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## Oversight Hearing

### 30x30: What is next on the pathway to conserving 30 percent of California's lands and coastal waters by 2030?

February 28, 2023

#### OVERVIEW

**What is 30x30?** 30x30 is an international movement to protect 30 percent of the world's land and waters as intact natural ecosystems by 2030. It is a milestone to a larger goal to protect 50 percent of these areas by 2050 in order to halt and reverse the world's extinction crisis. At the federal level, the Biden Administration launched the "America the Beautiful" initiative in 2021, which includes the first national conservation goal to conserve at least 30 percent of U.S. lands and waters by 2030. More recently, almost 200 countries agreed to protect 30 percent of the planet by 2030 at the 2022 United Nations (U.N.) Biodiversity Conference of the Parties in Montreal, Canada under the Kunming-Montreal Global Biodiversity Framework.

**California's 30x30 initiative.** California is a global biodiversity hotspot, but this biodiversity is under threat. To combat this crisis, Governor Newsom issued Executive Order N-82-20 in 2020, which adopted a goal to conserve at least 30 percent of California's land and coastal waters by 2030. Following the release of *Pathways to 30x30 California: Accelerating Conservation of California's Nature (Pathways)* in 2022, and the appropriation and/or set-aside of \$2.9 billion over multiple years for nature-based solutions to climate change, including 30x30, and coastal resilience, the Newsom Administration is beginning to implement policies, programs, and actions to achieve the goal.

While the Newsom Administration has shown great leadership in adopting an ambitious goal in line with recommendations from the scientific community, it remains unclear how the state will achieve this goal. *Pathways* is a step in the right direction; it identifies objectives and strategies to support achievement of the goal. However, the state lacks a detailed plan for how it will get to the goal, including actionable acquisition priorities, interim milestone targets, and targets for biodiversity, access, and climate resilience. Questions remain on whether and how various state agencies will revise their policies and programs to align with the initiative and how they will coordinate across programs. Additionally, the Newsom Administration recently

proposed rolling back significant funding for this initiative, raising concerns of whether the state will have sufficient resources to ramp up conservation across the state.

**Hearing purpose.** While it is still early in the implementation of the 30x30 initiative, there are only seven years remaining to achieve the ambitious 30x30 goal. The Senate Natural Resources and Water Committee is convening this hearing to evaluate the state's approach to California's 30x30 initiative and to hear perspectives from Native American stakeholders, non-governmental stakeholders, and the public. This includes reviewing:

- The Newsom Administration's 30x30 strategies, policies, and activities, including the roles of the California Natural Resources Agency (CNRA) and key departments helping to implement this initiative.
- Progress toward the 30x30 goal, and opportunities and challenges encountered under the initiative.
- How the Administration is balancing the key objectives of the 30x30 initiative, with a focus on the biodiversity and public access objectives.
- How the state will pay for this initiative given the current challenging economic environment.

**Questions raised in this background include:**

- What does it mean for land to be "conserved" and how is the definition of this term operationalized?
- How will the state prioritize which lands to conserve?
- How will the state balance the three key objectives related to biodiversity, equitable access, and climate resilience?
- What are the barriers to access and how does the 30x30 initiative address these barriers?
- What role will Department of Parks and Recreation (State Parks) have under the 30x30 initiative?
- What role will the California Department of Fish and Wildlife (CDFW) have under the 30x30 initiative?
- How will the state partner with the federal government?
- How will the state partner with Native American tribes?
- How will the state partner with and elevate disadvantaged communities?
- How will the 30x30 initiative address freshwater?
- How will the state fund the 30x30 initiative?

This hearing will focus on the land goal of the 30x30 initiative.

## **THE IMPETUS FOR 30X30**

**We are in the midst of a global extinction crisis.** There is broad scientific consensus that we are in a sixth mass extinction, with extinction rates hundreds or thousands of times faster than what would naturally occur. A U.N. report estimates that a quarter of all species face extinction, many within decades. There is also broad consensus that, similar to climate change, this is human-caused and represents an existential threat to humanity. According to some scientists, the extinction crisis is the most serious environmental threat to the persistence of civilization because extinctions are irreversible. Every time a species or population vanishes, the associated ecosystem's capacity to function and provide services upon which we depend erodes. These effects are expected to worsen over time.

**California's biodiversity also is under threat.** California is home to one of 25 global hotspots for conservation due to its remarkable biodiversity and significant threats to its habitats and endemic species. The state has the highest number of native and endemic plant species of any U.S. state and is recognized as one of 34 global hotspots for plant diversity. California's coastal and ocean ecosystems also are some of the most diverse in the world. The state's lands and waters provide habitat for approximately 650 bird species, 220 mammals, 100 reptiles, 75 amphibians, 70 freshwater fish, 100 marine fish and mammals, and 6,500 taxa of native plants. Climate change, habitat loss and fragmentation, invasive species, disease, pests, and pollution threaten this biodiversity and the public benefits and services this biodiversity provides.

**The 30x30 movement is based in science and seeks to reverse the extinction crisis.** Conserving the Earth's lands and waters can help to prevent extinctions and protect the biodiversity and ecosystem services upon which humanity depends. Specifically, the scientific community has identified a need to protect 50 percent of the Earth's surface by 2050 to achieve these goals. The academic community has called for a step goal of 30 percent by 2030 to help spur and measure progress toward the 2050 goal. Importantly, protections must be combined with restoration and management efforts to protect the function and services of the Earth's ecosystems. Also, conservation, restoration, and management can avoid and reduce greenhouse gas emissions and sequester carbon, helping to advance climate goals.

