

SWCA[®]

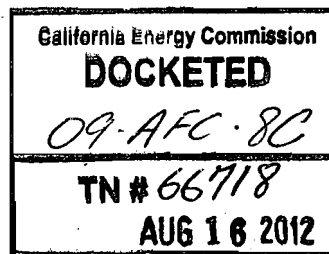
ENVIRONMENTAL CONSULTANTS

Sound Science. Creative Solutions.

Pasadena Office
150 S. Arroyo Parkway, 2nd Floor
Pasadena, CA 91105
Tel 626.240.0587 Fax 626.240.0607
www.swca.com

CONFIDENTIAL

COMPLETED



California Energy Commission
Executive Director, Mail Stop (MS)-39
1516 Ninth Street
Sacramento, CA
95814-5512

August 15, 2012

RE: COC Compliance -6
09-AFC-8
Genesis Solar Energy Project
Eastern Riverside County, California

Summary of paleontological monitoring and mitigation activities at the Genesis Solar Energy Project for July 2012

Dear Executive Director,

The attached summary report for the paleontological mitigation monitoring activities at the Genesis Solar Energy Project site is being submitted under confidential cover as set forth in the California Public Records Act, and other applicable law. In summary:

"The California Public Records Act provides for the nondisclosure of archaeological site information and reports. (Gov. Code, sec.6254.10) The Public Records Act also recognizes the confidentiality principles of federal law. (Gov. Code, sec. 6254(k).) The Archaeological Resources Protection Act establishes a clear, national legal policy that all types of archaeological, paleontological resource site locations must be kept confidential in order to preserve them. (16 U.S.C. sec. 470hh.) Non-disclosure of paleontological resources, such as the information submitted in the above-referenced reports, is expressly in the public interest."

Please accept this report (dated July 26, 2012) under confidential cover. If you have any questions please do not hesitate to contact me.

Respectfully,



Cara Corsetti, M.S.
PRS, Genesis Solar Energy Project

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):

COC Compliance-6; 09-AFC-8

Genesis-Solar-Energy-Project; Eastern-Riverside-County; California

APPLICANT: Cara Corsetti, SWCA Environmental Consultants

ADDRESS: 150 South Arroyo Parkway, 2nd Floor Pasadena CA 91105

- 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.**

Summary of paleontological monitoring and mitigation activities at the Genesis Solar Energy Project for the period of July-2012-(2-pages).

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

We request that the data included in the attached document, specifically the location and findings, be kept confidential in order to preserve them.

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

Due to the sensitive nature of the findings, the information within this document should remain confidential for an indefinite amount of time.

- 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.

The California Public Records Act provides for the nondisclosure of archaeological site information and reports (Gov. Code, sec. 6254.10). The Public Records Act also recognizes the confidentiality principles of federal law (Gov. Code, sec. 6254(k)). The Archaeological Resources Protection Act Establishes a clear, national legal policy that all types of archaeological, paleontological resource site locations must be kept confidential in order to preserve them. (16 U.S. C. sec. 470hh.)

- 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.

~~Non-disclosure of paleontological resources, such as the information submitted in the above-referenced report, is expressly in the public interest.~~

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 in this report should not be disclosed to the general public. Under certain circumstances, the data within this document can be disclosed to a certified paleontologist for research purposes only.~~

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.

~~All sensitive information is kept confidential from the public. Information is provided to the client but only on a need to know basis.~~

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: 8/13/12

Signed: 

Name (print or type): Cara Corsetti

Title: (print or type) Principal

Representing: Nextera as PRS for the Genesis Solar Project

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