



How Outdoor Recreationists Can Support 30x30

Policy Report | January 2021

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Executive Summary

Outdoor Alliance unites the voices of the human-powered outdoor recreation community to protect public lands and waters and the outdoor recreation experiences they support. Our organization comprises member groups that represent different ways of enjoying the outdoors, all of which depend on access to wild and natural public lands and waters. More specifically, our sports and modes of recreation are defined by interaction with unique natural landscapes, topographies, and climate conditions. The recreational pursuits we enjoy—climbing, paddling, mountain biking, backcountry skiing, surfing, and more—require the protection of the places we recreate. These pursuits also help participants to develop a deep and personal appreciation for the natural world, which is embodied in our community's long tradition of conservation advocacy.

The 30x30 goal—derived from the Paris Climate Agreement and global targets to protect nature established by the United Nations Convention on Biodiversity—aims to protect 30 percent of the world's lands and oceans by 2030 as an interim goal toward protecting half of the Earth by 2050, the metric scientists believe we must achieve to stave off an extinction crisis. Implemented properly, the 30x30 goal will not only protect biodiversity, but also help alleviate the effects of climate change and provide better and more equitable opportunities for people to connect with nature.

Our community's enthusiasm for 30x30 is derived from the vision of protecting biodiversity and climate through public lands management, but also from the holistic and innovative vision of process it has the potential to embrace. We strongly support traditional conservation measures like Wilderness designation, but also see a need and opportunity to employ a diversity of conservation regimes across an array of landscapes and social settings, and we see the potential for this approach plainly in the language of the various public policy manifestations of 30x30. A vision for conservation that embraces not only traditional protections for marquee public lands, but also state and private lands, working landscapes, connected trail networks, wildlife migration corridors, and frontcountry areas often overlooked in the conservation conversation has the potential to bring in new support for 30x30's ambitious goal and deliver co-benefits around outdoor recreation and equitable access that make our country better and more livable right away, further building support as these benefits are realized.

In the analysis and recommendations that follow, a common theme is our belief that embracing creativity and the multitude of benefits that flow from conservation will bring greater support for 30x30. We support a flexible and inclusive approach to defining protection to enable that vision, but our ambition is not in any way to water down the rigor of protections called for by science. Rather, our vision is to go bigger, protect more areas, embrace the contributions of imperfect protections, and build the support that will lead to successfully protecting 30 percent of our country's lands and oceans by 2030.

30x30 Background and Public Policy Context

The 30x30 goal is derived from the Paris Climate Agreement and global targets to protect nature established by the United Nations Convention on Biodiversity. In 2017, a group of 49 scientists authored a pivotal paper, "An Ecoregion-Based Approach to Protecting Half the Terrestrial Realm."¹ The paper proposed the "Global Deal for Nature—a companion to the Paris Climate Agreement—to promote increased habitat protection and restoration, national and regional conservation strategies, and the empowerment of indigenous peoples to protect their sovereign lands."² The authors stressed that, in order to avoid an extinction crisis while sustaining human livelihoods, we would need to protect half of the Earth by 2050.

Following up on this research, many of the same scientists published a new paper in April 2019.³ By integrating the Paris Climate Agreement and the goal of keeping global temperature rise this century below 1.5 degrees Celsius, the authors proposed a Global Deal for Nature to address both climate change and the extinction crisis in a science-driven plan to conserve biodiversity. It builds upon the latest climate science and calls for three important milestones by 2030:

- Protection of at least 30% of lands (including freshwater);
- Protection of at least 30% of each ocean habitat; and
- Protection of an additional 20% of lands as climate stabilization areas.

¹ Eric Dinerstein, et al., *An Ecoregion-Based Approach to Protecting Half the Terrestrial Realm*, 67 *BIOSCIENCE* No. 6, 534 (2017).

² *Id.*

³ Eric Dinerstein, et al., *A Global Deal For Nature: Guiding Principles, Milestones, and Targets*, 5 *SCIENCE ADVANCES* No. 4 (2019).

Building momentum for 30x30 will be a focal point of the next conference of the parties to the Convention on Biological Diversity, to be held in Kunming, China in the second quarter of 2021.

In the United States, the 30x30 goal is increasingly a rallying point for the conservation community, and it is finding expression in a growing number of public policy contexts. Among the most notable are:

- Support by the Biden-Harris campaign for the 30x30 goal;⁴
- The introduction of congressional resolutions in both the House⁵ and Senate⁶ in support of setting a 30x30 national goal;
- The promulgation by California Governor Gavin Newsom of an executive order (EO) adopting a 30x30 goal for California;⁷ and
- Rep. Grijalva's "Ocean-Based Climate Solutions Act,"⁸ which includes a 30x30 goal for oceans protection.

