

**LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
9643 BROOKLINE AVENUE, SUITE 121
BATON ROUGE, LOUISIANA 70809-1443
(225) 925-6291**

IN THE MATTER OF:)	CASE NO. 2013-78
)	
ENERGY LOGISTICS GROUP, LLC)	
)	
RESPONDENT)	
)	
)	
)	

CONSENT ORDER

The Louisiana Professional Engineering and Land Surveying Board [hereinafter the “Board”], by and through its Executive Director, pursuant to authorization by the Board, and Energy Logistics Group, LLC [hereinafter “Respondent”], by and through its duly authorized undersigned representative, hereby agree to the following:

At all times material hereto, Respondent was not licensed in the State of Louisiana as a professional land surveying firm or professional engineering firm and, therefore, was not authorized to practice and/or offer to practice land surveying or engineering in the State of Louisiana.

An investigation was opened based upon the Board’s receipt of information and documents which suggested that Respondent may have engaged in the unlicensed practice of and/or offering to practice land surveying in Louisiana. The investigation disclosed that between December 2011 and February 2013 Respondent prepared and issued to its client maps for a project in two parishes in Louisiana, including a map showing pipelines, servitude boundaries, utility transmission line towers and topographic features located in Louisiana.

Additionally, the investigation disclosed that since at least May 2013 Respondent has (a) represented on its website that it offers services which include the following: “pipeline mapping”, “soft stake and layout of proposed well sites as per clients provided position”, “preliminary field surveys, sketches, and aerials of project layouts, orientation, and elevations”, “coordinate with survey project manager and oversee crew during hard stake of well site locations and pipelines and report daily progress to client” and “detailed maps including wells,

pipelines, valve settings, and other above ground appurtenances”, (b) conducted business in Louisiana and (c) maintained offices in Lafayette and Gloster, Louisiana.

La. R.S. 37:681 and 37:700(A)(1), (7) and (9), *to wit* LAC Title 46:LXI§2301(B), prohibit the practicing of and/or offering to practice land surveying and the use of the words “land surveyor”, “land surveying” or any modification or derivative thereof in a person’s name or form of business or activity in Louisiana without proper licensure. La. R.S. 37:700(H) permits the Board to take enforcement action against persons who violate La. R.S. 37:681 and 37:700(A)(1), (7) and (9), *to wit* LAC Title 46:LXI§2301(B), upon a finding of guilt following the preferral of charges, notice and hearing and a majority vote of its entire membership authorized to participate in the proceeding. La. R.S. 37:681, La. R.S. 37:700(A)(1), (7) and (9), La. R.S. 37:700(H) and LAC Title 46:LXI§2301(B), were in effect at all times material hereto.

It is undisputed that (a) Respondent has never been licensed to practice and/or offer to practice land surveying or engineering in Louisiana, (b) between December 2011 and February 2013 Respondent prepared and issued to its client maps for a project in two parishes in Louisiana, including a map showing pipelines, servitude boundaries, utility transmission line towers and topographic features located in Louisiana and (c) since at least 2011 Respondent has practiced and/or offered to practice land surveying and used the words “survey” and “surveys” in conjunction with its name and business activities in Louisiana without proper licensure.

By letter dated August 13, 2014, the Board gave notice to Respondent that it was considering the preferral of charges against Respondent on the grounds that it may have violated La. R.S. 37:681 and 37:700(A)(1), (7) and (9), *to wit* LAC Title 46:LXI§2301(B), relative to practicing and/or offering to practice land surveying and using the words “land surveyor”, “land surveying” or any modification or derivative thereof in a person’s name or form of business or activity in Louisiana without proper licensure.

