

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

SENATE CONCURRENT
RESOLUTION 75

By: Rabon of the Senate

and

Ellis of the House

AS INTRODUCED

A Concurrent Resolution opposing certain actions by the Oklahoma Department of Wildlife Conservation in the McCurtain County Wilderness Area; directing the Oklahoma Department of Wildlife Conservation to cease certain actions; and directing distribution.

WHEREAS, the McCurtain County Wilderness Area, the largest mixed pine-hardwood, old-growth 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 to the people of Oklahoma in 1918 and specifically designated by the Oklahoma Legislature as a wilderness area in 1951; and

WHEREAS, by enactment of the language of Title 29 O.S. 1951, Section 723 (recodified as Section 7-701 of Title 29 of the Oklahoma Statutes), the 23rd 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, in 1968, the Oklahoma Department of Wildlife Conservation was advised in writing by the Office of the Attorney General of the State of Oklahoma that it was prohibited by law from instituting a certain action it proposed to undertake, specifically, the cutting of timber within the McCurtain County Wilderness Area, the Office of 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 were made by the Wildlife Conservation Commission to maintain the area in an undisturbed condition, not to allow developments, road building, timber cutting, vegetative manipulation or any other type of activity in the area that would impact the ecology or disturb the ecological balance of the area; and

WHEREAS, a great many local residents' organizations and citizens across the state most familiar with the uniqueness of the area and its value as an untouched old-growth wilderness have expressed a long-standing opposition to the management by the Wildlife Department for the wilderness area; and

WHEREAS, the Oklahoma Department of Wildlife Conservation has been continually instituting large-scale burning and has begun removal by cutting down large tracts of mixed hardwood timber. The Department's plans to destroy the old-growth characteristics are detrimental to the same; and

WHEREAS, the current management policy of the McCurtain County Wilderness Area by the Oklahoma Department of Wildlife Conservation does not reflect public opinion or ecologically sound policy.

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 is opposed to any action by the Oklahoma Department of Wildlife Conservation that does not follow the strict letter and intent of law protecting this invaluable and unique ecosystem.

THAT the Oklahoma State Legislature is opposed to the burning and hardwood tree-cutting of any acreage that has been set aside and protected under existing Oklahoma law.

THAT the Oklahoma State Legislature directs the Oklahoma Department of Wildlife Conservation to cease such activities, as well as any others inconsistent with existing statutes.

THAT a copy of this resolution be distributed to the Governor, the Office of the Attorney General, the Oklahoma Wildlife Conservation Commission, and the Director of the Oklahoma Department of Wildlife Conservation.

49-2-3415

THC

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