

**AGENDA – SPECIAL BOARD MEETING**  
**OKLAHOMA CONSERVATION COMMISSION**  
**Agriculture Building Board Room • 2800 N Lincoln Blvd • Oklahoma City, Oklahoma**  
**Thursday, January 16, 2025 - 11:00 a.m.**

1. Call to Order
2. Roll call
3. Pledge of Allegiance
4. Discussion and possible approval of the December 2, 2024, regular meeting minutes.
5. Presentation of Commission Agreements (Exhibit #1).  
Discussion and possible ratification of the following new agreements:
  - a. U.S. Fish and Wildlife Service (OCC-900) to provide funding to private landowners through local conservation districts who have completed a prescribed burn on their property.
  - b. Bowman Consulting Group, LTD (OCC-901) to provide 15cm leaf-off, full color, statewide aerial photography per Aerial Photography Specifications through an OMES Agency Specific Contract.Discussion and possible ratification of the following amended agreements:
  - c. Oklahoma Office of Secretary of Energy and Environment (OCC-675) to fund the EPA Fiscal Year 21/22 Oklahoma 319 grant to provide support toward implementation of Oklahoma’s Comprehensive Nonpoint Source Management Program through assessment, planning, education and implementation. **Amendment 5 – No cost time extension to expend Project 5 (BMP Implementation) funds.**
  - d. Natural Resources Conservation Service (69-7335-14-12 / OCC-381) for rehabilitation of Fourche Maline Site 7M in Latimer County. **Amendment 9 extends the date.**
  - e. Natural Resources Conservation Service (NR187335XXXXC001 / OCC-535) to allow construction on Lower Bayou Site 12 watershed dam in Love County. **Amendment 5 extends the date.**
  - f. Natural Resources Conservation Service (NR187335XXXXC018/OCC-561) for rehabilitation of Quapaw Site 15 in Lincoln County. **Amendment 3 extends the date.**
  - g. Natural Resources Conservation Service (NR187335XXXXC021/OCC-562) for rehabilitation of Boiling Springs Site 1 in Latimer County. **Amendment 3 extends the date.**
  - h. Natural Resources Conservation Service (NR217335XXXXC002 / OCC-668) to provide technical and financial assistance for remedial repairs on sites Bear 4 and 6, LMCB42, Maysville Laterals H-5 and H-6, Stillwater 34 and 52, Upper Black Bear 13 and Wildhorse 85 and 124. **Amendment 1 extends the date.**
  - i. Natural Resources Conservation Service (NR227335C002 / OCC-737) for corrugated metal pipe pilot project repairs to the following dams: Cane Creek 21, Finn Creek 6, Ionine Creek 102, Rock Creek 1 and 7, Tri-County Turkey Creek 12, Wildhorse Creek 122, Little Washita Creek 10 and Rush Creek 44. **Amendment 2 extends the date.**

- j. Natural Resources Conservation Service (NR2372223XXXXC003 / OCC-816) to provide technical and financial assistance to OCC for remedial repairs of Lower Red Rock Site 16 in Noble County. **Amendment 1 extends the date.**
- k. Natural Resources Conservation Service (NR2372223XXXXC004 / OCC-815) to provide technical and financial assistance to OCC for remedial repairs of Salt Camp Site 21 in Creek County. **Amendment 1 extends the date.**

Discussion and possible approval of the following new agreements:

- l. Deer Creek Conservation District (OCC-902) to provide funds for a full-time Conservation Planner with the majority of time dedicated to conservation planning for Area 4.
- m. Garvin Conservation District (OCC-903) to provide funds for a full-time Conservation Planner with the majority of time dedicated to conservation planning for Area 2.
- n. McClain County Conservation District (OCC-904) to provide funds for a full-time Cedar Eradication Technician with the majority of time dedicated to establishment of brush free zones withing the Terry Peach Watershed Restoration Program area.
- o. Woodward County Conservation District (OCC-905) to work with the district to establish native grasslands in areas that have been mechanically cleared via the Terry Peach Watershed Restoration Program through funds received from a grant with the National Fish and Wildlife Foundation Southern Plains Grasslands Program.
- p. Garfield County Conservation District (OCC-906) to provide 75% of the total costs to make repairs to upstream flood control Site 41 - Upper Red Rock Creek. The Red Rock Conservancy District will provide 25% of the total cost.
- q. Lincoln County Conservation District (OCC-907) to provide funding to make repairs to upstream flood control Site 30 – Quapaw Creek.
- r. Noble County Conservation District (OCC-908) to provide 75% of the total costs to make repairs to upstream flood control Site 51 – Upper Red Rock Creek. The Red Rock Creek Conservancy District will provide 25% of the total cost.

