

SENATE FILE 7
BY MILLER

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring contracts for the construction or maintenance of
2 highways to include certain provisions for the restoration of
3 areas in which fill dirt or other materials are to be removed.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 7
TRANSPORTATION

1 Section 1. Section 314.12, Code 1999, is amended to read
2 as follows:

3 314.12 ~~BORROW-PITS---~~ PRESERVATION OF TOPSOIL PRESERVED.

4 In the award of contracts for the construction,
5 reconstruction, improvement, repair, or maintenance of any a
6 highway, the agency having charge of awarding such contracts
7 shall require that when fill dirt, soil, or other materials
8 are to be removed from ~~borrow-pits~~ an area acquired by title
9 or easement, whether by agreement or condemnation, for use in
10 the project, adequate provision shall be made for the
11 restoration of the ~~borrow-pit~~ area, either by removal and
12 replacement of a minimum of eight inches of topsoil, or by
13 fertilizing, mulching, reseeding, or other appropriate
14 measures to provide vegetative cover or prevent erosion,
15 except where a lake or subwater table conditions are designed,
16 or where the area is zoned for commercial, industrial, or
17 residential use, or where the ~~borrow~~ area is in locations of
18 white oak, sand, loess or undrainable clays. When the ~~borrow~~
19 ~~pit~~ area is acquired by easement, the restoration method shall
20 be determined by agreement with the landowner.

21 EXPLANATION

22 This bill directs the agency in charge of awarding a
23 contract for the construction, reconstruction, improvement,
24 repair, or maintenance of a highway to require that, when fill
25 dirt or other materials are to be removed from an area
26 acquired for use in the project, the area be restored by
27 certain methods of repair. The requirement does not apply in
28 situations where a lake or subwater table conditions are
29 designed; where the area is zoned for commercial, industrial,
30 or residential use; or where the area is in locations of white
31 oaks, sand, loess, or undrainable clays. Currently, the
32 agency is directed to require restoration only when fill dirt
33 or other materials are to be removed from borrow pits.

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