



March 17, 2021

The Honorable Debra Haaland
Secretary
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Haaland,

On behalf of the National Association of Counties (NACo) the only organization representing the nation's 3,069 counties, parishes and boroughs, congratulations on your historic nomination and confirmation as Secretary of the Interior. I write to you regarding Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*, and U.S. Department of the Interior Secretarial Order 3395. These two orders have a direct impact on local economies and local governments by temporarily halting new oil and natural gas development on federal lands and waters.

Executive Order 13132 on Federalism issued by President Clinton in 1999 states that “policies of the national government should recognize the responsibility of—and should encourage opportunities for—individuals, families, neighborhoods, local governments, and private associations to achieve their personal, social, and economic objectives through cooperative effort.” In the spirit of Executive Order 13132, we respectfully request that NACo be consulted as the Interior Secretary conducts reviews the oil and gas leasing moratoria under Executive Order 14008 and Secretarial Order 3395. As intergovernmental partners in land and resource management plan development and the implementation of various environmental regulations, counties have a strong interest in 14008's implementation and want to work with your Administration to ensure a balanced approach to energy development on federal lands and waters.

Counties serve as cooperating agencies under the National Environmental Policy Act (NEPA), where we provide scientific, economic and other relevant data and information to better inform agency decisions. Federal land agencies are also required to coordinate resource management plans (RMP) on public lands with those of impacted counties. RMPs are unique to the land mass analyzed, govern the range of permissible activities on federal lands, including resource extraction, and undergo significant scientific and legal scrutiny before they are finalized. They ensure our public land management policies do not follow a one-size-fits-all approach while reflecting our diverse economic and environmental needs.

Furthermore, counties are directly impacted economically by the leasing moratorium under Executive Order 14008 and Secretarial Order 3395. States and local governments rely on fossil fuel extraction to support local jobs and fund essential services through taxes and royalties. This is especially true in western states, where most untaxable federal public lands are located, making resource development taxes and royalties even more critical to meet community needs. For example, in New Mexico last year, taxes from petroleum production accounted for more than one-third of general revenue to the state government.

Finally, revenues from fossil fuel development on federal lands and waters are used to finance critical conservation programs to improve landscape and watershed health. In 2019, oil and gas development on public lands accounted for approximately 86% of onshore energy and mineral revenues collected by the federal government, or \$4.2 billion. Nearly half of these funds were distributed to state governments to support education services, infrastructure development, environmental cleanup and county governments.

Last year, Congress passed the Great American Outdoors Act which created a new account of up to \$1.9 billion in annual funding to reduce the deferred maintenance backlog on federal lands and made the Land and Water Conservation Fund a mandatory program. Both of these critical conservation programs are financed through fossil fuel extraction on federal lands and waters. Counties hope that consultation efforts will take these factors into account before any final management decisions are made.

NACo again respectfully encourages your administration to consult with intergovernmental partners, including counties, in the development and implementation of executive orders impacting public lands counties. NACo stands ready to work with you to promote locally supported, consensus-driven solutions to address our nation's many environmental challenges, promote climate resiliency, and supply our energy needs.

Sincerely,

A handwritten signature in black ink that reads "Matthew D. Chase". The signature is written in a cursive style with a large, looping initial "M".

Matthew D. Chase
Executive Director
National Association of Counties