

**LOUISIANA FORESTRY COMMISSION
5825 FLORIDA BLVD
BATON ROUGE, LA 70806
DECEMBER 7, 2015
MINUTES**

CALL TO ORDER

The Louisiana Forestry Commission meeting was called to order by Chairman Scott Poole at 10:06 a.m.

ROLL CALL

The roll was called by Epney Brasher

Members Present: Chairman Scott Poole, Sam Pruitt, Kenny Ribbeck, Dr. Allen Rutherford, Michael Hudson, and Mike Merritt

A quorum was present.

LDAF Staff Present: Commissioner Mike Strain, DVM, State Forester Wade Dubea, Epney Brasher, Lindsey Hunter, Don Smith, David Campbell, Roy St. Pierre and Pat Aronstein

No public comments at this time.

APPROVAL OF MINUTES

MOTION: Dr. Allen Rutherford made a motion to approve the minutes of the meeting for August 26, 2015. Michael Hudson seconded the motion. All were in favor.

BUDGET

Epney reported that the month of October was the largest financial strain to date because of the fires due to the dry weather. Protection tax was utilized for repairs and maintenance; in addition to the supply cost of fuel for the ongoing fires. The equipment had a few repairs that had to be made in the field, but most of the equipment had been fairly well maintained. There were not a lot of repairs that had to be done that were out of the routine from regular breakages.

The Safety Audits were done in conjunction with the Risk Management report. The main office and most of the field offices were in compliance. There were a few minor compliance issues that had to be taken care of, but nothing that would cause any major problems.

As for the current budget situation, the Governor's office decided to not cut the Office of Forestry as well as the whole department. So Forestry can go ahead with some of the planned purchases with no cuts to the supplies category or a few of the other budget categories.

Wade added that the anticipated sweep of 5% of the statutory dedicated funds of fire protection assessments and FPP. Both of those accounts were exempt and were kept intact as well. There will be a discussion of some rule changes later and some of the need for moving ahead with the changes to try to possibly encumber more of the severance tax money that is in the Treasurer's office to try to keep those funds obligated and safe from the sweep of funds. The rules change process is an ongoing process and a time consuming one. The hope is that once more of these funds are distributed to the landowners that it will create more of a demand for the funds. Then changes can be made again so that eventually everything that is collected will be available to us to use for the landowners. It is a slow process to work toward that goal of using the funds that are collected and not leave them sitting in an account where they are not as secure as we once thought.

Scott Poole asked if there were any upset issues or anything extraordinary that Wade would foresee in the next few months. Wade stated that he does not unless something changes with the end of the year cuts. It looks like it should stay status quo. They are still exploring options every chance they can to become less and less dependent

on state general budget dollars for our budget. That would make it easier to accurately project the revenue coming in and the expenses coming out of that. So they will continue to work on those options. Now Forestry is relying on about 10 million dollars in the annual budget of state general funds. Every time there is a shortfall in the state, that general fund money is where the cuts come. Wade feels that we should not be completely off of the general funds because the forest landowners and forest industry tax payers in the state should receive some benefit from the taxes they pay. But there needs to be a better balance of funds so that we are not worried each year about not having enough money to make it to the end of the year so that we can provide the best services possible.

DIVISION REPORTS

Wade asked for questions on the division reports. Roy St. Pierre was asked about the numbers of cases listed in the reports. The numbers of arrests were listed along with the citations for August through November. The difference between 14:204 and 14:51 was explained. The 14:204 is negligent burning and 14:51 is aggravated arson. 14:204 is whereas someone was burning on a piece of property and accidentally let the fire get out of control and onto someone else's property by negligence. Because of the investigation into the October fires, there was a person of interest who confessed to setting fires in 2011 & 2012. One of the aggravated arson fires involved Weyerhaeuser property with a mobile home involved. Another was on private property that threatened a house. Another affidavit of arrest involves a drug deal that went bad, so they set a fire. The district attorney in Bienville parish gave us the word that he wants aggravated arson charges on all of these arson fires in North Louisiana. They put the firefighters in danger as well as law enforcement responding to and from and the residents.

Mr. Merritt asked about the Weyerhaeuser property and hunting clubs. Weyerhaeuser had banned hunting with dogs on this property. Roy said that there were several clubs in the area and they were interviewed. But none of them could be linked to the fires. A lot of prior members with dogs were interviewed all over the state and there are lots of hard feelings among the members. There is a lot of money involved in these dogs and clubs. There are more than 30 people to interview about a man in the Liberty Hill area that has been bragging about setting fires to see if there are any witnesses to his statements. They are still doing interviews. They have reached out to all the hunting club members, local residents and other names that they have come across. The investigation is continuing.

There was discussion about long haul trucking and missing loads that came up because of loading at night and being hauled long distances.

Wade added that he wanted to commend our firefighters and law enforcement in the way that they handled the fires in October. There were more fires in October than there had been all year to date. Personnel from the south part of the state had to be moved to the north part to give some of the northern personnel a break. The operation went seamlessly and Wade wanted to thank them for doing their jobs and with the passion that they did. He had received letters and emails letting him know that if it had not been for our personnel, these folks would have lost their tree farms or their homes.

Wade stated that there was a conference call concerning the Emerald Ash Borer. The call was for a buffer zone around the three affected parishes, but it was decided to only quarantine the three parishes where confirmation was made and not possibly spread them further. After the traps are used this season, they will reassess the issue. Then they can work out if they need a half state quarantine or full state quarantine or keep the tri-parish quarantine. They don't want to help spread the insect but are looking to keep commerce going.

