

# Potpourri

## POTPOURRI

### Department of Agriculture and Forestry Horticulture Commission

#### Landscape Architect Continuing Education

This is a correction to the date of the public hearing and deadline to submit written comments on a Notice of Intent pertaining to continuing education for landscape architects which was published in the Louisiana Register on January 20, 2006. The dates in that publication were February 28, 2006. Those dates have been changed to March 1, 2006.

All interested persons may submit written comments on the proposed Rule through March 1, 2006 to Craig Roussel, Department of Agriculture and Forestry, 5825 Florida Blvd., Baton Rouge, LA 70806. A public hearing will be held on this Rule on March 1, 2006 at 9:30 a.m. at the address listed above. All interested persons will be afforded an opportunity to submit data, views or arguments, orally or in writing, at the hearing.

Bob Odom  
Commissioner

0602#039

## POTPOURRI

### Department of Agriculture and Forestry Horticulture Commission

#### Landscape Architect Registration Exam

The next landscape architect registration examination will be given June 12-13, 2006, 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: February 17, 2006  
Re-Take Candidates: March 3, 2006  
Reciprocity Candidates: April 28, 2006

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 February 17, 2006. Questions may be directed to (225) 952-8100.

Bob Odom  
Commissioner

0602#008

## POTPOURRI

### Department of Agriculture and Forestry Structural Pest Control Commission

#### Approved Termiticides and Manufacturers

The Louisiana Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, is hereby giving notice of the list of termiticides and manufacturers, approved by the Structural Pest Control Commission, for use in Louisiana.

Approved Termiticides and Manufacturers		
Product	Percentage	Manufacturer
Bifen IT (Bifenthrin)	0.06% - 0.12%	Control Solutions
Bifen PT (Bifenthrin)	0.06% - 0.12%	Control Solutions
Bifenthrin Pro Multi-Insecticide (Bifenthrin)	0.06% - 0.12%	BASF
Bifenthrin TC (Bifenthrin)	0.06% - 0.12%	Control Solutions
Bifenthrin Termiticide / Insecticide (Bifenthrin)	0.06% - 0.12%	Speckoz
Biflex TC (Bifenthrin)	0.06% - 0.12%	FMC
*Chlorpyrifos TC (Chlorpyrifos)	0.75% - 2.00%	Micro-Flo
Cyper TC (Cypermethrin)	0.25% - 1.00%	Control Solutions
Cypermethrin G-Pro (Cypermethrin)	0.25% - 1.0%	GRO-PRO
*Cyren TC (Chlorpyrifos)	0.75% - 2.00%	Cheminova
Demon (Cypermethrin)	0.25% - 1.00%	Zeneca
Demon MAC (Cypermethrin)	0.25% - 1.0%	Syngenta
Dominion 75 WSP (Imidacloprid)	0.05% - 0.10%	Control Solutions
Dragnet FT (Permethrin)	0.50% - 2.00%	FMC
Dragnet SFR (Permethrin)	0.50% - 2.00%	FMC
*Dursban 75WG (Chlorpyrifos)	0.75% - 2.00%	Dow AgroSciences
*Dursban TC (Chlorpyrifos)	0.75% - 2.00%	Dow AgroSciences
*Equity (Chlorpyrifos)	0.75% - 2.00%	Dow AgroSciences
Impasse Termite System (Lambda-cyhalothrin)		Syngenta
Impasse Termite Blocker (Lambda-cyhalothrin)		Syngenta
Maxxthor SC (Bifenthrin)	0.06% - 0.12%	Ensysstex
*Navigator 4TC (Chlorpyrifos)	0.75% - 2.00%	Gharda USA, Inc.
Permaster 380 (Permethrin)	0.50% - 2.00%	LG Chemical America Inc.
Permethrin SFR (Permethrin)	0.50% - 2.00%	Control Solutions
Permethrin TC (Permethrin)	0.50% - 2.00%	Micro-Flo
Phantom (Chlorfenapyr)	0.063% - 0.25%	BASF
Prelude (Torpedo)(Permethrin)	0.50% - 2.00%	Zeneca
Premise 75 (Imidacloprid)	0.05% - 0.10%	Bayer
Premise .05SC (Imidacloprid)	0.05% - 0.10%	Bayer
Premise II (Imidacloprid)	0.05% - 0.10%	Bayer
Premise Pre-Construction (Imidacloprid)	0.05% - 0.10%	Bayer
**Premise Gel (Imidacloprid)	0.001%	Bayer
Prevail (Cypermethrin)	0.25% - 1.00%	FMC
Prevail TC (Cypermethrin)	0.30% - 0.60%	FMC
Prevail FT (Cypermethrin)	0.25% - 1.00%	FMC
Prevail Pretreat (Cypermethrin)	0.25% - 1.00%	FMC

