

used for addressing site contamination and will continue to serve as a standard tool to assess impacts to soil, ground water, surface water, and air. The basis and rationale for the revised rule will be to clarify, reorganize, and update the current RECAP regulation to be consistent with current federal risk assessment recommendations. The RECAP revisions will serve to establish uniformity for submitters in the program to minimize the time and money necessary to identify corrective action levels for constituents of concern at a contaminated site. This should encourage voluntary and expeditious remediation.

The proposed draft revisions are available for inspection at the following LDEQ office locations from 8 a.m. to 4:30 p.m.: 602 North Fifth Street, Baton Rouge, LA 70802; 111 New Center Drive, Lafayette, LA 70508; 508 Downing Pines Road, West Monroe, LA. 71292; 2129 Rainbow Drive, Pineville, LA 71360; 1525 Fairfield, Room 520, Shreveport, LA 71101; 201 Evans Road, Building 4, Suite 420, New Orleans, LA 70123; 110 Barataria Street, Lockport, LA 70374; 1301 Gadwall Street, Lake Charles, LA 70615; or on the internet at: <http://www.deq.louisiana.gov/portal/DIVISIONS/UndergroundStorageTankandRemediationDivision/RemediationServices/RECAP.aspx>.

Herman Robinson, CPM
Executive Counsel

1511#053

POTPOURRI

**Office of the Governor
Coastal Protection and Restoration Authority**

Deepwater Horizon Oil Spill: Draft Phase V Early Restoration Plan and Environmental Assessment

ACTION:

Notice of Availability of Draft Plan

SUMMARY:

In accordance with the Oil Pollution Act of 1990 (OPA), the Louisiana Oil Spill Prevention and Response Act (OSPR), the National Environmental Policy Act (NEPA), and the Framework Agreement for Early Restoration Addressing Injuries Resulting from the *Deepwater Horizon* Oil Spill, notice is hereby given that the Federal and State natural resource trustee agencies for Louisiana, Mississippi, Alabama, Florida, and Texas (Trustees) have prepared a Draft Phase V Early Restoration Plan and Environmental Assessment (Draft Phase V ERP/EA) describing and proposing the first phase of an early restoration project (Florida Coastal Access Project)¹ intended to continue the process of restoring natural resources and services injured or lost as a result of the *Deepwater Horizon* Oil Spill, which occurred on or about April 20, 2010, in the Gulf of Mexico. The Draft Phase V ERP/EA proposes the first phase of the Florida Coastal Access Project, which is consistent with the early restoration program alternatives selected in the Final Phase III Early Restoration Plan / Programmatic Environmental Impact Statement (Phase III ERP/PEIS). The Draft Phase V ERP/EA also includes notices of change and supporting analyses for two Phase III Early Restoration Projects, “Strategically Provided Boat Access Along Florida’s Gulf Coast – City of Port St. Joe, Frank Pate Boat

Ramp Improvements” and “Florida Artificial Reef Creation and Restoration”. The purpose of this notice is to inform the public of the availability of the Draft Phase V ERP/EA, and to seek public comments on the proposed first phase of the Florida Coastal Access Project and supporting analysis.

DATES

Comments Due Date: We will consider public comments received on or before December 28, 2015.

Public Meeting: The Trustees will schedule a public meeting to facilitate public review and comment on the Draft Phase V ERP/EA. Both written and verbal comments will be taken at the public meeting. The Trustees will hold an open house immediately prior to the formal meeting. The public meeting will include a presentation of the Draft Phase V ERP/EA. The public meeting schedule is as follows:

Date	Time	Location
December 14, 2015	6:00 p.m. Open House	Gulf Coast State College, Student Union East, Room 231 (Gibson Lecture Hall), 5230 West U.S. Highway 98, Panama City, FL 32411
	6:30 p.m. Public Meeting	

ADDRESSES:

Obtaining the Document: You may download the Draft Phase V ERP/EA at <http://la-dwh.com/EarlyRestorationPlanning.aspx> and <http://www.gulfspillrestoration.noaa.gov>. Alternatively, you may request a CD of the document (see For Further Information Contact section below). You may also review copies of the document at the public facilities listed at <http://la-dwh.com/EarlyRestorationPlanning.aspx> and <http://www.gulfspillrestoration.noaa.gov>.

