

The **BARRED OWL**

Newsletter of the Baton Rouge Audubon Society

Volume XXXII, Number 3

May / June 2005

Conservation Report by Cathy Coates

THE BALD CYPRESS IS THE LOUISIANA STATE TREE

Senator David Vitter (R-LA) has recently added a provision to the Water Resources Development Act of 2005 (WRDA2005) which would remove Corps of Engineers oversight in areas where there is no threat to maritime safety. This would include large areas where the timber industry is now clear-cutting cypress forests to meet demand for cypress mulch.

It is difficult to imagine why this provision would be added to a bill in which Louisiana coastal restoration is receiving such high priority. The bill calls for the development of "a plan for protecting, preserving and restoring the coastal Louisiana ecosystem". Specifically required is a long-term program covering "wetlands, estuaries, barrier islands, (including the Barataria-Terrebonne estuary), shorelines and related land and features of the coastal Louisiana ecosystem, including protection of a critical resource, habitat, or infrastructure from the effects of a coastal storm, a hurricane, erosion, or subsidence." Under the Act, a high level task force will be established to make recommendations concerning all programs and projects related to Louisiana coastal restoration and protection. It would appear to be a comprehensive plan from the federal government to address the problems of coastal erosion in Louisiana.

Over one million acres of coastal forested wetland occur in Louisiana. Their rapid degeneration and loss led Governor Kathleen Blanco to request the formation of the Coastal Wetland Forest Conservation and Use Science Working Group (SWG) to provide information and guidelines for a long-term plan to manage this resource. Its final report was made public on April 30, 2005. (<http://www.coastalforestswg.lsu.edu/>)

The report discusses the reasons for the decline and made several important conclusions about the continued viability of Louisiana's
See "Conservation Report" on page 2

Calendar

Unless otherwise noted, call Harriett Pooler (225.291.0077) for information.

Saturday, May 28, 2005: Whiskey Bay road trip to search for nesting spring migrants (registration deadline is Thursday, May 26).

Saturday, June 4, 2005: Asphodel Plantation (St. Francisville home of Lepidopterist Michael Israel, PhD).

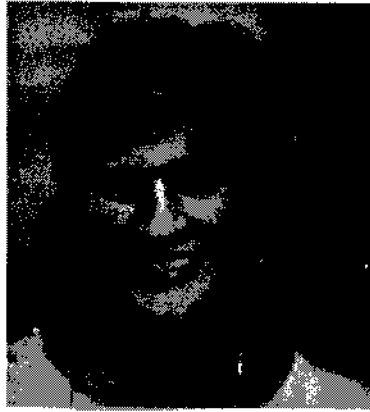
July 23 & 24, 2005: "Wood Stork Week" at Sherburne WMA South Farm complex. Jointly sponsored by the U.S. Army Corps of Engineers (337.585.0853) and Louisiana Department of Wildlife and Fisheries (337.948.0255).

July 29 & 30, 2005: Feliciana Hummingbird Celebration (St. Francisville). Contact the Feliciana Nature Society at 225.721.0476.



FIELD TRIPS by Harriett Pooler

All fieldtrips meet at Coffee Call (1-10 and College Drive) unless otherwise stated. All trips are open to the public and there is no fee. Unless otherwise noted, contact Harriett Pooler (hapooler@bellsouth.net or 225.291.0077) to preregister.



Saturday, May 28, 2005: Whiskey Bay road trip. Meet Harriett at 6:30 am at Coffee Call to drive to the Atchafalaya Basin in search of nesting spring migrants. We

might see Prothonotary, Kentucky, Hooded, and Blue-winged warblers as well as Painted Buntings, Chats and possibly Swallow-tail kites. Bring bug spray, though there will be quite a bit of car birding. We should finish up early afternoon and stop at a restaurant on the way home. Preregistration deadline is Thursday, May 26th.

Saturday, June 4th, trip to Asphodel Plantation. Meet Harriett at Coffee Call at 7 am to head to St. Francisville to the home of Lepidopterist Michael Israel, Ph.D. We will bird for a couple hours along the paths of his property. Around 10 am, when the temperature starts to rise and butterflies become active, Michael will give us a tour of his butterfly garden, identify butterflies and show his extensive butterfly collection. Bring a bag lunch to eat on the grounds. Preregistration deadline is Thursday, June 2nd.

