

Three years and counting: Caddo transfer memo still unsigned

The Marshall News Messenger

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The currents move slowly at Caddo Lake, but they're white water rapids in comparison with an agreement to transfer the final tracts of the Longhorn Army Ammunition Plant to the federal agency managing the wildlife refuge there.

Residents of the state's largest natural lake have been waiting since August 2010 for the U.S. Army and U.S. Fish and Wildlife Service to sign off on 1,200 acres still in Army hands. The tracts are in 16 separate parcels, which visitors to the Caddo Lake National Wildlife Refuge are forced to circumvent as they explore the internationally recognized wetlands comprising the refuge.

The lack of finality about the final tracts also keeps refuge backers nervous that some third party could swoop in to establish unwanted commercial enterprise, as nearly happened several years ago.

The memorandum of understanding, which had significant input from advocates of the Caddo Lake National Wildlife Refuge, has been bouncing between the Army and the Fish and Wildlife Service for more than three years.

It was last seen in January when the wildlife service acknowledged it had received the latest draft from the Army.

Fish and Wildlife first said in January it was waiting on the Army to send the latest version of the memo, which will govern final land and water rights transfer. Days later, the wildlife service said it had received the memo from the Army three months earlier, in October 2012.

The absence of discernable movement since January prompted the civilian leader of a statutory panel overseeing cleanup of the Superfund Act environmental site to send an email of concern to Jason Roesner, a U.S. Fish and Wildlife Service director managing the 8,416-acre wildlife refuge.

"They called me in the office yesterday and wanted to give me an update," said Paul Fortune, co-chairman of the Restoration Advisory Board panel created under the Superfund Act to oversee Army cleanup of the old ammo plant.

Fortune said Roesner, who manages the 8,400-acre refuge for the Fish and Wildlife Service, and service and biologist Paul Bruckwicki, offered assurances of recent movement in Fish and Wildlife's regional headquarters in Albuquerque, N.M.

"And they asked if I was satisfied with what they were saying," Fortune said. "And I told them, 'Yes, I guess so.'"

Fortune can be forgiven a lack of enthusiasm in his response. He had heard much the same last April. "That's correct," he said. "(Fish and Wildlife) said they were getting ready to send the changes that they recommend back to the army."

That back-and-forth has been monitored by the congressman for Northeast Texas.

"The most recent update I received from the army indicates the army and USFWS are close to an agreement that would allow USFWS to assume control of all remaining army property of the Longhorn

Army Ammunition Plant pending formal legal transfer,” U.S. Rep. Louie Gohmert, R-Tyler, wrote in an email response to a News-Journal query. “The transfer of remaining land from the Army to the U.S. Fish and Wildlife Service has been a lengthy process and remains a high priority. I along with my staff continue to push the process and to monitor the progress of the transfer with both federal entities involved.”

Fortune’s frustration is not directed at the fish and wildlife employees running the refuge. They can’t exactly demand their regional bosses in New Mexico get the lead out.

“I do like these guys here at the Caddo Lake National Wildlife Refuge,” Fortune said. “And I can tell you first hand they do want this matter resolved.”

He’s also not alone in being stonewalled by the federal bureaucracy.

The Longview News-Journal has been waiting on the U.S. Army to respond to a fall 2011 request under the U.S. Freedom of Information Act. The newspaper sent the request after the contractor Army hired under a \$21 million agreement to clean the old ammo plant abruptly left the job.

Army officials at Caddo had complimented the job of Shaw Environmental and given no explanation why the contract was terminated before the work was complete. The newspaper had asked how much money had been paid to the contractor and how much of the job had been finished to the Army’s satisfaction. A 23-year-old global technical and management support services outfit called AECOM was named cleanup contractor and has won praise from Fortune and other Caddo backers.

Meanwhile, the sticking point over the memo arises from the site’s Superfund Act status. Tracts have been transferred to Fish and Wildlife as the Army has cleared each of bomb-building pollutants that leached into the site.

A final 1,200 acres remains in Army hands. Army asked in 2010 for assurance the Fish and Wildlife Service would not refuse the transfer if it deemed the property wasn’t sufficiently cleansed. The wildlife service wanted the Army’s assurance that any ongoing cleanup of perchlorates, TNT components, heavy metals and other poisons would continue after the ownership transfer.

Meanwhile, Fortune and members of the citizens Restoration Advisory Board wanted assurance that no third party could swoop onto the scene if Fish and Wildlife did indeed refuse to take ownership. All those concerns are outlined in the slow-moving memo.

“Everybody has got a friggin’ excuse,” Fortune said. “But, that’s just typical of government.”

In addition to the remaining land, the memo is intended to transfer the final 3.2 billion gallons of water rights from Army control to the refuge.

“It is important on so many levels for the transfer to be completed in a expeditious manner,” Gohmert wrote. “But it is also important to understand that there is a small portion that has required the Army to conduct a very extensive, intensive, long-term cleanup operation after so many years of munitions being produced there.”

The congressman finally praised the lake community for its faithfulness. “It is also gratifying to know the community continues to support the refuge on one of the most treasured resources in the country — Caddo Lake,” he wrote.