

DOCKETED	
Docket Number:	01-EP-10C
Project Title:	Enterprise Emergency Peaker Project - Compliance
TN #:	262348
Document Title:	Application for Confidential Designation Enterprise BESS Project Appendix E Cultural Resources Technical Report
Description:	Includes an application for Confidential Designation - Appendix A of the Enterprise BESS Project's Cultural Resources Technical Report.
Filer:	Grace Myers
Organization:	Rincon Consultants, Inc.
Submitter Role:	Applicant Consultant
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Docketed Date:	3/25/2025



Rincon Consultants, Inc.

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March 25, 2025

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

Subject: Application for Confidential Designation Enterprise Battery Energy Storage System (BESS) Project Appendix E Cultural Resources Technical Report, San Diego County, California. Docket number 01-EP-10C

Dear Mr. Bohan:

Enterprise BESS LLC, as applicant for the Enterprise BESS 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 E (Volumes 1 through 4) of its Supplemental Petition for Post-Certification Amendment application for the Enterprise BESS Project docketed on March 18, 2025.

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: Enterprise BESS LLC

Address: 201 Enterprise Street Escondido, California 92029

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

Enterprise Battery Energy Storage System (BESS) Project Cultural Resources Technical Report, San Diego County, California (2025)

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

Appendix A (to Appendix E) South Coastal Information Center Records Search Results (All Pages of the Appendix)

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

Appendix A to the report identified above should be kept confidential indefinitely 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.

Appendix A to 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.



- 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 Appendix A to the report identified in 1(a) has been aggregated and summarized in the Cultural Resources section of the Supplemental Petition for Post-Certification Amendment 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 Appendix A to 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.

Sincerely,

Rincon Consultants, Inc.

A handwritten signature in black ink, appearing to read "M Strother", with a stylized, cursive script.

Mark Strother, MA, RPA
Project Archaeologist