

17 U.S.C.

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# Law is costing landowners <sup>10/24/93</sup>

By COLETTE BAXLEY  
Associated Press

COLUMBIA — Being nice to Mother Nature cost Ben Cone more than \$2 million.

To create good quail habitat on his Pender County, N.C., property, he burned and cleared underbrush. The quail loved it, but so did the endangered red-cockaded woodpecker.

Now, 1,600 acres of prime 60- to 70-year-old forest are home to the 7-inch black-and-white bird with a white splotch on its cheek. The Endangered Species Act won't allow Cone to cut the timber or do anything to damage the bird's habitat.

"For doing what (environmentalists) want, I get a damaging economic hit," he said.

Wildlife officials also are frustrated with the law. It protects existing woodpeckers from harm, but can encourage landowners to stop the bird population from expanding.

Cone, for instance, plans to cut timberland not yet inhabited by the woodpeckers. "I can't afford to let them take over the whole place," he says.

The bird's population is declining on private land, which indicates the law is not working, said Terry Johnson, manager of Georgia's nongame endangered wildlife program.

The woodpecker was put on the endangered list in 1970. But in the past decade, its population on privately owned land has declined more than 45 percent.

It's unlikely the birds are going elsewhere. Woodpecker groups of one to seven birds need about 100 acres per group to survive. They don't migrate and if left with a sliver of forest, they eventually die out.

In South Carolina, wildlife officials estimate there are 896 of the endangered birds, with 400 on private land and the rest on state or federally owned property. That's the highest concentration of the birds on private land in the Southeast.

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AP Photos

Darryl Jones (photo above) inspects one of the artificial cavities he and co-workers build in trees at the Sandhills State Forest to encourage red-cockaded woodpeckers (photo at right) to nest there.

## Woodpecker clouds state forest's future

By COLETTE BAXLEY  
Associated Press

CHESTERFIELD — The 40 colonies of red-cockaded woodpeckers nestled in diseased trees are at home in Sandhills State Forest. Taxpayers, however, could end up paying the rent.

Sandhills Director Forest Murphy faces the same problem as some private landowners — how to get needed money from the

timber while encouraging the endangered woodpecker population, which also needs the trees, to grow. "There has to be a balance somewhere of what we can provide environmentally and still provide income," Murphy said. "The woodpecker affects everything we do here."

It takes about \$475,000 a year to operate Sandhills, a state

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Summerville

Landowners could earn certificates for having birds reproduce on their property. The more juvenile birds produced, the more credits earned. Young birds eventually could be moved to a public forest set up as a recovery site, and the privately owned timber could be harvested.

Much like credits given to businesses for reducing air pollution, the woodpecker credits could be bought and sold, Smathers said.

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Naomi Proveaux, a friend of the man, apparently was walking along the edge of the highway to the fire station to see her friend when she was hit from behind as the paramedics watched.

Proveaux was taken to Trident Regional Medical Center where she was pronounced dead on arrival, said Dorchester County Coroner Jeff Rogers.

The driver of the eastbound car said she didn't see Proveaux.

Rogers said the car was traveling about 35 mph as the driver prepared to turn on to S.C. Highway 27.

The area was unlit, it was dark and cloudy and Proveaux was wearing dark clothes, he said.

The S.C. Highway Patrol is investigating the accident, but Rogers said there were no plans to file charges against the driver.

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Unlike in the Northwest, where logging restrictions to save the northern spotted owl have been placed mostly on government-owned land, restrictions to save the woodpecker in the Southeast would fall heavily on private property owners.

"When you start to interfere with people's private property rights, they're gonna howl," said Dwight Stewart, a private forester in Manning.

Henry C. Bynum of Sumter worries about property his family has owned for more than 40 years. A private forestry company discovered red-cockaded woodpeckers on the Williamsburg County land last year.

Though his family doesn't depend on timber harvest income, Bynum sees the 1,600 forested acres as a sort of savings account.

"It's been passed down, and it's been cut and reforested. I hoped someday to pass it to my children. But it looks like I'll be passing the woodpeckers," Bynum said.

Stewart and two partners owned land in McClellanville that was under restrictions because woodpeckers on neighboring U.S. Forest Service property foraged there.

The Forest Service bought the

property, but Stewart said he and his partners lost money on 10,000 acres of timber they couldn't harvest.

"There's going to have to be some compromises," Stewart said. "If we don't, people are not going to manage for the red-cockaded woodpecker."

But environmentalists say the bird is an important piece of a bigger ecological puzzle.

"If you remove one (species), you don't know what the consequence for the others will be," said Michael Bean of the Environmental Defense Fund. "Our own welfare depends in the long run on maintaining biological diversity."

If it's that important, a landowner shouldn't have to absorb all the cost, said Joe Young, chairman of the South Carolina Forestry Association.

"If what he's losing is for the good of the many, then the many should pay for it," Young said.

Saving timber to protect a single woodpecker group can cost a landowner about \$100,000, said Al Epps, a private forester in Kingstree.

"If a country is going to preserve an endangered species, then the taxpayers of that country should be willing to foot the bill," he said.

In the 1800s, the United States had 92 million acres of longleaf pine, the woodpecker's home of choice. There are now 1.8 million

acres, said Ralph Costa, woodpecker recovery coordinator for the U.S. Fish and Wildlife Service in Clemson.

There are now about 4,000 woodpecker groups where once there were as many as 400,000, Costa said.

The economic forces arrayed against saving the small bird can be enormous.

The woodpecker recently was found on a site South Carolina proposed for a \$300 million Mercedes-Benz auto manufacturing plant. The state scrambled to get enough land for a buffer zone for the bird, but before Mercedes chose another site in Alabama, some auto industry watchers predicted the woodpecker would weigh against South Carolina.

Timber is one of the region's largest industries. In South Carolina, for instance, the \$5 billion-a-year industry is the state's third largest behind chemicals and textiles. Figures for the entire Southeast were not available.

Georgia officials agreed in September to look at ways landowners with 1,000 acres or less could harvest timber while also helping the woodpeckers. South Carolina officials are discussing similar options.

Clemson University wildlife economist Webb Smathers proposes giving the woodpeckers' economic value with credits for those who aid in the bird's recovery.

Bird watch

Estimated groups of the endangered red-cockaded woodpecker in the United States, on private and government-owned land. Groups include from one to seven birds. Private land estimates are based on incomplete information because government officials have limited access to private property.

	Total	Private	State	Federal
Alabama	155	7	9	139
Arkansas	75	131	-	44
Florida	1,219	64	128	1,027
Georgia	458	125	1	332
Kentucky	5	-	-	5
Louisiana	505	72	5	428
Mississippi	171	14	-	157
North Carolina	498	63	123	307
Oklahoma	9	-	9	-
South Carolina	396	400	32	464
Tennessee	1	-	-	1
Texas	287	58	16	203
Virginia	5	5	-	-

U.S. Fish and Wildlife Department Post and Courier, Columbia

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Forestry Commission spokesman says. The forest makes enough from timber sales to cover that and contribute a quarter of its receipts to local schools. But as the woodpecker expands, with the help of the foresters, less timber can be harvested.

If Sandhills can't stay self-supporting, its budget will have to be cut, the state may have to kick in some cash or South Carolina may have to hand the 46,178 acres back to the federal government, State Forester Hugh Ryan said.

The money to support local schools also would end, leaving taxpayers to make up for it.

When Uncle Sam handed Sandhills over to the state in 1991, it required that the wildlife population

not only be preserved, but expanded. As one of two woodpecker recovery sites in South Carolina Sandhills must try for 500 groups of from one to seven birds each.

Woodpeckers like old pine trees with "heart rot," a disease that softens the interior.

The birds peck away until they have a cavity to live in, said Darryl Jones, a Sandhills forester handling woodpecker recovery.

Jones and co-workers build artificial cavities in older trees, a three-hour job that could take a bird as long as seven years.

They learned the technique after more than half the woodpecker population at Francis Marion National Forest near Summerville South Carolina's other recovery site, was wiped out by Hurricane Hugo in 1989.

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been leaving the accident Friday evening.

The names of the dead and in-

fractures.

About a dozen law-enforcement and emergency agencies assisted in the accident, said Highway Patrol

lights pre- were worl- "We hav-

# Biologists to move endangered birds

Associated Press

SAVANNAH — Trying a seldom-used provision of the Endangered Species Act, state biologists will round up and relocate red-cockaded woodpeckers instead of forcing landowners to tolerate their tiny guests.

Many small landowners are worried they will be prevented from harvesting their timber or developing their land if the endangered woodpeckers are found on it.

The state plan, announced last week, is an attempt to alleviate those fears.

Birds taken off private land will be used to start new colonies on state and federal lands where they have a better chance to survive and help the species recover, Interior Secretary Bruce Babbitt said in announcing the plan.

"This plan responds to the needs both of the birds and the landowners," he said.

A landowner can sign up for the plan immediately or wait until he finds the birds on his property, said Dottie Head, administrative coordinator with the Georgia Wildlife Resources Division.

To qualify for the program, the

birds must make up an isolated population, cut off from others of their kind, said Wildlife Resources endangered species biologist Jim Ozier.

Then technicians would capture juvenile birds over the next two years and move them. When they are settled in their new home, the last adults would be captured and moved there, too. Ozier said.

If there is a reason to rush, the entire colony could be captured and moved immediately.

Translocation is allowed under a 1982 amendment to the Endangered Species Act, but is seldom done.

"Conditions seemed right to use it here," Ozier said. "Habitat on private lands is disappearing daily. Birds are disappearing daily. For landowners who have them, it can be expensive. The fear factor is out there."

Prime locations for new red-cockaded woodpecker colonies are on Fort Gordon and Fort Stewart.

The red-cockaded woodpecker is the only member of the woodpecker family to dig nest holes in living trees. It prefers old pines infected with red heart disease, which softens the wood.

PJC

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Of The Post

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