

FILED FOR RECORD
AT 11 O'CLOCK AM

AUG 12 2024

RENE TREVINO
CLERK OF COUNTY COURT
LAMB COUNTY, TEXAS

**State of Texas
County of Lamb**

Resolution Opposing the Final Land Protection Plan & Environmental Assessment for the
Muleshoe National Wildlife Refuge

WHEREAS, Lamb County is a legal and political subdivision of the State of Texas for which the Commissioner's Court is authorized to act; and

WHEREAS, Lamb County contains approximately 570,000 acres of land situated in the North Texas area; and

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

WHEREAS, the U.S. Fish and Wildlife Service (Service), in conjunction with the Texas Parks and Wildlife Department and other entities have prepared the Land Protection Plan (LPP) and Environmental Assessment with the intent of establishing a limited acquisition boundary (also referred to as a Conservation Partnership Area) for Muleshoe National Wildlife Refuge within the jurisdiction of Lamb County; and

WHEREAS, many of Lamb County's businesses and citizens are involved in, or otherwise, depend on industries that utilize private lands and their resources, including, but not limited to, agriculture crop production, electrical production and plants, oil and gas exploration and production, livestock grazing, recreational development, hunting and other outdoor recreation; and

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

WHEREAS, the Service claims in March of 2022, they "distributed an informal scoping pamphlet by mail and electronically, invited input, questions, and feedback on the development of the LPP claiming the feedback from local landowners and stakeholders was uniformly positive and seeking clarification on how the process works and indicating eagerness to participate if the plan is finalized."

WHEREAS, the U.S. Fish and Wildlife Service prepared and issued the Land Protection Plan and Environmental Assessment for the Muleshoe National Wildlife Refuge in February 2023, but failed to notice the County or include Lamb County in any of the planning processes. Most landowners, citizens and Lamb County officials were first informed of the completed LPP in June 2024; and

WHEREAS, the Service is proposing a 7,000,000-acre acquisition boundary for the LPP for Muleshoe and Grulla National Wildlife Refuges in West Texas and Eastern New Mexico called the Conservation Partnership Area; and

WHEREAS, within the 7,000,000-acre footprint the Service desires to acquire 700,000 acres in fee-title or conservation easements in perpetuity. Lands within Lamb County are designated in the LPP as Priority Area 1A. These encompass "388,000 acres of grasslands, including Conservation Reserve Program lands, and eight saline lakes" the Service has designated to acquire; and

WHEREAS, within the 388,000 acres included in the acquisition area, the Service plans to directly acquire 299,882 acres without having noticed the county, coordinated its plans with the county, or having analyzed the economic impact on the county and its citizens; and

WHEREAS conservation easements in perpetuity reduce the tax value of the land by an average of 40 percent, and federal lands are exempt from taxation; and

WHEREAS, lands held in conservation restrict or eliminate the productive uses from the land that fuel the local economy supporting our schools, hospitals, emergency services, roads, and other necessary services; and

WHEREAS, although no parcels of land have been acquired, once approved, the Service will require a separate consultation under Section 7 of the Endangered Species Act for each potential parcel adding a tremendous burden to the citizens of the County and a potential loss of tax base to the County; and

WHEREAS, conservation easements held by the Refuge will be enforced by Federal Wildlife Officers and the landowners will be subject to civil or criminal charges, and these agreements will encroach on Lamb County's law enforcement authority; and

WHEREAS, the LPP is considered by the Service as fulfilling President Biden's "America the Beautiful" plan, better known as the "30x30 Land Grab" and will be administered under the National Wildlife Refuge System whose mission is:

"...to administer a national network of lands and waters for the conservation, management and, where appropriate, restoration of the fish, wildlife, and plan resources

and their habitats within the United States for the benefit of present and future generations of Americans.”

WHEREAS, the LPP will increase federal holdings within the jurisdiction of Lamb County, reducing the number of acres of private property, thereby reducing the tax base of Lamb County, Lamb County school districts, hospital districts, water conservation districts and other public utility districts.

WHEREAS, the State of Texas Local Government Code, Section 391 provides the authorization for local governments within the same Council of Government (COGs) or regions to join together and form a sub-regional planning commission, for the purpose of protecting the health, safety and general welfare of the citizens; and

WHEREAS, Section 391 grants planning commissions the ability to demand state agencies coordinate to the greatest extent feasible. Local Government Code 391.009(c) states:

“In carrying out their planning and program development responsibilities, state agencies shall, to the greatest extent feasible, coordinate planning with commissions to ensure effective and orderly implementation of state programs at the regional level.”

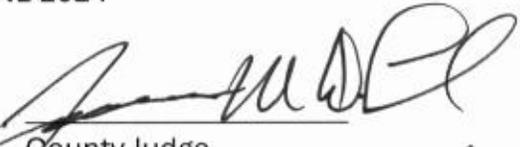
WHEREAS, the Texas Parks and Wildlife has acted on behalf of the State and approved the LLP without having coordinated, consulted, or noticed the County;

NOW, THEREFORE, BE IT RESOLVED by the Commissioner’s Court of Lamb County, Texas as follows:

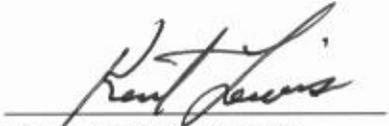
1. Lamb County finds the creation of the Conservation Partnership Area expanding the Muleshoe National Wildlife Refuge violates Lamb County’s policies and objectives and will result in substantial loss of private property and economic security.
2. Lamb County desires to form a 391 Subregional Planning Commission to coordinate with the Texas Parks and Wildlife Service and all other state and federal agencies who have agreed to the LPP within our jurisdiction.
3. Lamb County shall choose a second Texas County or City within the South Plains Council of Governments (Region 2) to form a 391 Subregional Planning Commission.
4. Lamb County shall identify plans and policies to be coordinated with state agencies.

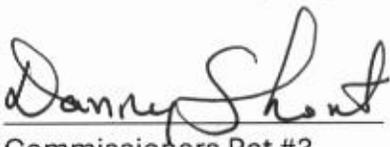
5. Lamb County shall send a copy of the Resolution to the Texas Parks and Wildlife Service in Austin, Texas, as well as the National Wildlife Refuge System and the U.S. Fish and Wildlife Service.

DATED THIS THE 10th DAY OF JUNE 2024


County Judge

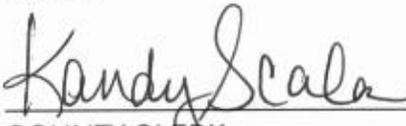

Commissioner Pct #1


Commissioner Pct #2


Commissioners Pct #3


Commissioners Pct #4

ATTEST


COUNTY CLERK

