

DRAFT Compatibility Determination

Use: Cameron County Adolph Thomae, Jr. County Park Expansion and Management Agreement and Plan

Refuge Name: Laguna Atascosa National Wildlife Refuge, Los Fresnos, Texas

Establishing and Acquisition Authorities):

- Migratory Bird Conservation Act of 1929 (16 U.S.C. 715d), as amended
- Transfer of Certain Real Property for Wildlife Conservation Purposes Act of 1948 (16 U.S.C. 667b-667d), Public Law 80-537, as amended
- Fish and Wildlife Act of 1956 (16 U.S.C. 742(a)(4); (16 U.S.C. 742(b)(1), as amended

Refuge Purposes:

- “... for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.” 16 U.S.C. 715d (Migratory Bird Conservation Act of 1929)
- “...for wildlife conservation purposes ... if the real property has particular value in carrying out the national migratory bird management program...” 16 U.S.C. 667b-667d (Transfer of Certain Real Property for Wildlife Conservation Purposes Act of 1948 Public Law 80-537, as amended)
- “... for the development, advancement, management, and conservation, and protection of fish and wildlife resources...”, 16 U.S.C. 742(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 conditions of servitude...” 16 U.S.C. 742(b)(1) (Fish and Wildlife Act of 1956)

National Wildlife Refuge System Mission:

“The mission of the 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.”

Description of Use:

The 58.65-acre Adolph Thomae, Jr. County Park (Park) is managed by Cameron County (County) though an agreement with Laguna Atascosa National Wildlife Refuge (Refuge). The Park occurs on a linear tract of land bounded on the north by the Harlingen Ship Channel, on the western boundary of Laguna Atascosa NWR, east of Arroyo City (see location map). The Park varies from 185 to 350 feet in width and 1.7 miles in length. There is one main entrance and exit and Park facilities include lighted fishing piers, picnic areas, a playground, boat ramp, restrooms nature trail, an observation tower, and 35 RV campsites with full hookups. The Park is open from 6 a.m. to 10 p.m. on weeknights and from 6 a.m. to 11 p.m. on weekends. Most visitors to Adolph Thomae, Jr. County Park use the Park’s boat ramps and facilities for fishing. Overnight camping is also very popular at all times of the year. The Park provides the public an area to

enjoy priority wildlife-dependent uses such as fishing, interpretation, and wildlife observation and photography. The County bills the Park as “*a nature park that offers the best of fishing, camping, birding, and family fun.*”

In managing the Park, the County accepts primary responsibility for the wildlife conservation and management aspects of the Park. Revenues generated from operation of the Park are used for upkeep, maintenance, and development of the Park. However, the management agreement with the County expired on November 30, 2011, and a new agreement is needed.

The proposed use is to establish a new agreement which would include additional public use facilities and improvements as well as adding 2.6 acres to the current eastern boundary to a land cut that forms a natural barrier east of the Park. The 2.6-acre area has been impacted over the years by illegal trespass and this additional acreage will be managed and maintained as part of the Park. This new agreement would include new public use facilities such as a new boat ramp, parking area, fishing piers, additional RV spaces, restrooms, a cabana, pavilion, improved signage and litter abatement, and a kayak or non-motorized boat slip. In addition, boundary fencing and signage will be upgraded and a 15-acre wildlife conservation area (day use only) will be established to serve as a wildlife corridor through the Park. Proposed shoreline protection would include bulkheading and rip-rap to prevent bank erosion from passing barges and watercraft. Park revenues will continue to be used for upkeep and Park operations and the County will retain primary responsibility for wildlife conservation and management of the Park.

The area of this Park has traditionally been used as a fishing, picnicking, and camping area for years by local residents, even prior to Refuge acquisition of the land in the late 1940s. Today, the Park attracts from 130,000 to 150,000 visitors annually who come to enjoy the natural outdoors. This includes bank fishing, boat launching, camping, and bird watching along the nature trail and observation tower. This facility offers the only public boating access point to the Arroyo Colorado and the Lower Laguna Madre between Port Mansfield, TX (20 miles north) and Port Isabel, TX (25 miles south).

