

3 Senate Concurrent
4 Resolution No. 40

5 SENATE CONCURRENT RESOLUTION NO. 40 - By: SHURDEN of the Senate and
6 LEIST of the House.

7 A Concurrent Resolution withholding permission from the
8 United States government to purchase additional lands for
9 the Deep Fork National Wildlife Refuge until a plan is
10 formulated guaranteeing inholders complete ingress and
11 egress to all their property within the refuge; and
12 directing distribution.

13 WHEREAS, the Deep Fork National Wildlife Refuge in eastern
14 Oklahoma was established in 1993. Much of the refuge is bottomland
15 hardwood forest. The 6,801-acre refuge is subject to flooding at
16 least once a year. This flooding results in excellent conditions
17 for waterfowl, including mallard, blue-wing teal, shoveler, pintail,
18 and wood ducks. This flooding also presents major challenges for
19 landowners who find it both difficult and dangerous to the ingress
20 and egress of their property within the boundaries of the refuge;
21 and

22 WHEREAS, the Oklahoma State Legislature in 1990 passed House
23 Bill No. 1904 which, pursuant to the provisions of Section 1 of
24 Title 80 of the Oklahoma Statutes, requires the consent of a
25 majority of the Legislature of the State of Oklahoma before any land
26 can be acquired by the government of the United States. The

1 Oklahoma State Legislature gave its consent to the United States
2 Department of the Interior to acquire lands which lie along the Deep
3 Fork River in Okmulgee County, Oklahoma, for the purpose of
4 establishing a wildlife refuge and an area for waterfowl
5 enhancement; and

6 WHEREAS, some inholders, who in theory have both ingress and
7 egress to their property within the refuge, have in practice
8 discovered that complete access and egress to all of their property
9 is difficult, if not dangerous.

10 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION
11 OF THE 49TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES
12 CONCURRING THEREIN:

13 THAT the Oklahoma State Legislature hereby withholds any future
14 permission from the United States government to acquire more lands
15 for the Deep Fork National Wildlife Refuge until such time as a
16 written plan is formulated and accepted guaranteeing inholders
17 complete and easy ingress and egress to all their property within
18 the Deep Fork National Wildlife Refuge, including lands that are
19 divided by natural barriers.

20 THAT a copy of this resolution be distributed to the United
21 States Department of the Interior, the United States Fish and
22 Wildlife Service, and the Oklahoma Department of Wildlife
23 Conservation.

1 COMMITTEE REPORT BY: COMMITTEE ON TOURISM & WILDLIFE, dated 2-12-04
2 - DO PASS.