



May 18, 2023

Via Email

Jacob Pederson, EMNRD
Staff, NM 30x30 Advisory Committee
jacob.pederson@emnrn.nm.gov

Re: Request for Information #3; Updated Draft Definitions of Conserved Lands and Climate Stabilization Areas

Dear Jacob Pederson:

Thank you for your work providing staff support to the New Mexico 30 by 30 Advisory Committee. New Mexico Wild is a nonprofit 501(c)(3) grassroots organization dedicated to the protection, restoration, and continued enjoyment of New Mexico's wildlands and wilderness areas. New Mexico Wild has submitted survey responses to the Advisory Committee's first two requests for information, and on May 18, 2023, New Mexico Wild submitted responses to the third request for information (RFI #3), in which the committee requests public input on updated draft definitions for "conserved lands" and "climate stabilization areas."

We were unable to provide full responses to the questions set forth in RFI #3 due to the 1000-character limit for the text boxes in the survey. We have provided our full survey responses below and respectfully request that you forward this letter to the Advisory Committee for consideration.

As you know, RFI #3 provides the following updated draft definition for "Conserved Lands" and proposes a new definition for "Durable protection" as follows:

"Conserved Lands" means any land in a natural, semi-natural, or traditionally managed condition that is both durably protected and managed to provide or maintain ecosystem services, climate resiliency, or cultural values. These services and values include supporting New Mexico's economy, protecting traditional ways of life, providing drinking water, ensuring food security, enhancing biodiversity, and providing recreational opportunities to promote the health and wellbeing of all who call New Mexico home.

"Durable protection" includes a variety of resource management and legal contexts that contribute to the above services and values, including but not limited to explicit legal protections, voluntary conservation programs, or co-management agreements on state and federal lands. Timelines for

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durable protection may vary according to the type of agreement, arrangement, or program.

Additionally, RFI #3 provides the following updated draft definition for “Climate Stabilization Areas (CSAs)”:

“Climate Stabilization Areas (CSAs)” means any land in a natural or semi-natural condition that lacks durable protections but is nevertheless actively managed using either modern or traditional practices to maintain or enhance ecosystem services, land-based carbon sequestration, or climate resiliency.

1. The above definition [for Conserved Lands] is:

Bad.

2. Has the above definition of Conserved Lands improved from the original definition presented in RFI 2?

No.

3. How would you improve the definition of Conserved Lands?

We appreciate the spirit and intent of the Advisory Committee’s efforts and the evident work that has been put into drafting the proposed, updated definitions. We commend the Committee for encouraging innovation and conservation initiatives across all land ownership types, and we understand that the updated draft definitions are intended to work within the existing framework of state programs, jurisdiction, and opportunities. We are nonetheless concerned that the updated draft definition of “Conserved Lands” may not advance the state toward meeting 30 by 30 goals and are inconsistent with 30 by 30 literature, as explained below.

In 2021, Governor Michelle Luján Grisham issued Executive Order 2021-052, *Protecting New Mexico’s Lands, Watersheds, Wildlife, and Natural Heritage*, to address enormous problems facing New Mexico. It is imperative that New Mexico implement the Executive Order in a meaningful way. The primary objectives of New Mexico 30 by 30 are to by mitigate the negative effects of climate change and to prevent the loss of biodiversity. As reflected in the Executive Order, one of the best ways to accomplish these goals is by protecting and restoring New Mexico’s

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lands and watersheds. These principals should guide everything that the State of New Mexico does to implement 30 by 30.

The threats facing New Mexico are set forth in the Executive Order as follows:

- Climate change is threatening New Mexico’s natural resources, which puts our economy, traditional ways of life, drinking water, and food security at risk.
- We are already experiencing negative impacts from climate change; and it is impossible for New Mexicans to ignore the increased drought, wildfire and flooding, and reduced snowpack affecting our state.
- Climate change has disproportionate negative impacts on some communities, including Indigenous communities, acequias, and communities of color.
- The science says we need to keep global temperature rise below 1.5 degree Celsius (equivalent to 2.7 degrees Fahrenheit); and to do this, scientists recommend formally protecting 30% of lands and waters by 2030, with an additional 20% designated as climate stabilization areas.
- Wildlife populations are crashing, and over 1 million species are at risk of extinction. Extinction rates are now 1000 times what is considered the background “natural rate,” i.e., the rate that would exist in the absence of human-caused climate change.
- **Current levels of protection and conservation are not going to be enough to reverse these trends.**

Considering these threats, we are concerned that the updated draft definition of “Conserved Lands” remains inappropriately broad and emphasizes values beyond climate resiliency that may conflict with 30 by 30 goals. For example, an area with concentrated oil and gas development could meet the updated draft definition because the area is semi-natural and provides the value of supporting New Mexico’s economy; but such an area does not mitigate the effects of climate change and does not provide the habitat needed to conserve biodiversity. Moreover, because the definition is so broad, the State of New Mexico could potentially conclude that we have already met the target of conserving 30% of our lands and waters. Yet, the Executive Order expressly recognizes that our current levels of protection and conservation are not enough.

