

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 925**

Introduced by Gragert, 40; Brandt, 32; Cavanaugh, J., 9; Dorn, 30;  
Pansing Brooks, 28.

Read first time January 10, 2022

Committee: Natural Resources

- 1 A BILL FOR AN ACT relating to the Department of Natural Resources; to
- 2 adopt the Resilient Soils and Water Quality Act; and to state
- 3 legislative intent for appropriations.
- 4 Be it enacted by the people of the State of Nebraska,

1           Section 1. Sections 1 to 5 of this act shall be known and may be  
2 cited as the Resilient Soils and Water Quality Act.

3           Sec. 2. The Legislature finds that:

4           (1) With over ninety percent of Nebraska's land base in cropland and  
5 rangeland agricultural production, its agricultural sector is  
6 foundational to the state's economy. Nebraska agricultural producers face  
7 many challenges, from shrinking profit margins, depletion of natural  
8 resources, and extreme weather events, to increased public interest  
9 concerning the impact of current agricultural practices on the  
10 environment;

11           (2) Since the prairie was plowed for farming, Nebraska has lost  
12 topsoil and organic matter to both water and wind erosion. Soil erosion  
13 reduces soil productivity and deteriorates water quality. Organic matter  
14 is vital to soil fertility, structure, and water retention ability and is  
15 only at one-half of its original level;

16           (3) This state's soil and abundant water are Nebraska's most  
17 critical natural resources. The quality of both is vital for productive  
18 and profitable agricultural production, rural and urban economic  
19 viability, long-term food security, natural resource resiliency, and the  
20 associated influences on human health and quality of life. The relative  
21 quality and availability of the state's ground water and surface waters  
22 are directly impacted by the health of the land, particularly its  
23 agricultural soil;

24           (4) It is not uncommon to find nitrate levels in excess of federal  
25 drinking water standards in wells across the state. Elevated levels of  
26 nitrates in Nebraska's ground water are alarming as approximately eighty-  
27 five percent of Nebraska residents rely on drinking water pumped from the  
28 ground. While nitrate levels in Nebraska's ground water are gradually  
29 improving in some areas, they remain at troublesome levels elsewhere,  
30 particularly in the central and northeastern parts of Nebraska;

31           (5) The Nebraska Healthy Soils Task Force created under section

1 2-402 concluded that healthier soils produced through best soil  
2 management practices improve yield stability, produce greater financial  
3 returns over time, reduce the need for chemical inputs, increase water  
4 infiltration rates and water storage capacity making soil more resilient  
5 to drought, flooding, and erosion, and protect and improve water quality.  
6 The task force also concluded that two significant barriers to adoption  
7 of healthy soil management practices by agricultural producers are  
8 uncertainty of the positive economic return on investment in healthy soil  
9 management practices and the lack of education and information available  
10 to a broader audience; and

11 (6) With the general public's growing interest in how food is grown  
12 relative to human health and long-term resiliency of our natural  
13 resources, greater adoption of healthy soil management practices is  
14 beneficial to both rural and urban contingencies. A voluntary grassroots  
15 effort to accelerate the means to protect and enhance Nebraska's soil and  
16 receive the benefits described in the task force report should be  
17 encouraged and supported.

18 Sec. 3. The purposes of the Resilient Soils and Water Quality Act  
19 are to (1) initiate first steps to accelerate the use and scope of best  
20 practices for healthy soil management, (2) protect and improve soil and  
21 water quality throughout the state, (3) protect the public's health and  
22 enhance agricultural production and profitability, (4) address soil  
23 health economics, resource stewardship, and managerial and environmental  
24 issues, (5) increase awareness, education, and promotion of healthy soil  
25 best practices through producer-to-producer, peer-to-peer, and mentoring  
26 relationships, networking, and sharing of technical information, and (6)  
27 provide observational proof of healthy soil benefits through access to  
28 demonstration and research farms and data.

29 Sec. 4. For purposes of the Resilient Soils and Water Quality Act:  
30 (1) Demonstration and research farms means large-scale field and  
31 pasture settings located across the state that provide a demonstration of

1 healthy soil practices in support of the educational and research  
2 programs of the producer learning community;

3 (2) Department means the Department of Natural Resources; and

4 (3) Producer learning community means an agricultural producer-led,  
5 nonprofit, voluntary membership organization dedicated to fostering  
6 learning, skills, and abilities, and the gathering and sharing of  
7 knowledge for the purpose of carrying out the Resilient Soils and Water  
8 Quality Act.

9 Sec. 5. (1) The department shall provide technical and legal  
10 assistance in the formation of a producer learning community comprised of  
11 active agricultural producers, landowners, and others who have an  
12 interest in soil health and water quality. The department shall assist  
13 the producer learning community in building awareness and knowledge  
14 relating to soil health and water quality to guide agricultural producers  
15 and landowners in making informed decisions in order to bring about a  
16 more rapid and widespread adoption of best management practices. The  
17 department shall hire a facilitator to lead a collaborative effort to  
18 organize the producer learning community and assist the producer learning  
19 community in acquiring gifts, grants, and sponsorships. The department  
20 shall authorize the facilitator to serve as an ex officio member of the  
21 producer learning community and may locate the facilitator outside of the  
22 City of Lincoln.

23 (2) The department may partner or contract with any entity or  
24 entities that have resources that would assist in the formation of the  
25 producer learning community including, but not limited to, the University  
26 of Nebraska and any association of natural resources districts. The  
27 department may also collaborate with the Corn Development, Utilization,  
28 and Marketing Board, the Soybean Development, Utilization, and Marketing  
29 Board, the Grain Sorghum Development, Utilization, and Marketing Board,  
30 the Nebraska Wheat Development, Utilization, and Marketing Board, and any  
31 private farm and ranch associations or membership organization.

1       (3) Because of the state's diversity of soils, topography, rainfall,  
2 cropping systems, and other environmental factors, one set of healthy  
3 soil management practices will not fit the entire state and such  
4 practices will differ by region. The department shall divide the state  
5 into different regions in which to establish demonstration and research  
6 farms that are representative of each region's particular agricultural  
7 diversity. In establishing such regions, the department may use the land  
8 management areas of the Natural Resources Conservation Service of the  
9 United States, the state's natural resources district boundaries, and  
10 Nebraska Extension Engagement Zones of the University of Nebraska  
11 Institute of Agriculture and Natural Resources as guidance in  
12 establishing boundaries. The department may enter into lease agreements  
13 with private landowners for the purpose of establishing demonstration and  
14 research farms.

15       (4) Beginning in 2022, the department shall submit an annual report  
16 on or before December 31 to the Governor and electronically to the  
17 Agriculture Committee of the Legislature and the Natural Resources  
18 Committee of the Legislature to report on the status and progress of  
19 implementing the Resilient Soils and Water Quality Act and any impacts  
20 and accomplishments made in protecting and improving soil and water  
21 quality across the state.

22       Sec. 6. It is the intent of the Legislature to appropriate two  
23 hundred fifty thousand dollars beginning in FY2022-23 through FY2026-27  
24 to carry out the Resilient Soils and Water Quality Act.