

DOCKETED	
Docket Number:	25-OPT-02
Project Title:	Prairie Song Reliability Project
TN #:	264380
Document Title:	Confidential Designation Application
Description:	N/A
Filer:	Erin Phillips
Organization:	Dudek
Submitter Role:	Applicant Consultant
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Docketed Date:	6/20/2025

June 19, 2025

Drew Bohan
Executive Director
California Energy Commission
715 P Street
Sacramento, CA 95814

RE: Prairie Song Reliability Project (25-OPT-02): Application for Confidential Designation for Opt-In Application for Certification Confidential Cultural Resources and Paleontological Resources Appendices

Dear Mr. Bohan:

Pursuant to Sections 2505 et seq., of Title 20 of the California Code of Regulations, Prairie Song Reliability Project LLC (the “Applicant”) hereby submits this *Application for Confidential Designation* for the following information submitted in support of the Opt-In Application for Certification for the Prairie Song Reliability Project:

- Appendix 3.3A Archaeological Resources Management Report
 - Confidential Appendix B, South Central Coastal Information Center Records Search Results;
 - Confidential Appendix C, Cultural Resources Overview Map; and
 - Confidential Appendix E, DPR Site Forms.
- Confidential Appendix 3.8A, Paleontological Resources Records Search Letter

Please contact Garrett Lehman at glehman@covalinfra.com should you have any questions or require additional information. Thank you.

Sincerely,



Sam Littlefield
Chief Development Officer

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1. *Specifically indicate those parts of the record which should be kept confidential.*
a. Title, date, and description (including number of pages) of the information or data for which you request confidential designation.

Prairie Song Reliability Project LLC (“Applicant”) seeks confidential designation for the following information (the “Information”) submitted on behalf of the Prairie Song Reliability Project (“PSRP”):

Title	Description	# of Pages
Appendix 3.3A Archaeological Resources Management Report • Confidential Appendix B, South Central Coastal Information Center Records Search Results • Confidential Appendix C, Cultural Resources Overview Map • Confidential Appendix E, DPR Site Forms	Appendix 3.3A contains three confidential appendices. These confidential appendices contain locational and other sensitive information relating to cultural resources that should not be publicly disclosed.	All pages
Confidential Appendix 3.8A: Paleontological Resources Records Search Letter	This document contains locational and other sensitive information relating to paleontological resources that should not be publicly disclosed.	All pages

- b. Parts of the information or data for which you request confidential designation.*

The locational and other sensitive information relating to cultural and paleontological resources contained within the above should be kept confidential in its entirety.

2. *State the length of time the record should be kept confidential, and provide justification for the length of time.*

The Information should be kept confidential indefinitely.

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3. *Cite and discuss:*

- (a) *the provisions of the Public Records Act or other law that allow the Commission to keep the information or data confidential, and explain why the provision applies to the material.*
- (b) *the public interest in nondisclosure of the material submitted for confidential designation. If the material contains trade secrets or its disclosure would otherwise cause loss of a competitive advantage, please state how it would be lost, the value of the information to the applicant and the ease or difficulty with which the information could be legitimately acquired or duplicated by others.*

The Public Records Act exempts from disclosure (1) information regarding Native American places, features, and objects and (2) archaeological site information and reports maintained by or in the possession of agencies. (See, Govt. Code §§ 7927.000, 7927.005.) The Public Records Act (“PRA”) also provides a specific exemption from disclosure where “...on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.” (Gov’t Code § 7922.000.)

The Information is exempt from disclosure under these provisions as the appendices may contain information regarding both Native American places, features and objects, and archaeological site information and reports maintained as confidential by the California Office of Historic Preservation and California Department of Parks and Recreation. Further, the public interest in nondisclosure outweighs that of disclosure, as disclosure may enable the location of sensitive cultural and paleontological resources sites by thieves, vandals, or persons conducting unauthorized collection of materials.

4. *State whether the information may be disclosed if it is aggregated with other information or masked to conceal certain portions, and if so the degree of aggregation or masking required.*

The Applicant considered whether it would be possible to aggregate or mask the information. Figures and summaries depicting the substance of the Information have been provided as part of the Opt-In Application for Certification, but at a less granular level of detail. This facilitates an understanding of the types and general locations of the cultural and paleontological resources in the study area without disclosing specific site information. It is possible that certain portions of the Information may be publicly disclosed or redacted.

5. *State whether and how the information is kept confidential by the applicant and whether it has ever been disclosed to a person other than an employee of the applicant, and if so under what circumstances.*

The Information is accessible to employees or consultants working on behalf of the Applicant, certain professionals or entities that may otherwise have access to the Information, and

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regulatory agencies that have regulatory oversight or other responsibilities over either the Information or the PSRP.

I certify under penalty of perjury that the information contained in this application for confidential designation is true, correct, and complete to the best of my knowledge and belief. I am authorized to make this Application and Certification on behalf of the Applicant.

Dated: June 19, 2025

By:



Sam Littlefield
Chief Development Officer