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Folder Title:
Governor Richards-Playa del Rio, Texas

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State of Texas
Office of the Governor
Austin, Texas 78711

ANN W. RICHARDS
GOVERNOR

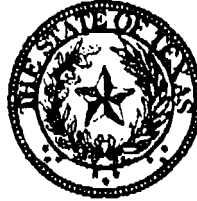
cc
NSC
NEC
K. McGINTY
NIX
John Podesta
for Ref

Dear Bill,
This formal letter
proposes the creation of
an International Air
Quality Management District.
El Paso/Juarez is the perfect
location. I am sending
Carol Browne and Thickey
Kantor a copy. This idea
will really be great for
the border — good business
and good for our communities.
Best,

Ann

Post Office Box 12428 Austin, Texas 78711 (512) 463-2000

Not Printed At State Expense



STATE OF TEXAS
OFFICE OF THE GOVERNOR
AUSTIN, TEXAS 78711

ANN W. RICHARDS
GOVERNOR

July 26, 1993

The Honorable William Jefferson Clinton
President of the United States
The White House
Washington, D.C. 20500

Dear Mr. President:

Many cities along the border between the United States and Mexico are experiencing environmental problems caused by rapid population growth and expanded economic activity. One of the most severe problems we face is in the border cities of El Paso, Texas and Ciudad Juarez, Chihuahua, where air pollution is the worst of any United States-Mexican border community and seriously threatens public health. I see an opportunity to address this problem by using an innovative approach that would involve binational management of a shared international airshed. I urge you to provide your support and leadership to a proposal to create an International Air Quality Management District encompassing the border cities and surrounding region.

An International Air Quality Management District could promote efficient solutions to this complicated problem by establishing common air quality targets, setting emission limits that reduce pollutants to health levels, and adopting an incentive-based approach to work toward those goals in a timely and efficient manner. The District could also coordinate air pollution monitoring work, inventory sources of pollution, and develop cost-effective and equitable programs to improve air quality. In particular, the District would oversee the establishment of an international emission trading program that would encourage transboundary investment in pollution control and use economic growth to reduce pollution. Individual businesses operating in the airshed would have the flexibility to decide where and how to make the required reductions in pollution and receive valuable emission reduction credits that can be traded or banked for future use.

The ongoing negotiations regarding the environmental accord to supplement the North American Free Trade Agreement provide an excellent opportunity to create an International Air Quality Management District. Alternatively, a Memorandum of Understanding could be negotiated with Mexico, under Annex V of the 1983 La Paz Agreement. In either event, the District would be composed of representatives appointed by the respective federal, state and local governments. The purposes, duties, and powers of the District would, at a minimum, include the following:

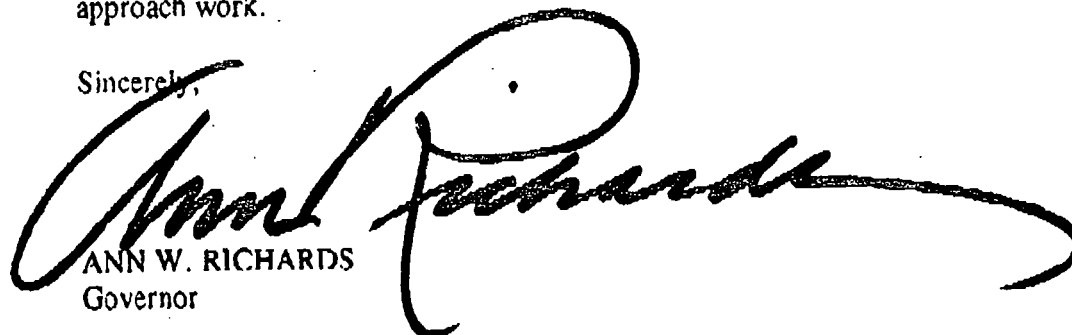
07/27/93 13:05
The Honorable William Jefferson Clinton
July 26, 1993
Page 2

1. Development of air quality goals of the airshed that promote expeditious attainment of U. S. national ambient air quality standards and la Norma Mexicana de Calidad del Aire;
2. Development of guidelines for air pollution control programs that will be effective in meeting air quality goals for the airshed, including specific guidelines governing the creation and use of emission reduction credits and an international trading program;
3. Coordination of monitoring programs (ambient air quality, meteorological and emissions), including establishment of a joint data base, modeling protocols, and appropriate training programs;
4. Preparation of regular reports to inform the public about air quality conditions and trends in the airshed;
5. Establishment of mechanisms to ensure that the necessary pollution reduction and prevention programs are developed, implemented, and enforced on a binational basis; and
6. Adoption of administrative procedures to ensure adequate public participation in the District's activities, including providing a forum for citizen complaints regarding air quality related problems.

Establishing an appropriate framework for regional management will expand our options for achieving pollution reductions and lower the cost of cleaning up air pollution. It will also provide a new source of revenue for investments in environmental protection and infrastructure improvements. For these reasons, the proposal to create an International Air Quality Management District has my full support. In addition, I can assure you that it has been favorably reviewed by federal, state, and local officials in Mexico.

With your leadership, U. S. and Mexican citizens along the border can make this innovative approach work.

Sincerely,



ANN W. RICHARDS
Governor



OFFICE OF THE VICE PRESIDENT

WASHINGTON

May 27, 1993

The Honorable Ann Richards
State of Texas
Office of the Governor
Austin, TX 78711

Dear Governor Richards:

Thank you for contacting me regarding your concerns about the sale of the Playa Del Rio. It was good to hear from you, and I sincerely apologize for the delay in my response.

As you know, President Clinton shares my commitment to the preservation of our natural heritage. I agree that the protection of our nation's valuable wetlands is essential to the preservation of many threatened and endangered species. Wetlands are critical to the delicate ecological balance necessary for environmental sustainability.

I have spoken with Secretary of the Interior Bruce Babbitt about this project. He informed me he is having the U.S. Fish and Wildlife Service examine ways to purchase the property, including getting an appraisal.

Again, thank you for sharing your thoughts and concerns with me. I look forward to working with you toward the resolution of this matter.

Sincerely,

Al Gore

OFFICE OF THE VICE PRESIDENT
WASHINGTON

TO:

Jack

5/7

FROM: Beth Prichard

Executive Assistant to the Vice President

Al wants to know
how he can respond
quickly to this. He
says it's already
too old.

B



STATE OF TEXAS
OFFICE OF THE GOVERNOR
AUSTIN, TEXAS 78711

ANN W. RICHARDS

GOVERNOR

March 30, 1993

The Honorable Al Gore
Vice President of the United States
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. Vice President:

I wanted to bring to your attention an issue that concerns many Texans. Despite pleas from Secretary Babbitt, Congressmen Gonzales and Vento, and the State of Texas, the Federal Deposit Insurance Corporation (FDIC) intends to approve the sale of one of the most environmentally sensitive properties in the state to development interests.

The property, commonly known as Playa Del Rio, is located in South Texas along the U.S. - Mexico border at the mouth of the Rio Grande River. Playa Del Rio's 12,000 acres of wetland and upland habitat are home to a number of threatened or endangered species including the ocelot, the jaguarundi, the piping plover, the peregrine falcon, and the northern aplomado falcon. The property lies in the path of the Central Flyway and it is used by waterfowl traveling to and from Mexico. Playa Del Rio's coastal marshes border the state's South Bay Coastal Preserve, a rare hypersaline lagoon important to the Gulf of Mexico's finfish stocks.

Playa Del Rio is currently owned by Heights Federal Savings Bank of Houston and is managed under a covered asset agreement with the FDIC. The FDIC must approve the sale of the property before it can occur.

The federal government has spent approximately \$65 million to acquire habitat along the Rio Grande River. Playa Del Rio has long been slated for acquisition as the coastal cornerstone for the U.S. Fish and Wildlife Service's Rio Grande Corridor project.

It would be tragic if we were to lose this ecological treasure because of the FDIC's inability to cooperate with other

All - This is not a routine letter of concern. This is a big deal to me and to Texas. Please help me. Ann

Jack - How can Al quickly respond to this - already was too old

The Honorable Al Gore
March 30, 1993
Page 2

governmental entities. Any assistance that you can provide to help protect this important part of our natural heritage would be most appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Ann", with a large, sweeping initial "A" and a long, horizontal flourish extending to the right.

ANN W. RICHARDS
Governor

THE WHITE HOUSE

WASHINGTON

²⁴
May 17, 1993

MEMORANDUM FOR JACK QUINN

FROM: DAVID COTTINGHAM

SUBJECT: PLAYA DEL RIO

I followed up on ~~your~~ ^{our conversation} note to David Doniger regarding Governor Richards' letter. Here's what I found out from Kevin Stein, an Associate Director at FDIC:

1. The owner of the property, First Heights Federal Savings Bank, has a contract with a purchaser. FDIC has approved that sale. It must compensate Heights FSB for the loss on the property (approximately \$19 million).
2. Sierra Club got a temporary restraining order on the FDIC to prevent them from selling the property. The restraining order should have been on Heights FSB. FDIC is appealing. Whether this invalidates the already approved sales contract is uncertain.
3. U.S. Fish and Wildlife Service is currently getting the property appraised. They expect to have the appraisal by the end of May. They cannot make an offer until they get the appraisal.
4. FDIC is interested in selling the property to FWS if they can find a way to do it. Babbitt, Bruce Vento, and Rep. Gonzales have all written to FDIC urging them to sell to FWS.

RECOMMENDATION

We drafted ^a ~~two~~ letters (attached) for the Vice President: ~~one to Andrew Hove letting him know we would like for the FWS to have an opportunity to purchase the property, and a second to Governor Richards letting her know that the VP has done~~

Correspondence Chronology

Feb. 9 Gov. Richards to Andrew Hove, Acting Dir. FDIC
Mar. 3 Hove responds to Richards, "we'll be glad to meet"
Mar. 30 Richards to Gore

As we discussed, I

continue to watch this situation develop
You and I agreed that, at this time, the VP should not contact Andrew Hove directly. I'll keep you posted on followup

FEDERAL DEPOSIT INSURANCE CORPORATION

Division of Resolutions

550 17th Street, N.W.

Washington, D.C. 20429

Telephone (202) 898-6782 • Fax (202) 898-7003
898-7008**TELECOPY TRANSMISSION**

TO: David Cottingham DATE: 5/13/93

ATTENTION OF: _____

TELEPHONE NO: _____ TELECOPY NO: 456-2710

FROM: Kevin Stern

SENDER'S DIRECT NO.: 202-898-8779

TOTAL NUMBER OF PAGES INCLUDING COVER PAGE 5

- FDIC has approval/veto role over sale

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FDIC**Federal Deposit Insurance Corporation**
Washington, DC 20429

Division of Resolutions

May 13, 1993

VIA FACSIMILE

Mr. David Cottingham
Associate Director
Office on Environmental Policy
Old Executive Office Building
Washington, D.C. 20501

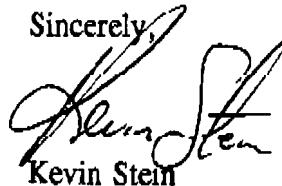
Dear David:

Attached please find a copy of the letter from Governor Ann Richards regarding Playa del Rio ("Playa" or the "Asset") sent to the FDIC on February 9, 1993 and the FDIC response, dated March 3, 1993. By way of background, Playa is a 27,000 acre parcel of land located at the junction of the Rio Grande River and the Gulf of Mexico. The approximately 12,500 acres located in the United States is owned by First Heights Bank, F.S.B. ("First Heights") which acquired the Asset from the Federal Savings and Loan Insurance Corporation ("FSLIC") as receiver for Champion Savings Association in a 1988 FSLIC assistance transaction. Playa is a "covered asset" under the terms of the FSLIC assistance agreement (the "Agreement") which means that First Heights is entitled to certain loss protection upon disposition of the Asset. The FDIC is manager of the FSLIC Resolution Fund, the successor to certain obligations of the former FSLIC.

First Heights is in the process of selling the Asset to a private buyer. Recently, U.S. Fish and Wildlife contacted the FDIC regarding its interest in acquiring Playa and met with FDIC staff on April 7 and May 11, 1993. We are aware that Playa may have substantial environmental significance and we understand that approximately 8100 acres is land classified by the United States Army Corps of Engineers as Wetlands.

I hope this information is helpful in responding to your inquiry regarding this matter.

Sincerely,



Kevin Stein
Associate Director



STATE OF TEXAS
OFFICE OF THE GOVERNOR
AUSTIN, TEXAS 78711

ANN W. RICHARDS
GOVERNOR

February 9, 1993

OFFICE OF THE CHAIRMAN
FEB 11 10 30 AM '93

Mr. Andrew Hove, Jr.
Chairman
Federal Deposit Insurance Corporation
550 Seventeenth Street
Washington, D.C. 20429

Dear Mr. Hove:

I am writing to express my concern regarding the sale of land in Cameron County at the mouth of the Rio Grande River commonly known as Playa Del Rio. The property is currently owned by Heights Federal Saving Bank of Houston and is managed under a covered asset agreement with the Federal Deposit Insurance Corporation (FDIC). It is my understanding that the FDIC must approve the sale of the property before it can occur.

Since 1979, the federal government has spent approximately \$64.5 million to acquire wildlife habitat along the Rio Grande. Because Playa Del Rio contains habitat found nowhere else in the United States and is home to several endangered species, the tract would serve as an excellent addition to the U.S. Fish and Wildlife's Rio Grande Corridor project. In addition to the tract's importance to federal efforts in the Lower Rio Grande Valley, development of Playa Del Rio could affect the proposed Brazos Island State Park and the South Bay State Coastal Preserve.

The Texas Parks and Wildlife Department has conducted numerous environmental surveys and studies of the property. The department would welcome the opportunity to brief the FDIC's governing board on the property's importance to the state's natural resources.

Mr. Andrew Hove, Jr.
February 9, 1993
Page Two

After considering the environmental implications of the proposed sale, I am sure you will come to understand why this piece of property is so important to Texas. Any assistance that you can provide to ensure that the state's position is heard would be appreciated.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Ann W. Richards". The signature is fluid and cursive, with a large, stylized "A" and "R".

ANN W. RICHARDS
Governor

AWR/ff



FEDERAL DEPOSIT INSURANCE CORPORATION, Washington, DC 20429

OFFICE OF THE CHAIRMAN

March 3, 1993

The Honorable Ann W. Richards
Governor of Texas
Austin, Texas 78711

Dear Governor Richards:

Thank you for your letter of February 9 expressing the interest of the U.S. Fish and Wildlife Service in acquiring a tract of land commonly known as Playa del Rio.

While I am happy to direct my senior staff to meet with your representatives, I want to clarify two points which may be helpful to you. First, I want to assure you that the FDIC is sensitive to the environmental attributes of the many properties with which we deal. Even though it is not always possible to reconcile the desires of the various environmental interests with our responsibilities to the Bank Insurance Fund and to the management of the FSLIC Resolution Fund, the FDIC endeavors to do so.

We are likewise sensitive to your particular concerns about Playa del Rio, but it would be extremely difficult for the FDIC to address the conservation purposes on that tract because we do not own the property. Indeed, our role is contractually limited by the terms of the applicable 1988 assistance agreement through which the tract was purchased by First Heights Bank, F.S.B. As you may be aware, that institution has already agreed to sell the property to a third party.

Nevertheless, an Associate Director of our Division of Resolutions, Mr. Kevin Stein, will be happy to meet with staff of the Texas Parks and Wildlife Department. Since Mr. Stein is primarily responsible for overseeing the administration of all of the FSLIC Resolution Fund agreements, he would be the most informed and appropriate FDIC representative to appreciate the presentation. He can be contacted at (202) 898-8779.

Again, thank you for contacting us regarding this matter.

Sincerely,

A handwritten signature in black ink that reads "Andrew C. Hove".

Andrew C. Hove, Jr.
Acting Chairman

May 13, 1993

VIA FACSIMILE

Mr. David Cottingham
Associate Director
Office on Environmental Policy
Old Executive Office Building
Washington, D.C. 20501

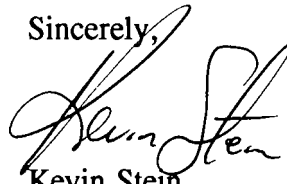
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I hope this information is helpful in responding to your inquiry regarding this matter.

Sincerely,


Kevin Stein
Associate Director



STATE OF TEXAS
OFFICE OF THE GOVERNOR
AUSTIN, TEXAS 78711

ANN W. RICHARDS
GOVERNOR

February 9, 1993

FEB 11 10 10 AM '93

OFFICE OF THE CHAIRMAN

Mr. Andrew Hove, Jr.
Chairman
Federal Deposit Insurance Corporation
550 Seventeenth Street
Washington, D.C. 20429

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Mr. Andrew Hove, Jr.

February 9, 1993

Page Two

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Thank you for your assistance.

Sincerely,

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ANN W. RICHARDS
Governor

AWR/ff



FEDERAL DEPOSIT INSURANCE CORPORATION, Washington, DC 20429

OFFICE OF THE CHAIRMAN

March 3, 1993

The Honorable Ann W. Richards
Governor of Texas
Austin, Texas 78711

Dear Governor Richards:

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Again, thank you for contacting us regarding this matter.

Sincerely,

Andrew C. Hove, Jr.
Acting Chairman



THE SECRETARY OF THE INTERIOR
WASHINGTON

FEB 5 1993

FEB 5 3 56 PM '93

OFFICE OF THE CHAIRMAN

Mr. Andrew Hove, Jr.
Chairman
Federal Deposit Insurance Corporation
550 Seventeenth Street, N.W.
Washington, D.C. 20429

Dear Mr. Hove:

It is my understanding that the governing board of the Federal Deposit Insurance Corporation (FDIC) will soon make a decision regarding approval of the sale to a developer of a tract of land in Cameron County, Texas, commonly known as Playa del Rio. This tract has exceptionally important and unique wildlife and wetland values, as well as being one of the major regional estuaries that is important as a nursery ground supporting Gulf Coast fisheries. It has long been considered as the coastal anchor to the Lower Rio Grande wildlife corridor protection project, for which the U.S. Fish and Wildlife Service (Service) has already acquired over 60,000 acres.

The Service is extremely interested in adding this tract into our already existing Lower Rio Grande Valley National Wildlife Refuge Complex. The Service has initiated its acquisition process but has not yet been able to make an offer. If this property can be acquired for conservation purposes, one of the Nation's finest environmental assets will be preserved.

I would appreciate your help in providing an opportunity for the Service to give the FDIC's governing board an oral/visual presentation highlighting the resource values of the property, and their acquisition plans.

Thank you for your assistance.

Sincerely,

DRAFT ENVIRONMENTAL ASSESSMENT

**PROPOSED PLAYA DEL RIO AND COASTAL
CORRIDOR ADDITIONS**

**LOWER RIO GRANDE VALLEY
NATIONAL WILDLIFE REFUGE**



**U.S. Fish and Wildlife Service
Albuquerque, New Mexico
May 1993**



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Post Office Box 1306
Albuquerque, N.M. 87103



In Reply Refer To:
R2/RE

MAY 10 1993

LA-Texas
LRGV NWR
Playa del Rio
(PA)

Dear Reviewer:

Enclosed is your copy of the U.S. Fish and Wildlife Service (Service) Draft Environmental Assessment and Land Protection Plan regarding the proposed Playa del Rio and coastal corridor additions to the Lower Rio Grande Valley National Wildlife Refuge (Refuge). A public review and comment period will end 30 days from the date you receive the document. Your comments will be addressed in the final document. Please send your comments to:

**U.S. Fish and Wildlife Service
Division of Realty
P.O. Box 1306
Albuquerque, New Mexico 87103**

The Service proposes to acquire up to 25,000 acres of land between the Rio Grande and Laguna Atascosa National Wildlife Refuge in Cameron County, Texas. Any lands or easements acquired will become additions to the existing Refuge, which is headquartered in McAllen, Texas.

The Refuge was established " . . . for the development, advancement, management, conservation, and protection of fish and wildlife resources . . ." The management objectives of the additions would match those of the Refuge. Those objectives are protection of natural biological diversity, support of endangered species recovery efforts, and provision of opportunities for compatible wildlife-oriented public education and recreation.

The Draft Environmental Assessment addresses the environmental and socioeconomic effects of four possible alternatives. The four alternatives are: Alternative A--No action; Alternative B--Protection and management by other public or private organizations; Alternative C--Fee acquisition and conservation easements; and Alternative D--A combination of fee acquisition, conservation easements, and cooperative management agreements with other landowners. The Service considers

Reviewer

2

Alternative D to be the most feasible and effective for achieving the habitat protection goals.

Additional copies of the Draft Environmental Assessment are available upon request. If you have any questions or requests for additional copies, please contact Larry Ditto at (210) 630-4636 or Jeannie Wagner-Greven at (505) 766-2174.

Sincerely,



John G. Hogan

Regional Director

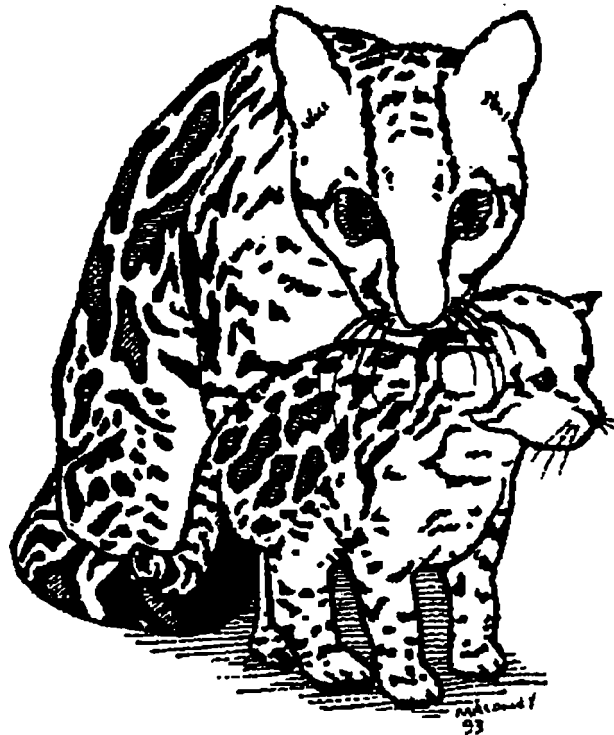
Enclosure

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*Artist William Maloney
Courtesy of The Nature Conservancy*

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Playa del Rio and Coastal Corridor

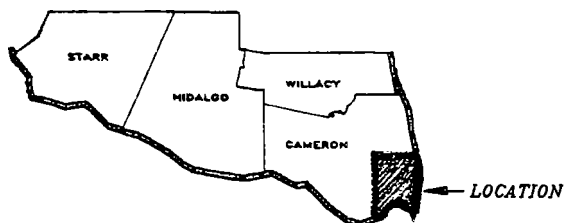
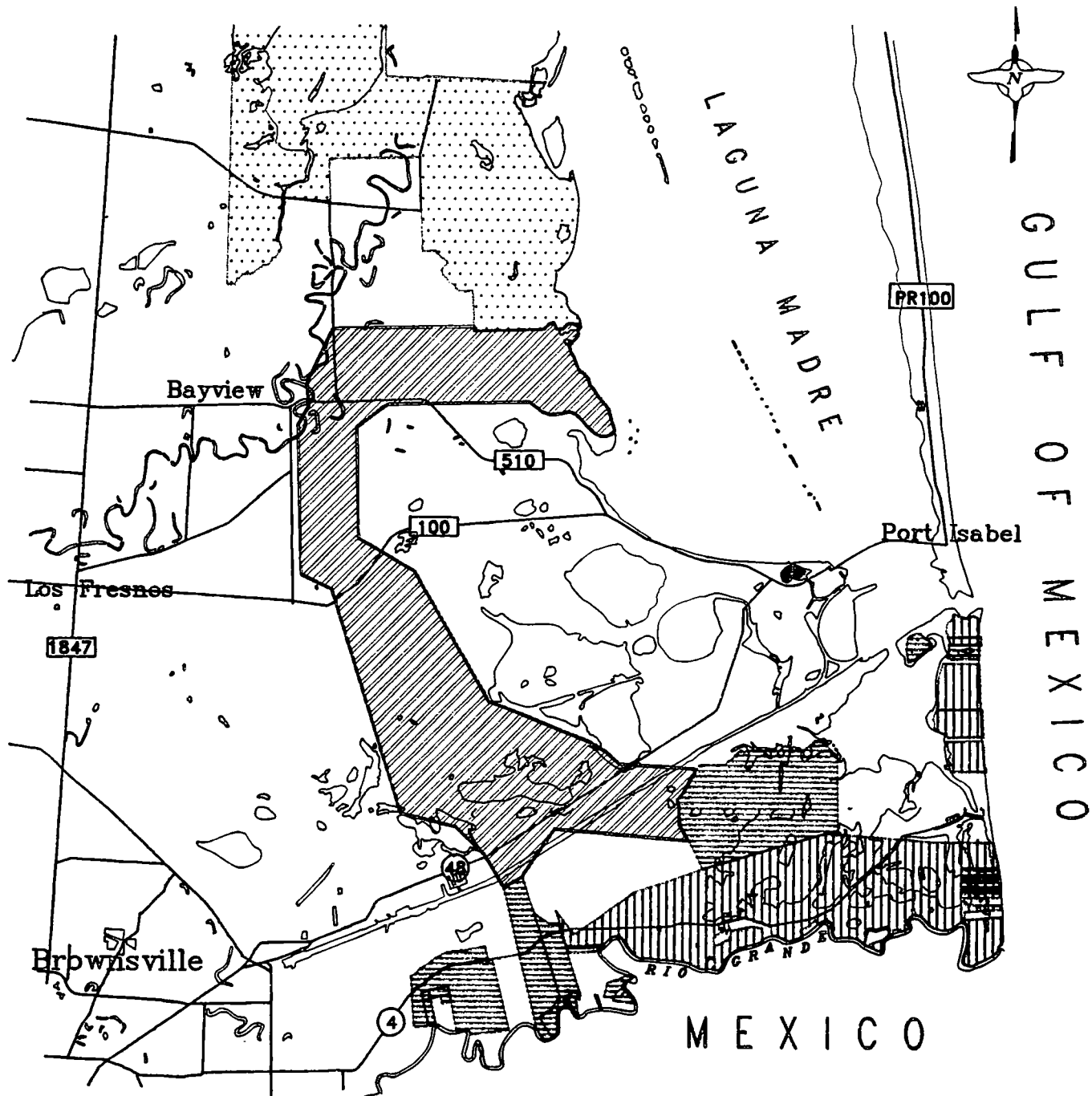
SUMMARY

This document presents an analysis of the U.S. Fish and Wildlife Service (Service) proposal to protect up to 25,000 acres of lands in Cameron County, Texas. These lands consist of clay lomas (dunes), wind tidal flats, and native dense brushland (see Figure 1). Protection of these areas would preserve the last remnants of a unique native plant and animal community that has largely been lost in the Lower Rio Grande Valley. This biotic community (see Appendix E for a glossary of terms and acronyms) contains hundreds of plant and animal species (at least 400 known bird species alone), including several federally endangered or threatened species such as the ocelot and the piping plover, a small shorebird. Wildlife biologists have found that many of the animals such as ocelots can still survive if they have safe, densely vegetated passageways between remaining large blocks of habitat.

Preparation of this document was in accordance with the National Environmental Policy Act (NEPA) of 1969. (See Appendix B for brief descriptions of legislation relating to this proposal). The Service proposes land acquisition under the authority of the Fish and Wildlife Act of 1956. The Land and Water Conservation Fund would provide the funding. This fund comes from leasing bonuses, production royalties, and rental revenues from offshore oil, gas, and mineral extraction--not from general income tax revenues.

The proposed action, Alternative D, is the Service's preferred alternative. The Service could protect lands by a combination of methods such as fee title acquisition, conservation easements, leases, and cooperative management agreements with private landowners, including The Nature Conservancy and the National Audubon Society. Acquired lands and easements would become additions to the Lower Rio

PROPOSED ADDITION TO LOWER RIO GRANDE VALLEY NWR CAMERON COUNTY, TEXAS

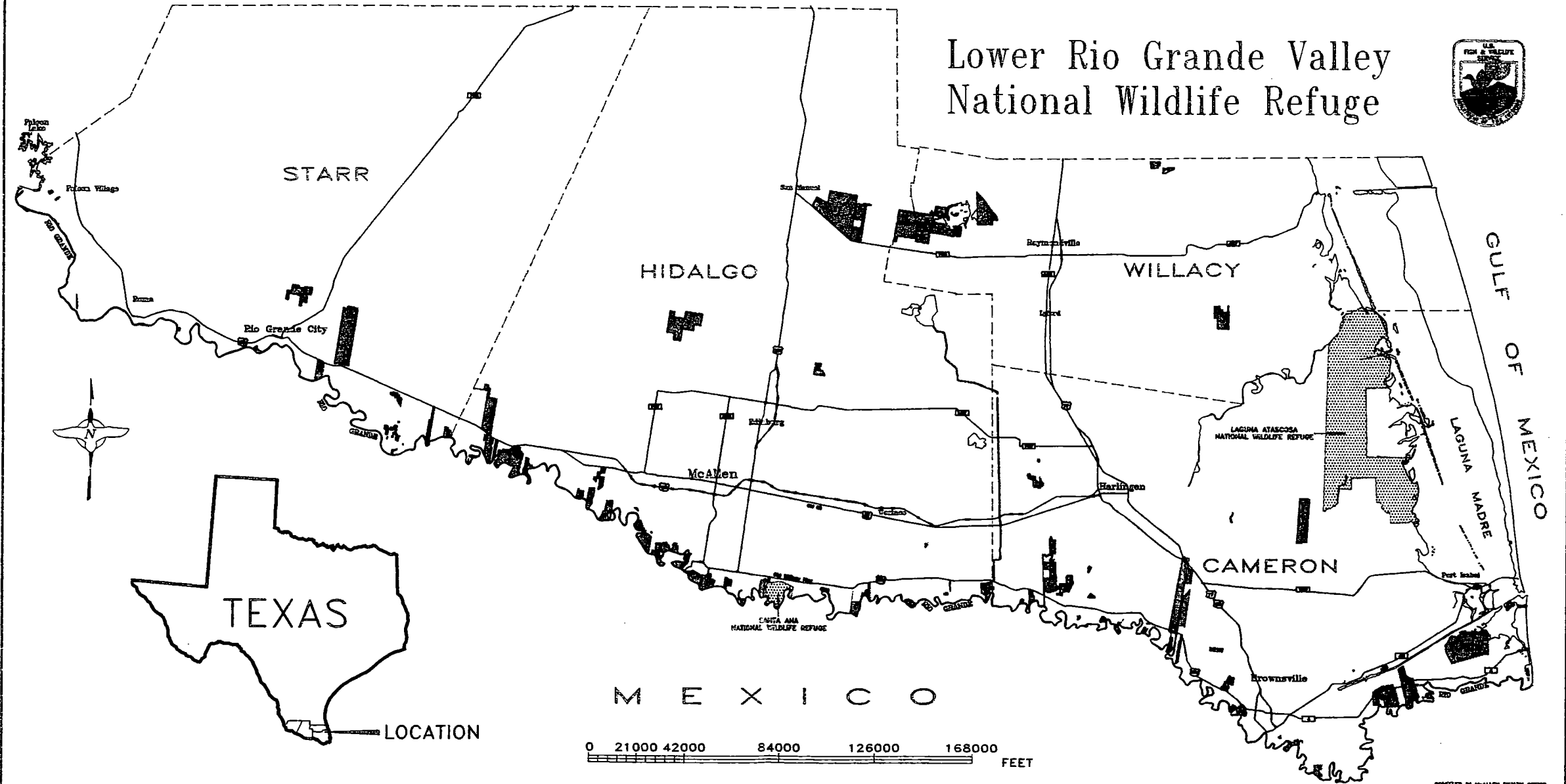


- LAGUNA ATASCOSA NWR
- LOWER RIO GRANDE VALLEY NWR TRACTS
- PLAYA DEL RIO PROPERTIES
- COASTAL CORRIDOR GENERAL ACQUISITION AREA

