



## Department of Energy

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

PUBLIC AFFAIRS

October 14, 2010

In reply refer to: DK-7

Leslie Bell  
Ex 6

### **RE: FOIA #BPA-2010-01826-F**

Dear Ms. Bell:

This is a partial release in 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. The BPA FOIA Office is in receipt of most of the documents discovered; however, we are still searching for some attachments noted on a few emails. You will be provided a final response upon release determination of those remaining documents.

#### **You have requested the following:**

All emails, letters, memos, meetings, meeting notes and presentations from July 2009 to July 2010: Internal to BPA on all issues relating to the I-5 Corridor Reinforcement Project and the Counties of Clark and Cowlitz and cities of Camas, Vancouver, Longview and Washougal.

#### **Response:**

BPA has provided the responsive records in their entirety or with some information withheld under Exemption 5 and 6 of the FOIA.

Portions of the documents in question are pre-decisional. They reflect deliberations, comments, assessments and proposals. The BPA considered these preliminary views as part of the process that will lead to BPA's final policy decision about these matters. The redacted portions do not represent a final agency position, and their release would compromise the deliberative process by which the government makes its decision. Thus, they are being withheld in part under Exemption 5 of the FOIA as pre-decisional material that is part of the agency's deliberative process.

A portion of the documents are also being withheld under the attorney work-product privilege as they represent deliberations of litigation strategy and information prepared by an attorney in anticipation of litigation. Exemption 5 also incorporates the attorney-client privilege, which protects confidential legal analysis.

With respect to discretionary disclosure of deliberative information, the quality of agency decisions would be adversely affected if frank, written discussion of policy matters were

inhibited by the knowledge that the content of such discussion might be made public. For this reason, we have determined that disclosure of the deliberative material and attorney work product materials is not in the public interest because foreseeable harm could result from such disclosure.

In addition, information withheld and redacted under Exemption 6 of the FOIA, which protects the mandatory disclosure “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” For this reason, home addresses, personal email addresses, and names of individuals have been deleted.

If you are dissatisfied with this determination, you may make an appeal within thirty (30) days of receipt of this letter to the Director of Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585. Both the envelope and the letter must be clearly marked “Freedom of Information Act Appeal.”

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

Sincerely,

*/s/Christina J. Munro*

Christina J. Munro

Freedom of Information Act/Privacy Act Officer

Due to the size of the responsive documents they cannot be posted. To obtain a copy, contact the BPA FOIA Office at 503-230-7305.