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Resolution 1966-07-23 Fish and Wildlife Problems at Corps of Engineers Projects

Association of Fish and Wildlife Agencies

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RESOLUTION NO. 7

FISH AND WILDLIFE PROBLEMS AT CORPS OF ENGINEERS PROJECTS

Whereas, the Congress of the United States has repeatedly expressed the nation's desire to conserve and develop fish and wildlife resources as a part of its water-development program, initially by the passage of legislation in 1934 and subsequently by amendments under which the legislation was strengthened and designated as the Fish and Wildlife Coordination Act; and,

Whereas, the Congress of the United States has recently reaffirmed its concern for the welfare of our fish and wildlife and other outdoor recreational resources by the passage of a number of measures, some of which are the Outdoor Recreation Act, the Refuge Revenue Sharing Act, the Wilderness Act, the Land and Water Conservation Fund Act, and others; and,

Whereas, the President, on May 15, 1962, approved for application by the Departments of the Interior, Army, Agriculture and Health-Education and Welfare policies, standards and procedures for use and development of water and related land resources cited as Senate Document 97, which provides that "Full consideration shall be given to the opportunity and need for outdoor recreation and fish and wildlife enhancement in comprehensive planning for water and related land use and development, and project formulation and evaluation;" and,

Whereas, it is in the best interest of our nation that such resource can be conserved and developed; and,

Whereas, in the past the Corps of Engineers of the Department of the Army maintains that it will consider only navigation in the issuance of permits for construction, dredging and filling activities in navigable waters of the United States; and,

Whereas, the Corps is presently implementing a policy which would place the burden of mitigating fish and wildlife damages on the fish and wildlife agencies, except for such integral structures as fishways;

Now, therefore, be it resolved that the International Association of Game, Fish and Conservation Commissioners requests the Secretary of Defense to instruct the Department of the Army to:

1. Respect the intent of the Congress of the United States as expressed in the Fish and Wildlife Coordination Act which was presented recently by the Corps before the Senate Public Works Subcommittee on Appropriations and wherein the Corps proclaimed it will not undertake fish and wildlife mitigation except for those features which it considers to be integral parts of the projects;
2. Respect Senate Document No. 97, regarding policies, standards, and procedures for use and development of water and related land resources;
3. Honor its own February 16, 1962, Joint Policy Agreement with the Department of the Interior which states, in part, that insofar as permitted by law the Department of the Army will acquire in fee as a part of the reservoir project construction, such lands as are needed to meet present and future requirements for fish and wildlife as determined pursuant to the Fish and Wildlife Coordination Act;
4. Adopt a positive policy of including specific measures including the acquisition of lands in fee at Corps of Engineer projects for the conservation, development and improvement of fish and wildlife resources; and,
5. Adopt a positive policy of not issuing permits for dredging and filling activities in navigable waters of the United States or requiring appropriate modifications in work contemplated when such activities are expected to cause significant losses to fish and wildlife resources.

RESOLUTION NO. 8

APPROVING THE PROPOSED BANNOCK NATIONAL WILDLIFE REFUGE

Whereas, the 17,500 acre area of land and water known as Dingle Swamp in Bear Lake County, Idaho, is an important production unit for the Intermountain flock of the Great Basin Canada goose; and,

Whereas, it is also important as a producer of the scarce Greater Sandhill Crane; and,

Whereas, waterfowl produced on this marsh are harvested in all of the Pacific Flyway states south of Idaho; and,

Whereas, this large marsh has excellent potential for improvement as a waterfowl production unit through better land and water management;

Now, therefore, be it resolved that the International Association of Game, Fish and Conservation Commissioners endorses and strongly supports the proposal to transfer the administration of these lands and waters from the jurisdiction of the Bureau of Land Management to the Bureau of Sport Fisheries and Wildlife and incorporate the area into the National Wildlife Refuge System as the Bannock National Wildlife Refuge; and,

Be it further resolved that the International Association of Game, Fish and Conservation Commissioners recommends that the usual 40 percent of the area be open to public hunting and to fishing within the framework of state regulations.

RESOLUTION NO. 9

IMPLEMENTATION OF THE CLASSIFICATION AND MULTIPLE USE ACT

Whereas, the public domain of the Western States holds significant public values; and,

Whereas, disposal of the public domain in the past under the multitude of conflicting land laws did not give adequate consideration to wildlife and recreational values; and,

Whereas, administration of the public domain in the past has been based principally on the control of uses pending the ultimate disposal of the land; and,

Whereas, the Classification and Multiple Use Act of 1964 provides for the classification of public domain for retention and-or blocking out lands to be held in public ownership and multiple use management, as well as for disposal; and,

Whereas, the public interest will be best served where natural resources are held in public ownership and managed on a multiple-use basis for wildlife, watershed, recreation and grazing values;

Now, therefore, be it resolved that the International Association of Game, Fish and Conser-