# BIG THICKET BULLETIN ISSUE 134





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### Quarterly Message from the President

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# PRESIDENT'S REPORT By 2017 BTA President Kathy Smartt

The quote, "Alone we can do so little. Together we can do so much more" reminds me of my BTA friends, it says we are the best we can be when we work together. The photographs of Judy Arnow, Maxine Johnston, and Ann Roberts are an accent to the enduring spirit of the Big Thicket Association. Each woman is a long-time associate of BTA, present from the beginning, shepherding the organization for 50 years from the 1960s into the 21 st century. Their forceful effort is a testament to our association's existence.

I wouldn't call them Ol'timers, more like Legacy Makers, active people who put their heart and soul into building the association from the ground up. Ann Roberts is 91, Judy Arnow is 90, and I'm pretty sure Maxine Johnston is 87, or 88 years old. They were board members and past-presidents. They had a vision and kept it going. It's awesome to think what they accomplished and we have a responsibility to see BTA move forward to further our preservation agenda.

We can do so much more together to bring BTA into the 21 st century. But, what are we doing to advance that agenda? I'm not big on change, but if we don't change for the future as an organization, we'll be gone. I guess that's why those photographs are so important. We need to take administrative council from the past, add a dash of youthful imagination, include our own vision, and move forward to grow.

The lessons we can draw from the women depicted in the photos is to become united as a group. Take an active role together. The role of **we** in the association is crucial to establish a plan for the future. If there's something you want to see in the future of BTA, how can we help to grow your creative energy to preserve the Big Thicket? Let's cultivate the dynamic quality that sustained the ladies: Arnow, Johnston, and Roberts for so long in the association. Speak up! I look forward to hearing from all of you.



*"Alone we can do so little. Together we can do so much more."* 

– Helen Keller

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## EXXON CITED FOR VIOLATING THE CLEAN AIR ACT OVER 16,000 TIMES, MUST PAY \$19.95 MILLION PENALTY





#### Plantiffs believe this is the largest-ever penalty in an environmental citizen enforcement suit

After initially ruling in favor of ExxonMobil Corporation and then getting overturned on appeal, a federal district court has found that Exxon committed 16,386 days of violation of the Federal Clean Act at its Baytown, Texas, refinery and chemical plant. As a result, the court has ordered Exxon to pay \$19.95 million, which is believed to be the largest civil penalty ever imposed in an environmental "citizen suit," a citizen-initiated enforcement mechanism Congress included in the Clean Air Act and other federal environmental laws.

In a 101-page decision, US District Judge David Hittner found that Exxon profited – to the tune of over \$14 million – by delaying implementation of necessary pollution control measures, and that the vast number of violations Exxon committed and the 10 million pounds of illegal pollution it released all weighed in favor of imposing a heavy penalty.

Exxon's illegal air emissions included carcinogens, other toxic air pollutants, and respiratory irritants like sulfur dioxide and ozone-forming chemicals.

"This ruling shows how crucial the citizen enforcement provision of the Clean Air Act really is for Texas residents. It means that private citizen victimized by the world's biggest polluters can get justice in the American court system, even when the government regulators look the other way," said Luke Metzger, Director of Environment Texas.

At trial, plaintiffs Environment Texas and Sierra Club submitted thousands of pages of Exxon's own legally mandated reports of violations and the groups' attorneys subjected Exxon witnesses to many hours of crossexamination, using Exxon's own words to prove that the company had violated its state-issued, federally mandated operating permits.

Four members of the environmental groups testified about their personal experiences living next to the Baytown Complex, describing how they have suffered through foul odors, poor air quality, and the fear that each massive flaring signals a potential explosion.

"Today's decision sends a resounding message that it will not pay to pollute Texas," said Dr. Neil Carman, a former air inspector for the Texas Commission on Environmental Quality (TCEQ) and now the Clean Air Program Director for the Sierra Club Lone Star Chapter. "Compliance with air pollution laws and operating permits is mandatory, not optional, and we will not stand idly by when polluters put our health and safety at risk." This case follows earlier successful cases the groups brought against Shell Oil Company for violations at its Deer Park refinery and Chevron Phillips Chemical Company for violations at its Cedar Bayou chemical plant.

Exxon's 3,400-acre complex in Baytown, Texas, is located about 25 miles east of downtown Houston. Tens of thousands of people live within three miles of the complex.

The groups are represented by National Environmental Law Center senior attorney Josh Kratka, attorney David Nichols of Newton, Massachusetts, and Houston attorneys Philip Hilder and Will Graham.

Sierra Club has approximately 24,000 members in Texas who are protecting parks and wildlands and building a clean energy future to protect human health and natural resources. Environment Texas advocates for clean air, clean water, and preservation of Texas' natural area on behalf of approximately 5,000 members statewide.

Contributors to this press release include Luke Metzger; Environment Texas, Neil Carman; Sierra Club, Josh Kratka; NELC, and David Nichols.

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## MARK YOUR CALENDAR

#### June 4, 2017

Beech Creek Unit Hike, Big Thicket National Preserve, 10:30 am, Free. Meet at the Beech Creek Unit Trailhead.

#### July 4, 2017

Joint BTA and Golden Triangle Sierra Club BBQ picnic at the Beaumont Yacht Club, 560 Marina Street, Beaumont. Bring a side dish; meat will be provided.

#### July 8, 2017

Big Thicket National Preserve Night Hike. Details at the Visitor Center contact (409) 951-6700 to register.

#### July 22, 2017

Toads and Frogs of Our Woods and Bogs. Big Thicket National Preserve, 8:15 pm, Free, Visitor Center Kountze, Texas.

#### August 6, 2017

Woodlands Walk. Explore the Woodlands Trail in the Big Thicket National Preserve, 10:30 am, Free, Visitor Center Kountze, Texas. Register (409) 951-6700.

#### August 12, 2017

Birding in the Big Thicket National Preserve, 8:30-9:30 am, Free, Visitor Center Kountze, Texas. Register (409) 951-6700.



The four-person Student Conservation Association crew of The Nature Conservancy's Gulf Coast Fire Mentoring Program has been busy. Deployed from Florida in January 2017 for a six- month period, the crew is residing at the Little Rocky Nature Preserve in Browndell, north of Jasper.

An all-volunteer team the group is assisting with fire operations and stewardship tasks on public and private lands in Texas. Mentored by seasoned Nature Conservancy staff the crew has completed prescribed burning on 1,334 acres of Nature Conservancy preserve and conservation easement lands. In addition, they assisted Big Thicket National Preserve with fire preparation and burning on 103 acres of the Hickory Creek Unit, and aided the U.S. Fish and Wildlife Service with an 8,623acre burn on the Anahuac National Wildlife Refuge. The crew has also assisted with 2,280 acres of burning on Hill Country private land protection projects.

In other news, Texas A&M University with support of the Texas Comptroller's Office completed a survey for the elusive and rare Louisiana Pine Snake. Recent survey efforts included the Sandyland Preserve, although no new snakes were located in Texas. This survey complemented an additional five-year survey effort conducted with Dr. Craig Rudolph and Nature Conservancy staff in previous years. The Louisiana Pine Snake is a non-venomous snake that resides in open-fire maintained upland pine forests and mainly feeds on pocket gophers. This species is proposed for listing as a threatened species in Texas and Louisiana by the U.S. Fish & Wildlife Service. A final ruling should be announced in 2017.

Preserve staff is conducting surveys for the endangered Texas Trailing Phlox, which is plant species found in the dry pine uplands of the Sandyland Preserve. Prescribed burning stimulates plants to put on new growth and flower.

Education/Outreach Activities: The Nature Conservancy provided information on freshwater mussel surveys and land and water conservation to 120 high school students at the Neches River Festival.

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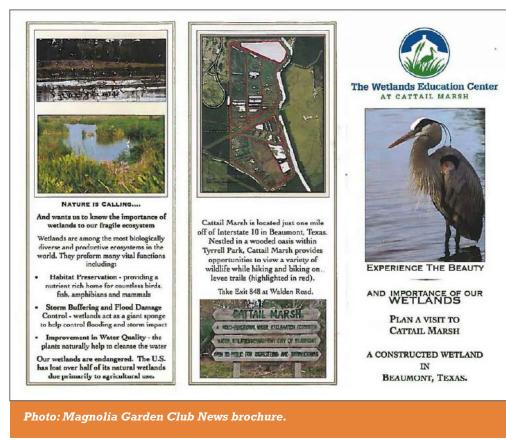
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# MAGNOLIA GARDEN CLUB NEWS

#### The Wetlands Education Center

The Magnolia Garden Club's efforts to construct an educational facility at Cattail Marsh in Beaumont, Texas, is just about a year away. Chris Drath, Magnolia Garden Club wetlands committee chair, told reporters at the March 3, 2017, ground-breaking ceremony that the \$350,000 to \$400,000 grant-funded facility will host Cattail Marsh students and researchers from across Texas and the country. Expected completion of the educational facility is early 2018.





