

rulemaking, if necessary, will be initiated after review and consideration of the comments received. (2103Pot2)

With this notice the department is soliciting comments from interested parties and members of the public on any aspect of the WQS that the department should consider for potential revision. Persons commenting should reference this potpourri notice, 2103Pot2. A public hearing will be held via Zoom on April 28, 2021, at 1:30 p.m. Interested persons are invited to attend and submit oral comments via PC, Mac, Linux, iOS or Android at <https://deqlouisiana.zoom.us/j/84625190124?pwd=ZVVxeXIyMStOcTFVUURTcHlHVVlrQT09> using the password: 382195 or by telephone by dialing 636-651-3182 and entering conference code 725573.

Interested persons are invited to attend and submit oral comments on any aspect of the WQS which they would like the Department to consider. Interested persons may also submit written comments. Comments should include the name of the commenter and the organization that they are representing, if appropriate, and are due no later than 4:30 p.m., April 28, 2021, and should be sent to Jamie Phillippe, Office of Environmental Assessment, Water Planning and Assessment Division, P.O. Box 4314, Baton Rouge, LA 70821-4314. Electronic comments may be submitted via e-mail to [WQ.Standards@la.gov](mailto:WQ.Standards@la.gov).

Written responses to the comments will not be provided. Progress on the triennial review will be communicated to the public through the Water Planning and Assessment Division, Water Quality Standards and Assessment webpage, <https://www.deq.louisiana.gov/page/water-quality>. Any proposed revisions to the WQS resulting from the review will be subject to the rulemaking provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

Courtney J. Burdette  
General Counsel

2103#018

## POTPOURRI

### Department of Environmental Quality Office of the Secretary Legal Affairs and Criminal Investigations Division

Updates to the Water Quality Management Plan  
Volume 4: Basin and Subsegment Boundaries  
Appendix A: Subsegment Descriptions by Basin

Under the authority of the Environmental Quality Act, R.S. 30:2071 et seq., the secretary gives notice that procedures have been initiated to amend Volume 4 of the Louisiana Water Quality Management Plan (WQMP)

The Louisiana Department of Environmental Quality (LDEQ) reports on water quality in the state by basin subsegment. Volume 4 is a component of the Water Quality Management Plan required by Sections 303 and 208 of the Clean Water Act. Federal regulations require LDEQ to periodically review and update the Water Quality Management Plan. The purpose of Volume 4 is to describe the subsegment delineations, hydrology, and geography. Table 3 in LAC 33:IX.1123 of the Water Quality regulations also includes the subsegment descriptions. Subsegment delineations and descriptions are reviewed periodically to

ensure that subsegments are distinct and consistent representations of the state's hydrology.

Volume 4, Appendix A provides a complete listing of all subsegment descriptions by basin. These subsegment descriptions were previously on public notice in rule WQ097 and WQ106. Additionally, Subsegments for 031002 and 041901 had inaccurate descriptions in WQ097 and will maintain their original descriptions in Volume 4, Appendix A. The purpose of this revision to Volume 4 and Appendix A is to update the subsegment descriptions to be consistent with LAC 33:IX.Chapter 11.

You may access the LDEQ web page for the Water Quality Management Plan at (<https://www.deq.louisiana.gov/page/water-quality-management>) to read the complete draft revision of Volume 4 and Appendix A. Written comments regarding the proposed revision must be received no later than April 20, 2021, at 4:30 p.m., and should be sent to Jamie Phillippe, Office of the Environmental Assessment, Water Quality Planning and Assessment Division, Box 4314, Baton Rouge, LA 70821-4314 or by e-mail to [WQ.Standards@la.gov](mailto:WQ.Standards@la.gov).

Courtney J. Burdette  
General Counsel

2103#017

## POTPOURRI

### Office of the Governor Oil Spill Coordinator's Office

Notice of Draft Restoration Plan  
Lake Washington 2003 Oil Spill

**Action:** Notice of Availability of a Draft Restoration Plan for Natural Resource Damages—LOSCO NRDA case file # LA2003\_0302\_0716 [Lake Washington 2003]. The Draft Restoration Plan for Natural Resource Damages is available for public review and comment for 30 days.

**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); and Louisiana Coastal Protection and Restoration Authority (CPRA).

