

pursuant to the determinations made above and in accordance with 15 C.F.R. §990.44(d) and L.A.C. 43:XXIX.135, hereby provides BP Oil Pipelines Company, this Intent to Conduct Restoration Planning and invites their participation in conducting the restoration planning for this incident.

Roland J. Guidry
Louisiana Oil Spill Coordinator

0211#073

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Office of the Governor Oil Spill Coordinator's Office

Intent to Conduct Restoration Planning
Terrebonne Parish Mosquito Bay 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), the Louisiana Department of Natural Resources (LDNR), the Louisiana Department of Wildlife and Fisheries (LDWF); and the federal natural resource trustees, namely the National Oceanic and Atmospheric Administration (NOAA), and the U.S. Department of the Interior (DOI), represented by the U.S. Fish and Wildlife Service (USFWS), have determined that the impacts of the April 5, 2001 discharge of natural gas and natural gas condensate by Williams Field Services Company (Williams), over which such Trustees have jurisdiction, warrants conducting a natural resource damage assessment that will include restoration planning.

Site and Release Information

On April 5, 2001, a pipeline, owned and operated by Williams, discharged an undetermined amount of natural gas and natural gas condensate into the saltwater marsh on the northern bank of Mosquito Bay, Terrebonne Parish, Louisiana. Accurate determinations of release volumes are difficult, but estimates provided by Williams, LOSCO, LDEQ, and the U.S. Coast Guard range from 1,000 barrels to 3,000 barrels. Approximately 37 acres of saltwater marsh, other habitats and, potentially, fauna inhabiting this area may have been exposed to natural gas and natural gas condensate because of this discharge. Approximately an additional 53 acres of saltwater marsh, other habitats and, potentially, fauna were impacted due to response activities. Williams is the Responsible Party (RP) for this incident.

Mosquito Bay and the adjacent areas are part of a shallow estuarine bay system characterized by soft organic sediment. Tidal amplitude is small, driven primarily by wind. Mosquito Bay is bordered by extensive acreage of saltwater marsh, which is critical nursery habitat for numerous species and provides many other ecological services. The Mosquito 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 Mosquito 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. 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. The U.S. Department of the Interior, through the involvement of the U.S. Fish and Wildlife Service, is trustee for natural resources described within the National Contingency Plan, 40 C.F.R. §300.600(b)(2) and (3), which include the following and their supporting ecosystems: migratory birds, anadromous fish, endangered species and marine mammals, federally owned minerals, certain federally managed water resources, and natural resources located on, over, or under land administered by the Department of the Interior. In the case at hand, the trust resources that may be of concern are resident and migratory birds and threatened and endangered species, which are managed by the U.S. Fish and Wildlife Service, which represents DOI in this matter. 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 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 natural gas and condensate into the area of Mosquito Bay on April 5, 2001, was an incident, as defined in 15 C.F.R. §990.30 and L.A.C. 43:XXIX.109.
- This incident was not permitted under state, federal or local law.
- The incident was not from a public vessel.
- The incident 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 natural gas and condensate discharged contain components that may be toxic to aquatic organisms, birds, wildlife and vegetation. Vegetation, birds, and or 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 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 L.A.C. 43:XXIX.101 to proceed with preassessment. Williams, at the invitation of the trustees, agreed to participate in the

preassessment, pursuant to 15 C.F.R. §990.14(c) and L.A.C. 43:XXIX.115.

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. §990.4 and L.A.C. 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, although the extent of such injuries has not been fully determined at this time. The trustees base this determination upon data that is collected and analyzed pursuant to 15 C.F.R. §990.43 and L.A.C. 43:XXIX.119, which demonstrate that resources and services have been injured by this incident. Natural resources and natural resource services injured or lost as a result of the discharge and the response may include, but are not limited to, benthic communities, water quality, wetlands, fish and wildlife species, 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 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 primary and 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, creation of oyster reef 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 marsh grass injury assessment studies to be used in conjunction with Habitat Equivalency Analysis to determine compensation for injuries to marsh vegetation and marsh services. Models, comparisons to observations of injury resulting from similar releases, or other methodologies are available for evaluating injuries to fauna.

Public Involvement

Pursuant to 15 C.F.R. §990.44(c) and L.A.C. 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 and Final Restoration Plans 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, DOI/USFWS, and NOAA, pursuant to the determinations made above and in accordance with 15 C.F.R. §990.44(d) and L.A.C. 43:XXIX.135, hereby provides Williams Field Services

Company, this Intent to Conduct Restoration Planning and invites their participation in conducting the restoration planning for this incident.

Roland J. Guidry
Louisiana Oil Spill Coordinator

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Department of Health and Hospitals Board of Embalmers and Funeral Directors

Embalmer/Funeral Director Examinations

The Board of Embalmers and Funeral Directors will give the National Board Funeral Director and Embalmers/Funeral Director exams on Saturday, January 18, 2003 at Delgado Community College, 615 City Park Ave., New Orleans, LA.

Interested persons may obtain further information from the Board of Embalmers and Funeral Directors, Box 8757, Metairie, LA 70011, (504) 838-5109.

Dawn Scardino
Executive Director

0211#077

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Department of Health and Hospitals Office of Management and Finance Division of Research and Development Office of Primary Care and Rural Health

Funding for Rural and Underserved Areas

Effective December 1, 2002, the Department of Health and Hospitals= Division of Research and Development, Office of Primary Care and Rural Health, will begin accepting letters of intent from applicants who are interested in applying for funding under the provisions of Act 162 of the 2002 First Extraordinary Session of the Louisiana Legislature. This funding is being made available to provide immediate financial assistance to rural and underserved parishes throughout the state to maintain, enhance or expand access to community-based primary and preventive health care services in these areas.

Major provisions of Act 162 include:

(1) limited funds to establish, expand or enhance primary and preventive health care services to persons in rural and underserved areas;

(2) funds to encourage primary health care providers to practice in local underserved or rural communities;

(3) matching funds for demonstration project(s) to establish new primary health services in local underserved communities or rural areas, provided such projects shall be required to secure other local or other grant funding; and

(4) matching funds for other grants to provide community-based health services to indigent or low-income persons.

Eligible applicants include public or non-profit health care provider organizations located in a rural and/or federally designated health professional shortage areas as identified in