

POTPOURRI
Department of Natural Resources
Office of the Secretary
Fishermen's Gear Compensation Fund

Underground Obstruction—Latitude/Longitude Coordinates

In accordance with the provisions of R.S. 56:700.1 et. seq., notice is given that 23 claims in the amount of \$89,307.48 were received for payment during the period December 1, 2012 - December 31, 2012.

There were 23 paid and 0 denied.

Latitude/longitude coordinates, in degree decimal minutes, of reported underwater obstructions are:

29 03.069	90 41.948	Terrebonne
29 03.937	89 16.016	Plaquemines
29 04.382	89 07.332	Plaquemines
29 04.556	90 15.276	Lafourche
29 06.603	90 10.428	Lafourche
29 07.731	90 19.268	Lafourche
29 08.996	90 31.774	Terrebonne
29 10.016	90 38.461	Terrebonne
29 11.956	89 16.051	Plaquemines
29 12.692	89 58.943	Jefferson
29 13.900	89 07.690	Plaquemines
29 25.553	90 27.149	Lafourche
29 41.533	90 12.212	Jefferson
29 44.639	93 11.666	Cameron
29 45.646	93 22.450	Cameron
29 48.201	91 57.641	Iberia
29 48.900	89 17.050	Saint Bernard
29 51.654	93 14.882	Cameron
29 51.697	93 20.793	Cameron
30 10.516	89 55.544	Orleans

A list of claimants and amounts paid can be obtained from Gwendolyn Thomas, Administrator, Fishermen's Gear Compensation Fund, P.O. Box 44277, Baton Rouge, LA 70804 or you can call (225) 342-9388.

Stephen Chustz
Secretary

1301#054

POTPOURRI

Department of Public Safety and Corrections
Oil Spill Coordinator's Office

Deepwater Horizon Oil Spill Phase II Early Restoration Plan and Environmental Review

ACTION: notice of availability of final plan.

SUMMARY: In accordance with the Oil Pollution Act of 1990 (OPA), the Louisiana Oil Spill Prevention and Response Act (OSPRA), the National Environmental Policy Act (NEPA), and the Framework Agreement for Early Restoration Addressing Injuries Resulting from the Deepwater Horizon oil spill (framework agreement), notice is hereby given that the federal and state natural resource

trustee agencies (trustees) have approved the Phase II Early Restoration Plan and Environmental Review (Phase II ERP/ER) describing the second set of early restoration projects selected by the trustees to continue the process of restoring natural resources and services injured or lost as a result of the Deepwater Horizon oil spill and associated response activities (the spill). The purpose of this notice is to inform the public of the availability of the Phase II ERP/ER.

ADDRESSES:

Obtaining Documents: You may download the Phase II ERP/ER and the Framework Agreement at <http://losco-dwh.com/>. Alternatively, you may request a CD of the Phase II ERP/ER from the contact listed below (see FOR FURTHER INFORMATION CONTACT). You may also review hard copies of the document at the public repositories listed at <http://losco-dwh.com/>.

FOR FURTHER INFORMATION CONTACT:

Karolien Debusschere at Karolien.Debusschere@la.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 – MC252), experienced a significant explosion, fire and subsequent sinking in the Gulf of Mexico, resulting in discharges of oil and other substances from the rig and from the wellhead on the seabed. An estimated 4.9 million barrels (210 million gallons) of oil were released from the well into the Gulf of Mexico over approximately three months. In addition, an estimated 1.84 million gallons of dispersants were applied to the waters of the spill area in an attempt to minimize impacts from spilled oil. 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.

Federal and state trustees (listed below) are conducting the natural resource damage assessment for the 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 damages 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.

The Deepwater Horizon trustees are:

- the United States Department of the Interior (DOI), as represented by the National Park Service, United States Fish and Wildlife Service, and Bureau of Land Management;
- the National Oceanic and Atmospheric Administration (NOAA), on behalf of the United States Department of Commerce;
- the United States Department of Agriculture;
- the United States Environmental Protection Agency;
- 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
- Texas Parks and Wildlife Department, Texas General Land Office and Texas Commission on Environmental Quality.

