

Private Land County – Resolution Opposing the 30 x 30 Program

STATE OF NEBRASKA

COUNTY OF HARLAN

At a regular meeting of the Board of County Supervisors for Harlan, Nebraska, held at the Harlan County Courthouse on May 4th, 2021, there were present:

Christian Schluntz, District 1; Max Schultz, District 2; Mike Clements, District 3; Cindy Boehler, Chairperson-District 4; Jeff Bash, District 5; Ron Imm, District 6; Anthony Gulizia, District 7.

RESOLUTION NO. 2021- 18

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

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

WHEREAS, Harlan County containing about 367,360 acres of land situated in the South Central area of the state; and

WHEREAS, the federal government owns 11.6% of the land within the County, and the Army Corp of Engineers are responsible for managing over 31,500 acres of these federal lands; and

WHEREAS, approximately 4,288 acres nearly 1% percent of privately owned land in Harlan County are also already protected with perpetual conservation easements; and

WHEREAS, the Army Corp of Engineers maintains Harlan County Dam and Reservoir for flood control, irrigation and recreation; 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, the well-being, health, safety, welfare, economic condition, and culture of the County, its businesses, and its citizens depend on private land ownership and the use of these resources; and

WHEREAS, many of Harlan County's businesses and its citizens are involved in or otherwise depend on industries that utilize private lands and their resources, including farming, livestock grazing, oil and gas exploration and production, 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 Harlan 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, placing private lands into permanent conservation status will cause dramatic and irreversible harm to the economies of many states, including Nebraska, and in particular rural counties such as Harlan County whose citizens depend on private lands for their livelihoods; and

WHEREAS, the 30 x 30 program, if implemented, will conflict with the plans, policies and programs of Harlan County as expressed in Harlan County Comprehensive Plan, adopted January 2001, which obligates the federal government to coordinate its policy development with Harlan County; 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.”

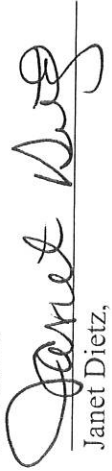
NOW, THEREFORE, BE IT RESOLVED by the Board of County Supervisors of Harlan County, Nebraska, as follows:

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 lands in Harlan County as wilderness, wildernes 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 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'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.
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 Harlan 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 4th day of May, 2021.

ATTEST:


 Janet Dietz,
 Clerk of the Board



BOARD OF COUNTY-SUPERVISORS OF HARLAN COUNTY, STATE OF NEBRASKA

By:  Cindy Boehler, Chairperson



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

SUPERVISORS:

Christian Schluntz	District 1	Vote: A gainst / In Favor
Max Schultz	District 2	Vote: A gainst / In Favor
Mike Clements	District 3	Vote: A gainst / In Favor
Cindy Boehler	District 4	Vote: A gainst / In Favor
Jeff Bash	District 5	Vote: A gainst / In Favor
Ron Imm	District 6	Vote: A gainst / In Favor
Anthony Gulizia	District 7	Vote: A gainst / In Favor

RESOLUTION OPPOSING 49-COUNTY NATIONAL HERITAGE AREA

Whereas, Kansas Nebraska Heritage Area Partnership is pursuing a National Heritage Area designation encompassing 49 counties, (26 in Kansas, 23 in Nebraska, equaling 35,792 square miles) with a total population of 650,000;

Whereas, Congress has designated National Heritage Areas which encompass vast amounts of privately held land in order to highlight areas of specific interest. Citizens of this county appreciate efforts to encourage economic development, but oppose blanket designations that put dissenting private landowners in the unreasonable position of having to "opt out" of federally mandated boundaries;

Whereas, the establishment of a 49-county National Heritage Area would adversely influence local officials to pass zoning laws not otherwise needed in order to accommodate a National Heritage Area Management Plan developed by the National Park Service and approved by the Secretary of the Interior, thereby altering well-established processes for land use regulation;

Whereas, A National Heritage Area designation invites interference in local affairs by special interest groups who claim to be stakeholders, such as the National Park Service, animal rights activists and environmental groups who do not have the historical perspective or deeply felt stewardship responsibility of owners who have worked the land over several generations.

Whereas, the establishment a National Heritage Area in order to leverage federal and local matching funds based upon private property, without owner knowledge or consent, illustrates a violation of private property rights; The United States can no longer afford to borrow money to engage in endless expansion of dependency and regulation by the federal government with sunset provisions for NHAs that were never enforced, resulting in chronic dependency rather than free market activity.

Whereas, A fundamental interdependence exists between individual liberty and the ability to own property, the citizens of this county are very concerned that a National Heritage Area designation would deprive landowners of their ability to use and enjoy their property as they see fit;

NOW THEREFORE BE IT RESOLVED: That ^{49-COUNTY} ~~County~~ opposes the National Heritage Area designation of the 49-county region aforementioned, and likewise opposes the inclusion of this county within the 49-county designation map and does not wish to confer upon an unelected regional management entity the ability to establish or influence land use policy within the boundaries of this county.

Signed Chad Freckman CHAIRMAN

Signed Marjorie Smith V.P.