0 9000 18000 36000 54000 72000
FEET

05/19/83
DRAWN BY: LJO

Lower Rio Grande Valley National Wildlife Refuge



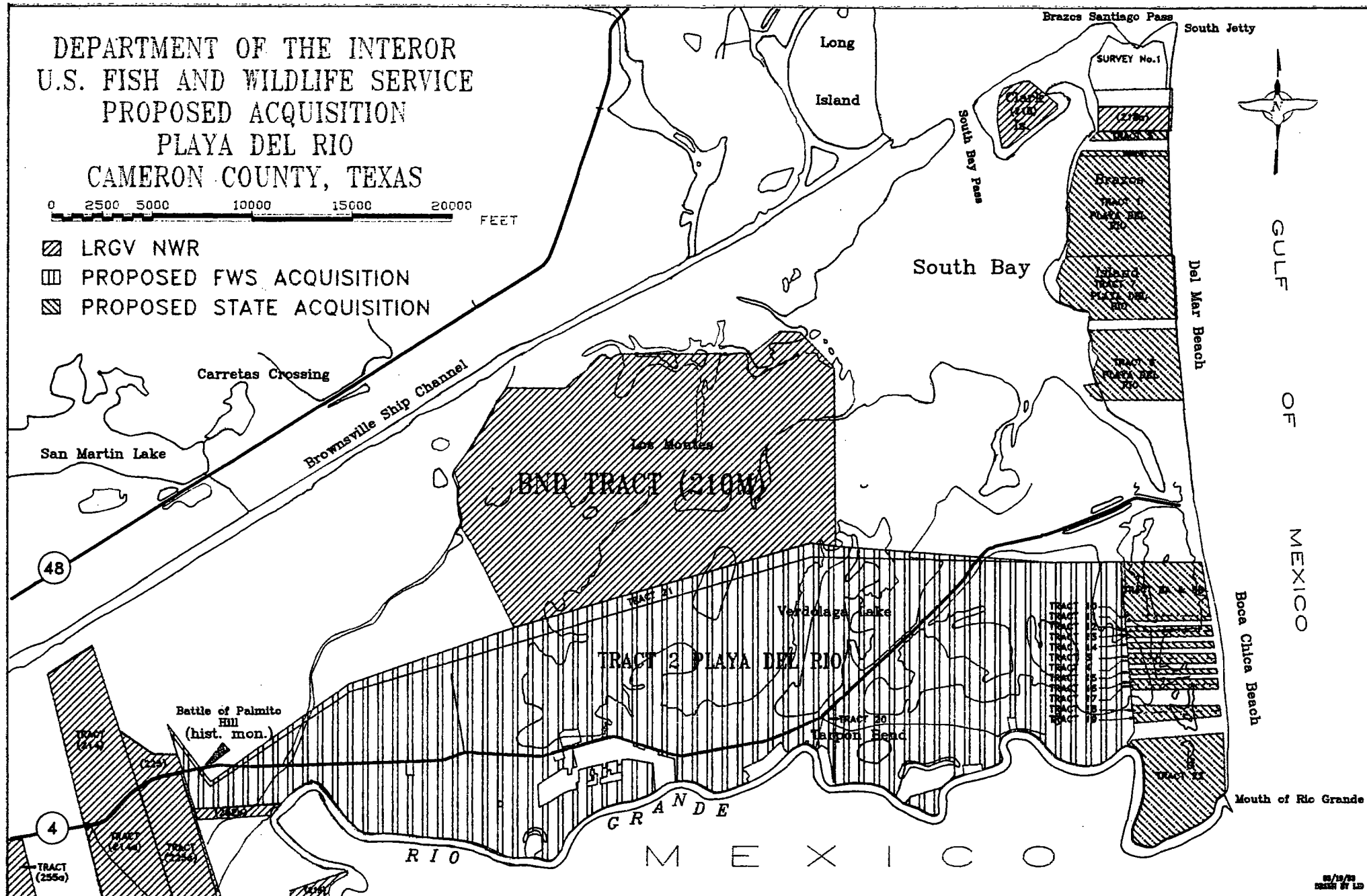
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DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE
PROPOSED ACQUISITION
PLAYA DEL RIO
CAMERON COUNTY, TEXAS

0 2500 5000 10000 15000 20000 FEET

- ▨ LRGV NWR
- ▤ PROPOSED FWS ACQUISITION
- ▩ PROPOSED STATE ACQUISITION



SUMMARY

Grande Valley National Wildlife Refuge (LRGV NWR). The purposes of the additions would match those of the LRGV NWR. Those purposes as stated in the authorizing legislation for the refuge (16 U.S.C. § 724f (a) (4) are ". . . for the development, advancement, management, conservation, and protection of fish and wildlife resources . . ." This proposal would also provide more opportunities for cooperative habitat management and restoration on private lands, or other public lands both inside and outside the project area.

Other alternatives considered in this proposal include No Action, protection by other public and private organizations, and fee and conservation easement acquisition only by the Service. The Service considers the preferred alternative to be the most feasible and effective means of achieving habitat protection goals. The Service believes it can accomplish the objective of protecting wildlife travel corridors without actually buying all 25,000 acres. The Service would prefer to protect large blocks of land within the Coastal Corridor additions area to provide adequate habitat for the many species living there. The Service would also need to protect connecting corridors--the wider the better--between Playa del Rio, the Laguna Atascosa National Wildlife Refuge (NWR), and any large blocks of protected habitat in between. There will be occasional situations where broad corridors cannot be protected, nor established, due to ownership and/or land use constraints. On a limited basis, narrow corridors such as along brushy ditches or fence rows could be protected and managed to achieve short linkages such as across small cultivated fields.

The proposed action could have positive and negative socioeconomic effects on the project area. The economic sectors of agriculture and construction (and other sectors to a lesser degree) could forego economic opportunities in parts of the project area. There could be increased recreational potential that

SUMMARY

could benefit the area's tourism economy. The proposal could allow for an improved environment through cleanup of illegal dumps and increased monitoring of protected lands. The Service expects Refuge Revenue Sharing payments to Cameron County could exceed current property tax revenues for the acquired lands. The Service would seek to minimize any displacement of residents, businesses, farms, or tenants. Any people who would be moved would receive full benefits from the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646). The draft Land Protection Plan (LPP) (Appendix A) outlines the minimum level of desired protection for lands in the project area. The LPP is based on the prioritization criteria of biological significance, existing and potential threats to the habitat, significance to refuge management and administration, and degree of protection possible from acquisition of real estate interests or cooperative management agreements.

The protection proposal seeks to balance the national goal of wildlife habitat protection while minimizing any negative socioeconomic effects.



1.0 PURPOSE AND NEED FOR ACTION

1.1 PROPOSED ACTION

The Service proposes to protect up to 25,000 acres of clay lomas (brushy dunes), wind tidal flats and brushy habitats between the Rio Grande and Laguna Atascosa National Wildlife Refuge in Cameron County, Texas. Proposed protection would be a combination of fee title acquisition, purchase of conservation easements, leases, management agreements, technical assistance, and cooperative projects with private landowners. Any lands or easements acquired would become additions to the existing LRGV NWR. Before this additions proposal, the acquisition goal for the LRGV NWR was 107,500 acres. By the end of Fiscal Year 1993, about 65,000 acres of a combination of fee and conservation easement acquisitions will have been made. Up to 132,500 acres could be protected in the 4 southernmost Texas counties under this proposal.

All technical assistance or cooperative projects on private lands would be voluntary on the part of landowners.

These lands would become part of the National Wildlife Refuge System and would be subject to its regulations and policies governing access and land use.

The proposed project is located on or near the Gulf of Mexico in Cameron County, the southernmost county in Texas. The area extends from the coast inland along the Rio Grande for 8 miles. The corridor portion extends northward about 12 miles from the river portion to Laguna Atascosa National Wildlife

Refuge (see Figure 1). Brownsville, Texas, is about 5 miles west of the area's western boundary.

1.2 PURPOSE AND NEED

Extreme southern Texas has unique plant and animal communities containing clay lomas (tree and brush covered dunes), wind tidal flats, and dense native brushland. These communities contain hundreds of plant and animal species characteristic to these habitats such as ocelot, jaguarundi, reddish egret, and the Texas indigo snake. Over 400 species of birds have been reported in the area. Many animal species commonly found in Mexico reach the extreme northern limits of their range in the Lower Rio Grande Valley. The tidal area proposed for protection surrounds South Bay, an important estuary (where seawater mixes with freshwater) which contains an abundant fishery.



*Photograph Courtesy of Larry Ditto,
McAllen, Texas*

PURPOSE AND NEED FOR ACTION

Since settlers came to the Lower Rio Grande Valley (the lower 4 counties of Texas), they have cleared the plant communities primarily for cropland, as well as for urban and industrial development. As the human population increased, they cleared more land. Today less than 5 percent of the original habitat remains. This habitat fragmentation consists of isolated remnants of the brushlands occurring as scattered islands in a sea of altered (cleared) landscape. Increased human visitation to coastal areas also disturbs some of the animal species there such as the piping plover, a small shorebird. Several animal species once common to these habitats have declined--some to the point of being endangered.

The purpose of this proposal is to reestablish, as much as possible, the natural character and functions of the mosaic of ecological communities that once occurred in the area. This purpose is being pursued by attempting to capture a significant amount of the scattered remnants of the various natural communities in the area and coalesce them into larger contiguous areas via corridors, revegetation, cooperative management programs, and other means. This proposal would also provide for more opportunities for cooperative habitat management and restoration on private lands or other public lands both inside and outside the proposal area.

1.3 ADMINISTRATION AND MANAGEMENT

Any lands or conservation easements acquired would become part of the existing LRGV NWR, headquartered in McAllen, Texas (see Figure 2). The purposes of the additions would match those of the LRGV NWR. Those purposes are for the development, advancement, management, conservation, and protection of fish and wildlife resources. The Service would examine current land uses on acquired lands to determine their impact on endangered species specifically, and the natural

PURPOSE AND NEED FOR ACTION

biological community. It would stop all inappropriate uses. It would prohibit activities which would result in damage or further fragmentation of habitats on the LRGV NWR.

The LRGV NWR plans to start a comprehensive conservation planning process to develop specific goals, objectives and management strategies. The comprehensive conservation plan would address the additions described in this proposal and would guide cooperative efforts with private landowners and other public agencies. The comprehensive conservation plan would identify the activities and development needs that would be required to achieve the purposes for which the LRGV NWR was established. It would also identify those wildlife-oriented public uses that are compatible with refuge purposes. A refuge comprehensive conservation plan is a public document developed with input provided by interested and concerned local groups and individuals.

1.4 RELATIONSHIP TO OTHER PROJECTS

The LRGV NWR is administered as a complex consisting of two refuges with separate purposes and goals (see Figure 2). Santa Ana National Wildlife Refuge at Alamo, Texas, south of McAllen, Texas, borders the Rio Grande and contains 2,088 acres. The LRGV NWR will contain 65,000 acres by the end of Fiscal Year 1993, mostly along the river from near its mouth westward to the Falcon Dam reservoir. The proposed additions would become part of the LRGV NWR and would bring the total project proposal to a maximum of 132,500 acres. The proposed addition would connect the LRGV NWR with the Laguna Atascosa National Wildlife Refuge located along the Laguna Madre in northern Cameron County.

Two State agencies, the Texas General Land Office (GLO) and the Texas Parks and Wildlife Department

PURPOSE AND NEED FOR ACTION

(TPWD), own and protect lands in the project area. The GLO administers State owned tidal and submerged lands along the Gulf of Mexico up to the mean high tide line. The GLO will continue to administer its jurisdictional areas in the wind tidal flats that are extant throughout the South Bay area. TPWD will establish the Boca Chica State Park and Wildlife Management Area on the beach and adjacent uplands between the Gulf and lands the Service hopes to protect (see Figure 3). The Service and TPWD have agreed to manage their adjacent lands in a cooperative manner that is compatible with each agency's objectives.

The Brownsville Port Authority (Brownsville Navigation District) owns the Brownsville Ship Channel that crosses the proposed additions area (see Figures 1 and 2). The Service leases land along the Ship Channel from the Brownsville Navigation District.

The National Park Service owns and manages several sites in the vicinity of the Service's proposal area. It owns part of South Padre Island National Seashore and the Palo Alto National Battlefield. The Port Isabel lighthouse is a State Historical Site.

The National Audubon Society owns and manages the Sabal Palm Grove Sanctuary east of Brownsville, Texas. This sanctuary protects a remnant of the once extensive Sabal palm forests of the Lower Rio Grande Valley. Palm forests are even more rare than the lomas, tidal flats, and brushlands which the Service wants to protect.

The southern portion of the Laguna Madre, a large lagoon administered by the GLO, borders part of the proposal area. The Gulf Intracoastal Waterway (GIWW) traverses the length of the Laguna Madre and ends at the Brownsville Ship Channel. The GIWW was built along the Gulf Coast in the 1940's

PURPOSE AND NEED FOR ACTION

by the U.S. Army Corps of Engineers. It is maintained for interstate commercial navigation.

1.5 DECISIONS NEEDED

The Regional Director, Fish and Wildlife Service, Region 2, will use the final Environmental Assessment (EA) to make two decisions. The first decision is selecting the alternative to implement.

The second decision, required by NEPA, is to determine if the selected alternative will or will not have a significant impact on the quality of the human and natural environment. If it will, the Service must prepare an environmental impact statement on the proposed action. If it will not, the Regional Director will sign a Finding of No Significant Impact (FONSI). The FONSI is attached to the final environmental assessment which the Service will make available to the public for 30 days. The Service cannot implement the selected alternative during those 30 days after the date the Regional Director signs the FONSI. At the end of the 30 days, the Service can implement the selected alternative as funding is received. No Federal permits, licenses, or entitlements are necessary to carry out the proposed action as long as the Service follows applicable legislation, mandates, and policies.

