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| Docket Number: | 24-OPT-01 |
| Project Title: | Perkins Renewable Energy Project |
| TN #: | 254636 |
| Document Title: | Application for Confidential Request_Perkins AFC_Appendix N1 and Q1_Cultural and Paleo Part 7 |
| Description: | N/A |
| Filer: | Colin Recksieck |
| Organization: | Chronicle Heritage |
| Submitter Role: | Applicant Consultant |
| Submission Date: | 2/20/2024 4:48:54 PM |
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Subject: Application for Confidential Designation for the below portions of the Perkins Renewable Energy Project Opt-in Application:

- Appendix N.1 – Cultural Resources Technical Report (CRTR)
- Appendix Q.1 – Potential Fossil Yield Classification (PFYC)

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 N.1 Cultural Resources Technical Report (CRTR) and Q.1 Potential Fossil Yield Classification (PFYC) 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 N.1 Cultural Resources Technical Report (CRTR) and Q.1 Potential Fossil Yield Classification (PFYC), all pages.

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

The Appendix 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 the U.S. Bureau of Land Management (BLM) to protect potential cultural resources and sites. If the descriptions of the locations of the sites are released to the public domain, there is potential for looting and destruction of that site.

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.

The report identified above specifically identifies areas of potential cultural and historical significance. It is thus protected under Government Code Sections 6254(e) and 6254(k). Protection provided is analogous to that given to Native American sacred places under Section 6254(r) of the Government Code.

The Perkins Renewable Energy Project is located on public lands administered by the BLM and Bureau of Reclamation (BOR) as well as private lands. At the request of the BLM, the reports identified above should be kept confidential indefinitely.

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 looting of the cultural resources and sites described in the reports. Such looting would preclude scientific study of the sites to gain data about the cultural resources of the area.

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) has been aggregated and summarized in the Cultural Resources and Paleontological Resources sections of the opt-in application for the project. However, 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: Matt Tennyson M.A., RPA - Renewable Energy Market Manager

Chronicle Heritage