

FAQ: Revitalizing the Natural Lands Protection Act and Natural Heritage Conservation Act

New Mexico state agencies, communities, and landowners need the appropriate tools to protect and restore lands. This legislative proposal (2021 Regular Session—[HB 265](#) “*NATURAL RESOURCES & LANDS PROTECTION*”, Rep. Kristina Ortez) would provide technical updates to two of New Mexico’s existing conservation programs: the Natural Lands Protection Act (NLPA), established in 1989, and the Natural Heritage Conservation Act (NHCA), established in 2010. Together, these two programs—both administered by the New Mexico Energy, Minerals, and Natural Resources Division—provide broad authority to protect lands for conservation, purchase conservation easements, and fund restoration projects.

- Natural Heritage Conservation Act | *Statute* ([75-10-1 NMSA 1978](#)), *Rule* ([19.1.3 NMAC](#))
- Natural Lands Protection Act | *Statute* ([75-5-1 NMSA 1978](#)), *Rule* ([19.1.2 NMAC](#))

The state lacks a dedicated funding source for conservation programs—if these proposed changes were passed and the two programs funded, the state would have the ability to distribute grants to various local government entities, land grants, and acequias to match federal funds for acquisition, restoration, conservation, and recreation projects. This would allow the state to increase carbon sequestration, reduce catastrophic wildfires, and restore resilient ecosystems, setting the state on a path to becoming a national conservation leader.

On-the-ground conservation spending creates a significant return on investment for the public and our natural resources. Investments in the outdoors also help build our growing outdoor recreation economy. Outdoor recreation contributes \$6.1 billion to our state, creating 68,000 jobs and \$458 million in state and local taxes annually. Finally, nature-based conservation is one of the most cost-effective measures to combat climate change and meet our state’s climate goals.

The New Mexico federal delegation led the way for increased conservation funding to states through the passage of the [Great American Outdoors Act](#) (GAOA) and the introduction of the [Recovering America’s Wildlife Act](#) (RAWA) with bipartisan support. Annual GAOA funding to New Mexico through the Land and Water Conservation Fund currently totals approximately \$5 million per year, and RAWA funding could exceed \$30 million if passed through Congress. Every \$1 invested in parks through the Land and Water Conservation Fund returns \$4 in economic value. However, both of these funding sources require a non-federal match. It’s time for the state to modernize its conservation programs, fully leverage federal conservation funding, and meet the climate and biodiversity crisis head-on.

In the 2021 Regular Session, [HB265](#) was passed by the House after receiving a “do pass” recommendation from the Energy, Environment, and Natural Resources Committee and the State Government, Elections, and Indian Affairs Committee. The bill was never scheduled for a hearing in the Senate Judiciary Committee.

What would this bill do?

The updates in the bill include specifying a shared project fund across the NHCA and NLPA programs, expanding the composition of the committee tasked with evaluating projects for funding, updating project selection priorities, and improving the state’s ability to meet criteria for leveraging federal matching funds. With the provisions in this bill, local communities will have the opportunity to apply for state grants and federal matching funds to work with willing landowners to acquire and

develop new open spaces, expanding public access and providing more opportunities for hunting and fishing.

Under this bill, what types of projects could be completed through the NLPA?

This bill will allow state agencies and political subdivisions to acquire unique and ecologically significant lands for conservation purposes (under the existing purpose of the act), focusing on projects that preserve wildlife habitat, expand migration corridors, protect lands of cultural significance, increase recreational access, and mitigate the impacts of climate change. Conservation projects are integral to achieving the goals in New Mexico's Climate Action Plan.

The NLPA has been used for joint acquisitions with state agencies and non-profit land conservation entities. A total of 10 projects between 1988 and 2009 protected 4,820 acres.

What entities are eligible to receive funding under the NLPA?

State agencies will be able to receive funding to create new parks and wildlife areas, protect cultural sites, and preserve lands with distinct biodiversity. A nonprofit organization can also partner with the state on conservation projects to assist in managing lands with unique biological and ecological resources.

Any political subdivision of the state will also be eligible to receive grant funding to acquire lands to be managed for conservation and recreation access. This includes cities, counties, Land Grants, Acequia Associations, and Soil and Water Conservation Districts.

State agencies and political subdivisions are also eligible to receive federal matching funds for park projects through the Land and Water Conservation Fund State and Local Assistance Grant Program.

What types of projects can be completed through the NHCA?

The program offers grants to purchase conservation and agricultural easements and complete restoration projects on public and private lands. This includes restoring working lands, rangelands, and watersheds; improving wildlife habitat; building outdoor recreation areas and trails; protecting water quality and quantity; and protecting lands of cultural or historic significance. These are voluntary programs designed to provide financial assistance to private landowners, tribes, and state entities for conservation purposes.

Although the NHCA has never received a direct appropriation, EMNRD received a one-time allocation of \$5 million in 2010—the same year the NHCA was passed. With this money, 16 conservation easements and restoration projects on private, state, and tribal lands in 11 counties were completed through joint efforts between EMNRD and NGOs.

A recent United States Geological Survey study conducted in New Mexico determined that every \$1 million invested in habitat and watershed restoration generates approximately 26 jobs. And according to a study by Colorado State University, every \$1 invested in conservation easements returns \$4 to \$12 in public benefits.

Who is eligible for funding through the NHCA?

State agencies, state educational institutions, tribes, and political subdivisions of the state (cities, counties, Land Grants, Acequias, Soil and Water Conservation Districts, etc.) are eligible for conservation project grants. Nonprofit organizations can also partner with the state for completing restoration projects or purchasing conservation easements if the organization partners with a state agency and contributes 10 percent of the project costs.