

**CUSTER COUNTY
RESOLUTION 2021-04
A RESOLUTION OPPOSING THE FEDERAL GOVERNMENT'S 30 X30 LAND
PRESERVATION GOAL**

WHEREAS, Custer County is a political subdivision of the State of Idaho for which the Board of Commissioners ("Board") is authorized to act: and

WHEREAS, Custer County is one of the largest counties in Idaho, containing about 3,159,680 acres of land; and

WHEREAS, the federal government is the largest landowner in Custer County, owning approximately 93.2 percent of the land within the County, and two federal agencies, the Bureau of Land Management (BLM) and the US Forest Service are responsible for managing over 2,937,675+ acres of these federal lands as illustrated in Exhibit A, attached hereto; and

WHEREAS, approximately 17,000 + acres (nearly 9.32 percent) of privately-owned land in Custer County are also protected with perpetual conservation easements as illustrated in Exhibit B, attached hereto; and

WHEREAS, in 2015 Congress designated 67,998 acres in the Salmon-Challis National Forest known as the Hemingway-Boulders Wilderness area and 90,769 acres known as the White Clouds Wilderness, and 116,898 acres known as the Jim McClure-Jerry Peak Wilderness, which are predominantly in Custer County as illustrated in Exhibit C, attached hereto; and

WHEREAS, designating lands as wilderness does not assure its preservation. Left in an undisturbed or natural state, these lands are highly susceptible to wildland wildfires, insect infestation and disease, all of which exacerbate greenhouse emissions which adversely impact global climate change; and

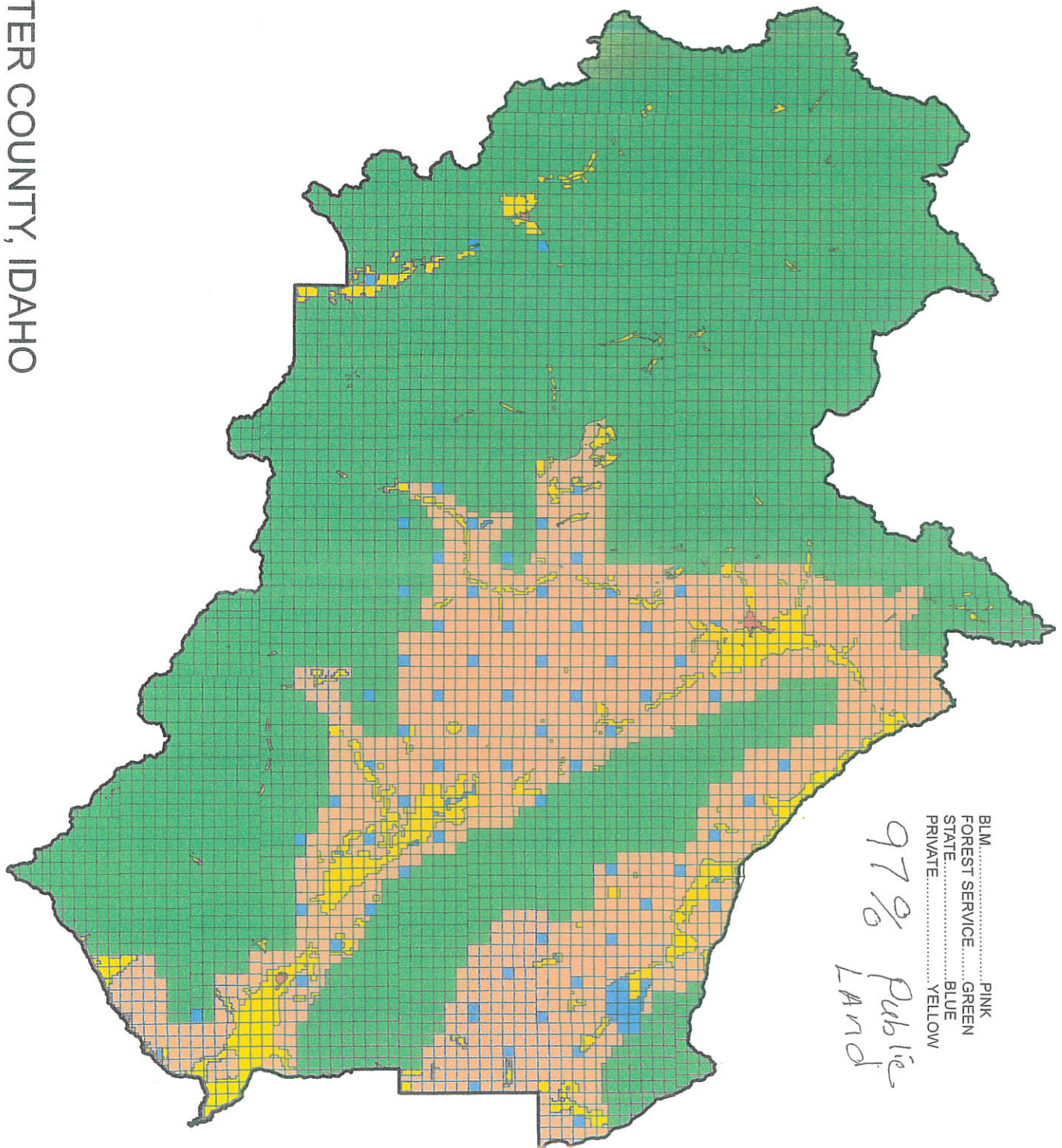
WHEREAS, because of the predominance of federal land in Custer County, the well-being, health, safety, welfare, economic condition, and culture of the County, its businesses, and its citizens depend on the manner in which these lands and their resources are used and access to these lands; and

