

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, D.C. 20426

NOV 24 2015

Re: Supplemental Response,
FOIA No. FY15-129

VIA ELECTRONIC AND REGULAR MAIL

Mr. Robert Godfrey
Save Passamaquoddy Bay
P. O. Box 222, Moose Island
Eastport, ME 04631
info@savepassamaquoddybay.org

Dear Mr. Godfrey:

This is a supplemental response to your correspondence received on September 28, 2015, in which you requested documents pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552 (2012) and the Federal Energy Regulatory Commission's (FERC or Commission) FOIA regulations, 18 C.F.R. § 388.108 (2015). Specifically, you requested copies of recordings, transcripts, notes and minutes from a FERC Bi-Weekly Conference Call on August 3, and September 14, 2015 regarding the Downeast LNG Project, Docket No. PF14-19.

On October 27, 2015, following a search of the Commission's non-public files, I informed you that two (2) internal documents have been identified that may be responsive to your request. A portion of the Bi-Weekly Conference Call logs entitled "Meeting Summary" was redacted and withheld under FOIA Exemption 5.¹

On November 3, 2015, after having received my October 27, 2015 determination, you spoke with FERC staff attorney Michael Watson and questioned the adequacy of the agency's search. In light of your conversation with Mr. Watson, and in an effort to be as thorough as possible, the agency conducted a second search of its non-public files to identify documents responsive to your request. This second search of the Commission's nonpublic files has identified an additional ten (10) documents that may be responsive to your request. These 10 documents consist of handwritten notes and emails between FERC staff, FERC contractors, and outside parties. All of the documents are enclosed and are being released in their entirety.

¹ FOIA Exemption 5 covers "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency." 5 U.S.C. § 552(b)(5).

As provided by the Freedom of Information Act and 18 C.F.R. § 388.110(a)(1) of the Commission's regulations, any appeal from this determination must be filed within 45 days of the date of this letter. This appeal must be in writing, addressed to Max Minzner, General Counsel, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426, and clearly marked "Freedom of Information Act Appeal." Please include a copy to Charles A. Beamon, Associate General Counsel, General and Administrative Law, at the same address.

Sincerely,



Leonard M. Tao
Director
Office of External Affairs

Enclosures (10)

Scott, John

1

Subject: Canceled: DELNG Export Project Bi-Weekly Call
Location: Conference Call

Start: Mon 9/29/2014 10:00 AM
End: Mon 9/29/2014 11:00 AM
Show Time As: Free

Recurrence: Weekly
Recurrence Pattern: Occurs on Monday every other week from 10:00 AM to 11:00 AM effective 9/29/2014, (UTC-05:00) Eastern Time (US & Canada)

Meeting Status: Not yet responded

Organizer: Scott, John

Importance: High

Hi All,

The decision was made on this call today to hold future calls only as-needed, until further notice. We will keep Monday 10:00am EST as the call time, and alert everyone the week before when a call will be scheduled. This in no way reflects a change in the project status.

Thank you.

John G. Scott | Senior Project Manager
Energy and Natural Resources
Direct: 617 283 5105
John.Scott@tetratech.com

Tetra Tech | Complex World, Clear Solutions™
100 Federal Street, 3rd Floor | Boston, MA 02110 | www.tetratech.com

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On behalf of FERC, you are invited to attend this call for the Downeast LNG Export Project. It is scheduled for every other Monday from 10:00-11:00 am EST. The next call will take place Monday, October 13.

Thank you.

John G. Scott | Senior Project Manager
Energy and Natural Resources
Direct: 617 283 5105
John.Scott@tetratech.com

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Scott, John

From: Robert Wyatt <rwytattng@yahoo.com>
Sent: Monday, September 14, 2015 12:29 PM
To: Scott, John
Cc: Shannon.Crosley@ferc.gov; Timmermann, Timothy (Timmermann.Timothy@epa.gov)
Subject: Re: draft call notes

Looks fine to me

Rob

Sent from my iPhone

On Sep 14, 2015, at 11:47 AM, "Scott, John" <John.Scott@tetratech.com> wrote:

Attached are draft notes from this morning's call. Please let me know if you have any changes.

