

Subchapter E. Rotation List

§1947. Law Enforcement Tow Truck Rotation List

A. - A.5.d. ...

6. No law enforcement officer shall recommend to the vehicle owner or operator a specific tow company to conduct a tow. All tows shall be referred to the law enforcement rotation list or the authorized contractor for the law enforcement agency. When the owner or operator exercises their option to select the tow company, such selection shall be duly noted on the tow invoice or the law enforcement record of the incident.

B. ...

1. Every person, firm, corporation or other entity who participates in a law enforcement Tow Rotation Program, and is engaged in, or associated with the towing, removal or storage of any wrecked, abandoned, disabled or other designated vehicle, shall comply with the department's procedural orders and all applicable state laws, and administrative regulations governing the towing and storage of vehicles including, but not limited to, R.S. 32:1711 et seq., and LAC 55:I.1901 et seq.

C. - C.4. ...

5. not be owned, operated by, or knowingly employ any person that operates tow trucks who has been convicted of a felony relating to auto theft, vehicle insurance fraud, burglary of a vehicle, possession of stolen vehicles or vehicle parts.

C.6. - F. ...

1. Each tow truck and operator shall meet all operational requirements mandated for tow trucks in R.S. 23, 32, and 47 as well as LAC 55. All tow trucks in a business's fleet shall also be equipped with the following:

1.a. - 2.f. ...

g. wear an approved ANSI Class II or III reflective vest that is in good condition and fits the operator when working on or near the roadway during crash or vehicle recovery.

F.3. - G.5.a. ...

6. Interference with commissioned officers at the scene or failure to comply with the officer's instructions is prohibited. No tow truck owner, operator, or employee shall be required to follow a directive or order that is unsafe or beyond the operational standard or capacity of any equipment being used in cleanup or in the removing of the roadway hazard. If a tow truck owner or operator refuses to follow a directive or order because of an unsafe condition, no adverse action by a law enforcement agency shall be taken against such owner or operator including removal from any rotation list.

G.7.-H.2.a.iv.(b). ...

(c). at least 100 feet of wire or synthetic rope, except that a slide back and tilt bed carrier may have only 50 feet of wire or synthetic rope, with a minimum diameter of 3/8 inch, rated at a minimum of 12,000 pounds breaking strength.

a.v. - b.iv.(a). ...

(b). power winch rated not less than 20,000 pounds, dual winches must have a minimum of 150 feet wire or synthetic rope per winch with a breaking strength of 21,000 pounds and 1/2 inch in diameter.

v. - vi.(b). ...

(c). at least 50 feet of 3/8 inch cable or synthetic rope.

b.vi.(d). - c.iv.(b). ...

(c). minimum of 200 feet of wire or synthetic rope per winch of at least 9/16 inch diameter and rated at breaking strength of 27,000 pounds.

H.2.c.v. - J.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1714.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of the State Police. LR 32:854 (May 2006), amended LR 36:456 (March 2010), LR 36:2580 (November 2010), LR 40:

Jill Boudreaux
Undersecretary

1311#044

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

**Deepwater Horizon Oil Spill; Programmatic and Phase III
Early Restoration Planning Document**

Action:

Notice of availability; request for comments.

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), the Federal and State natural resource damage assessment trustees (Trustees) are preparing a restoration planning document proposing a programmatic early restoration approach – including a programmatic environmental impact analysis of early restoration alternatives - to restore natural resources, ecological services, and recreation use services injury or lost as a result of the Deepwater Horizon oil spill (hereinafter "the Spill"). The document also proposes and evaluates a set of specific early restoration projects for implementation.

The purpose of this notice is to inform the public of the availability of this early restoration planning document, with an anticipated release date on or about December 6, 2013, as well as to seek public comments on the document. The Trustees have previously released to the public a Draft Phase I Early Restoration Plan and Environmental Assessment, which was approved as final in February 2012, and a Draft Phase II Early Restoration Plan and Environmental Review, which was approved as final in January 2013. These plans are available at <http://www.gulfspillrestoration.noaa.gov/restoration/early-restoration/>

This Notice of Availability also serves as notice that the Trustees intend to use components of existing restoration projects, as further described in the document and required by 15 C.F.R. 990.56 (b)(3). In those instances, the projects were previously developed with public review and comment and are subject to current public review and comment, are

adequate to partially compensate the environment and public as part of the Trustees' ongoing early restoration efforts, address resources that have been identified by Trustees as being injured by the Spill, and are reasonably scalable for early restoration purposes.

Dates:

Comments Due Date: Public comments received on or before February 4, 2014 (or 60 days from the availability of the document) will be considered.

