

REPLY TO
ATTENTION OFDEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

JAN 11 2017

Regulatory Branch
Operations Division**SUBJECT:** Bayou Bridge Pipeline, LLC (MVN-2015-2295-WII)
Assessment of Confidentiality of Cultural Resources Information and Report(s)Louisiana Department of Environmental Quality
Water Quality Certification Section
Post Office Box 4313
Baton Rouge, Louisiana 70821

To whom it may concern:

On April 14, 2016, a Department of the Army application was received from Bayou Bridge Pipeline, LLC, proposing to construct a 162.52 mile crude oil pipeline and associated facilities. At that time, a duplicate copy of the application packet was forwarded to the LADEQ under our standard procedures for joint processing of applications which include the discharge of fill material into waters of the U.S. At that time, the USACE, Regulatory Branch was unaware that the forwarded packet included a Phase I Cultural Resources Report, which was inadvertently included in the submittal to LADEQ.

The inquiry has arisen as to whether the cultural information received by DEQ is considered sensitive information and thereby should not be made available for public viewing in DEQ's file and permit application and in the DEQ EDMS database. Further evaluation by this office, in coordination with our District Archeologist and the State Historic Preservation Office, has revealed that there are no locational tribal interest areas or sensitive historic cultural resources disclosed in that report, located within the area of review. With that, this office does not feel that making this information available in DEQ's public application file would create a substantial risk of harm, theft, or destruction to such resources or to the area or place where such resources are located.

We appreciate your coordination in the assessment of this matter. If you have any questions, please feel free to contact Mr. Darrell Barbara with this office at (504) 862-2216 or darrell.barbara@usace.army.mil.

Sincerely,

*Darrell S. Barbara**for:* Martin S. Mayer
Chief, Regulatory Branch