

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-50034

WILLIAMSON COUNTY, Commissioners Court,

Plaintiff-Appellant,

versus

BRUCE BABBITT, in his official capacity as
Secretary of the Department of Interior;
UNITED STATES FISH AND WILDLIFE SERVICE,

Defendants-Appellees.

Appeal from the United States District Court for the
Western District of Texas

September 12, 1995

Before REYNALDO G. GARZA, GARWOOD and DUHÉ, Circuit Judges.*

PER CURIAM:

We affirm, essentially for the reasons given by the district court. With respect to count VI, it in any event is without merit under *Babbitt v. Sweet Home Chapter of Communities for a Great Oregon*, 115 S.Ct. 2407 (1995).

* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.