Opportunities to address the extinction crisis, like the climate crisis, are time-bound. Scientific models show that we are approaching a tipping point for both crises: if habitat conversion is not markedly slowed or halted in the next 10 years, "points of no return" will be reached for multiple ecosystems and species. Similarly, if current trends in emissions do not peak by 2030, then it will become impossible to remain below an increase of 1.5°C in global temperature. It has become clear that if global temperature increases beyond 1.5°C, the biology of the planet will become gravely threatened because ecosystems will literally begin to unravel. This threatens humanity as well as other species.

## **STATE ACTION**

**California's 30x30 goal.** Governor Newsom issued Executive Order N-82-20 in 2020, which adopted a goal to conserve at least 30 percent of California's land and coastal waters by 2030. In 2022, CNRA released *Pathways*, which defines the term "conserved" for the purpose of the goal, identifies how many acres of land and coastal waters are already conserved, adopts key objectives and core commitments, identifies strategies to achieve the goal, and establishes an implementation framework to coordinate action across agencies and stakeholders.

**What is "conserved"?** *Pathways* defines land and coastal water areas as conserved if they are "durably protected and managed to support functional ecosystems, both intact and restored, and the species that rely on them." This includes:

- Areas classified by governments for a designated conservation purpose.
- Areas under perpetual conservation easements for species and habitats.
- Administrative conservation designations that have gone through a formal rulemaking or other enforceable decision-making process not subject to simple reversal.

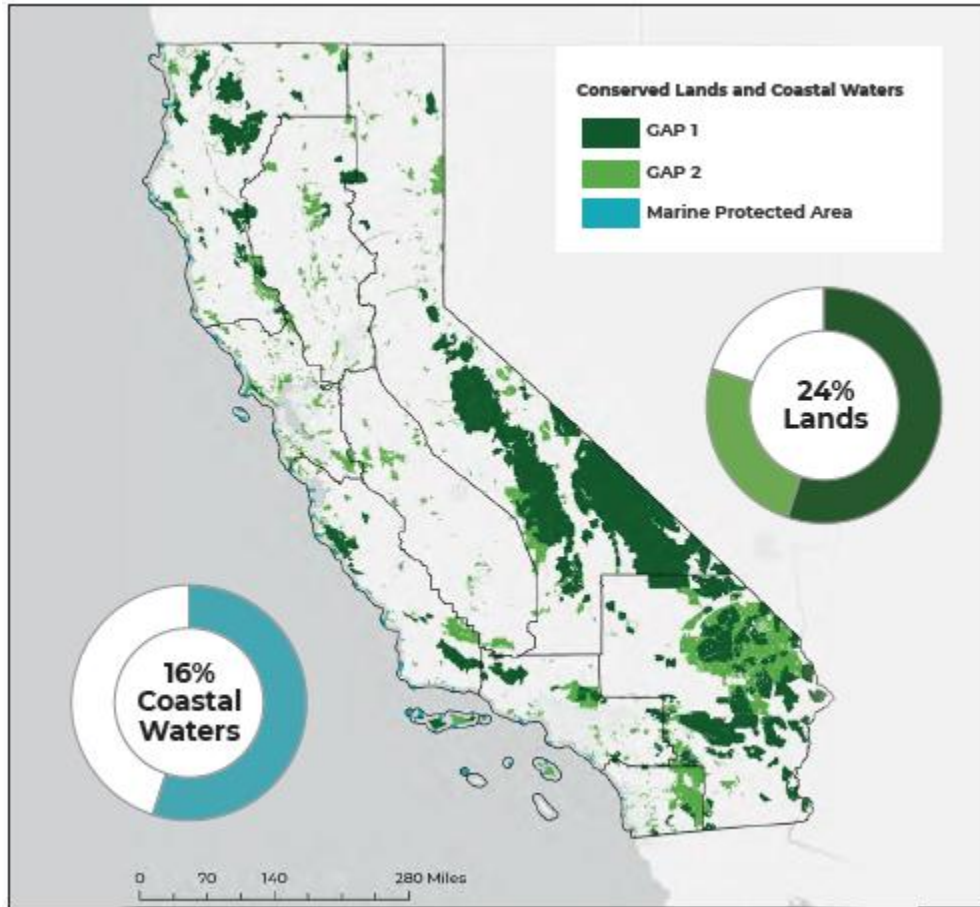
*Pathways* uses the California Protected Areas Database (CPAD), the California Conservation Easements Database (CCED), and the Protected Areas Database of the U.S. (PAD-US) to identify lands that can or may be considered conserved for 30x30. *Pathways* also uses the U.S. Geological Survey's GAP Analysis Program (GAP) to identify conserved lands. This program uses a classification system (1–4) to indicate the degree of biodiversity protection a particular area receives. GAP code 1 signifies the strongest protection measures on conserved lands, while GAP 4 indicates an area with no known directives to maintain natural conditions. According to *Pathways*, GAP codes 1 and 2 are generally consistent with the conserved definition as they include areas with a high degree of durable protection and management for biodiversity or ecosystem values. Further, according to *Pathways*, the following areas can be considered conserved:

- Federal wilderness areas and wildlife refuges
- National parks and state parks
- State ecological reserves
- Wild and scenic rivers
- Regional open spaces
- Recreational hunting and fishing areas subject to resource planning criteria and management to prevent biodiversity loss.
- Sustainably managed private grazing lands, ranches, and working forests with formal durable protections for biodiversity such as conservation or mitigation easements.

*Pathways* notes that there is no perfect system to classify lands. Many lands cannot be easily classified, and lands of similar type may be managed for different purposes. Not all conserved lands are reported to referenced databases so some protected areas may be missing altogether. Finally, these databases are limited in their capacity to monitor land stewardship. CPAD and CCED, which are maintained by GreenInfo Network, are continually updated, refined, and corrected but errors remain. It is unknown how errors may affect the totals reported in *Pathways*.