1.6 ISSUES, CONCERNS, AND RESOURCES

The Service involved members of the public; organizations; elected officials; and international, Federal, State, and local agencies in the development of this proposal by issuing news releases, writing letters to landowners and others, conducting briefings, and holding an "open house" to exchange information with the public on March 22, 1993, in Brownsville, Texas. Section 5 gives more details on who the Service consulted. These public involvement efforts were used to identify the following issues and concerns related to the

PURPOSE AND NEED FOR ACTION

Service's proposal which will be addressed in this EA (scoping):

1. Climate
2. Preservation of the natural biotic (plant and animal) community
3. Cultural resources protection and preservation
4. Land use
 - Types of land uses
 - Policies and controls
 - Infrastructure (roads, water lines, etc.)
 - Land protection methods
 - Voluntary participation by private landowners
 - Management control on private lands
 - Contaminants
5. Socioeconomic activity
 - Local economy
 - Income producing land use
 - County tax base
6. Public use and recreation
 - Tourism
 - Access
 - Public use planning and development
 - Law enforcement
 - Management relationship between the Service and TPWD

2.0 DESCRIPTION OF THE ALTERNATIVES

The following are alternatives the Service considered including the proposed action:

Alternative A -- No Action.

Alternative B -- Protection and management by other public or private organizations.

Alternative C -- Fee acquisition and conservation easements.

Alternative D -- A combination of fee acquisition, conservation easements, leases, and cooperative management agreements with other landowners.

2.1 ALTERNATIVE A -- NO ACTION

The Service would not buy lands or lesser interests in lands such as leases or easements. No addition to the LRGV NWR would be made from the Playa del Rio area or to establish a wildlife travel corridor between the Rio Grande River and the Laguna Atascosa National Wildlife Refuge.

The TPWD could still establish the Boca Chica State Park and Wildlife Management Area on about 2,400 acres of the Playa del Rio area. They could manage the beach and nearby dunes at the end of Highway 4 and next to the mouth of the Rio Grande. Other lands would remain in private ownership and ownership by public agencies, such as the Brownsville Port Authority, GLO, and local drainage districts. The regulatory authorities of Section 7 of the Endangered Species Act and Section 404 of the Federal Water Pollution Control Act of 1972 (the Clean Water Act) would still be in effect.

DESCRIPTION OF THE ALTERNATIVES

Landowners could continue to use their lands as they wish as long as they followed existing requirements such as the Coastal Barrier Resources Act, Section 404 of the Clean Water Act, or the Endangered Species Act of 1973. The Service still would be able to help private landowners who want to improve their lands for wildlife habitat with technical help or Partners for Wildlife projects. Partners for Wildlife is a program that can help landowners pay for habitat improvements such as tree planting or wetland restoration. The TPWD has similar landowner assistance programs.

2.2 ALTERNATIVE B -- PROTECTION AND MANAGEMENT BY OTHER PUBLIC OR PRIVATE ORGANIZATIONS

Several public organizations including the State of Texas, Cameron County; the City of Brownsville; and the Brownsville Navigation District have recognized the public value of this unique area of Gulf Coast beaches, the Rio Grande, the clay lomas, and tidal flats. Public organizations already own lands at some of these sites.

Several private organizations also own lands in unique areas of Cameron County and will continue to seek additional lands there. The Audubon Society, The Nature Conservancy, small foundations, and other private organizations own, or are seeking to own, lands in Cameron County to protect wildlife habitat.

Public and private organizations likely will continue to protect wildlife habitats in Cameron County to the limited extent of their finances. In this time of tight budgets, most organizations do not have enough funds to protect as much habitat as needs protection.

DESCRIPTION OF THE ALTERNATIVES

2.3 ALTERNATIVE C -- SERVICE ACQUISITION OF LANDS IN FEE OR CONSERVATION EASEMENTS

The Service would buy a combination of conservation easements and fee title to lands in the project area. Purchase would be at the fair market value as determined by appraisals prepared by or under contract with the Service.

Conservation easements are often referred to as non-development easements. The buyer pays the landowner for the transfer of certain rights. Easement restrictions would be attached to the land. Future landowners must abide by their provisions. The restriction on this easement, however, usually lowers the dollar value of the land. The landowner still pays taxes on the land, but does not have to allow public access to the land except by permission. The landowner may sell or donate the conservation easement to the Service in order to receive a tax benefit.

The Service and the landowner would negotiate the exact terms of a conservation easement on a case-by-case basis for each tract. General terms of an easement would include acquisition of rights considered necessary to achieve habitat protection and/or management goals. Landowners would retain title to and occupation of their property. Property rights that could be acquired could include, but not be limited to, the following:

Development Rights -- All types of surface developments including, but not limited to, construction of buildings, roads, pipelines, power lines, or other structures.

Disturbance of Vegetation -- Clearing or burning of any vegetation or other activities such as grazing, impoundment of water, or application of herbicides or other chemicals which could impact vegetation or wildlife.

DESCRIPTION OF THE ALTERNATIVES

Right to Control Access -- The right to control access to and/or through the property.

Water Rights -- The right to use defined quantities of surface and/or subsurface water.

Rights not acquired in the easement would remain with the landowner.

Depending on the amount and types of rights acquired, costs of the easement could approach that of fee acquisition. Since each easement would be negotiated individually, exact costs are not known. However, experience shows that costs of easements could be 50 to 75 percent of fee acquisition costs. Occasionally the cost of an easement can be as high as 90 percent of fee acquisition costs if restrictions on remaining land uses are very stringent.

The private owner would remain responsible for tax payments to the county. The Government would make no payments to the county in lieu of property taxes.

Although the Service estimates there are about 25,000 acres within the project boundaries, it believes it can accomplish the habitat protection objective without actually buying all 25,000 acres. The Service would prefer to protect large blocks of land within the Coastal Corridor additions area to provide adequate habitat for the many species living there. The Service would also need to protect connecting corridors--the wider the better--between Playa del Rio, the Laguna Atascosa NWR, and any large blocks of protected habitat in between. There will be occasional situations where broad corridors cannot be protected, nor established, due to ownership and/or land use constraints. On a limited basis, narrow corridors such as along brushy ditches or fence rows could be protected and managed to achieve short linkages such as across small cultivated fields. Protection of a corridor could take

DESCRIPTION OF THE ALTERNATIVES

a variety of routes within the wide band outlined on Figure 1, depending on the availability and quality of available habitats. (See Figure 4.)

The Service would determine the specific location of fee interest and conservation easement lands on the basis of resource values, threats to the habitat, and feasibility of management. The LPP, attached as Appendix A, outlines the Service's priorities and minimum desired level of interest acquisition for the major landowners in the proposed area. The Service has some latitude as to where it could protect wildlife corridors. The Service will try to avoid small tracts with homes or businesses to have less of an impact on those landowners.

2.4 ALTERNATIVE D -- (PROPOSED ACTION) A COMBINATION OF FEE ACQUISITION, CONSERVATION EASEMENTS, LEASES, COOPERATIVE AND MANAGEMENT AGREEMENTS WITH OTHER PUBLIC AND PRIVATE LAND MANAGEMENT ORGANIZATIONS, DRAINAGE DISTRICTS, AND PRIVATE LANDOWNERS, INCLUDING PARTNERS FOR WILDLIFE EFFORTS

This alternative includes all the features of Alternative C -- a combination of fee acquisition and conservation easements, as well as the flexibility of using agreements with landowners who may not be interested in selling a real interest in their properties, but may want to protect or restore wildlife habitat on their properties. This alternative would be the most feasible way to achieve the goal of habitat protection given the reality of various landowner sentiments and needs.

***COASTAL CORRIDOR GENERAL
ACQUISITION AREA***

**Protection of a Wildlife
Travel Corridor Could
Take a Variety of
Routes Depending on
the Availability And
the Quality of Habitats**

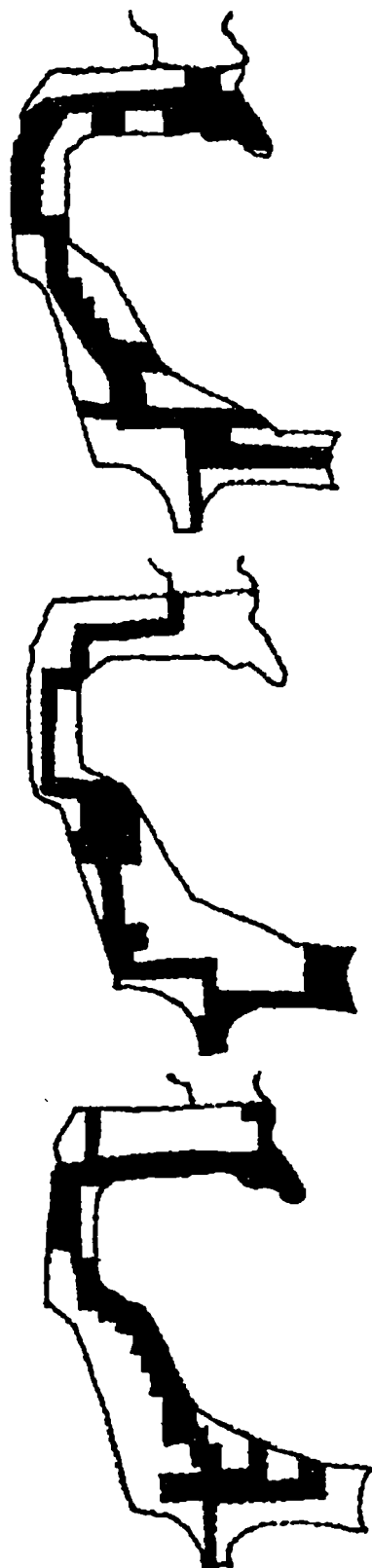


FIGURE 4

DESCRIPTION OF THE ALTERNATIVES

The Service will make every effort to acquire real estate interests from willing sellers. In some cases, it may be necessary to clear title to lands with unknown ownership or marketability through the use of eminent domain (condemnation) (the seller is still willing under these cases). Since purchase of any properties or easements depends on yearly Congressional funding, it may take 10 to 20 or more years to complete any of the alternatives involving land acquisition.

The voluntary habitat protection and management extension program would involve contacting landowners inside the proposed protection area and offering technical advice and cost sharing to landowners interested in improving habitat on their lands. The Service could provide several degrees of assistance. This could range from technical advice to cooperative management agreements. The Service could perform certain kinds of habitat management along with concurrent landowner management such as Partners for Wildlife projects involving cost sharing with the landowner. The Service and the landowner would negotiate the type and degree of cooperative effort. The Service will give technical guidance to any landowner who requests advice on how to manage land for the benefit of wildlife. This advice usually involves vegetation management, grazing regimes, or wetland management. Although technical assistance is available under the No Action alternative, under Alternative D, the Service would make a more concerted effort to contact and negotiate with landowners to set up cooperative habitat management programs.

Cooperative agreements and leases usually do not include perpetual protection of habitat and thus are less desirable than conservation easements and fee acquisition. The Service would prefer to protect wildlife habitat through fee acquisition and conservation easements.

3.0 AFFECTED ENVIRONMENT

3.1 CLIMATE

The climate of the area is semi-arid and subtropical. Brownsville has a mean annual rainfall of 25.4 inches, a mean July high temperature of 93°F, and a mean January low temperature of 51°F. Some years are free of frost, and hard freezes are rare (Kingston 1991). Tropical storms and hurricanes periodically strike the area during the summer and fall months. Storms of hurricane force may be expected at a frequency of about 1 every 10 years (Morton 1983). We refer the reader to Jahrsdoerfer (1988) for a detailed environmental description of the entire Lower Rio Grande Valley.

3.2 NATIVE BIOTIC (PLANT AND ANIMAL) COMMUNITY

This section presents a general environmental description of the proposed addition to the Refuge.

The proposed addition to the Refuge has two parts (Figures 1 and 3) which have somewhat different objectives and acquisition/protection strategies. The Playa del Rio area would be acquired by fee purchase and would protect a large portion of a unique assemblage of plant and animal communities. The coastal corridor, on the other hand, would be made up of blocks of wildlife habitat joined by narrower parcels of land acquired through a combination of fee and less-than-fee purchase and management agreements. This corridor would connect Laguna Atascosa National Wildlife Refuge with Playa Del Rio and other LRGV NWR tracts on the Rio Grande.

AFFECTED ENVIRONMENT

3.2.1 PLAYA DEL RIO

The 12,500-acre Playa del Rio tract (Figure 3) extends from the Gulf of Mexico beach westward along the Rio Grande for about 10 miles. It is located in the clay loma/wind tidal flats biotic community, one of eleven different communities of the Lower Rio Grande Valley. The area contains several types of habitats which change with variations in elevation, soil type, and distance from the coast.

3.2.1.1 BEACH AND DUNES

The Gulf beach and the sand dune area occupy about 4,000 feet of the eastern section of the tract. Many birds such as sanderlings; ruddy turnstones; royal terns; Forster's terns; laughing gulls; and four endangered species, brown pelicans, piping plovers, least terns, and peregrine falcons, frequent the beach. The sand at the water's edge is home to many species of invertebrates, including coquina clams and mole crabs. The upper beach and foredunes are habitat for ghost crabs and keeled earless lizards. The vegetated dunes farther back support spotted ground squirrels, kangaroo rats, grasshopper mice, and red land crabs (Judd, personal communication).

Dune vegetation includes the lovely flowering telephone vine, beach morning glory and beach evening primrose. Sea oats and bitter panicum grow especially on dune crests. Behind the first dune crests grow beach croton and dense stands of grasses, including seacoast bluestem and gulfdune paspalum (Judd, personal communication).

The dunes are the natural main line of defense against storm wave erosion of the shoreline and damage to natural habitats and human communities beyond the dunes. Vegetation stabilizes the dunes. Vehicle and foot traffic, fire, and drought destroy dune

AFFECTED ENVIRONMENT

vegetation and destabilize the dunes making them less effective as wave barriers.

Behind the dune area is a narrow zone of shallow brackish lagoons and sloughs which many aquatic birds use such as mottled ducks, blue-winged teal, wigeon, roseate spoonbills, snowy egrets, and tricolored herons. Many gulls, terns, and other birds from the beach fly here to drink and bathe in the less salty water. These areas are often dry during periods of drought. Black mangrove grows along the shore of some of these wetland areas.



*Photograph Courtesy of Larry Ditto,
McAllen, Texas*

AFFECTED ENVIRONMENT

3.2.1.2 CLAY LOMAS AND WIND TIDAL FLATS

Clay lomas (brushy dunes), emerging like islands from extensive low flats which are subject to periodic flooding, comprise most of the Playa del Rio tract. The lomas are actually clay dunes, up to 30 feet high, formed by strong winds carrying clay particles from the flats during periods of extended drought.

The lomas are mostly dense vegetation. Dense stands of grasses, scattered yuccas, and prickly pear cactus cover the lower lomas nearest the coast. Almost impenetrable thickets cover the higher lomas. Characteristic thicket plant species are Berlandier fiddlewood, Texas ebony, colima, la coma (coma del sur), brazil, lotebush, mesquite, yucca, and prickly pear. Berlandier fiddlewood occurs in the United States only in this extreme southern tip of Texas.

