



## Neches Wild and Scenic River Initiative

### NO EMINENT DOMAIN

It is the stated intention of congressmen along the Neches River and of the staff of the Natural Resources Committee of Congress that if a bill is introduced in Congress to authorize a study of the Neches River as a Wild and Scenic River, that study bill will specify that if any land is acquired it will be from willing sellers only. No condemnation of private land will be allowed.

Texas Conservation Alliance, who is a strong advocate of the Neches Wild and Scenic River study, joins these congressmen in opposing condemnation of private land and pledges to withdraw its support if the study finds that designating the Neches as a Wild and Scenic River will be harmful to landowners.

#### **Past History**

Condemnation of land under eminent domain for inclusion in a Wild and Scenic Rivers System has been done only rarely and has almost ceased to be used since the early 1980s.

There are 203 rivers in the Wild and Scenic Rivers System, totaling 12,556 miles.

Of those 203 rivers, only four (4) have had *any* land condemned in fee for acquisition. The total acreage condemned is 1,413. Of these acres, some were friendly condemnations to clear a title or to allow the federal government to pay more than the appraised value of the land.

#### **Misinformation That Has Circulated**

A misunderstanding has arisen concerning eminent domain. Section 6 of the Wild and Scenic Rivers Act allows people who sell land to the federal government for a Wild and Scenic River to retain the use and occupancy of a residence on the land for up to 25 years.

This provision has mistakenly been interpreted as though the federal government were condemning the house after 25 years. This is not the case. Rather, this provision is a favorable circumstance for a landowner, allowing him to sell his land if he chooses while still retaining use of his home or hunting/fishing camp.