

1 **THREATENED SPECIES DAMAGE AND MANAGEMENT PLAN**

2 **CONCURRENT RESOLUTION**

3 2013 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Evan J. Vickers**

6 House Sponsor: John R. Westwood

7

LONG TITLE

8 **General Description:**

9
10 This concurrent resolution of the Legislature and the Governor expresses support for
11 Iron County's management of the Utah Prairie Dog population.

12 **Highlighted Provisions:**

13 This resolution:

14 ▶ expresses support for Iron County's management of the Utah Prairie Dog population
15 and achieving its recovery, while also facilitating rightful use by property owners;

16 ▶ urges the United States Secretary of the Interior to approve a five year opportunity
17 for Iron County to manage the Utah Prairie Dog population in Iron County, with the
18 assistance of the Utah Division of Wildlife Resources; and

19 ▶ urges that Iron County's five-year opportunity to manage the Utah Prairie Dog
20 population include agreements that Iron County shall maintain a specific number of
21 Utah Prairie Dogs, that the same amount of funding to the United States Fish and
22 Wildlife Service and the Utah Department of Natural Resources' Division of
23 Wildlife Resources be provided to Iron County through the five-year contract
24 period, and that Iron County claims certain constitutional protections from illegal
25 search **Ⓢ→ and seizure ←Ⓢ** of private property without just compensation.

26 **Special Clauses:**

27 None



59 with any State for the administration and management of any area established for the
60 conservation of endangered species or threatened species";

61 WHEREAS, Section 6(c)(1) of the Act further declares, "In furtherance of the purposes
62 of this Act, the Secretary is authorized to enter into a cooperative agreement in accordance with
63 this section with any State which establishes and maintains an adequate and active program for
64 the conservation of endangered species and threatened species";

65 WHEREAS, Iron County has successfully led out as a participant in a pilot program
66 regarding R.S. 2477 roads in Iron County; and

67 WHEREAS, Iron County's and the Division's efforts will facilitate the rightful use of
68 private property by owners while enhancing the conservation of Utah Prairie Dogs by using all
69 methods and procedures that are necessary to bring the species to the point at which federal
70 protections are no longer necessary:

71 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
72 Governor concurring therein, expresses support for the efforts of Iron County to manage the
73 Utah Prairie Dog population and achieve its recovery, while facilitating the rightful use of
74 private property by its owners and protecting them from further damage without redress and
75 just compensation.

76 BE IT FURTHER RESOLVED that the Legislature and the Governor urge the United
77 States Secretary of the Interior grant a five-year opportunity for Iron County to manage the
78 Utah Prairie Dog population in Iron County, with the assistance of the Utah Division of
79 Wildlife Resources.

80 BE IT FURTHER RESOLVED that the Legislature and the Governor urges, upon
81 successful achievement of an established recovery population on property ~~H→ [that is not privately~~
82 ~~owned] ←H~~ within Iron County for a period of five consecutive years, that the Utah Prairie Dog be
83 delisted from "threatened" status within Iron County.

84 BE IT FURTHER RESOLVED that the Legislature and the Governor urges that Iron
85 County's five year opportunity to manage the Utah Prairie Dog population include agreements
86 that Iron County shall maintain a specific number of Utah Prairie Dogs, that the same amount
87 of funding to the United States Fish and Wildlife Service and the Utah Department of Natural
88 Resources' Division of Wildlife Resources be provided to Iron County through the five-year
89 contract period, and that Iron County claims certain constitutional protections from illegal

90 search ~~§~~→ **and seizure** ←~~§~~ of private property without just compensation.

91 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the United
92 States Fish and Wildlife Service, the United States Secretary of the Interior, the Utah Division
93 of Wildlife Resources, the Iron County Commission, and the Utah Farm Bureau Federation.

Legislative Review Note
as of 1-24-13 10:58 AM

Office of Legislative Research and General Counsel