

1 INTERIM RESOLUTION 2013-001

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3 URGING THE ARKANSAS CONGRESSIONAL DELEGATION TO ENCOURAGE THE  
4 UNITED STATES FISH AND WILDLIFE SERVICE TO PETITION THE OFFICE OF  
5 MANAGEMENT AND BUDGET TO MODIFY THE EXISTING RULE REQUIRING THE  
6 USE OF A NARROW INCREMENTAL ECONOMIC ASSESSMENT AND UTILIZE  
7 CUMULATIVE ECONOMIC ANALYSES THAT EMPLOY A MODEL THAT CONSIDERS  
8 THE CUMULATIVE ECONOMIC IMPACTS OF THE DESIGNATION OF CRITICAL  
9 HABITAT FOR THE RABBITSFOOT MUSSEL AND THE NEOSHO MUCKET.

10  
11 WHEREAS, when determining the economic impact of designating an area as  
12 critical habitat for a listed species, the United States Fish and Wildlife  
13 Service utilizes a narrow incremental economic assessment, which is required  
14 by the Office of Management and Budget in a rule that was effective October  
15 30, 2013; and

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17 WHEREAS, the service's chosen incremental economic assessment is flawed  
18 because it does not account for the potentially tremendous cumulative  
19 economic impact a critical habitat designation will have on an Arkansas  
20 county; and

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22 WHEREAS, to determine the full economic impact of a critical habitat  
23 designation, the service should propose economic impact statements using a  
24 cumulative methodology such as the IMPLAN model, which the United States  
25 Department of Agriculture developed for these types of purposes; and

26  
27 WHEREAS, the service now proposes to designate as critical habitat for  
28 Neosho muckets and rabbitsfoot mussels approximately seven hundred sixty-nine  
29 (769) river miles in Arkansas, the watersheds of which cover parts of thirty-  
30 one (31) counties and forty-two percent (42%) of the geography of Arkansas;  
31 and

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33 WHEREAS, a coalition of associations and public interest groups,  
34 spearheaded by the Association of Arkansas Counties, has filed comments to  
35 the proposed critical habitat designation seeking to reduce that critical

1 habitat based in part on an economic impact statement analysis using a  
2 cumulative IMPLAN methodology; and  
3

4 WHEREAS, the Arkansas Legislative Council recognizes that designating  
5 seven hundred sixty-nine (769) river miles with a watershed covering forty-  
6 two percent (42%) of Arkansas as critical habitat will have a potentially  
7 devastating economic impact on private and public land owners throughout  
8 Arkansas, including farmers, ranchers, timber producers, oil and gas  
9 producers, utility providers, county and municipal governments, school  
10 districts, irrigation districts, and countless small businesses,  
11

12 NOW THEREFORE,

13 BE IT RESOLVED BY THE ARKANSAS LEGISLATIVE COUNCIL OF THE EIGHTY-NINTH  
14 GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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16 THAT the Arkansas Legislative Council urges the Arkansas Congressional  
17 Delegation to encourage the United States Fish and Wildlife Service to  
18 petition the Office of Management and Budget to modify the existing rule  
19 requiring the use of a narrow incremental economic assessment and utilize  
20 cumulative economic analyses that employ a model that considers the  
21 cumulative economic impacts of the designation of critical habitat, such as  
22 the IMPLAN model.  
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24 BE IT FURTHER RESOLVED that upon adoption of this resolution, the  
25 Secretary of the Senate shall mail a copy of this resolution to each member  
26 of the Arkansas Congressional Delegation.  
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28 Respectfully submitted,  
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32 Senator Missy Irvin  
33 District 18  
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36 By: JLL/JLL