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AN ACT

RELATING TO NATURAL RESOURCES; ENACTING THE HEALTHY SOIL ACT;
CREATING THE HEALTHY SOIL PROGRAM AND HEALTHY SOIL GRANT
PROGRAM IN THE NEW MEXICO DEPARTMENT OF AGRICULTURE;
PROVIDING POWERS AND DUTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. SHORT TITLE.--This act may be cited as the
"Healthy Soil Act".

SECTION 2. DEFINITIONS.--As used in the Healthy Soil
Act:

A. "board of regents" means the board of regents
of New Mexico state university;

B. "champion" means a land manager that 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 champion program of the
national association of conservation districts;

C. "commission" means the soil and water
conservation commission;

D. "department" means the New Mexico department of
agriculture;

E. "eligible entity" means a local governmental
entity with proven land management capacity to support
healthy soil and includes the New Mexico state university

1 cooperative extension service, a soil and water conservation
2 district, an Indian nation, tribe or pueblo, a land grant or
3 an acequia;

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

8 G. "program" means the healthy soil program
9 created in the Healthy Soil Act;

10 H. "soil health principle" means a principle that
11 promotes soil health in a given environment and includes:

12 (1) keeping soil covered;

13 (2) minimizing soil disturbance on cropland
14 and minimizing external inputs;

15 (3) maximizing biodiversity;

16 (4) maintaining a living root; or

17 (5) integrating animals into land
18 management, including grazing animals, birds, beneficial
19 insects or keystone species, such as earthworms;

20 I. "supported method" means a method that is based
21 upon soil health principles and is scientifically supported
22 to promote healthy soil;

23 J. "technical assistance" means assistance
24 provided to a farmer or rancher to achieve the purpose of the
25 Healthy Soil Act and includes outreach, education, financial

1 assistance or assistance with project planning, project
2 design, grant applications, project implementation or project
3 reporting; and

4 K. "technical assistance provider" means a local,
5 state, federal, tribal or educational entity with
6 demonstrated technical expertise in designing and
7 implementing agricultural management practices that
8 contribute to healthy soils and includes a soil and water
9 conservation district, the New Mexico state university
10 cooperative extension service, the United States natural
11 resources conservation service, the United States forest
12 service, the United States bureau of land management, the
13 state land office, the energy, minerals and natural resources
14 department or the state forestry division.

15 SECTION 3. HEALTHY SOIL PROGRAM--CREATED--PURPOSE.--

16 A. The "healthy soil program" is created in the
17 department. The department, with support and advice from the
18 commission, shall administer the program.

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

24 SECTION 4. HEALTHY SOIL PROGRAM--SOIL ASSESSMENT AND
25 EDUCATION--GRANT PROGRAM--DEPARTMENT--DUTIES--RULEMAKING.--

1 A. The program shall be composed of:

2 (1) a healthy soil assessment and education
3 program;

4 (2) a healthy soil grants program; and

5 (3) other programs established by the
6 department to accomplish the purposes of the Healthy Soil
7 Act.

8 B. In administering the healthy soil assessment
9 and education program, the department shall:

10 (1) work through technical assistance
11 providers or eligible entities to:

12 (a) encourage farmers and ranchers and
13 land managers to undertake voluntary soil health
14 measurements;

15 (b) raise awareness about desirable
16 soil health characteristics;

17 (c) facilitate on-site, producer-led
18 workshops and training sessions to promote and engender soil
19 health stewardship; and

20 (d) complete a baseline soil health
21 assessment by testing the organic matter, water infiltration
22 rate, microbiology and aggregate stability of soils, in
23 addition to analyzing phospholipids and monitoring soil
24 cover;

25 (2) establish a statewide network of

1 champions to promote soil health stewardship, offer guidance
2 to producers and land managers and encourage teamwork;

3 (3) create a program to provide ongoing
4 training in soil health stewardship and workshop facilitation
5 for champions and eligible entities;

6 (4) in collaboration with technical
7 assistance providers, sponsor soil health workshops and
8 training sessions at research centers and learning sites
9 throughout the state; and

10 (5) educate students and the general public
11 about the importance of soil health stewardship.

12 C. In administering the healthy soil grant
13 program, the department shall:

14 (1) award grants to eligible entities to
15 provide technical assistance to producers and land managers
16 in advancing soil health principles and implementing
17 supported methods;

18 (2) develop a user-friendly grant program
19 application and application and reporting processes;

20 (3) develop criteria for the award of
21 grants; provided that grants shall be awarded equitably and
22 priority may be given to eligible entities serving young
23 producers, veterans, small farms or ranches or for projects
24 that benefit economically or socially disadvantaged
25 communities; and

1 (4) ensure that grant funds are only used to
2 advance soil health and soil health stewardship.

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

6 (1) work with technical assistance providers
7 to advance soil health stewardship across private, state,
8 federal and tribal land jurisdictions by fostering
9 collaboration among producers, land managers and landowners;
10 and

11 (2) conduct outreach to producers and land
12 managers to promote the program and other federal, state or
13 local grant opportunities that support and promote healthy
14 soils.

15 E. In administering the program, the department
16 shall support local economic growth in New Mexico and shall:

17 (1) identify ways to increase the generation
18 and use of compost to build healthy soils;

19 (2) to the extent permitted by the
20 Procurement Code, prioritize in-state sourcing of the
21 resources needed for the program, including testing
22 resources, compost, seeds, fencing supplies and equipment;
23 and

24 (3) support the emerging market for food
25 grown in New Mexico under management for healthy soils.

1 F. The department may adopt rules to carry out the
2 Heathy Soil Act.

3 SECTION 5. USE OF APPROPRIATED FUNDS.--Funds
4 appropriated to the board of regents for the department to
5 administer the program may be used for:

- 6 A. the healthy soil grant program;
- 7 B. the healthy soil assessment and education
8 program;
- 9 C. promotion and outreach;
- 10 D. department staffing support;
- 11 E. capacity building for eligible entities;
- 12 F. soil health research;
- 13 G. travel reimbursement and per diem in accordance
14 with the Per Diem and Mileage Act; and

15 H. other expenditures as determined by the
16 department to be necessary to support the overall effective
17 administration of the program. _____