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Agreement reached on Caddo transfer

GLENN EVANS

GEVANS@MARSHALLNEWSMESSENGER.COM

A long-running impasse over transfer of Army land to a wildlife refuge at Caddo Lake broke this week to the relief of residents eager for assurance the deal would stay on course.

"It just seems like it's gone on and on and on and on — you know how the government is," Paul Fortune, co-chairman of a panel of Caddo Lake residents, said after learning a decision 22 months in the waiting came out pretty much as hoped.

Fortune, and the rest of the

government-appointed Restoration Advisory Board, learned Thursday night in Karnack that the Army and U.S. Fish and Wildlife Service had reached an agreement on transfer of the final 1,400 acres of the 8,416-acre plant.

The new memorandum of agreement, supporting a 15-year lease from Army to Fish and Wildlife, also covers parameters for transfer of the final 3.3 billion gallons of water rights at the old plant.

"There was a nice, strong round of applause by every-

body," Fortune said. "It was a really good meeting. It's the best meeting that I've ever been to regarding this mess of dealing with the Army."

The news was delivered to the committee by Mark Williams, refuge manager for the U.S. Fish and Wildlife Service, who with his staff met Wednesday with Army representatives at the wildlife service's regional headquarters in Albuquerque, N.M.

The pace of transfer will remain snail-like for the residents, but Williams said it final-

ly has all the elements for refuge success.

"It's freed up the Army to focus on cleaning up things out here -- and they need to clean up," Williams said Friday. "And it's allowed us to manage those lands for wildlife and areas that are suitable for public recreation and public use. ... Our pathway now forward is much clearer and will be much easier."

The Caddo Lake National Wildlife Refuge has been open

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Kevin Green/News Messenger Photo

Abandoned buildings are seen on March 24 at The Caddo Lake National Wildlife Refuge in Karnack.

Caddo

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to the public for more than two years under the wildlife service's management.

The shuttered ammo plant is an Environmental Protection Agency Superfund Act pollution site, and pieces of it have been transferred from Army to the wildlife service for more than six years as it was declared cleaned.

In early summer 2010, the wildlife service asked the Army for better assurance the final 1,400 acres would be adequately cleaned. Williams said the memorandum of agreement supporting the lease with the Army did not contain that assurance.

"The main thing they have done is they have come up with a lease agreement that is going to allow the fish and wildlife service to manage the remaining property, with the exception of a couple hundred acres

— that being the old (munitions) burning ground and the old landfill."

That memo of agreement also created an option for the Army to turn the property over to a third party if Fish and Wildlife didn't deem it sufficiently clean for the national refuge.

"We did not know who that third party might be," Fortune said. "We didn't have any assurances that the third party would use that land the way the refuge intended it to be used. And, chances are, they wouldn't. Because, 99 out of 100 times they'd come into something like this and say, 'How are we going to make money?'"

Sen. Kay Bailey Hutchison, R-Texas, provided political muscle to stave off just such a threat several years ago, and she and Northeast Texas Congressman Louie Gohmert, R-Tyler, nudged the Army and

wildlife service to their Albuquerque meeting.

"Internally my feelings are that, 'It's about time!'" Gohmert wrote in an emailed statement Friday. "More diplomatically, I would say that we are delighted the Army and the Fish and Wildlife Service were able to reach an agreement. That means the lake that left me in awe as a child, and that my children have enjoyed, should be around for future generations to treasure."

Williams said more than 200 acres, which includes a 40 acre tract and scattered parcels, should transfer to the refuge during the next 12 months. The refuge, which now has 75 percent of the water rights, should control 85 percent by the end of the year.

"And the remaining 15 percent — the Army agreed to allow Fish and Wildlife to administer it for Army," he said. "And

the (water right) permit will be for 15 years. We'll be controlling the entire water right for 15 years — and hopefully, the whole thing will be transferred by then."

He also said the way the new agreement is structured makes the fish and wildlife service essentially the default third party if that option were exercised.

"The areas that we couldn't agree on ... those were not items that were going to blow this thing up," Williams said. "There are going to be changes to this thing, but they won't be material changes. So, we're pleased with it. And I won't speak for Army, but I think they are pleased, and so is the public. It's a success."

Fortune said the mood in Karnack was cheery, but added the bureaucratic mud hasn't dried from his shoes yet.