***How many acres have already been conserved and how much is left?*** According to *Pathways*, 24 percent of California's lands and 16 percent of its coastal waters are already conserved. The state needs to conserve another six million acres of lands and one-half million acres of coastal waters. The map below shows land and coastal areas of the state that meet the state's definition of conserved.

**30x30 progress, as identified in *Pathways*.**



**Who owns conserved lands and coastal waters in California?** California’s conserved lands are primarily managed by federal (84.6 percent) and state (9.9 percent) agencies with over 95 percent of these lands offering public access. Coastal waters represented within the state’s 30x30 calculations include all protected areas within California’s Marine Protected Areas Network.

**California’s 30x30 objectives, commitments, and strategies.** *Pathways* identifies three key objectives and a series of associated priorities, three core commitments and a series of associated principles, and 10 strategies and a series of associated priority actions by state agencies. While the table below outlines the basic framework, more detailed information can be found in *Pathways* and its appendices.

| <b>Key objectives</b>                             |                                |  |
|---|--------------------------------|--|
| Protect and restore biodiversity                  | Expand access to nature        | Mitigate and build resilience to climate change                          |
| <b>Core commitments</b>                           |                                |  |
| Advance justice, equity, diversity, and inclusion | Strengthen tribal partnerships | Sustain our economic prosperity, clean energy resources, and food supply |

| <b>Strategies</b>                                       |  |
|---|--|
| Accelerate regionally led conservation                  | Execute strategic land acquisitions                              |
| Increase voluntary conservation easements               | Enhance conservation of existing public lands and coastal waters |
| Institutionalize advance mitigation                     | Expand and accelerate environmental restoration and stewardship  |
| Strengthen coordination among governments               | Align investments to maximize conservation benefits              |
| Advance and promote complementary conservation measures | Evaluate conservation outcomes and adaptively manage             |

**California’s 30x30 implementation framework.** *Pathways* identifies roles for various state agencies and public-private entities. The list below is not exhaustive, but some key components include:

- **CNRA**, which will oversee implementation of *Pathways* and the 30x30 Partnership, coordinate state action and with the federal government, consult with Native American tribes, and coordinate this initiative with others, including the “Outdoors for All” and “Expanding Nature-Based Solutions” initiatives.
- The roles of **other state agencies** are outlined in Appendix B of *Pathways*. This includes specific near term actions for CNRA, the Departments of Conservation, Fish and Wildlife, Food and Agriculture, Forestry and Fire Protection, Parks and Recreation, Transportation, and Water Resources, as well as the state’s 10 conservancies, and the Wildlife Conservation Board (WCB), among others.
- **The 30x30 Partnership**, which is open to all and seeks to provide an organizational hub for dialogue, shared learning, coordination, and strategic planning. This group convenes annually.
- **The 30x30 Coordinating Committee**, which is composed of representatives of organizations appointed by the CNRA Secretary. Its role is to coordinate entities across the state working to achieve 30x30. It is not a decision-making body for policy or implementation.
- **The California Biodiversity Council**, which seeks to improve coordination and cooperation among state, federal, and local resource management and environmental protection agencies. It produced a list of programs best positioned to advance 30x30 (see Appendix C of *Pathways*).
- **The California Biodiversity Network**, which provides a forum for conservation organizations and scientific institutions. This network identified priority research and information gaps for achieving 30x30 (see Appendix D of *Pathways*).
- **CaliforniaNature.ca.gov**, a website that provides information, tracks progress, and helps connect organizations. This site hosts CA Nature.
- **CA Nature**, a web-based geographic information system that serves as a central repository for information, planning, and tracking progress toward 30x30. It provides data on conserved areas, biodiversity, public access, and climate change to identify opportunities to advance the 30x30 goal.

## ISSUES FOR CONSIDERATION

***What does it mean for land to be “conserved” and how is the definition of this term operationalized?*** As noted in more detail above, the definition for “conserved” includes multiple components, including that the area be durably protected and managed, and that these two components support functional ecosystems and the species that rely on them. It is worth noting that adopting a definition for this term is a challenging task. The *Pathways* definition provides a great conceptual understanding of “conserved” that appears to meet the goal of the 30x30 initiative to address the biodiversity crisis. Questions remain, however, regarding how this term will be operationalized, particularly as it relates to the management of conserved lands, the use of various tools to identify these lands, and how well the definition addresses the access and climate resilience objectives of the initiative.

Considering 30x30’s purpose to halt and reverse the extinction crisis, this definition addresses, explicitly and implicitly, many of the key issues that threaten species and biodiversity. Protecting habitat from incompatible uses, fragmentation, encroachment, and development represents one of the most effective tools that humanity has to protect species and the natural processes at work within ecosystems. The term “durable” is also important since it conveys that the protections cannot be undone easily and because a long duration is important for the protections to be effective.

Including management in the definition is important especially as it relates to the stated goal of supporting functional ecosystems and the species that rely on them. Simply protecting land is not always enough to support healthy ecosystems and biodiversity. Restoration and ongoing management are often necessary. However, different stakeholders and landowners will have different views on what constitutes appropriate management. It can be extremely challenging to assess and measure whether the actual management actions are supporting functional ecosystems, especially under changing conditions, such as, for example, from climate change or encroachment from invasive species. Also, many protected areas are not managed, are undermanaged, or are managed for other outcomes and purposes that may or may not include or prioritize ecosystem health.

For example, while *Pathways* provides a list of certain areas that can be considered conserved, such as national and state parks, these areas may not technically meet all of the components of the definition, especially if they are undermanaged because they are under-resourced (which is a long-standing challenge for many publicly and privately-held conserved lands).

