

NOTICE OF RESTORATION PLAN – 2006 CALCASIEU RIVER OIL SPILL

ACTION: Notice of Availability of a Draft Damage Assessment and Restoration Plan and Environmental Assessment with a 30-day public review and comment period -- LOSCO NRDA case file #LA2006_0621_0846 (Calcasieu River 2006).

AGENCIES: Louisiana Oil Spill Coordinator's Office, Department of Public Safety and Corrections (LOSCO); Louisiana Department of Environmental Quality (LDEQ); Louisiana Department of Natural Resources (LDNR); Louisiana Department of Wildlife and Fisheries (LDWF); Louisiana Coastal Protection and Restoration Authority (CPRA); the United States Department of the Interior (DOI), represented by the U.S. Fish and Wildlife Service (USFWS); and the United States Department of Commerce, represented by the National Oceanic and Atmospheric Administration (NOAA); collectively referred to herein as the "Trustees".

AUTHORITIES: The Oil Pollution Act of 1990 (OPA), 33 U.S.C. 2701 *et seq.*, and the Louisiana Oil Spill Prevention and Response Act of 1991 (OSPRA), La. R.S. 30:2451 *et seq.*, are the principal federal and state statutes, respectively, authorizing federal and state agencies and tribal officials to act as natural resource trustees for the recovery of damages for injuries to trust resources and services resulting from oil spill incidents in Louisiana. OPA implementing regulations may be found at 15 C.F.R. Part 990 and OSPRA regulations at LAC 43:XXIX. In accordance with OPA, OSPRA, and the regulations, the Trustees have conducted a Natural Resource Damage Assessment (NRDA) for the 2006 oil discharge into the lower Calcasieu River estuary, approximately eight miles south-southwest of Lake Charles, Louisiana, in Calcasieu Parish (Incident). CITGO Petroleum Corporation (CITGO) was identified as the Responsible Party for the Incident.

SUMMARY: Pursuant to 15 C.F.R. §§ 990.23, 990.55 and LAC 43:XXIX, Chapter 1, notice is hereby given that a document entitled, "Draft Damage Assessment and Restoration Plan and Environmental Assessment, 2006 Calcasieu River Oil Spill, NRDA Case File #LA2006_0621_0846" (Draft DARP/EA) is available for public review and comment. The Draft DARP/EA identifies the natural resources and services that were determined to be injured by the Incident, describes the assessment procedures used to quantify injury, outlines the scaling approach and restoration alternative selection process, and presents the Trustees' proposed plan to restore natural resources or services equivalent to those lost as a basis for compensating the public for the injuries to natural resources and services resulting from the Incident. The Draft DARP/EA evaluates restoration alternatives that the Trustees considered and identifies the Trustees' preferred restoration alternative, which is a suite of restoration actions including: (1) the Long Point Bayou Marsh Creation (CS-0085) Project; (2) Calcasieu Lake Oyster Cultch Plant Project; and (3) Houma Navigation Canal (HNC) Bird Island Project. After finalization of the Draft DARP/EA, the Trustees will prepare a Final Damage Assessment and Restoration Plan and Environmental Assessment (Final DARP/EA) and make it available to the public.

The Draft DARP/EA is available to the public for a 30-day comment period, which will begin on the date of this public notice announcing availability of the document for public review. The Trustees invite the public to review this document and submit comments to the mailing or email address listed below. The Trustees will consider comments received during the public comment period before finalizing the Final DARP/EA. Public review of the Draft DARP/EA is consistent with all federal and state laws and regulations that apply, including Section 1006 of OPA, 33 U.S.C. § 2706; the OPA regulations, 15 C.F.R. Part 990; Section 2480 of OSPRA, La. R.S. 30:2480; and the OSPRA regulations, LAC 43:XXIX, *et seq.*

PUBLIC PARTICIPATION: Interested members of the public are invited to view the Draft DARP/EA via the internet at <http://www.losco.state.la.us> (look under Newsflash/current news for 2006 Calcasieu River Oil Spill Draft Damage Assessment and Restoration Plan and Environmental Assessment Available) or by requesting a copy of the document at the following address:

Louisiana Oil Spill Coordinator's Office
Department of Public Safety and Corrections
Attn: Charles K. Armbruster
P.O. Box 66614
Baton Rouge, LA 70896
(225) 925-6606
losco@la.gov

Public participation is encouraged. Opportunities to participate in the process include public availability of Administrative Record (AR) documents as well as an opportunity for the public to review and comment on the Draft DARP/EA. The AR can be found at <https://data.losco.org> under "Search Administrative Records".

COMMENT SUBMITTALS: Comments must be submitted in writing or digitally to Charles K. Armbruster at the above address on or before the end of the 30-day comment period.

FOR FURTHER INFORMATION: Contact Charles K. Armbruster at (225) 925-6606 or by email at charles.armbruster@la.gov.

SUPPLEMENTARY INFORMATION: On October 20, 2014, the Trustees published a Notice of Intent in the *Louisiana Register* (Vol. 40, No. 10, pp. 2170-2172) to notify the public that they intended to conduct restoration planning for the Incident, develop restoration alternatives that would restore, replace, rehabilitate, or acquire the equivalent of natural resources injured and/or natural resource services lost as a result of the Incident, and open an Administrative Record to facilitate public involvement in the restoration planning process. In June of 2021, Citgo agreed to settle their NRDA liability for a cash amount, and shortly thereafter on July 20, 2021, the Trustees published a Notice of Availability of a proposed Consent Decree for Natural Resource Damages in the *Louisiana Register* (Vol. 47, No. 7, pp. 1069-1070). The Trustees did not receive comments during the 30-day public comment period, and on September 1, 2021, the United States District Court for the Western District of Louisiana entered the Consent Decree. A copy of the Consent Decree is available on LOSCO's website.

Sam Jones
Oil Spill Coordinator