



Department of Energy

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

PUBLIC AFFAIRS

September 25, 2012

In reply refer to: DK-7

Susan Drummond
5400 Carillon Point, Bldg 5000, Ste 476
Kirkland, WA 98033

FOIA #BPA-2012-01801-F

Dear Ms. Drummond:

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

You requested:

1) Friends' identification of potential measures for use of the Funds;

Response:

BPA has no responsive documents at this time.

You requested:

2) BPA's review of all proposals for use of the Funds;

Response:

BPA has no responsive documents at this time.

You requested:

3) Any actions, proposed or taken, by BPA, regarding the Funds;

Response:

BPA has no responsive documents at this time.

You requested:

4) All documents describing the process for submitting, processing, and making decisions on funding pursuant to the settlement agreement.

Response:

Documents to this were provided under a previous FOIA request BPA-2012-01258-F. However, the draft of the final criteria/process agreement was withheld at that time under Exemption 5 as

“deliberative and pre-decisional.” That previously withheld document is now being discretionarily released in it’s entirety.

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

There are no fees associated with this request.

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: Responsive document

**BPA's Implementation Guidelines
for the
Friends of the Columbia Gorge Settlement Agreement**

FINAL DRAFT
September 25, 2012

PURPOSE

The purpose of these Guidelines is to create alignment between the participation of BPA staff and executive/senior management to ensure that BPA effectively manages the Friends of the Columbia Gorge (Friends) settlement agreement no. 12TX-15574 (Settlement Agreement or Agreement) program by funding projects with key partners to meet clear objectives and achieve reliable results.

These Guidelines provide an implementation framework for BPA staff and executive/senior management so that they are:

- prepared to participate in informed conversations that steer and influence the use of settlement funds to best support BPA and regional interests,
- able to use the Agreement's measures as a "guide" to achieve organizational alignment,
- capable to clearly understand the "value" of the results obtained from a project, and
- effective in performing their roles and responsibilities as decision makers.

The description of the Settlement Agreement in these Guidelines is for summary purposes only. The terms of the Settlement Agreement will control in the event of any conflict with these Guidelines.

VISION

BPA will have a coordinated, objective, repeatable and auditable decision-making process to review and approve project proposals from Friends in accordance with the Settlement Agreement.

BACKGROUND

BPA and Friends have reached an agreement on a framework for funding measures to protect and enhance scenic and natural resources in the Columbia River Gorge National Scenic Area. These measures will help address concerns about potential effects on National Scenic Area landscapes of BPA's Big Eddy-Knight transmission line project, which is currently under construction.

Under the Agreement, BPA will work with Friends to consider funding for proposed measures to maintain or restore scenic qualities of the National Scenic Area. Examples

include land acquisition, the removal of physical structures, and restoration of disturbed areas. BPA Regional Relations (DKR) will coordinate proposed measures within the National Scenic Area with the Columbia River Gorge Commission, the U.S. Forest Service and affected local governments.

The Settlement Agreement is effective from December 14, 2011, through December, 14, 2016, and requires BPA to establish an internal account in the amount of \$1,787,500 from which projects proposed by Friends may be funded. The Agreement requires BPA to review projects proposed by Friends and to approve funding requests consistent with the Agreement. BPA funds can be used for land acquisitions, visually discordant features, and utility undergrounding.

By August 16, 2016, BPA and Friends must meet to determine whether or not the funds will be expended by December 14, 2016 (the date for automatic termination of the Agreement). If the parties do not expect all of the funds to be disbursed by this date, the parties will determine whether the term of the Agreement will be extended or will identify possible suitable entities to whom the remaining funds could be disbursed. Upon termination of the Agreement, remaining funds shall be transferred, within 120 calendar days, to one or more agreed upon parties for future use.

EXECUTIVE SPONSORSHIP

Transmission Senior Vice President, Brian Silverstein, signed the Agreement. The Settlement Agreement Implementation Team (Implementation Team or Team) is sponsored by the Transmission Executive Team and the Environment, Fish & Wildlife Vice President.

