STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

SENATE CONCURRENT
RESOLUTION 40 By: Shurden of the Senate

and

Leist of the House

AS INTRODUCED

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

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

WHEREAS, the Oklahoma State Legislature in 1990 passed House Bill No. 1904 which, pursuant to the provisions of Section 1 of Title 80 of the Oklahoma Statutes, requires the consent of a majority of the Legislature of the State of Oklahoma before any land can be acquired by the government of the United States. The Oklahoma State Legislature gave its consent to the United States Department of the Interior to acquire lands which lie along the Deep Fork River in Okmulgee County, Oklahoma, for the purpose of

establishing a wildlife refuge and an area for waterfowl enhancement; and

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

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

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

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

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