

RESOLUTION NO. 2021- 23

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

WHEREAS, Moffat County is a legal and political subdivision of the State of Colorado for which the Board of County Commissioners ("Board") is authorized to act; and

WHEREAS, Moffat County is the second largest county in Colorado with over 3,000,000 acres of land, over ½ of which is federally owned/managed land in NW Colorado.

WHEREAS, Moffat County already hosts 339,036 acres of Wilderness Study Areas (9 WSA's) and Lands With Wilderness Character. Moffat County hosts 10's of thousands acres of private perpetual conservation easements. Moffat County hosts, over 150,000 acres of National Monument, 14,000 acres of US Fish and Wildlife Refuge, and 10's of thousands of acres of State Wildlife Areas, Areas of Critical Environmental Concern, and other conserved lands. Furthermore, every single acre of public land in Moffat County is protected and conserved with an active federal land management plan.

WHEREAS, because of the predominance of federal land in Moffat County, the well-being, health, safety, welfare, economic condition, and culture of the County, its businesses, and its citizens depend on the manner in which these lands and their resources are used and access to these lands; and

WHEREAS, many of Moffat County's businesses and its citizens are involved in or otherwise depend on industries that utilize federal lands and their resources, including the forest products industry, livestock grazing, oil and gas exploration and production, coal mining, precious metal mining, and mineral development, recreational industries, hunting and other outdoor recreation; and

WHEREAS, these industries are important components of the Colorado economy, and are major contributors to the economic and social wellbeing of Moffat County and its citizens; and

WHEREAS, the top ten taxpayers make up 62% of Moffat County's Assessed Value, and all of those top 10 taxpayers are directly dependent upon federal lands and/or the resources under the surface; 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 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, the 30 x 30 program, if implemented, is likely to cause significant harm to the economy of Moffat County, and injure the County's businesses and its citizens by depriving them of access to public lands and national forest system lands and preventing the productive use of these lands' resources; and

WHEREAS, the withdrawal of some 680 million acres of federal lands from multiple use and placement of such lands in permanent conservation status will cause dramatic and irreversible harm to the economies of many western states, including Colorado, and in particular rural counties such as Moffat County whose citizens depend on access to federal lands for their livelihoods; and

WHEREAS, Executive Order 14008 at Sec. 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."

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Moffat County, Colorado, as follows:

1. The Board 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 Board further opposes any unilateral special designations of public lands and national forests in Moffat County without full public participation and local support. Public and local involvement in designation for 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 must directly involve and defer to the preferences of our community.
3. The Board supports the continued management of the public lands and the national forests under principles of multiple use and sustained yield, recognizing the Nation's need for domestic sources of minerals, energy, timber, food, and fiber, and in careful coordination with Moffat County to ensure consistency with County land use plans and land management policies, as required by law.

4. The Board supports maintaining and enhancing public access to public lands and national forests and opposes road closures, road decommissioning, moratoria on road construction, and other limitations on public access for the purpose of fulfilling the 30 x 30 program's objectives.

5. The Board recognizes and supports the State of Colorado's 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 the County that would impair or restrict water diversions and uses authorized under Colorado law.

6. The Board supports reasonable national, regional, and global air pollution emission 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.

7. The Board maintains that the designation of public lands and national forest lands as wilderness, wilderness study areas, wildlife preserves, open space, or other conservation land to fulfill the 30 x 30 program's objectives may lawfully occur, if at all, only through the planning process mandated by the Federal Land Management and Policy Act (for public lands) or the National Forest Management Act (for national forest lands), including public notice and an opportunity to comment, analysis and disclosure of the impacts of such land acquisitions on the well-being, health, safety, welfare, economy, and culture of Moffat County, its businesses, and its citizens, and careful coordination with Moffat County to ensure consistency with County land use plans and land management policies.

8. The Board also maintains that any non-federal lands or other rights that are acquired to fulfill the 30 x 30 program's objectives should comply with Moffat County's No-Net-Loss of Private Lands Policy. In addition lands should only 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 Moffat County, its businesses, and its citizens.

9. The Board, recognizing the President has directed the federal departments to work with local governments to implement the 30 x 30 program, will request a meeting with the Department of Interior to occur within the next 60 days and begin discussions of the Board's position on the 30 x 30 program.

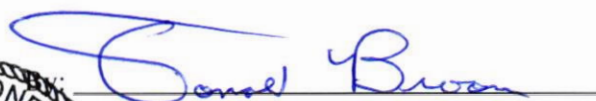
DATED this 2<sup>nd</sup> day of March, 2021.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF  
MOFFAT COUNTY, STATE OF COLORADO



Erin Miller, Clerk of the Board



Donald Broom, Chairman