SCOPE OF PROPOSALS

- Proposals may only be submitted by Friends.
- BPA *encourages* the Friends to collaborate with the U.S. Forest Service, Columbia River Gorge Commission, affected counties, and the general public to identify potential projects.
- BPA funds can be used for land acquisitions, visually discordant features, and utility undergrounding. Project outside of scope will not be reviewed.
- Costs incurred by BPA or Friends will not be reimbursable out of the \$1,787,500.

PROCESS

- Anytime after January 12, 2012, Friends may submit a written proposal (see Appendix for evaluation criteria) for funding of projects allowed under the Settlement Agreement. All third parties must coordinate their proposal through Friends.
- The Implementation Team will meet within 5 calendar days from receiving a fully documented proposal to initiate the review process. If the proposal does not fully address the requirements, the proposal will be returned to Friends for additional

clarification. This initial meeting will identify any due diligence that BPA must be do to properly evaluate the proposal.

- Within 30 calendar days of receiving a fully documented written proposal from Friends, BPA will coordinate with Friends to resolve questions concerning the proposal.
- BPA will *strive* to make its funding decision within 60 calendar days from BPA's receipt of the proposal.
- BPA will disburse funds within 30 calendar days of approving a Friends proposal.
- BPA shall maintain a written list of all proposals approved for funding.
- BPA shall maintain an internal account to track expenditures of funds.
- BPA will implement fund control process for each Friends project. If BPA overpays the Project Administrator (the entity to which funds are dispersed), BPA will bill for the amount of the overpayment. The terms associated with an overpayment will be outlined in the grant agreements.

DELIVERABLES

The Implementation Team will review and make recommendations on Friends' proposals to the approving official.

- Develop evaluation criteria and proposal format to make project selection decisions that support the settlement objectives and are transparent, repeatable, and auditable.
- Track Friends portfolio of approved projects using a Transmission AIS system or equivalent.

MEMBERSHIP

The Implementation Team includes:

Name/Group	Title or Function	Need/Role/ in Project
Larry Bekkedahl, Deputy to Senior Transmission Vice President, T	➤ Final Approving official	➤ Final Approving official for granting funds for visually discordant features and utility undergrounding.
Marian Wolcott, Real Property Service, TER	➤ Final Approving official	➤ Final Approving official for granting funds for land acquisitions
Madonna Radcliff, Internal Operations, TG	<ul style="list-style-type: none"> ➤ Chair Evaluation Team ➤ Core team member ➤ Program Manager 	<ul style="list-style-type: none"> ➤ Convene Team to Formally Review and Validate Proposals ➤ Develop set distribution list for communicating internally on proposal denial/funding ➤ Coordinate with FOIA Office
Thien Do, Internal Operations, TG	<ul style="list-style-type: none"> ➤ COTR, Managing program development process, project timeliness / schedule. ➤ Core team member 	<ul style="list-style-type: none"> ➤ Receive and log proposals ➤ Initial review of proposal for scope ➤ Initial criteria evaluation ➤ Coordinate disbursement and tracking costs/deliverables ➤ Determine types of SMEs to evaluate proposal ➤ Track all Friends proposals (by assigning unique identifier) including approval status, allocated funds, and project status ➤ Track the Friends portfolio remaining funds and report to the Program Manager at the end of each quarter and at each project close out ➤ Ensures funding is adequate for proposed projects and invoices paid in a timely manner. Via BES, prepares Payment Authorizations (CPA) for all Friends agreement related activities
Joseph Sharpe, Pollution Prevention & Abatement, KEP	➤ Evaluation Team Member	➤ Complete Environmental Land Audits for land acquisitions, i.e. review information on our SharePoint site at the following link: http://internal.bpa.gov/sites/ppa/Land/ELAs
Gene Lynard, Environmental Planning & Analysis, KEC	➤ Evaluation Team Member	<ul style="list-style-type: none"> ➤ Complete NEPA review for land acquisitions, visually discordant features, and utility underground ➤ Ensure compliance with a myriad federal, state and local laws and regulations, i.e. Endangered Species Act, the Clean Water Act and Section 106 of the National Historic Preservation Act ➤ Process takes approximately 4 months

