmission line is completed too late in the year for a cover crop to become established and is not required if the land will be tilled in the following year. The landowner may request ground cover to prevent soil erosion in areas where construction on the electric transmission line is completed if the season is not suitable for seeding a cover crop.

f. Unless agreed upon by the electric transmission owner and the landowner, the electric transmission owner shall remove field entrances or temporary roads built for the purpose of constructing the electric transmission line upon the completion of the initial construction and restore the area to its previous use.

g. An electric transmission owner shall use good utility practices for constructing the electric transmission line in wet conditions, such as electing to use matting or padding

when utilizing heavy equipment. An electric transmission owner shall grade and till any rutted land to restore, to the extent practicable, the original condition of the land prior to the construction of the electric transmission line. If agreed upon by the electric transmission owner and the landowner, the landowner may repair any damage caused by construction activities in wet conditions and the electric transmission owner shall reimburse the landowner for the reasonable cost incurred to repair the damage. If an electric transmission owner utilizes heavy equipment in wetlands or mudflats, mats or other measures shall be utilized to minimize soil disturbance.

h. For each electric transmission line, the electric transmission owner shall designate a point of contact for inquiries or claims from an affected person. The designation shall include a name, a telephone number, an email address, and an address.

4. a. If an electric transmission owner and a landowner dispute a potential violation of the restoration standards provided in subsection 3, the commission may appoint a qualified individual to inspect the property for compliance. If the qualified individual determines that there has been a violation of the applicable restoration standards, the commission shall provide oral notice, followed by written notice, to the electric transmission owner and the contractor operating for the electric transmission owner and order corrective action to comply with the restoration standards. The electric transmission owner shall be responsible for the costs of the corrective action.

b. If the electric transmission owner or the contractor for the electric transmission owner does not comply with a valid order for corrective action issued by the commission, the commission may issue an order requiring corrective action to be taken and may impose civil penalties under section 478.29.

c. The commission shall instruct the inspector appointed by the commission regarding the content of the statutes and rules and the responsibility of the inspector to require restoration conforming with the standards established in subsection 3.

5. a. A petitioner for a franchise for an electric transmission line shall file with the petition a written land restoration plan that documents how the requirements and rules of subsection 3 will be met. The petitioner shall provide a copy of

the plan to all landowners of property that will be disturbed by the initial construction.

b. Nothing in this section shall preclude the application of provisions for protecting or restoring property that are different than those prescribed in subsection 3, in rules adopted under subsection 3, or in the land restoration plan, if the alternative provisions are contained in agreements independently executed by the electric transmission owner and the landowner. Independent agreements for land restoration between the electric transmission owner and the landowner shall be in writing and provided to the commission.

c. The commission may by waiver allow variations from the requirements of subsection 3 if the electric transmission owner requesting a waiver satisfies the standards set forth in section 17A.9A and if the alternative methods proposed by the electric transmission owner would restore the land to a condition as good as or better than as provided for in subsection 3.

d. The commission may waive preparation of a separate land restoration plan if the electric transmission owner enters into an agricultural impact mitigation plan or similar agreement with the appropriate agencies of this state that satisfies the requirements of subsection 3. If a mitigation plan or agreement is used to fully or partially meet the requirements of a land restoration plan, the statement or agreement shall be filed with the commission and shall be considered to be, or to be part of, the land restoration plan for purposes of subsection 3.

6. Nothing in this section shall limit, expand, or otherwise modify the rights of access and obligations for damages set forth in section 478.17.

Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 4. RETROACTIVE APPLICABILITY. This Act applies retroactively to transmission lines included in a federally registered planning authority long-term transmission plan approved on or after July 1, 2024.

PAT GRASSLEY
Speaker of the House

AMY SINCLAIR
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2227, Ninety-first General Assembly.

MEGHAN NELSON
Chief Clerk of the House

Approved _____, 2026

KIM REYNOLDS
Governor