

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
 SACRAMENTO, CA 95814-5512
 www.energy.ca.gov



August 18, 2009

Trina Meiser
 EDAW Inc.
 1420 Kettner Blvd. Ste 500
 San Diego, Ca 92101

RE: Deficient or Incomplete Application for Confidentiality
 Mojave Solar Project (09-AFC-5)

DOCKET**09-AFC-5**DATE AUG 18 2009RECD AUG 18 2009

Dear Mrs. Meiser,

On August 17, 2009, EDAW, Inc., submitted materials to the California Energy Commission for confidential designation. Pursuant to California Code of Regulations, an entity seeking confidentiality for certain materials needs to submit an application for confidentiality. (Cal. Code Regs., tit. 20, § 2505 et seq.) We have identified the application and/or materials submitted as deficient¹ or incomplete for the reason[s] listed below:

- The submitted application and/or supporting materials do not have an identifiable and/or complete docket number typed or printed on the materials. (Cal. Code Regs., title 20, § 1209(b)(2))
- We have received materials labeled as confidential, but there is no accompanying application for confidentiality. (Cal. Code Regs., title 20, § 2505(a)(1)(A))
- The application for confidentiality has not been signed by an authorized representative of your company, and/or does not include the certification as required by regulation. (Cal. Code Regs., title 20, § 2505(a)(1)(G))
- The application for confidentiality does not state how the information is kept confidential by the applicant and whether it has ever been disclosed to a person other than an employee of the applicant, and if so under what circumstances. (Cal. Code Regs., title 20, § 2505(a)(1)(F)).
- The data submitted with your application for confidentiality is inconsistent with the data identified in your application. Please make sure that the data is clearly identified and labeled on the hardcopies as well as the CD's. (Cal. Code Regs., title 20, § 2505(a)(1)(B))

Once the deficiencies identified above have been corrected, please return the completed application for confidentiality to the Energy Commission's Executive Director. Be advised that the record[s] for which confidentiality is requested shall not be disclosed for 14 days from the date of this letter. If you have any questions concerning this matter, please contact Deborah Dyer, Senior Staff Counsel, at (916) 654-4873.

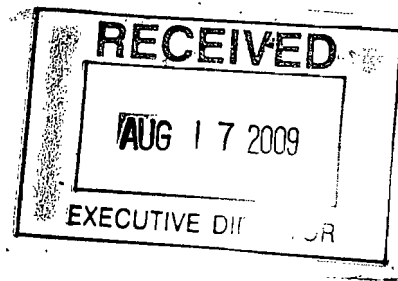
Sincerely,

KIM VAN VORST
 Siting / Docket Supervisor

¹ A deficient or incomplete application shall be returned to the applicant with a statement of its defects. The record or records for which confidentiality was requested shall not be disclosed for fourteen days after return of the application to allow a new application to be submitted except as provided in Section 2507 of this Article. (Cal. Code Regs., title 20, § 2505(a)(2))

cc: Legal Office
Project Manager

EDAW Inc
1420 Kettner Boulevard, Suite 500, San Diego, California 92101
T 619.233.1454 F 619.233.0952 www.edaw.com



Transmittal

Date: August 13, 2009 Project No. 08080191
To: Ms. Melissa Jones Executive Director Sent Via: FedEx
California Energy Commission
1516 Ninth Street MS 39
Sacramento, CA 95814
From: Trina Meiser, Architectural Historian
Subject: Mojave Solar Project Application for Certification (Docket No. 09-AFC-5)

Distribution: Confidential

Enclosed are two digital copies of the confidential Attachments to the Mojave Solar Project Cultural Resources Technical Report. Please see the Request for Confidentiality enclosed.

Three hard copies of the confidential Attachments were submitted in a separate package.

Please contact me if you have any questions concerning the contents of this package.

Thank you,

A handwritten signature in black ink, appearing to read "Trina Meiser". The signature is fluid and cursive.

Trina Meiser
Architectural Historian
D +1 619.764.6904 M +1 765.702.1987
New email: <mailto:Trina.Meiser@aecom.com>

EDAW is evolving.

Beginning October 2009, EDAW will become Design + Planning at AECOM as we continue to create exemplary environments.

