

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 56-257.5, relating to underground*
3 *utility lines; agricultural operation.*

4
5 Approved

[H 723]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding a section numbered 56-257.5 as follows:**

8 **§ 56-257.5. Manner of installing underground utility lines through agricultural operation.**

9 *A. For purposes of this section:*

10 *"Topsoil" means at least 12 inches of the surface soil layer or a six-inch layer of soil that includes*
11 *the surface soil and the unconsolidated subsoil immediately below it.*

12 *"Underground utility line" means an underground pipeline or conduit of an inside diameter greater*
13 *than 12 inches or an underground electrical transmission or distribution line of a capacity greater than*
14 *115 kilovolts.*

15 *B. Every operator, as defined in § 56-265.15, having the right to install an underground utility line*
16 *shall install such underground utility line in accordance with regulations adopted pursuant to subsection*
17 *C.*

18 *C. The Commission shall adopt regulations applicable to any operator that is subject to the*
19 *provisions of subsection B. The regulations shall require that if such operator, in the course of installing*
20 *the underground utility line, disturbs an area of land that measures 10,000 square feet or more and*
21 *constitutes one or more agricultural operations, as defined in § 3.2-300, the operator shall, if desired by*
22 *the landowner or land management agency, either (i) redistribute the topsoil removed from the disturbed*
23 *area to graded areas elsewhere on the land of the affected property owner or (ii) if insufficient graded*
24 *areas are available as sites for such redistribution, stockpile the topsoil removed from the disturbed*
25 *area until it can be redistributed on the area initially disturbed. The regulations shall require that*
26 *redistributed topsoil be placed on scarified land and that stockpiled topsoil be protected from erosion*
27 *and compaction. If the property owner does not agree, then the topsoil shall be disposed of in*
28 *accordance with applicable law.*

ENROLLED

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