Thanks.

John

John G. Scott | Senior Project Manager
Energy and Natural Resources
Direct: 617-283-5169
John.Scott@tetratech.com

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<BiWeekly_Mtg_Notes_09-14-15.docx>

Scott, John

From: Scott, John
Sent: Monday, September 14, 2015 11:48 AM
To: Shannon.Crosley@ferc.gov; Robert Wyatt (rwyattling@yahoo.com)
(rwyattling@yahoo.com); Timmermann, Timothy (Timmermann.Timothy@epa.gov)
Subject: draft call notes
Attachments: BiWeekly_Mtg_Notes_09-14-15.docx

Attached are draft notes from this morning's call. Please let me know if you have any changes.

Thanks.

John

John G. Scott | Senior Project Manager
Energy and Natural Resources
Phone: 617.267.5100
John.Scott@tetratech.com

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Scott, John

From: Bourbeau, David T LT <David.T.Bourbeau@uscg.mil>
Sent: Monday, September 14, 2015 10:41 AM
To: Scott, John; bryn.karaus@dot.gov; Shannon.Crosley@ferc.gov; 'rwyatt@downeastlng.com'; kenneth.lee@dot.gov; danny.laffoon@ferc.gov; Mullen, Mike (Mike.Mullen@maine.gov); Jeff.Murphy@noaa.gov; timmermann.timothy@epamail.epa.gov; 'randy8654@yahoo.com'; Christopher.Boelke@Noaa.gov; Kanwit, Kohl; meredith.secor@dot.gov; DesAutels, Michele E CIV; Brian D Hopper - NOAA Federal; Lynn.A.Caron@maine.gov; Mike R Johnson (mike.r.johnson@noaa.gov); Nault, Denis-Marc; jay.l.clement@usace.army.mil; Hubbard, Daniel L CIV; jim.r.beyer@maine.gov; Lisa Tonery; Talbert, Marc
Cc: 'Timmermann, Timothy'; 'Arthur A. Ransome'
Subject: RE: DELNG Export Project Bi-Weekly Call

Sounds good thank you.

Very Respectfully,

LT David T. Bourbeau
 Sector Northern New England
 Chief, Waterways Management Division
 Office: (207) 347-5015
 Mobile: (207) 899-6291

-----Original Appointment-----

From: Scott, John [<mailto:John.Scott@tetrattech.com>]
Sent: Monday, September 14, 2015 10:33 AM
To: bryn.karaus@dot.gov; Shannon.Crosley@ferc.gov; 'rwyatt@downeastlng.com'; kenneth.lee@dot.gov; danny.laffoon@ferc.gov; Mullen, Mike (Mike.Mullen@maine.gov); Jeff.Murphy@noaa.gov; timmermann.timothy@epamail.epa.gov; 'randy8654@yahoo.com'; Christopher.Boelke@Noaa.gov; Kanwit, Kohl; meredith.secor@dot.gov; DesAutels, Michele E CIV; Brian D Hopper - NOAA Federal; Lynn.A.Caron@maine.gov; Mike R Johnson (mike.r.johnson@noaa.gov); Nault, Denis-Marc; jay.l.clement@usace.army.mil; Hubbard, Daniel L CIV; Bourbeau, David T LT; jim.r.beyer@maine.gov; Lisa Tonery; Talbert, Marc
Cc: 'Timmermann, Timothy'; 'Arthur A. Ransome'
Subject: Canceled: DELNG Export Project Bi-Weekly Call
When: Occurs every 2 weeks on Monday effective 09/29/2014 from 10:00 AM to 11:00 AM Eastern Standard Time.
Where: Conference Call
Importance: High

Hi All,

The decision was made on this call today to hold future calls only as-needed, until further notice. We will keep Monday 10:00am EST as the call time, and alert everyone the week before when a call will be scheduled. This in no way reflects a change in the project status.

