



L.I.P. Bulletin

Q U A R T E R L Y N E W S L E T T E R

SPRING 2008 • VOLUME 2

TEXAS
PARKS &
WILDLIFE

LANDOWNER PROFILES

BRENT ORTEGO, TPWD

from the Coastal Prairies

The Whole Package

The Jess Womack Ranch – Reflections on a Coastal Prairie Restoration Project

This 8,500-acre property in Victoria County is the Jess Womack Family Ranch. Originally part of the former 35,000-acre McFaddin Ranch, it was partitioned to various family groups in the late 1980s. The McFaddin Ranch was started in the 1880s and was a fairly typical large ranch of the day in that the landowner used whatever means possible to make a profitable living from the land. They converted the better-drained prairies to row-crops, cleared the river-bottom forests to create additional row-crops, built levees in the river bottoms to protect crop fields from flooding, and grazed the remaining native grasslands with various forms of livestock. Wildlife was important, but it was not economically viable at the time, so it mostly took a back seat to revenue producing activities.

When the Jess Womack family began managing their share of the McFaddin Ranch they quickly became aware of the significant natural resources on their land. They started with a ranch on which one-third of its coastal prairie was in agricultural crops and the remainder was covered by mature mesquite brushlands grazed by cattle. River-bottom forests had been cleared for decades and the flood protection levees were in need of repair. Thanks to government programs, restoration of the natural resources became economically viable.

The first major conversion was enrollment in the Wetland Reserve Program (WRP). Through WRP, 4,000 acres of river bottom were placed in a permanent conservation agreement with the Natural Resource Conservation Service (NRCS) and in turn, the WRP program constructed a number of wetland impoundments to enhance shallow wetland habitats, providing critical seasonal shallow water habitat for wildlife. This was the largest WRP project in Texas at the time of its implementation and has been highly successful.

A variety of projects followed, each receiving technical guidance from Texas Parks and Wildlife Department and from the NRCS, on wildlife management, rotational grazing, erosion control, and leasing the land for hunting. Row-crop farming continued until the early 2000s when it was no longer economically viable and it was converted to pasture for enhancing the livestock operation. The ranch utilized its wetlands to manage a viable commercial fishery. The land was also made available for a number of wildlife research projects and educational demonstra-

CONTINUED ON PAGE 6





Birds of a Different Feather

Bald Eagles Nesting in Texas Grasslands

BO ADKINS, TPWD PHOTOS BY STEVE BENDER

Bald eagle (*Haliaeetus leucocephalus*) populations experienced dramatic declines across their range through much of the 1900s due to bounties, habitat loss, persecution and environmental contaminants. Following legal protection and conservation efforts, bald eagle numbers appear to have recovered.

Due to the species' dietary preference for fish and a need for nest sites close to prey resources, the increase in nesting eagles in Texas has generally been limited to areas adjacent to large expanses of permanent surface water, such as lakes, rivers and coastal areas. Although some bald eagles spend their winters in the Texas Panhandle hunting prairie dogs and migrant waterfowl, it is rare for them to nest in the region. So imagine the surprise in 2004 when a pair of bald eagles was discovered nesting on a private landholding in the far northern area of the Texas Panhandle. This was a truly unique find, as it was not only the first nesting record of bald eagles in the Panhandle since 1916, but the nest was over 50 km from Rita Blanca Lake, the nearest body of water with any substantive surface area.

The nest was monitored by biologist Dr. Clint Boal of the U.S. Geological Survey (USGS) to assess nesting success in such an unusual setting. He found the eagles successfully fledged one nestling in 2004, two nestlings in 2005, and another nestling in 2006. A study of what the eagles were eating revealed they were successfully raising their young on a diet

■
On a mild November day in the Texas Panhandle, personnel from USGS, TPWD, Xcel Energy and the Amarillo and Fort Worth zoos erected a towering structure in the gently rolling landscape with high hopes that the bald eagles would return.

■
 consisting primarily of prairie dogs (80%), rabbits and gophers; no fish were detected in their diets. (Boal et. al. 2006). It was obvious these eagles had made a home for themselves on the arid grasslands.

In 2006, while the nest was vacant, disaster struck when the dead tree holding the nest collapsed. Eagle nests are massive structures weighing hundreds of pounds, and without any other large trees available it looked like the eagles were without a home. Enter some human help.

