

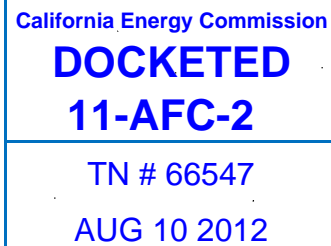
CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512



August 3 , 2012

Jack Prichett
Old Spanish Trail Association
857 Nowita Place
Venice, CA 90291



RE: **Old Spanish Trail Association Application for Confidential Designation:
Cultural Resources for Hidden Hills Solar, Docket No. 11-AFC-2**

Dear Mr. Prichett:

The California Energy Commission is in receipt of your Application for Confidentiality submitted on behalf of the Old Spanish Trail Association, (Applicant). The Application seeks confidential designation for the following information related to the Old Spanish Trail and Hidden Hills Solar facility:

- 1) Comments which discuss the location for the mule trace of the Old Spanish Trail within and near the Hidden Hills Solar facility project site.

Applicant states that the comments identify the locations of cultural resource sites in the project area, and that:

... disclosure of the location and waypoints would enable vandals and thieves to damage the trail.

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 [Energy] Commission to keep the record confidential."

The California Public Records Act provides for the nondisclosure of archaeological site information and reports. (Gov. Code, sec. 6254.10.) The Public Records Act also recognizes the confidentiality principles of federal law. (Gov. Code, sec. 6254(k).) The Archaeological Resources Protection Act establishes a clear, national legal policy that all types of archaeological, paleontological, and cultural resource site locations must be kept confidential in order to preserve them. (16 U.S.C. sec. 470hh.) Non-disclosure of cultural resources, such as the information that you have submitted in the above-referenced comments, is expressly in the public interest.

Therefore, the Applicant's Confidentiality Application is granted in its entirety. The comments will be kept confidential for an indefinite period.

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Any subsequent submittals related to cultural resources can be deemed confidential as specified in this letter without the need for a new application under California Code of Regulations, title 20, sections 2505(a)(1)(G) and 2505(a)(4), if you file a certification under penalty of perjury that the new information is substantially similar to the information granted confidentiality by this determination.

Be advised that persons may petition to inspect or copy records that I have designated as confidential. The procedures and criteria for filing, reviewing, and acting upon such petitions are set forth in the California Code of Regulations, title 20, section 2506. If you have any questions concerning this matter, please contact Jared Babula, Senior Staff Counsel, at (916) 651-1462.

Sincerely,

A handwritten signature in dark ink, appearing to read 'R. Oglesby', with a long horizontal line extending to the right.

Robert P. Oglesby
Executive Director

cc: Docket Unit
Mike Monosmith, Commission Project Manager
Jennifer Jennings, Public Advisor