[Learn more](#)

EDAW Inc
1420 Kettner Boulevard, Suite 500, San Diego, California 92101
T 619.233.1454 F 619.233.0952 www.edaw.com

August 10, 2009

VIA FedEx

Ms. Melissa Jones
Executive Director
California Energy Commission
1516 Ninth Street MS 39
Sacramento, CA 95814



Subject: Request for Confidential Designation of the Mojave Solar Project Cultural Resource Technical Report, Attachments 2–5, in Support of the Mojave Solar Project Application for Certification (Docket No. 09-AFC-5)

Dear Ms. Jones,

Under Title 20 California Code of Regulations § 2505, Mojave Solar LLC is submitting this application for confidential designation for the attached documents in connection with the Mojave Solar Project (Project) Application for Certification (AFC).

Mojave Solar, LLC requests that the attached (see list below) containing sensitive cultural resources information be kept confidential.

- Cultural Resources Technical Report, Attachment 2 – Records Search
- Cultural Resources Technical Report, Attachment 3 – Contact Program
- Cultural Resources Technical Report, Attachment 4 – Results Maps
- Cultural Resources Technical Report, Attachment 5 – Site Records

Mojave Solar, LLC requests that the California Energy Commission (Commission) keep this information confidential permanently. The requested time frame is consistent with the definition of public records contained in California Government Code Section 6254.10. Section 6254.10 indicates that:

Nothing in this chapter requires disclosure of records that relate to archaeological site information and reports maintained by, or in the possession 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 local agency, including the records that the agency obtains through a consultation process between a California Native American tribe and a state or local agency.

The attached provide just the type of information discussed in the above-cited Government code section. Consistent with the intent of California Codes Section 6254.10, such information should be considered a confidential permanently.

Ms. Melissa Jones
California Energy Commission
August 10, 2009
Page 2

Cultural resources are assets providing insight into prior cultures and lose a great deal of value if they are improperly disturbed. Publication of the location and specific descriptions of the assets may invite the curious, who may unwittingly disrupt or destroy the assets, and even worse may encourage destruction or theft from the sites. This in order to protect the integrity of these sites, these site descriptions and locations should be kept confidential.

The information in a non-confidential, summary form is already included in the cultural section of the AFC. Making the information contained in the attached documents public would render the information useless, and Mojave Solar, LLC believes that the Commission and staff will need the detailed information provided in these reports to properly carry out their analysis. The public document included in the AFC can serve as generalized basis for the Commission's analysis without disclosing information that could lead to damage to the sites.

For the reasons specified above and the specific statutory protection provided for cultural records, the Commission should designate the attached documents as confidential.

I state 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 on behalf of Mojave Solar, LLC.

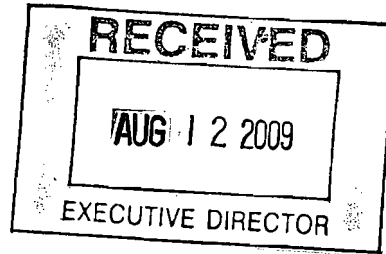
Yours sincerely,



Trina Meiser
Architectural Historian

Jones CEC Ltr

EDAW Inc
1420 Kettner Boulevard, Suite 500, San Diego, California 92101
T 619.233.1454 F 619.233.0952 www.edaw.com



Transmittal

Date: August 10, 2009 Project No. 08080191
To: Ms. Melissa Jones Executive Director Sent Via: FedEx
California Energy Commission
1516 Ninth Street MS 39
Sacramento, CA 95814
From: Trina Meiser, Architectural Historian
Subject: Mojave Solar Project

Distribution: Confidential

Enclosed are three hard copies of the confidential Attachments to the Mojave Solar Project Cultural Resources Technical Report. Please see the Request for Confidentiality enclosed.

Two digital (CD) copies of the confidential Attachments are being submitted in a separate package.

Please contact me if you have any questions concerning the contents of this package.

Thank you,

Trina Meiser
Architectural Historian
D +1 619.764.6904 M +1 765.702.1987
New email: <mailto:Trina.Meiser@aecom.com>

EDAW is evolving.
Beginning October 2009, EDAW will become Design + Planning at AECOM
as we continue to create exemplary environments.
[Learn more](#)