

RESOLUTION NO. 2021-0017

A RESOLUTION PROTECTING LAND RIGHTS IN KEARNEY COUNTY, OPPOSING TRANSFER OF LOCAL CONTROL TO THE FEDERAL GOVERNMENT, SPECIFICALLY OPPOSING THE FEDERAL GOVERNMENT'S "30 X 30" LAND GRAB

WHEREAS, Kearney 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, Kearney County containing about 327,680 acres of land situated in the South Central area of the state; 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 Kearney 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 Kearney 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 Kearney 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 Kearney County

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."

WHEREAS, Kearney County seeks to be consulted for coordination of policy development with respect to any plans, policies, or programs of the federal government

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

1. The Board opposes the 30 x 30 program, including any 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, including land in Kearney County.
2. The Board further opposes the designation of lands in Kearney County as wilderness, wilderness study areas, wildlife preserves, open space, or other conservation land, to the extent that such designations restrict public access to such lands, prevent the development and productive use of the resources on or within such lands, or restrict responsible local land management such as to prevent risks of fire, insect infestation, disease, or other,
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 constitutional and statutory water rights and 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 Kearney County that would impair or restrict water diversions and uses authorized under the Constitution of the State of Nebraska and 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 Kearney County, its businesses, and its citizens.

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

DATED this 6th day of July, 2021.

ATTEST:

Myra Johnson
Myra Johnson,
Clerk of the Board



BOARD OF COUNTY SUPERVISORS OF KEARNEY COUNTY, STATE OF NEBRASKA

By: Brent Stewart

Brent Stewart, Chairperson



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

SUPERVISORS: Landstrom, Schwenka, Miller, Swanson, Anderson and Stewart
Nay: None
Absent and not voting: Bunting