

DRAFT

SUMMARY

Creates Oregon Soil Health Initiative. Describes goals of initiative. Describes responsibilities of state agencies and other entities participating in initiative.

Directs Institute for Natural Resources to convene Soil Health Advisory Committee.

Directs institute, in consultation with other entities, to develop Soil Health Roadmap.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to soil health; creating new provisions; amending ORS 352.808; and
3 prescribing an effective date.

4 Whereas Oregon's agriculture community is a key economic sector and
5 soil health practices can increase its economic resilience and profitability;
6 and

7 Whereas soil health practices can increase water- and nutrient-holding
8 capacity, reduce erosion, improve plant health, including disease and pest
9 resistance, reduce the need for agricultural inputs and protect the health of
10 workers; and

11 Whereas Oregon's agriculture community is increasingly impacted by ex-
12 treme weather events including drought, fire, extreme heat and wind; and

13 Whereas soil health practices make farms, ranches, orchards and
14 vineyards more resilient to drought and other extreme weather events and
15 can increase their water security; and

16 Whereas soil health practices can sequester carbon in soil, improve water
17 quality and increase biodiversity and pollinator habitat; and

1 Whereas it is necessary to provide voluntary incentives to Oregon’s
2 farmers and ranchers so that they have the resources they need to implement
3 soil health practices; and

4 Whereas leveraging federal funding to incentivize voluntary adoption of
5 soil health practices will benefit the State of Oregon and Oregon’s farmers
6 and ranchers; now, therefore,

7 **Be It Enacted by the People of the State of Oregon:**

8 **SECTION 1. As used in sections 1 to 10 of this 2023 Act:**

9 (1) **“Collaborating entity” means a public body required to partic-**
10 **ipate in the Oregon Soil Health Initiative that is:**

11 (a) **The State Department of Agriculture, the Oregon Watershed**
12 **Enhancement Board, the College of Agricultural Sciences of Oregon**
13 **State University, the Oregon State University Extension Service or the**
14 **Institute for Natural Resources; or**

15 (b) **A public body or nongovernmental organization that voluntarily**
16 **participates in the Oregon Soil Health Initiative that is:**

17 (A) **A soil and water conservation district;**

18 (B) **A statewide organization that represents the interests of soil**
19 **and water conservation districts;**

20 (C) **An intertribal organization that represents tribal interests in**
21 **the conservation, development and use of tribal agricultural resources;**
22 **or**

23 (D) **Any other entity with expertise, or representing interests, in**
24 **soil health, that is designated as a collaborating entity under section**
25 **2 (5) of this 2023 Act.**

26 (2) **“Soil and water conservation district” means a political subdi-**
27 **vision of this state described in ORS 568.550.**

28 (3) **“Soil health” means the capacity of soil to function as a vital**
29 **living ecosystem that sustains plants, animals and humans.**

30 (4) **“Soil health practice” means an agricultural practice that im-**
31 **proves soil health consistent with the following principles:**

- 1 (a) Keeping the soil covered;
- 2 (b) Maintaining the presence of living roots;
- 3 (c) Enhancing biodiversity; and
- 4 (d) Limiting disturbances.

5 **SECTION 2. (1) There is created the Oregon Soil Health Initiative.**
6 **The purpose of the initiative is to promote and support farming and**
7 **ranching systems and other forms of land management, and to im-**
8 **prove soil health in this state, by collaborating on, and advancing,**
9 **voluntary incentive-based soil health strategies.**

10 **(2) The goals of the Oregon Soil Health Initiative are to:**

11 **(a) Improve agricultural viability and farm profitability by helping**
12 **agricultural producers implement soil health practices that:**

13 **(A) Build soil organic matter;**

14 **(B) Reduce soil erosion, soil compaction and agricultural production**
15 **costs;**

16 **(C) Improve drought resilience, soil tilth, moisture infiltration,**
17 **moisture retention and disease suppression;**

