



VISIT Our New Website  
Business First [www.b1bank.com](http://www.b1bank.com)

Member FDIC



EXCLUSIVE  
BR.com Offer  
START MY FREE TRIAL  
Enter Code: BRWEB

GREATER BATON ROUGE  
Business Report.com

Make Us Your Homepage | Log In / Register | Advertising | About Us | Contact Us

Friday, August 31, 2012



Print Edition

Columnists

Multimedia

E-Newsletters

Nominations

Events

Circulation

Interact

Our Publications

LBI

## Logging off

By David Jacobs

Published Sep 10, 2007 at 6:00 am (Updated Sep 1, 2011)



As a swamp tour guide and professional environmental activist, Dean Wilson spends a lot of time observing Louisiana's iconic coastal forests and bayous up close.

On a recent hot, muggy August morning, he was staring down at wetland forests in Ascension and Livingston parishes near Lake Maurepas from more than 800 feet in the air, looking for illegal logging of cypress trees.

"If you see a clear cut on a bayou, let me know," Wilson says to Dan Luke, who is piloting the Cessna Skylane while Wilson takes digital photos from the passenger side. Wilson spots what looks like an instance of "mat logging," a process by which trees are felled to make a path for machinery that cuts down trees on either side of the path, after which the mat logs are typically removed. Mat logging has recently come under scrutiny from the Environmental Protection Agency and the U.S. Army Corps of Engineers, although the logging industry defends the practice.

"That's a violation. We got them here," says Wilson, as Luke lowers the plane in concentric circles to get a better look.

Wilson gave the coordinates to the Corps, and he says the Corps is interested in the site but has not yet determined its owner.

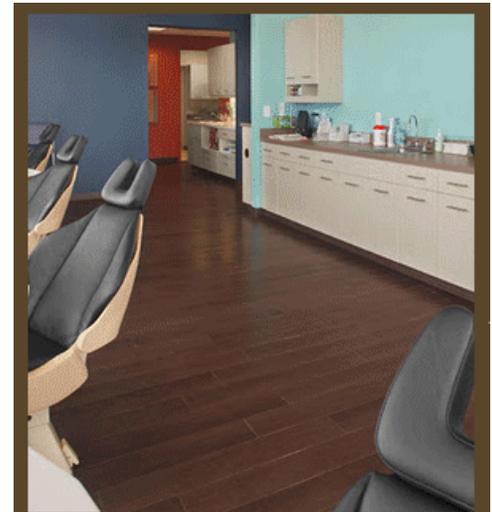
Still, there didn't seem to be much cypress logging going on, legal or not, which Wilson attributes to ongoing efforts to discourage the sale of cypress mulch commonly used by gardeners. Luke flies over a mill near Darrow that produces Happi-Gro and Scotchman's Choice cypress mulch but no lumber, Wilson says. He's encouraged when he can't spot any new trees or fresh piles of mulch at the site. Perhaps doubts about the future market for cypress mulch are discouraging logging.



### Related Stories

[Fall fashion essentials](#)[Simply shrimp](#)[Tailgating trends](#)[McPrice Myers Les Galets Syrah](#)[Smoked Louisiana Seafood Salad](#)

Wal-Mart recently announced that it will no longer buy mulch from Louisiana starting Jan. 1, and activists like the Save Our Cypress Coalition are pressing other retailers to follow suit. Lowe's has declared a moratorium on buying mulch harvested



Halpin's  
FlooringAmerica.

The choice of business  
professionals who care  
about quality & service.

[www.halpins.com](http://www.halpins.com)

Most Read

Most Commented

Editor's Picks

- 08/27/2012  
[UPDATES ON CLOSURES DUE TO HURRICANE ISAAC](#)
- 08/30/2012  
[NEWS ALERT: EBR PUBLIC SCHOOLS TO REMAIN CLOSED UNTIL TUESDAY](#)
- 08/29/2012  
[EBR SCHOOLS TO REMAIN CLOSED THURSDAY](#)
- 08/30/2012  
[AT&T BRINGING GENERATORS TO RESTORE SERVICE; UTILITIES CONTINUE WORKING OUTAGES](#)



**Special offers from  
great chefs  
and restaurants!  
Register now! It's FREE!**

south of the interstates 10/12 corridor, but Save Our Cypress says a statewide ban would be easier to enforce, claiming suppliers have lied about their sources in the past.

Louisiana's state tree is valued for its beautiful wood, but also for its ecological importance and resistance to hurricanes. The Louisiana Forestry Association, which represents the \$5 billion Louisiana timber industry, says only 2% of the

trees harvested in the state are cypress, and claims usage data collected by the state shows less than 20% of that 2% goes into mulch. The LFA, citing the U.S. Forest Service, says 400,000 new cypress trees are generated each year in Louisiana, and says cypress forests have actually increased over the past 10 years, to a total of about 800,000 acres statewide.

The industry group says mulch is only a minor product of a sustainable business, and denies that Louisiana's coastal forests are in grave danger. Environmentalists argue that priceless cypress-tupelo forests are being cut down and won't grow back, in large part to feed the demand for mulch, which can be produced far more cheaply and efficiently than lumber. But the mulch issue is only part of the cypress controversy.

The Corps' New Orleans district recently began using the 1899 Rivers and Harbors Act, which protects navigable waterways, to shut down logging in certain sections of wetland forests, stating that such logging requires a permit. The LFA says no permits have been issued under the Rivers and Harbors Act in its history, and ongoing forestry has traditionally been exempt from the permitting requirements the 1972 Clean Water Act requires for almost anything that happens in a wetlands area. The LFA says no other Corps district is using similar tactics; they say the offending practice, mat logging, is actually recommended in Florida, although critics say it creates destructive trenches in the soil.

The Corps did not respond to inquiries. But John Ettinger of the EPA, which governs the Clean Water Act, says that while mat logging may not be occurring in the middle of a navigable waterway, what happens in a swamp can affect a water body that's nearby. He says the Corps' use of the Rivers and Harbors Act has never been challenged in court. And while a permit generally isn't required for "ongoing" forestry in wetlands areas, he says for an operation to qualify as ongoing, the cypress forest in question has to come back as a cypress forest, since other trees likely to grow in wetlands don't have much value. So landowners are being asked to prove their cypress forest will regenerate as the same species before being allowed to harvest it, which the industry says is unprecedented and unwarranted.

Advertising | [Advertise](#)

[Grow Your Network!](#)

[Register for our LSU Flores MBA Program info session.](#)

[Thursday, Sept. 20 • 5:00 p.m.-7:00 p.m. • LSU Business Education Complex-Commons](#)

[Visit mba.lsu.edu for more info.](#)

Paul Frey, the Louisiana Department of Agriculture and Forestry's assistant commissioner and state forester, says it wouldn't surprise him if the Corps' use of the Rivers and Harbors Act ends up in court, and says it doesn't make sense that the Corps won't even let loggers remove already-cut trees that are now rotting away at the cease-and-desist sites.

A planned tour of one of the sites for this article had to be canceled at the last minute, but the department has a number of photos, including pictures of young trees with seed-bearing cones, that they say show regeneration at the cease-and-desist sites.

Frey says between his agency, the state Department of Natural Resources and the EPA, most wetlands logging is monitored by at least one government entity, and says violations of accepted practices are rare.

08/29/2012  
B.R. LARGELY STILL WITH POWER ... FOR NOW



**Greater Baton Rouge Business Report** on Facebook

You like this. · Adn  
Page · Insights · E

You like this. · Adn  
Page · Insights · E

3,013 people like **Greater Baton Rouge Business Report**. 3,012 people like

Facebook social plugin

#### Columns/Blogs



[Rolfe McCollister](#)  
[Olympians inspire and instruct](#)



[JR Ball](#)  
[Let's clean up our act](#)



[John Maginnis](#)  
[Junior justice counts](#)



[Tom Cook](#)  
[Carey buys mini-storage](#)

Wal-Mart and others have objected to cypress logging based on the idea that cypress trees offer protection from storm surge, which Frey calls a "bogus argument." Cypress forests don't grow on the coastline, he says; it's the state's endangered barrier islands and marshes that impede storm surges. He says efforts to stop the sale of cypress mulch from the state will only hurt Louisiana businesses, and says environmentalists are turning mulch into a hot-button issue as a way to stop cypress logging entirely.

"If history is any judge, I doubt they'll stop at that," he says.

Charles "Buck" Vandersteen, the LFA's executive director and a professional forester and tree farmer, says his organization is dedicated to sustainable forestry, which means ensuring the trees will grow back, and conducts training for loggers and landowners on the best management practices.

While Vandersteen says mulch is a very small part of the forestry business because cypress is much more valuable as lumber, he argues that it's necessary to keep the product on the market. For some trees, the only market is mulch, he says. The LFA cites two mills in the state that produce cypress lumber, while Save Our Cypress says there are at least five facilities that produce only mulch.

"If we want people growing cypress trees, there has to be an economic incentive to do that," Vandersteen says. If not, landowners might give up on forestry altogether and sell the land for development, which wouldn't please environmentalists or the forestry community.

While proud of the LFA's management practices, Vandersteen would rather not see them codified into law. Forestry is an art and a science, and landowners should be allowed to use their own best judgment with a minimum of outside interference. He says what mulch is produced here, like cypress products in general, comes from sustainable sites.

"That's a blatant lie," says Gary Shaffer, a professor of biological sciences at Southeastern Louisiana University who says he has just completed an exhaustive seven-year study of the Maurepas Swamp area. "The mortality figures in that area are frightening."

New mulch policies from retailers like Wal-Mart and Lowe's can "make a huge difference, because that's where most of the cypress is going right now," Shaffer says. "Any way we can prevent logging in the near future, we have to use."

He says data presented by the logging industry can be misleading. For example, the U.S. Forest Service measures cypress in board feet, and young trees don't figure into the count until they reach the level of maturity where their wood is marketable. So a second-growth forest that suddenly shows up in the Forest Service's count in 2005 might actually have been there for years and doesn't really represent net growth of cypress trees, Shaffer says.

"They are cutting up whole trees for mulch. That's been documented," says John Day, a distinguished professor with LSU's Coastal Ecology Institute.

The biggest threats to coastal forests come from things that individual landowners can't control, like flood-control levees that cut off forests from freshwater and sediment input and land subsidence and canal construction that lead to saltwater intrusion. Day says what's needed are public-private partnerships, whereby landowners and the government can work together to save what's left.

"If we don't do something, these forests are finished," he says.

Jim Chambers, a forestry professor at LSU's School of Renewable Natural Resources, chaired the Governor's Science Working Group on Coastal Wetland and Forest Conservation and Use, which came up with 14 recommendations in 2005 that were not adopted. He says loggers should be required to have written forest management plans that deal with sustainability and that the state needs to regulate lands where regeneration is almost impossible, or at least ask for voluntary non-harvesting in those areas.

An advisory panel to the governor, which included industry representatives, recommended in April that threatened cypress-tupelo forests be identified and mapped, and that process is now taking place. But the panel didn't go as far as many members of the environmental and scientific communities would have liked, partly because the panel had agreed to only make recommendations

everyone could agree on.

Day says the Office of Forestry's close ties to the forestry industry present a major roadblock to real change. "We know what's happening. We listened to everybody, and the data is clear. It's settled science. The only issue is politics," he says.

Frey makes no apologies.

"Our interest is in supporting landowners and the forest industry to create a healthy economic and environmental resource situation," Frey says, while suggesting that some scientists may be overstating the problem to get research funding.

The situation isn't necessarily hopeless. Frey says his agency is working on developing cypress trees that can survive in saltwater. The Department of Natural resources plans to use more than \$18 million in federal Coastal Impact Assistance Program money to buy easements from landowners to preserve cypress-tupelo forests on their property.

What many advocates would really like to see is a moratorium on cypress logging, at least until some agreement can be reached about how much logging is sustainable, and where. In some cases, the controversy has already created a de facto moratorium.

Carolyn Wogan owns about 1,500 acres of forest near French Settlement with a significant number of cypress trees. She would like to harvest a section of her property, but is afraid to even try to get a permit.

"When you apply to the Corps of Engineers, it seems like it's kind of a black hole," she says. "It's like they don't even have a process."

She says her father went through a lot to hang on to the land through the Depression as an investment for the family. The trees are precious to her, and she says she has no interest in seeing them turned into mulch.

"I'm trying to do the right thing," Wogan says. "I feel like I'm trapped in this cypress controversy."



**VISIT Our New Website**  
*Business First* **www.b1bank.com** Member FDIC

<a href="#">Print Edition</a>	<a href="#">Multimedia</a>	<a href="#">Nominations</a>	<a href="#">Circulation</a>	<a href="#">Interact</a>	<a href="#">LBI</a>
<a href="#">Current Issue</a>	<a href="#">Video</a>	<a href="#">Business Awards and Hall of Fame</a>	<a href="#">Enewsletter sign ups</a>	<a href="#">Submit news tip/idea</a>	<a href="#">About us</a>
<a href="#">Past Issues</a>	<a href="#">Slideshows</a>	<a href="#">Influential Women in Business</a>	<a href="#">New subscriptions</a>	<a href="#">Submit an event</a>	<a href="#">Contact us</a>
<a href="#">Special Issues</a>	<a href="#">E-Newsletters</a>	<a href="#">Forty Under 40</a>	<a href="#">Renewals</a>	<a href="#">Submit a photo</a>	<a href="#">Staff directory</a>
<a href="#">Lists</a>	<a href="#">Daily Report</a>	<a href="#">Other</a>	<a href="#">Address change</a>	<a href="#">Submit a press release</a>	<a href="#">Work for us</a>
<a href="#">Columnists</a>	<a href="#">Real Estate Weekly</a>	<a href="#">Past Winners</a>	<a href="#">Purchase digital lists</a>	<a href="#">Write a letter to the editor</a>	<a href="#">Terms of Use</a>
<a href="#">Rolfe McCollister</a>	<a href="#">Polls</a>	<a href="#">Events</a>	<a href="#">Reprints</a>	<a href="#">Write public officials</a>	<a href="#">Privacy Policy</a>
<a href="#">JR Ball</a>		<a href="#">LBI Events</a>	<a href="#">Back / Special issues</a>	<a href="#">Our Publications</a>	<a href="#">Advertising</a>
<a href="#">John Maginnis</a>		<a href="#">Weekly Planner</a>	<a href="#">Newsstand locations</a>	<a href="#">225</a>	<a href="#">Print and Online</a>
<a href="#">Tom Cook</a>				<a href="#">inRegister</a>	<a href="#">Corporate Projects</a>
<a href="#">Other</a>					<a href="#">Custom Publications</a>
					<a href="#">Sponsorship and Events</a>

