

| <b>DOCKETED</b>         |                                                      |
|-------------------------|------------------------------------------------------|
| <b>Docket Number:</b>   | 25-OPT-01                                            |
| <b>Project Title:</b>   | Viracocha Hill Battery Energy Storage System Project |
| <b>TN #:</b>            | 266331                                               |
| <b>Document Title:</b>  | Viracocha Hill BESS_Draft ITP App_Conf Filing App    |
| <b>Description:</b>     | N/A                                                  |
| <b>Filer:</b>           | Sam Shantry                                          |
| <b>Organization:</b>    | Jacobs                                               |
| <b>Submitter Role:</b>  | Applicant Consultant                                 |
| <b>Submission Date:</b> | 10/6/2025 9:58:05 AM                                 |
| <b>Docketed Date:</b>   | 10/6/2025                                            |



October 03, 2025

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

RE: **Viracocha Hill BESS Project: Application for Confidential Designation for Sensitive Species Occurrence Location Information in Draft Incidental Take Permit Application**

Dear Mr. Bohan:

Pursuant to Sections 2505 et seq., of Title 20 of the California Code of Regulations, Reclaimed Wind LLC (the "Applicant") hereby submits this *Application for Confidential Designation* for certain figures associated with the Draft Incidental Take Permit Application for the Viracocha Hill BESS Project.

Please contact us at 619-230-5448 if you have any questions or require additional information. Thank you.

Sincerely,

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Pedro Blanquer Jaraiz  
Manager  
Reclaimed Wind LLC

**APPLICATION FOR CONFIDENTIAL DESIGNATION**  
**Viracocha Hill BESS Project (25-OPT-01)**

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.*

Reclaimed Wind LLC (the “Applicant”) seeks confidential designation for the following biological resources information (the “Information”) submitted on behalf of the Viracocha Hill BESS Project:

| <b>Document Name</b>                                         | <b>Title</b>                                                                                                   | <b># of Confidential Pages</b> |
|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|--------------------------------|
| Viracocha Hill BESS Draft Incidental Take Permit Application | Confidential Figure 1: CNDDDB Records of Covered Species and Critical Habitat within 5 Miles of the Study Area | 1                              |
| Viracocha Hill BESS Draft Incidental Take Permit Application | Confidential Figure 2: State-Listed Species Observations                                                       | 1                              |
| Viracocha Hill BESS Draft Incidental Take Permit Application | Confidential Figure 3: Project Impacts                                                                         | 1                              |

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

The Information should be kept confidential in its entirety as it contains sensitive information regarding the location of CNDDDB sensitive species occurrence locations.

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

The Information should be held confidential indefinitely in order to protect the biological resources identified therein.

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.*

California Government Code Section 7922.000 provides that an agency may withhold information from disclosure where the public interest served by nondisclosure clearly outweighs the public interest of disclosure. The public interest in nondisclosure outweighs that of disclosure, as disclosure may enable the location of sensitive biological resources by entities conducting unauthorized collection or disturbance of such resources.

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 Draft ITP Application contains reference to locations of sensitive species, but the information is general enough that exact locations cannot be determined based on discussion within the document. The figures requested herein for confidentiality show specific locations of CNDDDB sensitive species occurrences. For this reason, the Applicant believes that confidential filing of these figures only is necessary to protect sensitive biological resources.

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, professionals and others with access to CNDDDB sensitive species occurrence locality records, and regulatory agencies that have regulatory oversight or other responsibilities over either the Information or the Viracocha Hill BESS Project.

*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 Applicants.*

Dated: October 03, 2025

By:

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Pedro Blanquer Jaraiz  
Manager  
Reclaimed Wind LLC