Approved Termiticides and Manufacturers		
Product	Percentage	Manufacturer
***Pryfon	6 0.75%	Bayer
Pro-Build TC (Cypermethrin)	0.25% - 1.0%	Syngenta
*Surrender (Chlorpyrifos)	0.75% - 2.00%	Solutions
Talstar Pretreat (Bifenthrin)	0.06% - 0.12%	FMC
Talstar (Bifenthrin)	0.06% - 0.12%	FMC
Talstar One Multi—Insecticide (Bifenthrin)	0.06% - 0.12%	FMC
Tengard SFR (Permethrin)	0.50% - 2.00%	United Phosphorus
*Tenure (Chlorpyrifos)	0.75% - 2.00%	Dow AgroSciences
Termidor (Fipronil)	0.06% - 0.125%	BASF
Termidor 80WG (Fipronil)	0.06% - 0.125%	BASF
Termidor SC (Fipronil)	0.06% - 0.125%	BASF
Tribute (Benzeneacetate)	0.50% - 1.00%	AgrEvo
ValueLine Bifenthrin TC (Bifenthrin)	0.06% - 0.12%	FMC
NOTES:*Manufacture of all Chlorpyrifos products with approved label rates was discontinued as of December 31, 2001.		
**Premise Gel is approved for targeted (spot) application only.		
***Use of Pryfon limited to supplies on hand, but its use is being phased out.		

Baits (Not in Pilot Program)	
FirstLine GTX Termite Bait Station (Sulflurimid)	FMC
FirstLine GT Termite Bait Station (Sulflurimid)	FMC
FirstLine Termite Bait Station (Sulflurimid)	FMC
FirstLine GT Plus (Sulflurimid)	FMC
Labyrinth (Diflubenzuron)	Ensystem
Labyrinth AC (Diflubenzuron)	Ensystem
Recruit II (Hexaflumuron)	Dow Agro Sciences
Recruit AG (Hexaflumuron)	Dow Agro Sciences
Recruit III (Noviflumuron)	Dow Agro Sciences
Recruit AG III (Noviflumuron)	Dow Agro Sciences
Shatter (Hexaflumuron)	Dow Agro Sciences
T-Max (Noviflumuron)	Dow Agro Sciences/Terminix International
T-Max AG (Noviflumuron)	Dow Agro Sciences/Terminix International

Baits (In Pilot Program)		
Subterfuge (Cyanamid)(Hydramethylnon)	2/13/2002	BASF
Advance Compressed Termite Bait (Diflubenzuron)	10/2/2002	Whitmire Micro-Gen
Recruit III (Noviflumuron)	7/2/2003	Dow AgroSciences
Recruit III AG (Noviflumuron)	7/2/2003	Dow AgroSciences

Bob Odom  
Commissioner

0602#038

**POTPOURRI**

**Department of Environmental Quality  
Office of the Secretary  
Legal Affairs Division**

Clean Air Interstate Rule Program Update (0602Pot1)

On March 10, 2005, the Environmental Protection Agency (EPA) finalized the Clean Air Interstate Rule (CAIR), which requires 28 states and the District of Columbia to revise their state implementation plans to include control measures to

reduce emissions of sulfur dioxide (SO<sub>2</sub>) and nitrogen oxide (NO<sub>x</sub>).