WHEREAS, many of Custer County's businesses and its citizens are involved in or otherwise depend on industries that utilize federal lands and their resources, including the forest products industry, livestock grazing, oil and gas exploration and production, mining and mineral development, recreational industries, hunting and other outdoor recreation; and

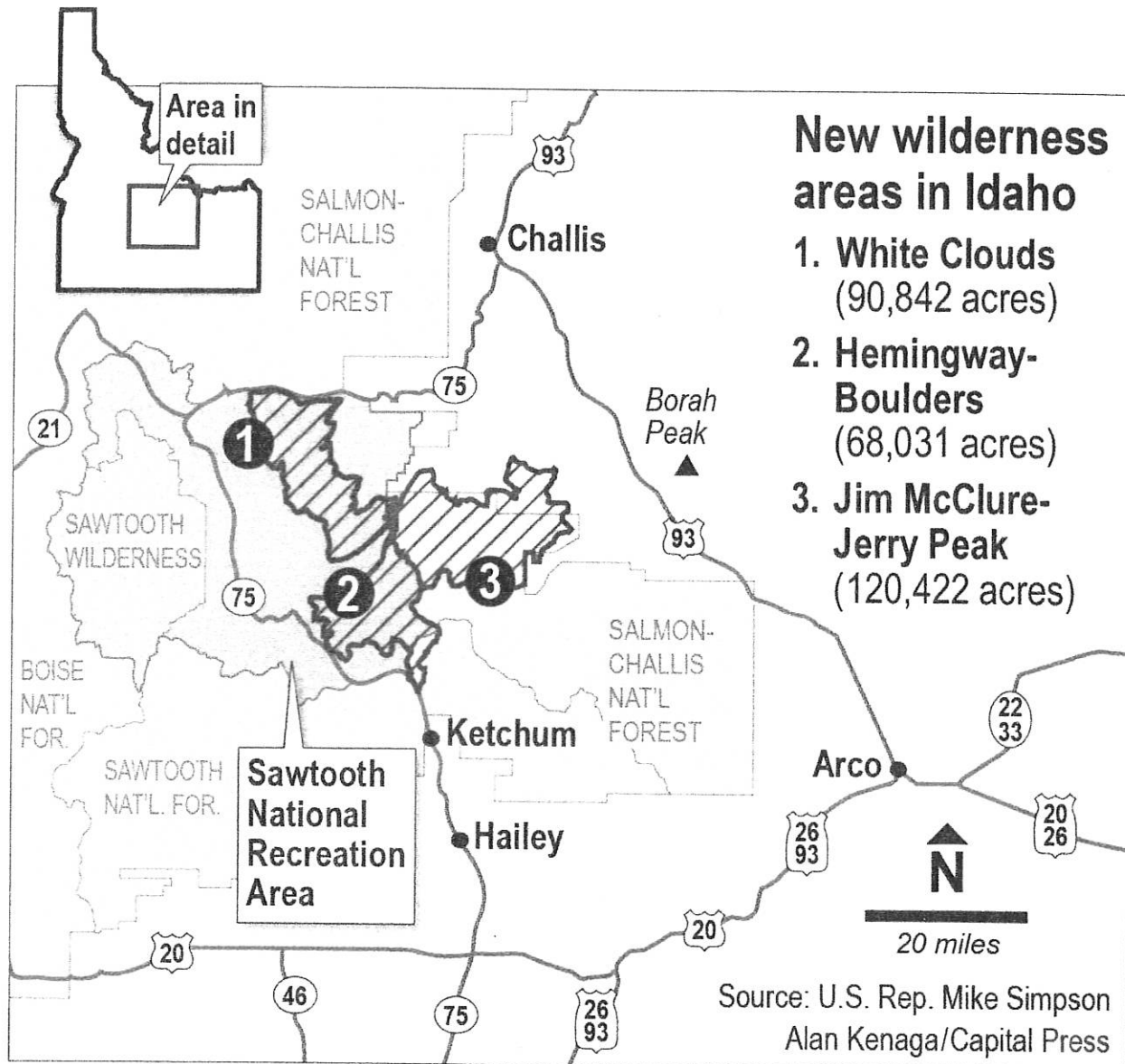
WHEREAS, these industries are important components of the Idaho economy, and are major contributors to the economic and social well-being of Custer County and its citizens; and

EXHIBIT A

CUSTER COUNTY, IDAHO



[illegible]



WHEREAS, on January 27, 2021, President Joseph R. Biden, Jr., issued Executive Order 14008 entitled Tackling the Climate Crisis at Home and Aboard (86 Fed Reg. 7,619); and

WHEREAS, in Section 216 of Executive Order 14008, President Biden directed the Secretary of Interior, in consultation with the Secretary of Agriculture and other senior officials, to develop a program to conserve at least 30 percent of the lands and waters in the United States by 2030, which is called the "30 X 30" program; and

WHEREAS, under the "30 X 30" program, some 680 million acres of our Nation's lands would be set aside and permanently preserved in its natural state, preventing the productive use of these lands and their resources; and

WHEREAS, there is no constitutional or statutory authority for the President, the Department of the Interior, the Department of Agriculture, or any other federal agency to set aside and permanently preserve 30 percent of all land and water in the United States, and no such authority is referenced in Executive Order 14008; and

WHEREAS, the "30 X 30" program, if implemented, is likely to cause significant harm to the economy of Custer County, and injure the County's businesses and its citizens by depriving them of access to public lands and notional forest system lands and preventing the productive use of these lands' resources; and

WHEREAS, the withdrawal of some 680 million acres of federal lands from multiple use and placement of such lands in permanent conservation status will cause dramatic and irreversible harm to the economies of many western states, including Idaho, and in particular rural counties such as Custer County whose citizens depend on access to federal lands for their livelihoods; and

WHEREAS, the "30 X 30" program, if implemented, will conflict with the plans, policies and programs of Custer County as expressed in "Custer County Public Land Resource Management Plan" adopted April 2018 which obligates the federal government to coordinate its policy development with Custer County as also required by the Federal Land Management Policy Act (FLPMA) and the National Forest Management Act (NFMA); and

