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RE: Azul 30x30 Federal Recommendations

Dear Shantha, Sara, Emily, Letise:

Since 2011, Azul's people-centered work has built a bridge between environmental justice (EJ) and marine policy. We have achieved this through our legislative and California Coastal Commission advocacy in support of equitable coastal access through amendments to the [Coastal Act](#) and the development of the [Hollister Ranch Public Access Plan](#). Azul also co-sponsored California Assemblymember Kalra's legislation to establish a state 30x30 goal centered around environmental justice and equitable biodiversity conservation ([AB 3030](#)). We have researched and advocated against plastic pollution's impacts on EJ communities around the globe with the [United Nations Environment Programme](#). Additionally, we are co-leading the [Ocean Justice Forum](#), an initiative to create and advance an ambitious ocean policy agenda that promotes the goals of economic, racial, climate, and environmental justice. All in all, Azul's work emphasizes that Black, Indigenous, and People of Color (BIPOC) and EJ communities,¹ which often bear the brunt of environmental degradation, have a critical voice in marine conservation.

¹ An environmental justice community, as defined by [H.R. 2021 Environmental Justice For All Act](#), is a community with significant representation of communities of color, low-income communities, or Tribal and Indigenous communities that experiences, or is at risk of experiencing, higher or more adverse human health or environmental effects.

When Governor Gavin Newsom signed [Executive Order N-82-20](#) in the fall of 2020, he made a commitment to “[e]xpand equitable outdoor access and recreation for all Californians,”² and actively “[e]ngage stakeholders across California’s diverse communities”³ through collaboration with Native American Tribes, BIPOC communities, and EJ leaders on the state’s effort to achieve 30x30. We are proud to see the equity principles that Azul fought to include in AB 3030 from the start reflected in E.O. N-82-20, and we are actively engaged with state officials to ensure California delivers on this commitment.

By integrating equity and access values into the state’s 30x30 strategies, California set the tone for the United States on what it means to redefine conservation. Following Gov. Newsom’s executive order, [several other states and local governments created their own 30x30 targets](#). California’s leadership on conservation earned the state a coveted invitation to the [15th meeting of the United Nations Conference of the Parties to the Convention of Biological Diversity \(CBD\)](#) as [an official Observer](#) this fall. Clearly, California’s initiative to “promote healthy lands,”⁴ “protect and restore the State’s biodiversity,”⁵ and “expand equitable outdoor access” to conserved areas made an impact beyond its borders.⁶

At the federal level, the Biden Administration has [embraced efforts](#) to slow the loss of nature, work towards solutions that mitigate the impacts of climate change, and ensure all Americans have access to the outdoors. For example, not long after California’s announcement of 30x30, President Biden signed [Executive Order 14008](#) in January 2021 directing the Department of the Interior (DOI) to develop guidelines to achieve 30x30 nationally. With this E.O., President Biden committed to “protect America’s national treasures,”⁷ “deliver environmental justice in communities all across America,”⁸ and “improve access to recreation, and increase resilience to wildfires and storms.”⁹ We are proud to see equity principles prioritized in DOI’s [“Conserving and Restoring America the Beautiful”](#) report, and we expect the Biden Administration to deliver on this commitment too.

Despite important actions by the Biden Administration to support locally-driven conservation, BIPOC communities are still [three times more likely](#) than white communities to live in nature-deprived areas. Unfortunately, the recent Intergovernmental Panel on Climate Change (IPCC) [report](#), which warned that the Earth’s temperature is likely to reach or surpass the 1.5°C threshold by 2040, will exacerbate the loss of nature everywhere. Consequently, BIPOC communities will

² [Exec. Order No. N-82-20 \(Oct. 7, 2020\)](#).

³ Id.

⁴ Id.

⁵ Id.

⁶ Id.

⁷ [Exec. Order 14008 \(Jan. 27, 2021\), Sec. 214](#).

⁸ Id. at Sec. 201.

⁹ Id. at Sec. 214.

experience an even higher risk of living in nature-deprived areas incapable of withstanding climate change's growing environmental threats. Acting on the IPCC's findings to protect more of nature, its biodiversity, and its potential to mitigate climate change without simultaneously increasing efforts to ensure equitable access to nature for BIPOC communities — [who suffer the worst of climate change's impacts](#)— is antithetical to President Biden's pledge to "deliver environmental justice to communities all across America."