**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), 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 an oil spill. The natural resource trustees for this incident include LOSCO, LDEQ, LDNR, LDWF, and CPRA (collectively, the "Trustees"). LOSCO, LDEQ, LDNR, LDWF, and CPRA are designated as Trustees by the Governor of Louisiana pursuant to Section 1006(b)(3) of OPA, 33 U.S.C. § 3706(b)(3), and subpart G of the NCP. These same agencies serve as State Trustees under OSPRA according to R.S. 30:2451, et seq. and LAC 43:XXIX, Chapter 1, Section 101, et seq. ExxonMobil Pipeline Company ("EMPCo"), as the owner and operator of the pipeline that discharged oil, is

the identified Responsible Party and is therefore liable according to 33 U.S.C. § 2702 and R.S. 30:2480 for natural resource damages resulting from the incident.

**Summary of Incident:** On March 2, 2003, an unauthorized discharge of crude oil was reported involving a subsurface pipeline owned and operated by EMPCo. The release occurred in the vicinity of Lake Washington, which is located in the Barataria estuary, approximately eight miles south-southwest of Port Sulphur, Louisiana. An estimated 995 barrels (41,790 gallons) of crude oil were released into the surrounding coastal waters. Due to the presence of large numbers of migrating waterfowl in the area at the time of the incident, bird hazing cannons were deployed (March 4, 2003) in various locations as one means to deter birds from accessing oiled areas. Response activities also served to deter birds and other wildlife from areas where clean-up operations were being conducted. The discharge exposed estuarine habitats as well as birds and other wildlife to crude oil. On September 20, 2003, the Trustees issued a Notice of Intent to Conduct Restoration Planning for this incident. The Trustees and EMPCo worked to evaluate and quantify the nature and extent of injuries to natural resources and services, and to determine the need for, type of, and scale of appropriate restoration actions.

EMPCo was also identified as the Responsible Party for two other unauthorized crude oil discharges in the vicinity of the Lake Washington incident. These included the Mendicant Island incident on December 2, 2003 and the West Champagne Bay incident on April 19, 2005. The two incidents and Lake Washington incident were combined into one collective Natural Resource Damage Assessment and joint settlement agreement between the Trustees and EMPCo. A joint settlement was preferred by the Trustees and EMPCo because of the inherent cost efficiencies associated with conducting one restoration planning effort versus three efforts and the resulting benefits to the environment. The three incidents are collectively referred to as the LWMIWCB Incidents.

**Purpose:** Pursuant to LAC 43:XXIX, Chapter 1, Section 101, et seq., notice is hereby given that a document entitled, "Draft Restoration Plan—Lake Washington 2003 Oil Spill" is available for public review and comment. The Draft Restoration Plan presents the Trustees' plan to restore, replace, or acquire natural resources or services equivalent to those lost, as a basis for compensating the public for the injuries to natural resources resulting from the Lake Washington Oil Spill. The preferred restoration alternative is designed to create coastal herbaceous wetlands, including delta splay marsh, near East Bay, Louisiana. The proposed Preferred Alternative would be funded using a portion of the settlement funds from the LWMIWCB Incidents. After finalization of the Draft Restoration Plan, the Trustees will prepare a Final Restoration Plan and make it available to the public.

The Draft Restoration Plan 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 the Draft Restoration Plan and submit comments to the

address listed below. The Trustees will consider comments received during the public comment period before finalizing the document. An additional opportunity for public review will be provided in the event that the Trustees decide to make significant changes to the Draft Restoration Plan based on the initial public comments.

**Public Participation:** Interested members of the public are invited to view the Draft Restoration Plan via the internet at <http://www.losco.state.la.us> (look under Newsflash/current news for Lake Washington 2003 Draft Restoration Plan Available For Public Comment) or by requesting a copy of the document from Charles K. Armbruster at the address provided below:

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

Public participation is encouraged. Opportunities to participate in the process include public availability of Administrative Record documents as well as an opportunity for the public to review and comment on draft restoration planning documents (like the Draft Restoration Plan currently available for review) that identifies the Trustees' preferred restoration project(s) for this incident. A restoration plan(s) will be finalized and released to the public identifying the selected restoration project(s) to be implemented by the Trustees. Public participation is consistent with all state and federal 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, R.S. 30:2480; and the OSPRA regulations, LAC 43:XXIX, Chapter 1, Section 101, et seq.

**Comment Submittals:** Comments to the Draft Restoration Plan must be submitted in writing or digitally to Charles K. Armbruster 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](mailto:Charles.Armbruster@la.gov).

Samuel E. Jones  
Oil Spill Coordinator

2103#019

## POTPOURRI

### Department of Health Bureau of Health Services Financing

#### 2021 Third Quarter Hospital Stabilization Assessment

In compliance with House Concurrent Resolution (HCR) 51 of the 2016 Regular Session of the Louisiana Legislature, the Department of Health, Bureau of Health Services Financing amended the provisions governing provider fees to establish hospital assessment fees and related matters (Louisiana Register, Volume 42, Volume 11).