

**Senate Agriculture Committee – SB 2342**  
**Emmery Mehlhoff, NDFB Public Policy Liaison**  
**February 4, 2021**

Chairman Luick and members of the committee,

My name is Emmery Mehlhoff and I represent North Dakota Farm Bureau. NDFB is opposed to SB 2342 as written.

Soil health is essential for producers and their operations. NDFB believes the producer is the best steward of their land and soil health and testing is a tool for the producer to maximize the productivity of their operation. In recent years, there have been many innovations in achieving soil health and maximum productivity and our producers are innovators and take advantage of these tools.

While we support maximizing soil health, NDFB has some concerns with the language in SB 2342 which is why we stand in opposition today.

**Section 1, Line 13**

The bill adds the words “restoration” and “restore” which are vague and undefined.

**Section 2, Subsection 8, Lines 14-18 and Section 12, Subsection 1, Lines 14-20. - Definition of Soil Health**

NDFB is concerned the definition for “soil health” is vague. Including the words “enhance, increase, and improve” does not provide districts with a qualitative definition and does not establish an objective baseline of healthy soil.

The definition is also not consistent with the NRCS definition. The most recent NRCS definition is “Soil Health, also referred to as soil quality, is defined as the continued capacity of soil to function as a vital living ecosystem that sustains plants, animals, and humans.” NDFB does not believe either definition should be put into Century Code.

**Section 4, Lines 7-8 - Soil Conservation District Supervisor Training**

Century Code does not mandate specific training requirements for District Supervisors, and we believe the training details should be left up to the districts.

**Section 6, Subsection 1, Line 22 - Addition to Powers**

This section of Code pertains to soil erosion research. With the passage of this bill, it would add “soil health” to the type of research conducted by the soil conservation districts. Soil erosion continues to be a problem and soil conservation districts are equipped to research and discuss the issue. Soil Health remains very difficult to codify, as the standards will vary markedly throughout the state.

**Fargo**

1101 1st Ave. N. | PO Box 2064, Fargo, ND 58107-2064  
Phone: 701-298-2200 | 1-800-367-9668

**Bismarck**

4900 Ottawa St. | PO Box 2793, Bismarck, ND 58502-2793  
Phone: 701-224-0330 | 1-800-932-8869



#### Section 6, Line 8 - Flooding

Flooding is an issue for the water board and county. Soil may play a factor in flooding, but it is beyond the responsibility of the soil conservation boards to monitor.

#### Section 12, Line 29 –The Creation of the Healthy Soil Grant Fund

NDFB is concerned with the ambiguity of the language under the grant portion of the bill. Soil health varies dramatically across the state and health factors vary.

In conclusion, NDFB believes education and technologies which maximize soil health and productivity are the most efficient when sought out and implemented by the producer rather than attempting to legislate soil health.

I would stand for any questions.

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