



Department of Energy

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

PUBLIC AFFAIRS

January 31, 2013

In reply refer to: DK-7

Cheryl Brantley
A Better Way for BPA
PO Box 704
Amboy, WA 98601

FOIA #BPA-2013-00335-F

Dear Ms. Brantley:

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

You have requested the following:

All documents related to potential routes through Oregon (connecting to the Pearl substation) as depicted on the BPA map dated September 14, 2009 or otherwise. This request includes but is not limited to documents identifying and/or analyzing the crossing of the Columbia River near Longview, Washington, including, but not limited to information of environmental resources that would be impacted by the crossings of Oregon segments 47, 48, and 49. Documents showing discussion of measures to avoid, reduce, or mitigate those impacts.

Response:

On January 30, 2013, in a partial release under another of your FOIA requests, BPA-2013-00361-F, BPA provided you with a copy of all past FOIA requests made by citizen groups related to the I-5 Corridor Reinforcement Project. Among those past requests there are two that provide previous releases of documents involving the Oregon route that you have asked for. The numbers of those previous requests are: BPA-2010-01827-F and BPA-2012-00476-F. Please see the disc provided in the partial release for BPA-2013-00361-F for those documents.

As those responsive records have already been gathered, we will look for additional records from the date of the previous releases and the date of your request. We will also review the exemptions applied previously to see if they are still applicable at this stage of the project.

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

I appreciate the opportunity to assist you. Please contact Kim Winn, FOIA Specialist, at 503-230-5273 with any questions about this letter.

Sincerely,

/s/Christina J. Munro

Christina J. Munro

Freedom of Information Act/Privacy Act Officer



Department of Energy

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

PUBLIC AFFAIRS

March 15, 2013

In reply refer to: DK-7

Cheryl Brantley
A Better Way for BPA
PO Box 704
Amboy, WA 98601

FOIA #BPA-2013-00335-F

Dear Ms. Brantley:

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

You have requested the following:

All documents related to potential routes through Oregon (connecting to the Pearl substation) as depicted on the BPA map dated September 14, 2009 or otherwise. This request includes but is not limited to documents identifying and/or analyzing the crossing of the Columbia River near Longview, Washington, including, but not limited to information of environmental resources that would be impacted by the crossings of Oregon segments 47, 48, and 49. Documents showing discussion of measures to avoid, reduce, or mitigate those impacts.

Response:

We have completed reviewing a segment of the additional documents responsive to your request. BPA is withholding some information under Exemption 6 of the FOIA, and some information as non-responsive.

Exemption 6 applies to information which could reasonably be expected to constitute an unwarranted invasion of personal privacy if disclosed. The withheld information consists of the personal contact information (address, email, and/or phone numbers) of individual citizens. Release of this information could subject these individuals to unwanted intrusions of privacy. 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.

We still have an additional 34 pages left to review and hope to complete that review before the end of March 2013. We will also be performing a brief review of the exempted material under

the initial release (BPA-2010-01827 and BPA-2012-00476) to ensure that the exemptions still apply.

I appreciate the opportunity to assist you. Please contact Kim Winn, FOIA Specialist, at 503-230-5273 with any questions about this letter.

Sincerely,

/s/Christina J. Munro

Christina J. Munro

Freedom of Information Act/Privacy Act Officer

Enclosure: CD



Department of Energy

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

PUBLIC AFFAIRS

March 20, 2013

In reply refer to: DK-7

Cheryl Brantley
A Better Way for BPA
PO Box 704
Amboy, WA 98601

FOIA #BPA-2013-00335-F

Dear Ms. Brantley:

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

You have requested the following:

All documents related to potential routes through Oregon (connecting to the Pearl substation) as depicted on the BPA map dated September 14, 2009 or otherwise. This request includes but is not limited to documents identifying and/or analyzing the crossing of the Columbia River near Longview, Washington, including, but not limited to information of environmental resources that would be impacted by the crossings of Oregon segments 47, 48, and 49. Documents showing discussion of measures to avoid, reduce, or mitigate those impacts.

Response:

We have completed reviewing a segment of the additional documents responsive to your request. BPA is withholding information under Exemptions 5 and 6 of the FOIA, and some information as non-responsive.

Exemption 5 protects from mandatory disclosure "inter-agency or intra-agency memorandums or letters that would not be available by law to a party other than an agency in litigation with the agency . . ." Exemption 5 incorporates the deliberative process privilege which protects advice, recommendations, and opinions that are part of the process by which agency decisions and policies are formulated. In this case it has been applied to email discussions of the project and to documents produced about the project.

Exemption 5 also protects attorney client information, which are communications between attorney and client that relate to a legal matter for which the client has sought professional advice. The privilege usually protects a client's disclosure to any attorney, but also extends to an

attorney's opinion based on those disclosures, and to communications between attorneys that reflect client-supplied information. One attachment was identified as an attorney work product.

Exemption 6 applies to information which could reasonably be expected to constitute an unwarranted invasion of personal privacy if disclosed. The withheld information consists of the personal contact information (address, email, and/or phone numbers) of individual citizens. Release of this information could subject these individuals to unwanted intrusions of privacy. 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.

Two previous FOIA requests, BPA-2010-01827-F and BPA-2012-00476-F, requested similar records. The records for those two previous FOIA requests were released to you on January 30, 2013, in a partial release under BPA-2013-00361-F.

The responsive records for BPA-2010-01827-F and BPA-2012-00476-F had Exemption 5 redactions. For this request, BPA performed a review of the previously redacted records for a possible discretionary release. For the same reasons given before, BPA has determined that there is no basis for making a discretionary release at this time.

Pursuant to 10 CFR 1004.8, if you are dissatisfied with this determination, or the adequacy of the search, you may appeal this FOIA response in writing within 30 calendar days of receipt of a final response letter. The appeal should be made to the Director, Office of Hearings and Appeals, HG-1, Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-1615. The written appeal, including the envelope, must clearly indicate that a FOIA Appeal is being made.

I appreciate the opportunity to assist you. Please contact Kim Winn, FOIA Specialist, at 503-230-5273 with any questions about this letter.

Sincerely,

/s/Christina J. Munro

Christina J. Munro
Freedom of Information Act/Privacy Act Officer

Enclosure: Responsive documents