

**LOUISIANA DEPARTMENT OF AGRICULTURE AND FORESTRY  
LEGISLATIVE OVERSIGHT REPORT**

**RE: Office of Forestry; Forest Productivity Program (LAC 7:XXXIX.1307, 1311 and 1315)**

This report is submitted electronically to the President of the Senate, Speaker of the House of Representatives, and the Senate and House Committees on Agriculture, Forestry, Aquaculture and Rural Development, in accordance with R.S. 49:968 regarding the intent of the Department of Agriculture and Forestry and the Louisiana Forestry Commission to take the proposed action with regard to the above cited rule.

**I. THE PROPOSED ACTION**

The proposed amendment to LAC 7:XXXIX.1307 removes the following cost-share practices from the Forest Productivity Program because these practices are not often used or are able to be cost-shared with the introduction of new services/practices and rates:

Pine Direct Seeding (up to \$15/acre);  
Hardwood Direct Seeding (up to \$30/acre);  
Chemical and Burn Site Preparation (up to \$75/acre);  
Mechanical and Burn (up to \$115/acre);  
Burning Only Site Preparation for Natural Regeneration (up to \$15/acre);  
Chemical or Mechanical Site Preparation for Natural Regeneration (up to \$65/acre);  
Chemical and Burning Site Preparation for Natural Regeneration (up to \$75/acre);  
Precommercial Thinning Control of Competing Vegetation (up to \$65/acre).

In addition, the category "burning only" for control of competing vegetation has been changed to "prescribed burn" and increased the cost share rate from \$15/acre to \$20/acre. Finally, cost share rate for the category "site preparation: burn only" has been increased from \$20/acre to \$25/acre and "Herschel Drag" has decreased from \$90/acre to \$40/acre.

Currently, Rule 1311 requires landowners to agree to maintain the land subject to a cooperative agreement in forestry usage for ten years from the date the department issues a certification of performance for the terms of the cooperative agreement. The proposed amendment to Rule 1311 removes that requirement when the approved practice is prescribed burning. This will encourage prescribed burning, which helps reduce the frequency and intensity of wildfires.

The proposed change to Rule 1315 changes the amount of time a landowner has to complete the forestry practices authorized by a cooperative agreement from 24 months to 11 months. This amendment will align the FPP with the state fiscal year. The amendment will also allow landowners to receive more money from the program.

**II. THE REASONS FOR THE PROPOSED ACTION**

The amendment to Rule 1307 is necessary to allow landowners to be able to receive a higher cost share amount for burning in site preparation and prescribed burning. The deletion of the other categories allows for a streamlined Forest Productivity Program by removing those services that are not often used. The amendments to Rule 1315 reduce the forestry practice implementation period from 24 months to 11 months in order to align the program with the state fiscal year.

III. STATUTORY AUTHORITY

The proposed changes to LAC 7:XXXIX.1307 and 1311 are authorized by R.S. 3:4410-4413. The proposed amendments to Rule 1315 are being promulgated in accordance with R.S. 3:4413 and 4415.

IV. ATTACHMENTS

- A. The proposed action coded with any new rule or language underscored and with language to be deleted from an existing rule in struck-through type.
- B. A copy of the fiscal and economic impact statement approved by the Legislative Fiscal Office.
- C. A copy of the Notice of Intent filed with the State Register.



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Lindsey Hunter  
Legal Counsel, LDAF

8/10/16

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Date of Signature