Kenny Ribbeck asked about the coordination of our state with Arkansas and Mississippi because a lot of our ash logs go to them. Wade answered that Arkansas counties that border Louisiana have all been quarantined. We can move material within the quarantined parishes and quarantined counties. Mississippi has not quarantined any of their counties. So we have to be very careful about quarantine in the parishes where it would affect wood movement across the line into Mississippi counties. We are working with APHIS, Forest Service, USDA and other agencies. There is a group that meets regularly to look at where we are with this. The trapping effort is gaining interest in other states. They are watching the spread and watching commerce. We don't want anyone to be put out of business because they cannot get material, but we don't want this to be spread either. Some logging

contractors who were part of the committee have said that there might be a log or a few logs on a load of timber because the loaders would not know how to identify ash. So they will be watching to see if any confirmations that the insects are spread along the hauling routes. If so, they will have to possibly quarantine along the interstate system or highway system to try and get a handle on the spread. We are also working with Texas as well. There has not been a confirmation in Texas yet.

Kenny Ribbeck spoke about the product trucks being contaminated. Wade answered that they can move the chips because they are kiln dried and the heat would kill the larvae. The selling of firewood is a problem. The educational material is out there, but the people bundling firewood just look for hardwoods instead of pine. They really don't look for the ash. Until it becomes a serious problem in Louisiana, people don't really pay attention.

Mike Merritt also wanted to commend the crews on how well they represented themselves with the fires up north. He wanted to know how those crews are coordinated with so many other agencies and groups. Wade answered that they worked closely with fire departments. They called on us and we worked with them. There will always be some issues with deciding who does what and where to best deploy our resources. We have a fire boss on each of these fires and they call the shots. We manage our own employees. In some cases the bosses were working two and three fires, knowing where all of our employees were, knowing where our pilots were and knowing what was going on. Fire departments were coming in wanting to know what they could do to help. It was a public safety issue. He brought the Commissioner up there to observe. There was a lot of activity, lots of smoke and a lot of confusion. Law enforcement did a good job on keeping traffic off of the smoked out roads. There was a conscious effort made by all to work together.

Wade stated that there was an internal after-action review. We met with our protection branch, the regional foresters and key personnel that supervised the effort to assess what were our successes and weaknesses. The overwhelming response to all of that was that we need more people. We are not opposed to having other input. It is on the major fires where we move personnel and equipment from one end of the state to the other. We are not only addressing the fire at hand, but we are also addressing the potential that we left behind. Those issues and questions are being assessed so that we can make better decisions in the future.

There was a question as to what started this fire. Wade stated that the initial fire was a lightning strike that could have been contained with normal suppression efforts. But while that was going on, the arsonist stepped out and started lighting fires while we were working on that fire. The fires were on the area of Weyerhaeuser property where they had just outlawed the use of dogs for deer hunting. The interviews that our enforcement officers and fire marshals did keep coming back that it was members of a hunting club in retaliation for not being able to use their dogs. At any given time they were fighting at least three major fires at a time.

Mike Merritt and Commissioner Strain discussed the knowledge of the arsonists that they knew that we were understaffed and knew the vulnerable areas to start new fires. They knew that while the department was busy getting one fire under control that they could not leave that fire to go to a new one until it was under control.

OLD BUSINESS

Lindsey Hunter was asked to explain the language that they could put forth to make it legal to use electronic signatures on these loads. Roy read the requirements of several statutes as to how long the logging records are kept and what is required to be in those records. Roy stated that records are to be kept for six years, but he has not yet had to go back more than four years in his investigations. There was much discussion about the process at the mills and driver's signatures where and how they are made along with the information that should be on the scale tickets and load tickets.

Lindsey Hunter explained that Indian Creek needed to have rules and standards for behavior to match the other state parks and the rule changes to support Indian Creek as a separate entity. Indian Creek is the only state park that does not receive any state funds to support it. Commissioner Strain explained about trying to keep it up and any funds collected there to go back to maintain the park.

Epney explained the changes to the FPP program that they are suggesting. They want to add two practices to the list for the computer to work with. It will help the landowner to cost share more of these expenses under this program. It was suggested to change the “chemical only” price to \$60. Replants due to droughts, weather or fire were discussed also. The changes to the FPP program would go into effect July 1, the beginning of the new fiscal year.

MOTION: Kenny Ribbeck made the motion to accept the changes discussed concerning electronic signatures, Indian Creek and the FPP program and Dr. Allen Rutherford seconded the motion. All were in favor.

Commissioner Strain discussed the incoming administration and possible changes to our budgets along with them looking for more revenue to close the budget gaps. He warned that the legislature could vote to sweep even the dedicated funds. He is looking for a big battle over all of the credits, dedicated funds, exemptions, taxes and a number of other things in the special sessions as well as the regular session coming up. They asked the Commissioner to keep them up to date as to what is going on in the legislature concerning the forestry industry. Commissioner Strain explained how the system worked on the funding proposals in the legislature and that they move quickly.

NEW BUSINESS

Wade discussed how they were going to work to capture more of the FPP funds to get them moved into the program to be used for the landowners.

Scott Poole discussed the different prices for pulpwood, sawtimber and others as the members agreed on the prices.

MOTION: Dr. Allen Rutherford moved to accept the rates as proposed. Mike Merritt seconded the motion. All were in favor.

PUBLIC COMMENTS

No public comments at this time.

ADJOURNMENT

MOTION: A motion was made by Michael Hudson to adjourn the meeting; Dr. Allen Rutherford seconded the motion. All were in favor. Meeting was adjourned at 12:06 p.m.