

<b>DOCKETED</b>	
<b>Docket Number:</b>	21-AFC-02
<b>Project Title:</b>	Willow Rock Energy Storage Center
<b>TN #:</b>	260232
<b>Document Title:</b>	CEC Response to Willow Rock Energy Storage Center's Repeated Application for Confidential Designation
<b>Description:</b>	Response to 10/28 Application for confidential designation - Bio
<b>Filer:</b>	Marianna Brewer
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	11/22/2024 3:35:59 PM
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November 22, 2024

**Via Email**

Samantha G. Neumyer  
Ellison Schneider Harris & Donlan LLP  
2600 Capitol Avenue, Suite 400  
Sacramento, California 95816  
[sgn@eslawfirm.com](mailto:sgn@eslawfirm.com)

**Repeated Application for Confidential Designation of Biological Resources  
Information: Willow Rock Energy Storage Center  
Docket No. 21-AFC-02**

Dear Samantha G. Neumyer:

The California Energy Commission (CEC) has received Willow Rock Energy Storage Center's (applicant) repeated application for confidential designation, docketed October 28, 2024 (TN 259737), for the following, provided as part of applicant's response to CEC's Data Requests Set 4 in the Supplemental Application for Certification:

- 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.)

The applicant states that these records were previously determined by CEC's executive director to be confidential indefinitely. (June 1, 2022, May 21, 2024, and October 9, 2024 - TNs 243369, 256496 and 259494). The applicant asserts, under penalty of perjury, that the records submitted under this application contain information substantially similar to previously submitted information that was granted confidential designation, and all facts and circumstances relevant to the confidentiality of the information remain unchanged.

California Code of Regulations title 20, section 2505(a)(4) provides:

If an applicant is seeking a confidential designation for information that is substantially similar to information that was previously deemed confidential by the Commission pursuant to section 2508, or for which an application for confidential designation was granted by the Executive Director pursuant to subdivision (a)(3)(A) of this section, the new application need contain only a certification, executed under penalty of perjury, stating that the information submitted is substantially similar to the previously submitted information and that all the facts and circumstances relevant to confidentiality remain unchanged. An application meeting these criteria will be approved.

The applicant has met the requirements for confidential designation of the above information as a repeated application. Confidentiality is granted indefinitely, under the same terms as those in the grant of confidentiality on June 1, 2022 (TN 243369).

Be advised that under California Code of Regulations, title 20, section 2506, one may petition to inspect or copy records that the CEC has designated as confidential. A decision on a petition to inspect or copy confidential records is issued by the CEC's chief counsel. Under California Code of Regulations, title 20, section 2507, the executive director may disclose records, or release records previously designated as confidential, in certain circumstances. The procedures for acting on a petition and criteria for disclosing or releasing records previously designated as confidential are set forth in California Code of Regulations, title 20, sections 2506-2508.

If you have questions, please email [confidentialityapplication@energy.ca.gov](mailto:confidentialityapplication@energy.ca.gov).