⁴ Biden-Harris Campaign, The Biden Plan For A Clean Energy Revolution And Environmental Justice, <https://joebiden.com/climate-plan/>, last visited Nov. 16, 2020 ("On day one, Biden will use the full authority of the executive branch to make progress and significantly reduce emissions. Biden recognizes we must go further, faster and more aggressively than ever before, by... Protecting biodiversity, slowing extinction rates and helping leverage natural climate solutions by conserving 30% of America's lands and waters by 2030.")

⁵ H. Res. 835, 116th Cong. (2020).

⁶ S. Res. 372, 116th Cong. (2019).

⁷ Exec. Order No. N-82-80 (Oct. 7, 2020), *available at* <https://www.gov.ca.gov/wp-content/uploads/2020/10/10.07.2020-EO-N-82-20-signed.pdf>.

⁸ H.R. 8632, 116th Cong. (2020).

Defining Protection

A natural first question with regard to 30x30 is: what “counts” as protection? The International Union for Conservation of Nature (IUCN) defines a protected area as:

*A clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long term conservation of nature with associated ecosystem services and cultural values.*⁹

In general, this definition makes sense from the standpoint of the outdoor recreation community and comports with our informal sensibilities around protection: long-term measures that protect conservation values and associated social and cultural values like sustainable recreation.

In the U.S., the domestic analogue for “protected area” is based on criteria from the U.S. Geological Survey (USGS) Gap Analysis Project (GAP).¹⁰ GAP status codes 1 and 2 generally represent permanently protected lands in a natural condition that are free from extractive uses.¹¹ While none of the public policy expressions of 30x30 have thus far explicitly adopted the GAP accounting methodology, several cite a figure of 12 percent of U.S. land as currently protected, a figure derived from the total area of land categorized as GAP 1 or 2.

While advocates seem generally to default to the GAP methodology, which aligns with best available scientific information, there also seems to be general agreement among the stakeholders we have spoken with, including at least one congressional resolution cosponsor, that a more flexible approach may be warranted. GAP status

⁹ Nigel Dudley, ed., INT’L UNION FOR CONSERVATION OF NATURE, GUIDELINES FOR APPLYING PROTECTED AREA MANAGEMENT CATEGORIES 86 (2008).

¹⁰ The GAP program maintains a geographic information system (GIS) database called the Protected Areas Database of the U.S. (PAD-US). The PAD-US is America’s official national inventory of U.S. terrestrial and marine protected areas that are dedicated to the preservation of biological diversity and to other natural, recreational, and cultural uses, and managed for these purposes through legal or other effective means. Within the PAD-US, all lands are assigned a GAP Status Code, which is a measure of management intent for the long-term protection of biodiversity. See U.S. Geological Survey, *GAP Status Code Assignment: Assumptions, Criteria, and Methods*, <https://www.usgs.gov/media/files/gap-status-code-assignment-assumptions-criteria-and-methods> (last visited, Jan. 21, 2021).

¹¹ For a complete listing of GAP Status Codes for federal, state, local, and private designations, see Appendix.

codes 1 and 2, however, are the consensus starting point for conversations regarding what “counts” as protected.

The outdoor recreation community has a long history of advocating for protections that meet the criteria for GAP status 1 and 2, and we strongly support efforts to vigorously increase these protections. At the same time, we see a need and an opportunity—acknowledged implicitly in language in the 30x30 resolutions and the California EO—to expand protections outside of those parameters.

A challenge with the 30x30 goal and the definition of protection is the question of the role for imperfect protections. In our subjective assessment, many protections assigned to GAP status code 3 do an excellent job of protecting conservation values, and plainly there is incremental value in these imperfect protections relative to other possible management regimes. Our concern is in part to ensure that advocates, land managers, and others are appropriately prioritizing efforts around meaningful conservation opportunities rather than working to make modest adjustments on paper to management prescriptions or protections that may not be particularly meaningful to mitigating climate change or protecting biodiversity. For example, National Recreation Areas are categorized as GAP status 3 despite there being no uniform definition or management prescription for NRAs; pursuing more conservation-focused management prescriptions for some NRAs (or portions of NRAs) may be desirable, but changing the type of designation itself could well be a big and controversial lift for minimal actual effective conservation gain.

The greater the extent to which the 30x30 goal can support benefits in addition to biodiversity—for example local parks, urban green infrastructure, and close-to-home outdoor recreation opportunities—the more support the 30x30 goal is likely to attract. Focusing solely on GAP status codes 1 and 2 potentially cuts out big parts of the country that do not necessarily have much public land, as well as stakeholders that may not prioritize Wilderness, but have values and interests that can vigorously contribute to 30x30 goals. A more expansive approach means more inclusivity and greater political momentum.

