

Representative Ben C. Ferry proposes the following substitute bill:

**RESOLUTION AUTHORIZING BEAR RIVER
MIGRATORY BIRD REFUGE SETTLEMENT**

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Ben C. Ferry

This joint resolution of the Legislature approves the settlement agreement to be reached between the state of Utah, through the Department of Natural Resources, and the United States Department of the Interior, through the Fish and Wildlife Service, regarding the disposition of lands in question within the boundaries of the Bear River Migratory Bird Refuge.

Be it resolved by the Legislature of the state of Utah:

WHEREAS, the Bear River Migratory Bird Refuge, located in the Bear River Bay of the Great Salt Lake, is of great value to the citizens of Utah;

WHEREAS, the Bear River Migratory Bird Refuge provides essential habitat to millions of birds and other wildlife in fulfillment of international treaty obligations of the United States;

WHEREAS, the continued preservation of the Bear River Migratory Bird Refuge is in the interest of the nation and the citizens of Utah;

WHEREAS, questions have arisen as to whether the state or the federal government has ownership of lands within the boundaries of the Bear River Migratory Bird Refuge;

WHEREAS, the state claims that much of the Bear River Migratory Bird Refuge land is state sovereign land;

WHEREAS, the lands in question within the boundaries of the expanded Bear River Migratory Bird Refuge amount to approximately 70,000 acres;

WHEREAS, it is in the best interest of the Bear River Migratory Bird Refuge and the citizens of Utah to resolve the issue of ownership of lands within the boundaries of the Bear River



26 Migratory Bird Refuge in a timely manner; and

27 WHEREAS, the Utah Department of Natural Resources and the United States Department
28 of the Interior, Fish and Wildlife Service, are negotiating a settlement agreement regarding the
29 disposition of lands in question within the boundaries of the Bear River Migratory Bird Refuge:

30 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah
31 approves the settlement agreement between the state of Utah, through the Department of Natural
32 Resources, and the United States Department of the Interior, through the Fish and Wildlife Service,
33 regarding the disposition of lands in question within the boundaries of the Bear River Migratory
34 Bird Refuge if:

35 (1) the terms of the settlement agreement are consistent with the terms of H.B. 162, "Use
36 of Bear River Bird Refuge Settlement Monies," 2002 General Session, as it is enrolled; and

37 (2) the settlement agreement is fully funded by the federal government.

38 **h [BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Governor, the
39 Utah Department of Natural Resources, and to the United States Department of the Interior, Fish
40 and Wildlife Service.] h**

41 BE IT FURTHER RESOLVED that the Legislature approves an immediate effective date
42 for this resolution.