

ON MOTION duly made and seconded for a solution for Box Butte County.

RESOLUTION No. 2021 -03

At a duly noticed meeting of the Board of Commissioners of Box Butte County, Nebraska, with all Commissioners present and participating in the discussion and consideration of the proposed Resolution, it was unanimously resolved to oppose the "30 X 30" land preservation goal. The Resolution considered and approved is as follows:

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

WHEREAS, Box Butte County is a legal and political subdivision of the State of Nebraska for which the Box Butte County Board of Commissioners (the County Board) is authorized to act; and

WHEREAS, Box Butte County is all privately owned except for the land own by the Nebraska Board of Educational Lands and Funds that was established during the creation of the State of Nebraska for the support of the common schools of the State of Nebraska; and

WHEREAS, the Federal government owns no land within the County; and

WHEREAS, designating lands as wilderness does not assure its preservation. Left in or returned to an undisturbed or natural estate, these lands are highly susceptible to wildfires, erosion, misuse, insect infestation, invasive and destructive plant species and wildlife, disease, homelessness, lawlessness and crime, all of which degrades the natural and human environment; and

WHEREAS, the well being, health, safety, welfare, economic survival, and culture of Box Butte, its businesses and citizens depend on private land ownership and the use of the privately held property and resources owned by the citizens of Box Butte County; and

WHEREAS, many of the Box Butte County businesses and its citizens are involved in or otherwise depend on activities that utilize private lands and their resources for their livelihood and success, including agricultural production and transportation of goods; and

WHEREAS, these industries are important components of the Nebraska economy and are major contributors to the economic and social well being of Box Butte 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(a) of the said Executive Order 14008, President Biden directed the Secretary of the Interior, in consultation with the Secretary of Agricultural and other senior officials, to develop a program to conserve at least 30 percent of 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 680,000,000 acres of our nations 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 Agricultural 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 the said 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 the State of Nebraska, and in particular in rural counties such as Box Butte County whose citizens depend on private land for their livelihood; and

WHEREAS, the 30 X 30 Program, if implemented adversely effects the health, safety and economic well being of the citizens of Box Butte County, Nebraska, in a discriminatory and disproportional manner; and

WHEREAS, Executive Order 14008 at Section 216(a) directs the Secretary of the Interior, in consultation with other relevant federal agencies “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, agriculture and forest land owners, fishermen, and other key stake holders, to achieve the goal of conserving at least 30 percent of our lands and water by 2030.”

NOW, THEREFORE, be it resolved by the Board of Commissioners of Box Butte County, Nebraska, as follows:

1. The County Board opposes the 30 X 30 Program, including its objective of permanently preserving 30 percent of the nation’s lands in a natural state by 2030, or an similar program that will set aside and prevent the productive use of million of acres of privately held lands.
2. The County Board further opposes the designation of lands in Box Butte County, Nebraska as wilderness, wilderness study areas, wildlife preserves, open space, or other

conservation lands, thereby restricting the public and private use and access to such lands and preventing the further development and productive use of the resources on or within such lands.

3. The County Board supports the continued private ownership of land in the County, recognizing the Nations' need for domestic sources of minerals, energy, timber, food, and fiber.

4. The County Board recognizes and supports the State of Nebraska's water rights system, including its control of the beneficial use of ground water by the State for its residents and other State laws and programs governing water rights and water use, natural ~~source~~^{resource} development and use, economic and environmental protection and regulation, and opposes ~~and~~^{any} federal designation of any of the natural resources of the State of Nebraska within Grant County that would impair or restrict the protection of the waters of the State of Nebraska and its other natural resources as provided under the law of the State of Nebraska.

5. The County Board supports thoughtful, comprehensive, unbiased study and review of all interrelated economic effects of any proposed set aside of the property of the citizens of the State of Nebraska on local and other state government, including but not limited to cities, counties, public power districts and member electric cooperatives, natural resource districts, fire protection districts and all property tax supported education entities adversely effected by the reduction in the property tax base through federal set aside.

6. The County Board supports reasonable national, regional and global greenhouse gas emission policy goals that are comprehensive, practical, cost effective and do not unfairly and unnecessarily single out specific industries or activities for regulation and reduction. The County Board opposes the use of global climate change as an excuse to set aside large tracts of lands as preserves or open space to fulfill the 30 X 30 Program's objectives. The 30 X 30 Program's goal is unsound, discriminatory and inconsistent with the rights reserved to the State of Nebraska under the United States Constitution and the rights of the citizen of Grant County, Nebraska.

7. The County 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 land owners upon payment of the full and fair market value for all rights and interest acquired and not through regulatory compulsion or exercise of power of eminent domain. The County Board requests and we will do all things necessary to require careful analysis and consideration of the foregoing impacts of such land acquisitions on the well being, health, safety, welfare, economic condition and culture of Grant County, Nebraska, its businesses and its citizens.

8. The County Board shall send a copy of this Resolution to the Department of Interior and the Governor of the State of Nebraska, and all other relevant Federal and State agencies.

THIS RESOLUTION EXECUTED BY THE COMMISSIONERS OF GRANT COUNTY, NEBRASKA, BOARD OF COMMISSIONERS this 7th day of April 2021.

Susan Lore
SUSAN LORE – Chairperson

Michael McGinnis
MICHAEL MCGINNIS – Vice-Chairperson

Steven Burke
STEVEN BURKE

ATTEST:



Judy Messersmith 4-7-2021
JUDY MESSERSMITH – Box Butte County Clerk