A compelling potential solution to accounting for imperfect protections is incorporating Other Effective Area-based Conservation Measures (OECMs), which are the subject of a growing body of literature,¹² into 30x30 implementation. An OECM is defined by the Parties to the Convention on Biological Diversity as:

¹² See, e.g., Dudley, et al., *The Essential Role of Other Effective Area-Based Conservation Measures in Achieving Big Bold Conservation Targets*, 15 GLOBAL ECOLOGY AND CONSERVATION 5 (2018).

*A geographically defined area other than a Protected Area, which is governed and managed in ways that achieve positive and sustained long-term outcomes for the in situ conservation of biodiversity with associated ecosystem functions and services and where applicable, cultural, spiritual, socio-economic, and other locally relevant values.*¹³

The primary difference between protected areas and OECMs is that protected areas have nature conservation as the primary management objective, while OECMs may have nature as the primary or secondary objective, or nature conservation is ancillary (i.e., it arises as a by-product of other objectives).¹⁴ Given the broad range of potential stakeholders—from the hunting and angling community, to advocates supporting improved access to nature, parks, and green infrastructure, to outdoor recreationists—who have a direct interest in goals that are complementary with, if not directly focused on, biodiversity protection, incorporating OECMs into the 30x30 framework is a promising way to build support for the 30x30 goal and pursue novel approaches to conservation at scale. A broad base of support and nontraditional approaches to conservation will be essential to truly achieving 30x30.

Incorporation of OECMs also aligns with the vision of a “Global Deal for Nature” (GDN) to conserve an additional 20 percent of land and water as “climate stabilization areas.” In the GDN, the authors make the case for protecting an additional 20 percent of land through, “areas where conservation of vegetative cover occurs and greenhouse gas emissions are prevented, which can be achieved under various forms of land management.”¹⁵

Regardless of the ultimate decision around defining protection, more thorough integration of OECMs into the 30x30 framework is an essential step toward fulfilling the objective’s promise. Imperfect protections will continue to play an important role in protecting biodiversity, and they are also significant from a standpoint of mitigating climate change, protecting ecosystem services, enhancing equitable access to the outdoors, and building a constituency of people who sees success of 30x30 as directly bringing tangible benefits to their communities. An implementation of 30x30 that neglects the role of imperfect protections will have

¹³ WORLD COMMISSION ON PROTECTED AREAS TASK FORCE ON OECMS, RECOGNIZING AND REPORTING OTHER EFFECTIVE AREA-BASED CONSERVATION MEASURES V (2019).

¹⁴ *Id.*

¹⁵ DINERSTEIN, ET AL., *supra* note 3.

the counterproductive effect of refocusing protection efforts solely on the most pristine existing areas and undercut one of 30x30's most exciting attributes, its holistic and flexible approach to pursuing conservation.

Moving forward, the Biden administration, Congress, and state governments should work to define protection as flexibly as is possible in accordance with scientific dictates and incorporate goals around OECMs and climate stabilization areas to facilitate an inclusive approach to 30x30.

30x30's Key Attributes and Approaches to Sustainable Recreation and Conservation

A valuable aspect to 30x30 is its potential to embrace holistic, flexible, and inclusive approaches to conservation.

Governor Newsom's EO, for example, asserts directly that conservation goals will be pursued in tandem with efforts to improve equitable access and ensure that opportunities for outdoor recreation are available to all Californians. It also embraces a vision for conservation measures on working landscapes and enhancement of urban parks and green infrastructure.¹⁶ The House and Senate Resolutions (which are identical) also clearly state that, "access to public land, nature, and a healthy environment should be a right for all people, as that access is essential to the health, well-being, identity, cultures, and economic prosperity of the United States," and emphasize the importance of flexible conservation measures, the protection of working landscapes, and work with private landowners.¹⁷

This flexible and inclusive approach is in part a recognition that the United States will not meet the ambitious conservation goals science mandates if protections are only pursued through the most stringent protections applied to the most pristine and aesthetic landscapes (though that will continue to be crucial). It is also an important recognition of the many benefits conferred by protected public lands and waters and the need for communities to see the multitude of benefits that will flow from progress towards protections.

¹⁶ Exec. Order No. N-82-80 (Oct. 7, 2020), *available at* <https://www.gov.ca.gov/wp-content/uploads/2020/10/10.07.2020-EO-N-82-20-signed.pdf>.

¹⁷ H. Res. 835, 116th Cong. (2020); S. Res. 372, 116th Cong. (2019).

