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Attorney for Northern Plains Plaintiffs
(additional counsel listed on signature pages)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

INDIGENOUS ENVIRONMENTAL
NETWORK and NORTH COAST
RIVER ALLIANCE,

and

NORTHERN PLAINS RESOURCE
COUNCIL, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT
OF STATE, et al.,

Defendants,

TRANSCANADA KEYSTONE
PIPELINE and TRANSCANADA
CORPORATION,

Defendant-Intervenors.

CV 17-29-GF-BMM

CV 17-31-GF-BMM

Declaration of Cecilia D. Segal

I, Cecilia D. Segal, declare as follows:

1. I am an attorney of record in this matter, representing the Northern Plains Plaintiffs on behalf of Natural Resources Defense Council and Bold Alliance.

2. Attached hereto as Exhibit A is a true and correct copy of a comment letter submitted by the U.S. Environmental Protection Agency to the State Department on April 22, 2013, regarding the Keystone XL pipeline.

3. On November 9, 2017, Federal Defendants served Plaintiffs with a preliminary record for the State Department and a preliminary record for the U.S. Fish and Wildlife Service.

4. Attached hereto as Exhibit B is a true and correct copy of the preliminary pretrial conference transcript, which the court reporter provided to Plaintiffs on November 9, 2017.

5. Attached hereto as Exhibit C is a true and correct copy of a letter dated November 30, 2017, from counsel for Northern Plains Plaintiffs to counsel for Federal Defendants.

6. Attached hereto as Exhibit D is a true and correct copy of a letter dated December 8, 2017, from counsel for Federal Defendants to counsel for Northern Plains Plaintiffs and counsel for IEN Plaintiffs.

7. During a telephonic meet-and-confer on December 19, 2017, counsel for Federal Defendants confirmed their belief that certain internal communications,

including agency emails, need not be disclosed as part of the administrative records, or identified on a privilege log. Counsel for Federal Defendants also reiterated their belief that Geographic Information System files showing the location of the pipeline route and its ancillary facilities are confidential pursuant to exemptions 4 and 7 of the Freedom of Information Act.

8. Attached hereto as Exhibit E is a true and correct copy of the slip opinion of the Second Circuit's December 27, 2017 decision in *In re Nielsen*, No. 17-3345.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signed on January 8, 2018 in San Francisco, CA.

/s/ Cecilia Segal
Cecilia Segal (*pro hac vice*)
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*Attorney for Bold Alliance and Natural
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