The country has already witnessed natural disasters wipe out large swaths of nature and devastate communities; most importantly, BIPOC communities are the least resilient to these events. As [wildfires scorch the West](#), [BIPOC communities bear the brunt of poor air quality](#), [Heat waves in the Pacific Northwest threaten farmworkers](#), and [drought forces water shortages in the Southwest](#), [Coastal flooding is more common along the East](#), and [torrential rain threatens communities in the Southeast](#). Not only is 30x30 an opportunity for the Biden Administration to slow the loss of nature, it is a bold commitment to protect and expand access to nature's resilience against these events.

We must not forget that BIPOC and EJ communities must be centered in 30x30 nationally because climate and environmental justice is racial justice. We are confident the Biden Administration can commit to more ambitious equity and conservation goals because President Biden has adjusted goals to overcome the challenge of climate change. Earlier this year, [President Biden announced a new target](#) for the United States to achieve a 50-52 percent reduction from 2005 levels in net greenhouse gas emissions in 2030. If the Biden Administration sets more ambitious goals for 30x30 and equitable access to the outdoors, the equity principles laid out in DOI's "America the Beautiful" initiative will reflect [President Biden's commitment](#) to BIPOC and EJ communities.

An increased commitment to conserve land and marine areas will mitigate climate change's impacts and protect the most vulnerable. Science has made clear that [land, marine and coastal areas](#) sequester carbon and prevent it from getting trapped in the atmosphere. In addition to naturally storing carbon, restoring and protecting nature allows ecosystems to act as [buffers against extreme weather](#) events, a critical benefit considering [climate change intensifies extreme weather](#). By creating more conserved areas, the Biden Administration actively builds resilience for community health— as highlighted by the COVID-19 pandemic, access to nature is an important part of maintaining our [mental health](#) and [physical wellbeing](#).

With all of this in mind, as the National Oceanic and Atmospheric Administration (NOAA) reviews feedback from its stakeholder engagement session to learn more about how they should conserve and restore America's ocean, coasts and Great Lakes, and the DOI prepares its first progress report on 30x30 at the end of the year, Azul suggests the Biden Administration implement the following recommendations into its 30x30 and access to nature initiatives:

1. Acknowledge that conservation of 30% of the country's land, marine and coastal waters is the minimum level of protection needed to safeguard our natural resources for future generations, and signal that by no later than 2024, the Biden Administration intends to set a more ambitious goal to [protect 50% of our land and coastal waters by 2050](#), as the science demands.
2. Define conserved areas in the context of 30x30 as those: (a) established with ensuring measures; (b) that support thriving biodiversity; (c) contribute to the United States' climate resilience; (d) provide ecosystem services;¹⁰ (e) are managed so that their natural character, resources, and functions are conserved, protected, restored, and enhanced for current and future generations; (f) are equitably accessible to BIPOC and EJ communities; (g) respect Tribal sovereignty, rights, and stewardship; and (h) align with the [International Union for Conservation of Nature's \(IUCN\) equity framework for protected areas](#).
3. Require that the 30% goal for marine and coastal waters is met with only marine or [no-take preserves](#),¹¹ by adding new no-take preserves to the [national marine protected areas \(MPA\)¹² network](#) and expanding the size of existing no-take preserves, which currently only account for [less than 8%](#) of the nation's MPA network. This will ensure that the United States conserves and rebuilds stocks of commercial and non-commercial species, protects marine ecosystems, and [yields the strongest resilience outcomes against climate change](#). There is strong scientific evidence in support of collaboratively designed and equitably managed [no-take preserves](#) delivering far greater habitat and biodiversity conservation, and fishery management benefits, as well as improved stakeholder understanding and compliance than partially protected areas. This research is supported by "[The MPA Guide: A framework to achieve global goals for the ocean](#)," which points to fully or highly protected

¹⁰ The term ecosystem services refers to the [benefits people derive from nature](#), including but not limited to: recreation, cultural, and natural heritage; biodiversity; water purification; food web dynamics; food and genetic resources; etc.

¹¹ A marine or no-take preserve, as defined by NOAA's [National Marine Protected Areas Center](#), refers to a highly protected type of MPA where removing or destroying natural or cultural resources is prohibited.

