

From: [Rick Till](#)
To: [Frost, Christopher M \(BPA\) - CGC-7](#)
Cc: [FOIA](#)
Subject: FOIA Request
Date: Tuesday, June 30, 2015 4:26:18 PM
Attachments: [image002.png](#)
[Friends FOIA Request 6.30.2015.pdf](#)

Date Rec'd:
7/1/2015
Due Date:
7/30/2015
Tracking Number:
BPA-2015-01544-F

Mr. Frost,

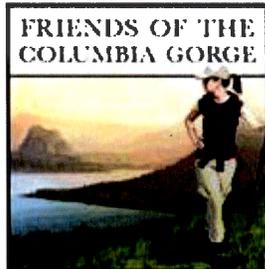
Please find the attached FOIA request. Friends requests expedited processing and has provided the necessary information as required by the BPA's expedited processing requirements.

Friends also hereby withdraws the request that was submitted on June 26, 2015.

Thanks,

Rick

Richard Till, Conservation Legal Advocate
Friends of the Columbia Gorge
rick@gorgefriends.org
Direct: 971-634-2032
Cell: 503-750-6599





FRIENDS OF THE COLUMBIA GORGE

SUBMITTED VIA E-MAIL AND FIRST-CLASS MAIL

June 30, 2015

Christopher M. Frost, FOIA Officer
Mail Stop CGC-7
Bonneville Power Administration
P.O. Box 3621
Portland, OR 97208
cmfrost@bpa.gov

Re: Freedom of Information Act Request – Expedited Processing and Fee Waiver Requested, Whistling Ridge Energy Project

Dear FOIA Officer:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, Friends of the Columbia Gorge (“Friends”), requests from the Bonneville Power Administration (“BPA”) access to and copies of agency records related to the BPA’s review of the Whistling Ridge Energy Project (“WREP” or “Project”).

Friends requests that the BPA expedite the production of responsive documents because Friends has a compelling need for the public records.

The issuance of the Record of Decision (“ROD”) (6450-01-P) and Supplement Analysis for the Whistling Ridge Energy Project Final EIS (DOE/EIS-0419/SA-1) creates urgency to inform the public regarding the BPA’s actual actions in preparing of the ROD and the Supplemental Analysis. Friends will be disseminating the information to other organizations and members of the public during the 90-day appeal period and that not granting expedited review will make it impossible for not only Friends, but other members of the public, to understand the decision and decide whether to appeal it. If the BPA delays the response to this request it would compromise Friends’ ability to review whether the BPA’s action comports with all applicable federal laws. This is a significant,

recognized interest to the American public. Based on these facts, Friends' request satisfies the BPA's requirements for expedited processing.¹

This request covers all records in the following categories added to BPA's files during the following time period: **January 24, 2015 through June 30, 2015.**

The request is limited to the following categories of records:

- Any materials submitted by Whistling Ridge Energy LLC ("WRE") regarding its pending generation interconnection request;
- Any Transmission Service Requests or similar documents submitted to BPA regarding the WREP;
- Any communications between the BPA and the following persons and entities regarding the WREP:
 - Washington Energy Facility Site Evaluation Council ("EFSEC");
 - state agencies or officials (including elected officials);
 - other federal agencies or officials (including elected officials);
 - Whistling Ridge Energy LLC ("WRE"), including all related entities such as the SDS Lumber Company, Broughton Lumber Company, and Stevenson Land Company, as well as WRE's attorneys and other representatives; and
 - WRE's consultants, including but not limited to URS Corp. and West Inc.
- Any meeting notes, agendas, or other related records generated from meetings between BPA, EFSEC, WRE, and consultants.

Friends would like to receive the information in electronic format.

Please waive any applicable fees. Friends is requesting this information in the public interest and not for any commercial use. The request will serve the public interest because it will contribute significantly to public understanding of government operations and activities related to the BPA's review of environmental impacts of the Project and the process for approving new interconnections to the regional energy grid. Materials would be provided to a federally registered non-profit organization that reviews and comments on environmental review and permitting processes for new development within the Columbia River Gorge. Waiving fees would facilitate this work and allows the organization to disseminate information to the interested public. Information could be disseminated through the organization's membership, print newsletters, e-mail newsletters, partner organizations, and numerous media contacts. The organization would not obtain any monetary profit from the release of information or from a waiver of fees. The information is sought solely for the purpose of advancing the organization's public interest mission.

In the event that any applicable fees are not waived, please contact me directly if responding to the request would generate costs exceeding \$200.

¹ <https://www.bpa.gov/news/FOIA/Pages/The-Freedom-of-Information-Act.aspx>.

If this request is denied in whole or part, Friends asks that the BPA provide a withholding index and justify all withholdings by reference to specific exemptions of the Public Records Act. We also expect that the BPA will release all segregable portions of otherwise exempt material. We reserve the right to appeal any decision to withhold any information or to deny a waiver of fees.

If you have any questions about processing this request, you may contact me during business hours at 971-634-2032 or rick@gorgefriends.org.

As time is of the essence, Friends looks forward to your response within 20 days, as the statute requires.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 30, 2015

A handwritten signature in blue ink, appearing to read "Richard Till", with a long horizontal flourish extending to the right.

Richard Till
Conservation Legal Advocate