

Potpourri

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Department of Agriculture and Forestry Horticulture Commission

Landscape Architect Registration Exam

The next landscape architect registration examination will be given December 6-7, 2004, beginning at 7:45 a.m. at the College of Design Building, Louisiana State University Campus, Baton Rouge, LA. The deadline for sending the application and fee is as follows.

New Candidates:	September 3, 2004
Re-Take Candidates:	September 17, 2004
Reciprocity Candidates:	November 12, 2004

Further information pertaining to the examinations may be obtained from Craig Roussel, Director, Horticulture Commission, P.O. Box 3596, Baton Rouge, LA 70821-3596, phone (225) 952-8100.

Any individual requesting special accommodations due to a disability should notify the office prior to September 3, 2004. Questions may be directed to (225) 952-8100.

Bob Odom
Commissioner

0409#002

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Board of Elementary and Secondary Education

Comment Periods for Bulletins 110 and 114
(LAC 28:LXXXI.Chapters 1-33 and XCIX.Chapters 1-61)

The advertisement of Notices of Intent for Bulletins 110 and 114 were delayed one month to allow for editing of those documents. Both of these documents were printed in the August 20, 2004 edition of the *Louisiana Register* in the Notice of Intent section. The deadline for submission of written comments by interested persons was not adjusted to reflect the one month delay. The adjusted deadline for submission of written comments by interested persons for both Bulletin 110 and 114 should be October 9, 2004, 50 days from the date of publication of the NOI. The BESE office will accept public comments regarding those documents until October 9, 2004.

Interested persons may submit written comments to Nina A. Ford, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

Weegie Peabody
Executive Director

0409#047

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Department of Environmental Quality

Supplemental Notice Shreveport-Bossier City Metropolitan Statistical Area Early Action Compact Air Quality Improvement Plan State Implementation Plan Revision

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., the secretary gives notice that the Office of Environmental Assessment, Airshed Planning Division, SIP Development Section, will submit a revision to the SIP for the Shreveport-Bossier City Metropolitan Statistical Area Early Action Compact Air Quality Improvement Plan. The SIP revision is mandated under the requirement of the 1990 Clean Air Act Amendments.

Through this medium, the department is advising that additional information regarding the methodology associated with the quantification and verification of the emission reductions from the energy efficiency or renewable energy measures used as control measure commitments will be included in the SIP revision.

A public hearing will be held at 10:00 a.m. on October 7, 2004, in the State Exhibit Museum Auditorium, 3015 Greenwood Road, Shreveport, Louisiana. Should Individuals with a disability need an accommodation in order to participate, please contact Vivian H. Aucoin at (225) 219-3575 or at the address listed below. Interested persons are invited to attend and submit oral comments on the proposal.

All interested persons are invited to submit written comments concerning the additional methodology information no later than 4:30 p.m., October 29, 2004, to Vivian H. Aucoin, Office of Environmental Assessment, Box 4314, Baton Rouge, LA 70821-4314 or to fax (225) 219-3582 or by e-mail to vivian.aucoin@la.gov

A copy of the SIP may be viewed from 8 a.m. to 4:30 p.m. in the DEQ Public Records Center, Room 127, 602 N. Fifth Street, Baton Rouge, LA 70802 (225) 219-3168, Shreve Memorial Library, 424 Texas Street, Shreveport, LA 71101 (318) 226-5897; Bossier Parish Central Library, 2206 Beckett Street, Bossier City, LA 71111 (318) 371-3080; DEQ Northwest Regional Office, 1525 Fairfield, Room 520, Shreveport, LA 71101-4388 (318) 676-7476. An electronic copy is also available at www.deq.state.la.us/evaluation/ozone/index.htm

Wilbert F. Jordan, Jr.
Assistant Secretary

0409#091

POTPOURRI

Office of the Governor Board of Examiners of Bar Pilots for the New Orleans and Baton Rouge Steamship Pilots

Hearing on Proposed Rule
(LAC 46:1XX.Chapters 61, 64, 66 and 67)

A Notice of Intent concerning the above referenced proposed Rules was published on August 20, 2004, in the *Louisiana Register* (see LR 30:1856-1866). Chapter 61 regarding the general operation of the Board of Examiners is intended to replace the former Chapter 61, which was entitled New Orleans and Baton Rouge Port Pilots. Chapter 64 pertains to the general qualifications necessary to become an apprentice candidate and the examination of pilots. Chapter 66 outlines standards of conduct, standards of proper and safe pilotage, standards of competency and recency of service, along with continuing education requirements. Chapter 67 establishes procedures for the investigation and enforcement of board rules, together with penalties associated therewith.

