

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.

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CONSERVING AND RESTORING AMERICA THE BEAUTIFUL

2021

*A preliminary report to the National Climate Task Force
recommending a ten-year, locally led campaign to conserve and
restore the lands and waters upon which we all depend, and
that bind us together as Americans.*

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?]

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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."

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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?]

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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.

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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.

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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?

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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?)

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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
 - USDA, ERS, Major Uses of Land in the US, 2012 (2017).
 - 61% private, 28% federal, 9% state & local, tribes 2%

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30% is how many acres?

- 2.27 billion x 30% = 681 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

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GAP 1

An area having permanent protection from conversion of natural land cover and a mandated management plan to maintain a natural state.

GAP 2

Permanent protections and a mandated plan maintain a primarily natural state, but management practices may degrade quality.

GAP 3

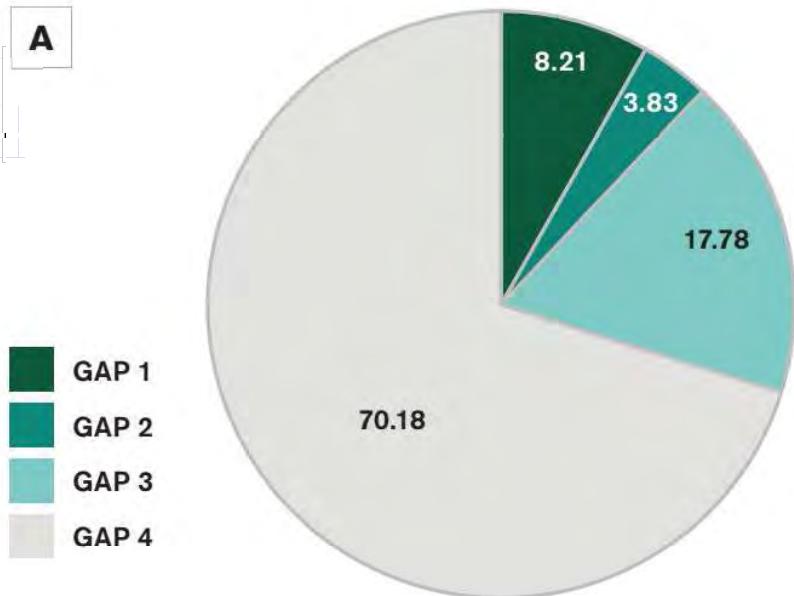
Permanent protections in majority, but some areas subject to extractive uses. Protections for federally listed species exist throughout.

GAP 4

The area generally allows conversion to unnatural land cover throughout or management intent is unknown.

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

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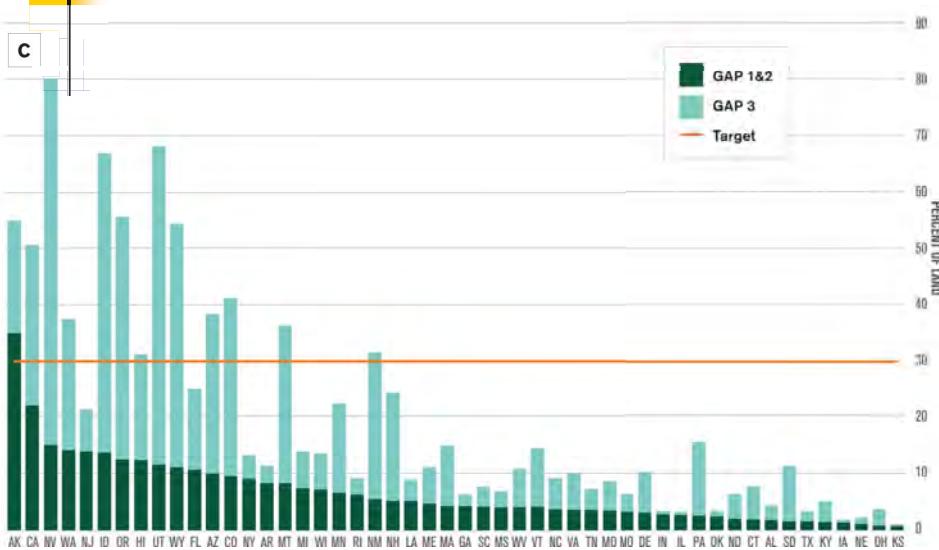
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observations

- 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

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does each state need to have 30% habitat?



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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”

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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

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questions? 😊

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Thank you! 😊