Further, although *Pathways* uses proxies created by other entities to identify conserved lands, there is confusion around why some lands count toward the goal and others do not. *Pathways* acknowledges the difficulty in crafting and operationalizing a definition. The proxies are not perfect - there may be errors in these databases and some of the lands may not meet all of the components of the definition.

Generally, there is confusion among stakeholders regarding whether certain projects would meet the definition. It may be necessary or of value to review the lands in these databases and lists to confirm that they meet the definition and confirm that the state has a reasonably accurate count. Further, for the benefit of stakeholders and partners, it may be helpful to further specify the definition, including potentially by establishing objective or threshold criteria to clarify which lands could be considered conserved.

Finally, despite the fact that expanding access is one of three key objectives of the 30x30 initiative, access is not a component of the definition. Further, the definition does not explicitly touch on climate resilience, another objective. *Pathways* acknowledges this, stating that “climate and equitable access criteria will be integrated into selection of additional 30x30 Conservation Areas and implemented into currently conserved areas whenever possible and appropriate.” It may be of value to create another category for “conserved” lands that are access-focused, with their own definition and criteria, and that could be included in lands that add to the 30x30 goal. Another option is to retain the existing definition of ‘conserved’ but add separate objective or threshold criteria that are specific to conserved lands that include an access component.

***How will the state prioritize which lands to conserve?*** According to *Pathways*, the state and partners needs to conserve an additional six million acres of land by 2030 to reach the land goal. There are opportunities across the state for conservation acquisitions but a key question remains regarding which lands the state will target for acquisition? The field of conservation biology recommends conservation efforts under 30x30 and 50x50 initiatives focus on the following to be effective:

- ***Representation.*** Represent all native ecosystem types and successional stages across their natural range of variation.
- ***Saving species.*** Maintain viable populations of all native species in natural patterns of abundance and distribution.
- ***Ecological function.*** Maintain ecological function and ecosystem services.
- ***Adaptive management.*** Address environmental change to maintain evolutionary processes and adapt to the impacts of climate change.
- ***Carbon sequestration.*** Maximize carbon sequestration in natural ecosystems.

It is critical that protected lands across the state capture the full diversity of species and habitats. The Nature Conservancy (TNC) has found that existing conserved lands in California disproportionately cover certain habitat types, like desert shrublands, desert woodlands, and conifer woodlands. These habitats already meet a 30 percent protection goal, but others, like conifer forests, grasslands, and hardwood woodlands do not.

*Pathways* addresses the question of prioritization in part by including a strategy to execute strategic land acquisitions. This includes coordinating state programs that offer conservation funding, coordinating with the federal government to secure emerging federal conservation funding, prioritizing habitats that are underrepresented in conserved areas for acquisition, and prioritizing acquisition of unprotected lands adjacent to or surrounded by currently established public lands. Further, CA Nature helps to visualize some of this by providing interactive, statewide maps that provide information on species, natural communities, habitat types, access opportunities, the effects of climate change, and opportunities to implement nature-based solutions on natural and working lands. Appendix A of *Pathways* also provides further information by highlighting opportunities and challenges at the regional level as well as listing important habitats and species for conservation.

However, it remains unclear how various departments, boards, and conservancies will implement this strategy and the associated near-term actions. **The state has a strategy but not a plan.** Outstanding questions include:



- How are the various departments coordinating across programs on potential acquisitions and projects?
- Will the state prioritize acquisitions of lands that provide habitat and biodiversity values, improve opportunities for equitable access, or that offer opportunities to increase climate resilience for species and people? Or a combination of these? If a combination, what type of combination? Does the state need sub-goals for habitat, access, and climate resilience?
- How will the state ensure that acquisitions made today retain their values under a changing climate? Is the state planning acquisitions to provide connectivity to allow species to move as climate change progresses?
- Will CNRA and its departments, boards, and conservancies focus more on targeting conservation easements on private lands or increasing protections on existing public lands? According to TNC, nearly all of the major habitat types underrepresented in conserved areas can be protected at 30 percent by increasing the protection status on just one-fifth of California's existing public lands. However, at least 1.5 million acres of mostly grassland and hardwood woodland would need some form of private land conservation to meet the target.
- Will CNRA and its departments, boards, and conservancies seek regional parity across the state when funding acquisitions?
- How much will cost figure into decision-making? Some worthy acquisitions may be expensive. For example, acquisitions to protect biodiversity and access in the Los Angeles area may be more expensive than other areas of the state, but these lands can provide significant benefits to species by improving connectivity and to the public by providing valuable local opportunities to access the outdoors.
- Are changes to statute and regulation necessary to implement this strategy under specific programs? Will departments, boards, and conservancies need to update internal policies, strategic plans, and program guidelines to align with the initiative?
- Does the state has sufficient information to make informed, science-based decisions regarding acquisitions?

While CDFW is working to complete fine-scale vegetation mapping across the state, a lack of funding has been an impediment to completing this goal. Understanding vegetation patterns at a fine scale is foundational to understanding the distribution of habitats and ecosystem types. Environmental stakeholders have advocated for years for funding to allow CDFW to complete a statewide fine-scale vegetation map. The Budget Act of 2022 appropriated \$20 million to complete this effort, but the Newsom Administration proposed cutting this by 50 percent this year. This cut would further delay this effort, limiting the ability of the state and its partners to make informed decisions under the 30x30 initiative.

