

centerforconstitutionalrights

December 6, 2017

Via Email and Certified Mail

La. Dept. of Natural Resources
Legal Division
Att: James Devitt
Custodian of Public Records
Box 94396
Baton Rouge, LA
70804-9396
Email: James.devitt@la.gov

Re: Public Records Request

Dear Mr. Devitt,

On behalf of 350 New Orleans, Atchafalaya Basinkeeper, Bold Louisiana, and Louisiana Bucket Brigade, organizations based in Louisiana, and pursuant to the Louisiana Public Records Law, R.S. § 44:1 *et seq.*, we request that you, as the custodian of records of the Department of Natural Resources, produce copies of any and all public records related to the proposed Bayou Bridge Pipeline.

This request includes, *but is not limited to*:

- any records relating to the coastal use permit granted by the Department of Natural Resources to Bayou Bridge Pipeline, LLC, c/o Perennial Environmental Services, LLC, on or about April 3, 2017;
- any communications between any employees, staff, or agents of the Department of Natural Sources on the one hand, and employees, staff, or agents of Energy Transfer Partners, Energy Transfer Equity, Bayou Bridge Pipeline, LLC, Sunoco Logistics, Phillips 66, Phillips 66 Partners, Perennial Environmental Services, LLC, and/or any subsidiaries of these companies, on the other hand;
- “Agents” in this request includes, but is not limited to, Cary Farber, project manager of the Bayou Bridge Pipeline; Mary Landrieu, a consultant on the project; as well as lobbyists to some of the above-named companies, including, Thomas Evenden Williams, Robert H. Baumann, David A. Cagnolatti.

“Record(s)” as used herein includes, but is not limited to, all Records or communications in written or electronic form (including metadata), such as correspondences, calendars, calendar entries, agendas, itineraries, event programs, call logs, voice mails, phone messages, emails, text messages, messages through social media accounts such as Facebook or Twitter, documents, data, videotapes, audio tapes,

faxes, files, receipts, guidance, guidelines, evaluations, instructions, analyses, memoranda, agreements, notes, orders, policies, procedures, legal opinions, protocols, reports, rules, talking points, technical manuals, technical specifications, training manuals, studies, or any other Record of any kind.

“Communication(s) means the transmittal of information whether facts, ideas, inquiries or otherwise.

We ask that you produce these records electronically to avoid unnecessary fees and save paper.

As you know, R.S. § 44:32(D) of the Louisiana Public Records Act requires a response to this request within three (3) business days, exclusive of Saturdays, Sundays, and legal holidays. If these records will not be produced in three business days, please notify us in writing immediately and explain the reasons why.

If the records are not currently in your possession, please notify us in writing, and provide any and all information about where and with whom the records may be found, requested, viewed or copied, and/or when they will become available to your office.

If there is any cost associated with the production of these records, please notify us in writing immediately. However, we request a waiver of fees as disclosure of these requested records are in the public interest and are for a public purpose. Moreover, as the requesters frequently publish material on issues of concern to the public, we should qualify as representatives of the news media and this request is related to news gathering purposes. This information is not being sought for commercial purposes.

If you deny any part of this request, please cite each specific exemption to the Louisiana Public Records Law that you have determined justifies the refusal to produce the records. Please feel free to contact me at any time using the contact information above. Thank you for your time and consideration.

Sincerely,

Pamela C. Spees
Senior Staff Attorney
Center for Constitutional Rights

William P. Quigley
Professor of Law
Loyola University, New Orleans
College of Law