Rob Swedo or Steve Weiss, Regional Relations, DKR	➤ Evaluation Team Member	<ul style="list-style-type: none"> ➤ Serve as BPA POC for Friends proposals ➤ Forward proposals to TG for proposal review process ➤ Follow-up with Friends if proposals are incomplete ➤ Review and validate Friends coordination of state resource and land management agencies or local governments/utilities review ➤ Ensure appropriate coordination with external entities
Heidi Haserot, Transmission Real Property Services, TER	➤ Evaluation Team Member	<ul style="list-style-type: none"> ➤ For land acquisition proposals, the following reviews are required to determine whether the BPA funding will be going to an acquisition with acceptable title, the offer to purchase reflects market value, and the terms and conditions of the acquisition meet the needs of the settlement ➤ The durations for appraisal reviews are about 4 months, and for title review is about 30 days.
Robert Shier, General Accounting, FRG	➤ Evaluation Team Member	<ul style="list-style-type: none"> ➤ Review proposal ➤ Coordinate with other financial organizations to track funds ➤ Coordinate with FS to establish a Settlement Agreement work order for external purposes ➤ Send out fund statement as requested
Chris Gunn, Contract Management & Administration, KSC	➤ Analytical support	<ul style="list-style-type: none"> ➤ Maintain contract funds documentation ➤ Assist with documentation in CCM
Jennifer McCune, Contract Specialist, NSSF	➤ Contract Officer	➤ Friends Settlement Proposal POC
Matt Perkins, Legal, LT	➤ Legal Advisor	➤ Evaluation Team Member
TBD Account Executive and Emmanuel Jaramillo, TEP	➤ Advisor on Utility Underground	➤ Coordinate utility undergrounding with the utility affected
Cheryl Hargin, Financial Analysis & Requirements, FS	➤ Financial Support	➤ For internal efforts in support of the Friends agreement, i.e. real property services and environment, coordinate and establish work orders with FB.

LEADERSHIP

The Implementation Team Chair will be the Policy Advisor in the Transmission Internal Operations, TG (currently Madonna Radcliff). Consistent with delegated authorities, the approving official for team funding recommendations for land acquisitions is the Manager of Real Property Services and for visually discordant features and utility underground is the Senior Vice President for Transmission Services.

MEETINGS

Additional SMEs may be added as Team members following the kick off meeting to ensure appropriate evaluation of proposals.

The Chair, or other subject matter experts as appropriate, will coordinate with external stakeholders, including local or tribal government(s) to gather concerns, issues, items of interest and possible ideas to take to the meeting. For proposed measures within the National Scenic Area, BPA will take responsibility for coordinating with the Columbia River Gorge Commission, U.S. Forest Service, or responsible county or its planning departments concerning consistency of the proposed measures with the Management Plan for the Columbia River Gorge Scenic Area.

Proposals will be provided to all Team members for their consideration. The Team may consider all reliable information available, including information outside the written application. The Team need not review each application in the same level of detail.

DECISION MODE

Proposals presented for decision should have been reviewed and endorsed by the Friends before being reviewed by BPA. Decisions are made by the designated Implementation Team members in consultation with key stakeholders. The designated Team members may designate other representative to hold their proxy for a decision. There should be an effort to reach consensus on issues; however, the Manager of Real Property Services and Senior Vice President for Transmission Services have the final decision making authority.

Decisions must be consistent with the settlement agreement.

ROLES & RESPONSIBILITIES

The Guidelines delineate the roles and responsibilities for BPA staff and senior management so that BPA staff are more effective advisors and the senior management are more effective in their decision making.