The United States Department of Defense (DOD) is also a trustee of natural resources associated with DOD-managed land on the Gulf Coast, which is included in the ongoing natural resource damage assessment (NRDA).

Background:

In April 2011, BP agreed, in the Framework Agreement, to provide up to \$1 billion toward early restoration projects in the Gulf of Mexico to address injuries to natural resources caused by the spill. The Framework Agreement represents a preliminary step toward the restoration of injured natural resources, and 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 completion of the natural resource damage assessment process or full resolution of the trustees’ natural resource damages claim.

The trustees have actively solicited public input on early restoration project ideas through a variety of mechanisms, including public meetings, electronic communication, and creation of a Trustee-wide public website and database to share information and receive public project submissions, and are considering a broad array of potential early restoration projects. The trustees’ 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 still underway. As the first step in this accelerated process, the trustees released, after public review and comment, a Phase I Early Restoration Plan and Environmental Assessment (Phase I ERP/EA) in April 2012 detailing eight initial projects. The projects included in the Phase I ERP/EA are currently in various stages of implementation.

On November 6, 2012, the trustees made available to the public the Draft Phase II Early Restoration Plan and Environmental Review (Phase II DERP/ER) proposing two additional restoration projects to address response injuries from the spill and provided a review and comment period that concluded on December 10, 2012 (77 FR 66626, November 6, 2012). The trustees held a public meeting on November 13, 2012 in Pensacola, Florida to facilitate public comment on the Phase II DERP/ER. The trustees considered the public comments received prior to selecting the projects included in the Phase II ERP/ER. The public comments received and the trustees’ responses are addressed in Chapter 5 of the Phase II ERP/ER. The projects included in the Phase II ERP/ER also address a number of specific public comments raised during the Phase

I DERP/EA process, requesting the development of additional habitat and wildlife-based early restoration projects.

Overview of the Phase II ERP/ER:

Early Restoration Plan Alternatives, Including the Selected Alternative:

The Phase II ERP/ER describes two early restoration alternatives: The No Action—Natural Recovery (required for consideration by OPA) and The Selected Alternative—Phase II Early Restoration Projects.

No Action Alternative:

Under the No Action Alternative, the trustees would not implement early restoration projects as described in the Phase II ERP/ER. Choosing No Action at this time would result in delaying protection and improvement of important nesting habitats injured by the spill.

Selected Alternative:

The Selected Alternative includes two projects intended to protect and enhance beach nesting habitats used by birds and sea turtles by, among other things, protecting bird nesting habitat with symbolic fencing and signs and reducing the presence of harmful lighting on certain beaches as described in the plan. The proposed projects are: (1) Enhanced Management of Avian Breeding Habitat Injured by Response in the Florida Panhandle, Alabama, and Mississippi; and (2) Improving Habitat Injured by spill Response: Restoring the Night Sky. Each of these projects will benefit coastal nesting habitats injured by response activities associated with the Deepwater Horizon oil spill. Both projects meet the evaluation criteria further described in section 1.6 of the Phase II ERP/ER.

The Phase II ERP/ER represents the second set of projects selected as part of the Deepwater Horizon early restoration process. Planning for additional early restoration action is continuing. Neither the Phase I ERP/EA, nor the Phase II ERP/ER, nor any subsequent plan for early restoration is intended to or will fully address all injuries caused by the spill or provide the extent of restoration needed to satisfy claims against responsible parties. Further comprehensive restoration will still be required to fully compensate the public for natural resource losses from the spill.

Administrative Record:

The documents comprising the administrative record can be viewed electronically at the following location: <http://losco-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 Part 990, the Louisiana Oil Spill Prevention and Response Act (La. R.S. §30:2451 et seq.), the implementing Natural Resource Damage Assessment regulations found at LAC 43:XXIX.101 et seq., and the Framework Agreement for Addressing Injuries Resulting from the Deepwater Horizon Oil Spill.

Brian Wynne
Coordinator

1301#027