



October 31, 2019

Mr. Scott A. Galati
DayZen, LLC
1720 Park Place Drive
Carmichael, CA 95608

**APPLICATION FOR CONFIDENTIAL DESIGNATION: CULTURAL
RESOURCES DATA, DOCKET NO. 19-SPPE-03**

Dear Mr. Galati:

The Energy Commission is in receipt of C-1 Santa Clara LLC's (Applicant) Application for Confidentiality for cultural resource reports from the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS) listed in Attachment A to this letter.

The application states that the reports should be kept confidential indefinitely to protect potential cultural resources and sites. According to the application, if the descriptions and locations of the sites are released to the public domain, there is potential for unauthorized collection or looting of the sites. The application also states that the public interest will be served by nondisclosure by preventing looting of the cultural resources and sites described in the reports, because such looting would preclude scientific study of the sites to gain data about the cultural resources of the area.

A properly filed application for confidentiality shall be granted under the California Code of Regulations, title 20, section 2505(a)(3)(A), "if the applicant makes a reasonable claim that the Public Records Act or other provision of law authorizes the California Energy Commission to keep the record confidential."

The California Public Records Act provides for the nondisclosure of archaeological site information and reports as well as records of Native American places, features, and objects. (Gov. Code §§6254(r), 6254.10.) The Public Records Act also recognizes the confidentiality principles of federal law. (Gov. Code §6254(k).)