¹² The [National Marine Protected Areas Center](#) defines a marine protected area (MPA) as "...a broad term for a place in our ocean, estuaries, or Great Lakes where human activities are managed to protect important natural or cultural resources." For added clarification, [NOAA recognizes the IUCN's definition of 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."

areas as having the greatest likelihood of achieving biodiverse and healthy marine ecosystems.

- a. Require NOAA (or another more appropriate agency) to develop a comprehensive inventory of ocean areas that are not MPAs but that may improve MPA effectiveness and contribute to MPA goals of ecosystem connectivity and biodiversity conservation such as [other effective conservation measures](#) (OECMs). The inventory should include an assessment of the role that various marine conservation and management measures have in reaching 30x30.
4. Guided by the [Biden Administration's work on the Justice40 Initiative](#),¹³ the Department of Commerce and DOI should establish a 30for40 Initiative, requiring an assessment of whether 40 percent of the benefits of newly conserved marine and coastal areas counted towards the national 30x30 goal benefit underserved communities.
5. Use multi-objective prioritization to add new highly protected MPAs in strategic locations off our coast with the greatest potential for [biodiversity protection, increased fish yields, protection of marine sediment carbon stocks](#), and ecological connectivity. These win-win scenarios directly align with President Biden's [biodiversity and climate goals](#).
 - a. Ensure [effective management](#) of lands adjacent to marine areas with high multi-objective potential but where land-based stressors, such as runoff, impede the fulfilment of such potential.
 - b. This also means an emphasis on diversifying the geographic representation of highly and fully protected marine and coastal areas to include parts of the East Coast and Gulf of Mexico, where significant numbers of underserved communities are at risk of climate change's impacts and lack the kind of access to [marine and coastal protected areas present in the western Pacific](#).
6. Prioritize equitable public access for non-extractive, non-polluting, non-harmful¹⁴ to people, wildlife, or the environment, and culturally significant uses to and for BIPOC and EJ communities over extractive, polluting, or

¹³ In a [blog post](#), senior White House officials state that "[j]ustice40 is a whole-of-government effort to ensure that federal agencies work with states and local communities to make good on President Biden's promise to deliver at least 40 percent of the overall benefits from Federal investments in climate and clean energy to disadvantaged communities."

¹⁴ Non-harmful activities refer to those which will not cause significant biological or ecological degradation to natural resources.

harmful uses within existing and new MPAs that count toward the 30% goal for marine and coastal waters.

7. Acknowledge in the DOI's first report assessing progress toward 30x30 nationally that over-exploitation of our coast and ocean resources by a few individuals and corporations challenges the basic human right of all people to sustainably use and enjoy the health and environmental benefits provided by the coasts and ocean. When a few individuals overfish or pollute the ocean, those few benefit at the expense of all other peoples' right to enjoy the benefits of our coasts and ocean.
8. Require that the appropriate agencies responsible for updates to existing MPAs and the development of new MPAs reflect the nation's demographics.
 - a. Publish data on the current demographic makeup of local MPA management and previous MPA planning processes to ensure decision-making bodies reflect the demographics of nearby communities.
9. Establish a 30x30 Ocean Equity Advisory Panel by January 2022 composed of ocean-focused Tribal and EJ leaders and community-based organizations (CBOs) to advise NOAA and develop an ocean-focused document with recommendations of ways to equitably protect, increase access to, and support the BIPOC communities that are most vulnerable to climate and biodiversity loss impacts to coastal waters. This advisory panel would offer an opportunity for organizations not already represented in the White House Environmental Justice Advisory Council (WHEJAC) to engage federal stakeholders.
10. Develop equity standards that all agencies tasked with working on 30x30 must meet. These can include:
 - a. A requirement that all 30x30 and MPA network related materials, including but not limited to the Stewardship Atlas, those produced by the WHEJAC, or any materials associated with the upcoming MPA update process, are translated and available in the top five used languages in the United States.
 - b. A requirement that by 2023, every office within NOAA responsible for the implementation of 30x30, has designated staff to serve as the point of local contact for environmental justice groups and stakeholders.
 - c. A requirement that all consultants hired by the agency to work with 30x30 stakeholders have a demonstrated capacity to moderate stakeholder interactions in a way that prevents and safeguards against discriminatory or racist behavior toward BIPOC and EJ community

representatives. This could be achieved through a reference of work or background check process that obtains testimonials from prior BIPOC and EJ community stakeholders themselves.

