

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

Minutes of Meeting
2024-2025 Interim
October 24, 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 9:55 a.m. in Room 5, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Michael T. Johnson, chair
Representative Rodney Wayne Schamerhorn
Representative Francis C. Thompson

MEMBERS ABSENT:

Representative Rhonda Gaye Butler
Representative Troy D. Romero
Representative John E. Wyble

STAFF MEMBERS PRESENT:

Lashay Masami, attorney
Ashley Davillier, committee administrative assistant

ADDITIONAL ATTENDEES PRESENT:

Rebecca Marshall, sergeant at arms

III. DISCUSSION

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

Daryn Bovard, Community Tree, no address provided, spoke for information only and provided a handout entitled, "Community Tree: a nonprofit dedicated to community tree care," Exhibit A, which is included in the committee records. He gave a brief update on the nonprofit, Community

Tree, which is a program to allow low income households to apply for grant funding to remove hazardous trees from their properties. Representative Mike Johnson asked how citizens would be able to access the program's application. Mr. Bovard answered that the website would have a grant portal that citizens would use to apply if they meet the requirements.

Representative Thompson asked if Entergy was contacted to remove trees. Mr. Bovard stated that he was willing to work with them but understands there is certain criteria that has to be met prior to utility workers removing anything on private properties. He added that if citizens have any questions regarding the program, they could contact their main office which is located in Baton Rouge.

Emily Andrews, office of the governor, 900 North Third Street, no city, state, or zip code provided, spoke for information only and provided a handout, Exhibit B, which is included in the committee records. She explained the purpose of the executive order issued by the governor and the emergency rules issued by the Louisiana Department of Environmental Quality (LDEQ) regarding stressed trees and beetle infestation. She added that although there is a statute in place that prohibits open burning, the executive order allows for LDEQ to issue a variance for the open burning of trees after a declared emergency.

Representative Schamerhorn asked if a person would have to contact LDEQ prior to burning trees on their property since the issuance of the executive order. Ms. Andrews responded that people would still have to apply for the variance, and parishes would make the final determination on whether or not to restrict open burning in their area.

Austin Lewis, governor's office, no address provided, spoke for information only.

Kyle Prestenbach, LDEQ, 602 North Fifth Street, Baton Rouge, LA 70802, spoke for information only. He agreed with Ms. Andrews regarding the open burn variance application process.

Wade Dubea, LDAF, 5825 Florida Boulevard, Baton Rouge, no state or zip code provided, spoke for information only. Representative Thompson stated his concerns on farmers burning crop fields during the open burn and asked if there were restrictions in place to ensure they followed the rules. Mr. Dubea replied that there is an act in place that requires non-certified prescribed burners to contact their office and notify them of a burn, and they accept or deny their request based on weather conditions. He added that although the variance could be approved to allow for burns, there needs to be coordination with local officials who may have established burn bans in their area.

Yolunda Righteous, LDEQ - Waste Permits Division, 602 North Fifth Street, Baton Rouge, LA 70802, spoke for information only. She explained the emergency rule issued by LDEQ removes the fee for the hauling of the trees that are removed. She gave the example that if an arborist cuts down a tree and hauls it to their private property to use for firewood, they are allowed to do so as long as they coordinate their Best Management Practice (BMP) plan with the Louisiana Department of Agriculture (LDAF).

Joey Breaux, LDAF, 5825 Florida Boulevard, Baton Rouge, LA, no zip code provided, spoke for information only and provided a handout, Exhibit C, which is included in the committee records. He agreed with Ms. Righteous and reiterated the importance of arborists coordinating their BMP plans with LDAF. He added that tree debris generated by arborists is the largest of all the BMP plans that are approved by LDAF, and gave information on how to find the BMP template online.

Neal Fudge, GOHSEP, 7667 Independence Boulevard, Baton Rouge, LA 70806, spoke for information only. Representative Mike Johnson asked how the executive order affects the efforts of the Governor's Office of Homeland Security and Emergency Preparedness and how they could help with locating funding for stressed tree removals. Mr. Fudge stated that currently there is not any specific funding available, but his office can expedite any funding that may become available on the local level.

Charles Hansberry, La. Dept. of Insurance, 1702 North Third Street, Baton Rouge, LA 70802, spoke for information only. Representative Mike Johnson stated that he is aware the insurance commissioner has been in discussion with different insurance companies regarding adding dead trees to policy coverage and asked for an update on the outcome. Mr. Hansberry responded that the status of those conversations has not changed and that dead trees are still not covered in current policies. He further explained that policies are contractual, so during a covered peril, if a tree falls it may be covered by the policy on a case by case basis.

Witness cards submitted by individuals who did not speak are as follows: 1 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 Thompson offered a motion to adjourn. Without objection, the motion passed by a vote of 3 yeas and 0 nays. Representatives Mike Johnson, Schamerhorn, and Thompson voted yea.

The meeting was adjourned at 10:44 a.m.

Respectfully submitted,

Chair Michael T. Johnson
Louisiana Emergency Beetle Subcommittee of the House Committee on Agriculture, Forestry,
Aquaculture, and Rural Development

Date approved: