

# LSA

LSA ASSOCIATES, INC.  
PACIFIC CENTER  
703 PALOMAR AIRPORT RD., SUITE 260  
CARLSBAD, CALIFORNIA 92011

760.931.5471 TEL  
760.918.2458 FAX

BERKELEY  
COLMA  
FORT COLLINS

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POINT RICHMOND

RIVERSIDE  
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## COMPLETED

<b>DOCKET</b> <b>08-AFC-5</b>
DATE <u>JUN 23 2009</u>
RECD. <u>JUN 23 2009</u>

### TRANSMITTAL

TO: Christopher Meyer  
Project Manager  
California Energy Commission  
1516 9th Street, MS-15  
Sacramento, CA 95814

DATE: June 23, 2009

FOR YOUR REVIEW       FOR YOUR FILES  
 AT YOUR REQUEST       FOR YOUR INFORMATION  
 FOR YOUR APPROVAL       DISTRIBUTION

SUBJECT: Application for Confidential Designation

PROJECT: Solar Two  
PROJECT NUMBER: SSQ0802

ITEMS BELOW ARE TRANSMITTED:  HERewith  UNDER SEPARATE COVER  VIA Overnight

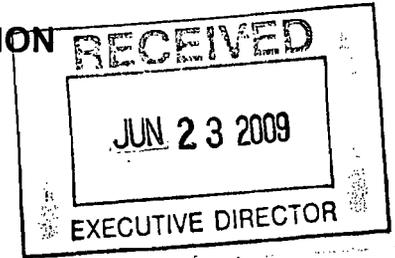
DATE	COPIES	DESCRIPTION
<u>6/23/09</u>	<u>1</u>	<u>Application for Confidential Designation</u>

GENERAL REMARKS: \_\_\_\_\_

COPIES TO: \_\_\_\_\_

BY: R. McLean

APPLICATION FOR CONFIDENTIAL DESIGNATION  
(Title 20 Cal. Code. Regs., § 2505 et seq.)



TO: ENERGY COMMISSION EXECUTIVE DIRECTOR, MS-39

ENERGY COMMISSION CONTRACT/DOCKET NO. (IF APPLICABLE):

APPLICANT: Stirling Energy Systems (SES)

ADDRESS: Biltmore Lakes Corporate Center  
2920 E. Camelback Road, Suite 150

Phoenix AZ 85016

- 1(a). Title, date, and description (including number of pages) of the information or data for which you request confidential designation. **Information or data seeking a designation of confidentiality must be included with this application.**

Solar Two Project, Imperial County, California  
Confidential Appendix to Report titled: Cultural Resources Site Location and Cultural Content Ground-Truth Task: Levels I and II Evaluations and Recommendations (LSA 2009), including 14 maps of the Solar Two Project showing resource locations and 64 Department of Parks and Recreation (DPR) site record forms (including archaeological site sketch maps)

- 1(b). Specify the part(s) of the information or data for which you request confidential designation.

All locational data regarding cultural resources, including specific descriptions of cultural resource locations, maps (graphics and figures), photographs, Universal Transverse Mercator data, Public Land Surveys System data, Bureau of Land Management Cultural Resource Inventory forms, and Department of Parks and Recreation site records (DPR 523)

2. State and justify the length of time the Energy Commission should keep the information or data confidential.

Indefinite duration of time (perpetuity)

- 3(a). State the provision(s) of the Public Records Act (Gov. Code, § 6250 et seq.) or other law that allows the Energy Commission to keep the information or data confidential, and explain why the provision(s) apply to that material.

Section 304 of the National Historic Preservation Act:  
16 U.S.C. 470w-3(a) - Confidentiality of sensitive historic resources

- 3(b). Discuss the public interest in nondisclosure of the material submitted for a 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.

Public access to the location of prehistoric and historic resources on Bureau of Land Management land may allow the vandalism of sensitive resources to occur.

4. State whether the information or data can be disclosed if it is aggregated with other information or masked to conceal certain portions (including but not limited to the identity of the applicant). State the degree of aggregation or masking required. If the data cannot be disclosed even if aggregated or masked, explain why.

The information cannot be disclosed even if aggregated or masked as it represents the specific location of cultural resources.

5. State how the material is kept confidential by the applicant and whether it has even been disclosed to a person other than an employee of the applicant. If it has, explain the circumstances under which disclosure occurred.

The information is kept in secure locations at the El Centro Field Office of the Bureau of Land Management, LSA Associates, Inc., and URS Corporation. LSA and URS are under contract with SES.

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

Dated: June 23, 2009

Signed: 

Name (print or type): Michael B. Trotta

Title: (print or type) Principal, LSA Associates, Inc.

Representing: LSA Associates, Inc.

Include additional signature blocks if there are multiple partners in the project with shared responsibilities for making the request.