

## **Neches River National Wildlife Refuge upheld by Fifth Circuit**

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Creation of the Neches River National Wildlife refuge was upheld for the second time by a court of law.

The Fifth Circuit Court of Appeals on Thursday affirmed the July 2008 decision by Judge Jorge A. Solis rejecting opponents' claims that creation of the refuge did not meet National Environmental Policy Act requirements in several ways.

The decision protects the area in Anderson and Cherokee counties from being dammed to provide drinking water to Dallas.

The U.S. Fish and Wildlife Service created the 25,281 acre refuge in June 2006 to preserve some of the least disturbed and highest-quality bottomland hardwood forest in Texas.

The City of Dallas and the Texas Water Development Board had filed a suit hoping to overturn creation of the refuge to make way for a reservoir.

"This is wonderful news!" said Janice Bezanson, executive director of Texas Conservation Alliance. "The Neches River Refuge is exceptional wildlife habitat - one of the most important wildlife areas left in Texas. Thousands of Texans wrote letters or signed petitions in support of its creation."

In a telephone interview, Bezanson said a reservoir on the site would only provide a small amount of Dallas's drinking water needs and that "numerous other sources" are available to the city.

She said the refuge's opponents could still pursue the case to the Supreme Court, but she hopes they will accept the Fifth Circuit Court's ruling and move on.