

# THE TEXAS WATER SOURCE

UPDATING ANDERSON, FREESTONE, HENDERSON, HOUSTON, & LEON COUNTY FOREST LANDOWNERS ON FORESTRY AND WATER ISSUES

## Forest-Water Connection and Our Trinity River

You may have heard of “ecosystem services” - benefits people obtain from ecosystems. Forests and even urban trees provide a number of ecosystem services that are essential to water quality, quantity, and overall watershed health. That is on top of the obvious benefits of providing wildlife habitat, wood products, clean air, aesthetics, and recreational activities.

Forests protect and enhance our water supplies by filtering pollutants such as sediments, fertilizers, and pesticides from agricultural and urban runoff, improving the water quality.

Properly managed forests slow storm runoff, reducing soil erosion and improving water infiltration rates and recharge to aquifers. This helps protect soils and reduce sediment in surface water, as well as increase the amount of groundwater.

Our communities, farms, and other areas also benefit from the fact that forests absorb rainfall and snow

melt, helping to minimize floods.

The Trinity River drains over 18,000 square miles (more than 11.5 million acres), and flows for 512 miles, all within the boundaries of Texas.

With more than 8.9 million residents, the river and its 1,983 miles of major tributaries supports water needs for 40% of the state's population. Many of these residents, urban and rural, depend on the river and its natural resources for maintaining quality of life and economic prosperity.

The natural areas in this basin, or watershed, aid in flood prevention, storm water drainage, and water pollution filtration. The area provides wildlife habitat and a vast array of recreation opportunities such as bird watching, canoeing, boating, fishing, hunting, hiking, etc.

Good land stewardship is one important tool to safeguard and improve water resources for our area, those downstream of us, and for present and future generations.

For more information:

- <http://nac.unl.edu/documents/workingtrees/brochures/wtwq.pdf>
- [http://www.fs.fed.us/ecosystems-services/pdf/Watershed\\_Services.pdf](http://www.fs.fed.us/ecosystems-services/pdf/Watershed_Services.pdf)
- <http://www.agrilifebookstore.org/Linking-Water-Conservation-p/esp-318.htm>

## Bottomland Hardwood Restoration

Texas A&M Forest Service (TFS) Water Resources program, working cooperatively with Texas Parks and Wildlife Department (TPWD), has been restoring bottomland hardwoods on parts of Richland Creek Wildlife Management Area (WMA).

TFS shredded the understory and planted the trees; TPWD provided the tree seedlings and identified the most optimal locations on the WMA

for these plants to thrive. Stephen F. Austin State University is conducting research on the WMA and other areas, trying to determine how best to restore bottomland hardwoods in the Trinity Basin - what tree species and what forestry techniques to use.

The overstory is currently made up of non-preferred species. Once the seedlings become established the overstory will be removed.

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## Organization Spotlight



## Texas Soil and Water Conservation Districts

### For more information:

- <http://www.tsswcb.texas.gov/swcds/area4>

The Texas State Soil and Water Conservation Board (TSSWCB) organizes the entire state into soil and water conservation districts (SWCDs); currently, there are 217. Each SWCD is an independent political subdivision of state government and is governed by five directors elected by fellow rural landowners. A district's board of directors is made up of agricultural landowners, one from each of five subdivisions.

Through a chartered, legally established SWCD, local farmers and ranchers are given the opportunity to decide for themselves how they are going to solve local soil and water conservation problems.

With water quality being a major issue of concern in Texas, the 73rd Legislature passed Senate Bill 503. This bill created the Water Quality Management Plan Program to provide agricultural and silvicultural (forestry) producers with an opportunity to comply with state water quality laws through traditional, voluntary, incentive-based programs. Landowners and operators may request the development of a site-specific water quality management plan through local SWCDs. Plans include appropriate land treatment practices, production practices and management, and technology measures to

achieve a level of pollution prevention or abatement consistent with state water quality standards.

The Anderson-Houston SWCD #421 is located at 305 East Lacy St., Suite 100, in Palestine. Meetings are conducted on the third Tuesday of the month at 12:00 noon. at this same location (USDA NRCS office). Email: [andersonhouston\\_swcd@tx.nacdnet.org](mailto:andersonhouston_swcd@tx.nacdnet.org).

The Freestone County SWCD #424 mailing address is P. O. Box 1014, Fairfield, TX, 75840. They meet at 1:30 p.m. on the first Monday of the month at the USDA Service Center, 1370 West Hwy. 84, in Fairfield. They can be reached at [freestonecountyswcd@tx.nacdnet.org](mailto:freestonecountyswcd@tx.nacdnet.org).

The Trinity-Neches SWCD #422 mailing address is P. O. Box 912, Athens, TX, 75751. Their meetings are held at 12:30 p.m. on the first Tuesday of the month at Ole West Steak House, 1502 East Tyler Hwy. 31, in Athens. Contact: [trinitynechesswcd@tx.nacdnet.org](mailto:trinitynechesswcd@tx.nacdnet.org).