We are also concerned about the newly proposed definition of “durable protection” because it promotes impermanent protections. A definition that allows for a variable timeline is problematic because it prevents certainty regarding whether we are making progress toward achieving our goals. A variable timeline would also create implementation challenges because the State would have to conduct ongoing monitoring of lands to constantly determine which lands should be added or removed from the “conserved lands” classification.

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Due to these deficiencies, we believe the updated draft definition of “Conserved Lands” does not meet the spirit and intent of the Governor’s Executive Order and will not meaningfully contribute to addressing the climate and mass extinction crises that the 30 by 30 initiative seeks to avert. The definition of “Conserved Lands” must emphasize robust and permanent protections, maintaining the natural condition of the land and source water areas, and a primary purpose of promoting climate resiliency and biodiversity. New Mexico’s 30 by 30 program should also be designed to ensure that land uses such as grazing and recreation are conducted in a sustainable manner that will maintain landscape health and contribute to 30x30 goals. We suggest the following improved definition:

“Conserved lands” are lands and source water areas in a primarily natural condition that have permanent protection from the loss of natural land cover and are managed, restored, and monitored to provide ecosystem services, climate resiliency, and/or cultural values. These services and values include supporting New Mexico's economy, protecting traditional ways of life, providing drinking water, ensuring food security, enhancing biodiversity and wildlife habitat and corridors, and providing equitable and inclusive recreational opportunities to promote the health and wellbeing of all people.

4. Are there other land management designations you would identify as fitting within the draft definition of conserved lands? Please include your rationale for including these designations.

No. As explained above, the proposed land management designations are too broad and should not include impermanent designations, lands in less than a primarily natural condition, or lands that allow for conflicting uses, such as extractive uses and development. Allowing for impermanent protections, the inclusion of lands in less than a natural state, or conflicting uses undermines the goal of the 30 by 30 campaign to meaningfully address the climate and mass extinction crises.

5. The above definition [for Climate Stabilization Areas] is:

Bad.



6. Has the above definition of Climate Stabilization Areas improved from the original definition presented in RFI 2?

Yes.

7. How would you improve the revised definition of Climate Stabilization Areas?

We appreciate that the definition of “Climate Stabilization Areas” has been updated to require active management to maintain or enhance ecosystem services, land-based carbon sequestration, or climate resiliency. We are concerned, however, that the updated definition fails to require at least semi-permanent or durable protection. We suggest the following improved definition:

“Climate Stabilization Areas (CSAs)” means any land or source water areas in a natural or semi-natural condition that have durable protection from loss of natural land cover for most of the area. CSAs may be open to some extractive uses but nevertheless provide ecosystem services, carbon sequestration, climate resiliency, and/or cultural values. CSAs include public lands that meet this definition and private or sovereign lands that meet this definition and have been voluntarily nominated to be counted as CSAs.

8. What types of land management activities do you think would be good candidates for recognition as CSAs under the revised definition? Please include your rationale for including these activities.

Land management activities that merit recognition as CSAs must include lands and source water areas in either a natural or semi-natural state and must include robust, meaningful protections against the loss of land cover. If the State wants to include lands with temporary “durable protection” in the 30 by 30 program, the State should incorporate this concept into the definition of “Climate Stabilization Areas,” not “Conserved Lands.” And if the State chooses to include the concept of “durable protection” in the 30 by 30 program, the State should still require a specific timeframe of protection based on an underlying agreement or program, and the State should ensure there are resources to fulfill any ongoing monitoring requirements that this standard will create.

Conclusion

The updated draft definition of “Conserved Lands” is too broad and should be narrowed to ensure this classification applies only to areas that contribute to averting the climate and mass extinction



crises. Including lands and waters with impermanent protections within the classification of “Conserved Lands” would prevent certainty regarding whether New Mexico is making progress toward achieving 30 by 30 goals and would create an unfunded implementation mandate for ongoing monitoring and data management. If the State wants to include shorter-term “durable protection” within the 30 by 30 program, this concept should be included under the umbrella of CSAs, not “Conserved Lands.”

Thank you for the opportunity to provide these comments to the New Mexico 30 by 30 Advisory Committee. New Mexico Wild looks forward to further opportunities to provide public input on this important initiative.

Sincerely,

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