

An Act

ENROLLED HOUSE
BILL NO. 4412

By: Lowe (Dick) and Moore of
the House

and

Pederson and Stephens of
the Senate

An Act relating to natural resources; creating the Healthy Soil Program Act; defining terms; requiring Oklahoma Conservation Commission administer program; stating purpose of the program; stating composition of the program; stating certain Commission duties; authorizing the promulgation of certain rules; authorizing uses of certain funds; providing for codification; and providing an effective date.

SUBJECT: Natural resources

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-6-101 of Title 27A, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Healthy Soil Program Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-6-102 of Title 27A, unless there is created a duplication in numbering, reads as follows:

As used in the Healthy Soil Program Act:

1. "Champion" means a land manager who is declared a soil health champion due to the land manager's excellence in applying and

promoting soil health principles, as modeled by the Soil Health Champions Network of the National Association of Conservation Districts;

2. "Commission" means the Oklahoma Conservation Commission;

3. "Eligible entity" means a local governmental entity with proven land management capacity to support healthy soil and including conservation districts;

4. "Healthy soil" means soil that enhances its continuing capacity to function as a biological system, increases its organic matter, and improves its structure and water- and nutrient-holding capacity;

5. "Program" means the healthy soil program created in this act;

6. "Soil health principle" means a principle that promotes soil health in a given environment and includes:

- a. keeping soil covered,
- b. minimizing soil disturbance on cropland and minimizing external inputs,
- c. maximizing biodiversity,
- d. maintaining a living root, or
- e. integrating animals into land management, including grazing animals, birds, beneficial insects, or keystone species, such as earthworms;

7. "Supported method" means a method that is based upon soil health principles and is scientifically supported to promote healthy soil;

8. "Technical assistance" means assistance provided to a farmer or rancher to achieve the purpose of the Healthy Soil Program Act and includes outreach, education, financial assistance or assistance with project planning, project design, grant applications, project implementation or project reporting; and

9. "Technical assistance provider" means a local, state, federal, tribal, or educational entity with demonstrated technical expertise in designing and implementing agricultural management practices that contribute to healthy soils and includes a conservation district, the United States Natural Resources Conservation Service, the United States Forest Service, the United States Bureau of Land Management, or the state Forestry Division.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-6-103 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created a healthy soil program to be administered by the Oklahoma Conservation Commission.

B. The purpose of the program is to promote and support farming and ranching systems and other forms of land management that increase soil organic matter, aggregate stability, microbiology and water retention to improve the health, yield, and profitability of the soils of the state.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-6-104 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. The healthy soil program shall be composed of:

1. A healthy soil assessment and education program;

2. A healthy soil grant program; and

3. Other programs established by the Oklahoma Conservation Commission to accomplish the purposes of the Healthy Soil Program Act.

B. In administering the healthy soil assessment and education program, the Commission shall:

1. Work through technical assistance providers or eligible entities to:

a. encourage farmers, ranchers, and land managers to undertake voluntary soil health measurements,

- b. raise awareness about desirable soil health characteristics,
- c. facilitate on-site, producer-led workshops and training sessions to promote and engender soil health stewardship, and
- d. complete a baseline soil health assessment by testing the organic matter, water infiltration rate, microbiology, and aggregate stability of soils, in addition to analyzing phospholipids and monitoring soil cover;

2. Establish a statewide network of champions to promote soil health stewardship, offer guidance to producers and land managers, and encourage teamwork;

3. Create a program to provide ongoing training in soil health stewardship and workshop facilitation for champions and eligible entities;

4. In collaboration with technical assistance providers, sponsor soil health workshops and training sessions through conservation districts on farms throughout the state; and

5. Educate students and the general public about the importance of soil health stewardship.

C. In administering the healthy soil grant program, the Commission shall:

1. Award grants to eligible entities to provide technical assistance to producers and land managers in advancing soil health principles and implementing supported methods;

2. Develop a user-friendly grant program application and application and reporting processes;

3. Develop criteria for the award of grants; provided that grants shall be awarded equitably and priority may be given to eligible entities serving young producers, veterans, small farms or ranches or for projects that benefit economically or socially disadvantaged communities; and

4. Ensure that grant funds are only used to advance soil health and soil health stewardship.

D. The Commission shall encourage producer, land manager, landowner, and interagency collaboration in the management of healthy soils and shall:

1. Work with technical assistance providers to advance soil health stewardship across private, state, federal, and tribal land jurisdictions by fostering collaboration among producers, land managers, and landowners; and

2. Conduct outreach to producers and land managers to promote the program and other federal, state, or local grant opportunities that support and promote healthy soils.

E. In administering the program, the Commission shall support local economic growth in Oklahoma and shall:

1. Identify ways to increase the generation and use of compost to build healthy soils;

2. To the extent permitted by statute, prioritize in-state sourcing of the resources needed for the program, including testing resources, compost, seeds, fencing supplies, and equipment; and

3. Support the emerging market for food grown in Oklahoma under management for healthy soils.

F. The Commission may adopt rules to carry out the provisions of the Healthy Soil Program Act.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-6-105 of Title 27A, unless there is created a duplication in numbering, reads as follows:

Funds appropriated to the Oklahoma Conservation Commission to administer the healthy soil program may be used for:

1. The healthy soil grant program;
2. The healthy soil assessment and education program;
3. Promotion and outreach;

4. Department staffing support;
5. Capacity building for eligible entities;
6. Soil health research;

7. Travel reimbursement and per diem in accordance with the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes; and

8. Other expenditures as determined by the Commission to be necessary to support the overall effective administration of the program.

SECTION 6. This act shall become effective November 1, 2022.

Passed the House of Representatives the 19th day of May, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the 20th day of May, 2022.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____