

(Federal Land County – Model Resolution Opposing the 30 x 30 Program)

STATE OF NEBRASKA

COUNTY OF WEBSTER

At a regular meeting of the Board of County Commissioners for Webster, Nebraska, held at the Webster County Courthouse, 621 N Cedar St, Red Cloud, Nebraska on April 6, 2021, there were present:

TJ Vance, Gary Ratzlaff, Tim Gilbert, Trevor Karr and Dan Shipman

RESOLUTION NO. 2021- 18

RESOLUTION OPPOSING THE FEDERAL GOVERNMENT'S "30 X 30" LAND PRESERVATION GOAL

WHEREAS, Webster County is a legal and political subdivision of the State of Nebraska for which the Board of County Commissioners ("Board") is authorized to act; and

WHEREAS, Webster County containing about [number] acres of land situated in [area of state]; and

WHEREAS, the federal government owns [%] of the land within the County, and the [insert primary federal land management agencies] are responsible for managing over [number] acres of these federal lands [if have appropriate map insert the following: "as illustrated in *Exhibit A*, attached hereto"]; and

WHEREAS, approximately [number] acres (nearly [%] percent) of privately owned land in Webster County are also already protected with perpetual conservation easements [if have appropriate map insert the following: "as illustrated in *Exhibit A*, attached hereto"]; and

WHEREAS, [Describe prominent protected federal and state land designations within the county such as Parks, Wilderness and Refuges. Include map if have available]; 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 degrades the natural and human environment; and

WHEREAS, because of the predominance of federal land in Webster 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 Webster County 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 Nebraska economy, and are major contributors to the economic and social wellbeing of Webster County and its citizens; and

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 the 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 Webster County, and injure the County’s businesses and its citizens by depriving them of access to public lands and national 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 [State], and in particular rural counties such as Webster 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 Webster County as expressed in [Name of Planning Document], adopted [Date] which obligates the federal government to coordinate its policy development with [Name] as also required by the Federal Land Management and Policy Act (FLPMA) and the National Forest Management Act (NFMA); and

WHEREAS, Executive Order 14008 at 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, fishermen, and other key stakeholders, to achieve the goal of conserving at least 30 percent of our lands and waters by 2030.”

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Webster County, Nebraska, 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 Webster 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 Webster County to ensure consistency with County land use 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 x 30 program's objectives.
5. The Board recognizes and supports the State of Nebraska'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 Nebraska law.
6. The Board supports reasonable 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 global climate change 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 Webster County, its businesses, and its citizens, and careful coordination with Webster 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 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

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 private ownership of land in the County, recognizing the Nation's need for domestic sources of minerals, energy, timber, food, and fiber.

4. The Board recognizes and supports the State of [NEBRASKA] water rights system, including the doctrine of [Insert applicable State water law principles, such as prior appropriation or rule of capture, etc] 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 [NEBRASKA] law.

5. The Board supports reasonable 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 global climate change as an excuse to set aside large tracts of land as preserves or open space to fulfill the 30 x 30 program's objectives.

6. The Board also maintains that any 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 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 [NEBRASKA] County, its businesses, and its citizens.

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

DATED this 6TH day of APRIL, 2021.

ATTEST:

Louise Petsch [Name of Clerk]
Clerk of the Board, LOUISE PETSCH



BOARD OF COUNTY COMMISSIONERS OF [WEBSTER] COUNTY, STATE OF [NEBRASKA]

By: Tyler J Vance [Name], Chairman, TYLER J VANCE

Upon motion duly made and seconded the foregoing Resolution was adopted by the following vote:

Commissioners:

- [List Commissioners and vote]
- DAN SHIPMAN - DISTRICT ONE
- TREVOR KARR - DISTRICT TWO
- T J VANCE - DISTRICT THREE
- TIM GILBERT - DISTRICT FOUR
- GARY RATZLAFF - DISTRICT FIVE

(ALL COMMISSIONERS VOTED IN FAVOR)