

SENATE RESOLUTION No. 1711

A RESOLUTION opposing the black-footed ferret programmatic safe harbor agreement and environmental assessment.

WHEREAS, The United States fish and wildlife service reintroduced black-footed ferrets into Logan county, Kansas as part of a recovery effort in December 2007; and

WHEREAS, The reintroduction has been wrought with problems ranging from destructive prairie dog infestations to monetary losses for Kansas adjacent landowners; and

WHEREAS, The U.S. fish and wildlife service has drafted a black-footed ferret programmatic safe harbor agreement and an environmental assessment to encourage non-federal landowners to voluntarily allow reintroduction of black-footed ferrets on their properties; and

WHEREAS, The safe harbor agreement and environmental assessment is insufficient. It was developed without adequate information; and

WHEREAS, No environmental impact statement was conducted despite the fact that it is required when major federal action significantly impacts the human environment; and

WHEREAS, The U.S. fish and wildlife service did not coordinate with county or local governments in the development of the safe harbor agreement; and

WHEREAS, The safe harbor agreement included no reference or discussion of conflicts with local government plans, even though Logan county has a plan opposing the ferret introduction; and

WHEREAS, The safe harbor agreement failed to adequately address the impact to non-enrolled, adjacent landowners in the present and the future, despite the fact that there is evidence that the introduction of black-footed ferrets in Logan county has detrimentally affected neighboring landowners; and

WHEREAS, There is a risk to the health and safety of Kansans because of plague outbreaks. The plague is now present in all 12 states where black-footed ferrets have been introduced; and

WHEREAS, Limiting the size of the management zone to the size of the conservation zone is inconsistent with protection for adjacent landowners provided by the established larger sizes of a current buffer area at a current reintroduction site in Kansas; and

WHEREAS, The safe harbor agreement should include adequate safeguards, such as a binding written agreement, for non-participating landowners to have authorization for incidental take of black-footed ferrets: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we have an obligation and responsibility to represent the interests of the people of this state and promote economic stability, encourage a sound environment and protect the health, safety and welfare of our citizens; and

*Be it further resolved:* That we oppose the black-footed ferret programmatic safe harbor agreement and environmental assessment, request that the U.S. fish and wildlife service exclude Kansas from the territory contained in the safe harbor agreement and request that the U.S. fish and wildlife service refrain from further releases of black-footed ferrets in Kansas; and

*Be it further resolved:* That should the U.S. fish and wildlife service move forward with the safe harbor agreement in Kansas against the wishes of the Senate of the State of Kansas, we strongly encourage the U.S. fish and wildlife service to use a formal rule-making process to stipulate protection of all private landowners in areas where releases of the black-footed ferret might occur, rather than utilize the informal safe harbor agreement; and

*Be it further resolved:* That should the U.S. fish and wildlife service move forward with the safe harbor agreement in Kansas against the wishes of the Senate of the State of Kansas, we strongly encourage the U.S. fish and wildlife service to conduct an environmental impact statement before moving forward; and

*Be it further resolved:* That should the U.S. fish and wildlife service move forward with the safe harbor agreement we strongly encourage the U.S. fish and wildlife service to hold meetings with experts in prairie dog habitat, management of the current reintroduction sites, adjacent landowners to those sites and representatives of local government in those areas; and

*Be it further resolved:* That the Secretary of the Senate shall send an enrolled copy of this resolution to the administrator of the U.S. fish and wildlife service; the governors, state legislatures and congressional delegations of Arizona, Colorado, Montana, New Mexico, South Dakota, Utah and Wyoming; the Kansas congressional delegation; the U.S. secretary of agriculture; and the Kansas secretary of agriculture.

Senate Resolution No. 1711 was sponsored by Committee on Federal and State Affairs.

I hereby certify that the above RESOLUTION originated in the SENATE, and was adopted by that body

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*President of the Senate.*

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*Secretary of the Senate.*