

Trinity-Neches Forest Landowner

Association Newsletter Second Quarter, 2014

Next Meeting

To be announced at a later date

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The Watermasters – Texas Program Manages Water

Rights – Cory Chandler, “Fiscal Notes”, Texas Comptroller’s Office, March 2014.



In some ways, the history of Texas is a story of water scarcity. Early pioneers erected windmills to supplement infrequent rainfalls, and cowboys riding herd on cattle drives wore bandanas to keep the dust at bay. Texas has only one lake of any size that wasn't built by man.

Surface water here can be as elusive as a mirage, and evaporate just as quickly when rainclouds turn stingy. It's no surprise, then, that managing Texans' often-competing claims to it can be tricky.

The agency charged with doing so is deciding whether a closer eye and quicker touch would more efficiently distribute water flowing through state waterways. The Texas Commission on Environmental Quality (TCEQ), at the prompting of the Legislature, has begun assessing the state's river basins to determine whether they would benefit from having a "watermaster" to fine-tune water use and mediate disputes between rights holders.

What are Watermasters?

Watermasters were the brainchild of geologist and explorer J.W. Powell, whose 19th-century expeditions mapped out large portions of the American west, including the Grand Canyon. Years of study led Powell to formulate water policy recommendations for the arid west that stressed regional oversight of water resources, according to Texas Tech's Administrative Law Journal.

Powell proposed self-governing water districts within watershed areas, with watermasters overseeing individual water rights, a concept adopted by southwestern states such as California, Colorado and New Mexico.

Texas appointed its first watermaster — then called a "master in chancery" — to aid in disputes along the Rio Grande in the 1950s. Texas' Water Rights Adjudication Act of 1967 gave the then-Texas Water Commission authority to appoint more watermasters.

Today, watermaster programs can be established by TCEQ, by court appointment or by legislation.

First in Time, First in Right

In Texas, the rules regulating surface water allocation are a bit like those governing a cafeteria line — the person who arrives first gets to fill his or her plate first. After that, the line forms. No cutting allowed.

TCEQ monitors the line, issuing and managing permits to surface water using a "first in time, first in right" principle, meaning that those with the oldest permits get first access to their share of water. It's a simple enough process, but one that can be contentious during dry years, as farmers and ranchers crowd alongside homeowners, manufacturers and power generators to divvy up drought-shrunk water supplies.

"Given the current droughts, there just isn't enough water in those rivers to accommodate all water rights," says Gabriel Eckstein, a professor at Texas A&M University School of Law with expertise in water policy. In drought conditions, junior rights holders, which often include municipalities and power plants, may lose out. (See who controls Texas water supplies at <http://www.window.state.tx.us/specialrpt/water/distribution/controls.php>.)

- *Continued on Page 4.*

Genome Sequencing of the Loblolly Pine Completed – UC Davis News and Information,

http://www.news.ucdavis.edu/search/news_detail.lasso?id=10859

Thanks to researchers, we can expect improved varieties of the loblolly pine and a better understanding of the evolution and diversity of plants. Their findings will also help scientists understand more about disease resistance in pines. For example, scientists from the Forest Service Southern Institute for Forest Genetics, using molecular understanding of genetic resistance, identified a potential gene for resistance to fusiform rust.

Genome sequencing (the way researchers figure out the order of DNA bases in the genetic material of an organism) for the loblolly pine has been completed. This genome is about seven times larger than the human genome and is the biggest and most complete conifer sequenced and then published so far.

The loblolly pine is considered to be the most commercially important tree species in the United States and the source of most American paper products. Sonny Ramaswamy, Director of USDA's National Institute of Food and Agriculture, which funded the research, said that these findings about the loblolly pine will take on greater importance in the search for new sources of biomass and ways to sequester carbon and mitigate climate change.

Those involved in this research effort included scientists from University of California at Davis, Johns Hopkins University, University of Maryland, Indiana University at Bloomington, Texas A&M University, Children's Hospital Oakland Research Institute, and Washington State University. The work was supported in part by the U.S. Department of Agriculture's National Institute of Food and Agriculture through the Agriculture and Food Research Initiative.



Photo by Ron Billings.

Planting Texas with Native Species to Save Time, Money & Water – TCEQ (Texas Commission on Environmental Quality)

Plants that are native to Texas aren't only beautiful; they typically require less water and maintenance, and fewer pesticides and fertilizers, saving you time and money. The deep root systems of many native plants increase the soil's capacity to store water and reduce runoff. Native plants also attract a variety of birds and butterflies, by providing diverse habitats and food sources.

