

1 **RESOLUTION APPROVING USE OF FEDERAL**
2 **FUNDS BY THE DEPARTMENT OF NATURAL**
3 **RESOURCES**

4 2006 THIRD SPECIAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: David Clark**

7 Senate Sponsor: John W. Hickman

8
9 **LONG TITLE**

10 **General Description:**

11 This joint resolution of the Legislature approves a new federal funds request for an
12 endangered species grant made by the Department of Natural Resources.

13 **Highlighted Provisions:**

14 This resolution:

15 ▶ approves a high impact federal funds request made by the Department of Natural
16 Resources for land acquisition to protect desert tortoise habitat, as required by the
17 Endangered Species Act.

18 **Special Clauses:**

19 None

20
21 *Be it resolved by the Legislature of the state of Utah:*

22 WHEREAS, the Department of Natural Resources, the Division of Wildlife Resources
23 has submitted an application to the Department of Interior for an endangered species grant of
24 \$15,379,200;

25 WHEREAS, the Division of Wildlife Resources intends to use these funds for land
26 acquisition to protect the desert tortoise as part of the Washington County Habitat
27 Conservation Plan;



28 WHEREAS, the Washington County Habitat Conservation Plan enabled the County to
29 obtain a U.S. Fish and Wildlife permit to facilitate development of habitat while protecting the
30 desert tortoise through the creation of a reserve;

31 WHEREAS, Title 63, Chapter 38e, Federal Funds Procedures, outlines procedures with
32 which an agency must comply to obtain federal funds;

33 WHEREAS, Section 63-38e-204 requires an agency submitting a high impact federal
34 funds request to obtain the approval of the Legislature; and

35 WHEREAS, this grant application is a high impact federal funds request because it
36 could result in the state receiving more than \$10,000,000:

37 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah
38 approves the Department of Natural Resources' high impact federal funds request and use of
39 these federal funds for desert tortoise habitat.

Legislative Review Note

as of 5-19-06 11:56 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HJR301

**Resolution Approving Use of Federal Funds by the Department of Natural
Resources**

23-May-06
3:42 PM

State Impact

Passage of this bill will approve a request for federal funds made by the Department of Natural Resources. If the agency receives the \$15,379,200 Federal grant, the State would provide an in-kind match of \$5,126,400 (value of land owned by Division of State Parks, allowed as in-kind credit by the Federal Department of Interior).

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst