

BOARD OF BAKER COUNTY COMMISSIONERS

IN THE MATTER OF

OPPOSING SECTION 216 OF)
EXECUTIVE ORDER 14008) Resolution No: _____
“TACKLING THE CLIMATE CRISIS)
AT HOME AND ABROAD”)

WHEREAS, Baker County is a legal and political subdivision of the State of Oregon for which the Board of Commissioners (“Board”) is authorized to act; and

WHEREAS, Baker County spans 3,089 square miles (1,976,960 acres), making the County larger than Rhode Island or Delaware. Public land management already conserves 51.5% of the land, comprising a total of 1,016,511 acres through federal management. (The US Forest Service manages 33% and the Bureau of Land Management manages 18.5%.); and

WHEREAS, Wilderness Areas, Inventoried Roadless Areas, and other Special Use Designations are already protected federal lands that leave only 30% of the County’s public forestlands as “working forests”; and

WHEREAS, designating lands as Wilderness or other Special Use Designation do not ensure their preservation as left in an undisturbed or natural state, these lands are highly susceptible to wildland wildfires, insect infestations, and disease, all of which degrades the natural and human environment; and,

WHEREAS, because of the predominance of federal land in Baker County, the health, safety, welfare, economic viability, sustenance 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 Baker County’s businesses and its citizens are involved in or otherwise depend on access that utilize federal lands and their resources, including the forest industry, livestock grazing, mining and mineral development, recreational industries, hunting, and other outdoor recreation; and

WHEREAS, natural resource based industries are important components of the Oregon economy, and are major contributors to the economic and social viability of Baker 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 Abroad (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

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WHEREAS, under the 30 x 30 program, 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% of all land and water in the United States, and no such authority is reference in Executive Order 14008; and

WHEREAS, the 30 x 30 program, if implemented, will cause significant harm to the economy of Baker 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 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 economics of many western states including Oregon, and in particular rural counties such as Baker County whose citizens depend on access to federal lands for their livelihoods, customs, and culture; and

WHEREAS, the 30 x 30 program, will conflict with the plans, policies, and programs of Baker County as stated in the Baker County Natural Resources Plan, adopted on July 20, 2016, which obligates the federal government to coordinate its policy development with federal agencies 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% of our lands and waters by 2030."

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Baker County, Oregon, as follows:

1. The Board opposes the 30 x 30 program, including its objective of permanently preserving 30% 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 forest in Baker County as Wilderness, Wilderness Study Areas, Wildlife preserves, open space, or other conservation, Special Use Designation lands, thereby restricting public access to such lands and preventing the development and productive use of the resources on or within such lands.

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- 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 mineral, energy, timber, food, and fiber, and in careful coordination with Baker 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 forest 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 or other federal agency directives.
- 5. The Board recognizes and supports the State of Oregon’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 water and watercourses within the County that would impair or restrict water diversions and uses authorized under Oregon State law.
- 6. The Board opposes the use of global climate change as an excuse to set aside large tracts of land for ‘preservation’ or as open spaces 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 spaces or other conservation land to fulfill the 30 x 30 program 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, economic viability, customs, and culture of Baker County, its businesses, and its citizens, and careful coordination with Baker County to ensure consistency with County land use plans and land management policies.
- 8. The Board shall send a copy of this Resolution to the Department of the Interior, Department of Agriculture and all other relevant Federal and State agencies.

DATED this ___ day of _____, 2021.

BOARD OF COUNTY COMMISSIONERS OF BAKER COUNTY, OREGON

Bill Harvey, Chair

Mark Bennett, Commissioner

Bruce Nichols, Commissioner