STATE SOIL HEALTH INITIATIVES: BUILDING MOMENTUM

Fishkill Farms, East Fishkill, New York
GOALS OF A HEALTHY SOIL LAW

• Reduce GHG emissions (CH4, N2O, CO2)
• Increase soil carbon
• Support key soil health principles (e.g. of NRCS or Rodale Institute):
  • Maximize soil surface cover
  • Minimize disturbance of soil
  • Maximize above- and below-ground diversity
  • Maintain continuous living roots in soil
  • Reduce and limit chemical inputs
  • Incorporate animals on cropland
EXISTING STATE HEALTHY SOIL LAWS (1)

- **California**: [SB859](#) and [AB1613](#) (2016)
  - Creates Healthy Soils Program
  - Defines healthy soils, coordinate agency efforts, R&D, incentives, education
  - AB2377 (2018) – 5% of Climate Smart Ag funding for technical assistance (25% of funds for socially-disadvantaged farmers)
  - $7.5M for program and demonstrations

- **Hawaii**: [HB 1578](#) (2017)
  - Identifies, measures, encourages soil health practices
  - Promotes C sequestration, compost, and agroforestry
  - $25,000
EXISTING STATE HEALTHY SOIL LAWS (2)

• Maryland: [HB 1063](2017)
  • Defines and supports healthy soils by directing the Agricultural Department to support practices through incentives, R&D, possible funding

• Oklahoma: [HB 1192](2001)
  • Creates advisory committee to identify and support practices through R&D, education
  • Funding and opportunities for carbon trading

• Utah: [HCR 8](2015)
  • Calls on all agencies “with authority to manage lands to increase soil carbon sequestration”
PROPOSED STATE HEALTHY SOIL LAWS (1)

• **Washington:** SB 5947 and HB 2095 (2019)
  - Defines carbon farming as activities that “increase the quantity of organic C in topsoil”
  - Provides grant funding for on-farm efficiency, regenerative ag practices that enhance soil health, agroforestry

• **Illinois:** SB 1980/HB 2737 and HB 2819 (2019)
  - Defines soil health, and includes “conservation of soil health” to Soil and Water Conservation Districts Act
  - Requires soil health practices on land leased for agricultural purposes (Dept. of Natural Resources Act)

• **New Mexico:** HB 204 and SB 218 (2019)
  - Defines healthy soils and ID’s practices
  - Includes: soil assessment and education program, healthy soil advisory board, workshops and training
  - Creates “soil health champions”
  - $5.15M for program (FY2020)
PROPOSED STATE HEALTHY SOIL LAWS (2)

• Connecticut: **HB 6647** (2019)
  - Defines regenerative agriculture and establishes program to improve soil health and water quality
  - Healthy soils program provides funding, incentives, education, training

• Nebraska: **LB 243, LB 729** and **LB 283** (2019)
  - Creates Healthy Soils Task Force to develop health soils initiative by 2021
  - Provides incentive of $20-45/acre for planting cover crops
  - $250,000 for soil health and climate change research at University of Nebraska

• Iowa: **HSB 78** and **HF 102** (2019)
  - Establishes property tax exemption for land with cover crops
  - Requires Dept. of Ag and Iowa State University to conduct statewide soil health monitoring
PROPOSED STATE HEALTHY SOIL LAWS (3)

- New York: **A 3281** (2017)
  - Defines carbon farming using USDA COMET-Planner and COMET-Farm
  - Establishes tax credit to encourage C seq.

- Vermont: **S 43** (2017)
  - Requires the Sec. of Natural Resources to establish a regenerative soils program
  - Incentivizes C seq. with certification and marketing program, technical and financial assistance

- Massachusetts: **SD 1438** and **HD 3065** (2019)
  - Creates Massachusetts Healthy Soils Program
  - Defines and promotes healthy soils practices

- Legislation drafted in **Kansas, Kentucky, Missouri, Colorado, Pennsylvania**
<table>
<thead>
<tr>
<th>State</th>
<th>Water Quality / Quantity Goal</th>
<th>Climate Change Mitigation Goal</th>
<th>Other Goals</th>
<th>&quot;Healthy Soil&quot; Definition</th>
<th>Specific Practices Identified</th>
<th>Committee, Task Force and/or Agencies</th>
<th>Research and Education</th>
<th>Technical Assistance</th>
<th>Funding and Financial Assistance</th>
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POSSIBLE KEY ELEMENTS OF MODEL LAW

• **Findings:** Benefits of health soils
• **Define:** Healthy soils
• **Goal:** To increase adoption of practices that create healthy soils

**Actions:**
1) Require agencies to consider and coordinate
2) Identify healthy soil practices and goals
3) Provide funding for R&D and demonstration projects
4) Provide education, training, and technical assistance
5) Provide financial incentives – either payments for practices or tons of carbon sequestered
6) Work group to propose
7) Create preferential purchasing and marketing programs and certification programs
8) Create transition insurance program to help counter risk of adopting healthy soil practices

**Funding Options:**
• General funds
• Fertilizer surcharge, storm water fee, or other impact fee (parallel to environmental benefit charge)
• Funds from carbon cap and trade program, or carbon fee
• Redirect federal EQIP, CSP, etc. funds to preference soil health practices