



Department of Energy

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

FREEDOM OF INFORMATION ACT PROGRAM

December 23, 2014

In reply refer to: FOIA #BPA-2015-00301-F

Rick Eichstaedt
Gonzaga University, School of Law
721 N. Cincinnati Street
Spokane, WA 99220

Mr. Eichstaedt:

We have received your request for records under the Freedom of Information Act (5 U.S.C. § 552). Thank you for your interest in the Bonneville Power Administration (BPA). Your request was received in this office on Thursday, December 4, 2014, and has been assigned control number BPA-2015-00301-F. Please use this number in any correspondence with the agency about your request.

You requested:

“Beginning on June 1, 2013 through today, all communications (including but not limited to emails, phone logs, presentations, meeting notes, and any written material) between the Bonneville Power Administration leaders and staff and BIOP Accord Parties, Federal Agencies, Congressional Members, individual Northwest Power and Conservation Council members, and Non-Governmental Organizations (including but not limited to utility organizations and ratepayer groups) where the subject matter was the Northwest Power and Conservation Council's Fish and Wildlife Program's fish passage and reintroduction provisions, toxics provisions, and any provisions that could or could be construed to expand the current Northwest Power and Conservation Council's Fish and Wildlife Program and/or the Bonneville Power Administration's fish and wildlife funding requirements.”

On December 4, 2014, your request was placed on hold for clarification. In an email dated December 9, 2014, you revised your request. The Bonneville Power Administration interprets your request to be for the agency to provide any records of either staff or management communications between June 1, 2013 through December 11, 2014, with Columbia River Basin Fish Accord parties, other federal agencies, Members of Congress, Northwest Power and Conservation Council members, and non-governmental organizations concerning (1) anadromous fish reintroduction and passage above Chief Joseph and Grand Coulee dams and blocked areas in Idaho, and (2) the toxics provisions of the Council's newly adopted Fish and Wildlife Program.

Following your clarifying email, Bonneville understands you agree to narrow the scope of your request by dropping the "and any provisions that could or could be construed" portion of your original request.

We have reviewed your revised request and determined that it addresses all of the criteria of a proper request under the FOIA and the Department of Energy's FOIA regulations at Title 10, Code of Federal Regulations, and Part 1004. Your request for a waiver of fees is granted.

Complex requests:

FOIA requires that we act on requests "promptly" and that we make a determination on your request and respond within 20 working days (5 U.S.C. § 552(a)(6)). The Bonneville Power Administration has instituted multi-track processing, as permitted by FOIA (5 U.S.C. § 552(a)(6)(D)(i)). Simple requests and complex requests are placed in two different queues, and each queue is processed on its own first-in, first-out basis. Requests are placed in the complex queue if they will require significant agency time or resources to process.

Unusual/exceptional circumstances:

Under FOIA, an agency may extend the normal 20-day deadline by an additional ten business days if "unusual circumstances" exist (5 U.S.C. § 552(a)(6)(B)(i)). Unusual circumstances include the need to search records located in field facilities, requests for a voluminous amount of records, and requests that require consultation with other agencies or agency components including Department of Energy headquarters. If an agency cannot fulfill the request within the 30 working days provided by the extended deadline, agencies must (a) notify the requester and (b) work with the requester to modify or limit the scope of the request or arrange an alternative time frame for processing (5 U.S.C. § 552(a)(6)(B)(ii)).

This request will require consultation with other entities. Therefore, we currently estimate the completion of your request by March 31, 2015.

I appreciate the opportunity to assist you. If you have any questions about this letter, please contact Sarah A. Westenberg, FOIA Case Officer, at (503) 230-3795.

Sincerely,



C. M. Frost
Freedom of Information Act Officer



Department of Energy

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

FREEDOM OF INFORMATION ACT PROGRAM

March 31, 2015

In reply refer to: FOIA #BPA-2015-00301-F

Rick Eichstaedt
University Legal Assistance
Gonzaga University School of Law
721 N. Cincinnati Street
Spokane, WA 99220

Mr. Eichstaedt:

This letter is in reference to your Freedom of Information Act request received in our office on Thursday, December 4, 2014, which we acknowledged on December 23, 2014.

You requested:

“ Beginning on June 1, 2013 through today, all communications (including but not limited to emails, phone logs, presentations, meeting notes, and any written material) between the Bonneville Power Administration leaders and staff and BIOP Accord Parties, Federal Agencies, Congressional Members, individual Northwest Power and Conservation Council members, and Non-Governmental Organizations (including but not limited to utility organizations and ratepayer groups) where the subject matter was the Northwest Power and Conservation Council's Fish and Wildlife Program's fish passage and reintroduction provisions, toxics provisions, and any provisions that could or could be construed to expand the current Northwest Power and Conservation Council's Fish and Wildlife Program and/or the Bonneville Power Administration's fish and wildlife funding requirements.”

We had previously notified you that we expected to complete your request by March 31, 2015. Due to the volume of documents and need for additional review, we will be unable to complete your request by that deadline. Our new target date to respond to your request is June 15, 2015. We will keep you updated on our progress.

I appreciate the opportunity to assist you. If you have any questions about this letter, please contact Colleen Cushnie, FOIA Case Coordinator (BPA Contractor – ACS Professional Staffing) at (503) 230-5986 or via email at cacushnie@bpa.gov.