*Photo: Artist's rendering of the future Wetlands Education Center. Credit: Sara E. Flores/Beaumont Enterprise* 

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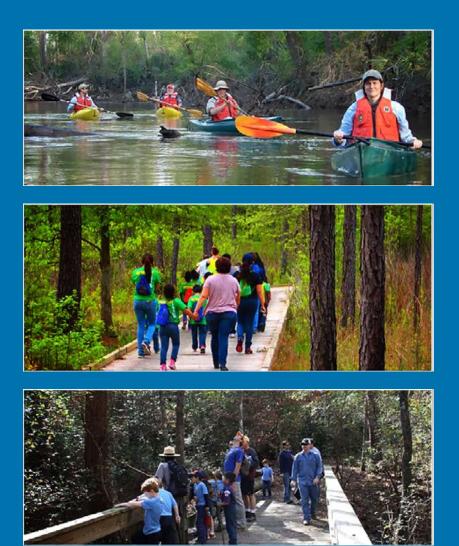


Photo: NPS photos of school groups, tourists, and paddlers in the Preserve

## **PRESERVE TOURISM CREATES \$15,909,400 IN ECONOMIC BENEFITS**

By Jason Ginder, NPS, Big Thicket Chief of Interpretation

A new National Park Service (NPS) report shows that 192,809 visitors to Big Thicket National Preserve in 2016 spent \$12,347,900 in communities near the park. That spending supported 172 jobs in the local area and had a cumulative benefit to the local economy of \$15,909,400.

"Big Thicket National Preserve welcomes visitors from across the country and around the world," Superintendent Wayne Prokopetz said. "We are delighted to share the story of this place and the experiences it provides. We also feature the park as a way to introduce our visitors to this part of the country and all that it offers. National park tourism is a significant driver in the national economy, returning more than \$10 for every \$1 invested in the National Park Service, and it's a big factor in our local economy as well. We appreciate the partnership and support of our neighbors and are glad to be able to give back by helping to sustain local communities."

The peer-reviewed visitor spending analysis was conducted by economists Catherine Cullinane Thomas of the US Geological Survey and Lynne Koontz of the National Park Service. The report shows \$18.4 billion of direct spending by 331 million park visitors in communities within 60 miles of a national park. The spending supported 318,000 jobs nationally; 271,544 of those jobs are found in these gateway communities. The cumulative benefit to the US economy was \$34.9 billion.

According to the 2016 report, most park visitor spending was for lodging (31.2 percent) followed by food and beverages (27.2 percent), gas and oil (11.7 percent), admissions and fees (10.2 percent), souvenirs and other expenses (9.7 percent), local transportation (7.4 percent), and camping fees (2.5 percent).

Report authors this year produced an interactive tool. Users can explore current year visitor spending, jobs, labor vincome, value added, and output effects by sector for national, state, and local economies. Users can also view year-to-year trend data. The interactive tool and report are available at the NPS Social Science Program webpage: go.nps.gov/vse.

The report includes information for visitor spending at individual parks and by state.

To learn more about national parks in Texas and how the National Park Service works with Texas communities to help preserve local history, conserve the environment, and provide outdoor recreation, go to www.nps.gov/texas.

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\$19.95 Million Penalty

Thicket of Diversity Remembers Dr. Larissa N. Vassiljeva

# THICKET OF DIVERSITY

### IN MEMORIUM: DR. LARISSA N. VASSILJEVA, FEB. 15, 1950 - FEB. 23, 2017

Russian mycologist, amazing collector, and specialist in pyrenomycetes.

Larissa N. Vassiljeva, 1950-2017, loved to collect fungi, wandering through the woods humming softly to herself. She specialized in very small ascomycetes; a subdivision of yeasts or molds, partly, perhaps, because she had myopia or near-sightedness that allowed her to see clearly the small black dots of pyrenomycetes scattered along a dead branch. She would pick up a likely substrate, pull off her thicklensed glasses and examine the stick without a hand lens because, basically, she had a "built-in" hand lens for eyes. She had a sense of the biology of these fungi and thus knew where to look for them. She was fearless in her ability to endure hot and cold weather in search of her beloved pyrenomycetes.

