



Department of Energy

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

FREEDOM OF INFORMATION ACT PROGRAM

February 18, 2021

In reply refer to: FOIA #BPA-2021-00400-F

Jerome Berryhill

(b) (6)

Dear Mr. Berryhill,

The Bonneville Power Administration (BPA) has received your request for agency records made under the Freedom of Information Act, 5 U.S.C. § 552 (FOIA). BPA received your records request on February 16, 2021, and assigned your request tracking number BPA-2021-00400-F. Please use that tracking number in any correspondence with the agency regarding your FOIA request.

Request

“In an e-mail sent to me on Thursday, August 2nd, 2018, BPA Natural Resource Specialist Carlos Mora Flores wrote that[,] "The image below show[s] the vegetation outlined in red and this will need to be at approximately 7 feet tall, at all times to meet federal standard clearance requirement". The e-mail contained an embedded image. Below that image, he continued[,] "It is difficult to determine the allowable height on the vegetation in the image below as it is to the side and not under the wires. However, this needs to be trim[ed] back to allow for at least 20 feet of clearance (distance from vegetation and wires) at all times. Myself or the crew will need to be on site with the laser range finder to measure the distance and figure out how far it will need to be trimmed to meet federal standards." My request is for[,] 1) The "federal standard clearance requirement" mentioned in the first quote[, and,] 2) The "federal standards" mentioned in the second quote.”

Acknowledgement

BPA has reviewed your request and has determined that it fulfills all of the criteria of a proper request under the FOIA and Department of Energy (DOE) FOIA regulations at Title 10, Code of Federal Regulations, Part 1004.

Response

My office contacted the agency's Natural Resource Specialist Carlos Mora Flores to obtain any records responsive to your request. Mr. Flores reports that there are no specific agency records

available to provide. Mr. Flores reports that BPA's Vegetation Management program standards are mandated by the Western Electricity Coordinating Council (WECC) and by the Federal Energy Regulatory Commission (FERC). Those standards exist to ensure that utilities adhere to maintenance practices which serve to avoid risks to public safety and to maintain operational reliability. The germane WECC and FERC standards were provided to you in response to your FOIA request BPA-2021-00273-F. For reference, and in response to your new FOIA request BPA-2021-00400-F, the responsive information can be found at the following internet locations:

- FERC: <https://www.ferc.gov/>
- WECC: <https://www.wecc.biz/Pages/AboutWECC.aspx>

There are no additional responsive records available to provide.

Fees

There are no fees associated with the response to your request.

Certification

Pursuant to 10 C.F.R. § 1004.7(b)(2), I am the individual responsible for the search and response detailed above. Your FOIA request BPA-2021-00400 is now closed with all available responsive agency information provided.

Appeal

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 by e-mail to OHA.filings@hq.doe.gov, including the phrase "Freedom of Information Appeal" in the subject line. (The Office of Hearings and Appeals prefers to receive appeals by email.) The appeal must contain all 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.

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
E-mail: ogis@nara.gov
Phone: 202-741-5770
Toll-free: 1-877-684-6448
Fax: 202-741-5769

Questions about this communication may be directed to the FOIA Public Liaison, Jason Taylor, at 503-230-3537 or jetaylor@bpa.gov. Thank you for your interest in the Bonneville Power Administration.

Sincerely,

A handwritten signature in black ink, appearing to read "Candice D. Palen". The signature is fluid and cursive, with the first name being the most prominent.

Candice D. Palen
Freedom of Information/Privacy Act Officer