Following promulgation of the final rule that was published in the *Federal Register* on May 12, 2005 (70 FR 25162), the EPA received 11 petitions for reconsideration. In response to the petitions, on November 22 and December 20, 2005, EPA granted reconsideration and requested comment on certain aspects of the CAIR rule. The rule and actions can be viewed at <http://www.epa.gov/cair/rule.html>.

On August 1, 2005, EPA proposed a Federal Implementation Plan (FIP) for CAIR and corrections to the CAIR rule (70 FR 49708). EPA expects to take final action on reconsideration of all issues under reconsideration by March 15, 2006. EPA also anticipates finalizing the proposed FIP and rule amendments by that date.

The department hereby provides notice that it proposes to incorporate by reference (IBR) provisions of the federal CAIR SO<sub>2</sub> Trading Program. Formal state rulemaking will begin following EPA's finalization of rule amendments in March 2006.

Should you have any questions regarding air quality planning related to CAIR, please contact James Orgeron at (225) 219-3578, or [james.orgeron@la.gov](mailto:james.orgeron@la.gov), or Office of Environmental Assessment, Air Quality Assessment Division, Box 4314, Baton Rouge, LA 70821-4314.

Herman Robinson, CPM  
Executive Counsel

0602#021

**POTPOURRI**

**Department of Environmental Quality  
Office of the Secretary  
Legal Affairs Division**

2005 State Implementation Plan (SIP)  
General Revisions (0602Pot2)

Under the authority of the Environmental Quality Act, R.S. 30:2051 et seq., the secretary gives notice of proposed general revisions to the air quality State Implementation Plan (SIP). The revisions include amendments to various air quality regulations in LAC 33:III.Chapters 2, 5, 6, 9, 11, 14, 15, 21, 22, and 23 that were previously promulgated in 2004 and 2005, and that were not previously included in other revisions to the SIP.

A public hearing will be held on March 28, 2006, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room C111, 602 N. Fifth Street, Baton Rouge, Louisiana. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Judith Schuerman, Office of the Secretary, Legal Affairs Division, Box 4302, Baton Rouge, LA 70821-4302 or at (225) 219-3550. Free parking is available across the street in the Galvez parking garage when the parking ticket is validated by department personnel at the hearing.

All interested persons are invited to submit written comments on the proposed 2005 SIP general revisions. Comments must be submitted no later than 4:30 p.m. on

April 4, 2006. Comments should be mailed to Sandra Hilton, Office of Environmental Assessment, Plan Development Section, Box 4314, Baton Rouge, LA 70821-4314 or faxed to (225) 219-3582. Copies of this document can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. A check or money order is required in advance for each copy of the document.

A copy of the general revisions to the SIP may be viewed Monday through Friday, from 8 a.m. to 4:30 p.m., at the

following DEQ locations: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 645 N. Lotus Drive, Suite C, Mandeville, LA 70471; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374 or on the Internet at <http://www.deq.louisiana.gov/portal/tabid/2279/Default.aspx>