Discussion and possible approval of the following amended agreement:

- s. LeFlore County Conservation District (OCC-839) to provide funding to the district for unpaved roads projects within the conservation district boundaries for County Commissioner Districts 1 and 3. **Amendment 1 adds funds for new project in County Commissioner District 1 and extends the date of the project in County Commissioner District 3.**
6. Essential Out of State Travel Requests (Exhibit #2).
- Discussion and possible ratification of the following essential out of state travel requests:
- a. 2025 Annual Meeting - Southern Division of American Fisheries Society – February 18-21, 2025 – Ashville, NC.
  - b. 2025 National Water Quality Monitoring Council Conference – March 9-14, 2025, Green Bay, WI.

Discussion and possible approval of the following essential out of state travel requests:

- c. 2025 National Association of Conservation Districts Legislative Spring Fly In – March 24-28, 2025 – Washington, D.C.

7. Consideration and Possible Adoption of the Conservation Commission's New Soil Health Permanent Rules (Exhibit #3). Proposed permanent rules to be codified at OAC Title 155, Chapter 42, Subchapters 1, 3, 5, and 7. These rules pertain to the expanding programs within the Water Quality Division, specifically addressing soil health initiatives under the Healthy Soils Act (27A O.S. §3-7-101 et seq.).
8. Next Meeting: Monday, February 3, 2025, Oklahoma Department of Agriculture Board Room, 2800 N Lincoln Blvd., Oklahoma City, Oklahoma at 9:30 a.m.
9. Adjournment

All items on this agenda, including but not limited to any agenda item concerning the adoption or approval of any resolution, contract, agreement, or any other item of business, are subject to revision or amendment, including additions and/or deletions, without exception. Any revision or amendments will be limited and rationally related to the topic of the agenda item. The Board may defer, strike, continue, table, and/or refer any agenda item to its Executive Director, staff, attorney, and/or refer back or appoint a committee for the purpose of gathering more information the Board may need to take action on any agenda item at a subsequent special or regular meeting of the Board.

## MINUTES

### CALL TO ORDER

The Oklahoma Conservation Commission met Thursday, January 16, 2025, in the Agriculture Building located at 2800 N. Lincoln Blvd in Oklahoma. The special meeting was called to order at 11:00 a.m. by Vice Chair Robert Priess. He stated this was a scheduled special meeting held in accordance with the Open Meeting Law, Title 25, Oklahoma Statutes, Sections 301 and following as amended. The agenda for this meeting was posted at 7:50 a.m. Tuesday, January 14, 2025, at the front entrance of the Oklahoma Agriculture Building, 2800 N. Lincoln Boulevard, Oklahoma City, Oklahoma, as well as on the agency's website [conservation.ok.gov](http://conservation.ok.gov).

### ROLL CALL

Bert Bitseedy, Administrative Assistant, took roll call and the following members were in attendance:

Robert Priess, Vice Chairman, Area 2 Member

Grant Victor, Secretary, Area 3 Member

Gary Crawley, Area 5 Member

Absent:

Dan Herald, Chair, Area 1 Member

Joshua Haven, Area 4 Member

Others in attendance were:

Trey Lam, Executive Director

Lisa Knauf Owen, Assistant Director

Bert Bitseedy, Administrative Assistant

Jeannie Parsley, Comptroller

Janet Stewart, General Counsel

Stephanie Acquario, Assistant General Counsel

Justine Anderson, Public Information Manager

Clancy Green, District Services Director

Brandon Welborn, District Services Administrative Programs Officer

Shanon Phillips, Water Quality Director

Greg Kloxin, Soil Health Director

Rebecca Bond, Blue Thumb Director

Trampas Tripp, Land Management Division Director

Jeanne Jasper, NRCS State Conservationist

Jeri Flemming, Grand River Dam Authority

### MINUTES OF PREVIOUS REGULAR MEETING

A motion was made by Mr. Victor and seconded by Mr. Crawley to approve the minutes of the December 2, 2024; Commission meeting as written. Those voting aye were: Priess, Victor and Crawley. Nay votes: none. Motion carried.

### PRESENTATION OF AGREEMENTS

Ms. Owen noted that there were number of agreements for consideration today because of end of year deadlines.

Ms. Owen presented new agreements listed as Items "a-b." on Exhibit 1 for ratification that were approved by Chair Herald between the December and January meetings. After discussion, a motion was made by Mr. Crawley and seconded by Mr. Victor to ratify the two new agreements as presented. Those voting aye were: Priess, Victor and Crawley. Nay votes: none. Motion carried.

Ms. Owen requested the ratification of the following amended agreements (Exhibit #2), items "c-k." Each of these agreements were a no cost time extension that were approved by Chair Herald between the December and January meetings. After discussion, a motion was made by Mr. Victor and seconded by Mr. Crawley to ratify the amended agreements as presented. Those voting aye were: Priess, Victor and Crawley. Nay votes: none. Motion carried.

Ms. Owen requested the approval of the following new agreements (Exhibit #2), items "l-r." After discussion, a motion was made by Mr. Victor and seconded by Mr. Priess to approve the new agreement as presented. Those voting aye were: Priess, Victor and Crawley. Nay votes: none. Motion carried.

Ms. Owen requested the approval of the following amended agreement (Exhibit #2), item "s." After discussion, a motion was made by Mr. Victor and seconded by Mr. Priess to approve the new agreement as presented. Those voting aye were: Priess, Victor and Crawley. Nay votes: none. Motion carried.

### **ESSENTIAL OUT OF STATE TRAVEL REQUESTS**

Mr. Lam requested the ratification of the following essential out of state travel requests (Exhibit #2), items "a-b." After discussion, a motion was made by Mr. Victor and seconded by Mr. Crawley to ratify the travel requests as presented. Those voting aye were: Priess, Victor and Crawley. Nay votes: none. Motion carried.

Mr. Lam requested the approval of the following essential out of state travel request (Exhibit #2), item "c." After discussion, a motion was made by Mr. Crawley and seconded by Mr. Victor to approve the travel request as presented. Those voting aye were: Priess, Victor and Crawley. Nay votes: none. Motion carried.

### **ADOPTION OF THE CONSERVATION COMMISSION'S NEW SOIL HEALTH PERMANENT RULES**

Ms. Stewart requested consideration and possible adoption of the Conservation Commission's New Soil Health Permanent Rules as presented in Exhibit #3. After discussion, a motion was made by Mr. Crawley and seconded by Mr. Victor to approve the adoption of the new Soil Health Permanent Rules as presented. Those voting aye were: Priess, Victor and Crawley. Nay votes: none. Motion carried.

### **NEXT MEETING**

After discussion, the Commissioners next scheduled regular meeting of the Oklahoma Conservation Commission is set for Monday, February 3, 2025, at the Oklahoma Department of Agriculture Building, 2800 N. Lincoln Blvd., Oklahoma City, Oklahoma at 9:30 a.m.

### **ADJOURNMENT**

There being no further business, Mr. Priess declared the meeting adjourned at 11:17 a.m.

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Approved by the Oklahoma Conservation Commission on February 3, 2025.

  
Chair

# OCC AGREEMENTS FOR CONSIDERATION

OCC ID	PARTY	NO	PURPOSE	AMENDMENT PURPOSE	BEGIN DATE	END DATE	AMOUNT TO OCC	AMOUNT FROM OCC	FUNDING SOURCE
a	US Fish & Wildlife Service	OCC-900	To provide funding to private landowners through local conservation districts who have completed a prescribed burn on their properties. This agreement will help facilitate the use of prescribed fire on private lands statewide to promote native prairie res		1/1/2025	12/31/2029	\$575,000		Federal Funds
b	Bowman Consulting Group, LTD	OCC-901	To provide 15cm leaf-off, full color, statewide aerial photography per Aerial Photography Specifications in OMES Agency Specific Contract, January 2025.		1/6/2025	1/5/2026		\$1,491,500	GR
c	OK Office of Secretary of Energy & Environment	OCC-675	To fund the EPA FY 21/22 Oklahoma 319 grant to provide support toward implementation of Oklahoma's Comprehensive Nonpoint Source Management Program through assessment, planning, education and implementation.	No cost time extension to expend Project 5 (BMP Implementation) funds.	4/1/2021	12/31/2025	\$5,185,647		EPA 319 / Federal Funds

