



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

P.O. Box 1306

Albuquerque, New Mexico 87103

In Reply Refer To:  
R2/NWRS-PLN

MAR 21 2005

Mr. Robert M. Johnson, P.E.  
Director, Dallas Water Utilities  
City of Dallas  
1500 Marilla, 4AN  
Dallas, Texas 75201

Dear Mr. Johnson:

Thank you for your letter dated March 16, 2005, stating the City's interest in developing a working relationship with the U.S. Fish and Wildlife Service (Service) regarding the proposed Neches River National Wildlife Refuge (Refuge), and potential plans for development of a water reservoir in the same area.

The Service soon will be releasing an Environmental Assessment, Land Protection Plan, and Conceptual Management Plan for review by the public detailing the Service's proposal. There will be a 45-day period for the public to provide comments, culminating in public meetings to provide citizens an additional opportunity to voice their concerns. Following the comment period, we will then consider the input from the public and make adjustments to the proposal as necessary. The proposal will then be sent to the Director of the Service for review and approval.

Because the City's water-development proposal is in the very early stages with respect to determining a footprint, we are hesitant to state to what degree the Refuge proposal and a reservoir proposal might conflict. But rest assured, we will work with the City to find those windows of opportunity to work together. Informed dialogue between our staffs will be important in searching out those opportunities.

With respect to the Refuge having an alternate footprint, we would be hard-pressed at this point to develop a refuge elsewhere along the Neches River. The 25,000 acres of land we have identified in our proposal are unique. They present the best opportunity for our agency to protect the dwindling bottomland hardwood resources in Texas. The more the footprints of a reservoir and the proposed Refuge overlap, the less likely we would be able to meet our habitat objectives. You will be receiving a copy of the Service's Environmental Assessment as soon as it becomes available. Members of your staff also will be notified of the public meetings tentatively scheduled for May. I look forward to our continuing dialogue. If you have any questions in the meantime, please do not hesitate to contact me at 505-248-7419, or Tom Baca, Chief of Planning, National Wildlife Refuge System, at 505-248-6631.

Sincerely,

Domenick R. Ciccone  
Regional Chief, National Wildlife  
Refuge System



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Albuquerque, New Mexico 87103

March 14, 2005

Ms. Janice Bezanson  
Executive Director  
Texas Committee on Natural Resources  
3532 Bee Caves Road, Suite 110  
Austin, TX 78746

Dear Ms. Bezanson:

In response to your phone inquiry of this morning, I am providing you with my biological opinion of the relative merits of lands for mitigation. I base this on 25+ years of experience as a Wildlife Biologist and a specialist in bottomland hardwood forest ecosystems.

You inquired about the quality of mitigation lands when established around the perimeter of the reservoir. In my opinion, lands on the upper end of a reservoir are in no way comparable to an intact bottomland hardwood forest system, especially in the first years after inundation. Even in an older reservoir, lands used as mitigation on the upper end of reservoir projects are a very poor substitute for bottomland forests in the forested corridor along the river. The forests along the Neches River support a more diverse wildlife population in a vastly more productive habitat than would be found along the upper end of a reservoir. Moreover, mitigation sites along the upper end of reservoirs are overrepresented in refuges and wildlife management areas compared with intact bottomland hardwood forests that would be inundated by reservoirs.

I hope this answers your question regarding the relative biological attributes of these two very different habitat types. Please do not hesitate to contact me if you need additional information.

Sincerely,

Jim Neal  
Migratory Bird Management Specialist  
U.S. Fish and Wildlife Service  
P.O. Box 4655 SFA Station

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