

## CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512

September 19, 2008

Angela Leiba  
URS Corporation Americas  
2585 East Bayshore Road  
Palo Alto, CA 94303

<b>DOCKET</b> 07-AFC-8
DATE <u>SEP 19</u> 2008
RECD. <u>SEP 22</u> 2008

RE: **Cultural Resources Appendix E Application for Confidentiality,  
Ausra CA II, LLC,  
Docket No. 07-AFC-8**

Dear Ms. Leiba:

On August 22, 2008, Ausra CA II, LLC, filed an Application for Confidentiality on behalf of the Carrizo Energy Solar Farm (Docket No.07-AFC-8). The Application seeks confidentiality for Appendix E (Cultural Resources) of the Supplement to the Carrizo Energy Solar Farm Application for Certification (hereinafter referred to as "Appendix E").

You state that Appendix E discloses:

Cultural resources details and locations in and around the Project area. . . The information should be kept confidential indefinitely to protect cultural resources site locations identified in the appendix. If the descriptions of the location of the sites are released to the public domain, there is an unacceptable risk of looting. Such looting would preclude scientific study of the worthy site to gain historical data about human use 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 [Energy] Commission to keep the record confidential."

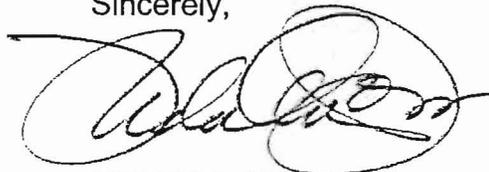
The California Public Records Act recognizes the confidentiality principles of federal law (Gov. Code, sec. 6254(k)). The Archaeological Resources Protection Act establishes a clear, national legal policy that all types of archaeological, paleontological, and cultural resource site locations must be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

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Therefore, Ausra's August 22, 2008, confidentiality application for Appendix E is granted in its entirety. The Appendix will be kept confidential for an indefinite period. 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 Deborah Dyer, Senior Staff Counsel, at (916) 654-3870.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melissa Jones', written in a cursive style.

MELISSA JONES  
Executive Director

cc: Docket Unit  
Energy Commission Project Manager