These thickets support a wide variety of wildlife including at least three species, the Texas tortoise, the Texas horned lizard, and the Texas indigo snake which are listed by TPWD as threatened. Endangered peregrine falcons use both the lomas and flats. Two endangered cats, the ocelot and jaguarundi, are believed to occur here. Appendix D gives a complete listing of federally listed species. Other characteristic mammals of the lomas are coyotes, bobcats, raccoons, and cottontails. Black-shouldered kites, Chihuahuan ravens, mockingbirds, and golden-fronted woodpeckers are conspicuous birds of the lomas. Many neotropical migrant bird species (e.g. songbirds) use the lomas as a feeding and resting stopover after crossing the Gulf or while in route up or down the coastline.

The wind tidal flats are large, almost level areas subject to periodic flooding by seasonal wind or storm tides. Storm tides may cover the flats with several feet of sea water. A few inches of water during spring and fall high tides flood the lower, mostly unvegetated flats. Shallow flooding also

AFFECTED ENVIRONMENT

occurs during late fall, winter, and early spring from bay water pushed onto the flats by strong northerly winds associated with strong cold fronts.

These flats appear barren, but when flooded an algae mat develops which covers the mud surface. This algae forms the food base for many invertebrates and huge schools of sheepshead minnows which roam through the areas of shallow water. These minnows, in turn, are the primary food source of the reddish egret. The TPWD lists the reddish egret as threatened. The species is under study for possible Federal listing as endangered. The reddish egret feeds almost exclusively in very shallow water. These wind tidal flats are critical feeding areas. As many as 400 reddish egrets have been recorded feeding in this area at one time (Farmer 1991). Farmer (1991) also estimates that suitable reddish egret feeding flats have been reduced by 60 percent due to construction of the Brownsville Ship Channel and State Highway 4. These projects reduced or cut off the tidal flow to large areas of flats.

These wind-tidal flats are also important to many other species of wading and shore birds. As many as 162 endangered piping plovers have been counted on the flats at one time (Bray, personal communication).

Extensive slightly higher flats are located farther inland. Sea or bay waters flood these areas only during storm tides. The areas are often flooded after heavy rains. The clay soil holds water well and forms shallow ponds which last until the water evaporates. Dense, low vegetation covers much of these flats with sea ox-eye often dominant. Saltwort, salt-flat grass, and glasswort are also common. Millions of fiddler crab burrows pierce the soil here. These crabs are prey for several species of birds including long-billed curlews, willets, killdeers, white-faced, and white ibises. Large congregations of feeding birds form on the flats when the crabs

AFFECTED ENVIRONMENT

emerge en masse following some heavy rains. Many species of birds use the intermittent ponds for feeding, drinking, and bathing. A canal has been dug for 3.5 miles east-west through the higher flats as part of an abandoned development plan. Most of the canal has standing water and receives some waterfowl use.

Along the bank of the Rio Grande is a slight natural dike which human efforts have raised in some sections. This slight elevation above the adjacent flats has allowed a stand of trees and shrubs to develop with mesquite, prickly pear, and colima being common species. Sea ox-eye is the predominant understory plant. Underneath the mesquite trees along a small section of river and along a section of adjacent resaca (cutoff river section) is a large colony of mangrove crabs. These very large land crabs occur in the United States only in the extreme southern tip of Texas and in south Florida.

We refer the reader to Chaney (1988) for a more detailed account of the biological characteristics of the Playa del Rio tract.

3.2.2 COASTAL CORRIDOR

The approximate southern third of the Coastal Corridor (Corridor) general acquisition area is located in loma and wind tidal flat land forms as described above. However, the lomas in this area are less densely vegetated. Moving northward the habitat shifts to areas of grassland dominated by Gulf cordgrass mixed with stands of brush. Mesquite and prickly pear are common.

North of Highway 100, the Corridor begins to cross rich, cultivated cropland with a few remnant tracts of dense brush. Strips of dense brush also occur along the banks of resacas near the town of Bayview, Texas. Texas ebony, granjeno, brazil,

AFFECTED ENVIRONMENT

lotebush, snakeeyes and prickly pear are among many other species that compose the brush in this area. Agricultural crops include cotton and grain sorghum, with smaller fields of citrus and specialty crops such as aloe vera. There is some urban development near Bayview. The mix of cropland and remnant brush continues eastward from Bayview until near the coastline where the Gulf cordgrass pasture and mesquite brush begins again. A densely vegetated loma area forms the southeast part of the Corridor where it reaches the Laguna Madre shore. A large commercial shrimp farm is located along the north boundary of the Corridor near the Laguna Madre shore.

3.3 ARCHEOLOGICAL AND HISTORIC RESOURCES

The Service will consult with the Texas State Historic Preservation Officer, as provided by Section 106 of the National Historic Preservation Act. We will consult the Texas Archeological Research Laboratory and the Balcones Research Center for information on recorded archeological and historic sites within the study area. We will include the results of these consultations in the final environmental document.

The acquisition area includes significant portions of the Palmito Hill (also Palmito Ranch and Palmetto Ranch) Battlefield, site of the last land battle of the Civil War. The site has been nominated to the National Register of Historic Places by the Texas Historical Commission.

3.4 LAND USE

Much of the 25,000-acre proposal study area is now in a natural state. The Playa del Rio area, including the clay lomas, wind tidal flats, and beaches, is subject to storm and tide influence. The area is isolated from the nearest heavily developed areas. The soils are too poor for crops. Some livestock grazing occurs. Most of the residences are isolated

AFFECTED ENVIRONMENT

and scattered. Only a few commercial establishments exist here. Economic factors such as interest rates, crop prices, and the cost of building infrastructure (roads, water lines, utility lines, etc.) seem to have additional bearing on the type and rate of development.

At least two development proposals have surfaced for the Playa del Rio property in recent years despite the negative aspects of the site and requirements to obtain permits to fill or drain wetlands under Section 404 of the Federal Water Pollution Control Act (Clean Water Act). In the 1980's, a developer proposed to build extensive residential and recreational developments there. The Corps of Engineers withdrew the developer's 404 permit application to fill or drain the wetlands on the property. The application was withdrawn after repeated attempts to obtain necessary information from the developer. Later, the property went into receivership. The Federal Deposit Insurance Corporation (FDIC) sold the assets, including 12,500 acres of land, to a bank in Houston, Texas. In 1992, a development interest from the Republic of Mexico proposed to buy Playa del Rio for development purposes. Three parties, the Frontera Audubon Society; the Sierra Club; and an individual then sued the FDIC. This was done to force them to comply with NEPA before allowing the sale to a nonconservation buyer because of the potential adverse environmental impacts of the proposed development. As of this writing, the case is still pending.

The Corridor portion of the proposal lies more inland on higher ground with better soils for agriculture. Therefore, much of the brushland has been cleared for crops. Residential and some commercial development clusters around the village of Bayview, Texas.

AFFECTED ENVIRONMENT

State Highways 4, 48, and 100 cross the proposal area. Farm to Market Road 510 crosses the northern part of the proposed Corridor area. Several small paved and unpaved roads also cross the area. Highway 4 is the only road to the Playa del Rio and Boca Chica beach areas.

The Brownsville Ship Channel crosses the proposed area. The docking areas are heavily developed, but much of the channel is an earth-lined ditch which.

Minimal infrastructure has been built for the few developments in the Playa del Rio, clay loma, and beach areas along Highway 4 mainly because of the high cost. Many residents have to haul water in. People dispose of sewage in septic tanks.

Because of the isolated nature of the clay lomas and wind tidal flats, much illegal trash dumping has occurred there. There was some concern, shared by the Service and the local landowners, that contaminated or hazardous waste was in some of these dumps. The Service conducted a contaminants survey of the dumps and found no contaminants or hazardous wastes.

3.5 SOCIOECONOMIC ACTIVITY

Cameron County has an estimated current population of 275,000. The largest town nearest the project area, Brownsville, Texas, has an estimated population of 98,962 (Brownsville Chamber of Commerce). Population is growing at the average yearly rate of 2.4 percent for Cameron County and 1.6 percent for Brownsville (Harlingen Chamber of Commerce).

The primary sectors in the Cameron County economy are agriculture, construction, manufacturing, transportation/utilities, wholesale trade, retail trade,

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services, financial services, government, food processing, fishing, and communications (Brownsville Economic Development Council). Three characteristics of Cameron County that have a significant influence on its economy are its favorable climate and soils, nearness to the Republic of Mexico, and tourism. These characteristics have a positive effect on most of the economic sectors, either directly or indirectly. The economic sectors with the strongest relationships to the proposed project area are agriculture, construction, transportation/utilities, financial services, and government. The strong tourism economy in Cameron County supports the construction, transportation/utilities, wholesale and retail trades, services, government, financial services and communications sectors.

Cameron County unemployment rates in the last 2 years have ranged between 10 and 12 percent. The national unemployment rate was about 7 percent during the same period. Texas' unemployment rate ranged between 6.7 and 6.8 percent for the same time period (Texas Employment Commission).

The owner of the 12,500-acre Playa del Rio property paid property taxes of \$75,108 in 1992. Because potential acquisitions in the Corridor part of the project area are so variable, the Service has not looked into property taxes being paid there. Anyone owning agricultural land may have received an agricultural exemption.

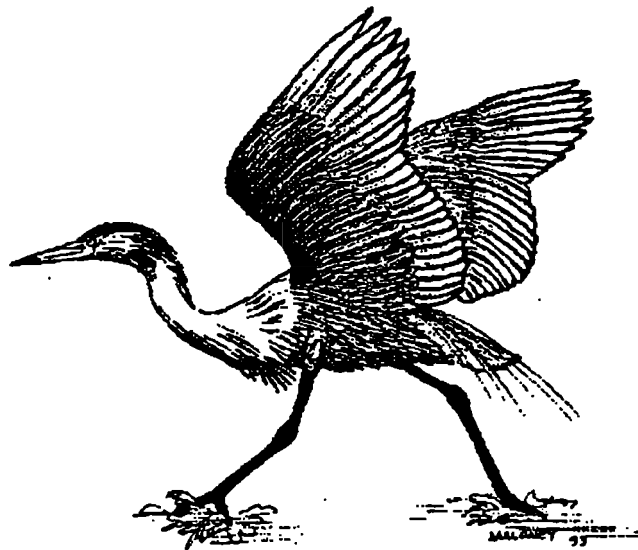
3.6 PUBLIC USE AND RECREATION

Cameron County's warm climate and its nearness to the Gulf Coast and Mexico are big draws for the thousands of tourists who visit the County every year. Retirees from the North during the winter months, college students on spring breaks, and Mexican nationals are the largest and most distinctive visitor groups. South Padre Island with its

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beaches, high rise hotels, and other tourist businesses attracts large numbers of visitors. Boca Chica Beach, although it has no services or concessions, receives many anglers, birdwatchers, beachcombers, sunbathers, off-road vehicle enthusiasts, family groups, and partygoers. Many anglers and boaters visit the Rio Grande. Access is primitive but relatively unrestricted.

The high level of use at Boca Chica Beach and the Rio Grande, as well as the proximity to the international border, causes some problems for the natural resources and for the visitors. As stated above, illegal trash dumping occurs on the Playa del Rio property and on the beach. Litter on the beach is especially bad after a crowded weekend. Some litter also comes from ships that throw garbage into the Gulf of Mexico. Some people drive off-road vehicles



*Artist William Maloney
Courtesy of The Nature Conservancy*

onto sensitive environmental areas such as bird and turtle nesting areas. Occasionally smugglers, drug traffickers, and illegal aliens cross the area and can threaten the safety of others. Vandalism and theft are problems with any public use structure left on the beach whether it is a trash can or a stop sign. Poaching is known to happen at times. Indiscriminate target shooting can endanger other visitors and residents. Sometimes fights break out between crowded visitors. The isolated nature of

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the area makes it difficult to enforce laws and protect the safety of others.

4.0 ENVIRONMENTAL CONSEQUENCES

This section compares and contrasts the consequences on the human and natural environment of fulfilling each of the alternatives described in Section 2. This section describes the effects of the alternatives by issue or resource component.

4.1 CLIMATE

None of the alternatives would have a singular effect on climate. However, climate could have an effect on existing and any increased human development resulting from the No Action Alternative. Any existing or additional development in tidal areas or storm flood-prone areas could be subject to damage or destruction during future storms or hurricanes.

4.2 NATIVE BIOTIC COMMUNITY

Detrimental effects on threatened and endangered plant and animal species would continue under Alternative A from habitat degradation and human disturbance. More species would likely become threatened or endangered as human population growth increases these activities. Some endangered species could become extinct in the State of Texas.

4.2.1. PLAYA DEL RIO

Under Alternative A - No Action, portions of the project area would eventually become residential, recreational, or industrial developments. The extent of this development would mainly depend on how successful the developers are in obtaining required permits to alter wetlands. Even without such permits, development would be expected to eventually alter most areas with higher elevation. The existing plant and animal populations on the lomas would be severely reduced or eliminated. Development involving the wind tidal flats would

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reduce feeding areas for many bird species, particularly reddish egrets and piping plovers.

Unregulated human use of the beach and dune areas would increase with projected population growth in the Rio Grande Valley. Foot and vehicle traffic would cause vegetation damage resulting in destabilization of dunes. Increasing unregulated beach use by large numbers of people would cause displacement of resting and feeding birds including brown pelicans, piping plovers, least terns, and peregrine falcons.

Increasing unregulated vehicle access would cause continuing damage to vegetated flats. Cutting of trees along the river for firewood and harvesting of young prickly pear pads would continue or increase. Clearing of thickets under Texas ebony trees and removal of the leaf litter and topsoil for horticultural use would continue or increase. Poaching of wildlife would also continue.

Under Alternative B, development pressure would be reduced or eliminated. Regulation of human access would reduce or stop the human disturbances listed above. Lack of adequate funds for initial acquisition, management, and staff would be the weak point of this alternative.

Under Alternatives C and D, development pressure would be reduced or stopped. Regulation of human access would reduce or stop the human disturbances listed above. Federal funding for initial acquisition, management, and staff would probably be available.

4.2.2 COASTAL CORRIDOR

Under Alternative A, continued clearing of native vegetation for agriculture and urban development would cut out any wildlife travel corridor between the Laguna Atascosa NWR and tracts of LRGV NWR on the river east of Brownsville, Texas. Any possible

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wildlife travel corridor connecting to wildlife populations in Mexico would also be eliminated. This would abolish opportunities for genetic exchange between isolated populations, as well as repopulation of presently unoccupied habitat.

Alternative B would provide for establishment of a wildlife travel corridor if adequate funding were available for acquisition and management such as fencing and revegetation efforts.

Alternatives C and D would provide for establishment of a wildlife travel corridor. Adequate Federal funding would probably be available. Lands may not be readily available for purchase or easement only, as under Alternative C.

4.3 ARCHEOLOGICAL AND HISTORIC RESOURCES

The Service will consult with the Texas State Historic Preservation Officer, as provided by Section 106 of the National Historic Preservation Act. The Service will consult the Texas Archeological Research Laboratory and the Balcones Research Center for information on recorded archeological and historic sites within the study area. We will include the results of these consultations in the final environmental document. Based upon these formal consultations with the State Historic Preservation Office and information obtained from the Texas Archeological Research Laboratory, a cultural resources management plan will be developed for Palmito Hill Battlefield, as well as other significant archeological or historic sites within the acquisition area under Alternatives C and D.