Subsequently, the Board of Examiners received oral comments regarding the proposed Rule. Accordingly, notice is hereby given of the Board of Examiners intention to amend the proposed Rule. By amendment, the board will specify that the First Class Pilot's license required for commissioning shall be from Chalmette, Louisiana to the Baton Rouge Railroad and Highway Bridge at Baton Rouge, Louisiana. The board will further amend the rules to clarify the standard of conduct of a NOBRA pilot and to clarify that the board has discretion regarding the action taken in response to an alleged violation of its rules. The board will further clarify its recency and continuing education requirements.

All interested persons are invited to submit written comments on the proposed rules and amendments. Such comments should be submitted no later than 4:30 p.m. on October 8, 2004, to Captain Henry G. Shows, 3900 River Road, Suite 7, Jefferson, LA 70121.

Henry G. Shows
President

0409#098

POTPOURRI

Office of the Governor Oil Spill Coordinator's Office

Notice of Intent to Conduct Restoration Planning
St. Martin Parish Duck Lake Oil and Gas Field Oil Spill

Purpose

The Louisiana Oil Spill Coordinator's Office (LOSCO) as the Trustee coordinator for the State of Louisiana, in consultation and agreement with the state natural resource Trustees, namely the Louisiana Department of Environmental Quality (LDEQ) and the Louisiana Department of Wildlife and Fisheries (LDWF); have determined that the impacts of the discharge of crude oil from the pipeline, over which such Trustees have

jurisdiction, warrant conducting a natural resource damage assessment that will include restoration planning.

Site and Release Information

On or about December 4, 2002, a pipeline owned and operated by Hilcorp Energy Company (Hilcorp), discharged approximately 1,000 barrels of crude oil into Duck Lake Oil and Gas Field, a cypress-tupelo swamp located in St. Martin Parish, Louisiana. An undetermined amount of alluvial river swamp flora and fauna inhabiting this area may have been exposed to crude oil as a result of this discharge. The Trustees have determined that Hilcorp is the Responsible Party (RP) for this incident.

Duck Lake Oil and Gas Field is located in extensive forested wetlands which are periodically inundated with Atchafalaya River flood waters. This forested wetland, or swamp, is composed of an overstory of bald cypress and water tupelo trees and an understory of young trees and shrubs. This cypress-tupelo swamp is valuable habitat for numerous species of fauna and provides many ecological services to other resources.

Aquatic species present include, but are not limited to, finfish, such as catfish, sunfish, bass, and crappie, reptiles, and crustaceans, such as crawfish and blue crab. Wildlife species that may be present in the Duck Lake Oil and Gas Field swamp area include, but are not limited to, resident and migratory birds and furbearers. Some of the species that may be present have threatened or endangered status.

Authorities

The Trustees are designated pursuant to 33 U.S.C. §2706(b), Executive Order 12777, and the National Contingency Plan, 40 CFR §§300.600 and 300.605. Pursuant to R.S. 30:2460, the State of Louisiana Oil Spill Contingency Plan, September 1995, describes state trust resources, including the following: vegetated wetlands, surface waters, ground waters, air, soil, wildlife, aquatic life, and the appropriate habitats on which they depend.

Trustees' Determinations

Following the notice of the discharge, the Trustees have made the following determinations required by 15 CFR §990.41(a):

- The natural resource Trustees have jurisdiction to pursue restoration pursuant to the Oil Pollution Act (OPA), 33 U.S.C. §§2702 and 2706(c) and the Oil Spill Prevention and Response Act (OSPR), R.S. 30:2451, et seq. The Trustees have further determined that the discharge of crude oil into Duck Lake Oil and Gas Field and surrounding swamp on or about December 4, 2002, was an incident, as defined in 15 CFR §990.30 and LAC 43:XXIX.109.
- This discharge was not permitted under state, federal, or local law.
- This discharge was not from a public vessel.
- This discharge was not from an onshore facility subject to the Trans-Alaska Pipeline Authority Act, 43 U.S.C. §1651, et seq.
- Natural resources under the trusteeship of the natural resource Trustees listed above may have been injured as a result of the incident. The crude oil discharged contains components that may be toxic to aquatic organisms, birds, wildlife and vegetation. Vegetation, birds, and aquatic

organisms may have been exposed to the oil from this discharge, and mortalities to some flora and fauna and lost ecological services may have resulted from this incident.

Because the conditions of 15 CFR §990.41(a) were met, as described above, the Trustees made the further determination pursuant to 15 CFR §990.41(b) and LAC 43:XXIX.101 to proceed with preassessment. Hilcorp, at the invitation of the Trustees, agreed to participate in the preassessments, pursuant to 15 CFR §990.14(c) and LAC 43:XXIX.115.

Determination to Conduct Restoration Activities

For the reasons discussed below, the natural resource Trustees have made the determinations required by 15 CFR §990.42(a) and are providing notice pursuant to 15 CFR §990.44 and LAC 43:XXIX.123 that they intend to conduct restoration planning in order to develop restoration alternatives that will restore, replace, rehabilitate, or acquire the equivalent of natural resources injured and/or natural resource services lost as a result of this incident.

Injuries have resulted from this incident, the extent of which has not been fully determined at this time. The Trustees base this determination upon data, which is collected and analyzed pursuant to 15 CFR §990.43 and LAC 43:XXIX.119, which demonstrate that resources and services have been injured from this incident. Natural resources injured as a result of the discharge and the response actions may include, but are not limited to, sediment infauna, forested wetlands, birds, and wildlife species.

Although response actions were pursued, the nature of the discharge and the sensitivity of the environment precluded prevention of some injuries to natural resources. The Trustees believe that injured natural resources could eventually return to baseline through natural or enhanced recovery, but interim losses have occurred and will continue to occur until a return to baseline is achieved.

Feasible compensatory restoration actions exist to address injuries from this incident. Restoration actions that could be considered include, but are not limited to, replanting native wetland vegetation in appropriate areas, creation, enhancement, or protection of forested wetlands, protection of endangered species, and creation of bird colony areas.

Assessment procedures are available to evaluate the injuries and define the appropriate type and scale of restoration for the injured natural resources and services. Among these procedures are habitat injury assessment studies to be used in conjunction with the Habitat Equivalency Analysis, to determine compensation for injuries to swamp habitat. Models, comparisons to observations of injury resulting from similar releases, and/or other methodologies are available for evaluating injuries to the ecosystem.

Public Involvement

Pursuant to 15 CFR §990.44(c) and LAC 43:XXIX.135, the Trustees seek public involvement in restoration planning for this discharge, through public review of and comments on the documents contained in the administrative record, which is maintained in the Louisiana Oil Spill Coordinator's Office, as well as on the Draft Plan when completed.

For more information, please contact the Louisiana Oil Spill Coordinator's Office, State Office Building, 150 3rd

Street, Suite 405, Baton Rouge, LA, 70801; phone (225) 219-5800 (Attn: Oil Spill/Gina Muhs Saizan).

The Louisiana Oil Spill Coordinator, as the Lead Administrative Trustee, and on behalf of the natural resource Trustees of the State of Louisiana, pursuant to the determinations made above and in accordance with 15 CFR §990.44(d) and LAC 43:XXIX.135, hereby provides Hilcorp this Notice of Intent to Conduct Restoration Planning and invites their participation in conducting the restoration planning for this incident.

Roland J. Guidry
Louisiana Oil Spill Coordinator

0409#041

POTPOURRI

Department of Health and Hospitals Office of Public Health

WIC Program's State Plan for 2004-2005

In accordance with Public Laws 99-500 and 99-591 the Louisiana Special Nutrition Program for Women, Infants and Children (WIC) is soliciting comments from the general public on the WIC Program's State Plan for 2004-2005. The plan describes in detail the goals and the planned activities of the WIC Program for the next year. Interested persons may find copies of the state plan at the Central Nutrition/WIC Office (address below) or they may apply directly to the Nutrition/WIC Office for copies of the plan at 25 cents per page. Interested individuals should submit their requests for copies or their comments on the plan to the following address:

State of Louisiana
Department of Health and Hospitals
Office of Public Health
Nutrition Services-Room 406
Post Office Box 60630
New Orleans, Louisiana 70160
Attention: State Plan

Additional information may be gathered by contacting Debbie Luthy, Director of WIC-Nutrition Section, (504) 568-5065.