***How will the state balance the three key objectives related to biodiversity, equitable access, and climate resilience?*** This question relates to many of the questions posed above. CA Nature provides interactive, statewide maps that highlight opportunities across the state to support these three objectives. Often, all three objectives can be secured and promoted in a single project. However, conflicts can and do arise. One study that assessed the impacts of COVID-19 closures on species in national parks found that even low-impact recreational uses like hiking can negatively impact species living in the park by causing these species to limit or modify their movements, activities, and behaviors. Additionally, there are examples of people having negative encounters with wildlife, including some instances in California of mountain lions

attacking dogs and people while out hiking. This is not to suggest that access and biodiversity needs are incompatible. Rather, balancing the 30x30 initiative's three key priorities requires thoughtful consideration and planning, and potentially targeted public outreach and education.

***What are the barriers to access and how does the 30x30 initiative address these barriers?*** "Access" embodies both physical (e.g., distance to a park) and social (e.g., language and safety) aspects and varies widely throughout California. According to the Trust for Public Land (TPL), one in three Californians does not live within a 10 minute walk to a quality park. According to the Hispanic Access Foundation, 55 percent of Latinx people in California lack access to open space, and significantly fewer acres of green space are present in many Black and Latino neighborhoods when compared to predominantly white neighborhoods.

This inequitable distribution is the result of a long history of systemic racism and economic discrimination, including redlining, forced migration, and economic segregation. Historical and continuing inequities, intersecting roadways, less acreage, lack of access to transportation, lack of safety, and the physical condition/maintenance of spaces are just some of the barriers to parks and open space access. The COVID-19 pandemic also appears to have exacerbated existing inequities in access to parks and open spaces with lower income and underserved communities experiencing an even greater lack of access.

Importantly, the barriers to access can look different to different communities. According to the 40 Acre Conservation League, a Black-led land conservancy created to acquire and conserve natural and working lands in order to advance economic, environmental, and recreational justice, Black people make up only 1.2 percent of visitors to National Forests and just 2 percent to National Parks. Similarly, Latinx people make up only 5.7 percent and 5 percent, respectively, to these spaces. State Parks does not track visitor demographics. For Black travelers, increasing access to outdoor spaces is not simply a matter of economic means, although that can certainly be an issue. Feeling welcome, safe, and represented in these spaces is key.

The 40 Acre Conservation League notes that rural and outdoors spaces have often been places of anti-Black violence, racism, and oppression. Black travelers often feel that they have to be more aware of their surroundings when traveling. Fundamentally, if Black people do not feel safe and welcome in these places and on the way to these places, they are unlikely to visit these places even if they have the means. Other important factors for Black people include the destination's commitment to diversity and inclusion, the racial diversity of the destination, whether the destination offers Black cultural experiences, and whether the destination promotes Black-owned businesses.

Inequitable access to parks and open spaces is a concern as these spaces provide numerous benefits to communities. Use of parks and open spaces is correlated with mental and physical health benefits. Further, green spaces can remove pollution and filter air, provide shade to reduce the urban heat island effect, attenuate noise, absorb water as an alternative to storm water control systems, and replenish local groundwater reservoirs. They also can increase property values and subsequent tax revenues by as much as 20 percent, draw new businesses and visitors to an area, and are reported to be among the top amenities sought after for people choosing a place to live.

*Pathways* identifies expanding access to nature as a key objective and includes a strategy to advance equitable access through meaningful and inclusive local planning processes. This includes prioritizing

conservation projects that serve historically marginalized communities and Native American tribes, improving public access on state-owned conserved lands, including the state's approximately one million acres of Ecological Preserves, and improving access on lands under conservation easement.

Given the importance of the 30x30 initiative to coordinating action across public, private, and nonprofit stakeholders to ramp up conservation across the state, a key question is whether the state can and should do more to address long-standing barriers to access? It is worth noting that CNRA has hired a Deputy Secretary for Access and launched an "Outdoors for All" initiative to equitably expand outdoor access through focused investments in open space infrastructure, outdoor programming, and improvements to state systems. CNRA conducted a statewide listening tour in 2022 to engage stakeholders across the state as CNRA prepared "a long-term roadmap" for this initiative. This initiative and roadmap, once released, should better address how the state plans to address long-standing access issues and connect back to the 30x30 initiative.

***What role will State Parks have under the 30x30 initiative?*** Appendix B of *Pathways* identifies responsible lead agencies and key partners (including local, state, and federal agencies, Native American tribes, and non-governmental organizations) for each near-term action item associated with the 10 strategies. However, many of the items are not measurable and none include deadlines, which could limit transparency and make it difficult to assess progress over time.

Of note, State Parks does not have a lead role in the 30x30 initiative. At least, *Pathways* does not identify a lead role for State Parks. In contrast, CDFW has a lead role on multiple items. The lack of a lead role for State Parks appears inconsistent with the department's role in overseeing over one million acres of lands within the state park system that provide public access, habitat protection, and climate resilience. Further, State Parks operates significant grant programs to create and expand local and regional parks and outdoor spaces across the state.

Given State Parks' important existing role in land conservation across the state, should it not have a larger identified role in the 30x30 initiative? Will State Parks have a larger and/or lead role in the 'Outdoors for All' initiative? Additionally, does the state plan to expand existing state parks or add new state parks under either initiative? Or, will the state focus more on providing funding to local and regional agencies and organizations to expand local opportunities for outdoor access?

It is worth noting that State Parks has long faced funding challenges that make it difficult to sustainably operate and maintain the state park system. This system is typically supported by a combination of General Fund and special funds, particularly the State Parks and Recreation Fund, which gets most of its revenues from various park user fees. Increasing user fees, like day-use fees, could generate more revenue to offset costs to the state park system, but could also limit access for many populations. The challenge is to equitably expand access to all populations while also sourcing sustainable levels of funding for State Park improvements, services, and programs. This is particularly relevant as State Parks' large backlog of deferred maintenance was last estimated at over \$1 billion. Partnerships with local organizations to provide services could be extremely helpful here.

