

DOCKETED	
Docket Number:	21-AFC-02
Project Title:	Willow Rock Energy Storage Center
TN #:	259737
Document Title:	Repeated Application for Confidential Designation of Biological Resources Information
Description:	N/A
Filer:	Amanda Cooley
Organization:	Ellison Schneider Harris & Donlan LLP
Submitter Role:	Applicant Representative
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Docketed Date:	10/28/2024



October 28, 2024

Drew Bohan
Executive Director
California Energy Commission
715 P Street
Sacramento, CA 95814

RE: Willow Rock Energy Storage Center (21-AFC-02): Repeated Application for Confidential Designation of Biological Resources Information

Dear Mr. Bohan:

Pursuant to Title 20, section 2505(a)(4), of the California Code of Regulations, GEM A-CAES LLC (the “Applicant”) hereby submits this Repeated Application for Confidential Designation for the following documents responsive to the Biological Resources Data Requests of the California Energy Commission (“CEC”). Specifically, these documents are provided as part of the Applicant’s Response to the CEC’s *Data Requests Set 4 for Willow Rock Energy Storage Center*¹ in the Supplemental Application for Certification for the Willow Rock Energy Storage Center:

- Attachment DR82-1 - Special Status Plants and Burrowing Owl Figures
- Attachment DR84-1 - Aerial Imagery and Mapping
- Attachment DR85-1 - Aerial Imagery and Mapping with Transparency
- Attachment DR87-1 - Jurisdictional Drainage Maps
- Attachment DR88-1 - WJT Census Map Book
- Attachment DR89-1 – WJT Characteristics Table
- Attachment DR92-1 – WJT Relocation Plan
- Attachment DR95-1 - Incidental Take Permit Application Materials (Conceptual)
- Attachment DR96-1 – Biological Surveys Shapefiles (these files will be submitted via the CEC’s Secure File Transfer Protocol, Kiteworks, due to file type constraints within the CEC’s electronic docket filing system.)

By letter dated June 1, 2022, pursuant to Title 20, section 2505(a)(3)(A), of the California Code of Regulations, the Executive Director approved the initial request for confidential designation of certain information relating to biological resources for the Willow Rock Energy Storage Center.² The Applicant requested confidential designation for information relating to biological resources

¹ TN#: 259326.

² TN#: 243369.

via a repeated application for confidential designation on March 4, 2024.³ This request was granted by the Executive Director by letter dated May 21, 2024.⁴ The Applicant again requested confidential designation for biological resources information via a repeated application for confidential designation on September 27, 2024,⁵ for which the Executive Director granted confidentiality by letter dated October 9, 2024.⁶ The biological resources information listed above contains information that is substantially similar to the previously submitted information and all facts and circumstances relevant to the confidentiality of the information remain unchanged.

I certify under penalty of perjury of the laws of the State of California the information described above is substantially similar to the previously submitted information and that all the facts and circumstances relevant to confidentiality remain unchanged. I am authorized to make this repeated application and certification on behalf of the Applicant, GEM A-CAES LLC, a Limited Liability Company.

Please contact us at (916) 447-2166 should you have any questions. Thank you.

Dated: October 28, 2024

ELLISON SCHNEIDER HARRIS & DONLAN LLP

By: /s/ _____

Jeffery D. Harris
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Attorneys for the Applicant

³ TN#: 254789.

⁴ TN#: 256496.

⁵ TN#: 259339.

⁶ TN#: 259494.