1. The Program Manager - TG will develop Team Guidelines, including timeline for completion; schedule Team meetings; prepare agendas for meetings; report status to Final Approving Officials; conduct Team meetings.

The Program Manager also will conduct yearly and/or periodic reviews and evaluate the collaborative organizations set of

- On-going projects/programs,
- Newly proposed projects/programs, and

The Program Manager will share this information internally among the Implementation Team members and solicit discussion, review and evaluation of existing and newly proposed projects. The Program Manager will facilitate evaluation of new project proposals that will serve Settlement Agreement objectives. The Program Manager will seek subject matter experts to serve on the Team.

2. Subject matter experts typically serve as technical advisors and guide or influence the project evaluation criteria and developing evaluation recommendations to the Program Managers. Meeting attendance is critical to determine project deliverables and guidance toward projects that would meet the settlement agreement objectives.
3. The Program Manager will present the Team recommendation to the Transmission Executives and the Manager of Real Property.
4. The designated Team members will review the proposal and recommendation to make the final approve or disapprove decision.
5. Once the proposal has been approved, the Program Manager will notify the CO who will notify the Friends project manager of the designated BPA COTR/POC.
6. The Program Manager will coordinate with senior management about projects/programs when there is an issue that needs their attention. The Program Manager will provide distilled and focused information to senior management so that they are clearly advised as to what the issues are and what their roles are in addressing the project/issue.
7. The COTR will track all Friends proposals (by assigning unique identifier) including approval status, allocated funds, and project status.
8. The COTR will track the Friends portfolio remaining funds and report to the Program Manager at the end of each quarter and at each project close out.
9. The COTR ensures funding is adequate for proposed projects and invoices paid in a timely manner. Via BES, prepares Payment Authorizations (CPA) for all Friends agreement related activities.

Transmission VPs

In addition to other duties specified in these Guidelines, Transmission VPs will address Settlement Agreement issues and other roadblocks; resolves concerns; validate Team Guidelines and timelines; provide constant and effective executive leadership; determine if agreement will be extended in 2016.

Team Norms:

- Team members are expected to: attend Team meetings; complete work assigned on time; report and seek to resolve issues and concerns and send documentation of progress to the Program Manager.
- Members are expected to have candid and open discussions in a professional manner.
- Decisions are to be documented.
- Members are expected to be champions of the agreed upon deliverables and complete assignments that require input from the work groups that they represent.
- Members will place appropriate priority on attending meetings and being prepared.
- Recommendations will be consensus-based on set evaluation criteria whenever possible and majority-based with documented minority positions.
- Members are expected to champion Team decisions once made.
- BPA will not approve a proposal that is inconsistent with the Management Plan

Appendix: Evaluation Criteria

All proposals must meet the legal requirements of the Settlement Agreement. BPA will evaluate the proposal to determine consistency with the Settlement Agreement.

Minimum Proposal Attributes Requirements

All proposals must be submitted in a written application. The detail provided should be proportionate to the amount of the request, the complexity and risk of the project.

- An initial and concise statement of the amount requested, what the funds would pay for and how that will benefit the residents/users of the Columbia River Gorge.
- A description of the proposed project. This should explain, minimally:
 - the objective.
 - the name of the project's main organizer.
 - the people who will carry out the activities, and their responsibilities.
 - the participants and/or beneficiaries of the activities.
- An explanation of how funds will be used.
- An explanation of how funding of the activities meets each of the eligibility criteria.
- An explanation of how the proposed activities will be evaluated to determine whether they meet the eligibility criteria.
- A calendar of events, including any critical deadlines.
- The name, email and phone number of the person responsible for the proposal.
- A written summary along with supporting documentation reflecting Friends' preliminary assessment of the consistency of the proposed measure(s) with the Management Plan for the Columbia River Gorge Scenic Area (Management Plan).