

# THE TEXAS WATER SOURCE

UPDATING HARDIN, JEFFERSON & ORANGE CO. FOREST LANDOWNERS ON FORESTRY AND WATER ISSUES

## One More Reason for Leaving SMZs!

Since September 1999, the Texas Reforestation and Conservation Act (SB 977) has encouraged Texas timberland owners to invest in sound management that protects our water resources. The act permits a reduced special property tax appraisal (or restricted-use timberland appraisal) for qualified forest zones and regenerated timberland.

A landowner who has set aside and protected streamside management zones (SMZs) during and after forestry operations can receive a tax break for doing so. The landowner must file an application with the chief appraiser in the county where the property is located by April 30 to qualify for appraisal as restricted-use timberland. The chief appraiser or taxing unit where the property is located is required by the act to

seek a zone determination letter from the Texas Forest Service (TFS) before denying an application. The chief appraiser or appraisal review board must accept the determination made by TFS as final with regard to existence, type, location, and size of the zone.

Other reduced appraisals are for aesthetic management zones (AMZs), critical wildlife habitat zones (CWHZs), and reforestation.

The appraised land value is reduced by 50% for SMZs, AMZs, and CWHZs. A 50% reduction is given for the first 10 years after harvest for regenerated timber.

Purchases of qualified supplies and equipment used in timber production and processing are exempt from sales and use taxes.

### For more information:

- <http://texasforestservice.tamu.edu/main/article.aspx?id=923&terms=Texas+Reforestation+and+Conservation+Act>
- <http://texasforestservice.tamu.edu/uploadedFiles/Sustainable/bmp/taxbrochure.pdf>

## Forest Landowners Meeting

Texas Forestry Association, American Tree Farm System, Texas Forest Service, and Southeast Texas Forest Landowners Association are sponsoring an informative workshop Saturday, **September 24<sup>th</sup>**, at Calvary Missionary Baptist Church, 1360 Hwy. 327, Silsbee, Texas.

Topics include:

- ◊ Resource Management Plans
- ◊ Reforestation
- ◊ Wildfire / Prescribed Burning
- ◊ New Forestry Legislation

### ◊ Wildlife Management / Hunting Leases

There is no charge or obligation for attending this meeting. Lunch is provided free of charge, thanks to the Sustainable Forestry Initiative<sup>SM</sup> Committee of the Texas Forestry Association and the American Tree Farm System.

RSVP by Monday, September 19<sup>th</sup>, by calling (409) 246-2484.

Registration begins at 8:30 a.m.; speakers will start at 9:00 a.m. and continue until 2:00 p.m.

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## Organization Spotlight

### Texas Logging Council

#### For more information:

- <http://www.texasforestry.org/programs/council/>

The Texas Logging Council (TLC) is one of the many programs that comes under the Texas Forestry Association (TFA) umbrella. It is an affiliation of private business men and women who make their living from the harvesting and delivery of wood fiber to forest products mills all over East Texas.

The purpose of this Council is:

- To improve and expand the use of professional logging and trucking practices responsive to the needs of customers, employees, land-owners, and the general public;
- To provide educational training for members within the logging and hauling professions; and
- To improve upon worker safety.

The Texas Logging Council serves as a voice for the logging industry. Time is spent in Austin lobbying on behalf of the industry and the people who spend their lives in various aspects of the log-

ging trade. Issues that involve taxes, transportation, safety regulations, permitting, and more, are addressed by Council lobbyists to ensure the experience, expertise, and interests of those in the business are considered.

The Council also benefits its members by doing inspections of logging operations to help in determining insurance costs for the contractors. A company whose operations are more mechanical (as opposed to more on-the-ground, hands-on methods) receives a lower workers' compensation rate.

These efforts of the TLC also benefit landowners. If the logging contractor is knowledgeable about sustainable forestry and spends less money and time on items such as insurance, permits, and fees, the landowner stands to profit more from the sale of timber, and the job can be done in a more timely, professional, and environmentally sound manner.

### Texas Pro Logger Program

#### For more information:

- <http://www.texasforestry.org/programs/logger-pro/>
- <http://www.texasforestry.org/programs/logger-listing/>

In 1996, Texas Forestry Association developed the Texas Professional Logger Program to provide continuing education for loggers. The program was created to increase environmental awareness and sustainable forestry practices, and help respond to OSHA safety requirements.

Individual workshops are scheduled throughout the year. Loggers completing all four core courses are classified as a Texas Pro Logger. The courses cover: Best Management Practices to protect water resources; Silviculture, Wildlife, Wetlands, Endangered Species, Invasives, Special Sites, Aesthetics; Safety; and Business Management.