Availability of Resources:

The Refuge Manager and staff will periodically assist in oversight and compliance of the Agreement and Plan for the proposed use.

Anticipated Impacts of the Use:

Construction of new infrastructure and facilities will temporarily increase dust and noise. However, in the long term, this will enhance visitor opportunities to participate in wildlife-dependent recreational uses on Refuge lands, particularly fishing. It will also improve visitor safety by relieving traffic congestion at peak use times. Infrastructure and facility improvements proposed by the County that may affect wetlands will be coordinated through the U.S. Army Corps of Engineers permitting process.

Impacts to important fish and wildlife resources and sensitive species have been found to be compatible through the application of the terms and conditions of the new agreement and management plan. In addition, the proposed use is expected to minimize impacts to wildlife by establishment and maintenance of a 15-acre wildlife conservation corridor to facilitate animal movement through the Park. No critical habitat for endangered and threatened species has been designated within the proposed use area and therefore none will be affected.

Public Review and Comment:

The draft document was made available for public review and comment from August 16, 2013, through September 20, 2013, concurrent with the Environmental Assessment for the proposed use.

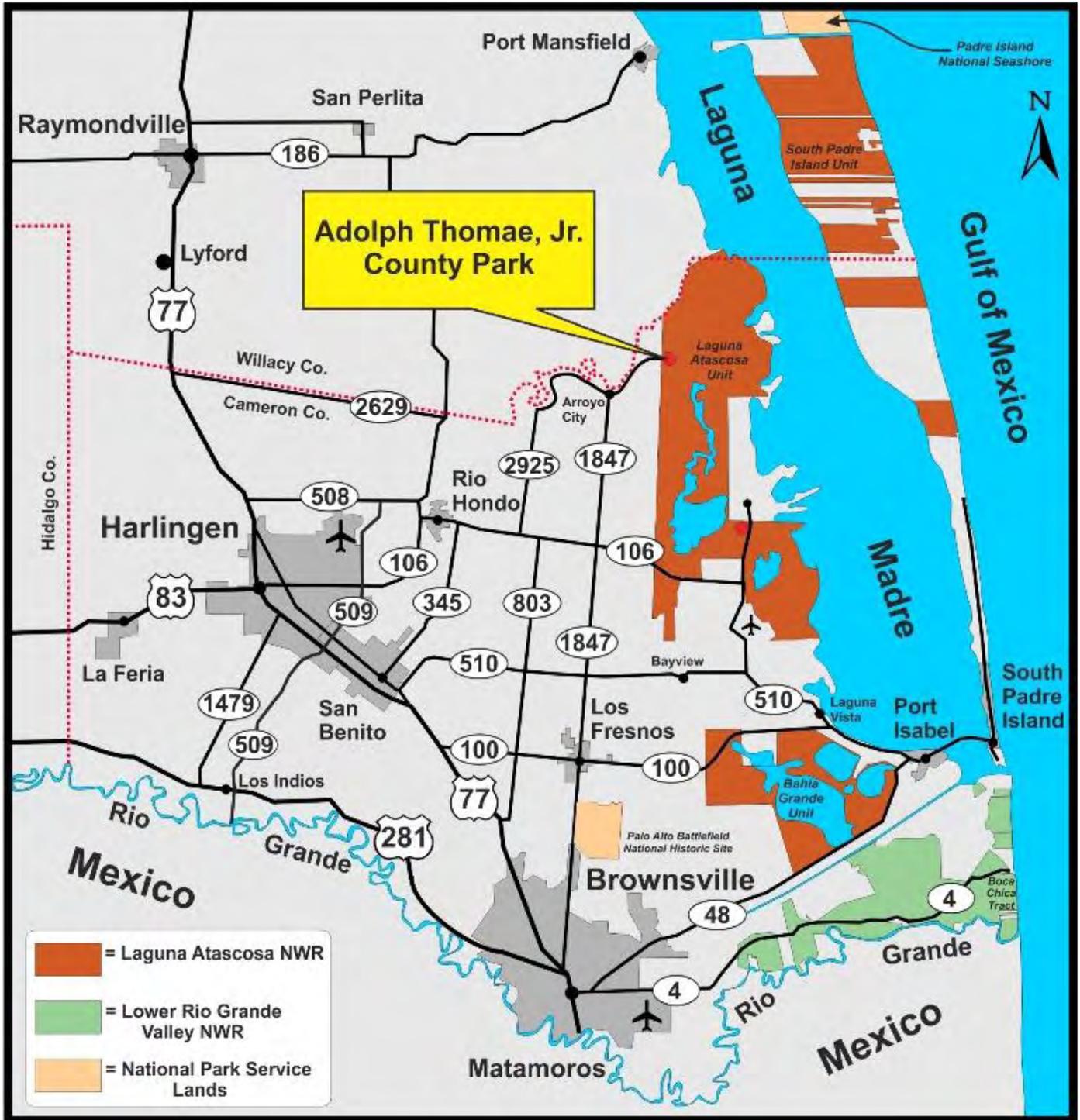
Determination (check one below):