NO FIELD TRIPS ARE SCHEDULED FOR JULY OR AUGUST

"Conservation Report" continued from page 1

cypress swamps. In a nutshell, levees and canals have reduced freshwater and sediment in coastal wetlands causing salt water to rise and land to subside. As this process continues, coastal forests will experience longer and deeper floods. Baldcypress seeds cannot germinate in standing water and seedlings must grow tall enough during relatively dry periods to reach above the water's surface and survive during the growing season. Tall, mature trees may continue to thrive, but when favorable conditions for regeneration do not immediately precede or follow a harvest, the forests will die. "Without appropriate human intervention to alleviate the factors causing degradation, most of coastal Louisiana will inevitably experience the loss of coastal wetland forest functions and ecosystem services through conversion to open water, marsh, or other land uses." "Even baldcypress and water tupelo, two of the dominant species in Louisiana's coastal forests, slowly die when exposed to prolonged, deep flooding of longer than normal duration and regeneration of new trees cannot occur under flooded conditions. Together, these impacts are so substantial that total loss of wetland forests is nearly assured in most of coastal Louisiana without active measures to ameliorate problems."

Indeed, according to the Atchafalaya Basinkeeper, most of the swamps south of New Orleans and the Lake Pontchartrain and Terrebonne-Barataria Basins do not drain any more because of land subsidence. Vast tracks of cypress trees here are not reproducing. If these trees are harvested, the areas will become open water, the roots will decay, and land will subside even faster. The trees are actually holding together what land is left.

Put simply, current commercial clear-cutting practices will and are taking away a nonrenewable resource, the beautiful cypress which help to protect our coast and which Louisiana proudly calls its state tree.

Baldcypress was common when the first settlers arrived in Louisiana. Doug Daigle of the Mississippi River Basin Alliance referred to the Louisiana Cypress Legacy Project which in 2003 "identified a surprising number of trees across See "Conservation Report" on page 3

Thanks and Farewell to Chris and Al Heath, Peveto Woods Caretakers

Al and Chris have been both our neighbors and sanctuary caretakers for the past several years at Peveto Woods. They decided to give up the coastal life for other pursuits and within the bat of an eye, sold their house.

The new owners are Barry and Lisa Hunt who are interested in taking over where Al leaves off as our caretaker. We hope that works out as we dearly need a presence at Peveto and as many friends as possible in the Little Florida neighborhood.

BRAS board members have spent many nights as guests in Al and Chris' bunkhouse and we appreciate their kindness and generosity. It just won't be the same down there without them. We'll miss them but wish them well in their new adventures.

Au revoir good friends.

the state that were alive at the time of the Louisiana Purchase. Many of them are hundreds of years old. The age of the oldest exceeds 1000 years. There are no legal restrictions on cutting trees of any age on private land in Louisiana, so the prospect that some of these trees could be mulched is very real."

Today, as then, the most important functions of the forests in addition to timber production are flood storage and wildlife habitat. The trees and land and water support up to six threatened and endangered wildlife and fish species as well as playing host to millions of landbirds twice a year during migration seasons. "Virtually all of the eastern landbird species in the United States and numerous species from the eastern United States migrate through the coastal forests of Louisiana. ... These forests are the last, or first, vestiges of land for many species prior to, or after, crossing the Gulf of Mexico, respectively. Thus, these sites provide important food and cover resources for songbirds that are either preparing for the trans-Gulf flight or that are recovering from the flight." There are over one hundred nests of the endangered bald eagle, as well as important habitat for a variety of mammals including the threatened Louisiana black bear.

Governor Blanco's report divides forests into SWG Classes I, II, and III based on their level of threat, from lowest to highest. Fourteen final recommendations are provided to help preserve the cypress. Specifically included are the following: "#4 Delay timber harvesting on Condition Class III lands because these lands will not regenerate to forests. The goal is to allow time for hydrologic restoration and improvement of stand conditions to Class I or Class II lands. Place an interim moratorium on harvesting on state-owned Condition Class III lands. Develop mechanisms to delay timber harvesting on privately owned Condition Class III lands." "#5 Before harvesting SWG Condition Class I and II sites, a written forest management plan with specific plans for regeneration must be reviewed by a state-approved entity so appropriate practices can be suggested based on local site conditions. The intent is to ensure that cypress-tupelo regeneration and long-term establishment take place and that species or wetland type conversion does not occur." In other words, this high level scientific group recommends that logging within coastal cypress forests, public and private, be more regulated, not less.

