



Department of Energy

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

PUBLIC AFFAIRS

March 23, 2012

In reply refer to: DK-7

Terry Constance
Ex 6

FOIA #BPA-2012-00551-F

Dear Mr. Constance:

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

You have requested the following:

All emails, correspondence and hand written notes to and from Golder Associates and GeoEngineers Inc. from the period of January 2010 to date.

Response:

The responsive documents are provided on the enclosed CD. Exemption 5 and Exemption 6 have been applied to the responsive documents. Some information has also been redacted 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.

The documents withheld under Exemption 5 are pre-decisional documents that discuss several options for the data and other information used in the draft environmental impact statement. Draft documents, by their very nature, are pre-decisional because they are prepared prior to the undertaking of any final action by the agency.

Draft documents are deliberative because they are part of the deliberative process by which that agency action was considered and taken. They reflect only the tentative view of their authors, views that might be altered or rejected upon further deliberation either by the authors or by their superiors. The withheld draft documents do not represent final agency decisions on the final document.

The documents being withheld in their entirety are being withheld because they express opinions that fall within the deliberative process privilege.

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

BPA asserts Exemption 6 for information which could reasonably be expected to constitute an unwarranted invasion of personal privacy if disclosed. The withheld information consists of the names and personal contact information (address, email, and/or phone numbers) of individual citizens who have expressed an interest in this Project, as well as the personal cell phone numbers and email addresses of various individuals working on this Project. 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.

The remaining responsive documents are still in process and will be released as possible.

I appreciate the opportunity to assist you. Please contact Kim Winn, Communications 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

May 3, 2012

In reply refer to: DK-7

Terry Constance
Ex 6

FOIA #BPA-2012-00551-F

Dear Mr. Constance:

This is the second partial response to your request for information that you made to the Bonneville Power Administration (BPA) under the Freedom of Information Act (FOIA), 5 USC § 552.

You have requested the following:

All emails, correspondence and hand written notes to and from Golder Associates and GeoEngineers Inc. from the period of January 2010 to date.

Response:

The responsive documents are provided on the enclosed CD. The documents are divided into parts for managing the large amount of responsive documents. The numbers given those parts may not be released sequentially.

Exemption 2, Exemption 5, and Exemption 6 have been applied to the responsive documents. Some information has also been redacted as nonresponsive as you stated contracts and agreements were not to be included.

Exemption 2 relates to internal personnel rules and practices that are trivial in nature.

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.

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Draft documents are deliberative because they are part of the deliberative process by which that agency action was considered and taken. They reflect only the tentative view of their authors, views that might be altered or rejected upon further deliberation either by the authors or by their superiors. The withheld draft documents do not represent final agency decisions on the final document. The documents being withheld in their entirety are being withheld because they express opinions that fall within the deliberative process privilege.

BPA asserts Exemption 6 for information which could reasonably be expected to constitute an unwarranted invasion of personal privacy if disclosed. The withheld information consists of the names and personal contact information (address, email, and/or phone numbers) of individual citizens who have expressed an interest in this Project, as well as the personal cell phone numbers and email addresses of various individuals working on this Project. 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.

The remaining responsive documents are still in process and will be released as possible.

I appreciate the opportunity to assist you. Please contact Kim Winn, Communications 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

May 31, 2012

In reply refer to: DK-7

Terry Constance
Ex 6

FOIA #BPA-2012-00551-F

Dear Mr. Constance:

This is the second partial response to your request for information that you made to the Bonneville Power Administration (BPA) under the Freedom of Information Act (FOIA), 5 USC § 552.

You have requested the following:

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Draft documents are deliberative because they are part of the deliberative process by which that agency action was considered and taken. They reflect only the tentative view of their authors, views that might be altered or rejected upon further deliberation either by the authors or by their superiors. The withheld draft documents do not represent final agency decisions on the final document. The documents being withheld in their entirety are being withheld because they express opinions that fall within the deliberative process privilege.

BPA asserts Exemption 6 for information which could reasonably be expected to constitute an unwarranted invasion of personal privacy if disclosed. The withheld information consists of the names and personal contact information (address, email, and/or phone numbers) of individual citizens who have expressed an interest in this Project, as well as the personal cell phone numbers and email addresses of various individuals working on this Project. 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.

Pursuant to 10 CFR 1004.8, if you are dissatisfied with this determination, or the adequacy of the search, you may appeal 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, Communications 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