

Potpourri

POTPOURRI

Department of Agriculture and Forestry Horticulture Commission

Landscape Architect Registration Exam

The next landscape architect registration examination will be given December 3-4, 2001, beginning at 7:45 a.m. at the College of Design Building, Louisiana State University Campus, Baton Rouge, Louisiana. The deadline for sending the application and fee is as follows:

New Candidates:	September 7, 2001
Re-Take Candidates:	September 21, 2001
Reciprocity Candidates:	November 16, 2001

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 7, 2001. Questions may be directed to (225) 952-8100.

Bob Odom
Commissioner

0109#006

POTPOURRI

Office of the Governor Oil Spill Coordinator's Office

M/V Westchester Crude Oil Discharge

Agencies: National Oceanic and Atmospheric Administration (NOAA); United States Department of the Interior (DOI) which is represented by the U.S. Fish and Wildlife Service (USFWS); Louisiana Oil Spill Coordinator's Office, Office of the Governor (LOSCO); Louisiana Department of Environmental Quality (LDEQ); Louisiana Department of Natural Resources (LDNR); Louisiana Department of Wildlife and Fisheries (LDWF).

Action: Notice of availability of a Draft Damage Assessment and Restoration Plan/Environmental Assessment, and of a 30-day state and federal period for public comment on the plan.

Summary: Pursuant to 15 C.F.R. §990.23 and 15 C.F.R. §990.55(c) and LAC 43:XXIX, Chapter 1, notice is hereby given that a document entitled, "Draft Damage Assessment and Restoration Plan and Environmental Assessment, M/V Westchester Crude Oil Discharge, Lower Mississippi River, Louisiana, November 28, 2000" (Draft DARP/EA) will become available for public review and comment on September 27, 2001. This document is being prepared by the agencies listed above (the Trustees) to address natural resource injuries and losses of service following the

November 28, 2000 vessel grounding and subsequent discharge of crude oil into the Lower Mississippi River, Louisiana (the Incident). This document presents the Trustees' assessment of the natural resource injuries and losses of ecological services attributable to this Incident, and their proposed plan to restore, replace or acquire resources or services equivalent to those lost as a basis for compensating for the natural resource injuries and losses of service that occurred. The Trustees will consider comments received during the public comment period before finalizing the document. Public review of the Draft DARP/EA is consistent with all state and federal laws and regulations that apply to the natural resource damage assessment process, including Section 1006 of the Oil Pollution Act (OPA), 33 U.S.C. §2706; the regulations for natural resource damage assessment under OPA, 15 C.F.R. Part 990; National Environmental Policy Act (NEPA), 42 U.S.C. §4321, et seq.; the regulations implementing NEPA, 40 C.F.R. §1500, et seq.; Section 3480 of the Louisiana Oil Spill Prevention and Response Act (OSPRA), L.R.S. 30:2480; and the regulations for natural resource damage assessment under OSPRA, LAC 43:XXXIX, Chapter 1.

Dates: Comments must be submitted in writing on or before October 27, 2001.

For Further Information: For further information contact: John Kern, at (727) 570-5391 ext. 158, email: john.kern@noaa.gov, or Warren P. Lorentz, at (225) 219-5800, email: wlorentz@losco.state.la.us.

ADDRESSES: Requests for copies of the Draft DARP/EA should be sent to John Kern of NOAA, 9721 Executive Center Drive, N., Suite 114, St. Petersburg, FL 33702 or Warren Lorentz, LOSCO, 625 N. 4th Street, Suite 800, Baton Rouge, LA 70802. Written comments on the plan should be sent to either John Kern of NOAA or to Warren P. Lorentz of LOSCO at the same addresses as listed above.

Supplementary Information: At around 6:20 p.m. CST on November 28, 2000, the U.S. Coast Guard Marine Safety Office in New Orleans was notified that the M/V Westchester lost steerage because of a crankcase explosion while transiting the Mississippi River at Mile Marker (MM) 38 (measured from the Head of Passes) in Plaquemines Parish, Louisiana. The vessel grounded and leaked approximately 550,000 gallons or more of sweet Nigerian crude oil into the river from the holed #1 starboard cargo tank. The Mississippi River was closed between MM 38 and MM 9 on November 29, 2000. The river was opened to two-way traffic on December 1, 2000.

Oil from the vessel moved down river before most of it became trapped along the West Bank in rip-rap areas and sloughs. Most of the black oil remained trapped along the West Bank, although sheens were observed in marsh tidal creeks and bayous such as Grand Pass. Sheens also passed through cuts in the river levee into open water and marshes below Venice. Response efforts were quickly mounted, including placing booms at key bayous and cuts and deploying skimmers to collect oil from the water surface. Although response actions were undertaken, natural

resources were exposed to the oil, including marsh, shorelines, birds, and water column organisms. A variety of injuries and lost uses of natural resources were documented as a result of that exposure. Access to recreational sites was reduced because of the Incident, thereby affecting human recreational uses of the area.

The incident is subject to the authority of OPA, 33 U.S.C. §2701, et seq.; the Federal Water Pollution Control Act (FWPCA or Clean Water Act), 33 U.S.C. §1251, et seq.; and OSPRA, L.R.S. 30:2451, et seq. NOAA, DOI/USFWS, LOSCO, LDEQ, LDNR, and LDWF are Trustees for natural resources pursuant to Section 2706 of OPA, 33 U.S.C. §2706; Section 311 of the Clean Water Act, 33 U.S.C. §1321; Subpart G of the National Contingency Plan, 40 C.F.R. §§300.600-300.615; and, in the case of the Louisiana Trustees, OSPRA, L.R.S. 30:2451, et seq., and in the case of the Federal Trustees, Executive Order 12777. As a designated Trustee, each agency is authorized to act on behalf of the public under state and/or federal law to assess and recover natural resource damages, and to plan and implement actions to restore natural resources and resource services injured or lost as the result of an incident.

