

HB0057H2001

1 Page 1-line 2 After "routine" insert "agricultural and".

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3 Page 1-line 9 After "37-12-301(b)" insert "(iii),".

4

5 Page 2-after line 2 Insert:

6

7 "(iii) "Excavation" or "excavates" means any operation  
8 in which earth, rock or other materials on or below the ground is  
9 moved or otherwise displaced by means of hand or power tools, power  
10 equipment or explosives or other means, and includes grading,  
11 trenching, digging, ditching, drilling, augering, tunneling,  
12 boring, plowing-in, pulling-in, ripping, scraping and cable or  
13 pipe installing. ~~—except~~ "Excavation" or "excavates" shall not  
14 mean routine maintenance on existing planted landscapes, including  
15 tilling of soil and gardening or agricultural purposes; of a farmer  
16 or rancher occurring on a farm or ranch when the maintenance  
17 involves:

18

19 (A) Any form of existing agricultural activity  
20 that is routine for that ranch or farm;

21

22 (B) Land clearing if the activity does not involve  
23 deep ripping or deep root removal of trees or shrubs;

24

25 (C) Routine maintenance of:

26

27 (I) An existing irrigation facility if the  
28 facility has been subjected to maintenance in the previous  
29 twenty-four (24) months; or

30

31 (II) Existing fence lines." GRAY, LINDHOLM