<b>Summary of Rules Promulgated in 2005</b>			
<b>LAC 33:III</b>	<b>Louisiana Register Citation</b>	<b>Description</b>	<b>Comments</b>
§501	May 2005 LR 31:1063 AQ244	Air Permit Procedures	Corrects contradictory language in the insignificant activities list.
§507	May 2005 LR 31:1061 AQ248	Part 70 Permits Program	Corrects upset reporting procedures.
§1509	May 2005 LR 31:1061 AQ248	Sulfur Dioxide Rule	Corrects the unit of measurement for the concentration of hydrogen sulfide that is exempt from control measures.
§505	October 2005 LR 31:2427 OS057	Air Permit Procedures	Unifies and streamlines name and ownership changes for all media.
§517	October 2005 LR 31:2427 OS057	Air Permit Procedures	Unifies and streamlines name and ownership changes for all media.
§521	October 2005 LR 31:2427 OS057	Air Permit Procedures	Unifies and streamlines name and ownership changes for all media.
§211	October 2005 LR 31:2431 OS065	Fee Methodology	Revises rule references after department reorganization to reflect new organization structure.
§501	October 2005 LR 31:2431 OS065	Air Permit Procedures	Revises rule references after department reorganization to reflect new organization structure.
§504	October 2005 LR 31:2431 OS065	Nonattainment New Source Review Procedures	Revises rule references after department reorganization to reflect new organization structure.
§505	October 2005 LR 31:2431 OS 065	Acid Rain Permitting Requirements	Revises rule references after department reorganization to reflect new organization structure.
§507	October 2005 LR 31:2431 OS065	Part 70 Permits Program	Revises rule references after department reorganization to reflect new organization structure.
§509	October 2005 LR 31:2431 OS065	Prevention of Significant Deterioration	Revises rule references after department reorganization to reflect new organization structure.
§613	October 2005 LR 31:2431 OS065	ERC Bank Recordkeeping and Reporting Requirements	Revises rule references after department reorganization to reflect new organization structure.
§918	October 2005 LR 31:2431 OS065	Recordkeeping and Annual Reporting	Revises rule references after department reorganization to reflect new organization structure.
§919	October 2005 LR 31:2431 OS065	Emissions Inventory	Revises rule references after department reorganization to reflect new organization structure.
§1105	October 2005 LR 31:2431 OS065	Smoke from Flaring	Revises rule references after department reorganization to reflect new organization structure.
§1107	October 2005 LR 31:2431 OS065	Control of Emissions of Smoke Exemptions	Revises rule references after department reorganization to reflect new organization structure.
§1410	October 2005 LR 31:2431 OS065	Criteria for Determining Conformity	Revises rule references after department reorganization to reflect new organization structure.

