



Department of Energy

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

FREEDOM OF INFORMATION ACT PROGRAM

March 1, 2016

In reply refer to: **FOIA #BPA-2016-00407-F**

James L. Buchal
Murphy & Buchal LLP
3425 SE Yamhill Street, Suite 100
Portland, OR 97214

Dear Mr. Buchal:

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

January 21, 2016 Request:

“Any memorandum, information summary, or other document identifying multiple sites with vegetation BPA believes creates risks to the transmission lines, which document has been communicated to BPA’s Transmission Field Services management.”

Response:

In response to the above FOIA request BPA advised you on January 25, 2016, and again on February 21, 2016, that BPA considers approximately 10,000 of its 15,000 miles of transmission lines to have the potential to grow incompatible vegetation, i.e., “...creates risks to the transmission lines.” BPA considers all of those 10,000 miles of transmission line to have vegetation that poses a risk to the BPA transmission line system — obviously some areas will have higher risk than others. BPA considers a specific transmission line or corridor to not have vegetation that poses a risk only immediately following a scheduled vegetation management/maintenance project at that transmission line site. As such, no record or set of records responsive to your FOIA request, above, exists. Under the FOIA, BPA is under no statutory obligation to create a new record or document in response to a FOIA request where one did not previously exist. In our attempt to satisfy your FOIA request for records, BPA suggested that we might be able to provide you:

- 1) any existing list (or group of district-by-district lists) of the transmission lines that have the potential to grow incompatible vegetation;
- 2) any existing list (or group of lists) of those transmission lines that have had recent scheduled vegetation management/maintenance; and

3) with said lists dating back possibly one year (i.e., through 2015). BPA inquired if such a search, and possible responsive records, would satisfy the parameters of the above FOIA request.

Administrative Closure:

After 30 days, BPA has not received your reply to our January 25, 2016 request for your approval of our FOIA response proposal. As such, this communication confirms that your FOIA request, above, is now administratively closed for failure to clarify the request. No further action will be taken by BPA. Because your FOIA request was administratively closed, and no final determination was made on records, you do not have appeal rights under Department of Energy FOIA regulations at 10 C.F.R. § 1004.8. You may, of course, resubmit your FOIA request at any time.

If you have questions, you may contact James King (CorSource Technology Group, Inc.), assigned to BPA, at 503-230-7621.

Sincerely,



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