

DOCKETED

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Project Title:	Elk Hills Power Project - Compliance
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Description:	TN271577
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August 4, 2026

Via Email

B. Joe Ashley, Director- Governmental & External Affairs
Daniel Padilla, Senior Regulatory Advisor
California Resources Corporation
9600 Ming Avenue
Bakersfield, California 93311
daniel.padilla@crc.com

Application for Confidential Designation: CalCapture, CCS Project, Docket Number 99-AFC-01 PTA of Elk Hills Power Plant, Kern County, CA; CRC Response to CEC Data Request, Set 1, Cultural Resource Item 25 (TN#269272)

Dear Mr. Ashley:

The California Energy Commission (CEC) has received an Application for Confidentiality from California Resources Corporation (applicant), docketed July 21, 2026 (TN 271577). The application covers the following documents:

- Cultural Resource DPR 523 forms for CRC Site-AV-1 and CRC Site-AV-2.

The applicant states that the above documents should be kept confidential indefinitely, in their entirety, to protect potential cultural resources and sites. The applicant asserts confidentiality under Government Code Section 7927.005, which protects from disclosure of archaeological site information and reports of locational information, including information maintained as confidential by the California Office of Historic Preservation and California Department of Parks and Recreation. The applicant also asserts the information is protected by Government Code section 7922.000, which protects data 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 cultural resources sites by entities conducting unauthorized collection or disturbance of such resources.

Confidentiality Claims

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 [California Energy] Commission to keep the record confidential."

The California Public Records Act provides for the nondisclosure of archaeological site information and reports maintained by, or in the possession

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of, the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the Native American Heritage Commission, another state agency, or a local agency. (Gov. Code, §7927.005.)

The 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.

Executive Director's Determination

The applicant has made a reasonable showing that the cultural resource information contained in the DPR 523 forms for CRC Site-AV-1 and CRC Site-AV-2 should be maintained as confidential indefinitely.

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.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Drew Bohan', with a stylized, sweeping underline.

Drew Bohan
Executive Director