

Louisiana Streamlining Commission

Suggested Recommendations to Advisory Committee Chairmen

Preamble:

The following comments on this cover sheet have been prepared at the Mercatus Center by Hon. Maurice McTigue. The purpose of the analysis was to identify issues that the committee might pursue and finally develop into recommendations to the full commission.

- The suggested recommendations are based on very limited information and the committee's local knowledge may determine that the suggestions are not viable. In that case the Committee should discard the suggested recommendation.
- If the Committee thinks the suggestion has merit then they should refer it to officials for their analysis.
- Some of our suggestions may be recommending a practice that is already in place, in which case the recommendation may be put aside or may be worded to endorse that practice or to extend it further than is the current practice.

Louisiana Oil Spill Prevention and Response:

- The agency should develop measures that show that its activities have diminished the risk of oil spills.
- The agency's education programs should show that the industry is acquiring an acceptable level of knowledge about risk mitigation with oil related activities.

Savings:

- This agency should have zero impact on the state budget. Tts activities should be fully funded by fees charged to the relevant industries.
- The fees charged by the agency should be required to comply with the new cost recovery criteria and transparency requirements.
- Savings across all programs: \$2,637,177
- Prevention Program \$164,804
- Response Program \$281,204
- Natural Resource Damage Assessment Program \$881,831
- Regional Restoration Planning Program \$116,838
- Technical Assistance Program \$385,847
- Oil Spill Research and Development Program \$694,637
- Public Outreach Program \$112,016

STREAMLINING GOVERNMENT COMMISSION

The Streamlining Government Commission would appreciate your assistance by having you complete the following worksheet. We understand that some of this information is available online and possibly in other documents, but we believe that it is important that you provide this data to ensure that you know what the Commission is reviewing regarding your Department, Agency, or Office. In order to review and compile the data before the next regularly scheduled meeting of the Commission, please complete and return these worksheets to prathert@legis.state.la.us by September 8, 2009. Thank you for your cooperation.

Department name: Department of Public Safety & Corrections, Public Safety Services, LOSCO

State in one sentence the core business of your department:

The Louisiana Oil Spill Coordinator's Office is the lead state agency for the prevention of, response to, and restoration of resources from unauthorized discharges of oil in the State of Louisiana.

For each program managed by your agency, provide the following information. Please limit your answers for each program to no more than half a page and simply write "unknown" next to each program question you are unable to answer.

- **Program name:** Prevention Program
- **Outcome addressed by this program:**
Enhance prevention and eliminate the threat of unauthorized discharges by removing abandoned barges and facilities.
- **How many members of the public are directly involved in or affected by this program:**
The prevention of oil spill incidents affects all members of the public
- **How much money was expended on this program in the last fiscal year (The most recent data available are acceptable even if they are from FY 07-08):**
LOSICO estimates it spent approximately \$164,804 on Prevention in F07-08.
The Louisiana Oil Spill Prevention and Response Act of 1991 (OSPRA), La. Rev. Stat. 30:2451 et seq. authorizes up to one million dollars per year for the removal of abandoned or derelict vessels/barges in Louisiana's coastal waters. (funding may be requested by DEQ)
The Louisiana Oil Spill Prevention and Response Act of 1991 (OSPRA), La. Rev. Stat. 30:2451 et seq. authorizes up to two million dollars per year for the abatement of unauthorized discharges of oil from abandoned facilities or structures in Louisiana. (funding must be requested by DNR)
- **Measure used to determine success:**
 - ◆ Number of derelict vessels & structures cleaned up in accordance with La.Rev Stat. 30:2469
- **Level of success during each of the last three years:**
Number of derelict vessels & structures cleaned up in accordance with La.Rev Stat. 30:2469:
 - ◆ FY 07-08 1^(*)
 - ◆ FY 06-07 1^(*)
 - ◆ FY 05-06 1^(*)

(*)The need for cleanup is determined by the Joint Operating Committee - No other cases were determined to be critical in each of the fiscal years.

- The societal issue addressed by this program is getting *better, remaining static, or deteriorating*:

