

Department of Energy

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

PUBLIC AFFAIRS

September 20, 2012

In reply refer to: DK-7

Cheryl Brantley
A Better Way BPA
PO Box 704
Amboy, WA 98601

FOIA #BPA-2012-01815-F

Dear Ms. Brantley:

This is a final 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 documents related to an I-5 Corridor Reinforcement Project meeting held May 31, 2012, at the U.S. Army Corps of Engineers.

Response:

Enclosed are all documents responsive to this request. They are released in their 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.

I appreciate the opportunity to assist you. Please contact KimWinn, 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

Korsness,Mark A (BPA) - TEP-TPP-3

From: Manlow, Steven W NWS [Steven.W.Manlow@usace.army.mil]
Sent: Monday, May 21, 2012 1:08 PM
To: Erna Sarasohn
Cc: Korsness,Mark A (BPA) - TEP-TPP-3; Martin, David J NWS
Subject: Meeting Confirmation (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Ms. Sarasohn:

I received your phone message regarding confirmation of our upcoming meeting. I am confirming that we will be meeting at 10:00 on May 31, at the Corps office address below. Please feel free to give me a call if you need directions to the office. I look forward to our discussion. Thanks!

Steven W. Manlow
Biologist/Project Manager
U.S. Army Corps of Engineers, Seattle District Regulatory Branch Southwest
Washington Field Office
2108 Grand Blvd
Vancouver, WA 98661
360.694.1171 — Phone
360.750.9307 - Fax
Steven.W.Manlow@usace.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

9/6/2012

Korsness, Mark A (BPA) - TEP-TPP-3

From: Manlow, Steven W NWS [Steven.W.Manlow@usace.army.mil]
Sent: Wednesday, May 30, 2012 11:38 AM
To: Martin, David J NWS; Korsness, Mark A (BPA) - TEP-TPP-3
Subject: FW: May 31, 2012 Project Meeting (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Steven W. Manlow
Biologist/Project Manager
U.S. Army Corps of Engineers, Seattle District Regulatory Branch Southwest Washington
Field Office
2108 Grand Blvd
Vancouver, WA 98661
360.694.1171 - Phone
360.750.9307 - Fax
Steven.W.Manlow@usace.army.mil

-----Original Message-----

From: Erna Sarasohn [mailto:lesernal@yahoo.com]
Sent: Wednesday, May 30, 2012 10:07 AM
To: Manlow, Steven W NWS
Subject: May 31, 2012 Project Meeting

Steve,
Terry, Richard and I will see you tomorrow, Thursday May 31, 2012 at 2:45 PM. We appreciate all your effort that went into arranging this meeting.
Erna

Flag this message RE: May 31, 2012 BPA Project Meeting (UNCLASSIFIED) Wednesday, May 30, 2012 3:29 PM
From: "Manlow, Steven W NWS" <Steven.W.Manlow@usace.army.mil> View contact details
To: "Erna Sarasohn" <lesernal@yahoo.com>, "Mark A (BPA) - TEP-TPP-3 Korsness" <makorsness@bpa.gov>, "Martin, David J NWS" <David.J.Martin@usace.army.mil>
Classification: UNCLASSIFIED
Caveats: NONE

Erna, Dave and Mark:

We have confirmed that shifting the schedule will work for all of the parties. Let's plan on meeting at 2:45 at our office here in Vancouver. Thank you for accommodating the schedule change.