- Use is Not Compatible
- Use is Compatible With the Following Stipulations

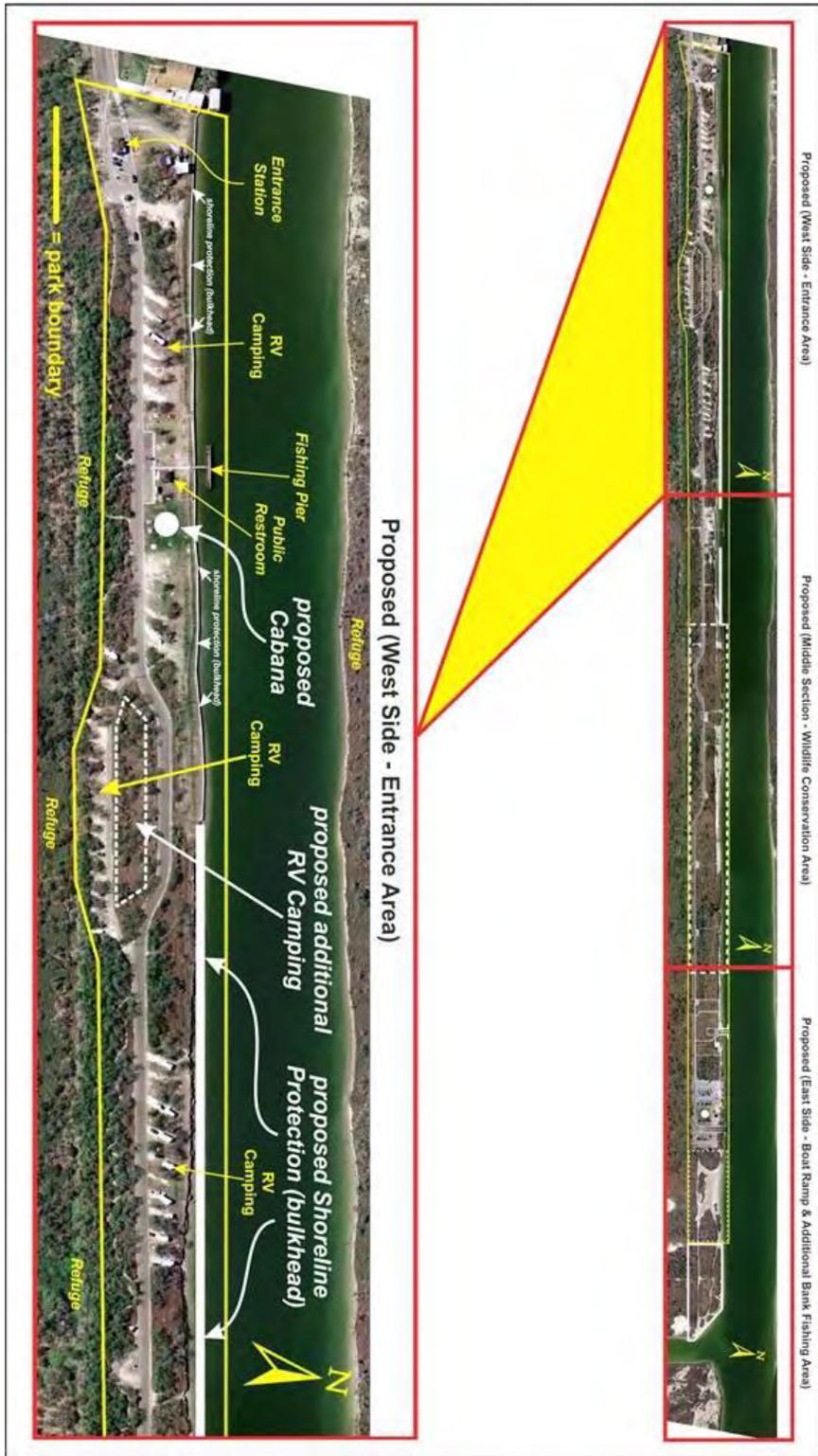
Stipulations Necessary to Ensure Compatibility