- **Program name:** Response Program
- **Outcome addressed by this program:**
Provide for an effective oil spill response effort.
- **How many members of the public are directly involved in or affected by this program:**
A successful spill response affects all members of the public
- **How much money was expended on this program in the last fiscal year (The most recent data available are acceptable even if they are from FY 07-08):**
LOSCO estimates it spent approximately \$281,204 on Response in F07-08.
Expenditures to respond to an incident are submitted for reimbursement to the Responsible Parties (RPs [i.e., oil & gas companies who spilled oil]) or, when there is no viable RP, to the federal Oil Spill Liability Trust Fund or State Oil Spill Contingency Fund (both funds are funded by the oil & gas industry).
- **Measure used to determine success:**
 - ◆ Number of Oil Spill Response Management training Courses conducted
 - ◆ Number of drills LOSCO attended
 - ◆ Number Vessel/Facility response plans maintained
 - ◆ Number New Vessel/Facility response plans received
 - ◆ Number Spill Notifications
 - ◆ Number oil spills in excess of 20 bbls responded to on-scene by LOSCO
 - ◆ Number state, federal, and local government and industry personnel trained by LOSCO in Oil Spill Response Management
- **Level of success during each of the last three years:**
 - Number of Oil Spill Response Management training Courses conducted
 - ◆ FY 07-08 11
 - ◆ FY 06-07 4 (contract for training course was not in place for entire fiscal year)
 - ◆ FY 05-06 9 (several classes cancelled due to Hurricanes Katrina and Rita)
 - Number of drills LOSCO attended
 - ◆ FY 07-08 7
 - ◆ FY 06-07 6
 - ◆ FY 05-06 6
 - Number Vessel/Facility response plans maintained
 - ◆ FY 07-08 1043
 - ◆ FY 06-07 1031
 - ◆ FY 05-06 1015
 - Number New Vessel/Facility response plans received
 - ◆ FY 07-08 12
 - ◆ FY 06-07 24
 - ◆ FY 05-06 17
 - Number Spill Notifications
 - ◆ FY 07-08 3117
 - ◆ FY 06-07 3824
 - ◆ FY 05-06 3219
 - Number oil spills in excess of 20 bbls responded to on-scene by LOSCO
 - ◆ FY 07-08 7^(*)
 - ◆ FY 06-07 18^(*)
 - ◆ FY 05-06 17 (does not included oil spill incidents associated with Hurricanes Katrina and Rita because those incidents are still under investigation)

Number of state, federal, and local government and industry personnel trained by LOSCO in Oil Spill Response Management

- ◆ FY 07-08 225
 - ◆ FY 06-07 93 (contract for training course was not in place for entire fiscal year)
 - ◆ FY 05-06 171 (several classes cancelled due to Hurricanes Katrina and Rita)
 - **The societal issue addressed by this program is getting *better, remaining static, or deteriorating*:**
-

- **Program name:** Natural Resource Damage Assessment (NRDA) Program
 - **Outcome addressed by this program:**
Make the environment and public whole for injury to, loss of, or loss of use of trust resources and services caused by an oil spill incident.
 - **How many members of the public are directly involved in or affected by this program:**
Natural Resource Damage Assessments involve and affect all members of the public: In conducting NRDA, the trustee agencies act on behalf of the public under state and/or federal law to assess and recover natural resource damages from the party or parties responsible for the discharge or threat of discharge. Natural resource damages recovered are used to plan and implement actions to restore the trust resources and services injured or lost as the result of an oil spill incident.
 - **How much money was expended on this program in the last fiscal year (The most recent data available are acceptable even if they are from FY 07-08):**
LOSOCO estimates it spent approximately \$881,831 on NRDA in F07-08.
All funds to conduct NRDA's and implement restoration projects come from the Responsible Parties (RPs [i.e., oil & gas companies who spilled oil]) either through cash settlements with the natural resource trustees or, when there is no viable RP, through claims submitted by the natural resource trustees to the federal Oil Spill Liability Trust Fund or State Oil Spill Contingency Fund (both funds are funded by the oil & gas industry). Implementation and funding of restoration projects is done by either the RPs directly or the trustees depending on what the negotiated settlement for each NRDA case dictates.
 - **Measure used to determine success:**
 - ◆ Number of NRDA cases initiated
 - ◆ Number NRDA cases settled
 - ◆ Number of acres of habitat restored/enhanced/created
 - **Level of success during each of the last three years:**
Number of NRDA cases initiated
 - ◆ FY 07-08 1
 - ◆ FY 06-07 4
 - ◆ FY 05-06 10 (does not included oil spill incidents associated with Hurricanes Katrina and Rita because those incidents are still under investigation)Number NRDA cases settled
 - ◆ FY 07-08 1
 - ◆ FY 06-07 0
 - ◆ FY 05-06 2Number of acres of habitat restored/enhanced/created
 - ◆ FY 07-08 300
 - ◆ FY 06-07 0
 - ◆ FY 05-06 0
 - **The societal issue addressed by this program is getting *better, remaining static, or deteriorating*:**
-

- **Program name: Regional Restoration Planning Program (RRP Program)**
- **Outcome addressed by this program:**

“To assist in making the natural resource damage assessment process more efficient, the Regional Restoration Planning Program encompassing the entire geographic area of the state, is established in the office of the oil spill coordinator” (La. Rev. Stat. 30:2480.1)
- **How many members of the public are directly involved in or affected by this program:**

