

<b>DOCKETED</b>	
<b>Docket Number:</b>	99-AFC-01C
<b>Project Title:</b>	Elk Hills Power Project - Compliance
<b>TN #:</b>	267037
<b>Document Title:</b>	CEC Response to California Resources Corporation's Application for Confidentiality - Cultural Resources
<b>Description:</b>	Response to TN 266734
<b>Filer:</b>	Marianna Brewer
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Energy Commission
<b>Submission Date:</b>	11/6/2025 10:56:58 AM
<b>Docketed Date:</b>	11/6/2025



November 06, 2025

**Via Email**

B. Joe Ashley, Director- Governmental & External Affairs  
Daniel Padilla, Senior Regulatory Advisor  
California Resources Corporation/Carbon Terravault  
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Bakersfield, California 93311  
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**Application for Confidential Designation: Elk Hills Power Plant PTA for Cal Capture Project  
Docket 99-AFC-01C**

Dear Mr. Ashley and Mr. Padilla:

The California Energy Commission (CEC) has received an Application for Confidentiality from California Resources Corporation (Applicant), docketed October 21, 2025 (TN 266734) covering the following records:

- Application for Confidential Designation CalCapture Cultural Resource Report and the following attachments:
  - Confidential Upload Cultural\_Fig4.1b\_Resources\_20250731
  - Confidential Upload Cultural\_Fig4.1c\_Resources\_20250731
  - Confidential Upload DPR523 Form 15-003175
  - Confidential Upload DPR523 Form 15-010099

A properly filed application for confidentiality shall be granted under California Code of Regulations, title 20, section 2505 (a)(3)(A), "if the applicant makes a reasonable claim that the Public Records Act or other provision of law authorizes the Commission to keep the record confidential."

**Discussion**

***Cultural Resource Figures and DPR 523 Site Records***

Cultural resource figures and DPR 523 site records contain information related to the location of cultural resources artifacts. The application states that this information should be kept confidential indefinitely to protect cultural resources. The Public Records Act exempts from disclosure archaeological site information and reports maintained by or in possession of agencies (Gov. Code, § 7922.005.) The application also states that the public interest served by not disclosing this information clearly outweighs the public interest served by disclosure. (Gov. Code, § 7922.000.) The public interest in nondisclosure outweighs that of disclosure, as disclosure may enable the location of

B. Joe Ashley  
Daniel Padilla,  
November 06, 2025  
Page 2

sensitive cultural resources sites by entities conducting unauthorized collection or disturbance of such resources.

**Executive Director's Determination**

Protection of cultural resource location information to prevent unauthorized collection and disturbance is in the public interest and expressly covered under the law. The Applicant has made a reasonable claim that the documents identified above, which contain information on cultural resources can be maintained as confidential indefinitely. As such, the Applicant's request for confidential designation of the documents listed above is granted.

Be advised that persons may petition to inspect or copy records that have been designated as confidential, the executive director may disclose, or release records previously designated as confidential in certain circumstances, and the CEC may hold a hearing to determine the confidentiality of its records on its own motion or on a motion by CEC staff. The procedures and criteria for disclosing or releasing, filing, reviewing, and acting upon such petitions or motions are set forth in the California Code of Regulations, title 20, sections 2506 through 2508.

Any related subsequent submittals can be deemed confidential, without the need for an application, by following the procedures set forth in California Code of Regulations, title 20, section 2505(a)(4).

If you have questions, please email [confidentialityapplication@energy.ca.gov](mailto:confidentialityapplication@energy.ca.gov).

Sincerely,



Drew Bohan  
Executive Director