OCC ID	PARTY	NO	PURPOSE	AMENDMENT PURPOSE	BEGIN DATE	END DATE	AMOUNT TO OCC	AMOUNT FROM OCC	FUNDING SOURCE
d	NRCS	69-7335-14-12 (OCC-381)	Rehabilitation of Fourche Maline Creek Site 7M, Latimer County.	No cost time extension to 12/31/2025	9/1/2014	12/31/2025	\$10,337,490	\$5,015,014	Federal Funds
e	Natural Resources Conservation Service	NR187335XXXXC 001 (OCC-535)	To allow construction of Lower Bayou Site 12 watershed dam in Love County.	Amendment 5 - Extends to 12/31/2025	1/1/2018	12/31/2025		\$8,409,000	NRCS Federal Funds
f	NRCS	NR187335XXXXC 018 (OCC-561)	Rehabilitation of Quapaw Site 15 in Lincoln County	Amendment 3 - Extends agreement to 12/31/2025	10/1/2018	12/31/2025	\$5,785,100	\$2,692,300	Federal
g	NRCS	NR187335XXXXC 021 (OCC-562)	Rehabilitation of Boiling Springs Site 1 in Latimer County	Amendment 3 - Extends agreement to 12.31.25	10/1/2018	12/31/2025	\$2,800,000	\$1,346,150	Federal Funds
h	Natural Resources Conservation Service	NR217335XXXXC 002 (OCC-668)	To provided technical and financial assistance for remedial repairs on Bear 4 and 6, LMCB42, Maysville Laterals H-5 and H-6, Stillwater 34 and 52, Upper Black Bear 13 and Wildhorse 85 and 124.	Amendment 1 - Extends agreement to 12/31/2025	4/5/2021	12/31/2025	\$525,000		Federal Funds
i	Natural Resources Conservation Service	OCC - 737	CMP Pilot project repairs to the following dams. Repair cost will be 65% federal and 35% state. Cane Creek 21, Finn Creek 6, Ionine Creek 102, Rock Creek 1 and 7, Tri-County Turkey Creek 12, Wildhorse Creek 122, Little Washita Creek 10, and Rush Creek 44	Amendment 2 - Extends agreement to 12/31/2025	3/7/2022	12/31/2025	\$278,040	\$139,020	GR

OCC ID	PARTY	NO	PURPOSE	AMENDMENT PURPOSE	BEGIN DATE	END DATE	AMOUNT TO OCC	AMOUNT FROM OCC	FUNDING SOURCE
j	Natural Resources Conservation Service	OCC-816 (NR237335XXXXC 003)	To provide technical and financial assistance to OCC for remedial repairs of Lower Red Rock Site 16 in Noble County.	Amendment 1 - Extends agreement to 12/31/2025	9/7/2023	12/31/2025	\$193,100		Federal Funds
k	Natural Resources Conservation Service	OCC-815 (NR237335XXXXC 004)	To provide technical and financial assistance to OCC for remedial repairs of Salt Camp Creek Site 21 in Creek County.	Amendment 1 - Extends agreement to 12/31/2025	9/7/2023	12/31/2025	\$625,485		Federal Funds
l	Deer Creek Conservation District	OCC-902	Proved funds for a full-time Conservation Planner with the majority of time dedicated to conservation planning for Area 4 with the planner being headquartered in the Deer Creek CD office.		12/1/2024	6/30/2025		\$4034.36/mnth. + benefits	GR
m	Garvin Conservation District	OCC-903	Proved funds for a full-time Conservation Planner with the majority of time dedicated to conservation planning for Area 2 with the planner being headquartered in the Garvin CD office.		1/1/2025	6/30/2025		\$4,034.36/mnth + benefits	GR



OCC ID	PARTY	NO	PURPOSE	AMENDMENT PURPOSE	BEGIN DATE	END DATE	AMOUNT TO OCC	AMOUNT FROM OCC	FUNDING SOURCE
n	McClain County Conservation District	OCC-904	Provide funds for a full-time Cedar Eradication Technician with the majority of time dedicated to brush free zone establishment duties. The work area for the agreement is within the Terry Peach Watershed Restoration Program area. The position will be head		1/1/2025	6/30/2025		\$3,558.61/mnth + benefits	GR
o	Woodward County Conservation District	OCC-905	Will work with the district to establish native grasslands in areas that have been mechanically cleared via the Terry Peach Restoration Program through funding received from the National Fish and Wildlife Foundation Southern Plains Grasslands Program.		1/16/2025	6/30/2025		\$201,000	Federal Funds
p	Garfield County Conservation District	OCC-906	To provide 75% of the total cost to make repairs to Upper Red Rock Creek Site 41. The Red Rock Conservancy District will provide 25% of the total cost (\$46,375).		1/16/2025	6/30/2025		\$139,125	GR

OCC ID	PARTY	NO	PURPOSE	AMENDMENT PURPOSE	BEGIN DATE	END DATE	AMOUNT TO OCC	AMOUNT FROM OCC	FUNDING SOURCE
q	Lincoln County Conservation District	OCC-907	To provide funding to make repairs to Quapaw Creek Site 30.		1/16/2025	6/30/2025		\$251,250	GR
r	Noble County Conservation District	OCC-908	To provide 75% of the total cost to make repairs to Upper Red Rock Creek Site 51. The Red Rock Conservancy District will provide 25% of the total cost (\$89,688).		1/16/2025	6/30/2025		\$269,062	GR
s	LeFlore County Conservation District	OCC-839	To provide funding to the district for unpaved roads project within the conservation district boundaries for County Commissioner Districts 1 and 3.	Amendment 1 - adds funds for a new Co. Comm. District 1 project and extends the date of the Co. Comm. District 3 project to 1/16/2026.	3/4/2024	1/16/2026		\$196,799.40	GR

# OUT OF STATE TRAVEL REQUESTS

OCC ID	DATES	SPONSOR	NAME OF MEETING	LOCATION	ATTENDANCE	EST COST	FUNDING SOURCE
a	February 18-21, 2025	Southern Division of American Fisheries Society	2025 Annual Meeting of the Southern Fisheries Divisoin of American Fisheries Society	Asheville, NC	Carter, Swanson	\$3,230.00	Fund 400
b	March 9 - 14, 2025	National Water Quality Monitoring Council	2025 National Monitoring Conference	Green Bay, WI	Dyer, Ramming, Spinner, Bond, Phillips	\$11,805.00	Fund 400
c	March 24-28, 2025	National Association of Conservation Districts / National Association of State Conservation Agencies	2025 Legislative Spring Fly In	Washington, D.C.	Lam	\$2,464.00	GR

## RULE IMPACT STATEMENT

### TITLE 155. OKLAHOMA CONSERVATION COMMISSION CHAPTER 42. SOIL HEALTH

(A) **PURPOSE OF THE PROPOSED RULE:**

The purpose of these new rules is to establish clear guidance, procedures, goals, and processes for the Commission's Soil Health Programs. These rules govern the development and implementation of programs designed to meet the needs of both rural and urban producers and landowners, while delivering broad benefits to all Oklahomans. They outline the framework for the education and outreach program, opportunities for soil health technical assessments, and detail the criteria, eligibility, and application process for the Soil Health Implementation Program (SHIP) - the first grant initiative created to support soil health efforts.

(B) **CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:**

These rules have been developed to address the needs of both rural and urban producers and landowners while delivering positive benefits to all Oklahomans. Participation in all programs is entirely voluntary. The services and programs outlined in these rules are designed to align with the Healthy Soil Program Act, enacted through House Bill 4412 in 2022. The Commission does not foresee any adverse cost impacts for the Oklahoma Conservation Commission from private or public entities nor for individuals participating in our programs, projects, and grants.

(C) **PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:**

The new rules will benefit rural and urban producers and landowners, as well as provide positive benefits and effects to all Oklahomans.

(D) **DESCRIPTION OF THE PROBABLE IMPACT OF THE PROPOSED RULE UPON AFFECTED CLASSES OF PERSONS:**

The proposed rules are expected to have a positive impact. They provide clarity on the educational resources, assessment tools, and opportunities available to assist landowners, producers, and other participants in enhancing soil health. Additionally, the SHIP program offers grant opportunities to support landowners and producers in implementing best management practices aimed at improving soil conditions.

(E) **PROBABLE COST AND BENEFITS TO AGENCY; SOURCE OF REVENUE FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE:**

No additional costs to the agency are anticipated by the new rules.

(F) **DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:**

Conservation districts are a partner of the Commission in implementing conservation programs and practices in Oklahoma per the Conservation District Act. Districts are aware of these programs and agreements are in place where needed to provide these services.

(G) **DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

Participation in any of our services and programs in Soil Health are voluntary. Therefore, no adverse effects or impacts on small businesses are anticipated.

(H) **DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES:**

All the programs are voluntary non-regulatory programs that move conservation, soil health, and the protection of natural resources forward in the state. The agency is unaware of any other methods to achieve the purpose of these programs.

(I) **DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The Commission anticipates the new proposed rules will positively affect public health, safety, and the environment.

(J) **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

No detrimental effect on public health, safety, or the environment is anticipated by the adoption of these new rules.