WHEREAS, Executive Order 14008 at Sec. 216(a) directs the Secretary of the Interior, in consultation with other relevant federal agencies to "submit a report to the Task Force within 90 days of the date of this order recommending steps that the United States should take, working with State, Local, Tribal, and territorial governments, agricultural and forest landowners, hunters, fishermen, and other key stakeholders, to achieve the goal of conserving at least 30 percent of our lands and water by 2030.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Custer County, Idaho; as follows:

1. The Board opposes the 30 X 30 program, including its objective of permanently preserving 30 percent of the Nation's lands in its natural state by 2030, or any similar program that will set aside and prevent the productive use of millions of acres of our lands.
2. The Board further opposes the designation of public lands and national forests in Custer County as wilderness, wilderness study areas, wildlife preserves, open space, or other conservation land, thereby restricting public access to such lands and preventing the development and productive use of the resources on or within such lands.
3. The Board supports the continued management of the public lands and the national forests under principles of multiple use and sustained yield, recognizing the Nation's need for domestic sources of minerals, energy, timber, food and fiber, and in careful coordination with Custer County to ensure consistency with County Public Land Resource Management Plans and land management policies, as required by law.
4. The Board supports maintaining and enhancing public access to public lands and national forests and opposes road closures, road decommissioning, moratoria on road construction, and other limitations on public access for the purpose of fulfilling the "30 X30" program objectives.
5. The Board recognizes and supports the State of Idaho's water rights system, including the doctrine of prior appropriation and other state laws and programs governing water rights and water use, and opposes any federal designation of waters and watercourses within the County that would impair or restrict water diversions and uses authorized under Idaho law.
6. The Board supports seasonable national, regional, and global greenhouse gas emissions policies and goals that are comprehensive, practical, cost-effective, and do not unnecessarily single out specific industries or activities, but opposes the use of a global climate changes as an excuse to set aside large tracts of land as preserves or open space to fulfill the "30 X 30" program's objectives.
7. The Board maintains that the designation of public lands and national forest lands as wilderness, wilderness study areas, wildlife preserves, open space, or other conservation land to fulfill the "30 X 30" program's objectives may lawfully occur, if at all, only through the planning process mandated by the Federal Land Management and Policy Act (for public lands) or the National Forest Management Act (for national forest lands), including public notice and an opportunity to comment, analysis and disclosure of the impacts of such land acquisitions on the well-being, health, safety, welfare, economy, and culture of

Custer County, its businesses, and its citizens, and careful coordination with Custer County to ensure consistency with County land use plans and land management policies.

8. The Board also maintains that any non-federal lands or other rights that are acquired to fulfill the "30 X 30" program's objectives should be acquired only from willing landowners and for the payment of full and fair market value for all rights and interests acquired, and not through regulatory compulsion, and only after analyzing and considering the impacts of such land acquisitions on the well-being, health, safety, welfare, economy, and culture of Custer County, its businesses, and its citizens.

9. The Board shall send a copy of this Resolution to the Department of Interior, Department of Agriculture and all other relevant Federal and State agencies; and

10. The Board recognizing the President ha directed federal departments to work with local governments to implement the "30 X 30" program, will request a meeting with the Department of Interior to occur within the next 60 days and begin discussions of the Board's position on the "30 X 30" program.

DATED this 31st day of March, 2021.

Upon a motion to adopt the foregoing resolution made by Commissioner Corgatelli and second by Commissioner Smith, the Resolution was enacted by the following vote: Aye 3, Nay 0 on this 31st day of March, 2021.



Attest:

Lura H. Baker

Lura H. Baker, Clerk

Wayne F. Butts
Wayne F. Butts, Chairman

Randy Corgatelli
Randy Corgatelli, Commissioner

Steve W. Smith
Steve W. Smith, Commissioner