

Agriculture: Osterberg, Chair; Gruhn and Van Maanen.

Amend (341) to H.R. 122

MAR 7 1985

Agriculture

HOUSE FILE 514

BY GRUHN

Passed House, Date 4-1-85 (p. 1221) Passed Senate, Date 4-19-85 (P. 1520)

Vote: Ayes 78 Nays 17 Vote: Ayes 40 Nays 4

Approved May 14, 1985

A BILL FOR

- 1 An Act to require highway authorities to submit annual road
- 2 construction programs to county soil conservation district
- 3 commissioners for review and recommendations relating to
- 4 soil erosion controls and drainage controls.

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

HOUSE FILE 514

H-3411

1 Amend House File 514 as follows:

2 1. Page 1, line 16, by inserting after the word
 3 "authority" the following: "send copies of the
 4 preliminary construction plans and".

5 2. Page 1, line 17, by inserting after the word
 6 "preliminary" the following: "construction".

7 3. Page 1, line 20, by striking the words
 8 "preliminary plans on" and inserting the following:
 9 "preliminary construction plans for".

10 4. Page 1, line 22, by striking the word "on" and
 11 inserting the word "for".

12 5. Page 1, lines 22 and 23, by striking the words
 13 "in the roadway".

14 6. Page 1, line 27, by inserting after the word
 15 "conservation." the following: "The soil conservation
 16 commissioners shall also ascertain whether any other
 17 aspect of the road construction will affect soil
 18 conservation."

19 7. Page 1, line 32, by striking the words "twenty
 20 days following examination" and inserting the
 21 following: "sixty days following receipt".

22 8. Page 2, by striking lines 3 through 6.

H-3411 FILED MARCH 22, 1985 BY COMMITTEE ON AGRICULTURE

Adopted 3/28/85 (p. 1136)

For residual, divided A-4/12, B-Adopted
4/1 (p. 1221)

HF 514

1 Section 1. Sections 2 through 6 of this Act shall be
2 codified as a new division of chapter 306.

3 Sec. 2. NEW SECTION. 306.50 CONSTRUCTION PROGRAM NOTICE.

4 The appropriate highway authority shall provide copies of
5 its annual construction program to the soil conservation
6 district commissioner's office in each county. The soil
7 conservation district commissioner's office shall review the
8 construction program submitted by each highway authority to
9 determine those projects which may impact upon soil erosion
10 and water diversion or retention.

11 Sec. 3. NEW SECTION. 306.51 SOIL EROSION IMPACT.

341 12 The soil conservation district commissioners shall, within
13 thirty days after receipt of the construction program, notify
14 the appropriate highway authority of the projects which will
15 impact upon soil erosion and water drainage and request that
16 the appropriate highway authority notify them of the date,
17 time, and place for holding the design hearing on preliminary
18 plans.

19 Sec. 4. NEW SECTION. 306.52 REVIEW OF PLANS.

341 20 Upon examining the preliminary plans on a road project, the
21 soil conservation district commissioners may review each road
22 project on which a drainage structure is required in the
23 roadway. The soil conservation commissioners shall ascertain
24 whether or not the proposed erosion control or runoff control
25 structure is suitable to reduce the velocity of runoff, reduce
26 gully erosion, or provide for sedimentation or other
27 improvement that would enhance soil conservation.

341 28 Sec. 5. NEW SECTION. 306.53 SUBMISSION OF
29 RECOMMENDATIONS.

30 The soil conservation district commissioners shall submit
31 their findings and recommendations to the appropriate highway
32 authority not later than twenty days following examination of
33 the construction plans.

34 The appropriate highway authority shall respond to the soil
35 conservation district commissioners and indicate their

1 agreement to the suggested installation or their rejection of
2 the proposal.

3 Where feasible and cost-sharing funds are available, the
4 soil conservation district may contribute in part or in its
5 entirety to any additional cost for the erosion control
6 structure.

7 Sec. 6. NEW SECTION. 306.54 REPORTING.

8 If the proposal is rejected, the appropriate highway
9 authority shall provide a written report documenting the
10 reason for the rejection to the soil conservation district
11 commissioners and the state department of transportation. The
12 state department of transportation shall submit a written
13 report to the general assembly not later than March 1 of each
14 year. The report shall contain only a list of those highway
15 projects where a disagreement exists between the department
16 and the soil conservation district commissioners and the
17 reasons for rejecting the recommendations of the soil
18 conservation district commissioners. The report shall be
19 filed with the secretary of the senate and the chief clerk of
20 the house of representatives.

21 Sec. 7. This Act takes effect for construction projects
22 which are approved on or after April 1, 1986.

23 EXPLANATION

24 The bill provides that highway authorities shall submit
25 annual road construction programs to county soil conservation
26 district commissioners for review and recommendations relating
27 to soil erosion controls and drainage controls. The bill also
28 provides for participation by soil conservation districts in
29 the planning and funding of structures needed to provide
30 adequate erosion control and drainage control structures.
31 Reports are required on disagreements between the highway
32 authority and the soil conservation district commissioners.
33 The report must be submitted by the appropriate highway
34 authority. The bill applies to construction projects approved
35 on or after April 1, 1986.

HOUSE FILE 514

BY GRUHN

(As Amended and Passed by the House April 1, 1985)

Passed House, Date 4-1-85 (p. 1221) Passed Senate, Date 4-19-85 (p. 1520)

Vote: Ayes 78 Nays 17 Vote: Ayes 40 Nays 4

Approved May 14, 1985 (p. 2631)

A BILL FOR

1 An Act to require highway authorities to submit annual road
2 construction programs to county soil conservation district
3 commissioners for review and recommendations relating to
4 soil erosion controls and drainage controls.