18 **(D) Promote the beneficial activity of microbes, fungi, earthworms**
19 **and other organisms; and**

20 **(E) Reduce the costs of agricultural inputs and protect worker**
21 **health.**

22 **(b) Improve environmental functions of agricultural soils by pro-**
23 **moting strategies to store carbon and build soil organic matter and**
24 **other beneficial properties.**

25 **(c) Improve environmental functions and quality of water by re-**
26 **ducing soil erosion, runoff and leaching of nutrients and pollutants.**

27 **(3) To achieve the goals described in subsection (2) of this section,**
28 **the collaborating entities shall jointly:**

29 **(a) Develop a shared and evolving understanding of soil health**
30 **practices based on current understandings of soil health and emerging**
31 **soil science and informed by the experiences and needs of agricultural**

1 **producers and indigenous ecological knowledge.**

2 **(b) Assess gaps and needs related to soil health and develop rec-**
3 **ommendations to fill those gaps and needs.**

4 **(c) Collaborate with, and learn from, other organizations, including**
5 **nongovernmental organizations, agricultural organizations and tribal**
6 **governments, in their efforts to advance soil health on agricultural**
7 **lands in this state.**

8 **(d) Use available data from existing soil health baseline assessments**
9 **and inventories and tools to guide policy and program priorities.**

10 **(4) Collaborating entities shall, to the greatest extent practicable,**
11 **coordinate with other collaborating entities to avoid duplication of**
12 **efforts when carrying out activities within the collaborating entity's**
13 **existing authority and expertise to achieve the goals described in sub-**
14 **section (2) of this section.**

15 **(5) The collaborating entities may, by unanimous agreement, des-**
16 **ignate an entity that meets the criteria described in section 1 (1)(b)(D)**
17 **of this 2023 Act to be a collaborating entity.**

18 **(6) In addition to the responsibilities for each collaborating entity**
19 **described in sections 1 to 10 of this 2023 Act, a collaborating entity is**
20 **encouraged to pursue any other action designed to advance voluntary**
21 **soil health practice adoption on Oregon's agricultural lands.**

22 **SECTION 3. The Institute for Natural Resources shall carry out**
23 **administrative duties of the Oregon Soil Health Initiative, including:**

24 **(1) Establishing the time and place of meetings of the collaborating**
25 **entities;**

26 **(2) Establishing a structure to facilitate ongoing communications**
27 **between collaborating entities;**

28 **(3) Convening and providing staff support to the Soil Health Advi-**
29 **sory Committee; and**

30 **(4) Developing the Soil Health Roadmap under section 10 of this 2023**
31 **Act.**

1 **SECTION 4.** To achieve the goals described in section 2 of this 2023
2 **Act, the State Department of Agriculture shall:**

3 (1) Build relationships with state agencies outside of Oregon or with
4 any other organization that has an existing soil health program or
5 initiative.

6 (2) Promote and support statewide or regional networks of farm
7 service providers and others working to advance soil health.

8 (3) In coordination with the Oregon Watershed Enhancement
9 Board, provide input to conservation funding programs and identify
10 opportunities to leverage federal funding.

11 (4) Coordinate with the Natural Resources Conservation Service of
12 the United States Department of Agriculture to incorporate previous
13 and future soil health and soil science research, incentives and re-
14 sources.

15 (5) Identify and promote public and private funding opportunities
16 to incentivize voluntary soil health practice adoption.

17 (6) In coordination with Oregon State University, serve as a liaison
18 to scientists throughout this state to advance soil health solutions
19 unique to farmers in this state, including cost benefit analyses.

20 (7) Identify opportunities for funding emerging markets for Oregon
21 food products grown using soil health practices.

22 (8) Coordinate an assessment of current adoption of soil health
23 practices by region or crop type.

24 (9) Identify research needs and other opportunities for funding.