Pursuant to Section 1006 of OPA (33 U.S.C. §2706) and Section 2480 of OSPRA (L.R.S. 30:2480), the designated natural resource Trustees have conducted a damage assessment for this Incident to evaluate potential injuries to natural resources and services, and to determine the need for and scale of restoration actions required. The Draft DARP/EA discusses the natural resources and services, including human recreational use, believed to be affected by the Incident, details the assessment procedures used, outlines the restoration alternative selection and scaling process, and identifies the preferred restoration alternatives to address natural resource injuries and losses of service. The Trustees determined that injured natural resources and services have largely returned to baseline conditions, and are expected to fully return to baseline without requiring any further actions. However, the Trustees have determined that there have been interim losses to habitat services, birds, aquatic fauna, and recreational use that require compensatory restoration to make the environment and the public whole for these losses. Under the preferred restoration alternative, a crevasse will be cut through the bank of South Pass on the Pass-A-Loutre State Wildlife Management Area to allow the formation of a splay marsh that is expected to provide sufficient ecological benefits to compensate for all ecological injuries. Construction of a boat dock and minor improvements to a currently unimproved area on the South Pass on the Pass-A-Loutre State Wildlife Management Area, used for camping, will enhance access to the resources of the management area and vicinity. These actions will compensate the public for the loss of recreational access to the areas' resources during the Incident.

Interested members of the public are invited to request a copy of the Draft DARP/EA from and to submit written comments to either John Kern or Warren P. Lorentz at the addresses given above. All written comments will be

considered by NOAA, DOI/USFWS, LOSCO, LDEQ, LDNR, and LDWF in finalizing the DARP/EA.

Roland Landry
Oil Spill Coordinator

0109#039

POTPOURRI

Department of Insurance Office of the Commissioner

Bulletin 01 -03

To: All Admitted Insurance Companies, Licensees and Interested Parties

From: J. Robert Wooley, Acting Commissioner

Re: Act 205 - Workers' Compensation Programs

Date: August 20, 2001

This Bulletin is to notify all persons and entities licensed or authorized to transact business in the State of Louisiana of Act No. 205 of the 2001 Louisiana Legislative Session. Act No. 205, effective August 15, 2001, amends LSA-R.S. 23:1174.1(A) and adds LSA-R.S. 23:1174.1(A)(2) relative to workers' compensation programs in the following respects:

Current law permits several methods by which an employer can secure workers' compensation to his employees, including:

...insuring and keeping insured the payment of such compensation with any stock corporation, mutual association, or other concern authorized to transact the business of workers' compensation insurance in this state, including group self insurance as authorized by R.S. 23:1191 et seq. LSA-R.S. 23:1168(A)(1)

Current law also prohibits establishing any unreasonable criteria, policies, or procedures designed to discriminate against a contractor or subcontractor based upon securing their workers' compensation obligation through anyone of the entities described in R.S. 23:1168 above, including a group self insurer. LSA-R.S. 23:1174.1(A)

Act 205 extends this prohibition of discrimination against any employer to insurance companies writing umbrella insurance policies in this state. LSA-R.S. 23:1174.1(A)(2)

J. Robert Wooley
Acting Insurance Commissioner

0109#005

POTPOURRI

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
Edwin A. Epstein, Jr.	North Sabine Lake	L	SL 14838	001	221428
Edwin A. Epstein, Jr.	Mount Common Church	L	Bennett	002	211628
Florida Exploration Company	Unknown Pass	L	7900 RA SUC; L&N RR	003	133702 (30)
McCormick O&G & Crown Central	Wildcat	L	B. Rosenberg & Sons Inc	001	137554 (29)
McElmury-Hamilton	Caddo Pine Island	S	Mattson	001	23293
Trans-Gulf Petroleum Corp.	Wildcat	S	Wadley-Files	001	149426

Philip N. Asprodites
Commissioner

0109#058

POTPOURRI

**Department of Natural Resources
Office of the Secretary**

Fishermen's Gear Compensation Fund

In accordance with the provisions of R.S. 56:700.1 et seq., notice is given that 28 claims in the amount of \$88,844.21 were received for payment during the period July 1, 2001 - August 31, 2001. There were 26 claims paid and 2 claims denied.

Loran Coordinates of reported underwater obstructions are:

26699	46978	Cameron
27359	46937	Vermilion
27887	46854	Terrebonne
27890	46864	Terrebonne
28547	46856	Jefferson
28621	46870	Jefferson

Latitude/Longitude Coordinates of reported underwater obstructions are:

2911.040	8929.010	Plaquemines
2912.515	8928.491	Plaquemines
2916.241	8957.376	Jefferson
2920.358	9037.694	Terrebonne
2924.949	9058.073	Terrebonne
2935.058	8929.318	Plaquemines
2938.553	9010.048	Jefferson
2939.158	8950.176	Plaquemines
2941.074	8927.016	St Bernard
3009.015	8924.643	Vermilion

A list of claimants and amounts paid can be obtained from Verlie Wims, Administrator, Fishermen's Gear Compensation Fund, P.O. Box 94396, Baton Rouge, LA 70804 or by calling (225) 342-0122.

Jack C. Caldwell
Secretary

0109#032

POTPOURRI

**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 Marriott River Center, San Antonio, Texas, October 26, 2001, at 8:30 a.m.

The purpose of the meeting will be to conduct business as programmed in Article IV of the By Laws 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, Louisiana 71449
(318) 256-4112

Kellie Ferguson
Secretary

0109#040