4.4 LAND USE

Under Alternative A, it is likely residential, agricultural, urban, and industrial development in the proposed area will continue despite any negative site qualities,

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permit requirements, or economic cost of infrastructure delivery.

Under Alternatives B,C, and D, depending on the total acreage protected, development would be reduced in the project area. Any landowners who retain their lands will be free to use their lands as they see fit, as long as those uses are legal. The Service (and most likely any organization under Alternative B) would try to be good neighbors with the remaining private landowners.

The Service does not need any additional infrastructure to achieve its purposes of protecting the native plant and animal communities. Under Alternatives C and D, the Service will not seek or support any additional delivery of infrastructure across or to lands it protects. Other organizations may or may not seek or support additional infrastructure delivery under Alternative B, depending on their plans for constructing public use facilities. In many cases, their limited financial abilities to pay costs may restrict their desire to seek additional infrastructure.

Some attention has been given to recent conflicts between farmers, the Environmental Protection Agency, and the Service regarding the use of pesticides. There is a concern that certain pesticides may have adverse impacts on endangered wildlife species occurring on the Lower Rio Grande Valley. On the other hand, some farmers feel they must use pesticides in order to get an economic return on their crops. The Service is negotiating with the agricultural interests to find a way to manage pests by either changing to different, but still effective, chemicals or reducing the application rates to safer levels for wildlife. The opportunity to use effective and economical, but less toxic, pest management such as Integrated Pest Management could be available to many farmers as this technology improves.

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If contaminants are a real problem with illegal dumping, the problem will likely continue under the No Action alternative. Enforcement in those isolated areas can be difficult. The Service, or any other land protection organization, would conduct contaminant surveys before making any purchase of land. Because of the potentially high cost of cleanup if contaminants are discovered after the properties have been acquired, the Federal government and most financial institutions require these surveys.

4.5 SOCIOECONOMIC ACTIVITY

Population will continue to grow in Cameron County no matter what alternative is selected. Alternatives B,C, and D could limit where that population growth expands to, depending on how much land is protected under each alternative. The Service would try to protect the clay lomas, wind tidal flats, and beaches in the Playa del Rio area. However, it would try to avoid residential areas in the Corridor part of the project area, especially near Bayview. The Service can meet its needs to protect wildlife travel corridors on undeveloped or agricultural lands in the Corridor.

Under the No Action Alternative, current growth trends in many of Cameron County's economic sectors would continue. The implementation of the North American Free Trade Agreement (NAFTA) would likely stimulate the local economy (Brownsville Economic Development Council).

If Alternatives B, C, and D are selected, the agriculture, construction, transportation/utilities, services, wholesale and retail trade, financial services, food processing, and communications sectors may have to forego some future opportunities for economic gain. The degree of this impact would depend on how much land is protected by the Service or other organization. The agriculture

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and construction sectors could experience the more notable losses of opportunities.

Tourism is a strong economic factor in Cameron County. Protection of natural resources afforded by this proposal could enhance the local tourism economy over the long term. Birdwatchers and other "ecotourists" are an increasing component of the local tourism economy. The retail trade, services, and transportation/utilities economic sectors could benefit the most from increasing numbers of visitors to the LRGV NWR.

Land acquired by the Service in fee would be removed from the tax roll in Cameron County. To help pay for lost tax revenues, the County would receive an annual payment in lieu of taxes, as provided by the Refuge Revenue Sharing Act of 1935 (16 U.S.C. 7145:49 Stat. 383, as amended). Monies for these Federal payments to counties come from revenues derived from the nationwide sale of refuge products and privileges such as timber and grazing. These funds are distributed on the basis of the formula that provides the highest return to the county:

- Seventy-five cents per acre,
- Twenty-five percent of the net revenue received from the operation of the Refuge, or
- Three-fourths of one percent of the appraised value of the property, which must be reappraised by the Service every 5 years. (Usually this formula is the one applied.)

If not enough revenues are available in the fund to make full payments, the Service would distribute the funds proportionately nationwide. Congress is authorized to make up the difference. During the last 3 years, Congress has appropriated an average of 88 percent of full entitlements nationwide.

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Refuge Revenue Sharing payments normally exceed the amount of property taxes paid by the previous private landowners. This is especially true if agricultural exemptions had been claimed by previous owners.

Relocation of displaced landowners, businesses, or tenants could be a factor under Alternatives C and D. For those persons who are displaced, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646) provides for certain benefits and payments. A relocation specialist would personally assist displaced persons in finding suitable replacement properties if they desire such assistance.

4.6 PUBLIC USE AND RECREATION

Tourism growth trends would continue under the No Action alternative. The State would establish the Boca Chica State Park (Park) and the Boca Chica Wildlife Management Area. The degree of potential public use development at the Park is somewhat uncertain. It is also uncertain if TPWD will charge a user fee. It may take some time for the State to develop the Park. It may elect to develop the Park only to a primitive level.

Under Alternative B, Protection by other Public or Private Organizations, access to protected areas may or may not be restricted, except the beach areas depending on the philosophy of the organization. State law requires that beaches remain accessible to the public up to the mean high tide line.

If the Service acquires any lands in fee under Alternatives C or D, it will undertake a comprehensive conservation planning process with public input to guide refuge management decisions in response to the goals, objectives, and long-range plans of the Service. Any public uses occurring on LRGV NWR lands must be compatible with the

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purposes for which it was established, and the goals and objectives of management. The purpose of the LRGV NWR is for the development, advancement, management, conservation, and protection of fish and wildlife resources. A goal of the National Wildlife Refuge System is to provide opportunities for wildlife related education and recreation such as fishing and birdwatching on refuges. However, the LRGV NWR cannot allow recreational activities that are not compatible with its purposes.

Any organization acquiring land under Alternatives B, C, or D would attempt to reduce the current problems mentioned in section 3.6 above. They would clean up the illegal dumps and try to relieve the destruction of vegetation by irresponsible off-road vehicle use, poaching, haphazard target shooting, and vandalism. Under Alternatives C and D, the Service would likely fence off some areas to allow damaged habitats to heal. Service law enforcement presence in the area would increase under Alternatives C or D. Reasonable access to the mouth of the Rio Grande, the dunes, the beaches, and tidal flats for lawful recreational purposes would still continue.

If the Service selects Alternatives C or D, the Service and TPWD have agreed to manage their adjacent lands in a cooperative manner that is compatible with the other agency's objectives, while fulfilling their own. This will also be an opportunity for the two agencies to assist each other by sharing resources such as staff or equipment when possible. The GLO, owner of the State's tidal and submerged lands, has also expressed interest in working with TPWD and the Service in the preservation of Playa del Rio and the Coastal Corridor addition project.

5.0 AGENCIES, ORGANIZATIONS AND PERSONS CONSULTED

The Service contacted many agencies, organizations, and individuals regarding the proposed additions to the Lower Rio Grande Valley. Through letters, posters, flyers and newspaper, TV, and radio press releases, the public was notified about an "open house" held in Brownsville, Texas, on March 22, 1993. This was billed as an "information exchange" to answer questions the public might have about the proposal and to hear what concerns and comments they have about the proposal.

The Service will make every attempt to locate all the landowners within the proposed additions area so they are aware of the proposal and have a chance to comment on it. This draft environmental assessment and a subsequent final environmental assessment will be sent to concerned agencies, organizations, and individuals for their review and comment.

The Service will make all the required contacts to comply with applicable laws, such as Section 7 of the Endangered Species Act of 1973, as amended. Section 7 requires that all Federal agencies, including the Service, consult with the Service to determine what effect their actions may have on endangered species. The Coastal Barrier Resources Act and the National Historic Preservation Act are just two of the many other laws the Service must comply with.

DISTRIBUTION LIST FOR THE ENVIRONMENTAL ASSESSMENT

Elected Officials

Governor Ann Richards
U.S. Senator Phillip Gramm
U.S. Senator Bob Krueger
U.S. Representative Solomon Ortiz
U.S. Representative Eligio (Kika) De La Garza

AGENCIES, ORGANIZATIONS, AND PERSONS CONTACTED

State Senator Eddie Lucio
State Senator Carlos Truan
State Senator Judith Zaffirini
State Representative Renato Cuellar
State Representative Roberto Gutierrez
State Representative Eddie De La Garza
State Representative Rene Oliveira
State Representative Irma Rangel
Cameron County Commission
Hidalgo County Commission
Willacy County Commission
Starr County Commission
Cameron County Judge Tony Garza
Hidalgo County Judge Edgar Ruiz
Kennedy County Judge J.A. Garcia, Jr.
Starr County Judge Jose Martinez
Willacy County Judge Eustolio Gonzales

Government Agencies

U.S. Department of the Interior
International Boundary and Water Commission
U.S. Army Corps of Engineers
U.S. Border Patrol
Palo Alto Battlefield National Park
Texas Parks and Wildlife Department
Commission on Texas Parks and Wildlife Department
Texas General Land Office
Texas Historic Preservation Office
Cameron County Agricultural Extension Agent
Cameron County Parks Department
Brownsville Port Authority
Bayview Irrigation District

Organizations

Frontera Audubon Society
Sabal Palm Grove Sanctuary
Valley Land Fund
Lower Rio Grande Valley Development Council
Texas Agri Women
Texas Nature Conservancy

AGENCIES, ORGANIZATIONS, AND PERSONS CONTACTED

La Retama Hunting and Fishing

Media

Brownsville Herald -- KGBT-TV -- KTEX Radio
Valley Morning Star -- KRGV-TV -- KBOR Radio
The Monitor -- KVLO-TV -- KBFM Radio
Rio Grande Herald -- KMBH-TV -- KURV Radio
Valley Sportsman -- KFRG Radio -- KVLV Radio
Zapata Weekly Express -- KIWW Radio

Various Landowners

Various Interested Individuals

6.0 LIST OF PREPARERS

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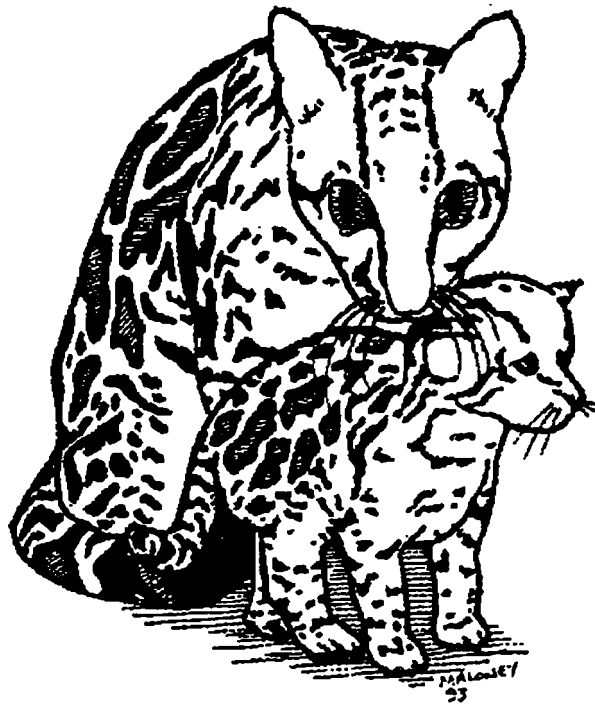
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*Artist - William Maloney
Courtesy of The Nature Conservancy*

APPENDIX A

LAND PROTECTION PLAN

Current Service policy requires this document to be a part of the Decision Document for the proposed project. The EA is the core document of the Decision Document. The reader should refer to the EA for more detailed discussion of the proposal.

I. PROJECT DESCRIPTION AND THREAT TO RESOURCES TO BE PROTECTED

I.A. Project Description

The Service proposes to protect up to 25,000 acres of clay lomas, wind tidal flats, and brushy habitats between the Rio Grande and Laguna Atascosa National Wildlife Refuge in Cameron County, Texas (see Figure 1). Proposed protection would be a combination of fee title acquisition, purchase of conservation easements, leases, management agreements, and technical assistance or cooperative projects with private landowners (Alternative D, the preferred alternative). Any lands or easements acquired would become additions to the LRGV NWR. The LRGV NWR will contain about 65,000 acres by the end of Fiscal Year 1993 (see Figure 2).

Every effort would be made to purchase real estate interests from willing sellers at fair market values. All technical assistance or cooperative projects on private lands would be voluntary on the part of landowners.

Additions to the LRGV NWR would be established under the authority of the Fish and Wildlife Act of 1956, as amended. Funds to purchase lands or easements would come from the Land and Water Conservation Fund Act of 1965. These funds come from leasing bonuses, production royalties, and rental revenues from offshore oil, gas, and minerals extraction--not from general income tax revenues. These additions would become part of the National Wildlife Refuge System and would be subject to its regulations and policies governing access and land use.

The proposed project is located on or near the Gulf of Mexico in Cameron County, the southernmost county in Texas. The area extends from the coast inland along the Rio Grande for 8 miles. The corridor portion extends northward about 12 miles from the river portion to Laguna Atascosa National Wildlife Refuge (see Figure 1). Brownsville, Texas, is about 5

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miles west of the area's western boundary.

I.B Threat to Resources

Extreme southern Texas has unique plant and animal communities containing clay lomas (tree and brush covered dunes), wind tidal flats, and dense native brushland. These communities contain hundreds of plant and animal species characteristic of these habitats such as ocelot, jaguarundi, reddish egret, and the Texas indigo snake. People have seen over 400 species of birds in the area. Many animal species commonly found in Mexico reach the extreme northern limits of their range in the Lower Rio Grande Valley. The tidal area proposed for protection surrounds South Bay, an important estuary (where seawater mixes with freshwater) which contains an abundant fishery.



*Artist William Maloney
Courtesy of The Nature
Conservancy*

Since settlers came to the Lower Rio Grande Valley, the plant communities have been cleared primarily for cropland, as well as for urban and industrial development. As the human population increased, they cleared more land. Due to habitat fragmentation, less than 5 percent of the original habitat remains. The

habitat is fragmented and is characterized by isolated remnants of the brushlands occurring as scattered islands in a sea of altered (cleared) landscape. Increased human visitation to coastal areas also disturbs some of the animal species there such as the piping plover, a small shorebird. Several animal species once common to these habitats have declined--some to the point of being endangered.

The purpose of this proposal is to help protect these native plant and animal communities before they are lost forever. Wildlife biologists have found many of the animals can survive if they have safe, densely vegetated passageways between remaining habitats. This proposal would also provide for more opportunities for cooperative habitat management and restoration on private lands or other public

lands in the area.

II. PROPOSED ACTION AND OBJECTIVE

The Service proposes to protect remnant native habitats and wildlife travel corridors using a combination of fee acquisition, conservation

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easements, leases, cooperative management agreements with other public and private land management organizations, drainage districts, and private landowners, including Partners for Wildlife efforts. This proposed action, Alternative D, is the Service's preferred alternative. Every effort would be made to purchase real estate interests from willing sellers. Purchase would be at the fair market value as determined by appraisals prepared by or under contract with the Service.

Conservation easements are often referred to as nondevelopment easements. The buyer pays the landowner for the transfer of certain rights. Easement restrictions would be attached to the land. Future landowners must abide by their provisions. However, the existence of this easement usually lowers the dollar value of the land somewhat because of the restriction on that particular use. For certain individuals, lowering the value of the land may protect resources of the estate so that the owner does not have to liquidate portions of the estate to pay estate taxes. The landowner still pays property taxes, but does not have to allow public access except by the owner's permission. The landowner may sell the conservation easement or donate it to receive a tax benefit.