Texas native plants form the backbone of yards and gardens that support wildlife because native plants attract more insects, which are a food source for birds and other wildlife. And unlike many non-native plants, native plants are hardy, less susceptible to pests and diseases and unlikely to become invasive. The great variety of plants native to any Texas region gives gardeners options that work well in any type of garden design.

Whether you're creating a hummingbird habitat, a colorful flower garden, or just want to save money on your water bill, plan to use Texas native plants when designing and planting your spring yard and garden. Check the following websites to find out how you can help "Take Care of Texas" by planting with natives. See more information at: <http://takecareoftexas.org/do-your-part/yard>.

Other websites on this subject that may interest you:

- Wildscapes Backyard Habitat Program – Texas Parks & Wildlife – http://www.tpwd.state.tx.us/huntwild/wild/wildlife_diversity/wildscapes/
- Ladybird Johnson Wildflower Center – <http://wildflower.org/whynatives/>
- Texas Native Trees – <http://aggie-horticulture.tamu.edu/ornamentals/natives/>
- Texas A&M Urban Landscape Guide – <http://urbanlandscapeguide.tamu.edu>
- Texas Tree Planting Guide – Texas A&M Forest Service – Question 4, check "Is a Texas native" - <http://texastreeplanting.tamu.edu/CustomSelector.aspx>.

Forestry Terminology 101 –



Texas A&M Forest Service:

<http://tfsweb.tamu.edu/main/popup.aspx?id=187>

This list is the nineteenth in a series of forestry definitions that will be useful to forest landowners and others interested in better understanding forestry.

Tree Improvement- the practical application of forest genetics, usually done by testing natural trees and determining which trees grow best when planted on specific sites

Turnout- (1.) a widened space in a road to allow vehicles to pass one another. (2.) A drainage ditch which drains water away from roads

Uneven-aged Management- management of forests in such a way as to get a spread of age classes ranging from small seedlings to mature trees

Waste- materials and substances discarded as worthless to the user

Waterbar- the portion of a dirt road where the soil is formed as a raised bar across the road that diverts surface water runoff and prevents soil erosion

Water Body- an area of standing water with relatively little or slow movement (ponds, lakes, bays)

Water Course- a definite channel with bed and banks within which concentrated water flows continuously or intermittently

Water Pollution- contamination or other alteration of the physical, chemical or biological properties of any natural waters of the state, or other such discharge of any liquid, gaseous or solid substance into any waters of the state, as well, or is likely to create a nuisance or render such waters harmful or detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life (EPA definition)

Water Quality- a term used to describe the chemical, physical, and biological characteristics of water, usually in respect to its suitability for a particular purpose



Market Report, Jan. – Feb., 2014

Product	Statewide Ave. Price		Previous Ave. Price		Price/Ton Difference
	Weight	Volume	Weight	Volume	
Pine-Sawlogs	\$23.91/ton	\$192.67/mbf	\$21.39/ton	\$172.63/mbf	+11%
Pine-Pulpwood	\$7.76/ton	\$20.94/cord	\$7.96/ton	\$21.48/cord	-3%
Pine-Chip'n'Saw	\$11.63/ton	\$31.39/cord	\$11.84/ton	\$31.96/cord	-2%
Mixed Hardwood-Sawlogs	\$29.45/ton	\$265.04/mbf	\$27.27/ton	\$265.31/mbf	+7%
Hardwood-Pulpwood	\$8.13/ton	\$22.78/cord	\$10.71/ton	\$29.99/cord	-32%

Texas Timber Price Trends is a bimonthly publication reporting average prices paid for standing timber in Texas. **This report is intended only as a guide to general price levels.** It should not be used to judge the fair market value of a specific timber sale, which may vary considerably due to many factors. It is recommended that you use the services of a professional consulting forester in managing any timber sale. Important factors affecting timber prices include the type, quality and volume of timber for sale, accessibility, distance to mills/markets, weather conditions, economy/market conditions, who is handling the sale or is buying the timber, and contract requirements by the landowner. Hard copies of this publication can be purchased by contacting Dawn Spencer at (979)458-6630. The complete Texas Timber Price Trends can be viewed at <http://tfsweb.tamu.edu/main/article.aspx?id=145>.

Conversion factors between volume and weight vary from sale to sale, so the differences in volume prices above may not equal differences in weight prices.

Stumpage price statistics include gateway sales (estimated by subtracting cut-and-haul costs, other expenses and profits provided by reporter).

Statewide data excludes U.S. Forest Service sales.

Price calculated from specific conversion factor reported for each sale if available; otherwise, average conversion factors listed on page 4 of *Texas Timber Price Trends* (<http://texasforests.tamu.edu/main/article.aspx?id=145>) are used. MBF = thousand board feet. Doyle Log Scale used for board foot measurements.