Sincerely,



C. M. Frost
Freedom of Information/Privacy Act Officer



Department of Energy

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

FREEDOM OF INFORMATION ACT PROGRAM

June 10, 2015

In reply refer to: FOIA #BPA-2015-00301-F

Rick Eichstaedt
University Legal Assistance
Gonzaga University School of Law
721 N. Cincinnati Street
Spokane, WA 99220

Mr. Eichstaedt:

This letter is in reference to your Freedom of Information Act request received in our office on Thursday, December 4, 2014, which we acknowledged on December 23, 2014.

You requested:

“Beginning on June 1, 2013 through today, all communications (including but not limited to emails, phone logs, presentations, meeting notes, and any written material) between the Bonneville Power Administration leaders and staff and BIOP Accord Parties, Federal Agencies, Congressional Members, individual Northwest Power and Conservation Council members, and Non-Governmental Organizations (including but not limited to utility organizations and ratepayer groups) where the subject matter was the Northwest Power and Conservation Council's Fish and Wildlife Program's fish passage and reintroduction provisions, toxics provisions, and any provisions that could or could be construed to expand the current Northwest Power and Conservation Council's Fish and Wildlife Program and/or the Bonneville Power Administration's fish and wildlife funding requirements.”

We had previously notified you that we expected to complete your request by June 15, 2015. Due to the volume of documents and the need for additional review, we will be unable to complete your request by that deadline. Our new target date to respond to your request is September 15, 2015. We will keep you updated on our progress.

I appreciate the opportunity to assist you. If you have any questions about this letter, please contact Colleen Cushnie, FOIA Case Coordinator (BPA Contractor – ACS Professional Staffing) at (503) 230-5986 or via email at cacushnie@bpa.gov.

Sincerely,



C. M. Frost
Freedom of Information/Privacy Act Officer



Department of Energy

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

Freedom of Information Act Program

September 8, 2015

In reply refer to: FOIA #BPA-2015-00301-F

Rick Eichstaedt
University Legal Assistance
Gonzaga University School of Law
721 N. Cincinnati Street
Spokane, WA 99220

Mr. Eichstaedt:

This letter is in reference to your Freedom of Information Act request received in our office on Thursday, December 4, 2014, which we acknowledged on December 23, 2014.

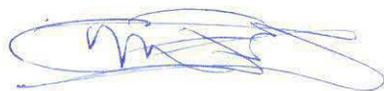
You requested:

“Beginning on June 1, 2013 through today, all communications (including but not limited to emails, phone logs, presentations, meeting notes, and any written material) between the Bonneville Power Administration leaders and staff and BIOP Accord Parties, Federal Agencies, Congressional Members, individual Northwest Power and Conservation Council members, and Non-Governmental Organizations (including but not limited to utility organizations and ratepayer groups) where the subject matter was the Northwest Power and Conservation Council's Fish and Wildlife Program's fish passage and reintroduction provisions, toxics provisions, and any provisions that could or could be construed to expand the current Northwest Power and Conservation Council's Fish and Wildlife Program and/or the Bonneville Power Administration's fish and wildlife funding requirements.”

We had previously notified you that we expected to complete your request by September 15, 2015. We will be unable to complete your request by that deadline. Our new target date to respond to your request is November 13, 2015. We will keep you updated on our progress.

I appreciate the opportunity to assist you. If you have any questions about this letter, please contact Colleen Cushnie, FOIA Case Coordinator (BPA Contractor – ACS Professional Staffing) at (503) 230-5986 or via email at cacushnie@bpa.gov.

Sincerely,



C. M. Frost
Freedom of Information/Privacy Act Officer



Department of Energy

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

FREEDOM OF INFORMATION ACT PROGRAM

November 12, 2015

In reply refer to: FOIA #BPA-2015-00301-F

Rick Eichstaedt
University Legal Assistance
Gonzaga University School of Law
721 N. Cincinnati Street
Spokane, WA 99220

Mr. Eichstaedt:

This letter is in reference to your Freedom of Information Act request received in our office on Thursday, December 4, 2014, which we acknowledged on December 23, 2014.

You requested:

“Beginning on June 1, 2013 through today, all communications (including but not limited to emails, phone logs, presentations, meeting notes, and any written material) between the Bonneville Power Administration leaders and staff and BIOP Accord Parties, Federal Agencies, Congressional Members, individual Northwest Power and Conservation Council members, and Non-Governmental Organizations (including but not limited to utility organizations and ratepayer groups) where the subject matter was the Northwest Power and Conservation Council's Fish and Wildlife Program's fish passage and reintroduction provisions, toxics provisions, and any provisions that could or could be construed to expand the current Northwest Power and Conservation Council's Fish and Wildlife Program and/or the Bonneville Power Administration's fish and wildlife funding requirements.”

The Bonneville Power Administration has instituted multi-track processing, as permitted by FOIA (5 U.S.C. § 552(a)(6)(D)(i)). Simple requests and complex requests are placed in two different queues, and each queue is processed on its own first-in, first-out basis. Requests are placed in the complex queue if they will require significant agency time or resources to process.

We had previously notified you that we expected to complete your request by November 13, 2015. As your case is a complex request and requiring additional attorney review, we will be unable to complete your request by that deadline and our new target date to respond to your request is January 29, 2016. We will keep you updated on our progress.

I appreciate the opportunity to assist you. If you have any questions about this letter, please contact Colleen Cushnie, FOIA Case Coordinator (BPA Contractor – ACS Professional Staffing) at (503) 230-5986 or via email at cacushnie@bpa.gov.

Sincerely,



C. M. Frost
Freedom of Information/Privacy Act Officer