

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 925

FINAL READING

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 Healthy Soils Task Force created under section 2-402

1 concluded that healthier soils produced through best soil management
2 practices improve yield stability, produce greater financial returns over
3 time, reduce the need for chemical inputs, increase water infiltration
4 rates and water storage capacity making soil more resilient to drought,
5 flooding, and erosion, and protect and improve water quality. The task
6 force also concluded that two significant barriers to adoption of healthy
7 soil management practices by agricultural producers are uncertainty of
8 the positive economic return on investment in healthy soil management
9 practices and the lack of education and information available to a
10 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
26 University of Nebraska and any association of natural resources
27 districts. The department may also collaborate with the Corn Development,
28 Utilization, and Marketing Board, the Soybean Development, Utilization,
29 and Marketing Board, the Grain Sorghum Development, Utilization, and
30 Marketing Board, the Nebraska Wheat Development, Utilization, and
31 Marketing Board, and any private farm and ranch associations or

1 membership organization.

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

16 (4) Beginning in 2022 and through 2027, the department shall submit
17 an annual report on or before December 31 to the Governor and
18 electronically to the Agriculture Committee of the Legislature and the
19 Natural Resources Committee of the Legislature to report on the status
20 and progress of implementing the Resilient Soils and Water Quality Act
21 and any impacts and accomplishments made in protecting and improving soil
22 and water quality across the state.

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