To maintain the Texas Pro Logger status, a person must attend a minimum of six hours of continuing education

training each year and maintain a current safety certificate.

Why use a Pro Logger? Site monitoring has shown that tracts harvested by loggers with this training have a higher BMP implementation rate, protecting water and soil. These loggers are also knowledgeable in practicing sustainable forestry, and are very safety conscious in their operations. Also, most mills will not accept wood from contractors who have not undergone this training and obtained this certification.

Want to find out what training courses a particular logger has had? Go to [www.texasforestry.org/](http://www.texasforestry.org/) and click on "Programs," then click on "Texas Pro Loggers." On the sidebar, click on "Listing of Trained individuals." Search by full or last name.

## Water Conservation Bill Passes

According to a legislative analysis, 90% of Texas water flows through or under private lands. Good stewardship by private landowners is vital to the protection and conservation of water in Texas.

A bipartisan group of legislators, representing both rural and urban parts of the state, supported a bill that would create an innovative incentive for landowners to protect water resources, preserve the state's cultural heritage by protecting natural resources on privately owned land, and advance Texas' long-range water plan .

Senators Craig Estes and Kirk Watson jointly filed Senate Bill 449 in late January 2011, which would expand the state's definition of agricultural land to cover water stewardship. Representative Allan Ritter filed an identical bill in the House. The House and Senate passed the measure unanimously in May. The bill was signed by the governor in June.

This legislation would allow landowners to have their land valued for property tax purposes as agricultural (and receive what is sometimes referred to as the property tax agriculture exemption) by managing their land in a way that promotes and sustains water quality and conservation.

"This bill gives Texas another path to meeting the extensive demands on our water supply that we know we'll face in coming decades," said State Senator Kirk Watson, of Austin. "It would harness the power of the private sector – and the conscientious stewardship of Texas landowners – to improve water quality and quantity for all of us."

The bill would work in tandem with Senate Joint Resolution 16 (SJR 16), a proposed constitutional amendment that would, with voter approval, add "water stewardship" to uses of land that qualify for the agricultural tax

valuation. In order to qualify, landowners would need to take specific actions on their land – such as controlling erosion, restoring native aquatic species, or implementing efficient irrigation practices – that preserve and improve water supplies. Also, they could donate water rights to the Texas Water Trust or commit to using their water for environmental purposes.

"The farmers, ranchers, and rural property owners managing their land in these ways are not only protecting Texas' rural history – they're ensuring its future," said State Senator Craig Estes, who chairs the Senate Agriculture and Rural Affairs Committee.

The bill would create a new spinoff of existing agriculture property tax valuation provisions, which are already widely used to help landowners who are committed not only to farming and ranching, but also to things like wildlife management and open space preservation. The legislation avoids costing the state money, because landowners who would qualify under the water stewardship rules are probably already eligible for – and taking advantage of – another type of agricultural valuation.

In applying instead for the water stewardship valuation, landowners would adopt management practices that simultaneously maintain the rural nature of their land and fortify the state's water supply.

The idea for a collaborative water stewardship effort originated with the Nature Conservancy of Texas, which owns more than 30 Texas nature preserves and conservation properties, assists private landowners in conserving their land, and has protected 750,000 acres in Texas.

Effective date of the legislation is January 1, 2012, pending approval of the enabling legislation, SJR 16, by voters.

### For more information:

- <http://www.kirkwatson.com/newsroom/in-the-news/bill-aids-landowners-protecting-texas-water-supply/>
- <http://www.capitol.state.tx.us/BillLookup/Text.aspx?LegSess=82R&Bill=SB449>

### Did you know...

You can go to the Texas Forest Service website to find watering tips for drought-stricken trees. Go to <http://texasforestservice.tamu.edu/main/article.aspx?id=14196> to read and print the article there.

**Updating Hardin, Jefferson & Orange Co. Forest Landowners on Forestry and Water Issues**

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## Upcoming Events

### TEXAS FORESTRY ASSOCIATION ANNUAL MEETING

**October 19-21, 2011**  
The Tremont House, Galveston

For more information or to register, go to [www.texasforestry.org](http://www.texasforestry.org) or call (936) 632-8733.

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### ADAMS AND COW BAYOUS TEXAS WATERSHED STEWARD WORKSHOP

**October 24, 2011**

Shangri La Botanical Gardens and Nature Center  
2111 West Park Ave., Orange, TX  
8:00 a.m. - 4:00 p.m.

Go to <http://tws.tamu.edu/> for more information and to pre-register online.

Shangri La's website: <http://www.shangrilagardens.org/>.

No cost to attend.



TDD Line: 1-866-419-4872