25 **SECTION 5.** To achieve the goals described in section 2 of this 2023
26 **Act, the Oregon Watershed Enhancement Board shall:**

27 (1) Fund voluntary soil health practices by using the board's exist-
28 ing authority to provide grants under ORS 541.984 for the adoption of
29 soil health practices.

30 (2) Using the board's existing authority, provide grants to soil and
31 water conservation districts and other technical assistance providers

1 to increase their capacity to provide technical assistance and equip-
2 ment to agricultural producers to advance soil health, in close collab-
3 oration with soil and water conservation districts.

4 (3) Identify opportunities to leverage federal funding to incentivize
5 voluntary adoption of soil health practices.

6 (4) Ensure that the benefits of grants described in this section are
7 accessible on an equitable basis to agricultural producers across
8 Oregon's diverse agricultural communities and geographies including,
9 but not limited to, veteran farmers or ranchers, beginning farmers or
10 ranchers or socially disadvantaged farmers or ranchers, as those terms
11 are defined in 7 U.S.C. 2279, and women.

12 SECTION 6. (1) To achieve the goals described in section 2 of this
13 2023 Act, a soil and water conservation district that participates in the
14 Oregon Soil Health Initiative shall, as far as is practicable and subject
15 to available funds:

16 (a) Support agricultural producers by applying for grants under
17 programs established under ORS 541.984 to fund the voluntary imple-
18 mentation of soil health practices;

19 (b) Apply for grants under ORS 541.984 or for other technical as-
20 sistance grants provided by the Oregon Watershed Enhancement
21 Board for providing technical assistance related to soil health prac-
22 tices; and

23 (c) Consistent with other conservation programs, measure soil
24 health on Oregon's farms and ranches, with the voluntary consent of
25 landowners, and provide the data to Oregon State University to build
26 an inventory.

27 (2) A statewide organization that represents soil and water conser-
28 vation districts may act as a coordinating body for soil and water
29 conservation districts to assist the districts in fulfilling their respon-
30 sibilities under sections 1 to 10 of this 2023 Act.

31 SECTION 7. To achieve the goals described in section 2 of this 2023

1 **Act, the College of Agricultural Sciences of Oregon State University**
2 **shall:**

3 **(1) In coordination with the State Department of Agriculture and**
4 **the Natural Resources Conservation Service of the United States De-**
5 **partment of Agriculture, maintain and expand a baseline assessment**
6 **of soil health in Oregon, including a database to track soil health data**
7 **over time. Information used in the database collected from farms and**
8 **ranches in this state shall be collected on a voluntary basis.**

9 **(2) Identify funding opportunities to advance Oregon-specific re-**
10 **search in the area of soil health.**

11 **(3) Train technical service providers to collect soil samples and**
12 **provide free or low-cost soil health testing to voluntary participants.**

13 **SECTION 8. (1) To achieve the goals described in section 2 of this**
14 **2023 Act, the Oregon State University Extension Service and soil and**
15 **water conservation districts participating in the Oregon Soil Health**
16 **Initiative shall, as far as is practicable and subject to available funds:**

17 **(a) Provide technical assistance to land managers to increase vol-**
18 **untary adoption of soil health practices.**

19 **(b) Promote soil health principles and practices to Oregon's agri-**
20 **cultural communities by:**

21 **(A) Conducting outreach and education, including trainings for ag-**
22 **ricultural producers to promote soil health across this state's diverse**
23 **regions and production types;**

24 **(B) Promoting farmer-to-farmer learning;**

25 **(C) Collaborating with local partners and landowners to conduct soil**
26 **health demonstration projects to showcase soil health research and**
27 **practices and build statewide awareness and understanding; and**

28 **(D) Highlighting existing soil health improvement efforts by Oregon**
29 **farmers and ranchers.**

30 **(2) The Oregon State University Extension Service shall provide**
31 **extension specialist capacity in both eastern and western regions of**