Submission of Comments: You may submit comments on the Draft Phase V ERP/EA by one of the following methods:

Via the web: <http://www.gulfspillrestoration.noaa.gov>.

Via U.S. Mail: U.S. Fish & Wildlife Service, P.O. Box 49567, Atlanta, GA 30345. Submissions must be received on or before the comment deadline referred to in the *Comments Due Date* section above in order to be considered.

FOR FURTHER INFORMATION CONTACT:

Nanciann Regalado at nanciann_regalado@fws.gov.

SUPPLEMENTARY INFORMATION:

Introduction

On or about April 20, 2010, the mobile offshore drilling unit *Deepwater Horizon*, which was being used to drill a well for BP Exploration and Production, Inc. (BP) in the Macondo prospect (Mississippi Canyon 252 - MC 252), experienced a significant explosion, fire, and subsequent sinking in the Gulf of Mexico, resulting in an unprecedented volume of oil and other discharges from the rig and from the wellhead on the seabed for a period of over three months. The *Deepwater Horizon* Oil Spill is the largest oil spill in U.S. history, discharging millions of barrels of oil over a period of 87 days. In addition, well over 1 million gallons of dispersants were applied to the waters of the spill area in an attempt to disperse the spilled oil. An undetermined amount of natural gas was also released into the environment as a result of the spill. Affected resources include ecologically, recreationally, and commercially important species and their habitats in the Gulf of Mexico and along the coastal areas of Alabama, Florida, Louisiana, Mississippi, and Texas.

The State and Federal Natural Resource Trustees (Trustees) are conducting the natural resource damage assessment for the *Deepwater Horizon* oil spill under the Oil Pollution Act 1990 (OPA; 33 U.S.C. 2701 et seq.). Pursuant to OPA, Federal and State agencies and Indian Tribes may act as trustees on behalf of the public to assess natural resource injuries and losses, and to determine the actions required to compensate the public for those injuries and losses. OPA further instructs the designated trustees to develop and implement a plan for the restoration, rehabilitation, replacement, or acquisition of the equivalent of the injured natural resources under their trusteeship, including the loss of use and services from those resources from the time of injury until the time of restoration to baseline (the resource quality and conditions that would exist if the spill had not occurred) is complete. Pursuant to the process articulated in the Framework for Early Restoration Addressing Injuries Resulting from the *Deepwater Horizon* Oil Spill (Framework Agreement), the Trustees previously selected, and BP agreed to fund, a total of 64 early restoration projects, expected to cost a total of approximately \$832 million, through the Phase I Early Restoration Plan/Environmental Assessment (Phase I ERP/EA), Phase II Early Restoration Plan/Environmental Review (Phase II ERP/ER), the Programmatic and Phase III Early Restoration Plan and Early Restoration Programmatic Environmental Impact Statement (Phase III ERP/PEIS), and the Phase IV Early Restoration Plan/Environmental Assessments (Phase IV ERP/EA). These plans are available at: <http://www.gulfspillrestoration.noaa.gov/restoration/early-restoration/>, and <http://la-dwh.com>.

The Trustees are:

- U.S. Department of the Interior (DOI), as represented by the National Park Service, U.S. Fish and Wildlife Service, and Bureau of Land Management;
- National Oceanic and Atmospheric Administration (NOAA), on behalf of the U.S. Department of Commerce;
- U.S. Department of Agriculture (USDA);
- U.S. Department of Defense (DOD);²
- U.S. Environmental Protection Agency (USEPA);
- State of Louisiana Coastal Protection and Restoration Authority, Oil Spill Coordinator's Office, Department of Environmental Quality, Department of Wildlife and Fisheries, and Department of Natural Resources;
- State of Mississippi Department of Environmental Quality;
- State of Alabama Department of Conservation and Natural Resources and Geological Survey of Alabama;
- State of Florida Department of Environmental Protection and Fish and Wildlife Conservation Commission; and
- For the State of Texas: Texas Parks and Wildlife Department, Texas General Land Office, and Texas Commission on Environmental Quality.