- d. A goal for every office in charge of implementation of the 30x30 strategy to recruit, build, and maintain staff that actually reflect the country's diversity by 2030, along with a requirement to report on progress towards meeting the goal by 2024. The report may include progress made on hiring plans, budget requests, updates to recruitment processes and justifications.
11. Create an Outdoor Equity Recreation Division, administered by the National Park Service (NPS), that matches state funds dedicated to increasing outdoor recreation opportunities to youth in underserved communities. To determine whether a state fund deserves a federal match, the NPS should prioritize eligibility criteria established by existing state outdoor equity funds in [California](#), [Colorado](#), and [New Mexico](#) as models. Funding for this division may be diverted from newly [reauthorized funding for the Land and Water Conservation Fund \(LWCF\)](#).
 - a. To assist states that do not have outdoor equity funds and increase access to nature for youth, the DOI can work with states, local governments, and school districts to find ways to finance opportunities to access federal lands via the [Every Kid Outdoors Program](#). Agency officials can supplement school districts that primarily serve underserved youth to facilitate outdoor education and recreation.
 12. Building on [Secretary Deb Haaland's historic announcement](#), commit to setting Outdoor Recreation Legacy Partnership (ORLP) funding to no less than \$150 million every year through 2024, in addition to an acknowledgement of the benefits of extending this level of funding through 2030.
 13. Include "increasing access to protected public lands and waters" as an example benefit of covered investment to be considered by federal agencies when determining the benefits of covered programs under Section III of the [Interim Implementation Guidance for the Justice40 Initiative](#).
 14. To build on President Biden's pledge, in his [presidential campaign](#) and [Executive Order 14008](#), "...to mobilize the next generation of conservation and

resilience workers...”, commit to hiring 70% BIPOC or representatives from EJ communities in the Civilian Climate Corps (CCC) by 2022.¹⁵

15. Ensure that the Council on Environmental Quality’s [Climate and Economic Justice Screening Tool](#) incorporates tracking capabilities for access to greenspace, public lands, and waters for BIPOC populations in urban and suburban areas.
16. Mandate state and federal applicants incorporate increasing equitable public access, with the goal of combatting the lack of access faced by BIPOC and EJ communities, as part of their submission process when applying for [federal land acquisition grants](#).
17. Establish a dedicated portion of funds from the [LWCF state-side funds](#) for Native American Tribes.
18. Increase the percentage match for stateside funding for BIPOC and EJ communities by allowing more in-kind contributions for these specific areas.
19. Research, and make publicly available, the viability of compensation mechanisms such as payments for ecosystem services or livelihood alternatives for lost opportunities or access to resources.
20. Emphasize that co-management arrangements for new MPAs involve a partnership between governments (local, state and federal), Indigenous communities, and EJ and CBOs.

The Biden Administration should fight for these recommendations because they center equity and environmental justice at the heart of how the national 30x30 goal is reached. Azul is pleased to see equity outlined as a priority principle in DOI’s “[Conserving and Restoring America the Beautiful](#)” report, which will serve as a guiding framework for the federal government’s approach to 30x30.

Importantly, it is imperative that the Biden Administration not overlook the value these recommendations bring to, as President Biden said in his [executive order committing to 30x30](#), “environmental justice to communities all across the country,”

¹⁵ The 70% mandate is informed by research in an “[Analysis in the Disparities in Nature Loss and Access to Nature](#),” which found that 74% of nonwhite people live in nature-deprived areas; nonwhite communities are three times more likely to live in nature-deprived areas than white communities; and 76% of low-income communities of color live in nature-deprived areas. Moreover, the historical lack of BIPOC inclusion in national conservation programs— like the [exclusive employment of white males in President Franklin Roosevelt’s Civilian Conservation Corps](#)— means President Biden’s CCC must prioritize high levels of BIPOC employment to address the precedent of federal exclusion.

and improve access to recreation. When considering California —where Azul fought to include equitable access to the outdoors in AB 3030— has already embarked on a trailblazing effort to center equity into its 30x30 process as a result of Gov. Newsom's [Executive Order N-82-20](#), we expect the federal government to deliver on President Biden's promise.

Thank you for taking the time to consider our recommendations.

Sincerely,

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