



Department of Energy

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

PUBLIC AFFAIRS

December 10, 2010

In reply refer to: DK-7

Mr. Terry Constance
Another Way BPA
Ex 6

RE: BPA-2010-01994-F

Dear Mr. Constance:

This letter is the final response to your Freedom of Information Act (FOIA) request to the Bonneville Power Administration (BPA) for the following:

"...all emails with attachments, including maps, relating to the timeline of developments, recommendations and analyses of the I-5 Corridor Project from all I-5 team members, with the exception of Mike Johns and Lou Driessen, between the dates of January 1, 2007, thru August 30, 2010."

Although BPA has released the majority of the responsive records in their entirety, portions of some of the records have been redacted. The released records are in three parts. Part I are records released in their entirety. Part II are records which have some parts redacted pursuant to 5 USC § 552(b)(5) (Exemption 5). Part III are records which have some parts redacted pursuant to 5 USC § 552(b)(6) (Exemption 6). These redactions are explained below.

Exemption 5

BPA has asserted the deliberative process privilege only for information concerning internal BPA cost estimates. This information was prepared by BPA staff, has not been released outside of BPA, and does not reflect a final agency decision pertaining to the I-5 Corridor Project. Other than this, BPA has made a discretionary release of all other internal, deliberative communications that would normally be protected by Exemption 5.

BPA has asserted the attorney-client privilege under Exemption 5 for information that contains confidential legal communications between BPA attorneys and BPA staff. This information contains confidential legal advice concerning BPA policies and procedures and has not been released outside of BPA.

A discretionary release of these communications is not in the public interest because a disclosure will hamper the ability and willingness of BPA employees and its attorneys to make honest and open recommendations concerning legal and policy matters that are essential to BPA programs.

Exemption 6

BPA asserts this Exemption for information which could reasonably be expected to constitute an unwarranted invasion of personal privacy if disclosed. The withheld information consists of the names and personal contact information (address, email, and/or phone numbers) of individual citizens who have expressed an interest in this Project, as well as the personal cell phone numbers of various individuals working on this Project.

BPA has determined there is a privacy interest in the names and personal contact information of individual(s) who have participated in the community outreach and information meetings, and in the personal cell phone numbers of individuals working on the Project. Release of this information could subject these individuals to unwanted intrusions at home or on their own personal time. There is no public interest in the disclosure of this information because it does not shed any light on how BPA has performed its statutory duties.

If you are dissatisfied with this determination, you may appeal within 30 days from the date you receive this letter to the Director, Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue, SW, Washington, D.C. 20585. The appeal must be in writing and both the envelope and letter must be clearly marked "Freedom of Information Act Appeal."

I appreciate the opportunity to assist you. If you have any questions regarding this letter, you may reach Tom Mayer, Paralegal, I-5 Corridor FOIA Contact, by calling (503) 230-4223.

Sincerely,

/s/ Christina J. Munro

Christina J. Munro

Freedom of Information Act/Privacy Act Officer

Enclosure: Documents responsive to FOIA #BPA-2010-01994-F

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