

## DOCKETED

<b>Docket Number:</b>	09-AFC-07C
<b>Project Title:</b>	Palen Solar Power Project - Compliance
<b>TN #:</b>	200932
<b>Document Title:</b>	Colorado River Indian Tribes Application for Confidential Designation
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**STATE OF CALIFORNIA**  
**Energy Resources**  
**Conservation and Development Commission**

In the matter of:

Amendment for the **PALEN SOLAR  
ELECTRIC GENERATING SYSTEM**

DOCKET NO. 09-ACF-7C

**COLORADO RIVER INDIAN TRIBES**

**Application for Confidential Designation**

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## Application for Confidential Designation

Pursuant to 20 CCR § 2505 and the California Energy Commission's Standing Order re: Proceedings and Confidentiality Applications – Procedural Requirements for Filing, Service, and Docketing Documents with the Energy Commission, the Colorado River Indian Tribes (CRIT or the Tribes), a federally recognized Indian tribe, hereby apply to designate the following documents confidential for purposes of the above-captioned proceeding:


1. Testimony of Wilene Fisher-Holt regarding Impacts of the Palen Project on Cultural Resources
2. Exhibit 8015: Written Statement of Phillip Smith, Chemehuevi Elder
3. Exhibit 8016: Written Statement of Stacia Bailey, Mohave Elder
4. Exhibit 8017: Written Statement of Anonymous CRIT Member
5. Exhibit 8018: Written Statement of Betty Cornelius, CRIT Member (Chemehuevi)

CRIT requests that these records be kept confidential indefinitely. CRIT Members and Tribal Elders shared this information with CRIT counsel based on the understanding that it would be kept confidential, as it contains private information regarding religious practices and sacred sites. Numerous state and federal laws protect the confidentiality of Native American sacred site information, including the California Public Records Act (Gov. Code § 6254.10), the Archaeological Resources Protection Act (16 U.S.C. § 470hh) and the National Historic Preservation Act (16 U.S.C. § 470w-3(a)) (both federal acts incorporated into the Public Records Act by Gov. Code § 6254(k)).

This information is kept confidential by those persons supplying testimony, except with other CRIT members and members of other affiliated tribes and with Tribal staff and counsel for the purpose of protecting CRIT culture.

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. I am authorized to make this application and certification on behalf of CRIT.

DATED: October 16, 2013  
AT: San Francisco, CA

By:   
\_\_\_\_\_  
Sara A. Clark

**DECLARATION OF SERVICE**

I, Sean Mulligan, declare that on October 16, 2013, I submitted copies of the Application for Confidential Designation and Testimony of Wilene Fisher-Holt regarding Impacts of the Palen Project on Cultural Resources and Exhibits 8015-8018 dated October 16, 2013.

**(Check one)**

**For service to all other parties and filing with the Docket Unit at the Energy Commission:**

I successfully uploaded the document to the Energy Commission's e-filing system and I personally delivered the document or deposited it in the US mail with first class postage to those persons for whom a physical mailing address but no e-mail address is shown on the attached Proof of Service List. [The e-filing system will serve the other parties and Committee via e-mail when the document is approved for filing.] **or**

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Instead of e-filing or e-mailing the document, I enclosed said document(s) in an envelope or package provided by FedEx and addressed to the persons at the addresses listed below. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of FedEx or delivered such document(s) to a courier or driver authorized by FedEx to receive documents.

California Energy Commission – Docket Unit  
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1516 Ninth Street, MS-4  
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[The e-filing system will serve an additional electronic copy on the other parties and Committee via e-mail when the paper document or CD is received, scanned, uploaded, and approved for filing. The electronic copy stored in the e-filing system is the official copy of the document.]

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am over the age of 18 years.

Dated: October 16, 2013

/s/ Sean Mulligan \_\_\_\_\_  
[Name]