<b>Summary of Rules Promulgated in 2005</b>			
<b>LAC 33:III</b>	<b>Louisiana Register Citation</b>	<b>Description</b>	<b>Comments</b>
§1507	October 2005 LR 31:2431 OS065	Emission Standards for Sulfur Dioxide Exceptions	Revises rule references after department reorganization to reflect new organization structure.
§2103	October 2005 LR 31:2431 OS065	Storage of Volatile Organic Compounds	Revises rule references after department reorganization to reflect new organization structure.
§2108	October 2005 LR 31:2431 OS065	Marine Vapor Recovery	Revises rule references after department reorganization to reflect new organization structure.
§2113	October 2005 LR 31:2431 OS065	Control of Emissions of Organic Compounds Housekeeping	Revises rule references after department reorganization to reflect new organization structure.
§2116	October 2005 LR 31:2431 OS065	Glycol Reboilers	Revises rule references after department reorganization to reflect new organization structure.
§2121	October 2005 LR 31:2431 OS065	Fugitive Emission Control	Revises rule references after department reorganization to reflect new organization structure.
§2122	October 2005 LR 31:2431 OS065	Fugitive Emission Control for Ozone Nonattainment Areas and Specified Parishes	Revises rule references after department reorganization to reflect new organization structure.
§2123	October 2005 LR 31:2431 OS065	Organic Solvents	Revises rule references after department reorganization to reflect new organization structure.
§2132	October 2005 LR 31:2431 OS065	Stage II Vapor Recovery Systems for Control of Vehicular Refueling Emissions at Gasoline Dispensing Facilities	Revises rule references after department reorganization to reflect new organization structure.
§2153	October 2005 LR 31:2431 OS065	Limiting Volatile Organic Compound Emissions from Industrial Wastewater	Revises rule references after department reorganization to reflect new organization structure.
§2201	October 2005 LR 31:2431 OS065	Control of Emissions of Nitrogen Oxides	Revises rule references after department reorganization to reflect new organization structure.
§2301	October 2005 LR 31:2431 OS065	Control of Emissions from the Chemical Woodpulping Industry	Revises rule references after department reorganization to reflect new organization structure.
§2303	October 2005 LR 31:2431 OS065	Standards for Horizontal Stud Soderburg Primary Aluminum Plants and Prebake Primary Aluminum Plants	Revises rule references after department reorganization to reflect new organization structure.
§2307	October 2005 LR 31:2431 OS065	Emission Standards for the Nitric Acid Industry	Revises rule references after department reorganization to reflect new organization structure.
<b>Additional Rule Promulgated in 2004</b>			
§1105	August 2004 LR 30:1667 OS052	Smoke from Flaring	Directs all reporters of opacity exceedances to reporting procedures in LAC 33:I.Chapter 39.
§1513	August 2004 LR 30:1667 OS052	Emission Standards for Sulfur Dioxide Recordkeeping and Reporting	Directs all reporters of sulfur dioxide excess emissions to reporting procedures in LAC 33:I.Chapter 39.
§2103	August 2004 LR 30:1667 OS052	Storage of Volatile Organic Compounds	Directs all reporters of storage tank monitoring and recordkeeping to reporting procedures in LAC 33:I.Chapter 39.
§2115	August 2004 LR 30:1667 OS 052	Waste Gas Disposal	Changes the reporting thresholds from 50 to 25 tpy for the Baton Rouge nonattainment area; changes the reporting thresholds for all other areas of the state to 100 tpy except Calcasieu and Pointe Coupee which remain at 50 tpy and directs all reporters of safety release and blowdown emissions to reporting procedures in LAC 33:I.Chapter 39.
§2303	August 2004 LR 30:1667 OS052	Standards for Horizontal Stud Soderburg Primary Aluminum Plants and Prebake Primary Aluminum Plants	Directs all reporters of unauthorized emissions to reporting procedures in LAC 33:I.Chapter 39.
§2307	August 2004 LR 30:1667 OS052	Emission Standards for the Nitric Acid Industry	Directs all reporters of excess emissions to reporting procedures in LAC 33:I.Chapter 39.

Herman Robinson, CPM  
Executive Counsel

0602#036

## POTPOURRI

### Office of the Governor Louisiana Oil Spill Coordinator's Office

Restoration Planning for the West Bay  
Champagne and Jefferson Parish Oil Spill

#### Purpose

The Louisiana Oil Spill Coordinator's Office/Office of the Governor (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), the Louisiana Department of Natural Resources (LDNR), the Louisiana Department of Wildlife and Fisheries (LDWF); and the federal natural resource trustee, namely the National Oceanic and Atmospheric Administration (NOAA), have determined that the impacts of the April 19, 2005 discharge of crude oil by ExxonMobil Pipeline Company (EMPCo), over which such trustees have jurisdiction, warrant conducting a natural resource damage assessment that will include restoration planning.

#### Site and Release Information

On April 19, 2005, a pipeline, owned and operated by EMPCo, discharged approximately 600 barrels of crude oil into Barataria Bay, West Bay Champagne, and surrounding coastal waters, Jefferson Parish, Louisiana. An undetermined amount of brackish and salt marsh flora and fauna inhabiting this area may have been exposed to crude oil as a result of this discharge. EMPCo, as owner and operator of the source pipeline, is the Responsible Party (RP) for this incident as defined by the Oil Pollution Act of 1990 (OPA), 33 U.S.C. 2701 et seq., and the Louisiana Oil Spill Prevention and Response Act of 1991 (OSPRA), La. Rev. Stat. 30:2451 et seq.

