**30x30**

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**overview**

- Biden Climate EO & 30x30 Report
- 30x30 summary & unanswered questions
- budget realities & competing climate priorities
- what counts towards 30% land conservation?
- will each state need to conserve 30%? 20%? 15%?
- will the federal government use condemnation to acquire private property for high-value habitat purposes?
- is 30x30 a federal land grab?
- concluding observations

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**Biden Climate Policy EO**

- Executive Order: President (or Governor) instructs government agencies how the President (or Gov) wants agencies to administer specified programs
- EO does not authorize President (or Gov) to rewrite laws
- Biden Climate EO 14008: sec. 216(a), *Conserving Our Nation’s Lands & Waters*: DOI, USDA, Commerce (NOAA) & CEQ shall prepare report “recommending steps that the US should take, working with State, Local, Tribal & territorial governments, agricultural & forest landowners, fishermen & other key stakeholders, to achieve the goal of conserving at least 30% of our lands and waters by 2030.” [Jan. 27, 2021]
- Report shall “propose guidelines for determining whether lands & waters qualify for conservation [not preservation] & establish mechanisms to measure progress toward the 30% goal.”

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**Climate Smart Agriculture**

- sec. 216(b), USDA “shall initiate efforts . . . to collect input from Tribes, farmers, ranchers, forest owners, conservation groups, firefighters and other stakeholders on how to best use USDA programs . . . & how to encourage the voluntary adoption of climate-smart agricultural & forestry practices that decrease wildfire risk . . . and result in additional, measurable & verifiable carbon reductions & sequestration.”
Conserving & Restoring America the Beautiful report

DOI [BLM, NPS, FWS, USGS], USDA [USFS, NRCS], Commerce (NOAA) & CEQ (May 2021) report: 8 principles:

1. pursue a collaborative & inclusive approach to conservation
2. conserve America’s lands & waters for the benefit of all people
3. support locally led & locally designed conservation
4. honor tribal sovereignty & support the priorities of tribal nations
5. pursue conservation & restoration approaches that create jobs & support healthy communities [Civilian Climate Corps?]

Conserving & Protecting, con’t

6. honor private property rights & support the voluntary stewardship efforts of private landowners & fishers
7. use science as a guide
8. build on existing tools & strategies with an emphasis on flexibility & adaptive approaches

measurement: (1) create American Conservation & Stewardship Atlas (USGS, NRCS & NOAA, not FWS) & (2) prepare annual program updates (including for 2021!).

Atlas should “provide a baseline assessment of how much land [& waters] are being currently conserved or restored, including . . . the contributions of farmers, ranchers, forest owners & private landowners through effective & voluntary conservation measures”. & identifying “existing protections & designations on lands & waters across Federal, State, local, tribal & private lands & waters across the nation.”

Conserving & Protecting, con’t

six early focus recommendations:

1. create more parks & safe outdoor opportunities in nature-deprived communities
2. support tribally led conservation & restoration priorities
3. expand collaborative conservation of fish & wildlife habitats & corridors
4. increase public access for outdoor recreation [on fed lands]
5. incentivize & reward voluntary conservation efforts of fishers, ranchers, farmers & forest owners
6. create jobs by investing in restoration & resilience [Civilian Climate Corps?]
Conserving & Protecting Summary & unanswered questions

1. respect private property rights
2. work through existing programs with additional funding
3. some NRCS programs (CRP, WRP, riparian buffers? carbon sequestration? others?) should count as conservation for 30x30 even if they don’t meet some strict wildlife biology definition of “outstanding” habitat
4. May want to try to link habitat regions, etc.

unanswered questions

- what will count towards the 30%?
- will each state be required to conserve 30% of its land? 20%? 15%?
  - if it is science based, very unlikely to have broad, across-the-board programs like 30% for every state but who knows?
  - will the federal government use condemnation to acquire private property for high-value habitat purposes?
    - I doubt it but it is a fair question.

budget realities

- President Biden will not get all the budget that he wants to spend on climate & related programs, including 30x30.
- this means that choices will need to be made
- IMO 30x30 does not move the needle much regarding cutting US GHG emissions, so climate $$ will likely go towards clean energy, carbon sequestration, super-grid, etc.
- is 30x30 a “don’t forget about habitat in addressing climate change” gambit?

likely IMO Biden “climate” priorities

1. clean energy build-out (solar, wind, rooftop solar)
2. carbon sequestration technology development
3. long-term battery development
4. EVs & related infrastructure
5. electricity grid reform & super-grid development
6. urban parks
7. Civilian Climate Corps (reforestation?)
25. 30x30 (habitat window dressing?)
what counts towards 30% land conservation?

- US land use: ~2.27 billion acres
- 29% grassland pasture & range
- 28% forests
- 17% cropland
- 14% parks & wildlife areas
- 9% wetlands, tundra, unproductive woodlands
- 3% urban
- 61% private, 28% federal, 9% state & local, tribes 2%

30% is how many acres?

- $2.27 \text{ billion} \times 30\% = 681 \text{ million acres}$
- 30x30 report said 12% is protected—272 million acres
- 2009 USGS *A Map for the Future* report says 12% is GAP category 1 & 2 (out of 4)
  - very highly protected & highly protected – excludes multiple use protected land (GAP 3--18%)
- same report at p. 7 says *715 million acres* of protected land held by state, federal & local agencies and non-governmental organizations
- conservation easements add 56-65 million acres of protected land; tribal trust lands 56 million acres

source: Defenders of Wildlife, *Getting to 30x30: Guidelines for Decision Makers.*
observations

- at least 31.2% of US land (715 million acres) is already classified as protected land
  - does not include ~120-125 million more acres in tribal land, conservation easements
- need further analysis to determine how much of the non-GAP 1 or 2 land (18% plus tribes, easements) can be reclassified as GAP 1 or 2
  - would take time and $$ to do this
- takeaway: we probably are much closer to 30% land conserved than 12% figure suggests

confiscation? condemnation? voluntary payments? land grab?

- confiscation – government takes your land without payment. Was legal in UK; not legal in US—5th amendment
- condemnation – government takes your property but pays you “fair market value” Legal in US, required by 5th amendment
- if you don’t want to sell, it feels like a land grab even if you are paid current market value for it.
- 30x30 not legally a land grab, but could easily feel like that to someone whose land was condemned
- IMO very very unlikely feds would use condemnation for 30x30
- more likely would be like CRP bidding only with really high habitat scores for “high value habitat”
concluding comments

- most likely outcome IMO: 30x30 will get lost in the climate policy shuffle, just what the habitat hawks are trying to avoid with 30x30
- no budget – no program
- watch to see what happens with conservation atlas & annual 30x30 updates: whether they happen (or not) will be the best indication of where 30x30 is going (if anywhere)
- biggest ag threat to BLM grazing land lessees IMO

questions? 😊

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Thank you! 😊