The Service would negotiate the exact terms of a conservation easement with the landowner on a

case-by-case basis for each tract of land. General terms of an easement would include acquisition of rights considered necessary to achieve habitat protection and/or management goals. Landowners would retain title to and occupation of their property. Property rights that could be acquired could include, but not be limited to, the following:

Development Rights -- All types of surface developments including, but be limited to, construction of buildings, roads, pipelines, power lines, or other structures.

Disturbance of Vegetation -- Clearing or burning of any vegetation or other activities such as grazing, impoundment of water, or application of herbicides or other chemicals which could impact vegetation or wildlife.

Right to Control Access -- The right to control access to and/or through the property.

Water Rights -- The right to use defined quantities of surface and/or subsurface water.

Rights not acquired in the easement would remain with the landowner.

Depending on the amount and types of rights acquired, costs of the easement could approach that of fee acquisition. Since the Service would negotiate each easement individually, exact costs are not known. However,

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experience indicates that costs of easements would be 50 to 75 percent of fee acquisition costs. Occasionally the cost of an easement can be as high as 90 percent of fee acquisition costs if restrictions on remaining land uses are very stringent.

The private owner would remain responsible for tax payments to the county. The Government would not make any payments to the county in lieu of taxes.

Although the Service estimates there are about 25,000 acres within the project boundaries, it believes it can accomplish the objective of protecting wildlife travel corridors without actually buying all 25,000 acres. The Service would prefer to protect large blocks of land within the Coastal Corridor additions area to provide adequate habitat for the many species living there. The Service would also need to protect connecting corridors--the wider the better--between Playa del Rio, the Laguna Atascosa NWR, and any large blocks of protected habitat in between. There will be occasional situations where broad corridors cannot be protected, nor established, due to ownership and/or land use constraints. On a limited basis, narrow corridors such as along brushy ditches or fence rows could be protected and managed to achieve short linkages such as across small cultivated fields. Protection of a wildlife travel corridor could take a variety of routes within the wide band outlined on Figure 1, depending on

the availability and quality of available habitats. (Also see Figure 4.)

The Service would determine the specific location of fee interest, conservation easement lease, or cooperative agreement lands on the basis of resource values, threats to the habitat, and feasibility of management. The Service has some latitude as to where it could protect wildlife corridors. The Service will try to avoid small tracts with homes or businesses to have less of an impact on those landowners.

This proposal allows the flexibility of using agreements with landowners who may not be interested in selling a real interest in their properties, but may want to improve wildlife habitat on their properties. The proposal would be the most feasible way to achieve the goal of habitat protection given the reality of various landowner sentiments and needs.

The voluntary habitat protection and management extension program would involve contacting landowners inside the proposed protection area and offering technical advice and cost sharing to landowners interested in improving habitat on their lands. The Service could provide several degrees of assistance. These could range from technical advice to cooperative management agreements. The Service could perform certain kinds of habitat management along with concurrent landowner management under

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Partners for Wildlife projects involving cost sharing with the landowner. The Service and the landowner would negotiate the type and degree of cooperative effort. The Service will help any landowner who requests advice on how to manage land for the benefit of wildlife, whether the land is within a refuge area or not. This advice usually regards vegetation management, grazing regimes, or wetland management.

The minimum level of protection needed to assure continuation of the native plant and animal habitats would be conservation easements. Full fee acquisition, however, would improve management efficiency. There may be landowners in the project area who do not want to sell any real interest in their property, but may want to improve their wildlife habitats with the Service's assistance. The proposal is the most feasible way to protect the resources.

Funding to buy properties or easements depends on annual Congressional appropriations. The Service started the LRGV NWR in 1979 and expects to acquire about 65,000 acres by the end of Fiscal Year 1993. Since purchase of any properties or easements depends on yearly Congressional funding, it may be 10 to 20 or more years to complete any of the alternatives involving land acquisition.

Land acquired by the Service in fee would be removed from the tax roll in

Cameron County. To help pay for lost tax revenues, the County would receive an annual payment in lieu of taxes as provided by the Refuge Revenue Sharing Act of 1935 (16 U.S.C. 7145:49 Stat. 383, as amended). Monies for these Federal payments to counties come from revenues derived from the nationwide sale of refuge products and privileges such as timber and grazing. These funds are distributed on the basis of the formula that provides the highest return to the county:

- Seventy-five cents per acre,
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- Three-fourths of one percent of the appraised value of the property, which must be reappraised by the Service every 5 years. Usually this formula is the one applied.

If not enough revenues are available in the fund to make full payments, the Service would distribute the funds proportionately nationwide. Congress is authorized to make up the difference. During the last 3 years, Congress has appropriated an average of 88 percent of full entitlements nationwide. Refuge Revenue Sharing payments normally exceed the amount of property taxes paid by the previous private landowners.

Relocation of displaced landowners, businesses, or tenants could be a

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factor under Alternatives C and D. For those persons who would be displaced, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646) provides for certain benefits and payments. A relocation specialist would personally assist displaced persons in finding suitable replacement properties if they desire such assistance.

III. PROTECTION ALTERNATIVES

Alternative A -- No Action

Under the No Action Alternative, the Service would not buy any lands or lesser interests in lands. No addition to the LRGV NWR would be made in the Playa del Rio area or to establish a wildlife travel corridor between the Rio Grande River and the Laguna Atascosa National Wildlife Refuge.

The TPWD could still establish the Boca Chica State Park and Wildlife Management Area on about 2,400 acres of the Playa del Rio area. TPWD could manage the beach and nearby dunes at the end of Highway 4 and next to the mouth of the Rio Grande. Other lands would remain in private ownership or ownership by public agencies such as the Brownsville Port Authority and local drainage districts.

Landowners could continue to use their lands as they wish as long as they followed existing requirements such as the Coastal Barrier Resources

Act, Section 404 of the Clean Water Act, or the Endangered Species Act of 1973. The Service would be able to help private landowners who want to improve their lands for wildlife habitat with technical help or Partners for Wildlife projects. Partners for Wildlife is a program that can help landowners pay for the development of habitat improvements such as tree planting or wetland restoration. The TPWD has similar landowner assistance programs.

This alternative has only limited effectiveness in achieving the Service's goal of resource protection.

Alternative B -- Protection and Management by Other Public or Private Organizations

Several public organizations including the State of Texas, Cameron County, the City of Brownsville, and the Brownsville Port Authority have recognized the public value of this unique area of Gulf Coast beaches, the Rio Grande, the clay lomas, and the tidal flats. Public organizations already own lands at some of these sites.

Several private organizations also own lands in unique areas of Cameron County and will continue to seek additional lands there. The Audubon Society, The Nature Conservancy, a couple of small foundations, and other private organizations own, or are seeking to own, lands in Cameron County to protect wildlife habitat.

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Public and private organizations likely will continue to protect wildlife habitats in Cameron County to the limited extent of their finances. In this time of tight budgets, most organizations do not have enough funds to protect as much habitat as needs protection.

Alternative C -- A combination of Fee and Conservation Easement Acquisition

This alternative is the same as the proposed action, but without the active efforts to enter into cooperative management agreements with landowners. Because some landowners will not want to sell any real interest in their property, the potential for less habitat protection than the proposed action could occur under this alternative.

Alternative D -- This is the Service's preferred alternative, which is fully described under *II. Proposed Action and Objective* above.

IV. ACQUISITION ALTERNATIVES

All purchases of fee title, leases, or easements would use Land and Water Conservation Act Funds. This funding comes from production royalties, leasing bonuses, and rental revenues from offshore oil, gas, and minerals extraction--not from general income tax revenues. The Service would welcome donations or partial donations of land. Landowners are eligible to receive tax benefits for

donations of land and interests in land. Service employees can provide additional information on this topic. However, all potential donors should seek the advice of their accountants or tax attorneys. The Service would also consider suitable land exchange proposals.

V. COORDINATION

The Service has coordinated this proposal with a number of elected officials, other public agencies, organizations, landowners, and interested public. The Service has made a concerted effort to contact all affected landowners. If a landowner has not been contacted, he or she should notify the Service so that the Service can supply information for his or her benefit.

The Service held a public "Open House" in Brownsville, Texas, on March 22, 1993, from 3:00 p.m. to 9:00 p.m. to provide information to the public on the proposal, as well as to hear the public's comments and concerns. The Service notified the public of the open house by letter, articles in local newspapers, and flyers posted in communities surrounding the project area.

Landowners and other members of the public will have the opportunity to review and comment on the draft EA and the draft Land Protection Plan when the documents are distributed to the public in the spring of 1993.

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Section 5 of the EA gives detailed information on the public coordination of the proposal.

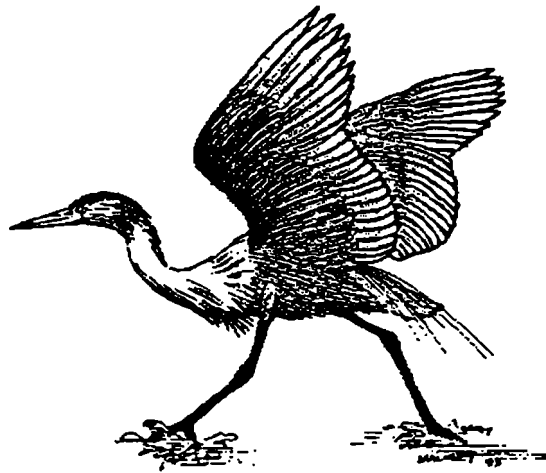
VI. SOCIOCULTURAL IMPACTS

Every effort would be made to purchase real estate interests from willing sellers at fair market value. All technical assistance or cooperative projects on private lands would be voluntary on the part of landowners. The Service wants to be a good neighbor in any area where it acquires an interest in real estate. Neighboring landowners can continue to do what they want on their lands, as long as it is legal, and should see little change in their lifestyles or traditions.

Many people who visit Boca Chica Beach, the Rio Grande, the dunes, and the tidal flats in and near the 12,500-acre Playa del Rio property (see Figure 3), which is proposed for acquisition of fee or easement, are concerned whether they will still be able to access these areas to recreate. State law requires that the public be able to get to beaches up to the mean high tide line. The TPWD has plans to purchase about 2,400 acres of beach, adjacent

upland areas on Playa del Rio, and the area next to the mouth of the Rio Grande. It is uncertain if they will propose to charge any user fees or the extent to which they may install any public use developments such as restrooms or picnic tables on the Boca Chica State Park.

Sections 3.6 and 4.6 of the EA discuss the public use problems on the Playa del Rio property in detail.



Artist William Maloney
Courtesy of The Nature Conservancy

The current problems are litter, illegal trash dumping, vandalism, poaching, indiscriminate target shooting, and off-road vehicle use that destroys wildlife habitat. The Service will make every affordable attempt to reduce these problems, including more law enforcement presence and

fencing where necessary. Reasonable access to the beach, dunes, tidal flats, and the Rio Grande will continue for lawful recreational activities. Private landowners remaining in and near the Playa del Rio property will benefit from the Service's efforts to reduce these problems because the problems have affected them as well.

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VII. SUMMARY OF PROPOSED ACTION

The Service proposes to protect native plant and animal communities on the 12,500-acre Playa del Rio Property through fee or conservation easement acquisition (see Figure 3).

The Service has flexibility to protect various tracts within the estimated 12,500-acre Corridor area (Figure 1) in order to protect wildlife travel corridors. The Service would prefer to protect large blocks of land within the Coastal Corridor additions area to provide adequate habitat for the many species living there. The Service would also need to protect connecting corridors--the wider the better--between Playa del Rio, the Laguna Atascosa NWR, and any large blocks of protected habitat in between. There will be occasional situations where broad corridors cannot be protected, nor established, due to ownership and/or land use constraints. On a limited basis, narrow corridors such as along brushy ditches or fence rows could be protected and managed to achieve short linkages such as across small cultivated fields. The wildlife travel corridor can be located anywhere within the wide band shown on Figure 1 and Figure 4. The Service will have some latitude to choose Corridor tracts based on resource values, threats to the habitat, and feasibility of management. Because of the opportunistic and flexible nature of this land protection strategy, it is not

possible to identify and prioritize each tract within the Corridor area at this time.



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FEDERAL LAWS AND REGULATIONS APPLICABLE TO MANAGEMENT OF FISH AND WILDLIFE RESOURCES

Archeological Resources Protection Act of 1979 (93 Stat. 721; 16 U.S.C. 470aa). This act protects archeological resources on public lands from unauthorized excavation, removal, damage, alteration, or defacement. For any person who would make unauthorized use of archeological resources without a permit, criminal and civil penalty and forfeiture provisions are prescribed in the Act. For agencies of the Department of Interior, regulations which implement the Act appear under Part 7 of Title 43 of the Code of Federal regulations.

Bald and Golden Eagles Protection Act of 1940 (16 U.S.C. 668- 668d; 54 Stat. 250). Provides for protection of the bald eagle (the national emblem) and the golden eagle.

Criminal Code Provisions of 1940 (18 U.S.C. 41), as amended. States the intent of Congress to protect all wildlife within Federal sanctuaries, refuges, fish hatcheries, and breeding grounds, and provides that anyone, except in compliance with rules and regulations promulgated by authority of law, who hunts, traps, or willfully disturbs any such wildlife, or willfully injures, molests, or destroys any property of the United States on such land or water, shall be fined up to \$500.00 or imprisoned for not more than six (6) months or both.

Endangered Species Act of 1973 and Recent Amendments (16 U.S.C. 1531-1543, et seq.; 87 Stat. 884). This Act provides for the conservation of threatened and endangered species of fish, wildlife, and plants by Federal action and by encouraging State

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programs. Specific provisions include: (1) authorizes the listing and determination of critical habitat of endangered or threatened species, and requires consultation with the Service on any federally funded or licensed project that could affect any of these species or their habitat; (2) prohibits unauthorized taking, possession, sale, transport, etc., of endangered species; (3) authorizes an expanded program of habitat acquisition; (4) authorizes the establishment of cooperative agreements and grant-in-aid to States which establish and maintain an active, adequate program for endangered and threatened species; and (5) authorizes the assessment of civil and criminal penalties for violating the Act or regulations.

Fish and Wildlife Act of 1956 (16 U.S.C. 742a-742j; 70 Stat. 1119). Approved August 8, 1956, the Act established a comprehensive fish and wildlife policy and directed the Secretary of the Interior to provide continuing research, extension and information services; and directed development, management, and conservation of fish and wildlife resources.

Fish and Wildlife Recreation Act of 1972 (Public Law 87-114; 76 Stat. 653-654; 16 U.S.C.). Authorizes appropriate, incidental, or secondary recreational use on conservation areas administered by the Secretary of the Interior for fish and wildlife purposes.

Migratory Bird Conservation Act of 1929 (16 U.S.C. 715-715r; 45 Stat. 1222). Authorizes acquisition, development, and maintenance of migratory bird refuges; cooperation with other agencies in conservation; and investigations and publications on North American Birds.

Migratory Bird Hunting Stamp Act 1934 (16 U.S.C. 718 - 718h; 48 Stat. 451). Requires that all waterfowl hunters, sixteen (16) years of age or older, possess a valid "duck stamp"; required use of

"duck stamp" net revenue to acquire migratory bird refuges and waterfowl production areas.

Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-711; 40 Stat. 755). Implements treaties with Great Britain (for Canada), Mexico, Japan, and Soviet Union for protection of migratory birds whose welfare is a Federal responsibility; provides for regulations to control taking, possessing, selling, transporting, and importing of migratory birds and provides penalties for violations.

The National Environmental Policy Act of 1969, NEPA (42 U.S.C. 4321, et seq.; 83 Stat. 852). Declares the national policy to encourage a productive and enjoyable harmony between man and his environment. Section 102 of that Act directs that "to the fullest extent possible: (1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in this Act, and (2) all agencies of the Federal Government shall * * * ensure that presently unquantified environmental amenities and values may be given appropriate consideration in decision making along with economic and technical considerations * * *."

Section 102 (2)c of the National Environmental Policy Act requires all Federal Agencies, with respect to major Federal actions significantly affecting the quality of the human environment, prepare a detailed statement on:

- (i) The environmental impact of the proposed action;
- (ii) Any adverse environmental effect which cannot be avoided should the proposal be implemented;
- (iii) Alternatives to the proposed action;

National Historic Preservation Act of 1966 (16 U.S.C. 470-470b, 470c-470n, 80 Stat. 915), as amended. This Act provides for preservation of significant historical features (buildings, objects, etc.) through a grant-in-aid program to the States. Establishes a National Register of Historic Places. Federal agencies are required to take into account effects of their actions on buildings, etc., included or eligible for inclusion on the National Register.

National Wildlife Refuge Regulations for the most recent fiscal year (50 CFR Subchapter C; 43 CFR 3101.3-3). Provides regulations for administration and management of wildlife refuge areas including mineral leasing, exploration, and development.

National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd, 668ee; 80 Stat. 927). Consolidates the authorities for the various categories of areas previously established that are administered by the Secretary of the Interior for the conservation of fish and wildlife, including species that are threatened with extinction. All lands, waters, and interests therein administered by the Secretary as wildlife refuges, etc., are hereby designated as the National Wildlife Refuge System. Provides, according to the Act, that the Secretary may authorize hunting and fishing to the extent practicable and consistent with State fish and wildlife laws and regulations.

Refuge Revenue Sharing Act of 1935, as amended in 1978 (Public Law 95-469, approved October 17, 1978, which amended 16 U.S.C. 715s; 50 CFR, part 34). The 1978 amendment changed the provisions for sharing revenues with counties in a number of ways. It made revenue sharing applicable to all lands administered by the U.S. Fish and Wildlife Service, whereas previously it was applicable only to areas in the National Wildlife Refuge System. The new law makes payments available for any governmental purpose, whereas the old law restricted the use of

payments to roads and schools. For fee (acquired) lands, the new law provides a payment of 75 cents per acre, 3/4 of 1 percent of fair market value or 25 percent of net receipts, whichever is greater, whereas the old law provided a payment of 3/4 of 1 percent adjustment cost or 25 percent of net receipts, whichever was greater. The new law makes reserve (public domain) lands entitlement lands under Public Law 94-565 (16 U.S.C. 1601-1607), and provides for a payment of 25 percent of net receipts. The new law authorizes appropriations to make up any shortfall in net receipts to make payments in the full amount for which counties are eligible. The old law provided that if net receipts were insufficient to make full payment, payment to each county would be reduced proportionately.

Refuge Trespass Act of June 28, 1906 (18 U.S.C. 41; 43 Stat. 98, 18 U.S.C. 145). Provided first Federal protection for wildlife on national wildlife refuges. The Act made it unlawful to hunt, trap, capture, willfully disturb or kill any bird or wild animal, or take or destroy the eggs of any such birds on any lands of the United States set apart or reserved as refuges or breeding grounds for such birds or animals by any law, proclamation, or executive order, except under rules and regulations of the Secretary. The Act also protects Government property on such lands.

Rights-of-Way General Regulations (50 CFR 29.21; 34 FR 19907, December 19, 1969). Provides for procedures for filing applications and terms and conditions under which rights-of-way over, above, and across lands administered by the Service may be granted.

Section 10 of the River and Harbor Act approved March 3, 1899 (20 Stat. 1151; 33 U.S.C. 403) prohibits unauthorized obstruction or alteration of any navigable water of the United States. Construction of any structure in or over any

navigable water of the United States, excavation from or depositing of material in such waters, or accomplishment of any other work affecting the course, location, condition, or capacity of such waters are unlawful unless the work has been recommended by the Chief of Engineers and authorized by the Secretary of the Army. Authority of the Secretary of the Army to prevent obstructions to navigation in navigable waters of the United States was extended to artificial islands and fixed structures located on the Outer Continental Shelf by Section 4 of the Outer Continental Shelf Lands Act of 1953 [67 Stat. 463; 43 U.S.C. 1333 (f.)].

Section 401 of the Federal Water Pollution Control Act of 1972 (Public Law 92-500; 86 Stat. 816, 33 U.S.C. 1411) requires any applicant for a Federal license or permit to conduct any activity which may result in a discharge into navigable waters to obtain a certification from the State in which the discharge originates or will originate, or, if appropriate, from the interstate water pollution control agency having jurisdiction over navigable waters at the point where the discharge originates or will originate, that the discharge will comply with applicable effluent limitations and water quality standards. A certification obtained for construction of any facility must also pertain to subsequent operation of the facility.

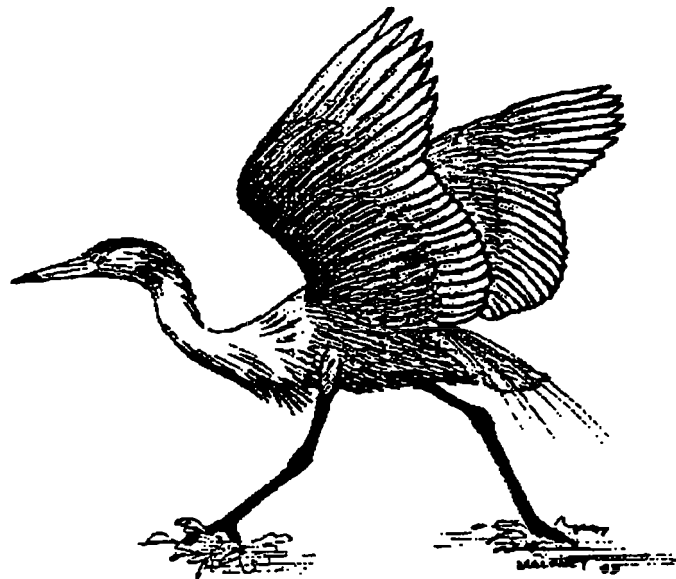
Section 404 of the Federal Water Pollution Control Act of 1972 (Public Law 92-500, 86 Stat. 816) authorizes the Secretary of the Army, acting through the Chief of Engineers, to issue permits, after notice and opportunity for public hearings, for discharge of dredged or fill material into navigable waters at specified disposal sites. Selection of disposal sites will be in accordance with guidelines developed by the Administrator of the Environmental Protection Agency (EPA) in conjunction with the Secretary of the Army. Furthermore, the Administrator can prohibit or restrict use of any defined area as a

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disposal site whenever he determines, after notice and opportunity for public hearings, that discharge of such materials into such areas will have an unacceptable adverse effect on municipal water supplies, shellfish beds and fishery areas, wildlife, or recreational areas.

Use of Off-Road Vehicles on Public Lands (Executive Order 11644, as amended by Executive Order 11989). Provides policy and procedures for regulating off-road vehicles.

Wilderness Preservation and Management (50 CFR 35; 78 Stat. 890; 16 U.S.C. 1131-1136; 43 U.S.C. 1201). Provides procedures for establishing wilderness units under the Wilderness Act of 1964 on units of the National Wildlife Refuge System.



*Artist William Maloney
Courtesy of The Nature Conservancy*

APPENDIX C

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APPENDIX D

ENDANGERED AND THREATENED SPECIES

Vertebrate species federally listed as endangered or threatened which occur or may be expected (*) to occur in the project area include:

Brown pelican	(<u>Pelecanus occidentalis</u>)
Wood stork	(<u>Mycteria americana</u>)
Peregrine falcon	(<u>Falco peregrinus</u>)
Piping plover	(<u>Charadrius melodus</u>)
Least tern	(<u>Sterna antillarum</u>)
Bald eagle *	(<u>Haliaeetus leucocephalus</u>)
Ocelot	(<u>Felis pardalis</u>)
Jaguarundi *	(<u>Felis yagouaroundi</u>)
Kemp's ridley sea turtle	(<u>Lepidochelys kemp</u>)

Four other endangered or threatened sea turtle species occur in the Gulf of Mexico off the beach. They are:

Green sea turtle	(<u>Clelonia mydas</u>)
Hawksbill sea turtle	(<u>Eretmochelys imbricata</u>)
Loggerhead sea turtle	(<u>Caretta caretta</u>)
Leatherback sea turtle	(<u>Permochelys coriacea</u>)

However, none of the above four turtle species have been recorded on the beach to nest. Fifteen additional vertebrate species also occur here, which are listed as endangered or threatened in the State by the TPWD.

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GLOSSARY OF TERMS AND ACRONYMS

Alternatives - Under NEPA, Federal agencies must study, develop, and describe appropriate alternatives to recommend courses of action. Environmental impact statements and environmental assessments must contain a description of all reasonable alternatives.

Biological Diversity - This refers to the potential number of native species of plants and animals and their interrelationships in any area of interest.

Biotic Community - The plants and animals that together inhabit a given landscape.

Conservation - The use of all methods and procedures necessary to bring any endangered or threatened species to the point at which they are no longer threatened with extinction.

Conservation Easement - A legal agreement with a property owner to restrict the clearing of habitat, erection of habitable buildings, or other activities within a specified zone which may be detrimental to endangered species, other wildlife, or their habitat.

Ecosystem - The interrelationships and functions of naturally occurring living and nonliving things in any area of reference.

Emergent - Vegetation that has vegetative structures above the water line and is rooted below water.

Endangered Species - A species which is in danger of extinction throughout all or a significant portion of its range.

Endemic - Native or confined to a certain region; having a comparatively restricted distribution.

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Environmental Assessment - This is the procedure usually employed to determine whether a proposed action will have a significant environmental impact, thereby causing preparation of an in-depth Environmental Impact Statement (EIS). This process usually results in the preparation of a written report stating the reasons for or against an EIS.

Fair Market Value - The most probable price in cash, terms equivalent to cash, or in other precisely revealed terms, for which the appraised property will sell in a competitive market under all conditions needed for a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress.

Fee title - Title to real property belonging to a person or government where full and unconditional ownership exists. Such ownership does not necessarily include mineral rights.

Habitat - The environment in which a plant or animal naturally occurs.

Infrastructure - Roads, sewers, utilities, etc. that form the physical structures that support development.

Integrated Pest Management - A system of managing agricultural pests using a combination of techniques such as biological controls, pesticides, monitoring of pest occurrence, etc., with the goal of keeping pest damage at tolerable levels in an economically competitive manner while reducing pesticide toxicity effects on the environment.

Invertebrates - Animals without a backbone or spinal column. Macro-invertebrates are larger invertebrates that can be seen with the naked eye. Micro-invertebrates are smaller and cannot be seen without the aid of a microscope.

Less-Than-Fee Protection - Protection of a unit of land through means other than through full ownership.

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Duna - clay dunes often covered with brushy vegetation that rise above nearby tidal flats.

Neotropical Migrants - Birds (usually refers to songbirds like warblers) that fly around or across the Gulf of Mexico between their wintering grounds in Central or South America or islands in the Caribbean Sea and their breeding grounds throughout North America.

Partners for Wildlife - A Service program (most state wildlife agencies have similar programs) that can assist landowners in improving wildlife habitats on their lands. Sometimes involves cost sharing for improvements between the Service and the landowner.

Physiography - Description of the surface features of the earth, as bodies of air, water, and land.

Property Rights - The total of the rights pertaining to property ownership.

Property Tax - Tax imposed by local governments based on the value of property within their jurisdiction.

Raptors - Birds of prey, such as eagles, hawks, falcons, owls, and vultures.

Revegetation - Regrowth or replacement of a plant community on a disturbed site. Revegetation may be assisted by site preparation planting, and treatment, or it may occur naturally.

Riparian - Of/or relating to land lying immediately adjacent to a water body and having specific characteristics of that transitional area, such as riparian vegetation. A stream bank is an example of a riparian area.

Riverine - A wetland system associated with a river or stream.

Scoping - Process for determining the scope of issues to be addressed and for identification of significant issues

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relevant to the proposed action during environmental review.

Section 7 - The section in the Endangered Species Act which states that no Federal action will jeopardize endangered species survival.

Species - Any subspecies of fish, wildlife, or plants and any distinct population segment of any species which interbreeds when mature.

Species of Special Concern - Species variously listed as rare, threatened, or endangered, or under some other limited resource category.

Terrestrial - Living on or in, or growing from the land. As opposed to the term "aquatic" - having to do with living on or in water.

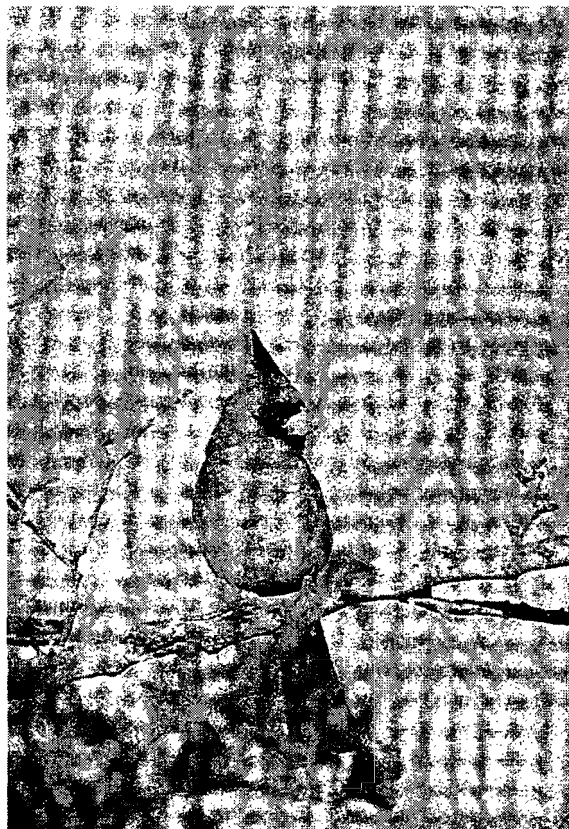
Threatened Species - Species likely to become endangered in the foreseeable future.

Understory - Species found below the canopy of trees.

Watershed - A drainage or catchment area of a stream or lake.

ACRONYMS:

CORPS	.....	U. S. Army Corps of Engineers
FDIC	.....	Federal Deposit Insurance Corporation
EA	.....	Environmental Assessment
EIS	.....	Environmental Impact Statement
EPA	.....	Environmental Protection Agency
GIWW	.....	Gulf Intracoastal Waterway
LRGV NWR	.....	Lower Rio Grande Valley National Wildlife Refuge
NAFTA	.....	North American Free Trade Agreement
NEPA	.....	National Environmental Policy Act
NPS	.....	National Park Service
SYSTEM	.....	National Wildlife Refuge System
SCS	.....	Soil Conservation Service
SERVICE	.....	U. S. Fish and Wildlife Service
TPWD	.....	Texas Parks and Wildlife Department
GLO	.....	Texas General Land Office



*Photograph Courtesy of Larry Ditto,
McAllen, Texas*