The Watermasters – continued from Page 1.

Watermasters at Work

Watermasters and their staffs protect water rights by monitoring water use and storage levels. They also curtail illegal diversions and mediate conflicts among water users.

"The question you have to ask is, 'What do you get when you add a watermaster?'" Eckstein said. "Generally speaking, there are some potential benefits if you are taking a big-picture look at managing a river basin."

Three such programs exist in Texas, covering nine of the state's 23 river basins. Eckstein points out, though, that these programs cover a relatively small share of Texas' surface water. Texas' three watermasters hold varying authority, but generally they work to enforce water claims without the lengthy legal wrangling that can occur between rights holders in basins without watermasters.

"Watermasters are supposed to address issues in a quicker fashion," Eckstein said. "You have a much more responsive mechanism to managing water in a basin."

New Watermasters?

The 2011 Legislature tweaked the Texas Water Code to require that TCEQ conduct evaluations, twice each decade, of the need for watermasters in river basins without them. TCEQ has proceeded cautiously so far, declining to recommend the creation of additional watermaster programs.

"The current watermaster programs, along with the TCEQ regional field staff, provide surface water management throughout the state," says Amy Settemeyer, watermaster section manager. "The TCEQ will continue to manage surface water rights regardless of whether a watermaster program has been established in a certain area or not." The evaluations, however, have prompted concerns among those who see such programs as stripping control from local stakeholders and adding costly additional layers of regulation. Rights holders within watermaster jurisdictions must pay fees to support their operations and expenses.

"Folks up in our neck of the woods aren't real happy about it," says Ken Rainwater, a professor with the Texas Tech University Water Resources Center, of TCEQ's review of the Brazos River Basin, which contains 42,000 square miles of Texas from the New Mexico border to the Gulf of Mexico.

During its 2013 evaluation of the Trinity, San Jacinto and associated coastal basins, TCEQ received 32 comments from stakeholders, Settemeyer said. Among those, three were open to the addition of a watermaster, while 25 were opposed. Mason County commissioners even passed a resolution opposing the appointment of a watermaster for the Colorado River Basin. "The best stewards of the river are the farmers and ranchers," Mason County Judge Jerry Bearden told the *San Angelo Standard-Times*.

Eckstein says that while watermasters can only enforce existing code, "there is resistance to the idea of someone from

outside coming onto people's land, checking their head gates and telling them if and when they can use their water."

Tomorrow's Forecast

We can expect tensions over water rights to increase in coming decades, as new Texans continue crowding into our cities. Thirsty families and lawns, not to mention the energy boom, will put additional demands on water traditionally used for irrigation — especially if dry weather patterns persist for much longer.

Drought has hammered Texas since 2011, pinching agricultural production, sparking wildfires and shrinking reservoir levels. As of mid-February 2014, about 58 percent of the state was experiencing some level of drought, and 8.5 percent languished in "extreme" or "exceptional" drought conditions, the two most severe categories. (See how drought has impacted one Texas community <http://www.window.state.tx.us/specialrpt/water/scarcity/spicewood.php>.)

Yet even as some communities impose emergency water restrictions, the state continues to welcome thousands of new residents. The U.S. Census Bureau estimates that Texas' population swelled by more than 427,000 between 2011 and 2012 alone, netting the nation's largest gains by far.

Our water planners must anticipate millions of new water consumers in coming decades. The Texas Water Development Board expects municipal users to surpass agricultural irrigation as the state's chief source of water demand by 2060.

So how will Texas balance these needs? The state faces some tough choices.

In June 2013, the state's 53rd Civil District Court rejected an attempt by TCEQ to exempt municipalities and power generators from an order curtailing water diversions along the Brazos River in response to drought conditions. The move would have allowed those exempted to essentially cut in line ahead of more senior rights holders, many of them agricultural producers. In response to a lawsuit filed by the Texas Farm Bureau, the court decided that TCEQ did not have the authority to curtail water rights based on need rather than seniority of rights.

More Evaluations to Come

In 2014, TCEQ will evaluate the Sabine, Neches and Neches-Trinity Coastal basins. "We are in the preliminary stages of those evaluations," Settemeyer says, adding that she anticipates stakeholders will receive letters requesting their input in early spring 2014.

TCEQ should schedule meetings throughout these basins for late spring and early summer. For a detailed look at Texas water issues, read the Comptroller's new report on Texas water, *Texas Water Report: Going Deeper for the Solution* at <http://www.window.state.tx.us/specialrpt/water/>.

