

Board of Supervisors
Butler County, Nebraska

RESOLUTION 2021 - 29

A Resolution of the Butler County Board of Supervisors Opposing Executive Order 14008 entitled tackling climate crisis at home and abroad (86 Red. Reg. 7,819).

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

WHEREAS, on January 27, 2021, the President of the United States of America, issued Executive Order 14008 entitled Tackling Climate Crisis at Home and Abroad (86 Fed. Reg. 7,619); and

WHEREAS, in section 216 of Executive Order 14008, the President of the United States of America directed the Secretary of the Interior, in consultation with the Secretary of Agriculture, the Secretary of Commerce, the Chair of the Council of Environmental Quality, and the heads of other relevant agencies, to submit a report to the Task Force within 90 days of the date of the 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; and

WHEREAS, further in Section 216, (i) the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, through the Administrator of the National Oceanic and Atmospheric Administration, and the Chair of the Council on Environmental Quality shall, as appropriate, solicit input from State, local, Tribal and territorial officials, agricultural and forest landowners, fishermen, and other key stakeholders in identifying strategies that will encourage broad participation in the goal of conserving 30 percent of our lands and waters by 2030; and

WHEREAS, further in Section 216, (ii) the report to be submitted pursuant to the Executive Order shall propose guidelines for determining whether lands and waters qualify for conservation, and it also shall establish mechanisms to measure progress toward the 30 percent goal; and

WHEREAS, the Butler County Board of Supervisors desires to oppose Executive Order 14008, specifically Section 216 as written and will continue to monitor the development of any regulations adopted pursuant to said Executive Order and the impact any such actions may have in Butler County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED by Butler County Board of Supervisors, that this Board does hereby oppose Executive Order 14008, specifically Section 216 as written, and that it will continue to monitor any actions or regulations adopted pursuant to the Executive Order as to the potential for impact in Butler County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED, by Butler County Board of Supervisors, that this Board would at this time support Governor Pete Ricketts' Executive order 21-08 signed June 24th of 2021, a copy of which is attached to this Resolution.

Dated this 16th day of August, 2021.

MOVED by Supervisor Krafka, seconded by Supervisor Sypal, that the above resolution be adopted. Motion carried.

FOR:

AGAINST:

ABSENT:

ABSTAIN:

<u>Ryan J. Krafka</u>	_____	_____	_____
<u>[Signature]</u>	_____	_____	_____
<u>[Signature]</u>	_____	_____	_____
<u>David W. Mack</u>	_____	_____	_____
<u>Scott B. Bauer</u>	_____	_____	_____
<u>Tammy Krafka</u>	_____	_____	_____
<u>Christy [Signature]</u>	_____	_____	_____

Attested to by:

[Signature]
Stephanie L. Laska
Butler County Clerk





STATE *of* NEBRASKA
OFFICE OF THE GOVERNOR
LINCOLN

EXECUTIVE ORDER No. 21-08

STOP 30 X 30 – PROTECT OUR LAND & WATER

WHEREAS, Nebraska's farmers and ranchers care for the land and water and are the original conservationists and good stewards; and

WHEREAS, President Joe Biden signed Executive Order #14008 entitled, "Tackling the Climate Crisis at Home and Abroad;" and

WHEREAS, Executive Order #14008 sets a "goal of conserving at least 30 percent of our lands and waters by 2030;" and

WHEREAS, private property is a fundamental tenet of the American free enterprise system, and critical to the success of Nebraska's top industries, including agriculture and manufacturing; and

WHEREAS, achieving the goal of conserving 30% of the nation's land and water by 2030 would require conserving a land area the size of Nebraska each year for nine years; and

WHEREAS, federal conservation mandates have no constitutional basis, and have great potential to devastate Nebraska's economy; and

WHEREAS, the federal 30 percent conservation goal would interfere with the States' constitutional and traditional power over land and water uses; and

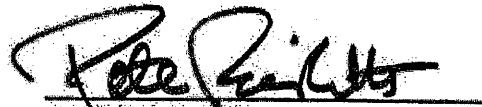
WHEREAS, the people of Nebraska oppose federal overreach and want to protect our state's land and water to continue to make them more productive;

NOW THEREFORE, I, Pete Ricketts, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of Nebraska, order all code agencies to take any necessary step to resist and prevent the federal government's attempt to usurp state authority as they implement the 30 x 30 goal.

Pursuant to this declaration, I hereby order the following:

1. The Nebraska Department of Revenue – Property Assessment Division shall host a minimum of three workshops to help county officials understand the tax consequences of conservation and preservation easements, and to advise counties of their rights in reviewing conservation easements pursuant to Nebraska Revised Statute 76-2,112.
2. The Nebraska Department of Revenue – Property Assessment Division shall work to identify existing conservation easements across the state and will hereby maintain an inventory of conservation easements to assist county assessors in accurately determining land values for the purpose of assessment and taxation.
3. The Nebraska Department of Agriculture shall maintain on its website a list of local units of government that have passed resolutions opposing the goal of conserving 30% of the nation's land and water by 2030.
4. The Nebraska Department of Agriculture shall maintain on its website a list of local units of government that have voted to endorse the goal of conserving 30% of the nation's land and water by 2030.
5. The Governor's Office shall place an 18-month hold on approving any new regulations expanding the definition of endangered species, plants, or wildlife pursuant to Nebraska Revised Statute 37-806.
6. No code agency shall provide any discretionary funding or staff support to projects involving perpetual conservation easements.
7. Exceptions to #6 may be approved by the Governor's Office for projects under multi-state water agreements, infrastructure, water management programs, and other limited purposes.
8. All code agencies shall seek Governor's Office approval to provide discretionary funding or staff resources for projects involving a conservation easement with a term of years.
9. Agencies may seek annual categorical approval under #8 for water management programs for which the code agency offers contracts for a term of years. All code agencies shall seek Governor's Office approval for such provision.
10. The Nebraska Department of Agriculture shall work to coordinate with the U.S. Department of Agriculture (USDA) to ensure that the USDA is seeking proper local approvals for conservation easements related to the Agriculture Conservation Easement Program, Working Lands for Wildlife, Wetlands Reserve Program, and other federal programs.
11. The Nebraska Department of Agriculture Director is hereby designated as Nebraska's State Coordinator for the Climate Task Force recently established by the U.S. Department of the Interior (DOI) in Secretarial Order No. 3399 Section 4(b)(2). The Governor's Office shall notify DOI of the designation and reserves the right to change the designation at any time.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 24th day of June, 2021.



Pete Ricketts, Governor
State of Nebraska



Attest:



Robert B. Evnen, Secretary of State
State of Nebraska