Dr. Larissa Vassiljeva traveled to the Big Thicket of Texas to conduct research. She made three trips as a lead investigator with the Big Thicket Association's Thicket of Diversity (ToD) project, an All Taxa Biodiversity Inventory, coordinated through a partnership with the Big Thicket National Preserve. Through the ToD, she conducted surveys in the preserve in 2007, 2009, and 2011. Presently,

65 species of Pyrenomycetous fungi are identified, including 11 are new species to science and one new genus to science. This includes rare species like Rosellinia glandiformis found in the Turkey Creek Unit, Rosellinia langloisii found in the Lance Rosier Unit, and Jumillera viridis found in the Canyonlands Unit of the Big Thicket National Preserve. She located the first USA recorded Hypoxylon lividipigmentum found on the Kirby Nature Trail and the first Biscogniauxia arima found in the Lance Rosier Unit. Previously, both were found in Mexico.

Dr. Larissa Vassiljeva identified specimens known from other parts of Texas identified by David Lewis, a renowned mushroom researcher and President of the Gulf States Mycological Society, including Biscogniauxia citriformis which suggested a peculiar biogeographical pattern of distribution that involves the Caribbean Sea, the coast of Mexico, and southern US as well as some parts of the Atlantic coasts in South America and Africa.

Dr. Larissa N. Vassiljeva was born in Kursk, western Russia and studied mycology at Leningrad State



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Thicket of Diversity Remembers Dr. Larissa N. Vassiljeva

University between 1967 and 1972 she. In Soviet times students were placed on a job after graduation and they could choose where they would like their future job. Larissa chose the Russian Far East because this region was especially interesting for mycological investigation. Since August 1972 she worked at Institute of Biology and Soil Science in Vladivostok, Siberia, as a scientific researcher and since 2002 she was regarded as a principal researcher.

For about ten years she studied fungi in the Magadan Region, Kamchatka and Chukotka. The results of these investigation were published in her first book Pyrenomycetes and loculoascomycetes of the North of Russian Far-East in 1987. For this work, she received the "Doktor nauk", Doctor of Sciences, in 1992.

Vassiljeva was an officer in the International Mycological Association Committee for Asia, 1995-2002, a member of the Mycological Society of Japan since 1995, a member of the Mycological Society of America since 1997, and a member of the Russian Academy of Sciences.

Pyrenomycetous fungi play an important role in decomposition as they facilitate the return of nutrients to the soil. Larissa, the mycologist, identified many interesting and unusual micro fungal specimens that she willingly shared with others while theorizing her unconventional ideas about relationships among these fungi. Research conducted by experts such as Dr. Vassiljeva contributes to knowledge of diversity within this species and is appreciated and valued. She will be greatly missed.

Contributors: Amy Rossman, Alexey Chernyshev, Steven Stephenson, Dale Kruse, Mary Catherine Johnston, Mona Halvorsen, David Lewis, and Jason Ginder



Photo: Fungi researchers (left to right) Melinda Barnes, Texas Master Naturalists; John Glen Soileau and Kevin Barnes, Gulf States Mycological Society; Katherine Winsett, North Carolina State University; Dale A. Kruse, S.M. Tracy Herbarium, Texas A&M University; Pauline Singleton, Watson Rare Native Plant Preserve; Larissa Vassiljeva, Far East Branch of Russian Academy of Science; and David Lewis- Gulf States Mycological Society, 2009.

New Species' Discovered in Big Thicket region by Larissa Vasilyeva, PhD; Far East Branch of the Russian Academy of Sciences through the Thicket of Diversity:

- Camillea texensis J.D. Rogers & Lar.N. Vassiljeva, Sydowia 60 (2): 280 (2008)
- Diatrype caryae Lar.N. Vassiljeva & S.L. Stephenson, Mycotaxon 107: 309 (2009)
- Diatrype ilicina Lar.N. Vassiljeva & S.L. Stephenson, Mycotaxon 107: 311 (2009)
- Hypoxylon confertisilvae Lar.N. Vassiljeva & S.L. Stephenson, Mycotaxon 129 (1): 90 (2014)
- Hypoxylon ilicinum Lar.N. Vassiljeva & S.L. Stephenson, Mycotaxon 129 (1): 92 (2014)
- Hypoxylon meridionale Lar.N. Vassiljeva & S.L. Stephenson, Mycotaxon 129 (1): 92 (2014)
- Hypoxylon minicroceum Lar.N. Vassiljeva & S.L. Stephenson, Mycotaxon 129 (1): 93 (2014)
- Hypoxylon rolingii Lar.N. Vassiljeva & S.L. Stephenson, Mycotaxon 129 (1): 94 (2014)
- Hypoxylon rosieri J.D. Rogers & Lar.N. Vassiljeva (Rogers et al., 2008; Vasilyeva & Stephenson, 2009). - Named after Lance Rosier
- Neochaetosphaerella Lar.N. Vassiljeva, S.L. Stephenson & A.V. Chernyshev, Fungal Diversity 52 (1): 192 (2011) New Genus
- Neochaetosphaerella thaxteriospora Lar.N. Vassiljeva, S.L. Stephenson & A.V. Chernyshev, Fungal Diversity 52 (1): 192 (2011)
- Tympanopsis texensis Lar.N. Vassiljeva, S.L. Stephenson & A.V. Chernyshev, Fungal Diversity 52 (1): 191-196 (2011)