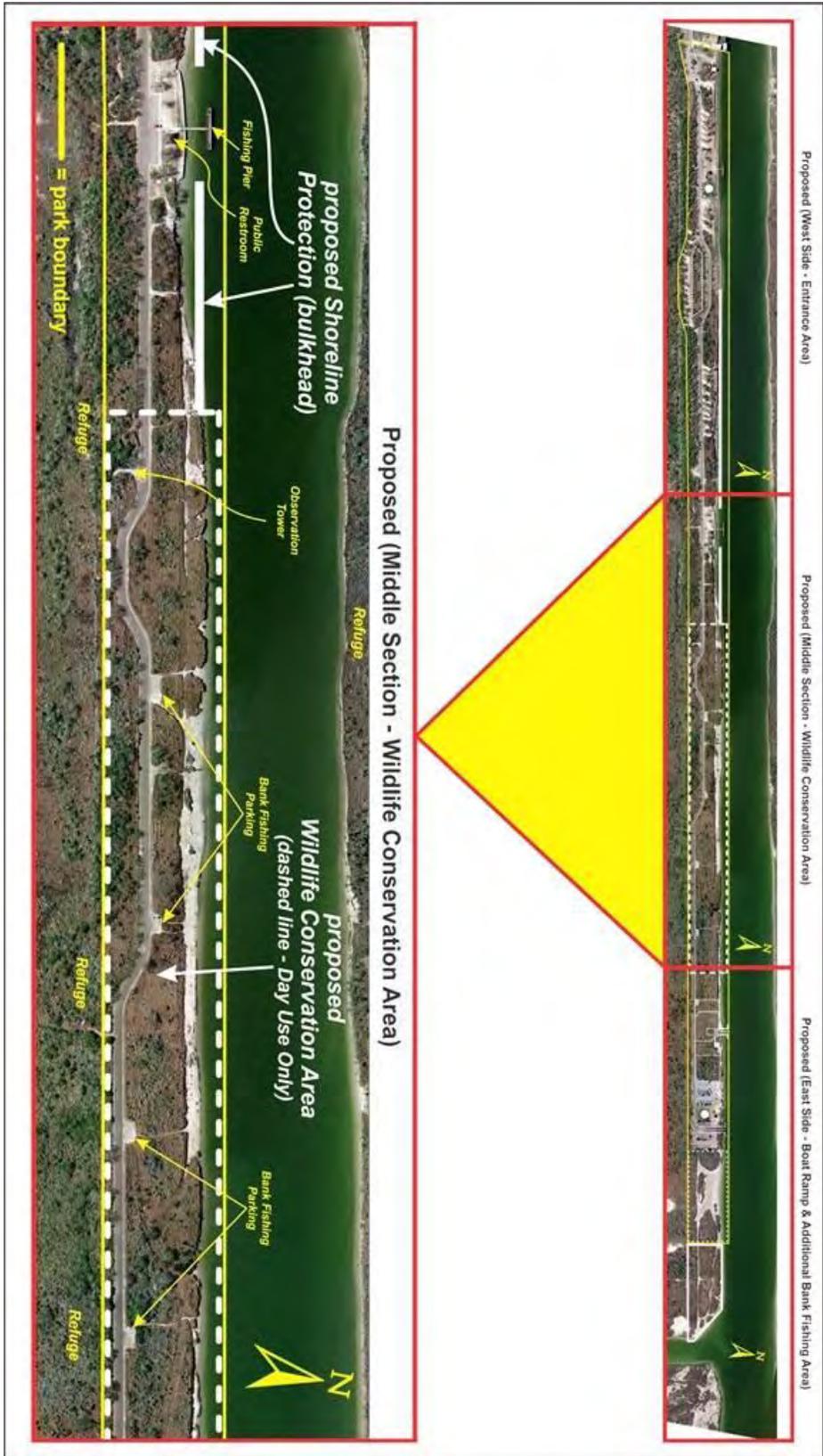
1. Compliance with all stipulations enumerated in the Agreement and Management Plan (Plan) between the County and the Refuge.
2. The County, in administering the Agreement and Plan, will obtain concurrence from the Refuge Manager for all construction, replacement, or major repair or alteration of facilities, structures, and improvements to ensure compliance with all federal regulations.
3. The County, in administering the Agreement and Plan, will establish and maintain a 15-acre wildlife conservation area through the Park.
4. The County, in administering the Agreement and Plan, will obtain concurrence from the Refuge Manager for all informational and interpretive signage, displays, and literature.
5. The County, in administering the Agreement and Plan, will inform the Refuge Manager of any or all scheduled/organized activities on a regular basis (e.g. fishing tournaments, special events). In addition, the County will meet annually with the Refuge Manager to discuss project proposals, activities, or to review and revise the Plan, as needed.
6. The County, in administering the Agreement and Plan, will require Park staff to complete a Refuge orientation course to ensure conformity with Refuge standards.

Attachment 1. Park Location Map



Attachment 2. Park Layout and Proposed Features





Attachment 3. County Request For Agreement Renewal



PETE SEPULVEDA, JR.
COUNTY ADMINISTRATOR

1100 E MONROE ST.
BROWNSVILLE, TEXAS 77820

COUNTY COURTHOUSE
(956) 982-5414 fax (956) 983-5099

September 30, 2009

Mr. Kelly McDowell, Project Leader
United States Fish & Wildlife Service
South Texas Refuge Complex
Route 2, Box 202-A
Alamo, Texas 78516

Re: *Land Lease Agreement for 58.65 acres out of the Laguna Atascosa National Wildlife Refuge-Adolph Thumae Jr. County Park*

Dear Mr. McDowell:

Please consider this letter as a formal request of Cameron County's intent to renew the Lease Agreement with the Department of the Interior through the United States Fish & Wildlife Service for 58.65 acres out of the Laguna Madre Wildlife Refuge (Adolph Thumae Jr. County Park). The original lease dated November 12, 1986 and amended lease June 29, 1987 is for a term of 25 years and will expire November 12, 2011. Cameron County is requesting that the lease be renewed or reauthorized for 25 years.

Adolph Thumae Jr. County Park is a major component of our Park System and Cameron County would like to continue providing wildlife conservation and management including the associated recreation aspects of the Laguna Atascosa National Wildlife Refuge. This park attracts more than 60,000 visitors annually who come to enjoy the natural outdoors, which include shoreline fishing, boat launching, bird watching along the nature trail and observation tower, and others frequently use our Recreational Vehicle, and tent camping sites. This facility offers the only public access to the Arroyo Colorado and Laguna Madre Bay.

Cameron County has recently restored 886 linear feet of eroding shoreline and is in the process of submitting a grant application to restore the remaining 3,330 linear feet. The other improvement is to add two boat launching ramps to the existing facility. Therefore the granting agencies require that we have a longer lease on the land.

*Mr. Kelly McDowell, Project Leader
United States Fish & Wildlife Service
South Texas Refuge Complex
September 30, 2009
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National Wildlife Refuge-Adolph Thomas Jr. County Park*

For any questions or comments please feel free to contact my office at (956)982-5414.

Respectfully,



*Pete Sepulveda, Jr.
Cameron County Administrator*