

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 may 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 operators in this state.

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

- 3           (1) technical assistance;  
4           (2) cost-share assistance;  
5           (3) direct grants; and  
6           (4) help in obtaining technical assistance,  
7 cost-share assistance, and direct grants from other public or  
8 private sources.

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

11       (c) The state board may:

- 12           (1) obtain grants, cost-sharing assistance, or other  
13 forms of funding from other state or federal governmental entities;  
14           (2) coordinate, receive, and use gifts, grants, and  
15 donations from private sources;  
16           (3) work with qualified nonprofit organizations and  
17 universities to provide technical assistance; and  
18           (4) designate one or more conservation districts to  
19 administer the program locally.

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

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

- 27           (1) improve soil health characteristics;

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

12          (b) The state board may:

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

17          Sec. 201.356. CERTIFICATION. The state board may provide  
18 certification that specific soil and water conservation land  
19 improvement measures have been implemented in accordance with any  
20 standards and specifications established under Section 201.355(b).

21          Sec. 201.357. REPORT. The state board shall include  
22 information regarding the program's activities in the annual report  
23 required by Section 201.028.

24          SECTION 2. This Act takes effect September 1, 2021.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 1118 passed the Senate on April 19, 2021, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 1118 passed the House on May 6, 2021, by the following vote: Yeas 143, Nays 1, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor