

March 15, 2002

02 MAR 13 AM 9:55



Bonneville Power Administration
PO Box 3621
Portland, OR 97208-3621

RE: Wanapa Energy Center

Dear Sir/Madam:

RECEIVED BY BPA FOIA OFFICE THIS DATE: 3-21-02
DUE DATE: 4-18-02
LOG # 02-022

Our office has been requested to conduct a review of the proposed Wanapa Energy Center to be located on the Confederated Tribes Umatilla Indian Reservation ("CTUIR"). Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, our office respectfully requests copies of *any and all* records in your possession or under your control relating to the proposed Wanapa Energy Center. Our office requests a complete and thorough search of all filing systems and locations for all records maintained by your agency pertaining to the proposed Wanapa Energy Center.

With this request, our office is seeking all information in all its forms, including but not limited to reports, memoranda, correspondence, notes, data, email communication, newspaper articles, photographs, maps, figures, meeting agendas, meeting notes, electronic files, digitized information, and all other forms of information that constitute "records" under FOIA.

Identified records relating to the proposed Wanapa Energy Center are to include, but should not be limited to the following:

- Public comment letters;
- Environmental opinions, reports, and/or letters by experts, consultants, or governmental agencies and/or their representatives, including air quality reports, land quality reports, and water quality reports;
- Documents regarding any air quality permits;
- Documents regarding any water quality permits;
- Documents presented at or generated at the public meetings dated 10/29/01 and 11/05/01 at the Tamastlikt Cultural Institute, including meeting minutes and transcripts of testimony;

- Documents presented at or generated at the public meetings dated 10/30/01 and 11/06/01 at the Hermiston Community Center, including meeting minutes and transcripts of testimony;
- Correspondence between or among any of these parties: CTUIR, the U.S. Environmental Protection Agency ("EPA"), the Oregon Department of Environmental Quality, the Bonneville Power Administration, the Eugene Water and Electric Board, the City of Hermiston, the Port of Umatilla, and/or The Williams Companies; and
- Records relating to the Bureau of Indian Affairs ("BIA") preparation and submission of an Environmental Impact Statement ("EIS").

Our office will pay reasonable costs for the production of all identified records. Please contact us in advance if copy costs will exceed \$50.00. If any records are denied in whole or in part, please specify which exemption is claimed for each passage or whole document denied.

Thank you for your attention to this matter. If you have any questions, please contact me at (206) 292-2658.

Sincerely,



Jason Kelley
Paralegal

Direct Line: (206) 292-2658
Email: jkelley@brmlaw.com
Office: Seattle



Department of Energy

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

SHARED SERVICES

March 21, 2002

In reply refer to: CILR-4

Mr. Jason Kelley, Paralegal
Brown, Reavis, & Manning
1191 Second Avenue, Suite 2200
Seattle, WA 98101

Dear Mr. Kelley:

Thank you for the letter of March 15 requesting documents concerning the Wanapa Energy Center. The request has been logged in as #02-022.

Specifically, you asked for public comments letters; Environmental opinions; air quality permits; water quality permits; public meeting documents at the Tamastslit Cultural Institute; the Hermiston Community Center; EPA, Oregon Department of Environmental Quality, BPA, EWEB, Port of Umatilla, and the Williams Companies, and records relating to the BIA preparation of an EIS.

You further indicate a willingness to pay all appropriate costs, but ask that if estimated costs exceed \$50 we contact you before proceeding.

Ms. Peggy I. Simpson, Secretary, has been designated as Authorizing Official for your request. Ms. Simpson has 20 working days, until April 18, to provide a response. Should you have any questions she may be reached at Mail Stop KEC-4 or by calling 503-230-3900.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gene Tollefson".

Gene Tollefson
Freedom of Information Officer

bcc:

G. Tollefson - CILR-4

P. Simpson - KEC-4

J. Bennett - LC-7

C. Jacobson - LC-7

Official File - CILR (EX 13-13, 02-022)

GTollefson:aal:4444:3/21/02 (CILR-H:\data\FOIA\Kelley 1.doc)