Public Meeting Dates: Public meetings will be held to facilitate public review and comment on the document (See below schedule). Both written and verbal public comments will be taken at the meetings. Additional details regarding meeting information, including venues, will be published in local newspapers and will be posted on the web at <http://losco-dwh.com/>.

Date	Time	Location
Dec 16, 2013	6:00 p.m. Open House	Mobile, AL
	6:30 p.m. Public Meeting	
Dec 17, 2013	6:00 p.m. Open House	Long Beach, MS
	6:30 p.m. Public Meeting	
Jan 14, 2014	5:30 p.m. Open House	Belle Chasse, LA
	6:00 p.m. Public Meeting	
Jan 15, 2014	5:30 p.m. Open House	Thibodaux, LA ¹
	6:00 p.m. Public Meeting	
Jan 16, 2014	5:30 p.m. Open House	Lake Charles, LA ¹
	6:00 p.m. Public Meeting	
Jan 21, 2014	6:00 p.m. Open House	Port Arthur, TX
	6:30 p.m. Public Meeting	
Jan 22, 2014	6:00 p.m. Open House	Galveston, TX
	6:30 p.m. Public Meeting	
Jan 23, 2014	6:00 p.m. Open House	Corpus Christi, TX
	6:30 p.m. Public Meeting	
Jan 28, 2014	6:00 p.m. Open House	Pensacola, FL
	6:30 p.m. Public Meeting	
Jan 29, 2014	6:00 p.m. Open House	Panama City, FL
	6:30 p.m. Public Meeting	

¹ These meetings will be combined with the Louisiana Coastal Protection and Restoration Authority's Fiscal Year 2015 Draft Annual Plan Public Hearings.

Addresses:

Obtaining the Document:

- You may download the document, once released, which is expected to be on or about December 6, 2013, at <http://losco-dwh.com/>. Please visit <http://losco-dwh.com/> for updates on the availability of the document.
- Alternatively, you may request a CD of the document (see "for further information contact"). You may also review copies of the document at the public facilities listed at <http://losco-dwh.com/>.

Submitting Comments:

- You may submit comments by one of the methods listed in the document or any of the following:
- Via the web: <http://losco-dwh.com/EarlyRestorationPlanning.aspx> or www.gullspillrestoration.noaa.gov.
 - For electronic submission containing attachments, email: Karolien.Debusschere@la.gov.
 - U.S. Mail: Louisiana Oil Spill Coordinator's Office, P.O. Box 66614, Baton Rouge, LA 70806 or U.S. Fish and Wildlife Service, P.O. Box 49567, Atlanta, GA 30345.

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 seafloor. An unprecedented volume of oil and other discharges were released from the well into the Gulf of Mexico over a period of approximately three months. In addition, well over one million gallons of dispersants were applied to the waters of the spill area in an attempt to minimize impacts from spilled oil. An undetermined amount of natural gas was also released to 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 Trustees (listed below) are conducting the natural resource damage assessment for the Spill under 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 restoration is complete.

The Trustees are:

- United States 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 United States Department of Commerce;
- United States Department of Agriculture (USDA);
- United States Environmental Protection Agency (EPA);
- Louisiana Coastal Protection and Restoration Authority, Louisiana Oil Spill Coordinator's Office, Louisiana Department of Environmental Quality, Louisiana Department of Wildlife and Fisheries, and Louisiana Department of Natural Resources;
- Mississippi Department of Environmental Quality;
- Alabama Department of Conservation and Natural Resources and Geological Survey of Alabama;
- Florida Department of Environmental Protection and Florida 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 a Trustee but, to date has not become a signatory to the Framework Agreement.

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 Spill. This early restoration agreement, entitled "Framework for Early Restoration Addressing Injuries Resulting from the Deepwater Horizon Oil Spill" (Framework Agreement), represents a preliminary step toward the restoration of injured natural resources. The Framework Agreement 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 completion of the natural resource damage assessment process or full resolution of the Trustees' natural resource damages claim.

In addition to the ten projects previously proposed, approved, and finalized in Phase I and Phase II of early restoration, the Trustees are proposing additional early restoration projects (Phase III) in the document to address injuries from the 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 website 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 still underway. The projects proposed in these early restoration planning documents 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 environment whole.

Next Step:

As described above, public meetings will be 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 a final document. Upon finalization of the document, agreement with BP regarding these projects will be completed, and approved projects will then proceed to implementation, pending compliance with all applicable state and federal laws.

Public Availability of Comments:

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 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 C.F.R. Part 990, the Louisiana Oil Spill Prevention and Response Act (R.S. §§ 30:2451-2496 (2010)), and the implementing Natural Resource Damage Assessment regulations found at La. Admin. Code 43:101 et seq.

Brian Wynne
Coordinator

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