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

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House Amendments _____

Deleted Language ✕

1 Section 1. Sections 2 through 6 of this Act shall be
2 codified as a new division of chapter 306.

3 Sec. 2. NEW SECTION. 306.50 CONSTRUCTION PROGRAM NOTICE.

4 The appropriate highway authority shall provide copies of
5 its annual construction program to the soil conservation
6 district commissioner's office in each county. The soil
7 conservation district commissioner's office shall review the
8 construction program submitted by each highway authority to
9 determine those projects which may impact upon soil erosion
10 and water diversion or retention.

11 Sec. 3. NEW SECTION. 306.51 SOIL EROSION IMPACT.

12 The soil conservation district commissioners shall, within
13 thirty days after receipt of the construction program, notify
14 the appropriate highway authority of the projects which will
15 impact upon soil erosion and water drainage and request that
16 the appropriate highway authority notify them of the date,
17 time, and place for holding the design hearing on preliminary
18 plans.

19 Sec. 4. NEW SECTION. 306.52 REVIEW OF PLANS.

20 Upon examining the preliminary plans on a road project, the
21 soil conservation district commissioners may review each road
*22 project for which a drainage structure is required. The soil
23 conservation commissioners shall ascertain whether or not the
24 proposed erosion control or runoff control structure is
25 suitable to reduce the velocity of runoff, reduce gully
26 erosion, or provide for sedimentation or other improvement
27 that would enhance soil conservation. The soil conservation
28 commissioners shall also ascertain whether any other aspect of
29 the road construction will affect soil conservation.

30 Sec. 5. NEW SECTION. 306.53 SUBMISSION OF
31 RECOMMENDATIONS.

32 The soil conservation district commissioners shall submit
33 their findings and recommendations to the appropriate highway
34 authority not later than twenty days following examination of
35 the construction plans.

1 The appropriate highway authority shall respond to the soil
2 conservation district commissioners and indicate their
3 agreement to the suggested installation or their rejection of
4 the proposal.

5 Where feasible and cost-sharing funds are available, the
6 soil conservation district may contribute in part or in its
7 entirety to any additional cost for the erosion control
8 structure.

9 Sec. 6. NEW SECTION. 306.54 REPORTING.

10 If the proposal is rejected, the appropriate highway
11 authority shall provide a written report documenting the
12 reason for the rejection to the soil conservation district
13 commissioners and the state department of transportation. The
14 state department of transportation shall submit a written
15 report to the general assembly not later than March 1 of each
16 year. The report shall contain only a list of those highway
17 projects where a disagreement exists between the department
18 and the soil conservation district commissioners and the
19 reasons for rejecting the recommendations of the soil
20 conservation district commissioners. The report shall be
21 filed with the secretary of the senate and the chief clerk of
22 the house of representatives.

23 Sec. 7. This Act takes effect for construction projects
24 which are approved on or after April 1, 1986.

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HOUSE FILE 514

AN ACT

TO REQUIRE HIGHWAY AUTHORITIES TO SUBMIT ANNUAL ROAD CONSTRUCTION PROGRAMS TO COUNTY SOIL CONSERVATION DISTRICT COMMISSIONERS FOR REVIEW AND RECOMMENDATIONS RELATING TO SOIL EROSION CONTROLS AND DRAINAGE CONTROLS.

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

Section 1. Sections 2 through 6 of this Act shall be codified as a new division of chapter 306.

Sec. 2. NEW SECTION. 306.50 CONSTRUCTION PROGRAM NOTICE.

The appropriate highway authority shall provide copies of its annual construction program to the soil conservation district commissioner's office in each county. The soil conservation district commissioner's office shall review the construction program submitted by each highway authority to determine those projects which may impact upon soil erosion and water diversion or retention.

Sec. 3. NEW SECTION. 306.51 SOIL EROSION IMPACT.

The soil conservation district commissioners shall, within thirty days after receipt of the construction program, notify the appropriate highway authority of the projects which will impact upon soil erosion and water drainage and request that the appropriate highway authority notify them of the date, time, and place for holding the design hearing on preliminary plans.

Sec. 4. NEW SECTION. 306.52 REVIEW OF PLANS.

Upon examining the preliminary plans on a road project, the soil conservation district commissioners may review each road

project for which a drainage structure is required. The soil conservation commissioners shall ascertain whether or not the proposed erosion control or runoff control structure is suitable to reduce the velocity of runoff, reduce gully erosion, or provide for sedimentation or other improvement that would enhance soil conservation. The soil conservation commissioners shall also ascertain whether any other aspect of the road construction will affect soil conservation.

Sec. 5. NEW SECTION. 306.53 SUBMISSION OF RECOMMENDATIONS.

The soil conservation district commissioners shall submit their findings and recommendations to the appropriate highway authority not later than twenty days following examination of the construction plans.

The appropriate highway authority shall respond to the soil conservation district commissioners and indicate their agreement to the suggested installation or their rejection of the proposal.

Where feasible and cost-sharing funds are available, the soil conservation district may contribute in part or in its entirety to any additional cost for the erosion control structure.

Sec. 6. NEW SECTION. 306.54 REPORTING.

If the proposal is rejected, the appropriate highway authority shall provide a written report documenting the reason for the rejection to the soil conservation district commissioners and the state department of transportation. The state department of transportation shall submit a written report to the general assembly not later than March 1 of each year. The report shall contain only a list of those highway projects where a disagreement exists between the department and the soil conservation district commissioners and the reasons for rejecting the recommendations of the soil conservation district commissioners. The report shall be filed with the secretary of the senate and the chief clerk of the house of representatives.

Sec. 7. This Act takes effect for construction projects which are approved on or after April 1, 1986.

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 514, Seventy-first General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 14, 1985

TERRY E. BRANSTAD
Governor