



Department of Energy

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

FREEDOM OF INFORMATION ACT PROGRAM

May 23, 2017

In reply refer to: FOIA #BPA-2017-00793-F

Kristin Terpstra
Civil Engineer
Public Works
18415 101st Ave. NE
Bothell, WA 98011

Ms. Terpstra:

This is a final response to your request for Bonneville Power Administration (BPA) records under the Freedom of Information Act (FOIA), 5 U.S.C. § 552. Your request was received in our office on March 27, 2017 with an acknowledgement letter sent to you on April 4, 2017 and an extension letter sent to you on April 24, 2017.

You requested

“BPA has a power station on Maltby Rd (approximately 3620 Maltby Rd) that is partially within the City of Bothell... I would like to know more about... Any construction as-built or current storm water management plans.”

Response

We conducted a search of realty and transmission records and have located 21 pages of material responsive to your request. We are releasing these records in full with the exception of minimal redactions under 5 U.S.C. § 552(b)(6) (Exemption 6) to protect personal privacy.

Explanation of Exemption

Exemption 6 protects information in “personnel and medical files and similar files” when the disclosure of such information “would constitute a clearly unwarranted invasion of personal privacy” (5 U.S.C. § 552(b)(6)). Exemption 6 requires balancing the public interest in the information against the individual privacy interest at issue. Here, we assert this exemption to redact an individual’s signature. We find that the limited public interest does not outweigh the privacy concerns of the individuals. Information that falls under Exemption 6 cannot be discretionarily released; the right of privacy belongs to the individual, not to the agency. Therefore, we did not analyze this information under the discretionary release guidelines in Attorney General Holder’s March 19, 2009, FOIA Memorandum.

Certification

Pursuant to 10 C.F.R. § 1004.7(b)(2), I am the individual responsible for the records release and determinations described above.

Fees

There are no fees associated with this request.

Appeal

This decision, as well as the adequacy of the search, may be appealed within 90 calendar days from your receipt of this letter pursuant to 10 C.F.R. § 1004.8. Appeals should be addressed to:

Director, Office of Hearings and Appeals,
HG-1, L'Enfant Plaza
U.S. Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585-1615

The written appeal, including the envelope, must clearly indicate that a FOIA appeal is being made. You may also submit your appeal to OHA.filings@hq.doe.gov, including the phrase "Freedom of Information Appeal" in the subject line. The appeal must contain all of the elements required by 10 C.F.R. § 1004.8, including a copy of the determination letter. Thereafter, judicial review will be available to you in the Federal District Court either: 1) in the district where you reside; 2) where you have your principal place of business; 3) where DOE's records are situated; or 4) in the District of Columbia.

You may contact BPA's FOIA Public Liaison, Sarah Westenberg, at the address on this letter header for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
Email: ogis@nara.gov
Phone: 202-741-5770; Toll-free: 1-877-684-6448; Fax: 202-741-5769

I appreciate the opportunity to assist you. If you have any questions, please contact Nita Guidoux (ACS Professionals) at 503-230-4705.

Sincerely,



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

Enclosure: Responsive documents