

DOCKETED

Docket Number:	24-OPT-01
Project Title:	Perkins Renewable Energy Project
TN #:	254475
Document Title:	Request for Confidentiality for Appendix J6 Mitigation Lands Memo
Description:	Request for keeping the Perkins Renewable Energy Project Appendix J6, Mitigation Lands Memo, confidential
Filer:	Emily Capello
Organization:	Panorama Environmental, Inc.
Submitter Role:	Applicant Consultant
Submission Date:	2/15/2024 6:45:55 AM
Docketed Date:	2/15/2024

Subject: Application for Confidential Designation for the below appendix of the Perkins Renewable Energy Project Opt-in Application:

- Appendix J.6 – Wildlands Mitigation Memorandum

To whom it may concern:

IP Perkins, LLC, IP Perkins BAAH, LLC and any related affiliates (collectively, "Applicant") c/o Intersect Power, LLC as applicant for the Perkins Renewable Energy Project, requests that the attached information be designated as confidential pursuant to 20 California Code of Regulations (CCR) Section 2505. This information is being supplied to the California Energy Commission (CEC) as Appendix J.6 – Wildlands Mitigation Memorandum of its opt-in application for the Perkins Renewable Energy Project docketed on February 14, 2024.

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.

Applicant: IP Perkins, LLC, IP Perkins BAAH, LLC and any related affiliates (collectively, "Applicant") c/o Intersect Power, LLC

Address: 9450 SW Gemini Drive, PMB #68743 Beaverton, Oregon 97008-7105

1(a). Title, date and description (including number of pages) of the record for which you request confidential designation.

Appendix J.6 – Wildlands Mitigation Memorandum, all pages.

1(b). Specify the part(s) of the record for which you request confidential designation.

The Attachment referenced in 1(a) in its entirety.

2. State and justify the length of time the Commission should keep the record confidential.

The reports identified above should be kept confidential indefinitely at the request of Wildlands, the Applicant's Mitigation partner, to protect the viability of potential high priority mitigation lands that Wildlands is currently pursuing.

3(a). State the provisions of the Public Records Act or other law that allows the Commission to keep the record confidential, and explain why the provision(s) apply to the record.

Under "Cal. Code Regs. Tit. 20, § 2505 - Designation of Confidential Records" (a)(1)(H) it states: "If the record contains information that the applicant has received from another party who has demanded or requested that the applicant maintain the confidentiality of the information, the applicant shall address the items in (B) through (F) of this subsection to the greatest extent possible and shall explain the demand or request made by the original party and the reasons expressed by the original party."

IP Perkins, LLC and IP Perkins BAAH, LLC and meet the criteria for this Regulation through information received from their mitigation partner, Wildlands.

3(b). Discuss the public interest in nondisclosure of the record. If the record contains trade secrets or its disclosure would otherwise cause loss of a competitive advantage, please also 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.

The public interest will be served by nondisclosure by preventing the potential harm and/or destruction of rare plants, animals, and natural communities. Harm to/destruction of these species and/or natural communities could impact the persistence of these resources, thus limiting future recreational viewing and/or scientific study.

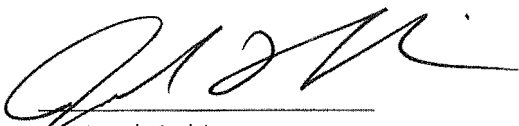
4. State whether the record may be disclosed if it is aggregated with other information or masked to conceal certain portions (including but not limited to the identity of the applicant). State the degree of aggregation or masking required. If the data cannot be disclosed even if aggregated or masked,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

The information disclosed in the confidential report identified in 1(a) cannot be aggregated or masked. Aggregation of the confidential report itself would potentially hinder CEC staff when performing their review and analysis.

5. State how the record 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.

The information contained within the report referenced in 1(a) has not been disclosed by the consultant to any parties beyond Applicant staff who are directly associated with the proposed project.

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.



By: Jacob Robinson

Wildlands | Director of Conservation Biology