

Advocates for the West

public interest environmental law

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June 28, 2012

VIA CERT. U.S. MAIL, RET. REC. REQUESTED

Christina J. Munro, FOIA Officer
Mail Stop DK-7
Bonneville Power Administration
P.O. Box 3621
Portland, OR 97208

RECEIVED BY BPA FOIA OFFICE THIS DATE: 7/5/12
DUE DATE: 8/2/12
LOG # BPA-2012-01592-F

Re: Freedom of Information Act Request- North Steens 230-kV Transmission Line Project

Dear Ms. Munro:

This is a request under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, *as amended*. I make this request on behalf of the Oregon Natural Desert Association ("ONDA"). ONDA is a non-profit public interest organization dedicated to the conservation of the public lands of eastern Oregon. ONDA has a long history of interest and involvement in eastern Oregon land use planning, energy development, grazing, riparian areas, fish and wildlife, and wilderness. ONDA's mission is to protect, defend, and restore forever, the health of Oregon's native deserts.

In this FOIA request, the following definitions apply:

- "CEP" means "Columbia Energy Partners, its principals (including but not limited to Chris Crowley, Jon Norling, Marl Kane and Peter Flood), its affiliates (including but not limited to Echanis LLC, West Ridge LLC, and East Ridge LLC, and any affiliate established for the purpose of construction or operation of electrical transmission facilities), and their employees, contractors and agents (including but not limited to legal counsel or consultants for the foregoing entities and individuals).
- "Harney Electric Cooperative" means Harney Electric Cooperative, Inc., which submitted a right-of-way application and amended plan of development for the North Steens Transmission Line.
- "Harney County" means Harney County (a political subdivision of the State of Oregon) and any elected official, commission, department, agent, employee or consultant of Harney County.
- "ENTRIX" means the consultant which prepared the Draft and Final Environmental Impact Statement for the North Steens 230-kV Transmission Line Project (for which BPA was a

cooperating agency).

- "Project" means the North Steens 230-kV Transmission Line Project and/or the associated Echanis Wind Project, Riddle Mountain Wind Project, and East and West Ridge Wind Projects.

Pursuant to the FOIA, please send me copies of the following:

1. All draft and final versions of any purchase power agreement, interconnect agreement, and/or transmission agreement for the Project.
2. All correspondence (including but not limited to emails, memoranda, letters, and phone records) discussing the Project between the BPA and any the following entities: the Bureau of Land Management, CEP, Harney Electric Cooperative, Harney County, and ENTRIX since June 1, 2010.
3. Meeting minutes discussing the Project since June 1, 2010.
4. All other documents discussing the Project since June 1, 2010.

ONDA and its members have been closely following land use planning, grazing management, energy project development, and management of wilderness resource values in eastern Oregon for over twenty years. More recently ONDA has been closely tracking the proposed North Steens transmission line and associated wind energy proposal for several years. ONDA is committed to using the requested information to increase public awareness on the impacts of these proposals, help assess conditions, impacts from the proposed projects on the public lands and the transmission system.

To that end, these documents will help clarify to ONDA and the general public whether BPA and its cooperating agencies through their activities and operations have carried out their responsibilities under all relevant statutes, regulations, and management plans. Release of this information will benefit the public, which has an interest in knowing whether and to what extent BPA and its cooperating agencies are satisfying their statutory and regulatory requirements with respect to the public lands and federally-protected areas in eastern Oregon. ONDA will use the requested information to further the public's understanding of the impacts of the North Steens proposals by disseminating the information to public interest groups and agencies in Oregon via its newsletter, website (www.onda.org), media contacts, public presentations and lectures, annual meetings and Board meetings, email list serve, organized field trips, members and interested members of the public in the field, various public initiatives and coalition campaigns, public comments on agency proposals, and litigation.

In the event that access to any of the records is denied, please note that the FOIA provides that if only portions of a file are exempted from release, the remainder of the file must still be released. ONDA therefore requests that it be provided with all non-exempt portions

which are reasonably segregable. In the event that access to any of the records is denied in part or in whole, ONDA requests that you provide a full description of the item withheld, including identification of who prepared it, the affiliation or title of that person, and to whom the item was sent, along with the reason for withholding.

ONDA also requests that you waive any applicable fees because the requested material is in the "public interest." This request complies with 5 U.S.C. § 552 because the furnished information will be used to inform the public of how the federal government is managing the public lands and transmission system. These documents concern the operations and activities of the BPA and cooperating agencies, and the effect of potential actions on BPA's transmission system and public lands. The release of these documents will continue to contribute significantly to the public's understanding of BPA and cooperating agencies' approvals of the North Steens proposals, in that the information will enhance the public's understanding of the agencies' legal responsibilities and inform the public as to whether the agencies have complied with their duties. In addition, to the best of my knowledge, this information has not been disclosed before and is therefore "new" information. ONDA is a 501(c)(3) nonprofit organization and has no commercial interest in these documents.

I look forward to your timely response, within 20 business days, as FOIA requires. Please send installment of documents as they become available, if possible.

You may send any or all of the requested documents via email to kruether@advocateswest.org or on CD-ROM, if they are available electronically.

If you have any questions regarding this request, please do not hesitate to contact me at the address below. Thank you in advance for your prompt reply.

Sincerely,

s/ Kristin F. Ruether

Kristin F. Ruether
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Attorney for Oregon Natural Desert Association

cc: Brent Fenty, Executive Director
Oregon Natural Desert Association