



## Department of Energy

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

PUBLIC AFFAIRS

December 28, 2009

In reply refer to: DK-7

Stephen E. Archer, Attorney at Law  
Julie M. Bryant, Paralegal  
111 SW 5th Avenue, Suite 4300  
Portland, OR 97204

FOIA # BPA-2010-00299-F

Re: Copies of any and all *unrecorded* records, applications for improvements/structures, surveys, and aerial photographs regarding the BPA easement on the properties located at 3505 SE Washougal River Road (#12 SEC 5 TINR4EWM 1.41A) and the property bordering to the north (#64 SEC 5 TINR4EWM .46A.) The BPA easement was obtained and power lines were installed in approximately the 1950's.

Dear Mr. Archer and Ms. Bryant:

This letter is your final response to your request for information that you made to the Bonneville Power Administration (BPA) under the Freedom of Information Act (FOIA), 5 U.S.C. 552.

**Response:**

BPA has provided you with responsive documents in their entirety or with portions withheld pursuant to Exemption 6 of the FOIA, 5 U.S.C. 552 (b)(6), respectively. You will be billed under separate cover for the current fees in the amount of \$111.00.

The home addresses, personal phone numbers, personal banking information, names of homeowners have been deleted from the documents provided to you pursuant to Exemption 6. Exemption 6 protects from disclosure "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." In applying Exemption 6, the BPA considered (1) whether a significant privacy interest would be invaded; (2) whether release of the information would further the public interest by shedding light on the operations or activities of the Government; and (3) whether in balancing the privacy interest against the public interest, disclosure would constitute a clearly unwarranted invasion of personal privacy.

The information withheld under Exemption 6 is of a highly personal nature and the individuals to whom it pertains have an expectation that it will remain private. Disclosure of this information would constitute a clearly unwarranted invasion of the personal privacy of the individuals that could lead to unwarranted communications and intrusions. The deleted information is not information relative to the operations of the agency or the Federal Government. For these reasons, we concluded that the public interest in disclosure did not outweigh the privacy interests of the individuals to whom it pertains.

You may appeal, pursuant to 10 CFR 1004.8, the denial of information by BPA. The appeal must be made within thirty (30) calendar days of receipt of a letter denying any portion of the request. The appeal should be sent to the Director, Office of Hearings and Appeals, HG-1, U.S. L'Enfant Plaza Building, U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-1615.

The written appeal, including the envelope, must clearly indicate that a Freedom of Information Act Appeal is being made. The appeal must contain all the elements required by 10 CFR 1004.8. to the extent applicable.

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

Sincerely,

*/s/ Christina Brannon*  
Christina J. Brannon  
Freedom of Information Act/Privacy Act Officer

Enclosures: Responsive Documents

Due to the size for the responsive documents they cannot be posted. If you require a copy, please contact the BPA FOIA Office at 503-230-7305.