Thank you.

John G. Scott : Senior Project Manager
 Energy and Natural Resources
 Office: 847.293.5469
John.Scott@tetrattech.com

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On behalf of FERC, you are invited to attend this call for the DOWNEAST LNG EXPORT PROJECT. It is scheduled for every other Monday from 10:00-11:00 am EST. The next call will take place Monday, October 13.

Thank you.

John G. Scott | Senior Project Manager

Energy and Natural Resources

Direct: 617-233-6166

John.Scott@tetratech.com

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Scott, John

From: Shannon Crosley <Shannon.Crosley@ferc.gov>
Sent: Monday, September 14, 2015 10:40 AM
To: Scott, John
Subject: Thanks

Got the outlook notification – thank you.

Scott, John

From: Robert Wyatt <rwyattling@yahoo.com>
Sent: Friday, August 07, 2015 2:33 PM
To: Scott, John; Shannon.Crosley@ferc.gov
Subject: Re: draft notes from DELNG call 8/3

These look fine by me. Thanks.

From: "Scott, John" <John.Scott@tetratech.com>
To: "Shannon.Crosley@ferc.gov" <Shannon.Crosley@ferc.gov>; "Robert Wyatt (rwyattling@yahoo.com)" <rwyattling@yahoo.com>
Sent: Wednesday, August 5, 2015 11:53 AM
Subject: draft notes from DELNG call 8/3

Attached are the very brief notes from Monday's call.

John G. Scott | Senior Project Manager
Energy and Natural Resources
Cell: 617.283.5162
John.Scott@tetratech.com

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Scott, John

From: Shannon Crosley <Shannon.Crosley@ferc.gov>
Sent: Wednesday, August 05, 2015 12:08 PM
To: Scott, John; Robert Wyatt (rwyattlmg@yahoo.com) (rwyattlmg@yahoo.com)
Subject: Re: draft notes from DELNG call 8/3

Thank you! Sorry I forgot to tell you I wouldn't be on it.

Sent using OWA for iPhone

From: Scott, John <John.Scott@tetratech.com>
Sent: Wednesday, August 5, 2015 11:53:00 AM
To: Shannon Crosley; Robert Wyatt (rwyattlmg@yahoo.com) (rwyattlmg@yahoo.com)
Subject: draft notes from DELNG call 8/3

Attached are the very brief notes from Monday's call.

John G. Scott, Senior Project Manager
Energy and Natural Resources
Telra Tech, 2013-1069
John.Scott@tetratech.com

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Scott, John

From: Scott, John
Sent: Wednesday, August 05, 2015 11:53 AM
To: Shannon.Crosley@ferc.gov; Robert Wyatt (rwyattlmg@yahoo.com)
(rwyattlmg@yahoo.com)
Subject: draft notes from DELNG call 8/3
Attachments: BiWeekly_Mtg_Notes_08-3-15.docx

Attached are the very brief notes from Monday's call.

John G. Scott | Senior Project Manager
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Direct: 617.263.5029
John.Scott@tetratech.com

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2/3	Downeast LNG Si-weekly call	
	Rob Wyatt	
	Brian Hopper NWFS	Jay Clement - USACG
	DE update	
	- Revised draft AR3 will be filed today	
	- draft AR5 shall be filed next, possibly later this week	

9/14 Downeast LNG Bi-weekly call

Tim Timmerman

Rob Wyatt

Shawn Cooley

FERC Updates

- will do project update soon

Downeast Update

- Re-looking a design of the liquefaction tank, which ^{recent} has affected the schedule
- Robinson school closing ~~too~~ impacts AAS, & DELNG is talking to town ~~regarding~~ & ~~waiting to see~~ ~~the~~ waiting to see how it might impact the Project.

General Discussion

- General permitting issues associated w/ Comp. Station on FERC-regulated pipelines.

Future Calls - same day & time, but only

- ~~will be~~ on an as-needed basis, to be determined the week prior.