Senator Vitter's provision applies to Section 10 of the River and Harbors Act of 1899. Currently, the Act "prohibits the unauthorized obstruction or alteration of any navigable water of the United States, unless a Department of the Army permit has been issued by the U.S. Army Corps of Engineers." A permit is required for "the excavation of material from navigable waters, the deposition of material into navigable waters, or any other work that affects the course, location, condition, or capacity of navigable waters." The Governor's report provides the exact jurisdiction covered under the term "navigable waters" and it is extensive, including precisely the coastal forests where clear-cutting occurs. The report also specifies that there are no exemptions under this Act for any regulated work within U.S. navigable waters.

However, Senator Vitter is now proposing an exemption which would ease access to these waters for commercial harvesting of cypress forests. He has added the following: "Nothing in this section shall be construed as to provide for the regulation of activities or structures on private property unless the Secretary, in consultation with the Secretary of the department in which the Coast Guard is operating, determines that such activity would pose a threat to the safe transit of maritime traffic". Under this provision, clear-cutting would become less regulated and more accessible on any private property where activities do not pose a safety threat to navigation.

James Gorman, writing in the New York Times about the discovery of the Ivory-billed Woodpecker, observed the following. "It wasn't luck. And it wasn't simply the resilience of nature, although that helped. The reason for the astonishing reemergence of a mysterious bird is as mundane as can be. It is habitat preservation, achieved by hard, tedious work, like lobbying, legislating and fund-raising. ... Think about where the bird was found, in a national wildlife refuge, and in an area, the Big Woods of Arkansas, that conservation organizations and government agencies had targeted as crucial for preservation. Just south of the Cache River refuge is the White River National Wildlife Refuge. State refuges are nearby. And the Nature Conservancy has been buying up land in that area."

There is a lesson in his words. The baldcypress trees of Louisiana are worth saving for our own human well-being as well as that of the other species which live within them. Politics often demand compromise and necessarily so. The WRDA2005, without this provision, is a good one. Vitter worked hard to secure within it \$1.9 billion for Louisiana's coastal restoration efforts. However, his most recent addition is not a compromise the country should be willing to make. We should fight the good fight that was won in Arkansas.



Photographed by David J. Moorhead

Whooooo Will Help?

By Claire R. Coco, Director of BREC's Bluebonnet Swamp Nature Center.



The American Red Cross. The American Cancer Society. Even the church down the street. People who want to make a difference donate money to causes that they truly believe in. But how often do we have the opportunity to see the direct results of our generosity? How often can we look someone (or something) in the eye and know that the spark there is there because we helped? Well, here's that opportunity...

BREC's Bluebonnet Swamp has begun the process of adopting 2 owls from a wildlife rehabilitation facility located northeast of Tulsa, OK. Due to their injuries, both owls have been declared "non-releasable" and were facing euthanasia if permanent homes were not found. Now, they have a place to live out the rest of their days in safety and health, together. As educational animals at the nature center, they will help spread the message about conservation of habitats and the critical role wildlife rehabilitators play in assisting injured animals. Naturally, their wild spirits will help visitors appreciate the beauty of these birds while viewing them at close range.

HOW CAN YOU HELP?



- \$3000 is needed to purchase materials for the indoor enclosure. Donations may be made to: BREC Foundation (earmarked for Bluebonnet Swamp OWLS), P.O. Box 66298, Baton Rouge, LA 70896.
- Expertise and helping hands will be needed for enclosure construction. Please call the nature center at 757-8905 if you are able to assist in any way. We'll contact you with upcoming work dates and other important info.
- The annual cost just to feed these owls will exceed \$1000. Other considerations are regular veterinary check-ups, special equipment for special needs birds, and enclosure maintenance. Continuing support is critical for the well-being of the owls.



The Baton Rouge Audubon Society's board has agreed to donate the cost of airfare to move the owls from Tulsa, OK to Baton Rouge. I am extremely grateful for the support and encouragement received from BRAS in this endeavor, and I look forward to working with its dedicated members. Thank you!

Baton Rouge Audubon Society presented with Award of Commendation

On April 20th, 2005 the Louisiana Garden Club Federation presented a plaque and certificate of Award to Baton Rouge Audubon Society for their outstanding work in conservation at the Peveto Woods Sanctuary. Victoria Bayless and Chris Carlton accepted the award on behalf of the Society during a luncheon at the Hilton in New Orleans. Baton Rouge Garden Club along with Eleanor Talley nominated BRAS for this award and we are honored and grateful to be recognized for our efforts.

Hollister Woods Update by Dorothy Prowell

Some of you may be wondering what happened to the project you supported in our last fund-raiser. Progress has been a little slow but we expect to have a new birding spot on the map this summer. In collaboration with the Louisiana Field Office of the Nature Conservancy (LNC) and the Fish and Wildlife Foundation, we purchased a conservation easement for 53 acres from the Hollister Family. We control almost all of the surface rights to the property forever and the property will be open for birding for several months during migration in the fall and spring. Access at other times will be possible by request. These details will be made clear on a large sign at the property currently being designed. A gate and trail system are in the planning stages too. Some of the BRAS board visited the site in February and were pleased to see weeds mowed and many newly planted hackberry, live oak, and honey locust trees in the open areas, the work of LNCs land stewards. In case you want to see the site, Hollister Woods is located a few miles west of Rockefeller Wildlife Refuge on the north side of Hwy 82, just east of the public trash collection dumpster. We'll let you know when the sign goes up and the preserve is formally open.

Converting Louisiana's Cypress Forests to Garden Mulch

by Doug Daigle

Many gardeners and homeowners who have purchased cypress mulch may be surprised to learn that much of the mulch on the market is made from whole trees. They may be more surprised to know that entire cypress forests across the south are being logged to produce garden mulch. After extensive cutting of cypress forests in Florida to feed the mulch market, operators are now moving into Louisiana to continue the same process.

Concerns about the impacts on Louisiana's coastal forests, already impacted by sea-level rise, altered hydrology, and the decline of the Mississippi River delta, led federal agencies (primarily the Corps of Engineers and the EPA) to begin to look closely at logging activities a couple of years ago. Their jurisdiction to exert some control over logging of swamps in some areas came from the Clean Water Act (Section 404) and the Rivers and Harbors Act (Section 10), both of which have subsequently come under attack in Congress.

Timber operations in wetlands have generally been exempt under Section 404, under that the assumption that the ability of the forests to regenerate meant that such activities did not bring about a permanent conversion of swamps and other wetlands to other uses. If coastal forests in Louisiana are unable to regenerate due to the conditions listed above, then logging them could not be considered "normal silvicultural activity" and the exemption under 404 would not be justified.

Governor Blanco appointed a Science Working Group in 2004, composed of prominent researchers in the wetlands field from Louisiana universities and out of state institutions. With a limited

budget, staff, and timeline, they were able to survey 18 sites across the southern part of the state, and to gather information more broadly about other areas. Their central conclusions are that coastal forests are already disappearing in the state, and that many are unable to regenerate naturally, or in some cases even through reforestation efforts.

The report also identified serious knowledge gaps about the actual state of forested wetlands in Louisiana, as well as a lack of information about what's actually happening out on the landscape. These conclusions indicate a need for careful

development of policies for management and protection of coastal forests in the state, which play a critical role in stabilizing the coast. The report can be seen at www.coastalforestswwg.lsu.edu.

Logging for mulch is proceeding at a growing number of sites, however, and there are serious doubts about the state's ability to effectively monitor or control these operations. There is a potential for hundreds of thousands of cypress swamps to be cut for mulch. The ability of these areas to regenerate as cypress swamps will depend on conditions at each site. While coastal forests are especially vulnerable to



Photographed by Paul Bolstad



Photographed by Charles T. Bryson

See "Cypress Forests" on page 7

Sanctuary Reports by Victoria Bayless



Peveto Woods: The Louisiana Ornithological Society (LOS) held their 2005 Spring meeting in Cameron Parish on April 22nd -24th (Visit www.losbird.org if you are interested in joining their organization). It is during this big event that many birders visit our Peveto Woods Sanctuary. The timing is often perfect for seeing many migrants as was the case this year. The meeting was great and the birding was great too. I have not tallied all the species seen in the Sanctuary but 206 species (I hope I remembered the number right) were seen during Saturday throughout the parish. I know that I personally saw 19 species