Steven W. Manlow
Biologist/Project Manager
U.S. Army Corps of Engineers, Seattle District Regulatory Branch Southwest Washington
Field Office
2108 Grand Blvd
Vancouver, WA 98661
360.694.1171 - Phone
360.750.9307 - Fax
Steven.W.Manlow@usace.army.mil

-----Original Message-----

From: Erna Sarasohn [mailto:lesernal@yahoo.com]
Sent: Friday, May 25, 2012 3:53 PM
To: Manlow, Steven W NWS; Mark A (BPA) - TEP-TPP-3Korsness
Subject: Re: May 31, 2012 BPA Project Meeting (UNCLASSIFIED)

Steve,
2:45 to 3:45 PM or any time that is best for you, Mark and Dave will be fine with us.
Just let us know if 2:45 works for you.
Thank you,
Erna

--- On Fri, 5/25/12, Korsness, Mark A (BPA) - TEP-TPP-3 <makorsness@bpa.gov> wrote:

From: Korsness, Mark A (BPA) - TEP-TPP-3 <makorsness@bpa.gov>
Subject: Re: May 31, 2012 BPA Project Meeting (UNCLASSIFIED)
To: "'Steven.W.Manlow@usace.army.mil'" <Steven.W.Manlow@usace.army.mil>, "'lesernal@yahoo.com'" <lesernal@yahoo.com>
Date: Friday, May 25, 2012, 9:51 PM

Sorry, I have another important meeting at 2:00. I could meet from 2:45 to 3:45.....then I am busy again at 4:00.....Mark

From: Manlow, Steven W NWS [mailto:Steven.W.Manlow@usace.army.mil]
Sent: Friday, May 25, 2012 02:27 PM
To: Erna Sarasohn <lesernal@yahoo.com>; Korsness, Mark A (BPA) - TEP-TPP-3
Subject: May 31, 2012 BPA Project Meeting (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Mark and Ms. Sarashohn:

Dave Martin has run into a potential scheduling conflict as a result of chemotherapy treatments. He was wondering if it might be possible to move our meeting from 10:00 to 1:30. That would allow him time to drive down from Seattle after an appointment that morning. Mark, we would have to bump the normally schedule BPA start time to 2:30. Would that work for you? I just found out about the conflict today. Sorry for the late notice. Thanks.

Steven W. Manlow
Biologist/Project Manager
U.S. Army Corps of Engineers, Seattle District Regulatory Branch Southwest Washington
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360.694.1171 - Phone
360.750.9307 - Fax
Steven.W.Manlow@usace.army.mil

Classification: UNCLASSIFIED
Caveats: NONE

Classification: UNCLASSIFIED

Caveats: NONE

ReplyReply All

Classification: UNCLASSIFIED

Caveats: NONE

Korsness, Mark A (BPA) - TEP-TPP-3

From: Manlow, Steven W NWS [Steven.W.Manlow@usace.army.mil]
Sent: Friday, June 15, 2012 11:55 AM
To: Korsness, Mark A (BPA) - TEP-TPP-3
Subject: FW: Draft response to questions from Cheryl Brantley (UNCLASSIFIED)

Attachments: ResponseCheryl-June2012.doc



ResponseCheryl-June2012.doc (3...

Classification: UNCLASSIFIED

Caveats: NONE

Mark: Dave had a couple of recommended edits. Thanks for the opportunity to review this.
Steve

Steven W. Manlow
Biologist/Project Manager
U.S. Army Corps of Engineers, Seattle District Regulatory Branch Southwest Washington
Field Office
2108 Grand Blvd
Vancouver, WA 98661
360.694.1171 - Phone
360.750.9307 - Fax
Steven.W.Manlow@usace.army.mil

-----Original Message-----

From: Martin, David J NWS
Sent: Friday, June 15, 2012 11:53 AM
To: Manlow, Steven W NWS
Subject: RE: Draft response to questions from Cheryl Brantley (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Added a couple thoughts.

-----Original Message-----

From: Manlow, Steven W NWS
Sent: Friday, June 15, 2012 9:59 AM
To: Martin, David J NWS
Subject: FW: Draft response to questions from Cheryl Brantley (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Dave: BPA wanted us to take a quick look at the draft responses. They look fine to me, but I wanted to run them by you as well. Thanks.

