



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

November 6, 2014

Ms. Laura Russell  
Attorney  
Texas Parks & Wildlife Department  
4200 Smith School Road  
Austin, Texas 78744

OR2014-20220

Dear Ms. Russell:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 542395 (TPWD# 2014-08-R31).

The Texas Parks & Wildlife Department (the "department") received a request for (1) the name of the employee who wrote the grant for Ref# 50-000-379 for the City of Creedmoor; (2) the complete file for the grant money the department gave to the City of Creedmoor; (3) all e-mails, correspondence, notes and any documents given to the department by the City of Creedmoor; and (4) any documents that state the park will be used by the public or if it is a privately owned park. You state you have released most of the information to the requestor. You claim a portion of the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. This section encompasses section 191.004 of the Natural Resources Code, which provides:

(a) Information specifying the location of any site or item declared to be a state archeological landmark under Subchapter D of this chapter is not public information.

(b) Information specifying the location or nature of an activity covered by a permit or an application for a permit under this chapter is not public information.

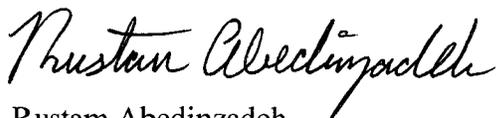
(c) Information specifying details of a survey to locate state archeological landmarks under this chapter is not public information.

Nat. Res. Code § 191.004 (footnote omitted). You state, and provide documentation showing, the information you have marked relates to the location and nature of activities covered by an archeological permit issued by the Texas Historical Commission. Based on your representations and our review, we agree the information you have marked is within the scope of section 191.004. Therefore, we conclude the department must withhold the information you have marked in Exhibit A under section 552.101 of the Government Code in conjunction with section 191.004 of the Natural Resources Code.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at [http://www.texasattorneygeneral.gov/open/orl\\_ruling\\_info.shtml](http://www.texasattorneygeneral.gov/open/orl_ruling_info.shtml), or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Rustam Abedinzadeh  
Assistant Attorney General  
Open Records Division

RA/dls

Ref: ID# 542395

Enc. Submitted documents

c: Requestor  
(w/o enclosures)