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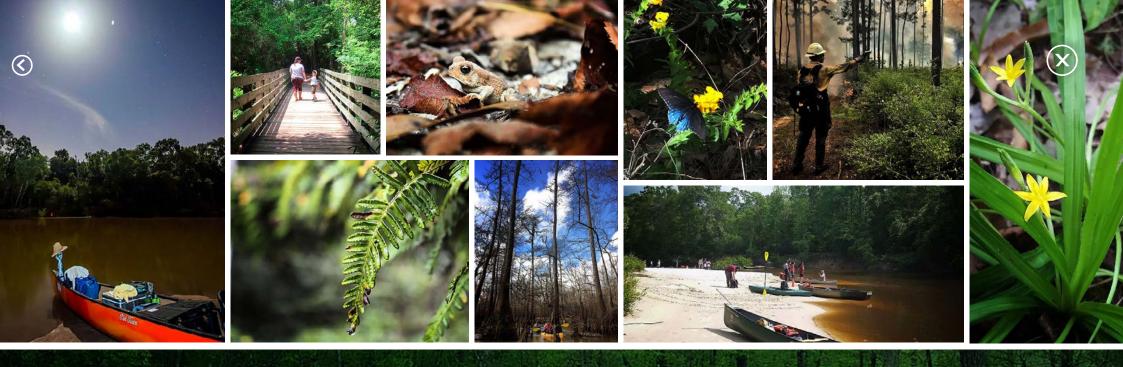
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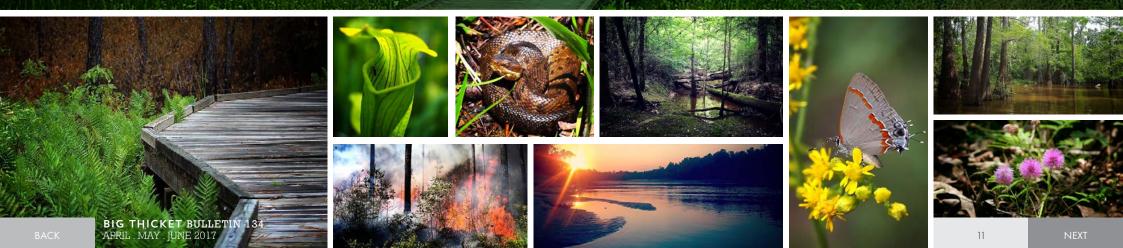
#### **BIG THICKET** NATURAL HERITAGE TRUST NEWS By Ellen Buchanan, Director

The Baby Galvez sign for the Village Creek Paddling Trail was put up by the Silsbee Girl Scout Troop 131011 on April 22 in celebration of Earth Day 2017. Troop members paused their clean up to get a group picture at the launch site.



# **BIG THICKET ASSOCIATION** *Partner in Preservation*

**#BIGTHICKET** 





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\$19.95 Million Penalty

Creates \$15.9 Million



**Big Thicket Association** 700 North Street, Suite 79 Beaumont, Texas 77701

## **BIG THICKET** BULLETIN

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Gulf States Mycological Society

National Audubon Society

National Parks Conservation Association

Native Plant Society of Texas

Nature Conservancy

**Outdoor Nature Club, Houston** 

Sierra Club Golden Triangle Group

**Texas Conservation Alliance** 

Village Creek State Park



The purposes for which the Big Thicket Association is organized are

- » To work for the preservation of the flora, fauna and historical culture of the **Big Thicket area**
- » To promote the conservation of natural resources and natural history of the Big Thicket area, and education for same
- » To maintain and perpetuate, so far as possible, the many species of trees, plants and animals found in the Big Thicket area, and to do whatever else may be done to preserve for posterity the abundance of flora and fauna and natural beauty with which this area has been endowed
- » To promote and to fund research contributing to knowledge of the Big Thicket area
- » To publish or support publication of cultural and scientific Big Thicket literature
- » To promote the welfare of the Big Thicket National Preserve

For more information about the Big Thicket Association and upcoming events, please click here to visit us online.

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