Wishing to dispense with the need for further enforcement action and to conclude the instant proceeding without further delay and expense, for the purpose of this proceeding only, Respondent has elected not to contest this matter and desires to resolve this matter with the Board by entering into this Consent Order, in which Respondent of its own free will consents to the issuance of a Consent Order by the Board, wherein Respondent agrees to (a) pay a fine of nine hundred (\$900.00) dollars, (b) pay administrative costs of seven hundred twenty-four and

74/100 (\$724.74) dollars, (c) immediately cease and desist the preparation and issuance of maps showing pipelines, servitude boundaries, utility transmission line towers and topographic features in Louisiana and otherwise the practicing of and/or offering to practice land surveying and the use of the words “survey”, “surveyor”, “surveying” or any modification or derivative thereof (i) in referring to itself or its unlicensed owners or employees, (ii) in conjunction with the name of any of its unlicensed owners or employees, (iii) on its website or (iv) in describing or promoting its business or activities in Louisiana, until such time as it and its unlicensed owners and employees are duly licensed by the Board and (d) the publication of this Consent Order on the Board’s website and a summary of this matter in the Board’s official journal, the *Louisiana Engineer and Surveyor Journal*, and the reporting of this matter to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name. Nothing contained herein shall prevent Respondent from preparing vicinity maps, which identify physical assets and the documentation of the findings in booklet form.

Respondent does not contest that its conduct as set forth above constitutes violations of the above referenced laws and/or rules as stated herein. Respondent acknowledges awareness of said laws and/or rules and states that it will comply with all applicable laws and rules henceforth. Respondent has been advised of its right to appeal; and it states affirmatively that it has been afforded all administrative remedies due it under the law. Respondent further acknowledges awareness of the fact that the signed original of this Consent Order will remain in the custody of the Board as a public record and will be made available for public inspection and copying upon request.

Therefore, in consideration of the foregoing and by signing this Consent Order, Respondent does hereby waive its right to a hearing before the Board, to the presenting of evidence and witnesses on its behalf, to Findings of Fact and Conclusions of Law in this case, and to judicial review of this Consent Order.

Respondent hereby represents (a) that it fully understands the meaning and intent of this Consent Order, including but not limited to its final and binding effect, (b) that it has voluntarily entered into this Consent Order and that no other promise or agreement of any kind has been made to or with him by any person whatsoever to cause the execution of this instrument and (c) that the sanctions set forth in this Consent Order do not prevent the Board from taking further

disciplinary or enforcement action against Respondent on matters not specifically addressed in this Consent Order.

WHEREFORE, the Louisiana Professional Engineering and Land Surveying Board and Respondent agree that:

1. Respondent shall pay a fine of nine hundred (\$900.00) dollars, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and
2. Respondent shall pay administrative costs of seven hundred twenty-four and 74/100 (\$724.74) dollars, which shall be tendered to the Board by certified check payable to the Board, due upon the signing of this Consent Order; and
3. Respondent shall immediately cease and desist the preparation and issuance of maps showing pipelines, servitude boundaries, utility transmission line towers and topographic features in Louisiana and otherwise the practicing of and/or offering to practice land surveying and the use of the words “survey”, “surveyor”, “surveying” or any modification or derivative thereof (a) in referring to itself or its unlicensed owners or employees, (b) in conjunction with the name of any of its unlicensed owners or employees, (c) on its website or (d) in describing or promoting its business or activities in Louisiana, until such time as it and its unlicensed owners and employees are duly licensed by the Board. Nothing contained herein shall prevent Respondent from preparing vicinity maps, which identify physical assets and the documentation of the findings in booklet form; and
4. This Consent Order shall be published on the Board’s website and a summary of this matter shall be printed in the official journal of the Board, the *Louisiana Engineer and Surveyor Journal*, and reported to the National Council of Examiners for Engineering and Surveying (NCEES), identifying Respondent by name; and
5. This Consent Order shall not become effective unless and until it is accepted and signed by and on behalf of the Board. Should the Board not accept and sign this Consent Order, it is agreed that presentation of this matter to the Board shall not prejudice the Board or any of its members, staff, attorneys or representatives from further participation, consideration, or resolution of any further proceedings herein.

LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD

DATE: 28 January 2015

BY: Donna D. Sentell
DONNA D. SENTELL, Executive Director

ENERGY LOGISTICS GROUP, LLC, Respondent

DATE: 11/14/14

BY: James T. Atkins, Jr.
JAMES T. ATKINS, JR., Member

Witnesses to the signature of
Energy Logistics Group, LLC

Judy W. Guidry
Print Name: Judy W. Guidry

McMeaux
Print Name: Melissa McMeaux

Approved by:

Emile Joseph, Jr.
Emile Joseph, Jr.
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Lafayette, Louisiana 70598-1129
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Attorneys for Energy Logistics Group, LLC