Barataria Bay and the adjacent areas are part of a shallow estuarine bay system characterized by soft organic sediment and tidal range generally less than three feet. Barataria Bay is bordered by extensive acreage of brackish and salt marsh, which is critical nursery habitat for numerous species and provides many other ecological services. The Barataria Bay area also includes bayous, channels, and small islands. Aquatic species present include, but are not limited to, estuarine and estuarine-dependent white and brown shrimp, blue crabs, oysters, and finfish. Wildlife species that may be present in the Barataria Bay area include, but are not limited to, resident and migratory birds, furbearers, marine mammals, and sea turtles. 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 C.F.R. §§300.600 and 300.605. La. Rev. Stat. 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. NOAA's trust resources include, but are not limited to, commercial and recreational fish species, anadromous and catadromous fish species, marshes and other coastal habitats, marine mammals, and endangered and threatened marine species.

#### Trustees' Determinations

Following the notice of the discharge, the natural resource trustees have made the following determinations required by 15 C.F.R. § 990.41(a).

- The natural resource trustees have jurisdiction to pursue restoration pursuant to the OPA, 33 U.S.C. §2702 and 2706(c) and the OSPRA, La. Rev. Stat. 30:2451 et seq. The trustees have further determined that the discharge of crude oil into the area of Barataria Bay on April 19, 2005, was an incident, as defined in 15 C.F.R. §990.30 and La. Admin. Code 43, Part XXIX, Chapter 1, Section 109.
- This discharge was not permitted under state, federal, or local law.
- The discharge was not from a public vessel.
- The 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 harmful to aquatic organisms, birds, wildlife and vegetation. Vegetation, birds, and or aquatic organisms may have been exposed to the oil from this discharge, and injury to some flora and fauna and lost ecological services may have resulted from this incident.

Because the conditions of 15 C.F.R. §990.41(a) were met, as described above, the trustees made the further determination pursuant to 15 C.F.R. §990.41(b) and La. Admin. Code 43, Part XXIX, Chapter 1, Section 101 to proceed with preassessment. EMPCo, at the invitation of the trustees, pursuant to 15 C.F.R. §990.14(c) and La. Admin. Code 43, Part XXIX, Chapter 1, Section 115, agreed to participate in the preassessment.

#### Determination to Conduct Restoration Activities

For the reasons discussed below, the natural resource trustees have made the determinations required by the 15 C.F.R. §990.42(a) and are providing notice, pursuant to 15 C.F.R. §990.44 and La. Admin. Code 43, Part XXIX, Chapter 1, Section 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 are collected and analyzed pursuant to 15 C.F.R. §990.43 and La. Admin. Code 43, Part XXIX, Chapter 1, Section 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 may include, but are not limited to, benthic communities, wetlands, birds, wildlife species, shorelines, and recreational use opportunity.

Although response actions were pursued, the nature of the discharge and the sensitivity of the environment precluded prevention of some injuries to some natural resources. The trustees believe that injured natural resources could 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 marsh or other habitat with similar service flows, protection of endangered species, creation of oyster reef habitat, creation of submerged aquatic vegetation habitat, 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 bird and marsh habitat injury assessment studies to be used in conjunction with the Resource Equivalency Analysis (REA) and Habitat Equivalency Analysis (HEA), respectively, to determine compensation for injuries to birds and marsh habitats. Models, comparisons to observations of injury resulting from similar releases, or other methodologies are available for evaluating injuries to the ecosystem.

**Public Involvement**

Pursuant to 15 C.F.R. §990.44(c) and La. Admin. Code 43, Part XXIX, Chapter 1, Section 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 Damage Assessment and Restoration Plan when completed.