***What role will CDFW have under the 30x30 initiative?*** *Pathways* lists CDFW as a key partner on multiple items, and the organizational lead on the following:

- Where possible, improve public access on state-owned conserved lands, including the state’s approximately one million acres of Ecological Preserves.
- Work with and help build capacity for land trusts, Resource Conservation Districts, and other community coalitions and organizations to invest state conservation easement program funds strategically and efficiently.
- Execute regional advance mitigation projects between Caltrans, CDFW, and others for transportation modernization projects that create co-benefits for wildlife connectivity and species climate resiliency. *CDFW is co-lead with Caltrans on this item.*
- Work with Caltrans to complete Regional Advance Mitigation Needs Assessments for all 12 districts to accelerate mitigation investments and projects. *CDFW is co-lead with Caltrans on this item.*
- Improve and streamline mitigation banking processes for approving banks and releasing credits with the Banking Agency Management Team and California Project Delivery Team.

The Committee may wish to ask for updates on these items.

Similar to State Parks, CDFW is chronically underfunded. Numerous state reports and legislative enactments identify CDFW funding as an important problem to solve, including California Fish and Game Code section 710.5, which declares that “the department continues to be inadequately funded to meet its mandates.” As the department’s programs have evolved and broadened from a primary focus on hunting and fishing, revenues have not kept pace, creating a long-term problem of insufficient and uncertain funding to meet increasing program demands to protect public trust resources in the face of a growing population and resource demands in a changing climate.

Without sustainable funding, CDFW is unable to fully meet its mission of managing and protecting California’s diverse species and habitats and bolstering equitable public access to lands. Given insufficient funding to meet its existing mandates, it is especially concerning that the Newsom Administration proposed rolling back funding in the January budget proposal. How can the state expect CDFW to ramp up conservation efforts to protect biodiversity across the state and support access on CDFW-lands without sufficient funding and resources? What commitment to monitoring and evaluation – fundamental to adaptive management of conservation lands – is required to ensure the most effective deployment of resources by CDFW?

***How will the state partner with the federal government?*** Almost 85 percent of existing conserved lands, as identified in *Pathways*, are primarily managed by the federal government. Further, almost 50 percent of the land in the state is owned by the federal government, managed primarily by the Bureau of Land Management, U.S. Forest Service, and the National Park Service. A significant portion of these lands offer public access opportunities. Additionally, in 2021 President Biden issued Executive Order 14008, entitled “Tackling the Climate Crisis at Home and Abroad,” which, among other things, adopted a federal goal to conserve at least 30 percent of the nation’s lands and waters by 2030. Finally, as discussed in more detail in the funding section below, the federal government has made significant funding available for conservation.

All of this means there are significant opportunities to partner with the federal government on the state and federal 30x30 initiatives to increase protections on existing federal lands and to fund other public and

private conservation activities to help meet the 30x30 goal. *Pathways* identifies partnering with the federal government to:

- Accelerate regional conservation planning and implementation.
- Identify and secure emerging federal funding for new conservation acquisitions.
- Improve and standardize easement review and recordation processes for conserved lands.
- Monitor legislation to support, where appropriate, enhanced conservation on public lands, including new designations and expansion of wilderness areas, wild and scenic rivers, and national monuments.
- Partner with federal agencies to explore where on public lands enhanced environmental conservation is beneficial and appropriate, and constructively engage in federal land management planning to identify and implement appropriate improvements.
- Institutionalize advance mitigation.
- Seek opportunities to align and leverage state and federal conservation programs to deliver projects that meet state and federal 30x30 priorities.

The Committee may wish to ask for updates on these items.

***How will the state partner with Native American tribes?*** Before Euro-American contact, Native American tribes managed and stewarded California's terrestrial and marine resources using traditional ecological knowledge and a wide array of traditional practices and techniques to maintain an environment capable of supporting large, thriving human, plant, and animal populations. Tribes continue to use these practices and are generally focused on ecosystem interconnectivity, respecting the carrying capacity of the land, and viewing humans as an integral part of the environment.

The Newsom Administration, through its policy regarding Native American ancestral lands issued on September 25, 2020, has acknowledged the state's role in the historical "violence, exploitation, dispossession and the attempted destruction of tribal communities" and how this led to the dislocation of Native Americans from their ancestral land and sacred practices in California. The Administration committed in that policy to partnering with tribes to facilitate tribal access, use, and co-management of state-owned or controlled natural lands and to work cooperatively with tribes interested in acquiring natural lands in excess of state needs.

*Pathways* expands on this policy by committing to strengthening tribal partnerships under the 30x30 initiative. This includes the following principles:

- Support shared decision making with tribes in identifying conservation areas.
- Engage in government-to-government consultation with tribes for the protection, care, access, and stewardship of cultural landscapes, celestial-scapes, and seascapes, among others.
- Support the return and ownership of ancestral lands to tribes with traditional and cultural affiliation with such lands for conservation purposes.
- Respect, acknowledge, and support culturally appropriate use of tribal expertise, traditional and tribal knowledge, and intellectual property, with consent of and in consultation with tribes.
- Identify opportunities for tribes to utilize tribal expertise, traditional knowledge, and intellectual property to further conservation efforts.

- Develop opportunities for meaningful and mutually beneficial tribal management and tribal co-management within new and existing state lands, marine waters, and private lands, through formal agreements and other means.

The Budget Act of 2022 appropriated \$70 million to CNRA to establish a Tribal Nature-Based Solutions Program to support tribal programs and activities that advance multi-benefit and nature-based solutions. Recently released draft guidelines identify eligible projects, including the return of ancestral lands to advance multi-benefit nature-based solutions projects. While the program seeks to support implementation of the 30x30 initiative, among others, it is unclear if lands returned to Native American tribes would be considered conserved for the purposes of the goal. Also, the Budget Act of 2022 appropriated \$38 million to the California Conservation Corps to fund local and tribal nature-based solutions corps projects, but a portion of this was proposed to be cut in the January 2023 budget proposal.

It is important to recognize that partnering with Native American tribes is fundamentally different than partnering with other entities because tribes are sovereign entities. The Newsom Administration has acknowledged this by committing to government-to-government consultations and by hiring an Assistant Secretary for Tribal Affairs at CNRA. That said, long-standing challenges remain. For example, it can be difficult to meet the needs of both the state and a tribe under a state-funded grant program. The state and tribes in California have much to gain by partnering under the 30x30 initiative. Addressing some of these longstanding challenges by finding solutions that work for all parties will be critical to the success of these partnerships.

***How will the state partner with and elevate disadvantaged communities?*** Communities of color and low-income communities experience increased concentrations of environmental pollution and limited access to nature. Additionally, climate change threatens to disproportionately affect communities with the least capacity to prepare for, respond to, and recover from climate-driven threats. *Pathways* makes a commitment to advance justice, equity, diversity, and inclusion in the 30x30 initiative, in part by expanding access to nature. This includes the following principles:

- Foster efforts that benefit all of California, with an emphasis on ensuring historically marginalized communities, communities of color, and California Native American tribes have full and equal access.
- Promote projects that improve and expand public health, Native American land stewardship, community resilience to climate change, high quality jobs, and meaningful access to nature.
- Prioritize intersectional strategies and inclusive approaches that are proactive, community-based, localized, and rely on meaningful engagement and capacity building, including workforce development and technical assistance.
- Implement projects that do no further harm or pose unintended consequences to historically marginalized communities.
- Amplify diverse perspectives by elevating the voices of historically marginalized communities and creating more representative leadership teams, boards, and staff advancing conservation.

Some stakeholders would like to see these communities further elevated within the 30x30 initiative. In particular, some have advocated for a minimum funding allocation for these communities, similar to the

Justice 40 initiative at the federal level which commits to ensuring that 40 percent of the benefits of certain federal investments flow to disadvantaged communities. While California has not done this across the board, the Budget Act of 2022 included a \$150 million appropriation to the WCB for nature-based solutions grant programs with direction to “strive to award at least 40 percent of the funds to projects and programs for biodiversity conservation actions adjacent to or directly benefitting climate-vulnerable communities, disadvantaged communities, or California Native American tribes.”

***How will the 30x30 initiative address freshwater?*** Freshwater ecosystems play a unique and important role in supporting the health and vitality of California’s communities. These ecosystems sustain species of significant economic, recreational, and cultural value, such as the state’s iconic salmon species. At the same time, they are uniquely threatened as a direct result of the extraordinary pressures that people have placed on California’s freshwater resources.

Dams and diversions impact nearly all of the state’s rivers to satisfy water demands, limit flood risk, and generate electricity. Land-use practices, including forestry, agriculture, and urbanization, can degrade freshwater ecosystems and affect the quality and quantity of water in the state’s rivers, streams, lakes, meadows, and wetlands. The impairment of California’s freshwater ecosystems not only places native freshwater species at a higher risk of extinction compared to their terrestrial counterparts, it also threatens the valuable ecosystem services and cultural resources that freshwater ecosystems provide. Moreover, impacts to freshwater ecosystems limit recreational opportunities and the ability of Californians to enjoy the state’s public trust resources.

*Pathways* identifies various actions to conserve and manage freshwater systems to achieve 30x30. These actions include:

- Manage invasive species in freshwater habitats to restore functional ecosystems.
- Support research to determine areas of climate refugia for freshwater species.
- Develop terrestrial-freshwater management plans at the watershed scale to increase complementary management of upper and lower watersheds.
- Reconnect wetlands to ocean tides by removing human-made barriers.
- Remove aging or obsolete barriers from waterways to restore connectivity and processes in watersheds.
- Utilize food protection tools and levee removals to restore floodplains and riparian areas.
- Incentivize restoration of upper watersheds and groundwater-surface interactions which protect California’s water security.

Some stakeholders would like to see the state go further by adopting (and subsequently reporting progress on) specific numerical targets for freshwater resources. This could include removing a certain number of aging or obsolete barriers by a specific date and expanding the number of rivers with wild and scenic designations. Further, some would like to see the State Water Resources Control Board designate more freshwater resources as Outstanding Natural Resource Waters.

Outstanding National Resource Waters (Outstanding Waters) are rivers, streams, wetlands, and lakes that have been designated for heightened protection under the Clean Water Act because they support exceptional values that rely on water quality. This designation is distinct from other resource protections in

that it is specifically focused on water quality. No permanent degradation of the quality of these waters is allowed, although some temporary degradation may be permitted for short-term activities, such as emergency measures and habitat restoration. An Outstanding Water designation does not affect existing activities such as farming, ranching, fishing, or boating, provided such uses do not diminish water quality below current levels. While other states have designated extensive reaches of Outstanding Waters within their borders, there are only two designated Outstanding Waters in California: Lake Tahoe and Mono Lake.

### ***How will the state fund the 30x30 initiative?***

**State funding.** To meet the goal will require significant investments from the state for acquisitions; restoration and enhancement; management; science, research, and monitoring; and to build capacity of non-governmental organizations to develop and implement projects as well as state agencies to review, fund, and oversee projects. According to research prepared by TNC, the state would need to invest at least \$1 billion per year to meet the 30x30 goal. Notably, this figure assumes much of the new lands that would be included in the goal would come from private acquisitions, such as via conservation easements. TNC acknowledges that there are, of course, other options, including increasing protections on existing public lands, including some federal lands, which would alter the figure. However, the \$1 billion figure is on the low end of TNC's range of estimates and the annual cost could be considerably higher.