Over the long history of conservation in the United States, landscape protections have overwhelmingly been driven by the passion of individuals and communities who first came to know a landscape through recreational pursuits. At the same time, the success of conservation efforts depends on a broad base of political support. Further, because of systemic racism and its implications for safe and equitable access to the outdoors, huge swaths of our country have been excluded from opportunities for these formative experiences. 30x30 has the potential to both help redress inequities in access to the outdoors and to help build a base of support for new protections by facilitating the protection and sustainable enjoyment of close-to-home recreation opportunities.

While the outdoor recreation community has helped drive protections for iconic landscapes in our country, we are also able to take a pragmatic and collaborative approach to land and water protections. Even where individual efforts may focus on maintaining quality outdoor recreation experiences, those protections also advance conservation values and support clean air and water, wildlife habitat, and ecosystem services. In practice, our approach to conservation is often defined by pragmatism, supporting protective designations that are responsive to threats facing particular landscapes and tailored based on community needs and desires. The 30x30 approach implicitly recognizes that, in order to achieve conservation on the scale necessary to respond to the ongoing crises facing the natural world (and the people who depend on it), a wide array of conservation measures will be needed, and success will depend on implementation that acts on that insight with purpose.

Broadly, the outdoor recreation community, including hunters and anglers and the outdoor industry, harness people's passion for the outdoors to achieve conservation outcomes. These protections have social and environmental benefits that transcend outdoor recreation. The ability of many communities to drive advocacy, however, depends on the authentic representation of the needs and interests of these communities. To support the broadest possible engagement and ensure that 30x30 has the public support needed for its success, we support an inclusive and collaborative approach to land and water protection—while maintaining fidelity to scientific imperatives—where conservation and conservation-adjacent advocates of all stripes are able to see direct benefits in 30x30's success.

Further, we envision a multifaceted approach that consists of protected areas, supplemented by "conserved areas," in line with the OECM approach discussed

above, and supported by other land and water management measures that help safeguard biodiversity and procedurally facilitate the protection of landscapes.

Paths to 30x30

30x30 is an increasingly effective advocacy rallying point, but the substantive details of how 30x30 could be implemented have been vague. The outdoor recreation community has a valuable opportunity to leverage our community's advocacy acumen and the importance of specific landscapes and policy prescriptions for outdoor recreation into support for measures that will advance the goals of 30x30. Some specific opportunities for the outdoor recreation community to help advance 30x30 follow.

Diversity, Equity, and Inclusion

The outdoor recreation community comprises individuals for whom time spent in the outdoors has been formative and meaningful. Far too many people and communities in our country have been historically excluded from these opportunities and lack safe, quality opportunities for recreation close to home. Systemic racism, particularly around access to the outdoors and the sometimes violent and racist history of public lands, has excluded Black, Indigenous, and communities of color from many of the benefits of public lands. We strongly support an inclusive approach to 30x30 to ensure that implementation decisions are not just made equitably and inclusively, but support direct benefits to communities that have been denied or lack ready access to the outdoors. This approach is just and will also help to build the broad support necessary for 30x30's success.

In part, we see incorporation of OECS into the 30x30 framework as important for ensuring that local parks, urban green infrastructure, and other resources with a focus other than biodiversity conservation, but which nevertheless provide incremental benefit for species conservation and climate mitigation, "count" in some fashion and are incorporated into 30x30 planning. This approach will also support a more adept application of 30x30 in geographies, like the East and Midwest, that lack significant public lands acreage but are important from both a biodiversity and political perspective. This emphasis will allow those communities to enjoy the direct benefits of 30x30 implementation.

Tribal Involvement

From 1778 to 1871, the federal government entered more than 370 treaties with Indian Tribes, and at least another 45 were negotiated with Tribes but were never considered for ratification by the Senate.¹⁸ For the most part, the U.S. has ignored its obligations to uphold these treaties, and if they had been honored, the natural landscape of the U.S. might look very different than it does today. Just 2 percent of the U.S. is currently tribal reservation land; however, more than 5 percent of domestic oil production, 8 percent of gas, and 2 percent of coal come from or near Tribal lands.¹⁹ Given the connection that many tribes have with their environment, which includes a broad diversity of uses and experiences, ensuring Tribal sovereignty and self-determination over their resources is imperative. Within the context of Tribal sovereignty, implementation of 30x30 must facilitate meaningful opportunities for Tribal-lead conservation efforts.

The House and Senate 30x30 resolutions appropriately recognize that conservation efforts must be advanced in a manner that, “respects Tribal sovereignty and the right to Tribal self-determination so that American Indian, Alaska Native, and Native Hawaiian communities can fulfill what each views as priorities for the stewardship of the natural, cultural, and historic resources of the community.”

We strongly support this approach and believe that 30x30 implementation must proceed in a manner that ensures resources are available to support indigenous communities in the advancement of Tribal-lead conservation efforts.

