

HOUSE CONCURRENT RESOLUTION NO. 1008

A CONCURRENT RESOLUTION, Requesting the United States Fish and Wildlife Service to postpone indefinitely the placement of the Topeka Shiner (*Notropis topeka*) on the Endangered Species List.

WHEREAS, South Dakota is predominantly dependent upon agriculture economically and proper stewardship of our resources is already a way of life and listing a native animal species on the Endangered Species List would adversely affect agriculture, economic development, infrastructure, construction, and more; and

WHEREAS, South Dakota is a state where we attempt to base our environmental policies on common sense and sound science; and

WHEREAS, South Dakota is home to more than one hundred seventy-five species of minnow making it difficult to determine the loss of any single species; and

WHEREAS, by law, the decision to list the Topeka Shiner as endangered must be based on its population status, distribution and the existence of threats to the animal and its habitat; and

WHEREAS, the United States Fish and Wildlife Service has not conducted a study on the population distribution of the Topeka Shiner and much of the information collected in South Dakota is historical in nature dating back to 1939; and

WHEREAS, no recent information has been collected nor habitat evaluations made for the Topeka Shiner in South Dakota, there is a lack of data to assist in making sound decisions regarding potential impacts; and

WHEREAS, the Topeka Shiner is already protected under state law in Missouri and Kansas; and

WHEREAS, Minnesota, Nebraska, and South Dakota already consider it a species of concern; and

WHEREAS, according to the United States Fish and Wildlife Service employee Nell McPhillips was quoted in the December 12, 1997, Mitchell Daily Republic on page one as admitting that it is, "nearly impossible to count fish"; and

WHEREAS, landowners will respond to voluntary, incentive-based conservation programs rather than additional regulatory burdens:

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Seventy-third

Legislature of the State of South Dakota, the Senate concurring therein, that the Legislature requests the United States Fish and Wildlife Service postpone indefinitely the placement of the Topeka Shiner (*Notropis topeka*) on the Endangered Species List; and

BE IT FURTHER RESOLVED, that the Legislature encourages the development of voluntary, cooperative agreements by the United States Fish and Wildlife Service and the affected parties as a preferred alternative to listing.

Adopted by the House of Representatives,
Concurred in by the Senate,

January 29, 1998
February 12, 1998

Rex Hagg
Speaker of the House

Karen Gerdes
Chief Clerk of the House

Carole Hillard
President of the Senate

Patricia Adam
Secretary of the Senate