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## [Wildlife refuge expansion in Congress' hands](#)

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JACKSONVILLE — The Neches River National Wildlife Refuge may expand by 6,715 acres if an \$11 million item on the 2012 Federal Budget is approved by the Senate and the House of Representatives, inching it closer to the U.S. Fish and Wildlife Service's goal of acquiring all 25,281 acres of land within the refuge acquisition boundary.

“We're happy that in the proposed (federal) budget, at this time, there is \$11 million in the budget for the acquisition of land for the Neches River National Wildlife Refuge,” said Michael Banks, founder of Friends of the Neches River, a group that advocated for the establishment of the refuge. “We didn't have to lobby to have the dollar amount put in the budget. It was already put in the budget as an item.”

The refuge now rests on 35 acres in Cherokee and Anderson counties, along 38 miles of the Neches River. Land within the refuge acquisition boundaries is identified by the U.S. Fish and Wildlife Service as a Priority 1 habitat, making it paramount for conservation.

“This is a project that has been on the book for a long time, since the refuge was established,” said Andy Jones, director of the Texas Conservation Fund (TCF). “Now it's time to take it off our books and put it in the hands of the nation.”

The allotted dollar amount is big, Jones said, and may have trouble getting approved.

“It's the largest TCF request in the nation,” Jones said. “We're in Texas. We like to do things big.”

Plans for refuge, proposed by the U.S. Fish and Wildlife Service in 2005, caught a snag when the City of Dallas and the Texas Water Development Board filed suit against the U.S. Fish and Wildlife Service in 2006. The City of Dallas aimed to dam the Neches River and create a reservoir, called Lake Fastrill, that would secure drinking water for Dallas residents.

In 2007, a district court ruled in favor of U.S. Fish and Wildlife. The decision was appealed to the Fifth District Court of Appeals, where a panel of three judges upheld the district court's ruling. The decision was then appealed to the Supreme Court and in 2010 the Supreme Court

upheld the district court ruling in favor of the U.S. Fish and Wildlife Service, putting Lake Fastrill up a creek.

The 6,715 acres of land that will be purchased for the refuge, if the \$11 million budget item is passed, was purchased by the Texas Conservation Fund with the intend of one day being able to sell it to the U.S. Fish and Wildlife Service, Jones said.

If the 6,715 acres of land is sold to the U.S. Fish and Wildlife Service to add to the refuge, it will house the refuge headquarters and a waterfowl hunting camp.

Friends of the Neches River hope to gain support from Sen. Kay Bailey Hutchison, Sen. John Cornyn, and Rep. Jeb Hensarling for the budget item, Banks said.

“We’re lobbying to have that part of the budget approved,” he said.

If the budget item is not approved, Friends of the Neches River will raise the funds needed, Banks said.

“That’s not the end of it. We’ll look for private donations, we’ll go back to Congress over and over and over again for funds,” he said.

Other parts of land within the refuge acquisition boundary will have to be purchased in part from private landowners, as funds become available, Banks said.

“(U.S. Fish and Wildlife) does not use eminent domain to take land form private landowners within that boundary, but they would accept all the land within that boundary if they could get it,” he said. “They acquire land by purchase from willing sellers (or) they’ll accept donations of land (or) someone that owns land can allow the U.S. Fish and Wildlife to use the land but they would maintain their private ownership of the land.”

Chances of the U.S. Fish and Wildlife Service being able to purchase all 25,281 acres of land is nil, Banks said.

“They’ll never get that because some people that have privately owned land in there that want to keep it, so it winds up being what we call a checker-board area — there’ll be areas of private land and refuge land as they acquire land,” he said.

The refuge protects the habitat for migratory birds of the Central Flyway, bottomland hardwood forests, and even some threatened animal species. In addition to the refuge’s benefit to plant and animal life, it will boost the economy, Jones said.

Calls to the offices of Sen. Kay Bailey Hutchison, Sen. John Cornyn, Rep. Jeb Hensarling, and the U.S. Fish and Wildlife Service were not returned by press time.