

DOCKETED	
Docket Number:	24-OPT-03
Project Title:	Soda Mountain Solar
TN #:	259149
Document Title:	CEC Response to Soda Mountain Solar - BLM's App for Confidential Designation
Description:	N/A
Filer:	Marianna Brewer
Organization:	California Energy Commission
Submitter Role:	Commission Staff
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September 13, 2024

Via Email

Alexis Francois
Bureau of Land Management
Barstow Field Office
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Barstow, CA 92311
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**Application for Confidential Designation: Soda Mountain Solar Project
Docket No. 24-OPT-03**

Dear Alexis Francois:

The California Energy Commission (CEC) has received an Application for Confidentiality from the Bureau of Land Management of the Department of Interior related to the Soda Mountain Solar Project, docketed July 30, 2024 (TN 258195) covering the following cultural resources records:

- Addendum – Archaeological Resources Assessment of the Soda Mountain Solar Project for an Environmental Impact Report, San Bernardino County, California.
- Historical Resources Assessment Report for the Soda Mountain Solar Project, San Bernardino County, California.
- Cultural Resources Inventory of a Segment of the Blue Bell Mine Road, Soda Mountain Solar Project San Bernardino County, California. BLM Report No. 680-09-24.
- Cultural Resources Inventory of an Additional 335 Acres for the Soda Mountain Solar Project, San Bernardino County, California. BLM Report No. 680-09-24.
- Spatial data for surveys and archaeological recordation.
- Determination Letter from Bureau of Land Management to the California State Historic Preservation Office.
- Letter of concurrence from the California State Historic Preservation Office to the Bureau of Land Management.

The Bureau of Land Management requests that the documents referenced above be kept confidential indefinitely. The applicant states the documents are mandated to be held in confidentiality under 36 Code of Federal Regulations part 800. The application states that if locations of protected archaeological resources and sites are released to the public, there is potential for looting and destruction of these protected resources and sites. Additionally, the application states that the records are the property of the Bureau of Land Management and retained by the Barstow Field Office.

Executive Director's Determination

In accordance with California Code of Regulations, title 20, section 2505(b), the CEC shall designate the requested information confidential, without the need for an application, when the applicant is a federal, state, regional, or local agency or state-created private entity and possesses information pertinent to the responsibilities of the CEC, that has been designated by the applicant as confidential under the Public Records Act or the Freedom of Information Act. The Bureau of Land Management filed a similar Application for Confidentiality, docketed August 1, 2024, (TN 258263) covering the first three records identified above. The CEC granted confidentiality for those records on September 9, 2024 (TN 259064). Consistent with the CEC's prior determination and under California Code of Regulations, title 20, section 2505(b), the above-described information is designated confidential indefinitely.

Be advised that persons may petition to inspect or copy records that have been designated as confidential, the executive director may disclose, or release records previously designated as confidential in certain circumstances, and the CEC may hold a hearing to determine the confidentiality of its records on its own motion or on a motion by CEC staff. The procedures and criteria for disclosing or releasing, filing, reviewing, and acting upon such petitions or motions are set forth in the California Code of Regulations, title 20, sections 2506 through 2508.

If you have questions, please email confidentialityapplication@energy.ca.gov.

Sincerely,



Drew Bohan
Executive Director