Federal Public Lands and Waters

Federally-managed public lands and waters will be an important tool for reaching the 30x30 goal. The outdoor recreation community attaches special importance to national public lands and waters and has a long history of advocating for their protection. We see a number of opportunities, working both with public lands management agencies and Congress, to contribute towards advancing 30x30. While there are many additional steps, beyond those outlined below, that land

¹⁸ NATIONAL CONGRESS OF AMERICAN INDIANS, TRIBAL NATIONS AND THE UNITED STATES, *available at* https://www.ncai.org/tribalnations/introduction/Indian_Country_101_Updated_February_2019.pdf.

¹⁹ Lynn H. Slade, *Mineral and Energy Development on Native American Land: Strategies for Addressing Sovereignty, Regulation, Rights, and Culture*, PROCEEDINGS OF 56TH ANNUAL ROCKY MOUNTAIN MINERAL LAW INSTITUTE (2010), *available at* <https://www.rmmlf.org/publications/digital-library/mineral-and-energy-development-on-native-american-lands-strategies-for-addressing-sovereignty-regul>.

management agencies and Congress can and should take to implement the 30x30 vision, the priorities identified below represent particular opportunities for engagement from the outdoor recreation community. These recommendations are also visualized in a figure included in the Appendix.

1. Support Priority Federal Legislation

- “Expressing the sense of the House of Representatives that the Federal Government should establish a national goal of conserving at least 30 percent of the land and ocean of the United States by 2030.”²⁰ We strongly support the passage of House and Senate 30x30 resolutions to continue demonstrating support for the 30x30 goal.
- “American Public Lands and Waters Climate Solution Act.”²¹ This bill directs land management agencies to take immediate steps towards making public lands and waters climate neutral by 2040, including an immediate pause on new federal fossil fuel leasing. In addition to important climate mitigation steps, the bill will help end the speculative leasing that makes achieving durable conservation measures significantly more challenging.
- “Ocean-Based Climate Solutions Act.”²² Among other important ocean conservation measures, the Ocean-Based Climate Solutions Act establishes a 30x30 goal for marine conservation.
- “Roadless Area Conservation Act.” Inventoried Roadless Areas protected under the 2001 USDA Forest Service Roadless Rule comprise areas of invaluable conservation and recreational value. These areas are currently listed as GAP status 3 and have been subject to recent attacks, including through the Trump administration’s rollbacks of Roadless protections for the Tongass National Forest in Alaska. The Roadless Area Conservation Act makes Roadless protections permanent, and the Biden administration should also act expeditiously to reinstate protections for the Tongass.
- Frontcountry and recreation-specific protections. The outdoor recreation community strongly supports improved process for identifying and protecting areas with high value for human powered outdoor recreation. We

²⁰ *Id.*

²¹ H.R. 5435, 116th Cong. (2019).

²² H.R. 8632, 116th Cong. (2020).

continue to advocate for the Recreation Not Red-Tape Act's²³ National Recreation Area provisions and see opportunities in the 117th Congress to strengthen these provisions as well as to pursue related efforts administratively. Identifying areas with outstanding outdoor recreation values during land use planning enables advocates and others to further leverage the importance of recreation as a means for advancing conservation values, as well as supporting recreational experiences, equitable access, and the outdoor recreation economy.

- Individual protective designations. The outdoor recreation community has a long history of advocating for protective designations like Wilderness, Wild and Scenic Rivers, National Recreation Areas, and others, recently exemplified by the John D. Dingell, Jr. Conservation, Management, and Recreation Act,²⁴ which protected more than 14.6 million acres of public lands and 621 miles of Wild and Scenic Rivers. At the end of the 116th Congress, our community came close to achieving passage for protective designations, including the Protecting America's Wilderness Act,²⁵ the Colorado Outdoor Recreation and Economy Act,²⁶ and the Grand Canyon Centennial Protection Act,²⁷ which would protect more than 6.8 million acres and 1,221 miles of Wild and Scenic Rivers. We see these bills as ripe for early action in the new Congress and will continue working to develop and advocate for appropriate protections for key landscapes.

2. Support and Update Land Management Planning

- Support land use planning. Land management plans (e.g., Forest Plans and, for BLM land, Resource Management Plans) are essential opportunities to protect landscapes and create the raw materials for new legislative protective designation campaigns. The planning process results in recommendations for Wilderness and Wild and Scenic River designations, as well as the development of ROS settings and management areas that could additionally be leveraged for greater protections. There is currently a significant backlog of Forest Plans and Resource Management Plans (RMPs)

²³ S. 1967, H.R. 3458, 116th Cong. (2019).

²⁴ Pub. L. No. 116-9 (2019).

²⁵ H.R. 2546, 116th Cong. (2019).