For more information, please contact the Louisiana Oil Spill Coordinator's Office, State Office Building, 150 Third 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 and NOAA, pursuant to the determinations made above and in accordance with 15 C.F.R. §990.44(d) and La. Admin. Code 43, Part XXIX, Chapter 1, Section 135, hereby provides EMPCo, 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

0602#048

**POTPOURRI**

**Department of Social Services  
Office of Community Services**

**2006 Louisiana Emergency Shelter Grants Program  
Anticipated Funds Availability**

The Louisiana Department of Social Services (DSS) anticipates the availability of \$1,511,290 in grant funds for distribution to applicant units of local government under the 2006 State Emergency Shelter Grants Program (ESGP). Program funds are allocated to the state by the U.S. Department of Housing and Urban Development (HUD) through authorization by the Stewart B. McKinney

Homeless Assistance Act, as amended. Funding available under the Emergency Shelter Grants Program is dedicated for the rehabilitation, renovation or conversion of buildings for use as emergency shelters for the homeless, and for payment of certain operating costs and social services expenses in connection with emergency shelter for the homeless. The program also allows use of funding in homeless prevention activities as an adjunct to other eligible activities. As specified under current state ESGP policies, eligible applicants are limited to units of general local government for all parish jurisdictions and those municipal or city governmental units for jurisdictions with a minimum population of 10,000 according to recent census figures. Recipient units of local government may make all or part of grant amounts available to private nonprofit organizations for use in eligible activities.

Application packages for the state ESGP shall be issued by mail to the chief elected official of each qualifying unit of general local government. The application package can be viewed on the Internet at the following website: <http://www.dss.state.la.us/departments/dss/rfps.html> In order to be considered for funding, applications must be received by DSS/Office of Community Services by 4 p.m., Friday, April 7, 2006.

Nonprofit organizations in qualifying jurisdictions which are interested in developing a project proposal for inclusion in an ESGP funding application should contact their respective unit of local government to advise of their interest. To be eligible for funding participation, a private nonprofit organization as defined by ESGP regulations must be one which is exempt from taxation under Subtitle A of the Internal Revenue Code, has an accounting system and a voluntary board, and practices nondiscrimination in the provision of assistance.

To be eligible for funding, a project/organization must be a participant in a Homeless Management Information System (HMIS). Note that PL 109-162 recently passed, protects from disclosure any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs involving victims of domestic violence, dating violence, sexual assault, or stalking, and their families.

The state DSS will continue use of a geographic allocation formula in the distribution of the state's ESGP funding to ensure that each region of the state is allotted a specified minimum of state ESGP assistance for eligible ESGP projects. Regional allocations for the state's 2006 ESGP have been formulated based on factors for low-income populations in the parishes of each region according to U.S. Census Bureau data. Within each region, grant distribution shall be conducted through a competitive grant award process.

The following table lists the allocation factors and amounts for each region.

Region	Factor	Allocation
Region I New Orleans	.1537939	232,427
Region II Baton Rouge	.1210838	182,993
Region III Thibodaux	.0659078	99,606
Region IV Lafayette	.1537187	232,314

Region	Factor	Allocation
Region V Lake Charles	.0522069	78,900
Region VI Alexandria	.0714394	107,966
Region VII Shreveport	.1235570	186,731
Region VIII Monroe	.0950414	143,635
Region IX Northshore	.0751581	113,586
Region X Jefferson	.0880929	133,134

Regional funding amounts for which applications are not received shall be subject to statewide competitive award to applicants from other regions and/or shall be reallocated among other regions in accordance with formulations consistent with the above factors.

Grant awards shall be for a minimum of \$10,000. Applicable grant maximums are as follows:

- Individual grant awards to applicant jurisdictions of less than 49,000 population shall not exceed \$50,000.
- For a jurisdiction of over 49,000 population, the maximum grant award shall not exceed the ESGP allocation for that jurisdiction's respective region.

Grant specifications, minimum and maximum awards may be revised at DSS's discretion in consideration of individual applicant's needs, total program funding requests, and available funding. DSS reserves the right to negotiate the final grant amounts, component projects, and local match with all applicants to ensure judicious use of program funds.

Program applications must meet state ESGP requirements and must demonstrate the means to assure compliance if the proposal is selected for funding. If, in the determination of DSS, an application fails to meet program purposes and standards, even if such application is the only eligible proposal submitted from a region or subregion, such application may be rejected *in toto*, or the proposed project(s) may be subject to alterations as deemed necessary by DSS to meet appropriate program standards.

