

By: Johnson

S.B. No. 1118

A BILL TO BE ENTITLED

AN ACT

relating to the creation and administration of the On-The-Ground Conservation Program by the State Soil and Water Conservation Board.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 201, Agriculture Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. ON-THE-GROUND CONSERVATION PROGRAM

Sec. 201.351. DEFINITIONS. In this subchapter:

(1) "Priority conservation measure" means a priority soil and water conservation land improvement measure designated under Section 201.355.

(2) "Program" means the On-The-Ground Conservation Program.

(3) "Soil health characteristics" means the physical, chemical, and biological characteristics of soil for optimal production, including lower bulk density, good gas exchange, lower surface temperature during growing season, high cation exchange capacity, high soil organic matter, and active soil microorganisms.

Sec. 201.352. CREATION OF PROGRAM. The state board shall develop and administer the program to maximize public benefits by facilitating priority conservation measures and other soil and water conservation land improvement measures by landowners and

1 operators in this state.

2 Sec. 201.353. PROGRAM FUNCTIONS. (a) The state board shall
3 provide through the program:

4 (1) technical assistance;

5 (2) cost-share assistance;

6 (3) direct grants; and

7 (4) help in obtaining technical assistance,
8 cost-share assistance, and direct grants from other public or
9 private sources.

10 (b) The state board shall create rules, forms, and
11 procedures necessary for the administration of the program.

12 (c) The state board may:

13 (1) obtain grants, cost-sharing assistance, or other
14 forms of funding from other state or federal governmental entities;

15 (2) coordinate, receive, and use gifts, grants, and
16 donations from private sources;

17 (3) work with qualified nonprofit organizations and
18 universities to provide technical assistance; and

19 (4) designate one or more conservation districts to
20 administer the program locally.

21 Sec. 201.354. PROGRAM COST-SHARE RATES. The state board
22 shall establish cost-share rates for eligible soil and water
23 conservation land improvement measures under the program.

24 Sec. 201.355. PRIORITY CONSERVATION MEASURES. (a) The
25 board shall designate and give priority under the program to
26 priority conservation measures that maximize public benefits to the
27 state. Priority conservation measures include measures that:

- 1 (1) improve soil health characteristics;
- 2 (2) conserve and manage water resources;
- 3 (3) prevent and manage flooding;
- 4 (4) control invasive and nuisance species;
- 5 (5) improve resilience to weather extremes, climate
6 variability, and natural disasters;
- 7 (6) protect and enhance native habitats, including the
8 protection of endangered species;
- 9 (7) mitigate and reduce soil erosion;
- 10 (8) restore land damaged by development; and
- 11 (9) sequester carbon to provide environmental
12 benefits.

13 (b) The state board:

- 14 (1) shall establish standards and specifications for
15 each priority conservation measure designated under this section;
16 and
- 17 (2) may consider local priorities and needs in
18 designating a priority conservation measure under this section.

19 Sec. 201.356. REPORT. The state board shall include
20 information regarding the program's activities in the annual report
21 required by Section [201.028](#).

22 SECTION 2. The State Soil and Water Conservation Board is
23 required to create and implement the On-The-Ground Conservation
24 Program as provided by this Act only if the legislature
25 appropriates money specifically for that purpose. If the
26 legislature does not appropriate money specifically for that
27 purpose, the State Soil and Water Conservation Board may, but is not

S.B. No. 1118

1 required to, create and implement the On-The-Ground Conservation
2 Program as provided by this Act using other appropriations
3 available for that purpose.

4 SECTION 3. This Act takes effect September 1, 2021.