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

F. "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;

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

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

   (1) keeping soil covered;

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

   (3) maximizing biodiversity;

   (4) maintaining a living root; or

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

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

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

K. "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 soil and water conservation district, the New Mexico state university cooperative extension service, the United States natural resources conservation service, the United States forest service, the United States bureau of land management, the state land office, the energy, minerals and natural resources department or the state forestry division.

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

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

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. HEALTHY SOIL PROGRAM--SOIL ASSESSMENT AND EDUCATION--GRANT PROGRAM--DEPARTMENT--DUTIES--RULEMAKING.--
A. The program shall be composed of:

1. a healthy soil assessment and education program;
2. a healthy soil grants program; and
3. other programs established by the department to accomplish the purposes of the Healthy Soil Act.

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

1. work through technical assistance providers or eligible entities to:
   a. encourage farmers and 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 at research centers and learning sites 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 department 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 department 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 department shall support local economic growth in New Mexico and shall:

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

(2) to the extent permitted by the Procurement Code, 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 New Mexico under management for healthy soils.
F. The department may adopt rules to carry out the
Healthy Soil Act.

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

A. the healthy soil grant program;
B. the healthy soil assessment and education
program;
C. promotion and outreach;
D. department staffing support;
E. capacity building for eligible entities;
F. soil health research;
G. travel reimbursement and per diem in accordance
with the Per Diem and Mileage Act; and
H. other expenditures as determined by the
department to be necessary to support the overall effective
administration of the program.