

Mississippi River Basin Alliance
P.O. Box 4268
New Orleans, La. 70178

February 28, 2005

Dr. Len Bahr
Chair, Advisory Panel
Governor's Coastal Wetland Forest Conservation and Use
Science Working Group

Dear Dr. Bahr,

I am submitting the following comments on the draft report of the Coastal Forest Science Working Group on behalf of the Mississippi River Basin Alliance (MRBA). We appreciate the opportunity to participate on the Advisory Panel for the Science Working Group (SWG), and to contribute to the state's efforts to address the important issue of the sustainability of its coastal forested wetlands.

The SWG draft report sets the context of those efforts on page one by making the crucial point that "renewed interest in the forested wetland resource, especially baldcypress, by the forest industry and private loggers, now target[s] the second-growth cypress in areas logged 80-100 years ago where natural regeneration was able to establish new forests, [raising] questions about environmental issues and the ability of some of these forests to regenerate."

A more explicit description of the present situation would specify that this renewed interest is being fueled by a (currently) growing market for cypress garden mulch. This market has resulted in extensive cutting of cypress forests in Florida, which may be the situation most analogous to that faced by Louisiana. However, as the draft report makes clear, there are aspects of Louisiana's situation that are somewhat unique. Those unique aspects form the other critical aspect of the present situation, which is that coastal forested wetland systems are disappearing (p.1).

The key points from the SWG draft report would seem to be the following:

1) There is a significant knowledge gap about the following areas –

Rates of loss of coastal forested wetlands based on aerial photographs and satellite imagery (p.17);
Optimum silvicultural practices for the "wetter portion of the forested wetlands continuum (e.g., swamp sites)," (p.24);
Natural regeneration in cypress-tupelo forests after "operational harvest activities" (p.40);

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The present state of bald cypress ecosystems at the scale of the entire Louisiana coastal region (p.47);
Precise data on how many pre-1998 FIA plots will remain part of subsequent surveys (p.52);
Sample sizes adequate for “robust estimation of any summary data of baldcypress forests at the parish level or by geographical extent” (p.53).

2) Serious limitations were identified in the use of Forest Inventory Analysis (FIA) to give a complete picture of the status of cypress-tupelo forests in Louisiana –

It is difficult to use FIA reports to estimate historical changes in bald cypress swamp before 1974 (plot data older than 1974 were destroyed by “routine purging of government documents”) (p.52);
The sampled portion of land area in FIA data is “quite small” (p.52);
The FIA data are not well suited for making precise statements about geographical differences in the status of bald cypress forests within the coastal region because sample sizes are too low (p.56);
Aggregated FIA data are insufficient to understand spatial variability in bald cypress forest resources across the region, are too sparse and insufficient to determine whether bald cypress are declining, stable, expanding, or growing at the local scale (p.56);
The same limitations on the data prevent determination of whether the environmental stressors preventing growth are widespread or local (p.56).

3) There is substantial evidence that many of the coastal forested wetlands in the state will not regenerate if cut –

Many forested wetlands are already impacted by impoundments and other hydrological alterations, and subject to being taken over by other species during dry periods (p.15);
Hydrological patterns in Louisiana swamps have been altered tremendously, and are being impacted by sea-level rise and subsidence (p.31);
In many areas, higher water levels and continuous flooding are preventing bald cypress and tupelo seeds from germinating and growing (p.34);
The lack of seedlings and poor coppice regeneration for bald cypress and tupelo across the sites examined is evidence that successional processes will probably move away from those species, and harvesting of those species without “specific provisions for [their] regeneration will likely accelerate this species conversion” (p.45);
Natural regeneration of bald cypress following logging operations in south Louisiana swamps in the 1980s was poor to non-existent, mainly because the swamps remained flooded for much of the year (p.21);

Some investigators have observed poor vigor and high mortality rates of stump sprouts, decreasing the reliability of this form of regeneration for cypress-tupelo on some sites (p.23);
“Most evidence suggests [that] most sprouts die within a few years...” (p.24).

These findings convey the seriousness of the situation facing Louisiana’s coastal forested wetlands, and the need for the state to develop a prompt response to protect this valuable resource. The justification for a policy response that is comprehensive and effective is reinforced by the many values of these natural systems which the report delineates:

The high denitrification capability of natural forested wetlands (p.5);
The role of Louisiana’s coastal forests as habitat for threatened and endangered fish and wildlife species (p.7);
The importance of these forests a major migration corridor for North American landbirds (p.7);
Their vital role as habitat for waterfowl and wading birds (p.9);
Their economic value for freshwater fisheries, wildlife, and the state’s crawfish industry (p.12-13);
Their importance as a component of climate change and efforts to respond to that process, due to their role as carbon sinks (p.14).

The importance of these forests as an economic resource is also pointed out by the report.¹ The question has been raised in public meetings on this issue of whether the utilization of these forests for garden mulch could credibly be said to be their highest and best use. At a more fundamental level, the policy decisions facing the state will have to deal with the fact that the situation described by the report makes it clear that logging operations in many of Louisiana’s coastal forested wetlands would not qualify as “normal silvicultural operations” because of the likelihood that the cypress-tupelo stands would not grow back. Even where a program of managed reforestation practices might return cypress (and in some cases tupelo) to an area, there are no provisions in state law to force such efforts to be implemented, and the state currently lacks the administrative capacity to effectively monitor them while underway.

While some logging operations in the Manchac Swamp area have been put on hold by cease and desist orders from the Corps of Engineers, logging of forested wetlands are occurring in other areas, such as the wetlands around Lake Salvador, and indications are that more widespread operations are being planned by interests from both inside and outside the state. The state’s ability to control these activities under current laws is extremely limited.

¹ In the interests of consistency and information, the figure given for estimated economic value of cypress-tupelo timber in Louisiana – “based on current stumpage volumes and rates” (p.13) - should have some reference or the means of calculation included.

A further consideration not touched upon by the draft report is that forested wetlands in other parts of the state, while perhaps not subject to the same hydrological and landscape change processes that are threatening coastal forests, are still endangered by a widespread increase in harvests. In many areas, clearings of any kind, in both dry and wet areas, are subject to being taken over by invasive species such as the Chinese tallow tree and other scrub species. While subsequent management techniques might prevent this kind of species transition, the ability of the state to monitor and enforce such practices is currently lacking.

It should be added as well that forested wetlands across the state face increasing impacts from urban development pressures, which can proceed in tandem with timber harvest activities.

Our suggestions for elements of the state's policy response are as follows:

An immediate moratorium on logging of forested wetlands on state lands, and a request for a similar measure on federal lands in the state if necessary;

An emergency plan to address current and pending harvests of coastal forested wetlands on private lands, which could consist of the following elements –

Immediate funding from available state funds for purchase of title and easements, with increased funding sought in the upcoming legislative session;

An identification of coastal forested wetlands that the state wishes to purchase as Public resource, such as the Manchac Swamp, parts of which are referred to in the draft SWG report as a 'relic swamp' – this could involve increased funding for the state's Natural Heritage Program to coordinate or participate in an inventory of these areas;

Request USDA/Natural Resources Conservation Service to give a heightened focus to forested wetlands in their state conservation plan for implementation of Farm Bill programs such as WRP, CRP, and EQIP;

Request private organizations that purchase and accept donations of land, such as the Nature Conservancy and the Trust for Public Land, to increase their activity focused on coastal forested wetlands;

Creation of a special category of CWPPRA programs that deal with the purchase of title and easements of coastal forested wetlands, with inclusion of similar efforts as part of coastal funding programs;

Instruct the Departments of Environmental Quality and Natural Resources to include considerations of coastal forested wetland protection in their decisions on permits to develop such areas.

The state has several vehicles at hand for undertaking these or similar measures. The Louisiana Purchase Commemorative Act was passed by the legislature, but has not been funded. That should be a priority in the upcoming legislative session. That Act, as well as the Louisiana Natural Heritage Program, allows for donation of lands, and the state should make provisions for those programs and any similar ones under the state lands office or the State Parks Program to accept donations of forested wetlands. Expanded tax incentives for corporate and individual landowners should be developed if current provisions are not sufficient. Louisiana should also seriously investigate the initiatives undertaken by other states such as North Carolina to protect their remaining forested wetlands.

These suggestions are obviously not exhaustive, and we look forward to considering additional suggestions from interested stakeholders, researchers, and agencies. We are firm in our conviction that Louisiana needs to act quickly to deal with this issue before it seriously impacts the state's credibility in our efforts at comprehensive coastal restoration, in addition to causing the loss of an irreplaceable natural resource.

Sincerely,

Doug Daigle
Lower River Program Director
Mississippi River Basin Alliance