

## CHAPTER 42. SOIL HEALTH

### SUBCHAPTER 1. GENERAL PROVISIONS

#### 155:42-1-1. Purpose

This Chapter sets forth provisions and requirements related to the different programs of the Healthy Soil Programs Act pursuant to authority in Title 27A, Sections 3-7-101 et. seq. and Sections 3-1-101 et. seq. of the Oklahoma Statutes.

#### 155:42-1-2. Definitions

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

“Assessment” means the use of scientific methods to assess various measurements, sample results, parameters, and other data necessary to make inferences about the state, trend, or other endpoints necessary to scientifically characterize soil, water, land, farm, or other resource management contexts.

“BMPs” means Best Management Practices. These practices are capable of protecting the environment while considering economic factors, availability, technical feasibility, ability to implement, and effectiveness.

“CPs” means Conservation Practices. This term is an alternative reference to “BMPs” as defined in this section.

“Commission” or “OCC” means the Oklahoma Conservation Commission.

“Conservation District” or “District” means a conservation district which is a governmental subdivision of this State and a public body corporate and politic organized in accordance with the provisions of the Conservation District Act of 1971.

“Director” means the Director of the Soil Health Program of the Oklahoma Conservation Commission.

“Implementation” means those land or farm management actions taken to establish one or more BMPs or CPs as part of a conservation plan.

“Monitoring” means the use of scientific processes to acquire any data necessary to make desired assessment(s) of natural resources, related management actions, or other endpoints necessary to meet healthy soil and other assessment goals.

“Program” means the Soil Health Program as administered by the Oklahoma Conservation Commission.

“Soil” means topsoil, suitable substrate, or other plant growth media that will sustain vegetation.

### SUBCHAPTER 3. SOIL HEALTH TECHNICAL ASSISTANCE AND EDUCATION PROGRAM

#### 155:42-3-1. Purpose

(a) The purpose of the Soil Health Program (Program) is to promote and support conservation implementation in both rural and urban settings that restore and maintain healthy soil as defined in the Healthy Soil Program Act (HSPA). This is accomplished through technical assistance and education programs. By restoring one or more of the Soil Health Principles, these practices improve the soil's capacity to function as a dynamic biological system, leading to greater resilience, reduced input costs, improved product quality, and overall ecosystem health.

(b) The Commission serves as the state's program and technical leads for soil health-focused technical assistance, monitoring and assessment, education, and communication.

#### 155:42-3-2. Technical assistance program

(a) The objective of the Technical Assistance Program (TAP) is to provide professional consultative support to Oklahoma's farmers and ranchers through conservation planning and implementation focused on improving soil health. These results when realized are expected to improve and eventually restore the natural system function of agricultural land, decrease or reverse environmental impacts from agricultural activities, and increase operational resilience to unfavorable weather or environmental conditions.

(b) The TAP offers technical assistance on a first come, first served basis through scheduled consultations, phone calls, emails, or other contacts made with relevant program staff.

#### 155:42-3-3. Educational program

The objective of the Educational Program is to directly or indirectly educate Oklahoma's farmers and ranchers regarding the importance of soil health and the possible outcomes that focused conservation planning and actions can have on restoring land function and operation resilience. This may be fulfilled through various activities including but not limited to workshops, field days, consultations, online trainings, and website and social media posts, among other actions. This work may be funded and accomplished through both agency and partner. The Commission works to conduct much of this activity through Districts, which assist in local facilitation and connection to producers and farms crucial for real-world demonstration of conservation in action.

### SUBCHAPTER 5. SOIL HEALTH ASSESSMENT PROGRAM

#### 155:42-5-1. Purpose

The Commission shall serve as the State's technical lead for coordinating, developing, conducting, and maintaining a statewide Soil Health Assessment Program (Assessment Program). The purpose of the Assessment Program is to develop and manage a process and network of sites to acquire data necessary to evaluate the status and trends of soil health throughout Oklahoma.

#### **155:42-5-2. Program objectives**

The Assessment Program objectives include but are not limited to:

- (1) Develop and implement a monitoring system to gather data necessary to assess status and trends of soil health across the state. Parameters will be selected that best reflect the current science defining soil health.
- (2) Develop capacity to involve voluntary soil health measurements taken by producers and land managers trained by Program Specialists.
- (3) Incorporate all data obtained through this program into a Commission database to facilitate archiving, query, analysis, and sharing of data with partners and the public.
- (4) Develop and conduct assessments of data necessary to determine soil health baselines and trends.
- (5) Develop data tools and references for characterizing soil health status and effectively communicating these results to the public.

#### **155:42-5-3. Working on Regenerative Management Systems**

The Commission's Working on Regenerative Management Systems (WORMS) shall serve as the base program to accomplish the Assessment Program objectives outlined in 155:42-5-2. Developed from a collaboration between the Commission and the United States Department of Agriculture, Natural Resource Conservation Service (NRCS), WORMS is a web-based application developed to collect soil health data statewide, tracking improvements in soil conditions resulting from changes in land-use practices. WORMS v. 2.0 is a form-based data collection and storage system that utilizes Survey 123 for ArcGIS®. This platform ensures consistent data collection methods for state soil health while offering a foundation for future development with new and existing partners. The Commission will be responsible for the ongoing development, storage, administration, service, and quality assurance of the WORMS application and its data.

### **SUBCHAPTER 7. HEALTHY SOIL GRANT PROGRAMS**

#### **155:42-7-1. Soil Health Implementation Program**

The Soil Health Implementation Program (SHIP) provides a comprehensive, multi-practice approach to conservation through personalized planning and dedicated mentorship from the Commission's Soil Health Team. This program is designed to advance soil health and regenerative agriculture practices throughout Oklahoma. SHIP's primary goal is to empower crop, livestock, and urban agricultural producers to enhance their soil health management strategies and achieve long-term sustainability.

