

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

3 2002 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Ben C. Ferry**

6 **This joint resolution of the Legislature approves the settlement agreement reached between**
7 **the Utah Department of Natural Resources and the United States Department of the Interior,**
8 **Fish and Wildlife Service, regarding the disposition of lands in question within the Bear**
9 **River Migratory Bird Refuge.**

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

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

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

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

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

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

21 WHEREAS, the lands in question within the Bear River Migratory Bird Refuge amount
22 to approximately 70,000 acres;

23 WHEREAS, it is in the best interest of the Bear River Migratory Bird Refuge and the
24 citizens of Utah to resolve the issue of ownership of lands within the Bear River Migratory Bird
25 Refuge in a timely manner;

26 WHEREAS, the Utah Department of Natural Resources and the United States Department
27 of the Interior, Fish and Wildlife Service, have entered into a settlement agreement regarding the



28 disposition of lands in question within the Bear River Migratory Bird Refuge; and

29 WHEREAS, the Governor has approved of this settlement agreement:

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

34 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Utah
35 Department of Natural Resources, the United States Department of the Interior, Fish and Wildlife
36 Service, and to the members of Utah's congressional delegation.

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

Legislative Review Note

as of 2-6-02 2:24 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel