

**Louisiana Emergency Beetle Subcommittee of the
House Committee on Agriculture, Forestry, Aquaculture, and Rural Development**

Minutes of Meeting
2024-2025 Interim
July 9, 2024

I. CALL TO ORDER

Representative Mike Johnson, chair of the Louisiana Emergency Beetle Subcommittee of the House Committee on Agriculture, Forestry, Aquaculture, and Rural Development, called the meeting to order at 9:37 a.m. in Room 3, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Michael T. Johnson, chair
Representative Rhonda Gaye Butler
Representative Troy D. Romero
Representative Rodney Wayne Schamerhorn
Representative John E. Wyble

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Lashay Masami, attorney
Ashley Davillier, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Rebecca Marshall, sergeant at arms

III. DISCUSSION

To discuss organizational matters

Representative Mike Johnson introduced the different agencies that were invited to the meeting to discuss the dangers of the beetle infestation and how it has affected a growing number of sectors in the community.

To study and address the devastation of the forest industry due to the infestation of beetles

Representative Romero explained that the members appointed to the committee were chosen from across the state to speak to the issues in their districts.

Wade Dubea, LDAF, 5825 Florida Boulevard, Baton Rouge, no state or zip code provided, spoke for information only. He stated that Louisiana's summer drought was the main cause of the infestation of Ips engraver beetles on pine trees. He explained his department identified stressed and diseased trees and cut them down, leaving them on the ground to end the life cycle of the beetles.

Representative Mike Johnson asked if there were any programs available that would assist homeowners with the cost of removing infested trees from their property. He referenced a letter he received from a constituent, Exhibit A, which is included in the committee records. Mr. Dubea replied he was not aware of such programs, but a federal emergency declaration would benefit homeowners in need of diseased tree removal services.

Representative Butler asked Mr. Dubea if there were any current programs that could fund tree maintenance services in urban areas to remove damaged trees after a drought. Mr. Dubea responded that the only current funding for urban forestry they receive are small community subgrants administered by Baton Rouge Green, but it does not benefit people in need throughout the state.

Representative Schamerhorn asked if there were any insecticides that could be used to get rid of the Ips engraver beetles. Mr. Dubea replied that the insecticides needed to remove the beetles are too costly for the typical homeowner, and that it would be more cost effective for them to find someone who could cut their trees and lay them on the ground.

Representative Mike Johnson asked Mr. Dubea if he believed the beetle infestation would worsen if the diseased trees are not removed. Mr. Dubea explained that the beetles were prevalent because a large number of trees were stressed due to the drought, but as the weather changes, the beetles should run their course.

Adam Patrick, LA Department of Insurance, 1702 North Third Street, Baton Rouge, LA 70804 spoke for information only. Representative Butler stated that rural areas like southern Rapides Parish do not have tree maintenance programs to remove damaged trees due to drought and beetle infestation and asked if any funding opportunities were available. Mr. Patrick responded that funding for such programs would be done on a federal level and not through his department. He also stated that homeowners insurance companies typically cover tree falls due to weather related conditions, but trees that fall due to lack of care or inspection are excluded from policies.

Buck Vandersteen, Forestry, no address provided, spoke for information only. He requested that the members create legislation to allow for a tax credit for land owners who pay for arborists to remove

damaged trees from their property. He also clarified that only arborists can be hired to remove trees, and loggers are unauthorized to do so.

Jim Meeker, USDA Forest Service, 2500 Shreveport Highway, Pineville, LA 71360, spoke for information only. He expressed that the beetle infestation is the worst it has been in central Louisiana in his 22 years of working in the forest industry. He stated that the USDA Emergency Forest Restoration Program could help some nonindustrial private forest land owners, but the requirements to apply are extensive and he does not know if anyone has utilized the program in Louisiana.

Rick Williams, USDA Natural Resources Conservation Service, 3737 Government Street, Alexandria, LA, no zip code provided, spoke for information only. He stated they clean up dead trees through Louisiana's Environmental Quality Incentive Program. He explained individuals would apply, someone would inspect their land, and they would create a plan to remove the trees in rural areas at a specific cost per acre.

Taylor Barras, Division of Administration, no address provided, spoke for information only. He expressed to the committee that he is willing to help in any way he can to try to obtain funding for removal services for homeowners in need. He added that his office is available to help and advise during the production of the committee report.

Representative Mike Johnson asked Mr. Patrick if the commissioner would consider adding dead tree removal coverage to policies if an emergency declaration was established. Mr. Patrick replied that it was possible, but could also increase premiums. Mr. Patrick agreed to provide Representative Mike Johnson with the amount that homeowner insurance companies have paid out for home damage and liability claims due to fallen dead trees.

Cary Koch, Louisiana Loggers Association, 504 Lakeland Drive, Baton Rouge, LA 70802, spoke for information only. He referenced a letter that was provided to the committee by RoyOMartin, Exhibit B, which is included in the committee records. Representative Romero acknowledged that the committee received the letter and will review it together.