Proposals accepted for review will be rated on a comparative basis based on information provided in grant applications. Award of grant amounts between competing applicants and/or proposed projects will be based upon the following selection criteria:

- Nature and extent of unmet need for emergency shelter, transitional housing and supportive services in the applicant's jurisdiction.....40 points
- The extent to which proposed activities will address needs for shelter and assistance and/or complete the development of a comprehensive system of services which will provide a continuum of care to assist homeless persons to achieve independent living.....30 points
- The ability of the applicant to carry out the proposed activities promptly..... 15 points
- Coordination of the proposed project(s) with available community resources, so as to be able to match the needs of homeless persons with appropriate supportive services and assistance..... 15 points

ESGP recipients are required to provide matching funds (including in-kind contributions) in an amount at least equal to its ESGP funding unless a jurisdiction has been granted an exemption in accordance with program provisions. The value of donated materials and buildings, voluntary activities

and other in-kind contributions may be included with "hard cash" amounts in the calculation of matching funds. A local government grantee may comply with this requirement by providing the matching funds itself, or through provision by nonprofit recipients.

A recipient local government may at its option elect to use up to 2.439 percent of grant funding for costs directly related to administering grant assistance, or may allocate all grant amounts for eligible program activities. Program rules do not allow the use of ESGP funds for administrative costs of nonprofit subgrantees.

Availability of ESGP funding is subject to HUD's approval of the state's FY 2006 Consolidated Annual Action Plan for Housing and Community Development Programs. No expenditure authority or funding obligations shall be implied based on the information in this notice of funds availability.

Inquiries and comments regarding the 2006 Louisiana ESGP may be submitted in writing to the attention of the ESGP Coordinator, Office of Community Services, Contracts and Eligibility Section, Box 3318, Baton Rouge, LA, 70821, or telephone (225) 342-4583.

Ann Silverberg Williamson  
Secretary

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## POTPOURRI

### Department of Social Services Office of Family Support

#### TANF Caseload Reduction Report

The Department of Social Services, Office of Family Support, hereby gives notice that, in accordance with federal regulations at 45 CFR 261.40, the Temporary Assistance to Needy Families (TANF) Caseload Reduction Report for Louisiana is now available to the public for review and comment.

In order to receive a caseload reduction credit for minimum participation rates, the agency must submit a report based on data from the Family Independence Temporary Assistance Program (FITAP) and the Strategies to Empower People Program (STEP) containing the following information:

1. a listing of, and implementation dates for, all State and Federal eligibility changes, as defined at §261.42, made by the state since the beginning of FY 1995;
2. a numerical estimate of the positive or negative impact on the applicable caseload of each eligibility change (based, as appropriate, on application denials, case closures, or other analyses);
3. an overall estimate of the total net positive or negative impact on the applicable caseload as a result of all such eligibility changes;
4. an estimate of the state's caseload reduction credit;
5. the number of application denials and case closures for fiscal year 1995 and the prior fiscal year;
6. the distribution of such denials and case closures, by reason, for fiscal year 1995 and the prior fiscal year;

7. a description of the methodology and the supporting data that it used to calculate its caseload reduction estimates;

8. a certification that it has provided the public an appropriate opportunity to comment on the estimates and methodology, considered their comments, and incorporated all net reductions resulting from Federal and State eligibility changes; and

9. a summary of all public comments.

Copies of the TANF Caseload Reduction Report may be obtained by writing Tara Prejean, Department of Social

Services, Office of Family Support, P.O. Box 94065, Baton Rouge, LA 70804-9065, by telephone at (225)342-4096, or via E-mail at [tprejean@dss.state.la.us](mailto:tprejean@dss.state.la.us).

Written comments regarding the report should also be directed to Ms. Prejean. These must be received by close of business on March 22, 2006.

Ann Silverberg Williamson  
Secretary

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