Natural Resource Damage Assessments involve and affect all members of the public: In conducting NRDA, the trustee agencies act on behalf of the public under state and/or federal law to assess and recover natural resource damages from the party or parties responsible for the discharge or threat of discharge. Natural resource damages recovered are used to plan and implement actions to restore the trust resources and services injured or lost as the result of an oil spill incident.
- **How much money was expended on this program in the last fiscal year (The most recent data available are acceptable even if they are from FY 07-08):**

LOSCO estimates it spent approximately \$116,838 on the RRP Program in F07-08. All funds to conduct NRDA and implement restoration projects come from the Responsible Parties (RPs [i.e., oil & gas companies who spilled oil]) either through cash settlements with the natural resource trustees or, when there is no viable RP, through claims submitted by the natural resource trustees to the federal Oil Spill Liability Trust Fund or State Oil Spill Contingency Fund (both funds are funded by the oil & gas industry). Implementation and funding of restoration projects is done by either the RPs directly or the trustees depending on what the negotiated settlement for each NRDA case dictates.
- **Measure used to determine success:**
 - ◆ Number of NRDA cases initiated
 - ◆ Number NRDA cases settled
 - ◆ Number of acres of habitat restored/enhanced/created
- **Level of success during each of the last three years:**

Number of NRDA cases initiated

 - ◆ FY 07-08 1
 - ◆ FY 06-07 4
 - ◆ FY 05-06 10 (does not included oil spill incidents associated with Hurricanes Katrina and Rita because those incidents are still under investigation)

Number NRDA cases settled

 - ◆ FY 07-08 1
 - ◆ FY 06-07 0
 - ◆ FY 05-06 2

Number of acres of habitat restored/enhanced/created

 - ◆ FY 07-08 300
 - ◆ FY 06-07 0
 - ◆ FY 05-06 0
- **The societal issue addressed by this program is getting *better, remaining static, or deteriorating*:**

- **Program name: Technical Assistance Program (TAP)**
- **Outcome addressed by this program:**

Compilation of spatial data into a Geographic Information System (GIS) for use in oil spill prevention, planning, response, and natural resource damage assessment.
- **How many members of the public are directly involved in or affected by this program:**

Data compiled though this Program is available to the public and can be used for a wide variety of uses.

- **How much money was expended on this program in the last fiscal year (The most recent data available are acceptable even if they are from FY 07-08):**
 LOSCO estimates it spent approximately \$385,847 on The TAP Program in F07-08.
 The Louisiana Oil Spill Prevention and Response Act of 1991 (OSPRA), La. Rev. Stat. 30:2451 et seq. provides dedicated funds up to \$ 500,000 per year for the Tap Program.
- **Measure used to determine success:**
 See below
- **Level of success during each of the last three years:**
 LOSCO has no performance indicators specifically associated with this Program. However, the data compiled by the Tap Program is being used in all major oil spill responses.
- **The societal issue addressed by this program is getting *better, remaining static, or deteriorating*:**

- **Program name: Louisiana Applied and Educational Oil Spill Research and Development Program (OSRADP)**
- **Outcome addressed by this program:**
 The OSRADP strives to improve oil spill prevention and response effectiveness by conducting risk assessments, develop innovative recovery and cleanup methods, provide training, and transfer research and development results to the spill response community and the public as a whole.
- **How many members of the public are directly involved in or affected by this program:**
 All members of the public are potentially involved or affected by this program
- **How much money was expended on this program in the last fiscal year (The most recent data available are acceptable even if they are from FY 07-08):**
 LOSCO estimates it spent approximately \$694,637 on R&D Program in F07-08.
 The Louisiana Oil Spill Prevention and Response Act of 1991 (OSPRA), La. Rev. Stat. 30:2451 et seq. provides dedicated funds up to up to \$750,000 per year to this program to underwrite oil spill research to universities.
- **Measure used to determine success:**
 - ◆ Number of R&D projects sponsored
- **Level of success during each of the last three years:**
 Number of R&D projects sponsored
 - ◆ FY 07-08 9
 - ◆ FY 06-07 9
 - ◆ FY 05-06 11
- **The societal issue addressed by this program is getting *better, remaining static, or deteriorating*:**

- **Program name: Public Outreach Program**
- **Outcome addressed by this program:**
 Establish partnerships with all stakeholders and provide public education, service, and outreach.
- **How many members of the public are directly involved in or affected by this program:**
 All members of the public are potentially involved or affected by this program
- **How much money was expended on this program in the last fiscal year (The most recent data available are acceptable even if they are from FY 07-08):**
 LOSCO estimates it spent approximately \$112,016 on Public Outreach in F07-08.
- **Measure used to determine success:**
 LOSCO has no performance indicators specifically associated with this Program
- **Level of success during each of the last three years:**
 LOSCO has no performance indicators specifically associated with this Program

- The societal issue addressed by this program is getting *better, remaining static, or deteriorating*:

Mercatus Center
George Mason University