Jacques Thibodeaux, GOHSEP, 7667 Independence Boulevard, Baton Rouge, LA, no zip code provided, spoke for information only. He explained that under emergency declarations, his office is tasked to remove all debris, including trees, from the right of ways.

Representative Mike Johnson asked if it is possible to obtain an emergency declaration for the removal of infested dead trees that are not in the right of way. Mr. Thibodeaux explained that based on his experience, it is not likely because homeowners and private entities would typically acquire federal assistance from outside sources like the Small Business Administration (SBA). He added that the right of ways include state highways, parish and local roads, and because driveways intersect

with local roads, homeowners would find ways to push the debris from their property onto the road to have them removed.

Representative Butler asked Mr. Thibodeaux to elaborate on how to navigate the SBA loan application process, because she knows of many constituents who would not apply because it became too difficult. Mr. Thibodeaux responded that their goal is to open up SBA centers in each parish where constituents can go to be coached through the process.

Brandon Frey, LPSC, P.O. Box 91154, Baton Rouge, LA 70821, spoke for information only. He stated that his office cannot legally cut down trees around power lines that are outside of the right of ways without the homeowner's approval and anything dealing with the service lines are the homeowner's responsibility.

Representative Wyble asked if the liability falls on the owner or utility company if dead trees on private property are at risk to a utility system that is in an area outside the right of way. Mr. Frey replied that if the constituent believes the damaged tree could take down their service line, it is their own responsibility, but if it is in danger of damaging the transmission or distribution grid, the utility company would be responsible for removal.

Davante Lewis, LA PSC, 301 Main Street, #1110, Baton Rouge, LA 70802, spoke for information only. He explained that many of the weather related deaths in urban areas are due to power outages caused by fallen trees and he vows to be more proactive about making this crisis known.

Matthew Cross, Association of Louisiana Electric Cooperatives, 543 Spanish Town Road, Baton Rouge, LA 70802, spoke for information only. He stated he is working on ways to address the infested dead tree issue before a storm rather than after they have already damaged properties.

Tracy Short, LA Attorney General's Office, 1885 North Third Street, Baton Rouge, LA 70802, spoke for information only. He stated that his colleagues were prepared to discuss the legal authorities that would deal with the nuisance of the beetle infestation.

David Alexander Peterson, LA Attorney General / Department of Justice, 1885 North Third Street, Baton Rouge, LA 70802, spoke for information only. Representative Mike Johnson asked if there was an emergency declaration established, what are the powers of government when trees pose imminent danger to homeowners, and what rights do the local governments have to remove the hazard from private property. Mr. Peterson responded that the governor would have control, and local and parish governments could also declare their own emergencies and provisions. He agreed to provide a draft of proposed legislation that could prevent loss of life and dangers to the communities.

David Jeddie Smith, Jr., LA Attorney General's Office, 1885 North Third Street, Baton Rouge, LA 70802, spoke for information only.

Dr. Todd D. Johnson, Assistant Professor of Forest Entomology, Department of Entomology, LSU AgCenter, 402 Life Sciences Building, Room 540, no city, state, or zip code provided, spoke for information only and gave a brief overview of what his job entails.

Representative Mike Johnson asked if permanently removing the beetles would be an option to prevent them from causing any further damage. Mr. Johnson stated he is actively collecting beetles to monitor their population and based on his findings, it is likely they will not be as much of a problem in the future.

Robbie Hutchins, LSU AgCenter, 300 Grady Britt Drive, Alexandria, LA 71301, spoke for information only. He explained when people call his office asking if he could go onto their property to inspect a tree, he helps them build a priority list of the trees that might pose the most danger, and instructs them to call an arborist who may be willing to remove the tree for free or at a very low cost.

Amanda Vincent, Department of Environmental Quality, 602 North Fifth Street, Baton Rouge, LA, no zip code provided, spoke for information only and explained how her department handles debris under emergency declarations. She stated they operate under the Debris Management Plan when responding to disasters, and they activate their pre-approved debris site to be able to quickly remove debris from the right of ways but not from private properties.

Noel Ardoine, DOTD, 1201 Capitol Access Road, no city, state, or zip code provided, spoke for information only. She explained that before her department was able to use federal funds to remove hazards, they had to prove the hazard was caused by a previous storm. She further added that in the past, they were able to remove dead trees in the right of way that died up to 24 months after a storm and the analysis of arborists and letters from agencies supported their claim.

Witness cards submitted by individuals who did not speak are as follows: 2 for information only. Witness cards are included in the committee records.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Schamerhorn offered a motion to adjourn. Without objection, the motion passed by a vote of 5 yeas and 0 nays. Representatives Mike Johnson, Butler, Romero, Schamerhorn, and Wyble voted yea.

The meeting was adjourned at 12:42 p.m.

Respectfully submitted,

Chair Michael T. Johnson

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Date approved: