

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

WHEREAS, Edwards County is a legal and political subdivision of the State of Texas for which the Edwards County Commissioners Court is authorized to act; and

WHEREAS, the Edwards County Commissioners' Court believes in the Rule of Law under the United States Constitution; and

WHEREAS, these rights are retained by the People and protected by the Constitution of these United States, and the Constitution of the State of Texas; and

WHEREAS, the Ninth Amendment to the Constitution of the United States of America states: "the enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people," protects ancillary rights that are specifically listed in the Constitution and further builds upon the Tenth Amendment; and

WHEREAS, the Tenth Amendment to the Constitution of the United States of America states: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people;" and

WHEREAS, Edwards County contains approximately about 1,356,800 acres of land situated in Central Texas; 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 Edwards County's businesses and its citizens are involved in or otherwise depend on industries that utilize private lands and their resources, including farming, ranching, exotic wildlife production, cedar harvesting , hunting, fishing , and other outdoor recreation; 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 ('America the Beautiful' or similar successor 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, the Edwards County Commissioners Court maintains that no Agency established by Congress can develop its own policies and/or regulations that supersedes the US Constitution or the Bill of Rights; nor does the Executive Branch have the power to make law, overturn law or set aside law; 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 without the private property owners consent will cause dramatic and irreversible harm to the economies of many states, including Texas, and in particular rural counties such as Edwards County whose citizens depend on private lands for their livelihoods.

NOW, THEREFORE, BE IT RESOLVED by the Edwards County Commissioners Court of Edwards County, Texas, that:

1. The county 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 county further opposes the Federal designation of lands in Edwards County as wilderness, wilderness 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 county supports the continued private ownership of land in the County, recognizing the Nation's need for domestic resources of minerals, energy, timber, food, and fiber;
4. The county recognizes and supports the State of Texas' water rights system, appropriation or rule of capture, 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 Texas law; and
5. The county 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 for the payment of full and fair market value for all rights and interests acquired, and not through regulatory compulsion.

Presented and passed by the Edwards County Commissioners' Court this 10th day of August 2021



Marty Graham
Commissioner Precinct 1



Lee Sweeten
Commissioner Precinct 2



Matt Fry
Commissioner Precinct 3



Kenneth Reed
Commissioner Precinct 4



Souli Asa Shanklin
County Judge