(K) **DATE RULE IMPACT STATEMENT WAS PREPARED:**

This rule impact statement was prepared on November 18, 2024

**TITLE 155. OKLAHOMA CONSERVATION COMMISSION**  
**CHAPTER 42. HEALTHY SOILS [NEW]**

**RULEMAKING ACTION:**

Notice of proposed **PERMANENT** rulemaking

**PROPOSED RULES:**

Chapter 42. Healthy Soils [NEW]

Subchapter 1. General Provisions [NEW]

155:42-1-1. Purpose [NEW]

155:42-1-2. Definitions [NEW]

Subchapter 3. Soil Health Technical Assistance and Education Program [NEW]

155:42-3-1. Purpose [NEW]

155:42-3-2. Technical Assistance Program [NEW]

155:42-3-3. Educational Program [NEW]

Subchapter 5. Soil Health Assessment Program [NEW]

155:42-5-1. Purpose [NEW]

155:42-5-2. Program Objectives [NEW]

155:42-5-3. Working on Regenerative Management Systems [NEW]

Subchapter 7. Healthy Soil Grant Programs [NEW]

155:42-7-1. Soil Health Implementation Program [NEW]

155:42-7-2. Program Objectives [NEW]

155:42-7-3. Establishment of State Guidelines [NEW]

155:42-7-4. Eligibility Requirements [NEW]

155:42-7-5. Technical Representatives [NEW]

155:42-7-6. Eligible SHIP Conservation Practices and Associated Rates [NEW]

155:42-7-7. Application, Review, and Approved Process [NEW]

155:42-7-8. Conservation Plan [NEW]

155:42-7-9. Completion and Reimbursement Payment [NEW]

**SUMMARY:**

The Healthy Soil Program Act was enacted to promote and support sustainable farming, ranching, and land management practices that enhance soil organic matter, aggregate stability, microbiology, and water retention. These improvements aim to boost soil health, increase yields, and enhance profitability across Oklahoma. The Act mandates the creation of several initiatives, including a healthy soil assessment program, educational programs, and grant opportunities, all overseen by the Oklahoma Conservation Commission. The new rules clarify the Commission's assessment and educational efforts, as well as the Soil Health Implementation Program (SHIP)—the first grant initiative established under the Act. These programs

are designed to educate and serve both rural and urban producers and landowners while delivering widespread benefits to all Oklahomans.

**AUTHORITY:**

Oklahoma Conservation Commission and the Conservation District Act; 27A O.S. §§3-1-101 et seq.; and more specifically 27A O.S. §3-7-101 et. seq.

**COMMENT PERIOD:**

Persons may submit written comments through the conclusion of the public hearing on January 16, 2025.

**PUBLIC HEARING:**

A public hearing will be held to provide an opportunity for persons to present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing has been scheduled for 10:00 a.m. on January 16, 2025, in the Oklahoma Department of Agriculture, Food, and Forestry Building, Room 201 located on the second floor at 2800 N. Lincoln Boulevard, Oklahoma City, Oklahoma 73105.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing to the contact person before 11:00 am the close of the comment period on January 16, 2025.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rule may be obtained by visiting <https://conservation.ok.gov/about/#rules> or by requesting copies from the contact person.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., §303(D), a rule impact statement has been prepared and is available at the same location listed above for obtaining copies of the proposed rules.

**CONTACT PERSON:**

Janet Stewart, 2800 North Lincoln Boulevard, Suite 200, Oklahoma City, Oklahoma 73105-4210, (405) 742-1240, [janet.stewart@conservation.ok.gov](mailto:janet.stewart@conservation.ok.gov)

**TITLE 155. OKLAHOMA CONSERVATION COMMISSION**  
**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.

“Natural Resources Conservation Service” or “NRCS” means the U.S. Department of Agriculture’s primary private lands conservation agency.

“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**

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.

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**

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 natural system function of agricultural land, decrease or reverse environmental impacts from agricultural activities, and increase operational resilience to unfavorable weather or environmental conditions.

The TAP offers technical assistance on a first come, first served basis through scheduled consultations, phone calls, emails, or other contacts made with relevant 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 facilitation. The Commission works to conduct much of this activity through Districts, who 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 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 also offering a foundation for future development with both 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 that are 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 in promotion of 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, directors, and board members of Conservation Districts, and the spouses of all the above individuals
- (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;
- (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 Commission’s soil health staff.
- (6) Agree to soil health assessment conducted by the Program Specialist over the course of 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 have 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 as 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 judgement to maintain or improve incentive 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 forfeit any remaining reimbursement eligibility under the SHIP program.