1 **this state to carry out the activities described in this section.**

2 **SECTION 9. (1) The Institute for Natural Resources shall convene**
3 **a Soil Health Advisory Committee to advise collaborating entities on**
4 **the work of the Oregon Soil Health Initiative. Members of the advisory**
5 **committee shall be appointed by the director of the institute, in con-**
6 **sultation with collaborating entities, from among highly qualified in-**
7 **dividuals. As far as is practicable, the director shall appoint members**
8 **to represent the following areas of expertise:**

9 **(a) Soil science;**

10 **(b) Plant science;**

11 **(c) Animal science;**

12 **(d) Rural sociology;**

13 **(e) Environmental economics;**

14 **(f) Technical assistance;**

15 **(g) Agricultural labor;**

16 **(h) Tribal communities; and**

17 **(i) Each of the following types of production agriculture:**

18 **(A) Fruits and vegetables;**

19 **(B) Commodity crops;**

20 **(C) Livestock or poultry;**

21 **(D) Orchards or agroforestry;**

22 **(E) Vineyards;**

23 **(F) Nurseries; and**

24 **(G) Seed production.**

25 **(2) Of the members described in subsection (1)(i) of this section, as**
26 **far as is practicable:**

27 **(a) At least one shall be certified as a producer pursuant to the**
28 **federal Organic Foods Production Act, 7 U.S.C. 6501, et. seq.;**

29 **(b) At least one shall represent farms with annual gross cash farm**
30 **income under \$250,000; and**

31 **(c) At least three shall be current producers of the crop types they**

1 **represent.**

2 **(3) The director shall ensure that the advisory committee member-**
3 **ship reflects the cultural, geographic and economic diversity of this**
4 **state.**

5 **(4) The advisory committee shall meet at the times and places es-**
6 **tablished by the institute.**

7 **(5) The institute shall provide staff support to the advisory com-**
8 **mittee.**

9 **(6) Members of the committee are not entitled to compensation but**
10 **may be reimbursed for actual and necessary travel or other expenses**
11 **incurred by them in performance of their official duties in the manner**
12 **and amounts provided for in ORS 292.495. Reimbursements under this**
13 **subsection shall be paid out of funds appropriated to the institute for**
14 **that purpose.**

15 **SECTION 10. (1) The Institute for Natural Resources, in consulta-**
16 **tion with the other collaborating entities and the Soil Health Advisory**
17 **Committee convened under section 9 of this 2023 Act, shall study and**
18 **develop recommendations for strategies and actions to advance soil**
19 **health and incentivize the voluntary adoption of soil health practices**
20 **on agricultural lands, including rangelands. The institute shall record**
21 **its findings in a report, which shall be known as the Soil Health**
22 **Roadmap.**

23 **(2) The Soil Health Roadmap may include recommendations for**
24 **legislation or identify funding needed to assist collaborating entities**
25 **in carrying out the goals of the Oregon Soil Health Initiative described**
26 **in section 2 of this 2023 Act.**

27 **(3) The institute shall submit the Soil Health Roadmap in the**
28 **manner provided by ORS 192.245 to the Governor and the interim**
29 **committees of the Legislative Assembly related to agriculture no later**
30 **than September 15 of each even-numbered year.**

31 **SECTION 11. ORS 352.808 is amended to read:**

1 352.808. (1) The Institute for Natural Resources is established at Oregon
2 State University. In administering the institute, Oregon State University
3 may seek the cooperation of other public universities listed in ORS 352.002.

4 (2) The Institute for Natural Resources shall serve the following purposes:

5 (a) Serve as a clearinghouse for scientifically based natural resources in-
6 formation.

7 (b) Provide scientifically based natural resources information to the pub-
8 lic in integrated and accessible formats.

9 (c) Coordinate efforts with other state agencies and bodies to provide
10 natural resources information to the public in a comprehensive manner.

11 (d) Facilitate and conduct research.

12 (e) Provide information and technical tools to assist decision-making on
13 natural resources issues.

