Draft Compatibility Determination

Title

Draft Compatibility Determination (CD) for the Establishment of Public Access Use of the Lower Rio Grande Valley National Wildlife Refuge, Goodfields Tract.

Refuge Use Category

Outdoor Recreation (General)

Refuge Use Type(s)

Public Access Use

Refuge

Lower Rio Grande Valley National Wildlife Refuge, Hidalgo County, TX

Refuge Purpose(s) and Establishing and Acquisition Authority(is)

As excerpted from the enabling legislation used to authorize acquisition of the Lower Rio Grande Valley National Wildlife Refuge (refuge), the following are the refuge's purposes:

"*… for the development, advancement, management, conservation, and protection of fish and wildlife resources …*" [16 U.S.C. 742f(a)(4)] "*… for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude …*" [16 U.S.C. 742f(b)(1)] (Fish and Wildlife Act of 1956)

"*… particular value in carrying out the national migratory bird management program.*" [16 U.S.C. 667b] (An Act Authorizing the Transfer of Certain Real Property for Wildlife, or other purposes)

"*… suitable for: (1) incidental fish and wildlife-oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species …*" [16 U.S.C. 460k-1] "*… the Secretary … may accept and use …real … property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors …*" [16 U.S.C. 460k-2] (Refuge Recreation Act [16 U.S.C. 460k-460k-4], as amended)

"*… for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.*" [16 U.S.C. 715d] (Migratory Bird Conservation Act)

The Lower Rio Grande Valley and Santa Ana National Wildlife Refuges Comprehensive Conservation Plan (CCP) of 1997 satisfies the CCP requirement of the National Wildlife Refuge System Improvement Act of 1997 and identifies the following five goals of the Refuge:

- To restore, enhance, and protect biological diversity.
- To protect and obtain additional water rights, improve water management, and protect, restore, and enhance wetlands.

- To improve water quality and reduce contaminant related fish and wildlife resource losses.
- To protect, maintain, and plan for cultural resources.
- To offer compatible wildlife dependent public uses, recreational opportunities, and interpretation and education.

National Wildlife Refuge System Mission

The mission of the National Wildlife Refuge System, otherwise known as Refuge System, is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans (Pub. L. 105-57; 111 Stat. 1252).

Description of Use

Is this an existing use?

No. The 358-acre Goodfields tract was acquired on June 7, 1988, and has remained closed to Public Access since. This new use will support local community and general public access.

What is the use?

The proposed use is to establish public access as an improved use of the Goodfields tract. The Goodfields tract will be opened to the public for wildlife observation and photography, environmental education and interpretation. The Refuge will seek to create partnerships to establish access and development of infrastructure such as walking trails, wildlife viewing areas, parking areas, informational kiosks and restrooms to support and to manage this wildlife dependent recreational use on the Goodfields tract

Is the use a priority public use?

Yes

Where would the use be conducted?

Areas of the Goodfields tract designated as publicly accessible areas. Goodfields is approximately 4.7 miles from the center of the nearest City of Edinburg in Hidalgo County, Texas. The proposed improved use is entirely within the Goodfields tract.

When would the use be conducted?

The proposed new use would occur every day, year-round, including Federal holidays.

How would the use be conducted?

The Refuge will seek partnerships to establish public access area and development of infrastructure for wildlife-dependent recreational uses including wildlife observation and photography, environmental education and interpretation, as well as general recreational uses such as walking and hiking.

Why is this use being proposed or reevaluated?

Based on the Goodfields location, being surrounded by neighborhoods, the establishing purpose of the Goodfields tract has changed from solely wildlife and habitat conservation to now suitable for public access and recreational development. It better serves the community as outdoor green space that will strengthen the existing educational and interpretive programs and develop new approaches towards describing and disseminating information on the interrelationships between nature and wildlife in the refuge.

Anticipated Impacts of the Use

Potential impacts of a proposed use on the refuge's purpose(s) and the Refuge System mission

This CD considers the effects of the proposed action by the refuge on resources protected by the Endangered Species Act (ESA). These protected resources include species listed as threatened or endangered and areas designated as critical habitat for ESA-listed species as well as the effects of the proposed action on species proposed for listing and on areas proposed for critical habitat designation. The proposed project would not effect species under the ESA because it is not reasonably certain that any individuals or suitable habitat under ESA are known to exist in the project location or in the surrounding area. Therefore, the proposed project would not affect or impair the Refuge System mission or Refuge goals and objectives because there would not be adverse impacts to the conservation and recreational goals of the refuge. No adverse cumulative impacts are anticipated from the project.