The Bedias Creek SWCD #428 and is located at 120 S. Elm, #110 Trin-Elm Building, in Madisonville. They meet the first Monday of the month at 9:00 a.m. at Madisonville City Hall on 210 W. Cottonwood. Contact them at [bediascreekswcd@tx.nacdnet.org](mailto:bediascreekswcd@tx.nacdnet.org).



## Association of Texas SWCDs

### For more information:

- <http://www.tsswcb.texas.gov/swcds/atswcd>

The Association of Texas Soil and Water Conservation Districts (ATSWCD) is a chartered, tax exempt, non-profit organization of soil and water conservation districts in Texas. The purpose of the organization is to promote SWCDs through educational, scientific, charitable, and religious activities.

The ATSWCD attempts to make owners and operators of agricultural land aware of the need to conserve and protect the soil and water resources of

Texas and the consequences all citizens face if these valuable resources are allowed to deteriorate.

The ATSWCD is divided into 13 Area Associations and each Area Association is governed by their own by-laws. The 13 Area Associations are designed to develop leadership within each Area and to address regional conservation concerns. The Areas are also set up to strengthen lines of communication between all areas of the state.

## Who Owns Texas Water?

Since water is one of our state's most valuable natural resources, it continues to be a highly political and sensitive issue. However, there are many differences that are unique to water ownership compared to many of our state's other natural resources.

Water comes from either groundwater or surface water. Surface water is found in ponds, lakes, rivers, streams, and bays. Groundwater filters down from the earth's surface and accumulates underground in aquifers.

In Texas, water rights depend on whether the water is surface water or groundwater. Surface water is publicly owned and governed by the State of Texas. Without a permit from the Texas Commission on Environmental Quality (TCEQ), landowners may only use surface water for domestic and livestock purposes. If a landowner wishes to use the surface water for other sources such as irrigation, manufacturing, or power generation, he or she must obtain consent from the state in the form of a permit.

Diffused surface water is commonly referred to as storm water, drainage water, or surface runoff. Texas law states that diffused surface water is the property of the landowner until it enters a natural watercourse, where it

becomes property of the state. This means that a landowner may harvest the rainwater into the soil, or capture and store drainage water, as long as the water is captured before it reaches a natural water course.

Unlike surface water, groundwater is the property of the landowner, which allows a landowner the right to capture the water beneath his or her property, and sell, lease, and move the water pumped from his or her property to a neighbor, corporation, or city.

Historically, groundwater has been governed by "the rule of capture," which allows a person, with legal right to the groundwater, the right to pump whatever groundwater is available, regardless of the effects that pumping may have on neighboring water wells. Texas courts have limited the rule of capture in order to prohibit a landowner from:

- Pumping water for the purpose of maliciously harming adjoining neighbors;
- Pumping water for wasteful purposes;
- Causing land subsidence (sinking) on adjoining land from negligent pumping; and,
- Drilling a slant well that crosses the adjoining property line.

For more information:

- <http://www.tgpc.state.tx.us/FAQs.php>

*Did you know...*

90% of Texans depend on public drinking water supplies. 28% of that supply, 1,210 million gallons per day, is from groundwater, serving over 5,323,000 Texans.

## Groundwater Conservation Districts

The Texas Legislature has provided a way for groundwater resources to be managed and protected locally through the creation of groundwater conservation districts (GCDs).

All confirmed groundwater conservation districts in Texas are required to develop and implement a management plan for the effective management of their groundwater resources. The Tex-

as Water Development Board is charged with the approval of groundwater management plans.

The Mid-East Texas GCD serves Leon, Freestone, and Madison counties. The Neches and Trinity Valleys GCD serves Anderson, Henderson, and Cherokee counties. According to a December 2014 map, Houston County is not involved in an established GCD.

For more information:

- <http://www.tgpc.state.tx.us/FAQs.php>
- <http://mideasttexasgcd.com/>
- <http://www.ntvgcd.org/>

Updating Anderson, Freestone, Henderson, Houston, & Leon  
County Forest Landowners on Forestry and Water Issues

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## Timber Tax Workshop

- February 17, 2015 -

Lottie and Arthur Temple Civic Center  
601 Dennis St., Diboll, TX

This workshop will provide an understanding of timber tax, including the latest changes to tax laws and rules for 2014 tax return preparations with a refresher on local timberland property tax incentives. It is designed for forest landowners, consulting foresters, accountants, attorneys, and others who work with forest landowners in matters pertaining to timber taxes. Speakers include:

- Dr. Harry L. Haney, Jr., nationally recognized expert with over 40 years experience in timber taxation
- Sharon Hersh with the Texas Comptroller's office
- Garvey Jackson, CPA

Registration fee is \$75 per person. Workbook, lunch, and refreshments are included. Cost would be \$30 for each additional family member (no workbook). Continuing education credits are available for foresters, loggers, and CPAs.

Contact Jennifer Hayes, Texas A&M Forest Service, at (979) 458-6630 or [jhayes@tfs.tamu.edu](mailto:jhayes@tfs.tamu.edu). See the agenda and register online:

<http://texasforests.tamu.edu/taxworkshop>



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