14 (f) Assist the State Parks and Recreation Commission in carrying out the
15 Natural Areas Program by maintaining a data bank that contains a classi-
16 fication of natural heritage resources and an inventory of the locations of
17 the resources. At a minimum, the institute shall record in the data bank the
18 location of state natural areas, the natural heritage resources in those areas,
19 sites that are inhabited by rare species, and lists that rank by rarity species,
20 plant communities and ecosystem types. The institute shall make the infor-
21 mation included in the data bank available to private landowners, research-
22 ers and local, state and federal agencies.

23 (g) Assist the State Parks and Recreation Department in carrying out the
24 Natural Areas Program by reviewing and providing recommendations on
25 proposals for registration and dedication of natural areas.

26 **(h) Carry out the administrative duties of the Oregon Soil Health**
27 **Initiative described in section 3 of this 2023 Act.**

28 (3) When making observations on private land, an employee of Oregon
29 State University, or another public university listed in ORS 352.002 that is
30 providing administrative support, who is compiling information for the Na-
31 tural Areas Program pursuant to subsection (2)(f) of this section must obtain

1 permission from the landowner before entering private land, collecting in-
2 formation or entering the information into the data bank.

3 (4) Using existing resources, state agencies designated by the Governor
4 shall enter into a memorandum of understanding, or other agreement deemed
5 appropriate by the Governor, with the institute that defines and clarifies the
6 roles and responsibilities of the agencies in order to prevent duplication of
7 effort and to ensure that agency resources are used efficiently.

8 (5) State agencies may contract with the institute to fulfill agency needs
9 regarding the collection, storage, integration, analysis, dissemination and
10 monitoring of natural resources information and natural resources research
11 and training.

12 **SECTION 12. In addition to and not in lieu of any other appropri-**
13 **ation, there is appropriated to the State Department of Agriculture,**
14 **for the biennium beginning July 1, 2023, out of the General Fund, the**
15 **amount of \$225,000, for the purpose of carrying out the provisions of**
16 **section 4 (8) of this 2023 Act.**

17 **SECTION 13. In addition to and not in lieu of any other appropri-**
18 **ation, there is appropriated to the Oregon Watershed Enhancement**
19 **Board, for the biennium beginning July 1, 2023, out of the General**
20 **Fund, the following amounts for the following purposes:**

21 (1) \$2,000,000 for the purpose of providing grants under section 5 (1)
22 of this 2023 Act; and

23 (2) \$480,000 for the purpose of providing grants under section 5 (2)
24 of this 2023 Act.

25 **SECTION 14. In addition to and not in lieu of any other appropri-**
26 **ation, there is appropriated to the Higher Education Coordinating**
27 **Commission, for the biennium beginning July 1, 2023, out of the Gen-**
28 **eral Fund, the following amounts for the following purposes:**

29 (1) \$250,000 for distribution to the College of Agricultural Sciences
30 of Oregon State University for the purpose of carrying out the pro-
31 visions of section 7 (1) of this 2023 Act;

1 **(2) \$225,000 for distribution to the College of Agricultural Sciences**
2 **of Oregon State University for the purpose of carrying out the pro-**
3 **visions of section 7 (3) of this 2023 Act.**

4 **(3) \$480,000 for distribution to Oregon State University Extension**
5 **Service for the purpose of carrying out the provisions of section 8 (2)**
6 **of this 2023 Act.**

7 **(4) \$420,000 for distribution to the Institute for Natural Resources**
8 **for the purposes described in section 3 of this 2023 Act.**

9 **(5) \$5,000 for distribution to the Institute for Natural Resources for**
10 **the purpose of providing reimbursements under section 9 (6) of this**
11 **2023 Act.**

12 **SECTION 15.** **This 2023 Act takes effect on the 91st day after the**
13 **date on which the 2023 regular session of the Eighty-second Legislative**
14 **Assembly adjourns sine die.**

15