Initially, the Administration and Legislature partnered to set aside significant funding for the 30x30 initiative and other natural and working lands initiatives. The 2021 and 2022 Budget Acts committed \$1.6 billion for nature-based solutions, including 30x30, and \$1.3 billion for coastal resilience over multiple years. In January, however, due to significant declines in state revenues, the Governor proposed significant rollbacks to these funding commitments, including reductions of \$300 million from nature-based solutions programs and \$566 million from coastal resilience programs.

Given the proposed cuts, the Governor signaled openness to a climate bond to help fill the gaps. However, while many stakeholders welcome another bond to generate new funding for investments, they have noted a few concerns with this approach, including:

- A bond may not include the same types of investments as those proposed for rollbacks. In addition, some of the programs proposed for funding reductions, such as science, monitoring, management, and capacity building are ineligible for bond funding.
- A bond may not pass the Legislature and subsequently secure voter approval, especially in view of a potential recession and increasing interest rates.
- The funding would not become available for projects for years, placing the achievement of the 2030 goal in doubt. Assuming a 2024 bond is approved by voters, the earliest the Legislature could appropriate funds from the bond would be in 2025 and programs may need another year or two thereafter to encumber funding for specific projects.

**Federal funding.** The federal government has recently made significant funding available for conservation. This includes:

- ***Land and Water Conservation Fund (LWCF).*** In 1964, Congress established the LWCF, which receives revenue from offshore oil and gas leases on the Outer Continental Shelf, to safeguard natural



areas, water resources, and cultural heritage, and to provide recreational opportunities. In 2020, the Great American Outdoors Act authorized \$900 million annually in permanent funding for the LWCF, making it the largest source of federal funding for parks and wildlife. Prior to this, LWCF funding relied on annual congressional appropriations. The LWCF supports increased public access to and protection for federal public lands and waters, provides matching grants to states for the acquisition and development of public parks and other outdoor recreation sites, and supports voluntary conservation activities on private lands. These grants can be used for a range of projects including establishing baseball fields, creating community green spaces, providing public access to rivers, lakes and other water resources, protecting historic and cultural site, and conserving natural landscapes.

- **2021 Bipartisan Infrastructure Law.** This law provides billions of dollars to support ecosystems, restore habitat, protect watersheds, expand and improve public recreation, mitigate wildfire risk, improve water quality, and restore healthy forests on public and private lands.
- **2022 Inflation Reduction Act.** This law provides billions of dollars for nature-based solutions, meaning actions to protect, sustainably manage, and restore natural or modified ecosystems to address societal challenges. This includes \$8.45 billion for the Environmental Quality Incentives Program, which will provide technical and financial assistance to producers to address natural resource concerns and deliver environmental benefits, such as improving soil carbon and sequestering carbon dioxide. It also includes \$4.95 billion for the Regional Conservation Partnership Program, which will support partner-driven conservation projects that help agricultural producers and nonindustrial private forestland owners improve soil carbon, sequester carbon dioxide, or otherwise reduce emissions. Further, among others, it provides \$3.25 billion for the Conservation Stewardship Program, which will offer technical and financial assistance to compensate agricultural and forest producers who adopt conservation practices.

**Local funding.** Some local governments have also provided local sources of funding for land conservation for multiple purposes, including through the establishment of special taxes. For example, in 1992 and 1996, Los Angeles County voters approved Proposition A, and later continued this program in a modified form under Measure A in 2016, to generate funding from property taxes for local parks, including acquisitions, infrastructure improvements, trail development, and river and stream restoration. In Sonoma County, voters approved Measure M in 2018 to impose a one-eighth cent sales tax to support improvements to and maintenance of the county's regional parks system and city parks. More recently, in 2022, Marin County voters approved a new parcel tax to finance a \$23 million bond to help purchase a 110-acre property known as Tiburon Ridge in order to protect critically endangered open space, natural areas, wildlife habitat, and water quality in the area.

**Private funding.** Some private and philanthropic organizations provide funding to permanently conserve land for wildlife, recreation, and climate resilience, including the Resources Legacy Fund, the Conservation Fund, and the David and Lucile Packard Foundation. These private sources can often commit funding faster than public sources and may have fewer strings attached or limitations on the use of the funds. This can allow these organizations to acquire and conserve land quickly when it becomes available, and then transfer that land into public or nonprofit ownership when a federal, state, or local agency or nonprofit

organization has the capacity to take it on. In addition to these philanthropic organizations, some landowners may choose to donate their land or a portion of their land for public conservation purposes.

### **LEGISLATIVE DIRECTION**

**AB 2278 (Kalra, Chapter 349, Statutes of 2022)** establishes priorities for reaching the 30x30 goal that generally are consistent with priorities listed in *Pathways*. This includes:

- Creating and facilitating the 30x30 Partnership, as specified.
- Conducting public outreach to engage historically marginalized communities.
- Identifying and promoting regional efforts.
- Supporting tribal engagement and leadership.
- Enhancing coordination between state, local, and federal agencies and departments to ensure that relevant state programs and actions are complementary to, and assist achieving, 30x30.
- Partnering with federal agencies to leverage strategic funding and resources.

The bill also requires the CNRA Secretary to submit an annual report to the Legislature on progress made toward achieving the goal to conserve 30 percent of state lands and coastal waters by 2030. This includes information like the number of acres conserved in the prior calendar year, information on relevant state expenditures, identifying barriers to the goal and recommendations to address those barriers, and setting interim benchmarks for the next calendar year to help meet the goal.