²⁶ H.R. 823, 116th Cong. (2019), S. 241, 116th Cong. (2019).

²⁷ H.R. 1373, 116th Cong. (2019), S. 3127, 116th Cong. (2019).

in need of revision,²⁸ and providing resources for agencies to prioritize these plan revisions is a crucial step towards increased protections. After revised land management plans are in place, further opportunities exist to establish meaningful site-specific and programmatic protections through travel management planning and planning for landscape-scale fuels reduction and forest restoration projects

- Update BLM's planning regulations. BLM's planning process is overdue for update. The Forest Service's 2012 Planning Rule has significantly modernized the planning process, improving collaboration and planning outcomes.²⁹ BLM engaged in a similar process to update their planning regulations under the "Planning 2.0" effort, but those changes were tossed out through a vote under the Congressional Review Act (CRA) at the beginning of the Trump administration. While the CRA bars agencies from promulgating "substantially similar" rules following a resolution of disapproval, the precise meaning of that formulation is untested, and it is clear that BLM must modernize its planning regulations at some juncture. A more modern planning framework would assist BLM in identifying landscapes favorable for protective measures, and a focus on land use planning also aligns with the Biden transition team's Climate 21 Project recommendations to expeditiously review RMPs in order to identify areas that can be put off limits for fossil fuel leasing.³⁰

3. Wind Down Fossil Fuel Development on Public Lands and Waters

Over the last four years, the Trump administration has been aggressively leasing off public lands through policies in the "energy dominance" agenda. In March 2017, this agenda was put into action through Executive Order (EO) 13783, *Promoting Energy Independence and Economic Growth*.³¹ This order was followed

²⁸ 54 of 130 Forest Service management unit plans were more than 15 years old as of 2018. USDA FOREST SERVICE, STATUS OF FOREST SERVICE LAND MANAGEMENT PLANS (2018), *available at* https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd593201.pdf.

²⁹ See STEVEN SELIN, ET AL, EDS., U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE, PACIFIC NORTHWEST RESEARCH STATION, IGNITING RESEARCH FOR OUTDOOR RECREATION: LINKING SCIENCE, POLICY, AND ACTION 257 (2020).

³⁰ CHRISTY GOLDFUSS & ALEXANDRA TEITZ, CLIMATE 21 PROJECT: DEPARTMENT OF THE INTERIOR 14–15 (2020).

³¹ Executive Order 13783, *available at* <https://www.federalregister.gov/documents/2017/03/31/2017-06576/promoting-energy-independence-and-economic-growth>, revoked Jan. 20, 2021.

by Department of the Interior (DOI) Secretarial Order 3354³² and Instruction Memorandum 2018-034³³ issued by the Deputy Director, Policy and Programs, exercising authority of the Director of the Bureau of Land Management. These orders instructed the DOI to streamline the process for federal onshore oil and gas leasing permits, and as a result, expedited the National Environmental Policy Act (NEPA) process, curtailed environmental review and public input, and eliminated Master Leasing Plans (MLPs).

These practices have fueled a glut of speculative leasing, directly imperiling lands and waters through the direct effects of exploration and development activities, but also creating significant roadblocks for long-term conservation. In addition to its effects on conservation values and climate, oil and gas leasing has had direct negative effects on outdoor recreation, and DOI should purposefully and briskly change course.

DOI must also cancel the Draft 5-Year Oil and Gas Outer Continental Shelf Leasing Program for 2019–2024, which includes new offshore drilling in the Atlantic, Pacific, Gulf of Mexico, and Arctic Ocean. Canceling this proposal will protect valuable marine and coastal ecosystems, as well the communities and businesses that depend on these resources.

President Biden has taken immediate action to begin addressing some of these abuses, in particular through his Day 1 “Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis,”³⁴ which covers some of the items listed below. Key immediate steps include:

- Issue an Executive Order to supersede EO 13783 and ensure robust yet efficient compliance with NEPA and other environmental laws.

³² Secretarial Order 3354, available at <https://www.doi.gov/pressreleases/zinke-signs-secretarial-order-streamline-process-federal-onshore-oil-and-gas-leasing>

³³ Instruction Memorandum 2018-034, available at <https://www.blm.gov/policy/im-2018-034>.

³⁴ Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis, Jan. 20, 2021, *available at* <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-public-health-and-environment-and-restoring-science-to-tackle-climate-crisis/>.

- Issue a Secretarial Order imposing a leasing moratorium and ordering a programmatic review of the leasing program.
- Cancel the Draft 5-Year Oil and Gas OCS Leasing Program for 2019–2024.
- Issue a Secretarial Order to supersede SO 3354, and provide new direction to reduce greenhouse gas (GHG) emissions associated with DOI activities.
- Issue policy from BLM Director to supersede Instruction Memorandum 2018-034.
- Relocate BLM back to Washington and rebuild a national planning team.