Upon hearing of the demise of the Panhandle bald eagle nest, several wildlife and natural resource entities expressed

interest in working in partnership on private lands to replace the fallen nest with an artificial nest structure. After a few conference calls and what seemed like 100 e-mails, a plan was "hatched." The Fort Worth and Amarillo zoos volunteered to produce a nest structure similar to those used in zoo exhibits that could be attached atop a pole. In collaboration the two zoos also provided the personnel and basic nest materials necessary to complete the nest installation. Xcel Energy agreed to donate two 60-foot power poles and the equipment and manpower to erect them. On a mild November day in the Texas Panhandle, personnel from USGS, TPWD, Xcel Energy and the Amarillo and Fort Worth zoos erected a towering structure in the gently rolling landscape with high hopes that the bald eagles would return.

Once the new nest structure was completed, it was a waiting game to see if the eagles would use it. The wait was over in April 2007 when the pair was discovered back and nesting in the new structure. They have since successfully raised the first fledgling, of what is hoped to be many more in their new home.

From the Desk of Steve Bender

FORMER TPWD STATE WILDLIFE GRANTS / LIP ADMINISTRATOR

There are two major components of conservation in Texas: thoughtful ecologists and biologists, and access to manageable lands. The people of the state of Texas have a great deal of access to some private and all public lands including national wildlife refuges, parks and wildlife management areas as well as The Nature Conservancy and Audubon lands, all of which have significant wildlife value. These properties are important because they are being held for conservation. They are critical anchors for all conservation in that their success is nearly guaranteed because of why they were acquired.

Private lands are a different story. Private lands constitute more than 94 percent of the land in Texas and they have the great-

est amount of potential for beneficial wildlife management. Landowners build relationships with Texas Parks and Wildlife Department biologists, which in turn gains TPWD access to private property. The keys to this successful management are time, money and long-term commitment from the landowner. That is what we have in the Jess Womack Family Ranch, a commitment. They have a valuable relationship with Brent Ortego and other biologists, and they have made the effort to support major restoration projects and to manage on a landscape level, for all species.

Once we gain access to these private lands, what are the benefits? One of the potential benefits is valuable data about habitat including floral and faunal diversity.

These data are vital to conservation in Texas. With landowner permission, biologists can populate the Texas Natural Diversity Database (TNDD), a central data set that is georeferenced, allowing TPWD and other conservation organizations and universities to make critical management decisions concerning all species.

Another benefit to private land work is establishing wildlife management associations. Landowners cooperating with other landowners is fundamental to landscape scale habitat and species management.

Additional benefits to working on private lands are direct access to species of concern such as the bald eagle pair in Dallam County, endangered species like Houston

CONTINUED ON PAGE 7

10 Years of LIP in Texas A PROGRAMMATIC REVIEW

ANNA KNIPPS, PH.D. CANDIDATE, TEXAS A&M UNIVERSITY



Hello, I am Anna Knipps, a graduate student at Texas A&M University. The goal of my doctoral research is to evaluate the first 10 years of the Landowner Incentive Program (LIP) in Texas, with help from Texas A&M faculty and Texas Parks and Wildlife Department (TPWD) staff. I am originally from Colorado, but I have worked with wildlife from the forests of California to the

shortgrass prairie of South Dakota to the scrub ecosystem of peninsular Florida, and many places in between. I have also worked on private lands and I can appreciate the delicate balance between landowner privacy and wildlife management.

LIP was developed by TPWD as a fresh approach to landowner participation in rare species habitat management, by providing monetary incentive and guidance as encouragement to help foster declining species on private lands. Like any fledgling program, LIP has had its obstacles along the way, but there are some key elements that need to be carried on, whether through LIP itself, or in subsequent incentive programs. This evaluation of the program will help to identify where LIP has succeeded and where it might have fallen short. There is a tremendous need for this type of program if wildlife species are to thrive in

the future, and we need to determine the best way to administer these programs.

Evaluating LIP will be a three-part process. First, we will gather pertinent information for all projects carried out between 1997 and 2007. This information will come from the project coordinators and/or field biologists who have administered LIP projects. We hope to determine the success of each project using these data. The next phase will be a human dimensions survey targeting LIP participating landowners as well as project managers, and asking for their impressions of the program. Finally, we will choose a sample of projects from the top LIP spending categories (i.e., longleaf pine/Red-cockaded Woodpecker and grassland/lesser prairie-chicken) to be evaluated in depth regarding the ecological success of the management activity undertaken.