Steven W. Manlow
Biologist/Project Manager
U.S. Army Corps of Engineers, Seattle District Regulatory Branch Southwest Washington
Field Office
2108 Grand Blvd
Vancouver, WA 98661
360.694.1171 - Phone
360.750.9307 - Fax

Steven.W.Manlow@usace.army.mil

-----Original Message-----

From: Korsness, Mark A (BPA) - TEP-TPP-3 [mailto:makorsness@bpa.gov]

Sent: Friday, June 15, 2012 9:52 AM

To: Manlow, Steven W NWS

Subject: Draft response to questions from Cheryl Brantley

Draft

Classification: UNCLASSIFIED

Caveats: NONE

Classification: UNCLASSIFIED

Caveats: NONE

Classification: UNCLASSIFIED

Caveats: NONE

Draft Response to Cheryl's questions

Regarding the other group's newsletter just put out

Did the other group have a meeting with the Corp's and BPA last week?

- They met with the Corps and Mark Korsness on May 31.

They say the DEIS will not to be released until September or as late as after the election. Is this true?

- We do not know when we will release the draft EIS. I have not speculated to them about when it might be released and do not know where they got this impression.

They say 13,000 citizens say take a route way out east where it doesn't impact populated communities. Where did they come up with that number?

- I do not know.

Regarding the Corp's Memorandum dated October 18, 2011

Would you send me a copy of the Draft Screening Criteria Tables NWS-2011-346 this memorandum refers to?

- These tables are not being released at this time because they are not final and are pre-decisional.

Why doesn't this project qualify for a Nationwide Permit?

- General regional or nationwide permits are issued when the proposed activities are minor in scope with minimal projected impacts. Nationwide permits authorize specific types of activity, including construction activities. In this case, the scope of the project is significant enough to warrant an individual 404 permit.

In the Corp's Memorandum dated October 18, 2011, it states that BPA will have to reword the Preliminary DEIS—is this business as usual, the Corp telling BPA this?

- We are working very closely with the Corps of Engineers in anticipation of filing a permit application. The Corps is also an EIS cooperating agency, so it is typical and essential for us to ask for the Corp's comments on our work. Many of the comments in the Oct. 18 memo have been or will be addressed as we continue our work with them before filing a permit application.

Comment [djm1]: Suggest we simply say the the proposed work would not meet the terms and conditions of any nationwide or regional general permit because the loss of waters of the US at some crossings would exceed the loss limit of the general permits. Therefore, the project requires authorization by standard individual permit.

Deleted: f

Other questions

Has BPA applied to FERC for a permit to cross the protected areas through PacifiCorp's land? If not, when would that happen?

- FERC would not issue a permit for us to cross PacifiCorp land. However, if we need to obtain an easement across PAC land, FERC may be involved if the easement affected FERC-licensed project lands.

Is this the longest BPA has taken to identify a preferred alternative?

- In our recent past (last 10-15 years), this is the longest we've taken to analyze alternatives before identifying a preferred. This is not surprising, given the location of the project and the complexity of the issues we are considering. In our history, there may have been other projects that required additional studies before identifying a preferred alternative, but I do not have knowledge of the time it took.

Asgharian, Maryam A (BPA) - DKE-7

From: Manlow, Steven W NWS [Steven.W.Manlow@usace.army.mil]
Sent: Tuesday, May 22, 2012 4:04 PM
To: Asgharian, Maryam A (BPA) - DKE-7
Cc: Wittpenn, Nancy A (BPA) - KEC-4; Korsness, Mark A (BPA) - TEP-TPP-3; Eaton, Tish K (BPA) - KEC-4
Subject: RE: Requesting your review (UNCLASSIFIED)
Attachments: Spotlight QuestionQA Corps Manlow Edits.doc



Spotlight
QuestionQA Corps Mar
Classification: UNCLASSIFIED
Caveats: NONE

Mayamm:

Here are some recommended edits. Thanks for

Steven W. Manlow
Biologist/Project Manager
U.S. Army Corps of Engineers, Seattle District Regulatory Branch Southwest Washington Field Office
2108 Grand Blvd
Vancouver, WA 98661
360.694.1171 - Phone
360.750.9307 - Fax
Steven.W.Manlow@usace.army.mil

-----Original Message-----

From: Asgharian, Maryam A (BPA) - DKE-7 [mailto:maasgharian@bpa.gov]
Sent: Tuesday, May 22, 2012 3:30 PM
To: Manlow, Steven W NWS
Cc: Wittpenn, Nancy A (BPA) - KEC-4; Korsness, Mark A (BPA) - TEP-TPP-3; Eaton, Tish K (BPA) - KEC-4
Subject: Requesting your review

Good afternoon Steve,

We prepared a couple of questions and answers to add to our website about how BPA and the Corps of Engineers are working together to meet Clean Water Act requirements for this project.

We agreed to share any material with you that discusses the Corps role and would like to give you this opportunity to review what we prepared.

We hope to post this information relatively soon after the upcoming meeting with citizen group leaders.

Please let me know if you have questions or concerns about the content. You're welcome to adjust these answers as appropriate.

New Spotlight Question (would appear in the bottom left corner of the [I-5 project website](#))

What is the U.S. Army Corps of Engineers' role in our NEPA process?

Answer:

The Corps is a cooperating agency in this process. The Corps' role is primarily to implement the requirements of the federal Clean Water Act and Section 10 of the Rivers and Harbor Act of 1899. This role includes reviewing and making permit decisions on proposals, such as this project, that may require discharge of dredged or fill material into waters of the U.S., and work within navigable waters of the U.S. The Corps assists with identification of appropriate mitigation under these statutes. [\[link to Q&A below\]](#)

New Frequently Asked Question (would appear with other [questions and answers online](#))

How is BPA working with the Corps of Engineers to meet Clean Water Act requirements?

Answer:

As a federal agency, BPA is subject to the regulations of the Clean Water Act. Section 404 of the Clean Water Act regulates the discharge of dredged or fill material into waters of the United States, including wetlands and streams.

If BPA decides to build this project, BPA will submit a permit application to the Corps. The Corps needs to conduct a thorough review to ensure that we avoid and minimize impacts to wetlands and streams to the maximum extent practicable, and compensate for any unavoidable impacts. This review requires consideration of a complex set of criteria, including both the quantity and quality of wetlands and streams impacted, in addition to other impacts to aquatic resources. Both BPA and the Corps are analyzing which alternatives are technologically, economically and logistically practicable. The Corps will make a Section 404 permit decision after BPA makes a final decision on the project.

Asgharian,Maryam A (BPA) - DKE-7

From: Asgharian,Maryam A (BPA) - DKE-7
Sent: Thursday, June 14, 2012 4:06 PM
To: 'Cheryl Brantley'
Subject: RE: questions
Attachments: ResponseCheryl-June2012.doc

Good afternoon,

I've attached a document with your questions and our responses. I'll be out Friday and Monday, but will be back Tuesday in case you need to reach me.

I hope you have a good weekend,

Maryam Asgharian
Public Affairs Specialist
503-230-4413

From: Cheryl Brantley EX 6
Sent: Monday, June 11, 2012 3:23 PM
To: Asgharian,Maryam A (BPA) - DKE-7
Subject: questions

Regarding the other group's newsletter just put out

- Did the other group have a meeting with the Corp's and BPA last week?
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- They say 13,000 citizens say take a route way out east where it doesn't impact populated communities.
Where did they come up with that number?

Regarding the Corp's Memorandum dated October 18, 2011

- Would you send me a copy of the Draft Screening Criteria Tables NWS-2011-346 this memorandum refers to?
- Why doesn't this project qualify for a Nationwide Permit?
- In the Corp's Memorandum dated October 18, 2011, it states that BPA will have to reword the Preliminary DEIS—Is this business as usual, the Corp telling BPA this?

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Other questions

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