4. Administratively Protect High-Value Recreational Landscapes

The Forest Service manages a significant number of acres of land designated under Forest Plans as recreation management areas or backcountry management areas. These areas could be further protected administratively or legislatively based on the conservation and nonconsumptive use values identified in Forest Plans.

Further, additional acres are categorized under the Recreation Opportunity Spectrum (ROS) as semi-primitive or semi-primitive nonmotorized. Increasingly, the Forest Service is working to employ ROS as a tool for integration across planning areas, and these areas represent landscapes with both significant recreational value and where relatively natural conditions predominate.³⁵ These areas could also be protected administratively or legislatively.

While there is currently no national dataset of recreation management areas, backcountry areas, or areas by ROS designation, the Forest Service should undertake this inventory when forest plans are revised or updated and as site-

³⁵ See, USDA FOREST SERVICE, DEFINITIONS BY ROS CLASS, *available at* <https://www.fs.usda.gov/managing-land/national-forests-grasslands/recreation/programs/planning>.

specific travel management plans are undertaken, as these areas represent important potential conservation opportunities.³⁶

Similar to the Forest Service, the Bureau of Land Management currently manages certain areas under RMPs as Special Recreation Management Areas or Extensive Recreation Management Areas. These represent areas where recreational use is identified as significant, and these areas could be protected legislatively or administratively.

5. Rehabilitate the National Environmental Policy Act

Recent rulemaking by the Trump administration White House Council on Environmental Quality significantly undermined the efficacy of the National Environmental Policy Act (NEPA). NEPA is an essential avenue for public participation in land management decision-making, and critically, changes to NEPA undermine the consideration of climate impacts and cumulative effects in analyses. NEPA is a critical component of the land management planning process, and reversing these damaging changes is essential to ensuring that planning will be an effective process for evaluating impacts and developing opportunities for long-term conservation. Revisiting CEQ NEPA implementation rules and undoing the damaging effects of Trump administration changes is firmly within the direction set by President Biden's January 20, "Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis."³⁷

6. Protect Rivers and Freshwater Ecosystems

Freshwater aquatic ecosystems are a critical part of efforts to protect biodiversity, and rivers are the literal link between the 30x30 initiative's focuses on land and ocean protections. Additional Wild and Scenic River protections—for example, protecting 30 percent of the country's rivers in their free-flowing state—would be a valuable addition to 30x30, both from a conservation and a recreation perspective.

Riparian corridors—the interface between river and terrestrial ecosystems—possess an unusually diverse array of species and environmental processes that

³⁶ In most cases, these data are created during the forest plan revision process. Many Forests continue to operate under plans from the early to mid-1980s when GIS data was in its infancy.

³⁷ See, *supra* note 35 at § 2.

are directly related to variable flood regimes, geomorphic channel processes, altitudinal climate shifts, and upland influences on the fluvial corridor.³⁸ Riparian corridors are the most biologically diverse component of watersheds,³⁹ and their protection has an outsized impact on achieving the goals of 30x30. The outdoor recreation community will continue to advocate for river conservation through protective designations, including Wild and Scenic Rivers, under which designations can protect 320 to 640 acres of adjoining land per river mile,⁴⁰ as well as through Wilderness, National Recreation Areas, National Monuments, and other protective designations that advance progress towards the goals of 30x30.

Additionally, freshwater ecosystems are currently imperiled by the Trump administration's rollbacks to the scope of protections under the Clean Water Act (CWA). The Biden administration should prioritize unwinding these changes and protecting freshwater ecosystems through the CWA, the Wild and Scenic Rivers Act, and other mechanisms.

As the federal government transitions from fossil fuel leasing on public land to renewable energy projects, this transition should also include adopting policies to ensure that sustainable energy development is balanced with the protection of critical landscapes and outstanding outdoor recreation opportunities. These policies should include evaluation of older technologies like hydropower, which has significant ongoing impacts on our country's rivers and dependent ecosystems. This analysis needs to include social justice impacts to Tribes with treaty rights to river resources, as well as impacts to river health and river-based recreation. An assessment of the benefits and impacts of the existing hydropower fleet would allow for strategic decision-making about which hydropower projects are useful for their ability to integrate other renewable energy resources, and which hydropower projects are candidates for removal and restoration. Policies should incentivize and support decommissioning and removal of hydropower facilities where the social and ecological harms they cause outweighs their benefits and support restoration of dependent ecosystems in furtherance of 30x30 goals.

³⁸ Robert J. Naiman, Henri Decamps & Michael Pollock, *The Role of Riparian Corridors in Maintaining Regional Biodiversity*, 3 *ECOLOGICAL APPLICATIONS* No. 2 (1993) 209–212.