We hope to illustrate to TPWD, the U.S. Fish and Wildlife Service, the various non-governmental organizations involved, and to the public, just how well LIP has done in its home state during its first decade. This will be valuable information for future incentive programs. I look forward to working with the various partners who have been involved in the program and I intend to provide a thorough and useful document for the department, for the university, and for future LIP participants.



Words of LIP Wisdom from Chris Lintz, Ph.D.

TPWD WILDLIFE DIVISION CULTURAL RESOURCE COORDINATOR

Sometimes government programs seem to have strange conditions. Take the Landowner Incentive Program (LIP), which is designed to enhance habitat for plant and animal species of concern. Why would such a biological preservation program require archaeological review? The answer lies in the strings attached to the use of federal funds from the U.S. Fish and Wildlife Service (USFWS) provided to TPWD who administers the LIP program. The use of federal, public dollars on LIP projects requires consideration of the direct and indirect consequences LIP activities may have on cultural resources. With this article, I introduce you to why archaeology is included in the LIP program, how the review process works, and what kind of information is needed to make the review process run smoothly.

The law that drives the need for cultural resource reviews is the National Historic Preservation Act of 1966. This law created the Advisory Council on Historic Preservation (ACHP) for reviewing federal actions and advising Congress on preservation issues and sets up a State Historic Preservation Office (SHPO) for each state and U.S. territory. This law also outlines a process for qualified people to (1) identify cultural resources, (2) assess their importance and (3) for those that are regarded as significant, develop and implement a plan for mitigating the effects of a project on the site. By federal definition, cultural resources consist of sites, buildings, structures, objects and districts that possess integrity and are usually more than 50 years old. But as the process outlined above indicates, not all cultural resources are equally important or merit protection or preservation. Thus, the recognition of an archaeological site within a proposed LIP project area does not automatically jeopardize the funding of the project.

Since LIP projects involve private land holdings, rarely has any trained archaeologist inspected the lands to see if sites are present in the project area. The existence of cultural resources that might be adversely affected by LIP is often unknown. Procedural guidance in such situations is found in a Programmatic Agreement (PA) signed by TPWD, the USFWS, the ACHP and SHPO, which identifies methods for dealing with potential sites on private lands. Some kinds of ground-altering activities for LIP

projects as outlined in the PA require coordination with the SHPO on what steps are needed to identify cultural resources; other kinds of activities, often with minimal earth disturbance, do not require SHPO coordination. In all cases the PA requires that the regional biologists who have received cultural resource training and who are working with the landowners to develop LIP projects complete and submit a "Preliminary Cultural Resource Assessment" form to the Wildlife Cultural Resource Specialist for review. These forms are used to internally review the project, and copies are required to be submitted with the year-end report developed by TPWD and submitted to the FWS, SHPO and the ACHP.

Information provided by the project biologist in their Preliminary Cultural Resource Assessment form, along with the methods and conditions of described activities in the proposed LIP application, the setting of the proposed LIP project relative to stable upland settings or dynamic floodplain terraces, and information about the occurrence and distribution of known archaeological sites in the area are all used to decide if the Wildlife Division Archaeologist has to make a reconnaissance inspection trip to the project area. Such trips help clarify the nature and conditions of the LIP activities, and provide opportunities for the professional archaeologist to note prior ground disturbances (old plowed fields, existing roads, etc.) and photographically document areas to be affected. The reconnaissance inspection trip also pro-

vides an opportunity for a cursory look for obvious archaeological sites, but more importantly the trip is designed to document using notes and photographs any evidence of the kinds and depths of prior historical land disturbances that had already damaged the integrity of archaeological sites, and to gain a better sense of the conditions and methods to be used in the LIP project.