#### **155:42-7-2. Program objectives**

The Commission's program objectives are to:

- (1) Work with agricultural producers in cropping, livestock, and urban operations to provide technical assistance and planning to implement or complete a system of soil health-focused conservation designed to improve land and operational resilience.
- (2) Provide funds to qualifying producers and landowners to assist in implementing the conservation practices outlined in their conservation plan designed to improve soil health.
- (3) Collect soil health data necessary to monitor changes on participating farms and continue building the state's soil health database.
- (4) Build producer mentor networks and enable greater education and outreach promoting soil health-focused conservation.

#### **155:42-7-3. Establishment of state guidelines**

When funds are available, the Commission shall develop guidelines for SHIP. These guidelines will clarify and establish the following:

- (1) Program period;
- (2) Allocation period;
- (3) Eligibility requirements for:
  - (A.) Applicants,
  - (B.) Conservation Commissioners, Conservation Commission staff, employees and board members of Conservation Districts, and the spouses of all these individuals, and
  - (C.) Conservation district directors;
- (4) Eligible conservation practices;
- (5) Cost rates for reimbursement for conservation practices;
- (6) Maximum program payment;
- (7) Application process;
- (8) Review and approval process;

- \_\_\_\_\_ (9) Completion dates;
- \_\_\_\_\_ (10) Payment process;
- \_\_\_\_\_ (11) Guidelines for conservation district reporting; and
- \_\_\_\_\_ (12) Commission reporting and accounting.

#### **155:42-7-4. Eligibility requirements**

\_\_\_\_\_ To be eligible for consideration under this program, the applicants must:

- \_\_\_\_\_ (1) Ensure interest in the adoption of best management practices identified through planning that work toward a system of conservation focused on soil health principles.
- \_\_\_\_\_ (2) Commit to a three-year engagement for technical and financial assistance. All practices must be completed, and cost-share payments disbursed within three years of the signed SHIP conservation plan.
- \_\_\_\_\_ (3) Have an approved cooperator agreement with their district.
- \_\_\_\_\_ (4) Ensure land areas designated for implementation are not enrolled in other programs (e.g., EQIP) accomplishing the same practice implementation (aka, "Double dipping").
- \_\_\_\_\_ (5) Agree to maintain the conservation practices for the expected life specified by the practice standard and/or the recommendation of the Program Specialist.
- \_\_\_\_\_ (6) Agree to soil health assessment conducted by the Program Specialist throughout their program involvement.
- \_\_\_\_\_ (7) Agree to contribute to the mentorship of other producers in soil health-focused conservation.

#### **155:42-7-5. Technical representatives**

\_\_\_\_\_ The Commission Soil Health Team (aka Program Specialists) will serve as the SHIP technical representatives. Their responsibilities include:

- \_\_\_\_\_ (1) Conducting the application review and selection process;
- \_\_\_\_\_ (2) Conducting field visits as necessary to determine landowner and operator needs;
- \_\_\_\_\_ (3) Developing conservation plans with design and schedule of practice installations;
- \_\_\_\_\_ (4) Determining compliance with SHIP practice standards and specifications;
- \_\_\_\_\_ (5) Certifying practice implementation in accordance with the SHIP conservation plan;
- \_\_\_\_\_ (6) Preparing necessary payment documentation for conservation districts to process a claim for reimbursement; and
- \_\_\_\_\_ (7) Confirming that the landowner or operator has received their payment(s).

#### **155:42-7-6. Eligible SHIP conservation practices and associated rates**

\_\_\_\_\_ Conservation practices prescribed in SHIP conservation plans will reflect those referenced from NRCS national conservation practice standards where applicable and shall be implemented according to these standards and specifications unless otherwise authorized by a Commission technical representative. Conservation practice reimbursement rates shall be set by the SHIP program staff using a standard average cost (unit cost) for conservation practices based on NRCS EQIP or similar program payment rates. These average costs will be reviewed and updated by the SHIP program staff as necessary based on NRCS cost updates and/or best professional judgment to maintain or improve incentives for adoption. A list of SHIP-relevant conservation practices and associated reimbursement rates shall be maintained throughout the program. The Commission shall set a maximum program payment per participant that cannot be exceeded for the active conservation plan.

#### **155:42-7-7. Application, review, and approval process**

\_\_\_\_\_ The Commission and conservation districts will advertise and accept applications for SHIP throughout a predetermined allocation period. Each applicant is limited to one application and must be an approved district cooperator. The Commission Soil Health Team will review and rank applications using a preset ranking tool. Approved applicants and their respective districts will be notified within 45 days of the close of the allocation period.

#### **155:42-7-8. Conservation plan**

\_\_\_\_\_ Successful SHIP applicants must complete a conservation plan to be eligible for program participation. The SHIP conservation plan involves a three-year engagement focused on implementing a conservation system designed to improve soil health. All SHIP conservation plans must be signed and dated by the participant and a Commission technical representative before any program-related work begins. The conservation plan becomes effective on the date of the last signature.

#### **155:42-7-9. Completion and reimbursement payment**

\_\_\_\_\_ Approved applicants must complete all conservation practice implementation by the dates specified in their SHIP conservation plan. Any deviations or variances from the plan must be approved by a Commission technical representative. Participants are eligible for reimbursement only for practices implemented in accordance with their SHIP conservation plan, as verified and signed off by a Commission technical representative. Participants who fail to complete the planned practices or cancel their conservation plan before the end of the three-year term will potentially forfeit any remaining reimbursement eligibility under the SHIP program.