³⁹ *RIVER ECOLOGY AND MANAGEMENT: LESSONS FROM THE PACIFIC COASTAL ECOREGION* 430–452 (Robert Naiman, et al., eds., 1998).

⁴⁰ See, 16 U.S.C. § 1274(b).

State Leadership

The 30x30 goal recognizes that responding to the biodiversity and climate crises will require protection for land and water beyond the federal estate. Individual states will have essential roles in facilitating conservation efforts on state and private land, and the executive order signed by Gov. Newsom of California has exemplary aspects—particularly around its emphasis on equitable access—that merit emulation by other states. Building on the successful efforts of the outdoor recreation community and the outdoor recreation industry towards the creation of state offices of outdoor recreation, we see a role for our community in building support for similar executive actions or legislation.

Additionally, many states manage significant areas of working lands that are both opportunities for conservation and innovation with regard to new stewardship and protection models. State lands also play an important role in facilitating equitable access to the outdoors, and states are best positioned to facilitate conservation efforts by private land owners. State leadership will be essential in effective implementation of 30x30.

Moving forward

The 30x30 initiative is an inspiring vision. In the face of unfolding environmental crises, our country has an opportunity to move aggressively toward a more just, sustainable, and livable future. The outdoor recreation community can meaningfully contribute to this vision in a way that supports biodiversity and climate goals, equitable access, and protections for the places we enjoy our recreational pursuits.

Our implementation vision includes a robust effort around new GAP status 1 and 2 protections, but also an important role for imperfect protections through OECMs. By embracing the multitude of benefits that come from green spaces, parks, trail networks, and protected public lands of all stripes, our country has an opportunity to build momentum behind this bold objective and deliver immediate benefits that make people's lives better.

We look forward to working with the Biden-Harris administration, Congress, and states to advance the steps outlined above and build on our community's longstanding track record of conservation advocacy.

Appendix

Figure 1. GAP Status Codes for Common Land Designations

| Designation Type | GAP Status Code | Designation Type | GAP Status Code |
|---|-----------------|----------------------------------|-----------------|
| Federal Designations | | State Designations | |
| Wilderness Area | 1 | State Conservation Area | 2 |
| Conservation Area | 2 | State Wilderness | 2 |
| National Monument | 2 | State Resource Management Area | 3 |
| National Park | 2 | State Historic or Cultural Area | 4 |
| National Wildlife Refuge | 2 | State Other or Unknown | 4 |
| Research Natural Area | 2 | State Park | 4 |
| Wild and Scenic River | 2 | State Recreation Area | 4 |
| Wilderness Study Area | 2 | Local Designations | |
| Area of Critical Environmental Concern | 3 | Local Conservation Area | 2 |
| Inventoried Roadless Area | 3 | Local Resource Management Area | 3 |
| Mitigation Land or Bank | 3 | Local Historic or Cultural Area | 4 |
| National Forest | 3 | Local Other or Unknown | 4 |
| National Grassland | 3 | Local Park | 4 |
| National Lakeshore or Seashore | 3 | Local Recreation Area | 4 |
| National Public Lands | 3 | Private Designations | |
| National Recreation Area | 3 | Conservation Easement | 2 |
| National Scenic or Historic Trail | 3 | Private Conservation | 2 |
| National Scenic, Botanical or Volcanic Area | 3 | Forest Stewardship Easement | 3 |
| Outer Continental Shelf Areas | 3 | Private Forest Stewardship | 3 |
| Research or Educational Area | 3 | Private Ranch | 3 |
| Resource Management Area | 3 | Ranch Easement | 3 |
| Special Designation Area | 3 | Agricultural Easement | 4 |
| Watershed Protection Area | 3 | Historic or Cultural Easement | 4 |
| Access Area | 4 | Other Easement | 4 |
| Approved or Proclamation Boundary | 4 | Private Agricultural | 4 |
| Federal Other or Unknown Designation | 4 | Private Historic or Cultural | 4 |
| Historic or Cultural Area | 4 | Private Other or Unknown | 4 |
| Marine Protected Area | See MPA | Private Park | 4 |
| Military Land | 4 | Private Recreation or Education | 4 |
| Native American Land | 4 | Recreation or Education Easement | 4 |
| Not Designated | 4 | Unknown | 4 |
| Recreation Management Area | 4 | Unknown Easement | 4 |

Figure 2. Paths to 30x30

Figure 2 visualizes pathways to implementation for 30x30, drawing on the recommendations of this paper and relevant recommendations of the Climate 21 plan produced by the Biden-Harris transition team (Climate 21 recommendations marked with *). These recommendations are not exhaustive, but focus on particular opportunities for engagement from the outdoor recreation community.

