

House Bill 1652

By: Representative McCall of the 90th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 12 of the Official Code of Georgia Annotated, the "Erosion and
2 Sedimentation Act of 1975," so as to define certain terms; to provide that best management
3 practices for purposes of the prevention of soil erosion and excessive sedimentation shall
4 include a soil analysis and the maximum use of compost and mulch to protect and restore the
5 soil; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 7 of Title 12 of the Official Code of Georgia Annotated, the "Erosion and
9 Sedimentation Act of 1975," is amended by inserting immediately following paragraph (3)
10 in Code Section 12-7-3, relating to definitions relative to such chapter, two new paragraphs
11 to read as follows:

12 "(3.1) 'Compost' means the material created by the decomposition of organic matter
13 through the operation of a compost system which is added to the soil.

14 (3.2) 'Compost system' means a system which confines organic matter in such a manner
15 that it can receive air and create suitable temperatures for proper decomposition into
16 fertilizer."

17 **SECTION 2.**

18 Said chapter is further amended by inserting immediately following paragraph (10) of Code
19 Section 12-7-3, relating to definitions relative to such chapter, a new paragraph to read as
20 follows:

21 "(11) 'Mulch' means organic residue placed on the surface of the soil to protect the soil
22 from raindrop forces and overland flow and to retain soil moisture."

SECTION 3.

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2 Said chapter is further amended by striking the word "and" at the end of subparagraph
3 (a)(15)(B) of Code Section 12-7-6, relating to minimum requirements for rules, regulations,
4 ordinances, or resolutions; by striking the period at the end of subparagraph (a)(16)(B) of
5 such Code section and inserting in lieu thereof the symbol and word "; and"; and by inserting
6 at the end of such Code section the following:

7 "(17) Best management practices shall expressly require a soil analysis performed by a
8 qualified soil scientist or engineer for permeability, percentage of organic matter, and
9 effective depth. Such term shall include the use, to the maximum degree practicable, of
10 compost and mulch to protect native soil function during a land-disturbing activity and
11 to restore soil function on disturbed lands after a land-disturbing activity. Best
12 management practices require that native soil and vegetation on a site shall be retained
13 and reused to the maximum extent possible, that compost be integrated into all disturbed
14 soil to correct for organic deficiencies, and that all areas of disturbed soil be adequately
15 protected by mulch."

SECTION 4.

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17 All laws and parts of laws in conflict with this Act are repealed.