Background

On April 20, 2011, BP agreed to provide up to \$1 billion toward early restoration projects in the Gulf of Mexico to address injuries to natural resources caused by the *Deepwater Horizon* Oil Spill. The Framework Agreement

represents a preliminary step toward the restoration of injured natural resources and is intended to expedite the start of restoration in the Gulf in advance of the completion of the injury assessment process. The Framework Agreement provides a mechanism through which the Trustees and BP can work together “to commence implementation of early restoration projects that will provide meaningful benefits to accelerate restoration in the Gulf as quickly as practicable” prior to the resolution of the Trustees’ natural resource damages claim. Early restoration is not intended to and does not fully address all injuries caused by the *Deepwater Horizon* Oil Spill. Restoration beyond early restoration projects will be required to fully compensate the public for natural resource losses, including recreational use losses, from the *Deepwater Horizon* Oil Spill.

The Trustees have actively solicited public input on restoration project ideas through a variety of mechanisms, including public meetings, electronic communication, and creation of a Trustee-wide public Web site and database to share information and receive public project submissions. Their key objective in pursuing early restoration is to secure tangible recovery of natural resources and natural resource services for the public’s benefit while the longer term process of fully assessing injury and damages is under way. The Trustees released, after public review of the drafts, the Phase I ERP/EA (which included eight early restoration projects) and the Phase II ERP/ER (which included an additional two projects) in April and December 2012, respectively. After public review, the Trustees released the Phase III ERP/PEIS, which included an additional 44 early restoration projects, on June 26, 2014. Subsequently, the Trustees approved the Phase III ERP/PEIS in a Record of Decision on October 31, 2014. The Trustees released the Phase IV ERP/EA, which included an additional 10 early restoration projects, on September 23, 2015, after public review.

The Trustees are proposing the first phase of the Florida Coastal Access Project in Phase V to address injuries from the *Deepwater Horizon* oil spill. The proposed first phase of the Florida Coastal Access Project in this Draft Phase V ERP/EA is consistent with the Programmatic ERP and PEIS included in the Final Phase III ERP/PEIS previously developed by the Trustees. The Draft Phase V ERP/EA is not intended to and does not fully address all injuries caused by the spill or provide the extent of the restoration needed to make the public and the environment whole.

Overview of the Draft Phase V ERP/EA

The Draft Phase V ERP/EA is being released in accordance with the Oil Pollution Act (OPA), the Natural Resource Damage Assessment (NRDA) regulations found in the Code of Federal Regulations (CFR) at 15 CFR 990, the National Environmental Policy Act (42 U.S.C. 4321 et seq.), and the Framework for Early Restoration Addressing Injuries Resulting from the *Deepwater Horizon* Oil Spill. The Trustees are considering the first phase of the Florida Coastal Access Project in the Draft Phase V ERP/EA. This phase would involve the acquisition and/or enhancement of four coastal project locations in the Florida Panhandle to enhance the public’s access to the surrounding natural resources and increase recreational opportunities. The total estimated cost for the proposed first phase is \$34,372,184.³ Details on the proposed first phase of the Florida Coastal

Access Project are provided in the Draft Phase V ERP/EA. The Draft Phase V ERP/EA also includes notices of change and supporting analyses for two Phase III Early Restoration Projects, “Strategically Provided Boat Access Along Florida’s Gulf Coast—City of Port St. Joe, Frank Pate Boat Ramp Improvements” and “Florida Artificial Reef Creation and Restoration”.

The proposed first phase of the Florida Coastal Access Project is intended to continue the process of using early restoration funding to restore natural resources, ecological services, and recreational use services injured or lost as a result of the *Deepwater Horizon* Oil Spill. The Trustees considered hundreds of projects leading to the identification of the Florida Coastal Access Project and considered both ecological and recreational use restoration projects to restore injuries caused by the *Deepwater Horizon* Oil Spill, addressing both the physical and biological environment, as well as the relationship people have with the environment. The early restoration actions in the Draft Phase V ERP/EA are not intended to and do not fully address all injuries caused by the spill or provide the extent of restoration needed to make the public and the environment whole. The Trustees may propose additional early restoration projects in the future.

Next Steps

As described above, a public meeting is scheduled to facilitate the public review and comment process. After the public comment period ends, the Trustees will consider and address the comments received before issuing the Final Phase V Early Restoration Plan and Environmental Assessment (Final Phase V ERP/EA). After issuing a Final Phase IV ERP/EA and if the Trustees approve the first phase of the Florida Coastal Access Project, the Trustees will file a negotiated stipulation for the approved project with the court. The approved first phase of the project will then proceed to implementation, pending compliance with all applicable State and Federal laws.

Invitation to Comment

The Trustees seek public review and comment on the proposed first phase of the Florida Coastal Access Project and supporting analysis included in the Draft Phase V ERP/EA. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be publicly available at any time.

Administrative Record

The documents comprising the Administrative Record can be viewed electronically at the following locations:

<http://www.doi.gov/deepwaterhorizon>; or

<http://la-dwh.com/AdminRecord.aspx>.

Authority

The authority of this action is the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), the implementing Natural Resource Damage Assessment regulations found at 15 CFR 990, the Louisiana Oil Spill Prevention and Response Act [La. R.S. §§30:2451-2496 (2010)], and the implementing natural resource damage assessment regulations found at La. Admin. Code 43:101 et seq.

¹ The proposed Florida Coastal Access Project would proceed in phases. The additional future phase will consist of similar restoration activities and shall be identified and

selected by the Trustees in the same manner and using the same criteria as described in the Draft Phase V ERP/EA and in accordance with OPA, NEPA, and other applicable laws, and after public review of the proposed action.

² Although a trustee under OPA by virtue of the proximity of its facilities to the *Deepwater Horizon* oil spill, DOD is not a member of the Trustee Council and does not currently participate in Trustee decision making.

³ The total estimated cost of the entire proposed Florida Coastal Access Project is \$45,415,573. The Trustees will propose in an additional, future phase similar restoration activities that would implement the remaining \$11,043,389.

Kyle Graham
Executive Director

1511#082

POTPOURRI

Department of Health and Hospitals Board of Nursing

Licensure as an Advanced Practice Registered Nurse
and Authorized Practice—Public Hearing
(LAC 46:XLVII.4507 and 4513)

In accordance with the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., the Louisiana State Board of Nursing published a Notice of Intent in the October 20, 2015 edition of the *Louisiana Register* (LR 42:2218-2220) to amend two sections in Chapter 45 of its rules, particular by amending 4507 and 4513. The proposed Rule changes will allow the Louisiana State Board of Nursing the ability to provide an opportunity for APRNs that have acquired licensure by alternative methods to go before the board and explain and/or justify why the Louisiana State Board of Nursing should extend licensure opportunities to him/her. It will also allow the Louisiana State Board of Nursing the ability to clarify exemption of CRNAs from the requirement to have a collaborative practice agreement to provide anesthesia care and ancillary services to patients in a hospital or other licensed surgical facility.

A public hearing on these substantive changes to the proposed Rule is scheduled for Monday, November 30, 2015 at 1 p.m. at the Louisiana State Board of Nursing, 17373 Perkins Road, Baton Rouge, LA. At that time all interested persons will be afforded the opportunity to submit views or arguments either orally or in writing.

Karen C. Lyon
Executive Director

1511#097

POTPOURRI

Department of Health and Hospitals Board of Veterinary Medicine

Spring/Summer Examination Dates

The Louisiana Board of Veterinary Medicine will administer the state board examination (SBE) for licensure to practice veterinary medicine on the first Tuesday of every month. Deadline to apply for the SBE is the third Friday prior to the examination date desired. SBE dates are subject to change due to office closure (i.e. holiday, weather).