

TRANSPORTATION
FILED JAN 10 '01

SENATE FILE 18
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 18
TRANSPORTATION

1 Section 1. NEW SECTION. 314.12A PRESERVATION OF TOPSOIL
2 IN HIGHWAY CONSTRUCTION.

3 In the award of contracts for the construction,
4 reconstruction, improvement, repair, or maintenance of a
5 highway, the agency having charge of awarding such contracts
6 shall require that when fill dirt, soil, or other materials
7 are to be removed from an area acquired by title or easement,
8 whether by agreement or condemnation, for use in the project,
9 adequate provision shall be made for the restoration of the
10 area by removal and replacement of six inches of topsoil, by
11 fertilizing and mulching if necessary, and by other
12 appropriate measures to provide vegetative cover to prevent
13 erosion, except where a lake or subwater table conditions are
14 designed, or where the area is zoned, or where the area is in
15 locations of white oak, sand, loess, or undrainable clays.

16 EXPLANATION

17 This bill creates new Code section 314.12A, directing the
18 agency in charge of awarding a contract for the construction,
19 reconstruction, improvement, repair, or maintenance of a
20 highway to require that, when fill dirt or other materials are
21 to be removed from an area acquired for use in the project,
22 the area be restored by certain methods of repair. The
23 requirement does not apply in situations where a lake or
24 subwater table conditions are designed; where the area is
25 zoned for commercial, industrial, or residential use; or where
26 the area is in locations of white oaks, sand, loess, or
27 undrainable clays. Currently, in Code section 314.12, the
28 agency is directed to require restoration only when fill dirt,
29 soil, or other materials are to be removed from borrow pits.

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