

Senate Study Bill 1112 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON DANIELSON)

A BILL FOR

1 An Act relating to the identification of historic properties by
2 certain rural electric cooperatives.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 303.19A Effort required of rural
2 electric cooperatives receiving federal funding to identify
3 historic properties.

4 1. When constructing electric distribution and transmission
5 facilities, a rural electric cooperative receiving federal
6 funding for the construction shall only be required to conduct
7 an archeological site survey of its proposed route when, based
8 upon a review of existing information on historic properties
9 within the area of potential effects of the construction, it is
10 determined that a historic property, as defined by the federal
11 National Historic Preservation Act of 1966, as amended, is
12 likely to exist within the proposed route.

13 2. An archeological site survey required to be conducted by
14 a rural electric cooperative shall be designed to be no more
15 arduous than the reasonable and good faith effort required
16 under the federal National Historic Preservation Act of 1966,
17 as amended, as interpreted by the advisory council on historic
18 preservation, shall reflect the public interest, and shall take
19 into account the likelihood and magnitude of potential impacts
20 to historic properties and project costs.

21 EXPLANATION

22 The department of cultural affairs is responsible for
23 administering the Iowa cultural resources survey and
24 registration program which is to be operated in accordance with
25 federal law. Site surveys of proposed routes of construction
26 that have the potential to impact historic properties may be
27 requested under this program if federal funds are used to
28 finance the construction.

29 This bill establishes specific standards for surveys
30 by rural electric cooperatives. The bill requires a rural
31 electric cooperative to perform a site survey only when a
32 historic property is likely to exist on the property. The
33 survey itself must be a reasonable and good faith effort,
34 balancing the impacts on the historic property and the project
35 costs.