



## Department of Energy

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208-3621

PUBLIC AFFAIRS

RECEIVED BY BPA
FOIA OFFICE THIS
DATE: 9.27.07
DUE DATE:
10.26.07
LOG #
07-043

September 28, 2007

In reply refer to: DK-7

Mr. Robert E. Kavanaugh, Sr.  
6919 41<sup>st</sup> Avenue SE  
Lacey, WA 98503-7109

RE: FOIA 07-043

Dear Mr. Kavanaugh:

This letter is a follow-up of our phone conversation we had on Thursday, September 27, 2007, to perfect your request for information that you submitted to the Bonneville Power Administration (BPA), under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. Initially, your letter was received in this office on Wednesday, September 5, 2007, and was assigned a control number, 07-043.

After our discussion, it was determined that you have now addressed all the requirements of a proper FOIA request as stated at Title 10, Code of Federal Regulations (CFR), Section 1004.4. You have agreed to pay processing fees in the amount of \$10.00 and have asked us to call you if the charges appear to be higher. In our conversation, you also narrowed the scope of your initial request to what is listed below.

You are now asking for a copy of the following:

**1. BPA's report of their most recent visit to the Washington Department of Fish & Wildlife Pilot Grazing Project on the Blue Mountain WMA?**

Mr. Greg Delwiche, Senior Vice President, Fish & Wildlife, has been designated as the Authorizing Official for your request. Mr. Delwiche has 20 working-days, until Friday, October 26, 2007, to provide a response. Should you have any questions, Mr. Delwiche may be reached by calling 503-230-4452.

I appreciate the opportunity to assist you with this matter. If you have any questions regarding this letter, please contact Laura M. Atterbury, FOIA Specialist, at 503-230-7305.

Sincerely,

for  
Christina J. Brannon  
Freedom of Information Act Officer



## Department of Energy

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208-3621

PUBLIC AFFAIRS

September 17, 2007

In reply refer to: DK-7

Mr. Robert E. Kavanaugh, Sr.  
6919 41<sup>st</sup> Avenue SE  
Lacey, WA 98503-7109

RE: FOIA 07-043

Dear Mr. Kavanaugh:

This letter responds to your request for information that you submitted to the Bonneville Power Administration (BPA), under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. Your letter was received in this office on Wednesday, September 5, 2007, and was assigned a control number, 07-043.

Mr. Greg Delwiche, Senior Vice President, Fish & Wildlife, has informed our office that you had a phone conversation with him on Tuesday, September 11, 2007, at which time you had a discussion regarding your concerns stated in your letter dated August 27, 2007.

Ms. Laura M. Atterbury, FOIA Specialist, has tried to contact you by phone on a couple different occasions last week and left messages regarding the previously mentioned letter. We are contacting you by mail to confirm if in fact all your needs were met in that conversation with Mr. Delwiche.

After reviewing your letter, it was determined that you did not address all the requirements of a proper FOIA request as stated at Title 10, Code of Federal Regulations (CFR), Section 1004.4. The FOIA provides that a request must reasonably describe the records sought and be made in conformance with the Agency's procedural rules before the request shall, for purposes of FOIA, be deemed to have been received by the Agency. A description of a requested document would be sufficient if it enabled a professional employee, who was familiar with the subject area of the request, to locate the records with a reasonable effort.

The DOE regulation that implements the FOIA provides, at 10 CFR 100.4(e), that "a request shall include (1) an assurance to pay whatever fees will be assessed in accordance with 10 CFR 1004.9, (2) and assurance to pay those fees not exceeding some specified dollar amount, or (3) a request for a waiver or reduction of fees." The regulation further states that no request will be deemed to have been received until (1) some valid assurance of willingness to bear fees anticipated to be associated with the processing of the request, or (2) a specific request for a waiver or reduction of fees has been stated.

If you are still interested in pursuing your request for information under the FOIA, Ms. Atterbury would be more than happy to assist you. However, we will need the following in order to start the process: 1) Clarification and/or narrowing of the scope as to specific records/documents you are asking for, and 2) an agreement to pay the fees associated with your request. You may reach her by calling 503-230-7305.

For your convenience, we have enclosed a copy of the letter that you submitted and have also included a link to the FOIA website where, if you prefer, you may file an electronic FOIA Request: [http://www.bpa.gov/corporate/public\\_affairs/FOIA/foia\\_request\\_form.cfm](http://www.bpa.gov/corporate/public_affairs/FOIA/foia_request_form.cfm).

I appreciate the opportunity to assist you with this matter. If you have any questions regarding this letter, please contact our office. In closing, we will consider this FOIA Request withdrawn if we do not have a response from you by close of business on Friday, October 5, 2007.

Sincerely,

*/s/ Christina J. Brannon*

Christina J. Brannon  
Freedom of Information Act Officer

Enclosure: Incoming letter dated August 27, 2007