

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

HOUSE

RESOLUTION NO. 1011

By: Matlock

AS INTRODUCED

A Resolution concerning the McCurtain County Wilderness Area; stating the objection of the Oklahoma House of Representatives to aspects of the Oklahoma Department of Wildlife Conservation's Management Plan; stating opposition to those aspects violating legislative intent on governance of the McCurtain County Wilderness Area; directing the Department of Wildlife Conservation to cease certain actions; and directing distribution.

WHEREAS, the McCurtain County Wilderness Area, the largest ecosystem of its kind in the southern United States, located in McCurtain County in southeastern Oklahoma and owned by the State of Oklahoma, is a pristine wilderness that was acquired with federal funds and given over to the people of Oklahoma in 1918 and was specifically designated by the Oklahoma Legislature as a wilderness area in 1951; and

WHEREAS, by enactment of the language in Title 29 O.S. 1951, Section 723 (Recodified as Section 7-701 of Title 29 of the Oklahoma Statutes), the 23rd Session of the Oklahoma Legislature mandated that: "The Area, insofar as is humanly possible, be permitted to remain in a natural state with only nature operating to alter existing conditions."; and

WHEREAS, the Oklahoma Department of Wildlife Conservation was advised in writing in 1968, by the Attorney General of the State of Oklahoma, that it was prohibited by law from instituting certain actions it proposed to undertake within the McCurtain County

Wilderness Area, the Attorney General relying in part on the statutory mandate that "the Area, insofar as is humanly possible, be permitted to remain in a natural state with only nature operating to alter existing conditions."; and

WHEREAS, both an oral promise and a written Commission Resolution was made in 1988 by the Wildlife Conservation Commission to cease pursuing hunting or vegetative manipulation for the Area; and

WHEREAS, many local residents and citizens across the state most familiar with the uniqueness of the Area and its value as an untouched wilderness have expressed a long-standing opposition to the management plan of the Department for the Wilderness Area.

WHEREAS, the Oklahoma Department of Wildlife Conservation has instituted controlled burning and hunting seasons as an attachment to a plan for managing the endangered red-cockaded woodpecker where such burning and hunting, as well as the Department's further plans for permanent road or trail building and trail markers, have not been shown to assist with the recovery of the species and may in fact be detrimental to same; and

WHEREAS, the current management policy of the McCurtain County Wilderness Area by the Oklahoma Department of Wildlife Conservation does not reflect legislative intent, law and public opinion.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 44TH OKLAHOMA LEGISLATURE:

THAT the Oklahoma House of Representatives is opposed to any plan by the Oklahoma Department of Wildlife Conservation that does not follow the letter and intent of the law protecting this unique ecosystem.

THAT the Oklahoma House of Representatives strongly states its opposition to the controlled burnings by the Department of the McCurtain County Wilderness Area, and the introduction of hunting

seasons, and all other aspects of the plan not necessary for recovery of the red-cockaded woodpecker.

THAT the Oklahoma Department of Wildlife Conservation is hereby directed to cease the burnings and withdraw or repeal its ill-advised opening of hunting seasons.

THAT copies of this resolution be sent to the Governor, the Oklahoma Wildlife Conservation Commission, and the Director of the Oklahoma Department of Wildlife Conservation.

44-1-6726

KSM