Meeting Notes

Del Rio

October 20, 2010

Issue: TPWD Devils River State Natural Area

About 60-70 people attended

Scott Boruff, Deputy Executive Director Operations TPWD, led the meeting. *He had to be asked who he was because he didn’t introduce himself.* He introduced other TPWD staff (including Todd Hollingsworth) and the ranger and manager of Devils River. Several game wardens were in attendance.

Scott Boruff discussed the meetings held w/ conservation organizations (incl SC) on Oct 4 and a meeting held last Saturday w/ landowners along the Devils, including TNC.

Because the meeting was not well run, a lot of questions started w/o the presentation even being given. One related to the fact that a contract was already signed. Scott mentioned that this is normal procedure and is contingent on Commission approval and funding availability. He noted that this is not a done deal and that the Nov 4 meeting will only be a decision by the Commission to move forward or not. If they do move forward, then an evaluation of the site related to presence of such things as toxic materials (guess this recently happened in DFW area) and securing of funding.

He presented the comparison of properties, such as is shown on the website. Both have the same number of rock art sites and both have conservation easements that preclude development and subdivision. *The Devils River Ranch property was purchased by TNC years ago then sold to the current owner Rod Sanders with a conservation easement. We need to flesh this out a bit more as Andy Jones seems to think TNC got left w/ a bad deal here. Apparently it was Potts who put together the deal…that information came from James King who was at the meeting. He used to work for TNC. King, btw, represents the seller in this deal.*

Boruff noted that regardless of what happens with this process, a task force is to be created to deal w/ the boater / landowner issue on the river.

As the presentation from Boruff was the same he gave at the 4th meeting, I won’t go into too many details. I did comment to Boruff afterwards that you were not very clear about the proposal after the 4th meeting. He said it was the same presentation.

Boruff did note that the same person prepared the appraisals and that TPWD would make their appraisal public. James King said he felt they would do the same on the Ranch property prepared.

Part of the funding is to come from $2m in Land and Water Conservation Fund that may only be used to acquire park land, $2m in old state appropriation funds that must be used by Dec 31, 2010, and $2m from an anonymous donor. *This last fact raised a lot of eyebrows and elicited comments from the audience. I think a lot of people (including David Honeycutt w/ whom I spoke on the way down) think this is a fishy deal to begin with. The donor money can only be used to purchase this park. I too have some uneasy feelings about this…where is my sniff test kit?*

The floor was open to comments and they were mostly con swap. There was one landowner (Rusty Wallace-don’t think he is the race car driver) who is for it, but I couldn’t follow his logic. Most folks seemed to be against it or neutral. *Scott commented to me later that most of the email they are getting if pro swap.*

Tom Goynes from Protect Texas Rivers made the trip. He is advocating a permit system for the river and hoped that at least a portion of the SNA would remain available for camping.

So following the boating thread…One fact is that it is still possible to put in at the SNA. Folks register w/ the park and meet them at the HQ at 9am. This is what we did years ago. Boaters coming from Bakers Crossing are permitted to camp at the park along the river, but not take out. Parks folks don’t want to sit there and wait for folks to arrive from upstream. *I can see their point.* Access to the river from the park is controlled by a gate 1.5 mi from the river.

*That being said, to me, one of the overlooked issues here is that the best part of the paddle (at least I’m assuming it is the best part as I have not done the upper part) is doable as a day trip. This avoids the hassle of hauling the camping gear. It also avoids hassle w/ landowners. When we did the trip years ago, we put in at the park, paddled to Dolan Falls where we portaged, then continued down to Blue Sage subdivision where the shuttle guy picked us up and took us on the long driver (2 hrs?) back to the SNA. Ie…;you still really want to have to do this trip.*

*After the meeting I was talking w/ Scott Boruff, whose son was killed earlier this year in a mule accident along the banks of the Devils. He had commented that the land swap would allow more folks families to enjoy the Devils, to which I replied that it could take away one of the première runs in the state. I asked why do we want to make the Devils accessible to novice paddlers at the expense of losing a great run to more experienced paddlers. He hinted that that was somewhat of an elitist view. Probably, but it is still a good question.*

*Other notes re paddling: there was discussion about working w/ landowners to facilitate boater camping on islands (I don’t know enough about that to comment). Later, I learned that the boating along the proposed park is not that good as it is very shallow. Several landowners made the comment that the river is like a sidewalk there.*

Which brings me back to the meeting. Many of the folks opposed to this proposal are landowners nearby the proposed park who are afraid that there would be trespass problems because of the access. There were also concerns re protection of the rock art sites nearby.

A lot of these folks were perturbed that TPWD didn’t have a management plan for the park which made it very hard to predict potential impact. Was the agency really going to buy it and then decide whether it was to be a park or a natural area? That really bothered folks. Scott did say that it was not going to be a Garner, but didn’t offer any specifics.

One of the more interesting perspectives came from Katy Smith who a student w/ A&M Institute of Renewable Natural Resources. She has done research at the SNA and discussed the presence of Black Capped Vireos. She questioned whether there was habitat for the Vireos at the proposed site. She also cited some of the TAC re SNA and commented how they are to operated for protection of resources, irregardless of revenue generation. She also cited more of the TAC regarding process for TPWD to acquire new parks and noted that Section D may preclude the park from being purchased: State Natural Areas which duplicate the primary significance of a site presently preserved in public ownership will receive a lower priority for acquisition than those types of areas currently unrepresented in the public domain.

*It is a bit late for me to wade through this, but here is the link…*

[*http://info.sos.state.tx.us/pls/pub/readtac$ext.TacPage?sl=R&app=9&p\_dir=&p\_rloc=&p\_tloc=&p\_ploc=&pg=1&p\_tac=&ti=31&pt=2&ch=59&rl=64*](http://info.sos.state.tx.us/pls/pub/readtac%24ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=31&pt=2&ch=59&rl=64)

A few final notes…I think copies of the conservation easements for both properties will be posted on the web. Scott McWilliams from TNC (who I think feels the swap is a good idea) says that the springs would be protected w/ the existing easements. My only question is in regards to the uplands watershed, but I don’t know the geology of the area to understand its significance.

*We seem to be at divide re resource protection and resource appreciation. TNC is leaning on the protection side. Perhaps my boating side is biasing me here, but I still think there is a way to do both. And, I still think protecting the springs that are on or adjacent to the SNA is easier to do when you own it. I need to look at those easement agreements.*