Short-term impacts

The National Wildlife Refuge System Improvement Act encourages refuges to offer wildlife-dependent recreational use where appropriate and compatible and seek out additional resources when necessary. This new use will foster understanding and instill appreciation of native wildlife and their habitats by providing the public with safe, high-quality, and compatible recreational use. Impacts due to the improved trail construction would be temporary and negligible. Disturbance impacts during construction (e.g., noise from equipment) will be localized and short in duration and will occur during daylight hours. No federally listed species occur on or near this tract. Best management practices will be implemented to reduce the potential for erosion or sediment runoff into Refuge lands. All walking trails and wildlife viewing areas will be constructed primarily on existing tract roads, in which case, no habitat impact will occur. However, portions of walking trails may intertwine between widely spaced trees and shrubs. The trees and shrubs will generally be avoided during construction of trails, and as consequence, habitat disturbance will be minimal. The short-term impacts are therefore insignificant and discountable because the project does not detract from the goals of the Refuge, as stated above.

Long-term impacts

Long-term impacts on the Refuge’s purpose and the System missions are expected as positive improvements creating public access to the Refuge. Long-term increased use of the refuge can be viewed as an impact in certain cases, but this tract has been found to be appropriate for this recreational use. Additionally, no federally listed species occur on or near this tract. The long-

term impacts are therefore positive because this use aligns with the goals of the Refuge, as stated above. Overall, no long-term negative impacts to Refuge lands would occur with the proposed use.

Public Review and Comment

The draft compatibility determination will be available for public review and comment for 14 days: Establishment of Public Access Use of the Lower Rio Grande Valley National Wildlife Refuge, Goodfield Tract, Hidalgo County, Texas from July 20, 2026, to August 3, 2026. A copy of the CD and request for public comment was also published on the Refuge's main website and posted at the Refuge Headquarters for review and comment.

Determination

Is the use compatible?

Yes

Stipulations Necessary to Ensure Compatibility

1. Permitted activities on the Goodfields tract will include wildlife photography, wildlife observation, environmental education, and interpretive programs.
2. Publicly accessible areas of the Goodfields tract will be limited to Refuge-approved vehicle parking lots, trails, interpretive points, observation sites, kiosk and signage locations.
3. No significant brush clearing or other habitat impacts to interior refuge habitats will occur. No materials stockpiles and equipment staging areas would occur outside of trail construction periods.
4. Best management practices would be used during trail construction to avoid or reduce potential impacts to water quality from erosion or sediment runoff.
5. Trail construction boundaries would be clearly demarcated to avoid inadvertent impacts to Refuge habitat.
6. Work will only occur during daylight hours from 6 am to 8 pm to the practical extent.
7. Equipment to be used in construction would be cleaned and free of dirt or grass prior to arrival onsite to prevent the spreading of invasive plants or noxious weeds.
8. Compliance with Endangered Species Act, Migratory Bird Treaty Act, NEPA, and all other applicable federal statutes and regulations would be met.
9. Partners would coordinate with the refuge manager during trail construction to ensure no unanticipated impacts occur and that the use is being carried out as proposed.

Justification

The National Wildlife Refuge Improvement Act of 1997 prohibits any new use of a refuge or any expansion, renewal, or extension of an existing use without a finding it is compatible with the purposes of the Refuge. 16 U.S.C. § 668dd(d)(3)(A)(i); 50 CFR 26.41; *see also* 50 CFR Part 29 (FWS Refuge right of way regulations). A compatible use is defined as "[] a proposed or existing wildlife-dependent recreational use or any other use of a national wildlife refuge that, based on sound professional judgment, will not materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purpose(s) of the national wildlife refuge." 50 CFR

25.12(a).

Through the compatibility determination process, the Refuge has determined the public access use within the Goodfields tract of the Lower Rio Grande Valley NWR would not materially interfere with or detract from the fulfillment of the Refuge System mission or the purposes for which the Refuge was established. The Service has assessed the impacts of the use to be conducted on refuge lands and has determined that the use is both an appropriate use and compatible with its establishing purposes. As discussed above, this use will not conflict with any other purpose of the refuge, and no or minimal impacts to Service trust resources are anticipated. Through this compatibility determination, the refuge manager has determined that this use, implemented with the stipulations provided above, is a compatible use that will not materially interfere with or detract from the fulfillment of the Refuge System mission or purpose of the refuge.

Signature of Determination

Refuge Manager Signature and Date

Signature of Concurrence

Assistant Regional Director Signature and Date

Mandatory Reevaluation Date

2041