of warblers while in Peveto Woods. It was a beautiful day and the northwest wind kept the birds in the trees and everyone had great looks at many different birds. At one time I had three Blackburnian Warblers together in my binocular sights in a big Honey Locust tree. The sun was shining on their brilliant tangerine feathers and I was awestruck at their beauty. I could write a whole page on the wonders of bird watching during spring migration but I will keep this report short. I will say that I hope each and every one of you reading this will someday visit our Sanctuary during April or May and witness for yourself these remarkable long distance migratory birds as they land in the chenier, pick caterpillars from the trees, and drink from our small (if somewhat overgrown) pond. I know many of you have done just that and it is fun to say hello as we all stand around the pond waiting for the flash of blue of a returning male Cerulean Warbler.

Peveto House: I am happy to report that the fund-raising efforts for our new Peveto House are moving right along. I know you all received this request and many of you have generously donated (see list below). My sincere gratitude to you all. There is another large fund raising activity going on right now with Orleans Audubon and a property purchase in Grand Isle. It is exciting times for bird conservation right now, and we wish them well in their efforts too. We have already had a request for lodging by a researcher working on Piping Plovers on the coast. He spent several days at the house beginning Friday, May 6. We don't have a refrigerator or much of anything else down their yet, but he was grateful to have a place to stay. I am so glad we can offer this to the ornithological research community. So things are moving along and I will be writing a nice check towards repaying our loan this week! Thanks everyone. Victoria

PEVETO HOUSE DONATIONS RECEIVED AS OF MAY 6, 2005

Donations of \$1000

Chris Carlton Baton Rouge LA

Donations of \$500

Gomez Family Lake Charles LA

Jimmie Gynn Baton Rouge LA

Legiscon, Inc. Baton Rouge LA

Donations of \$200 to \$250

Peter Monroe New Orleans LA

Julian & Doris Darden Baton Rouge LA

Donations greater than \$50, up to \$100

Johnny Armstrong Ruston LA

Ron & Victoria Bayless Baton Rouge LA

Michael J. Caire West Monroe LA

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Ken Sztraky Silsbee TX

See "Peveto House Donations" on page 7

"Cypress Forests" continued from page 5

conversion to marsh, scrub, or open water, even cypress swamps in the central and northern part of the state can fail to recover from clearcutting if not managed properly.

On the market side, there is no system of certification that can guarantee consumers that cypress mulch was harvested sustainably, or that it doesn't contain ancient trees from relic forests. The Louisiana Cypress Legacy Project, initiated by Sierra Club member Harvey Stern in 2003, identified a surprising number of trees across the state that were alive at the time of the Louisiana Purchase. Many of them are hundreds of years old. The age of the oldest exceeds 1000 years. There are no legal restrictions on cutting trees of any age on private land in Louisiana, so the prospect that some of these trees could be mulched is very real. Rick Bryan, a member of the Louisiana Audubon Council, has already documented the cutting of old growth cypress in the central part of the state.

Given this situation, a growing number of environmental organizations are advising consumers to avoid cypress mulch. A number of ready alternatives are available, and actually work better in the view of many landscapers. The use of pine straw mulch not only supports a local industry of "mom and pop" businesses, but also carries a far lighter environmental price tag. At a time when Louisiana is trying to convince the nation that saving our coast should be a high priority, avoiding cypress mulch seems to only make sense.

Cameron Parish Real Estate

We were fortunate enough to have Kathy Ware, Realtor, to help us with our purchase of the Suire property. It was at times complicated and challenging. She did a wonderful job of working both with the Suires and with us. Thanks, Kathy, we really appreciate your help.

If anyone is looking for property in Cameron Parish near our beautiful Peveto Woods Sanctuary, Kathy would be glad to help you too.

Kathy Ware, Realtor (with Coldwell Banker Legacy)
 Waterfront/Vacation/Recreational Property Specialist
 3709 Maplewood Drive
 Sulphur, LA 70663
 337.884.1588 (cell) / 337.625.3150 (office)
 kware@camtel.net (email)

Properties currently for sale:

- 166 Gulf View Drive, Little Florida Beach (\$110,000)
- 505 Tarpon, Holly Beach (\$54,900)
- Pelican Street, Holly Beach [8 Cajun Rentals right on the beach (\$268,000)]



"Peveto House Donations" continued from page 6



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|--------------------------|--------------|----|
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Changes of address and other official correspondence should be sent to the mailing address shown above.