

DOCKETED	
Docket Number:	23-OPT-02C
Project Title:	Darden Clean Energy - Compliance
TN #:	272343
Document Title:	Darden Application for Confidentiality
Description:	Application for confidential treatment of the cultural resources report component of the June 2026 Monthly Compliance Report (MCR #13).
Filer:	Eric Schaad
Organization:	Rincon
Submitter Role:	Applicant Consultant
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Docketed Date:	9/4/2026



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September 4, 2026

Mr. David Lundgren
IP Darden I, LLC
c/o IPX Power, LLC
9450 SW Gemini Drive PMB #68743
Beaverton, Oregon 97008-7105
Via email: dlundgren@ipxpower.com

23-OPT-02C Darden Clean Energy Project

To: California Energy Commission
Compliance Project Manager: Joseph Douglas

Subject: Application for Confidential Designation, Darden Clean Energy Project, Fresno County, California, Archaeological Resource Records, Darden MCR #13, Docket Number: 23-OPT-02C

Dear Mr. Douglas:

Rincon Consultants, Inc. (Rincon), on behalf of IP Darden I, LLC, is pleased to provide the attached Archaeological Resource Records on California Department of Parks and Recreation Series-523 Forms (DPRs), in compliance with Condition of Certification (COC)-CUL-05, for three unanticipated discoveries (D-MP-ISO-1, D-MP-ISO-2, and D-MP-Site-1) that occurred during the month of June 2026 at the Darden Clean Energy Project (Project). IPX Power, LLC, as applicant for the Project, requests that the attached information be designated as confidential pursuant to 20 California Code of Regulations (CCR) Section 2505.

As required by COC-COM-06, these DPRs are being submitted within this confidential docket, separate from the June 2026 Monthly Compliance Report (MCR; Darden MCR #13). Per the requirements of COC-CUL-05, the CRS notified the CEC within 24 hours of each of these discoveries and obtained concurrence on treatment approach before proceeding with treatment. In accordance with the CEC-approved Cultural and Tribal Cultural Resources Mitigation and Monitoring Plan (CTCRMMP), these three DPRs will also be attached to the Closing Cultural Resources Report and submitted to the CEC at the conclusion of the Project and, following CEC approval, also submitted to the regional repository of the California Historical Resources Information System.

To support the Application for Confidential Designation, the following information has been provided and is consistent with the information requested in the **Application for Confidential Designation (Title 20 Cal. Code. Regs., § 2505 Et Seq.) Revised 4/2023.**



1. Contact Information: (20 CCR 1208.1.)

Applicant Name: IPX Power, LLC
Phone Number: 415-317-7450
E-mail: dlundgren@ipxpower.com
Proceeding Name: David Lundgren
Docket Number: Docket Number: 23-OPT-02C

2. Title, date, and description of the information or data for which you request confidential designation. (20 CCR 1208.1.)

Darden Clean Energy Project Monitoring and Compliance Report (MCR) 13, Fresno County, California (June 2026)

3. Specify the part(s) of the information or data for which you request confidential designation. (If the data is in charts or spreadsheets, highlighting is sufficient.) (20 CCR 2505(a)(1)(B.))

California Department of Parks and Recreation Series 523 Forms for Resources D-MP-ISO-1, D-MP-ISO-2, and D-MP-Site-1

4. State and justify the length of time the CEC should keep the information or data confidential. The term requested must be relevant to the stated basis for confidentiality. (20 CCR 2505(a)(1)(C.))

The findings described in the report identified above should be kept confidential indefinitely to protect potential cultural resources and sites. If the descriptions of the locations of the sites are released to the public domain, there is potential for looting and destruction of the resources.

5. State the provision(s) of the California Public Records Act or other law that allows the CEC to keep the information or data confidential and explain why the provision(s) apply to that material. (See Gov. Code, §§7920.000-7930.215.) (20 CCR (a)(1)(D.))

The report identified above specifically identifies areas of potential cultural and historical significance. It is thus protected under Government Code Sections 6254(e) and 6254(k). Protection provided is analogous to that given to Native American sacred places under Section 6254(r) of the Government Code.

6. If the applicant believes that the information or data should not be disclosed because it contains trade secrets or its disclosure would otherwise cause a loss of a competitive advantage, the application also shall state: (20 CCR (a)(1)(D.))

(a) the specific nature of that advantage:

Not Applicable

(b) how the advantage would be lost:

Not Applicable

(c) the value of the information to the applicant:

Not Applicable

(d) the ease or difficulty with which the information could be legitimately acquired or duplicated by others:

Not Applicable



7. State whether the information or data can be disclosed if it is aggregated with other information or masked to conceal certain portions. State the degree of aggregation or masking required. If the data cannot be disclosed even if aggregated or masked, explain why. (20 CCR 2505(a)(1)(E.))

The information disclosed in the DPRs identified in item 3 may be disclosed if all photographs, maps, and any other location data from the DPRs are masked in their entirety to protect sensitive information, including the location of where the resources were identified.

8. State how the information or data is kept confidential by the applicant and whether it has ever been disclosed to a person other than an employee of the applicant. If it has, explain the circumstances under which disclosure occurred. (20 CCR 2505(a)(1)(F.))

The information contained within the DPRs referenced in item 3 has not been disclosed by the consultant to any parties beyond Applicant staff who are directly associated with the proposed project.

9. At the signature line, include a certification stating: "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." (20 CCR 2505(a)(1)(G.))

See statement below

10. State whether the applicant is a company, firm, partnership, trust, corporation, or other business entity, or an organization, or association and state that the person preparing the request is authorized to make the application and certification on behalf of the entity, organization, or association. (20 CCR 2505(a)(1)(G.))

See statement below

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 I am authorized to make the application and certification on behalf of the applicant.

Sincerely,
Rincon Consultants, Inc.

A handwritten signature in black ink that reads 'M Strother'.

Mark Strother, MA, RPA
Cultural Resources Specialist

Attachments

Attachment 1 Confidential California Department of Parks and Recreation Series 523 Forms
- June 2026, MCR #13

Attachment 1

Confidential California Department of Parks and Recreation Series 523 Forms – June 2026, MCR
#13