

Alert | Energy & Natural Resources

September 2018

Digital Platform – Sustainable Forest Development Law in Mexico

On Sept. 6, 2018, the Secretariat of Environment and Natural Resources (SEMARNAT), along with the Secretariat of Agriculture, Livestock, Rural Development, Fishery and Food (SAGARPA), published a new agreement establishing the digital information platform mandated in Article 24, Paragraph 3 of the Sustainable Forest Development Law (the Agreement). The agreement sets out the guidelines that SEMARNAT and SAGARPA will use to identify forest territories and agricultural lands, and includes details about the digital platform that will be used to determine which forested land is eligible to receive government support and economic stimulus to help develop agricultural activities.

The digital platform will also be used to help determine whether land located within a proposed project area is considered a forest territory. If the land is considered a forest territory, prior to any activity, authorization for a change in land-use must be obtained from SEMARNAT must be secured.

The agreement is effective as of Sept. 7, 2018.

Digital Platform Overview

According to the publication, a single digital platform that integrates geographic information as well as information from other databases will be used to identify forest territories or agricultural lands.

SEMARNAT and SAGARPA will leverage the digital platform to identify those lands within Mexico that should be considered forest lands or lands with forest vegetation, for the purposes of planning and



determination of which zones are eligible for subsidies. The digital platform will also contain information defining the criteria for assignment for budgeting purposes.

The platform will help the authorities visualize, analyze, and generate reports of environmental and agricultural information relevant to the subsidy applications for any lands that are geo-referenced. These reports are expected to provide government agencies with information to make decisions on whether to grant economic support for certain activities based on natural renewable resources, such as farming and forestry, as long as these activities are not performed in deforested zones, do not require a land-use change, or increase the agricultural boundary.

Information Contained on the Digital Platform

The digital platform will integrate Mexico's land area map with information systems, databases, and georeferenced data to identify whether lands eligible for support and economic stimulus for the development of agricultural activities are within forest lands or lands with forest vegetation. The digital platform will also include:

Environmental Information - geographic information and information from various SEMARNAT databases (including information from the National Commission of Protected Natural Areas and the National Forestry Commission); this also includes forestry zoning information, information related to changes in land-use, and information about land that has been approved for forest resources, timber, or lumber.

Agricultural Information - data from the Agricultural and Fishery Information Service will be integrated into the digital platform with vector data of the agriculture of Mexico; the digital platform will also store information about agricultural patterns, information about lands that support PROAGRO, and other pertinent agricultural information.

Authors

This GT Alert was prepared by **Erick Hernández Gallego** and **Marlis Vázquez Egli**. Questions about this information can be directed to:

- Erick Hernández Gallego | +52 55.5029.0060 | ehernandez@gtlaw.com
- Marlis Vázquez Egli | +52 55.5029.0063 | vazquezma@gtlaw.com
- Or your Greenberg Traurig attorney

Albany. Amsterdam. Atlanta. Austin. Boca Raton. Boston. Chicago. Dallas. Delaware. Denver. Fort Lauderdale. Germany. Houston. Las Vegas. London.* Los Angeles. Mexico City.* Miami. New Jersey. New York. Northern Virginia. Orange County. Orlando. Philadelphia. Phoenix. Sacramento. San Francisco. Seoul. Shanghai. Silicon Valley. Tallahassee. Tampa. Tel Aviv. Tokyo. Warsaw. Washington, D.C.. West Palm Beach. Westchester County.

This Greenberg Traurig Alert is issued for informational purposes only and is not intended to be construed or used as general legal advice nor as a solicitation of any type. Please contact the author(s) or your Greenberg Traurig contact if you have questions regarding the currency of this information. The hiring of a lawyer is an important decision. Before you decide, ask for written information about the lawyer's legal qualifications and experience. Greenberg Traurig is a service mark and trade name of Greenberg Traurig, LLP and Greenberg Traurig, P.A. ¬Greenberg Traurig's Berlin office is operated by Greenberg Traurig Germany, an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. *Operates as a separate UK registered legal entity. +Greenberg Traurig's Mexico City office is operated by Greenberg Traurig, S.C., an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. *Operates as Greenberg Traurig the Industry office is a branch of Greenberg Traurig, P.A., Florida, USA. *Greenberg Traurig Tokyo Law Offices are operated by GT Tokyo Horitsu Jimusho, an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. Certain partners



in Greenberg Traurig Grzesiak sp.k. are also shareholders in Greenberg Traurig, P.A. Images in this advertisement do not depict Greenberg Traurig attorneys, clients, staff or facilities. No aspect of this advertisement has been approved by the Supreme Court of New Jersey. ©2018 Greenberg Traurig, LLP. All rights reserved.

© 2018 Greenberg Traurig, LLP www.gtlaw.com | 3