

## RESOLUTION 2021-38

WHEREAS, many of Buffalo County's businesses and its citizens are involved in or otherwise depend on industries that utilize and/or depend upon the private ownership of land and its resources, including, but not limited to, livestock grazing, agricultural and horticultural activities, oil and gas exploration and production, mining and mineral development, recreational industries, hunting and other outdoor recreation;

WHEREAS, these industries are important components of the Nebraska economy, and are major contributors to the economic and social wellbeing of Buffalo County and its citizens;

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);

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;

WHEREAS, under the 30 x 30 program, approximately 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;

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;

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 Buffalo County whose citizens depend on the private ownership of land for their livelihoods;

WHEREAS, the 30 x 30 program, if implemented will conflict with the plans, policies and programs of Buffalo County as expressed in the County's Comprehensive Plan, adopted in 2012.

WHEREAS, conversion of land from private ownership to federal ownership typically results in removal of said land from the tax rolls of the applicable taxing entity, whereby diminishing the pool of total tax revenue available, and causing a potential for the burden of increased taxation for the remaining owners of privately held land;

WHEREAS, Executive Order 14008 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 Buffalo 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 land in their 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 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.
3. 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.
4. 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 a justification to set aside large tracts of land as preserves or open space to fulfill the 30 x 30 program's objectives.
5. 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 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 wellbeing, health, safety, welfare, economy, and culture of Buffalo County, its businesses, and its citizens.

PASSED AND APPROVED THIS 13<sup>th</sup> DAY OF JULY, 2021

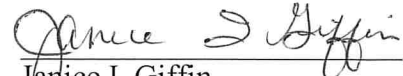
ATTEST:



William McMullen, Chairperson  
Buffalo County Board of Commissioners



(SEAL)



Janice I. Giffin  
Buffalo County Clerk

## RESOLUTION 2021-40

**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;

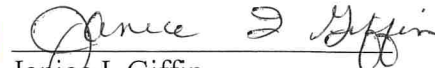
**NOW THEREFORE BE IT RESOLVED:** That Buffalo County opposes the National Heritage Area designation of the 49-county region aforementioned, and likewise opposes the inclusion of this county within the 49-county designation map and does not wish to confer upon an unelected regional management entity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

PASSED AND APPROVED THIS 13TH DAY OF JULY, 2021.

ATTEST:

  
\_\_\_\_\_  
William McMullen, Chairperson  
Buffalo County Board of Commissioners



  
\_\_\_\_\_  
Janice I. Giffin  
Buffalo County Clerk