Tracking Animals - Footprints and Other Signs-

American Forest Foundation, Woodland magazine, Winter, 2013 -
<https://www.forestfoundation.org/woodland-getting-on-track>



You may not see animals in your forest, but they are there and leaving signs (tracks, scat, etc.) that you can use to identify them. Here are a few tips on how to do just that:

Get out and go. Just get outside, into the woods, off the trails and follow the tracks you see.

Get a field guide. For example, *Mammal Tracks and Scat: Life-Size Tracking Guide*, by Lynn Levine with Martha Mitchell, has waterproofed pages and is intended to be brought outside with you for instant identification. Mark Elbroch's *Mammal Tracks & Sign: A Guide to North American Species* is a classic field guide with drawings, photos and range maps.

Study movement patterns. Look at basic movement patterns of a track to narrow it down. Animals can be divided into walkers, hoppers, waddlers and bounders. Once you've done that, a field guide can easily show you that your walker is a deer, for example, or your waddler is a raccoon.

Learn natural history. "To know there's a bear on your property is nice, but to know that it is harvesting mast [acorns or other nuts] here or creating a spring wallow there helps you manage your woodlot," Elbroch says. He wrote a second book, *The Peterson's Reference Guide to the Behavior of North American Mammals*, to teach trackers natural history.

Practice, practice, practice. "I used to think that master trackers could see something that I couldn't," says Elbroch, "but that's not the case." The difference between seeing a smudge and recognizing it as part of an animal track is experience, he says. "No one is born knowing this, which means anyone can learn."

Take a class. When you've wrung all you can out of your field guide, or if you learn better with a mentor, look for tracking instruction at nature centers, wilderness skills schools and forestry organizations.

Websites of Interest



Dozer & Tracker – K9 Arson Investigators -
<http://tfsarsondogs.tamu.edu/index.html>

An Old Tree Doesn't Get Taller, But Bulks Up Like a Bodybuilder -
<http://www.npr.org/2014/01/16/262479807/old-trees-grow-faster-with-every-year>

Homestead Exemptions Take a Bite out of Taxes -
<http://recenter.tamu.edu/pdf/2054.pdf>

Forest Management Information Sheets -
<http://texasforestservice.tamu.edu/main/article.aspx?id=16879>

Around the World



7,500-year-old "drowned forest" revealed on north Galway Coastline, Ireland -
<http://www.irishtimes.com/news/ireland/irish-news/storms-reveal-7-500-year-old-drowned-forest-on-north-galway-coastline-1.1715303>

Apples pollinated by insects grow larger than apples pollinated by human hand -
<http://planetearth.nerc.ac.uk/news/story.aspx?id=1590&cookieConsent=A>

Paul Patrick, TNFLA Member

We are mourning the loss of fellow board member, Paul Patrick who passed away on April, 26 2014. Paul was a "hands on" tree farmer and an advocate for sustainable forest management in East Texas. His love of the land was displayed in the beautiful forestland he managed in Edom, TX.

Calendar of Events

May 10, 2014 Forest Family Fun Day, George Henderson Expo Center, Lufkin, TX. For information, contact Susan Stutts at Texas Forestry Association, sstutts@texasforestry.org or (936) 632-8733.

October 21-23, 2014 SAVE THE DATE - TFA Annual Meeting – 100th Year Celebration – Lufkin, TX

Garden Seminars, Ina Brundrett Conservation Education Building, Pineywoods Native Plant Center, SFASU, 2900 Raguet Street, Nacogdoches, TX. For more information, please contact Elyce Rodewald, (936) 468-1832 or erodewald@sfasu.edu.

July 19, 2014 Herb Seminar. Learn to create herbal infusions and butters with Cindy Hoyt from the Pineywoods Herb Farm. 9am-noon, \$25 SFA Garden members, \$30 non-members

Theresa and Les Reeves Lecture Series, Ina Brundrett Conservation Education Building, Pineywoods Native Plant Center, SFASU, 2900 Raguet Street, Nacogdoches, TX. 7:00 p.m. – 8:30 p.m. For more information, please contact sfagardens@sfasu.edu.

April 10, 2014 Jerry Parsons, retired TAMU Extension, Mr. Plant answers himself, “Growing the Best Tomatoes in Texas.” - jerryparsons@PLANTanswers.com

May 8, 2014 Hayes Jackson, Alabama Extension, Anniston, Alabama - “I’ve come all the way from Alabama to tell you that everything’s not bigger in Texas. Get over it.”

June 12, 2014 Peter Loos, Ecovirons, Chireno, TX – “Native plants that work for you.” –cyrilla@myinu.net

Return Address
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