

State of Louisiana



EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER NUMBER JML 24-161

***DROUGHT STRESSED PINE TREES AND
BARK BEETLE INFESTATION***

WHEREAS, the State of Louisiana experienced extreme drought conditions and record temperatures with heat indices in the 100s through the summer and into the fall of 2023;

WHEREAS, Proclamation 141 JBE 2023 declared a State of Emergency on August 11, 2023, due to the excessive heat, drought conditions, and saltwater intrusion and has been renewed and extended every thirty (30) days through Executive Order Number JML 24-159, which expires November 17, 2024;

WHEREAS, the severe drought and subsequent wildfires caused extensive tree loss and the loss of between 312 and 325 million dollars to Louisiana's forestry industry;

WHEREAS, Louisiana's forests cover 15 million acres, of which 10.8 million acres are non-industrial privately owned;

WHEREAS, pines are the main tree species in Louisiana forests;

WHEREAS, due to the recent drought in this state and increasing drought frequency with extreme heat, pine trees experiencing drought stress are more susceptible to infestation by bark beetles;

WHEREAS, the United States Forestry Service estimates that 112,462 pines have recently succumbed to the drought stress or bark beetle infestation in Central Louisiana;

WHEREAS, House Resolution Number 119 of the 2024 Regular Legislative Session by Representative Mike Johnson created a subcommittee of the House Committee of Agriculture, Forestry, Aquaculture, and Rural Development to study and recommend rules and actions to address the forest devastation caused by bark beetles, including the study of certain regulations by the Department of Environmental Quality;

WHEREAS, R.S. 30:2057 prohibits a person from discharging air contaminants into the air of this state in violation of regulations of the Secretary of the Department of Environmental Quality without a variance unless statutorily exempted;

WHEREAS, R.S. 30:2057(5)(a) already exempts, “the burning of trees, brush, grass, or other vegetable matter” in parishes with a population of 90,000 or less when the location is outside the city limits and not adjacent to a city in such proximity that the ambient air of the city or town will be affected by smoke from the burning;

WHEREAS, Congressional bill S.3838 of the 118th Congress (2024), also known as the Emergency Beetle Response Act of 2024 would provide assistance to owners of nonindustrial private forest land for outbreak response measures and allow the Secretary of the United States Department of Agriculture to provide supplemental grants to State, Tribal, and local governments to aid in the response to and repair of damage caused by bark beetles;

NOW THEREFORE, I, JEFF LANDRY, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, order and direct as follows:

Section 1: Within seven (7) days of the effective date of this Executive Order the Secretary of the Department of Environmental Quality shall issue emergency rules providing for the application and issuance of a variance to parishes with populations greater than 90,000 and prospectively waiving the \$500 fee for all qualifying variance applications.

The Secretary of the Department of Environmental Quality shall issue an emergency rule prospectively waiving the \$250 annual fee for transporters of wood waste generated by land and right-of-way clearing operations, wood chips, bark, wood refuse, wood ash, and vegetative matter resulting from land clearing operations including trees and shrubbery, leaves, limbs, stumps, and grass clippings regardless of the number of vehicles in the service of the transporter.

Section 2: The Director of the Governor’s Office of Emergency Preparedness shall provide ESF-5 Emergency Management Oversight for pine trees experiencing drought stress or infestation by bark beetles.

Section 3: All departments, commissions, boards, agencies, and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to this event.

Section 4: This Order is effective upon signature and shall continue in effect until October 21, 2025, unless amended, modified, terminated, or rescinded earlier by the Governor, or terminated by operation of law.



IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 21st day of October 2024.



JEFF LANDRY
GOVERNOR OF LOUISIANA

ATTEST BY THE
SECRETARY OF STATE



Nancy Landry
SECRETARY OF STATE