So what happens if an archaeological site is discovered during a LIP cultural resource assessment? Since private lands are involved, the PA stipulates that the landowner is notified about the existence of the site. The landowner has the right to decide whether or not s/he wants to continue to pursue LIP funding for areas that affect the resource. If the landowner chooses to decline LIP funding for those activities, then the archaeological site is not recorded and no documents about the site are filed with the Texas Archaeological Research Laboratory (TARL, at the University of Texas at Austin), which maintains the master archaeological site database for the state of Texas. If the landowner decides to continue to seek LIP funds, then the site is recorded and added to the TARL archaeological database. Such listing does not allow anyone to trespass on private lands, and the listing does not jeopardize land ownership. Your land belongs to you and is under no threat of confiscation if sites are found. All artifacts discovered during any LIP investigation remain the property of the landowner, and unless the landowner directs TPWD staff to



make collections, all discovered artifacts are photographed in the field and left at their place of origin.

For most archaeologists, artifacts are not simply works of art, but rather they are a means for interpreting past activities. Artifacts made of stone, ceramic, glass, metal and bone tend to be durable objects. But the sites where artifacts occur are exceedingly fragile and easily destroyed. The physical tools and debris found at sites have little scientific value by themselves. More important are the spatial and contextual relationships among these objects and associated "features" (non-movable remnant of activities, such as earth ovens, or house post holes and storage pits, etc.). Even slight forms of ground disturbance activities, in some cases, can destroy a site's contextual integrity, and forever ruin the archaeological record.

Information about sites discovered during the LIP reconnaissance trips and field conditions are incorporated into a letter report with recommendations, and this is submitted to the SHPO as part of the required consultation process. Some activities, such as proposed fence lines or fire lanes, can be moved to avoid discovered sites. Other times, archaeologically sensitive zones, perhaps terraces adjacent to creeks and rivers, can be identified and excluded from certain kinds of ground-disturbing LIP activities. Avoidance of adverse affects to cultural resources is the preferred option. The LIP project may be allowed to occur outside the boundaries of the sensitive zone, or the landowner can hire professional archaeologists to conduct a systematic intensive archaeological survey to document and locate, for avoidance purposes, those resources occurring inside the sensitive zone. Most LIP project consultation letters to the SHPO will also recommend that the

project biologist or other staff person with cultural resource training monitor the earth-disturbing activities. If artifacts are found during monitoring, then these activities are halted and the Wildlife Cultural Resource Specialist is called in to assess the importance of the discovery, and the SHPO is notified. Importantly, the law allows the SHPO 30 days from receipt of the consultation letter to concur with the recommendation or require other actions.

If sites can be avoided, there is no need to formally assess their importance. The law states that only sites that are found to be significant at a local, regional or national level require protection, but sites that have not been formally assessed usually have to be treated as if they are significant until such time as it is shown that the sites lack merit. Significant archaeological sites are generally those that have discrete occupations zones and preservation of the remains that can add information to the regional knowledge about a culture or time period in our past. Or significant sites, structures or buildings can be associated with events, or the lives of people significant to the broad patterns of American or traditional history. Or the site, building or structure can be characteristic of a type, period method of construction, or the work of a master and possessing high artistic value. The application of significance criteria to a site, building or structure, can be a costly endeavor, unless the site has no remaining integrity. Due to funding limitations, LIP will not underwrite costs for extensive field and research assessment studies.

When completing a LIP project application, be sure to discuss the methods that will be used for each LIP activity. This is especially true for all potential primary and secondary forms of ground disturbance measures. Also be sure to show on the accompanying maps the precise locations of each mentioned activity. LIP projects that specify that they are treating 60 acres within a generalized

60,000-acre ranch are not much use for conducting background research assessments on the archaeological sites database, and are impossible to use in crafting SHPO consultation letters. Because LIP also needs photographic documentation of project conditions before and after LIP treatment, the sponsor and biologist should be able to pinpoint where the proposed LIP actions will occur on the ground. Finally, be sure to have the biologist submit the "Preliminary Cultural Resource Assessment" form with the LIP application. Completion of this form will ensure that the biologist has been on the ground of the LIP parcel.

If this whole process seems a bit cumbersome, then just consider this: Unlike rare, threatened and endangered living species of plants and animals, ancient cultural resources are finite in number and no more resources of a specific period are being produced.

If you have questions or comments, please contact me at (512) 389-4427, or at chris.lintz@tpwd.state.tx.us





USFWS Partners for Fish and Wildlife Program

DON WILHELM, USFWS, STATE COORDINATOR OF THE PFW PROGRAM IN TEXAS

20th Anniversary of the Partners for Fish and Wildlife Program

The U.S. Fish and Wildlife Service (USFWS) is celebrating the 20th Anniversary of its Partners for Fish and Wildlife (PFW) program. Through the PFW program, the USFWS is able to provide technical and financial assistance directly to private landowners who are willing to work with us and other partners on a voluntary basis to improve fish and wildlife habitats for federal trust species (e.g., migratory birds, threatened, endangered, candidates species, and other declining species). The overall goal of the PFW program habitat restoration projects is to return a site to the ecological condition that likely existed prior to loss or degradation.

Through the PFW program, the USFWS also funds outdoor classrooms that provide students and communities with “hands-on” educational opportunities. These projects directly benefit fish and wildlife but more importantly can foster an appreciation among students and the local community for the environment and the fish and wildlife resources that surround them.

The PFW program has been very well received by participating private landowners and external partners. The USFWS has entered into over 1,400 voluntary private lands agreements with Texas landowners, involving the restoration or enhancement of almost 400,000 acres of fish and wildlife habitat. The Texas Parks and Wildlife Department has been a partner in many of these projects, and the USFWS relies on its partnering agencies and organizations to implement the PFW program.

As we celebrate the 20th Anniversary of the PFW program, we extend our appreciation to TPWD and to the many agencies and conservation organizations that have played an integral role in the success of the PFW program.

The Whole Package CONTINUED

tions. Due to its high wildlife diversity (300+ species of birds) and abundance of wetlands, the ranch is investigating the feasibility of adding ecotourism to its management plan.

A Landowner Incentive Program (LIP) cost-sharing grant was issued in 2001 to restore 2,000 acres of coastal prairie. With LIP funding, much of the mature mesquite was removed mechanically, small mesquite and huisache were sprayed with herbicides, and a control burning program was initiated. This prairie enhancement project was further benefited by cost-sharing grants from the NRCS and U.S. Fish and Wildlife Service (USFWS).

Management of habitats is not a one-time fix. Plant succession in the coastal prairie is continuous and management including rotational grazing of livestock, regular controlled fires and herbicide treatment of invading brush is needed to maintain it.

The Jess Womack Family Ranch has been a statewide winner of the agency's Lone Star Land Steward Award. It maintains large acreages of shallow freshwater wetlands which support large numbers of waterfowl, shorebirds and waterbirds seasonally. It has one of the largest rookeries in the Guadalupe River drainage and bald eagles use the ranch regularly for foraging. It supports a viable alligator and commercial fishery program. The ranch supports four different hunting operations, is a major component of one of the top five Christmas Bird Counts in the nation and supports a viable upland game program with numerous deer. Its coastal prairie provides habitat for many grassland bird species. This ranch is a model when it comes to blending the principals of land management for diverse economic ventures, and being a steward for natural resources for years to come.

IMPORTANT LINKS

TPWD LIP Web page: www.tpwd.state.tx.us/lip

Texas Wildlife Action Plan: www.tpwd.state.tx.us/cwcs

Rare, Threatened and Endangered Species of Texas by County:
www.tpwd.state.tx.us/landwater/land/maps/gis/ris/endangered_species.phtml

TPWD Staff: The LIP WILDnet page will have the most current documents associated with the program.

From the Desk of Steve Bender CONTINUED

toads or candidate species like the lesser prairie-chicken.

Programs such as LIP and Partners for Fish and Wildlife are key to the management of these species. They provide cost share for important management priorities and projects. "Partners" is celebrating 20 years of success because it continues to show on-the-ground management results across the U.S. In order for biologists and landowners to partake of the bounty of federal funds, they must take care to listen to our cultural resource sage, Dr. Chris Lintz. We can't trample over our Texas heritage to get to our conservation goals. We must have both to share with our kids and grandkids. Remember, our mission is to "manage and conserve the natural and cultural resources of Texas."

One final opportunity that we can provide for landowners is options for new and untapped sources of revenue. We can assist with managing wildlife for hunting and fishing as well as providing information and guidance on nature-based tourism opportunities that the average landowner may not know about. Shelly

Plante, the Nature Tourism Coordinator for TPWD, is a valuable resource for biologists and landowners. She has a great deal of experience and insight and would be a valuable person to know and correspond with.

Private lands need to be the continued focus of our efforts. As an agency we are tasked with managing for hunting and fishing opportunities, but overall conservation is our goal. In recent years, the face of the rural landowner has become more diversified, with property more often being viewed as investments and as places to relax and enjoy nature by watching, hunting, and/or fishing. We, TPWD, provide assistance to all landowners and we provide it for the cost of hunting and fishing license or 25 to 50 percent of the cost of a restoration project. More and more rural landowners want to have us come to their property and help them identify what is special and unique about their landscape and they are often willing to share that information for the betterment of all wildlife. TPWD is eager to partner with these folks for the benefit of conservation in Texas.

Speaking of relationships, as I write this, I am about to embark on a new journey. I have been invited to work with the oldest conservation organization in the country, the National Wildlife Federation. They have asked me to take part in important issues such as climate changes, education and conservation. They have set forth some clear goals and have asked me to join them to meet the objectives of these goals. While I will be working mostly with states other than Texas, I will still be in Austin working with staff from this region and will continue to keep my hand in local conservation as much as I can.

I look forward to the new challenges but I leave knowing that TPWD and its partners have a lot of work to do on some very important issues. I trust in the biologists of this agency and know that when the right folks are engaged there is nothing that TPWD can't accomplish in state conservation. I wish you all well in your pursuits and look forward to hearing about your future successes.

Thank you all for your support over the past four years.

FALL 2008 LANDOWNER INCENTIVE PROGRAM CALENDAR

5-1-08	Request for Proposals	8 weeks
6-20-08	Last day to submit applications	
6-23-08 through 7-4-08	Preliminary application review	2 weeks
7-7-08 through 8-4-08	Proposals reviewed by TPWD diversity staff	4 weeks
8-12-08 through 9-9-08	Proposals reviewed by TPWD Private Lands Advisory Board LIP subcommittee	3 weeks
9-8-08 through 9-19-08	Application review organization period, final selections meeting	2 weeks

AWARD NOTIFICATION – Because of logistical constraints on this program with regard to cultural resource clearances, the varying availability of staff and landowners for cultural resource site visits, and the Texas Historical Commission review period (30 days), award dates will vary. Please allow two to three months from date of selection for complete cultural resource clearances and contracting.

NOTE: The LIP program will continue in Texas, utilizing alternate funding sources once the federal LIP funds are exhausted. If you have any questions contact Arlene Kalmbach at (512) 581-0657 or Arlene.kalmbach@tpwd.state.tx.us



Landowner Incentive Program
 Texas Parks and Wildlife Department
 PO Box 1980
 Bastrop, Texas 78602



L.I.P. Bulletin

Q U A R T E R L Y N E W S L E T T E R

SPRING 2008

www.tpwd.state.tx.us/lip

Executive Director
Carter P. Smith
 Editor, *L.I.P. Bulletin*
Arlene Kalmbach



COMMISSION
Peter M. Holt, Chairman
 San Antonio
T. Dan Friedkin, Vice-Chairman
 Houston
Mark E. Bivins Amarillo
J. Robert Brown El Paso
Ralph H. Duggins Fort Worth
Antonio Falcon, M.D. Rio Grande City
Karen J. Hixon San Antonio
Margaret Martin Boerne
John D. Parker Lufkin
Lee M. Bass, Chairman-Emeritus
 Fort Worth

TEXAS PARKS AND WILDLIFE DEPARTMENT MISSION STATEMENT
"To manage and conserve the natural and cultural resources of Texas and to provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment of present and future generations."

You may view this publication through the TPWD Web site. Please notify us by completing a request form at www.tpwd.state.tx.us/enews. Once verified, we will notify you by e-mail when a new version of your selected newsletter is posted at www.tpwd.state.tx.us/newsletters/. Your name and address will be removed from the printed version mail distribution list.

FOR MORE INFORMATION

All inquiries: Texas Parks and Wildlife Department, 4200 Smith School Rd., Austin, TX 78744, telephone (800) 792-1112 toll free, or (512) 389-4800 or visit our Web site for detailed information about TPWD programs:

www.tpwd.state.tx.us

©2008 Texas Parks and Wildlife Department PWD LFW7000-1405 (3/08)
 In accordance with Texas State Depository Law, this publication is available at the Texas State Publications Clearinghouse and/or Texas Depository Libraries.