

A public hearing was held in the Police Jury Meeting Room, Courthouse Building, Crowley, Louisiana, on at 8:00 A.M., on Monday, October 26, 2015, in the Police Jury Meeting Room, Courthouse Building, Crowley, to receive comments on Bayou Bridge Pipeline, LLC's proposed pipeline crossing in Acadia Parish.

Mr. George Guillory, resident of Acadia Parish, questioned why the pipeline company had to have a public hearing before they conduct the surveys or know the pipeline location. He also questioned if there is a final meeting once the route is determined?

Juror A. J. Broussard stated that since there were existing right-of-ways in Acadia Parish people wanting to bring business into the Parish are running out of air space and cannot build because of the underground pipelines. He also stated that when a pipeline company wants to cross Acadia Parish it is preferred that they follow existing corridors and by conducting surveys before holding a public hearing the Police Jury does not know where they intend on crossing. He further stated that the Police Jury is not trying to stop pipeline companies from crossing the Parish but they want them to run their pipeline in any existing corridor.

Mr. Ted Carmichael, resident of Acadia Parish, stated that he felt the ordinance interferes and limits interstate commerce if pipelines were expected to cross in existing corridors and it removes competition for pipeline companies and feels that it is unconstitutional and would not stand in court. He further stated preventing property owners from making the decision by limiting where the pipeline can cross violates property rights.

Juror A. J. Broussard stated that he did not just grab the ordinance out of the air but used an ordinance that other states were currently already using. He further stated that the pipeline companies were hurting land owners because they have enough money to bring them to court and take their property and land owners do not have the money to fight the pipeline companies. He further stated that the Police Jury is not trying to stop pipeline companies from crossing the Parish but they are trying to restrict the limiting of air space and land owners or businesses cannot build.

Mr. Roland Faulk, resident of Acadia Parish, stated that all the laws were in the favor of the pipeline companies, did not give landowners a right to negotiate and that the laws need to change. He further stated that the parish ordinance was a good start to helping land owners.

Mr. Frederick Heinen, resident of Acadia Parish, stated that as a farmer and a land owner he enjoys the right to do with his property what he wants to do with his property. He further stated there were currently 7 pipelines going through his property. He stated that farming used to be that everyone was a property owner and you farmed and as generations went down not everyone decided they were going to be a farmer. He stated that a true farmer will farm land until he cannot farm anymore and then he will sell property at farm price and will not break land up. He stated that pipeline companies are not willing to negotiate locations of pipeline and he said land owners need to know when pipeline companies are coming through. He stated that the pipelines severely limit what they can and cannot do on their property.

Mr. Tony Broussard, resident of Acadia Parish, questioned what the name of the pipeline company, their safety record and their route.

Mr. Ted Carmichael stated that he was not trying to negotiate for pipelines but for himself and when you have the Police Jury making decision about where pipelines go then it is another layer of bureaucracy. He further stated that a lot of interstate commerce laws were harsh and hard but they had to be. He also stated that his only complaint is that the Police Jury cannot say where a pipeline company crosses and he did not want the Police Jury in between his negotiations with any pipeline companies.

Juror Robert Guidry stated that they may not be able to regulate the pipelines because of the interstate commerce but they can have a public hearing to let the farmers and land owners know where they will be passing.

President Julie Borill stated that by passing the ordinance it gives landowners the option to know where the pipeline is crossing and to help them.

Mr. Tony Broussard stated that the Police Jury wrote this ordinance to protect the citizens and he appreciated it but there is another ordinance on the books to protect the citizens and the Police Jury tried to change the ordinance and take those protections away so at any given time this Police Jury can change ordinances.

Mr. Kerry Farber, representative of Energy Transfer Partners which is in a joint partnership with Bayou Bridge Pipeline, LLC, stated that the product will be crude oil and the destination will be St. James, Louisiana. He stated that when they negotiate with land owners they have a very good record of not going through condemnation. He also stated that they do bury the pipeline at a certain depth so that no one hits the pipeline in the future but right now they are just looking for survey permission. He further stated they have a corridor that is 600 feet in width just in case if they have to jump the road they will know what is on the other side of the road.

Mr. Kevin Tollifaire, representative of Energy Transfer Partners, stated that it is a 600 foot study corridor but what they are actually looking to purchase is a 50 foot corridor. He further stated that from a right-of-way perspective they would much rather work with the landowners and come to an amicable agreement.

Juror A. J. Broussard questioned if the 600 foot study corridor followed an existing pipeline corridor. He also questioned if there was several land owners who did not want the pipeline there how would they proceed.

Mr. Kevin Tollifaire stated that for the most part they were following an existing pipeline corridor. He also stated they would try to work with landowners first and that if they had to they could pursue litigation but it is a last ditch effort.

Mr. George Guillory stated that as long as they want to come through the pipeline is very accommodating but once they are in place they have issues working with the pipeline companies.

Mr. Roland Faulk questioned if a yearly fee was ever paid for a pipeline crossing property. Mr. Kevin Tollifaire stated that no they usually pay the initial fee only.

Mr. Ted Carmichael stated that he agreed with permitting of pipelines as long as they permitted the road use but not private property. He further stated he would like to negotiate with pipeline companies for himself and did not want government involved in his personal

business.

Juror A. J. Broussard stated that part of the ordinance was the fine for not conducting a public hearing prior to contacting land owners. He further stated that the fines were \$10,000.00/day until the public hearing.

Mr. Tommy Faulk, resident of Acadia Parish, questioned why the company needs 50 feet of right-of-way. He stated he would rather pipelines stay close together instead of spreading out all over his property.

Mr. Kevin Tollifaire stated that there are laws that require that easements do not overlap and that the 50 feet is needed to operate in post construction.

Mr. Roland Faulk stated that the laws need to change because they are in favor of the pipeline companies and they need to protect the landowners.

Mr. Tony Broussard stated that the Police Jury writes ordinances and he appreciates it but it is important that the ordinances and laws are made enforceable by the Sheriff's Office and District Attorney's Office. He stated that in the past the Police Jury did not enforce fines.

Juror A. J. Broussard questioned when the pipeline company had contacted Mr. Roland Faulk.

Mr. Faulk stated that it had been three weeks since the pipeline company had contacted him.

Mr. Ted Carmichael stated that exhorbirant fines such as \$10,000.00/day would not hold up in court and showed that the government was really out of line.

Juror A. J. Broussard questioned why that is considered out of line.

Mr. Ted Carmichael stated that by overstepping the Police Jury will end up losing in every position. He stated that they can fine the companies but it should be a reasonable amount.

Mr. Frederick Heinen stated that he agreed with most of what Mr. Carmichael said but it is important that there are fines. He further stated that it is common sense that everyone should have a building permit and there is only a \$500.00 fine but it should be a \$10,000.00 fine. He stated that it is not unreasonable that a pipeline company should be a \$10,000.00/day fine and he felt the pipeline company should pay the \$210,000.00 fine.

**THERE BEING NO FURTHER COMMENTS THE PRESIDENT ADJOURNED THE PUBLIC HEARING.**

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SECRETARY