

**BOARD OF COMMISSIONERS
HALL COUNTY, NEBRASKA**

RESOLUTION #21- 020

**A RESOLUTION PROTECTING LAND RIGHTS IN HALL COUNTY,
OPPOSING TRANSFER OF LOCAL CONTROL TO THE FEDERAL GOVERNMENT,
OPPOSING THE FEDERAL GOVERNMENT'S 30X30 LAND GRAB, AND
SEEKING TO BE CONSULTED PRIOR TO DECISION-MAKING BY THE FEDERAL GOVERNMENT**

WHEREAS, the County of Hall ("Hall County") is a legal and political subdivision of the state of Nebraska for which the Hall County Board of Commissioners ("County Board") is authorized to act; and

WHEREAS, Hall County is comprised of approximately 353,451.36 total acres of land situated in Nebraska; and

WHEREAS, the United States of America already owns approximately 1,677.21 acres of land in Hall County; and

WHEREAS, approximately 4,708.76 acres of land in Hall County is owned by Crane Trust, a non-profit entity whose mission is to protect the physical, hydrological, and biological land interests relative to whooping cranes, sandhill cranes, and other migratory bird species; and

WHEREAS, approximately 494.5 acres of land in Hall County is owned by The Nature Conservancy. The Nature Conservancy owns six tracts of land totaling 4,606 acres along the Platte River, and has easements on 2,866 more acres in the central Nebraska region; and

WHEREAS, there are designated areas within Hall County contributing outdoor recreation and conservation to responsibly manage local land, such as Hall County Park (approximately 45.18 acres) and Morman Island State Recreation Area (approximately 64.08 acres); and

WHEREAS, approximately 167.16 acres of Hall County are in a Wetland Reserve Program; 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 and insect infestation and disease, all of which are detrimental to the natural and human environment; and

WHEREAS, the wellbeing, health, safety, welfare, economic condition, and culture of the County, its businesses, and its citizens depend on private land ownership and the use of those resources; and

WHEREAS, many of Hall County's businesses and its citizens are involved in or otherwise depend on industries that utilize private lands and their resources, including, but not limited to, farming crops, raising livestock, meat/food preparation distribution, manufacturing, hunting, fishing, camping, and other outdoor recreation; and

WHEREAS, these industries are important components of the economy of the State of Nebraska and are major contributors to the economic and social wellbeing of Hall 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 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 land and waters in the United State 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 may 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 State, 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 counties, such as Hall 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 Hall County; and

WHEREAS, Hall County seeks to protect its sovereignty and the ability of its citizens to enjoy the use of their land free from additional mandatory federal regulations; and

WHEREAS, Hall County seeks to consulted for coordination of policy development with respect to any plans, policies, or programs of the federal government pursuant to Executive Order 14008;

NOW, THEREFORE, BE IT RESOLVED by the Hall County Board of Commissioners that:

1. The County 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 land, including land in Hall County.

2. The County Board further opposes the designation of land in Hall 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 land management such as to prevent risks of fire, insect infestation, disease, etc.

3. The County Board supports the continued private ownership of land in Hall County recognizing the Nation’s need for domestic sources of crops/food, livestock and other meat/poultry production, manufacturing, energy, minerals, timber, and fiber.

4. The County Board recognizes and supports the State of Nebraska’s constitutional and statutory water rights and water rights systems, and other state laws and programs governing water rights and water use, and opposes any federal designation of waters and watercourses within Hall County that would impair or restrict water diversion and uses authorized under the Constitution of the State of Nebraska and Nebraska law.

5. The County 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 County Board also maintains that many lands or other land 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 Hall County, its businesses, and its citizens.

7. The County Board will send a copy of this resolution to the Department of Interior, Department of Agriculture, Department of Commerce, Council on Environmental Quality.

Resolution moved by Commissioner Ron Peterson.

Seconded by Commissioner Gary Quandt.

Vote:

Commissioner Bredthauer:	For <input checked="" type="checkbox"/>	Against <input type="checkbox"/>	Abstained <input type="checkbox"/>	Not Present <input type="checkbox"/>
Commissioner Hurst:	For <input checked="" type="checkbox"/>	Against <input type="checkbox"/>	Abstained <input type="checkbox"/>	Not Present <input type="checkbox"/>
Commissioner Lancaster:	For <input checked="" type="checkbox"/>	Against <input type="checkbox"/>	Abstained <input type="checkbox"/>	Not Present <input type="checkbox"/>
Commissioner Peterson:	For <input checked="" type="checkbox"/>	Against <input type="checkbox"/>	Abstained <input type="checkbox"/>	Not Present <input type="checkbox"/>
Commissioner Quandt:	For <input checked="" type="checkbox"/>	Against <input type="checkbox"/>	Abstained <input type="checkbox"/>	Not Present <input type="checkbox"/>
Commissioner Richardson:	For <input checked="" type="checkbox"/>	Against <input type="checkbox"/>	Abstained <input type="checkbox"/>	Not Present <input type="checkbox"/>
Commissioner Sorensen:	For <input checked="" type="checkbox"/>	Against <input type="checkbox"/>	Abstained <input type="checkbox"/>	Not Present <input type="checkbox"/>

PASSED, ADOPTED AND APPROVED THIS 8th DAY OF June, 2021.

HALL COUNTY BOARD OF COMMISSIONERS

BY: Pamela E. Lancaster
Pamela E. Lancaster

Chairwoman, Hall County Board of Commissioners

ATTEST:

Marla Conley
Marla Conley
Hall County Clerk

Prepared by: Sarah Carstensen, Deputy Hall County Attorney

**BOARD OF COMMISSIONERS
HALL COUNTY, NEBRASKA**

RESOLUTION #21- 021

**A RESOLUTION OPPOSING INCLUDING HALL COUNTY WITHIN THE
PROPOSED KANSAS NEBRASKA NATIONAL HERITAGE AREA**

WHEREAS, the County of Hall ("Hall County") is a legal and political subdivision of the state of Nebraska for which the Hall County Board of Commissioners ("County Board") is authorized to act; and

WHEREAS, the Kansas Nebraska Heritage Area Partnership ("KNHAP") is pursuing a National Heritage Area Designation encompassing 49 counties, (26 in Kansas and 23 in Nebraska equaling 35,792 square miles) with a population of 650,000; and

WHEREAS, Hall County is included within the proposed 49 county area being considered by KNHAP;

WHEREAS, the establishment of a 49 county National Heritage Area would adversely affect private property rights by influencing local officials to pass zoning laws or legislation not otherwise needed 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; and

WHEREAS, individuals developing the required National Heritage Area Management Plan must ensure the management plan complies with the National Environmental Policy Act (NEPA) and other federal environmental protection laws; and

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, conservation agencies, 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; and

WHEREAS, the establishment of a National Heritage Area 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 of America can no longer afford to borrow money to engage in endless expansion of dependency and regulation by the federal government and each of the 55 National Heritage Areas in existence today started out with sunset dates that were never enforced, resulting in chronic dependence rather than free market activity; and

WHEREAS, an unelected regional management entity has been identified to oversee and facilitate designation of a National Heritage Area which includes Hall County and all properties within its boundaries; and

WHEREAS, a fundamental interdependence exists between individual liberty and the ability to own property, and the citizens of Hall 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 the Hall County Board of County Commissioners opposes the inclusion of Hall County within the 49 county National Heritage Area Designation region aforementioned, and likewise opposes the inclusion of Hall County within the 40-county designation map. Further, the Hall County Board does not wish to confer to an unelected regional management entity the ability to establish or influence land use policy within the boundaries of Hall County.

Resolution moved by Commissioner Karen Bredthauer

Seconded by Commissioner Gary Quandt.

Vote:

- Commissioner Bredthauer: For ; Against ; Abstained ; Not Present .
- Commissioner Hurst: For ; Against ; Abstained ; Not Present .
- Commissioner Lancaster: For ; Against ; Abstained ; Not Present .
- Commissioner Peterson: For ; Against ; Abstained ; Not Present .
- Commissioner Quandt: For ; Against ; Abstained ; Not Present .
- Commissioner Richardson: For ; Against ; Abstained ; Not Present .
- Commissioner Sorensen: For ; Against ; Abstained ; Not Present .

PASSED, ADOPTED AND APPROVED THIS 22nd DAY OF June, 2021.

HALL COUNTY BOARD OF COMMISSIONERS

BY: 
Pamela E. Lancaster
Chair, Hall County Board of Commissioners

ATTEST:


Marla Conley
Hall County Clerk

Prepared by: Sarah Carstensen, Deputy Hall County Attorney