Frederick P. Cerise, M.D., M.P.H.
Secretary

0409#038

POTPOURRI

Department of Labor Office of Workers' Compensation

Average Weekly Wage Rate

Editor's Note: This Potpourri is being republished to join the following Weekly Compensation Benefit Limits Potpourri that is its logical companion.

Pursuant to Act 583 of the Regular Session of the 1975 Louisiana Legislature, this state's average weekly wage upon which the maximum workers' compensation weekly benefit

amount will be based, effective September 1, 2004, has been determined by the Department of Labor to be \$584.40.

Karen Reiners Winfrey
Assistant Secretary/Director

0409#020

POTPOURRI

**Department of Labor
Office of Workers' Compensation**

Weekly Compensation Benefit Limits

Editor's Note: This Potpourri is being republished to correct errors in both the Maximum and Minimum Compensation rates as published in the August 2004 *Louisiana Register*.

Pursuant to R.S. 23:1202 and based on the statewide average weekly wage as determined by the Department of Labor, the following limits shall apply to weekly compensation benefits for claimants injured during the period September 1, 2004 through August 31, 2005.

Average Weekly Wage	Maximum Compensation	Minimum Compensation	Mileage Reimbursement
\$584.40	\$438.00	\$117.00	\$0.34 per mile

*Effective July 1, 2004, the mileage reimbursement is \$00.34 per mile pursuant to R.S. 23:1203.D.

Karen Reiners Winfrey
Assistant Secretary/Director

0409#021

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**Department of Natural Resources
Office of Conservation**

Orphaned Oilfield Sites

Office of Conservation records indicate that the Oilfield Sites listed in the table below have met the requirements as set forth by Section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared Orphaned Oilfield Sites.

Operator	Field	District	Well Name	Well Number	Serial Number
Assoc Oil & Gas Expl Inc et al	Wildcat-So La New Orleans District	L	Dorothy A Pizani et al		111039 (29)
F. A. Callery, Inc.	Wildcat	L	L E Jones	1	100311
Radford Byerly	Wildcat	L	L E Jones et al	1	110554

Operator	Field	District	Well Name	Well Number	Serial Number
Midstates Oil Corp.	Big Island	M	Thomas Ryder	2	041466
Natural Gas & Oil Co.	Kings Ridge	L	Alma A Thomas	001	066571
Forman Petroleum Corp.	Lafitte	L	D A Pizani	1	150430 (30)
Joe W. Elsbury	Bayou des Glaises	L	E.B. Schwing "B"	2	031248 (30)
Robin F. Scully	Wildcat	L	Lillian E Jones et al	1	125840
Robin F. Scully	Wildcat	L	Lillian E Jones et al	3	129804
TXLA Energy, Inc.	Cowards Gully	L	Boise Southern	002	157569
TXLA Energy, Inc.	Cowards Gully	L	Boise Southern A	004	191649
TXLA Energy, Inc.	Cowards Gully	L	Boise Southern A	003	195626
TXLA Energy, Inc.	Cowards Gully	L	Boise Southern	001	201749

James H. Welsh
Commissioner

0409#034

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**Department of Transportation and Development
Sabine River Compact Administration**

Fall Meeting Notice

The fall meeting of the Sabine River Compact Administration will be held at the Fredericksburg Inn & Suites, Fredericksburg, Texas, Friday, October 1, 2004 at 8:30 a.m.

The purpose of the meeting will be to conduct business as programmed in Article IV of the bylaws of the Sabine River Compact Administration.

The spring meeting will be held at a site in Louisiana to be designated at the above described meeting.

Contact person concerning this meeting is:

Kellie Ferguson, Secretary
Sabine River Compact Administration
15091 Texas Highway
Many, LA 71449
(318) 256-4112

Kellie Ferguson
Secretary

0409#004