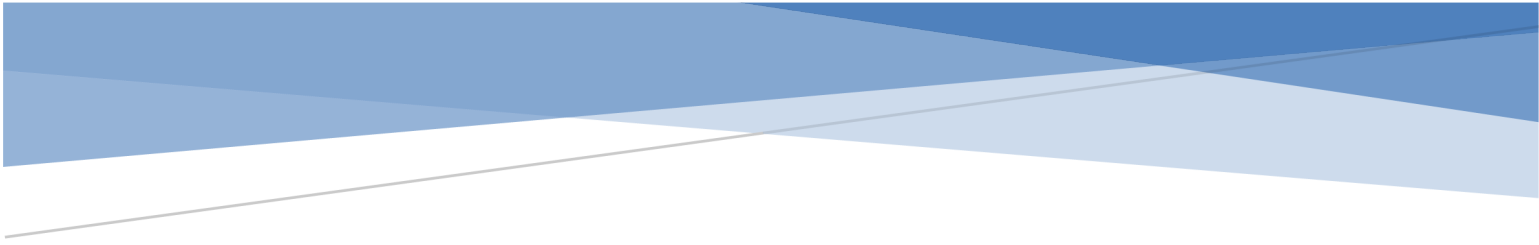


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RESPONSE TO CEC STAFF DATA REQUEST SET 1

NorthTown Backup Generating Facility (25-SPPE-02)

SUBMITTED TO: CALIFORNIA ENERGY COMMISSION

SUBMITTED BY: GIC San Jose LLC

November 2025



INTRODUCTION

Attached are GIC San Jose LLC (GIC San Jose) responses to California Energy Commission (CEC) Staff Data Request Set No. 1 for the NorthTown Backup Generating Facility (NTGBF) Application for Small Power Plant Exemption (SPPE) (25-SPPE-02). Staff issued Data Request Set No. 1 on July 31, 2025.

The Data Responses are grouped by individual discipline or topic area. Within each discipline area, the responses are presented in the same order as Staff presented them and are keyed to the Data Request Numbers. Additional tables, figures, or documents submitted in response to a data request (e.g., supporting data, stand-alone documents such as plans, folding graphics, etc.) are found in Attachments at the end of the document and labeled with the Data Request Number for ease of reference.

For context, the text of the Background and Data Request precede each Data Response.

REVISED PROJECT DESCRIPTION

GIC San Jose includes a Revised Project Description in red-line strikethrough as Attachment A to these data responses. The Revised Project Description describes minor adjustments to the location of the Project Substation to optimize site circulation and access. The Revised Project Description does not alter the baseline condition that GIC San Jose would expand the PG&E Switchyard which would be constructed on the Microsoft San Jose Data Center 04 site.

However, in addition to the optimization of the site, GIC San Jose includes in the Revised Project Description an optional alternative configuration of the PG&E Switchyard and Transmission Line (Option 1). The purpose of Option 1 is to provide flexibility to the Project in the event that the PG&E Switchyard is not constructed by Microsoft on the San Jose Data Center 04 Site in time to support development of the Project. Option 1 replace expansion of the PG&E Switchyard with construction of the entire PG&E Switchyard on the NorthTown Data Center site with a corresponding shift of the transmission line interconnecting the PG&E Switchyard to the adjacent existing PG&E transmission line to the NorthTown Data Center property. GIC San Jose requests the CEC include the baseline condition (expansion of the PG&E Switchyard) and Option 1 (PG&E Switchyard on NorthTown Data Center Site and shift of transmission line) in the CEQA document.

GENERAL OBJECTIONS

GIC San Jose objects to all data requests that require analysis beyond that which is necessary to comply with the California Environmental Quality Act (CEQA) or which require GIC San Jose to provide data that is in the control of third parties and not reasonably available to GIC San Jose.

In addition to the general objection discussed above, it appears that in some cases the Staff has applied the same standards identified in Appendix B strictly to the review of this SPPE Application. During the regulatory change where the information required for an SPPE Application was merged into Appendix B, Staff assured SPPE applicants that not all of the requirements identified in Appendix B would be strictly applied to SPPE Applications. Specifically, those requirements that are necessary for an analysis of compliance with all applicable laws, ordinances, regulations and standards (LORS) are not necessary to perform a CEQA analysis. GIC San Jose acknowledges that a discussion of the regulatory framework and in some cases compliance with plans designed to mitigate impacts are required for a complete CEQA analysis. However, a detailed discussion of how a project complies with each and every LORS that would be applicable to the project in the absence of CEC exclusive jurisdiction is different from the analysis required by CEQA.

For example, in the case of the NGBF which is exclusively within the permitting and building code enforcement jurisdiction of the City of San Jose (City), if a policy or plan is entirely within the City jurisdiction, the CEC should in accordance with CEQA guidance identify the policy or plan and simply state that the City will determine compliance with the plan or policy in its entitlement and permitting actions. Such a plan or policy is entirely enforceable by the City. For this reason, in those specific areas where Staff is requesting a list of all agencies with LORS enforcement requirements, a listing of all LORS requirements not specifically identified in the CEQA checklist, and a demonstration of how the NGBF or NDC will comply is beyond the CEC's CEQA obligation. Therefore, GIC San Jose is not providing that analysis and instead provides these responses consistent with the CEC's data requests and CEQA analysis implemented in the granting of the last several years of SPPE Applications for data center backup generating facilities.

Notwithstanding these objection, GIC San Jose has worked diligently to provide these responses in sufficient detail to allow the CEC Staff to begin preparation of the CEQA document. In some cases, Staff has requested analyses that will take additional time to prepare. Therefore, GIC San Jose has included these responses with notations for long lead items that will be submitted under separate cover as Supplemental Data Responses when completed.

AIR QUALITY AND PUBLIC HEALTH

BACKGROUND: Air Quality Management District Application

The proposed project would require a permit from the Bay Area Air Quality Management District (BAAQMD). For purposes of inter-agency consistency, staff needs copies of all correspondence between the applicant and the BAAQMD in a timely manner to stay up to date on any issues that arise prior to completion of the environmental document.

SPPE Application supporting material (TN 264512) mentions Appendix C Generator Specification Sheets that would be “provided under separate cover,” and portions of this information are included with the SPPE Application Appendix E, Air Quality and Greenhouse Gas Assessment (pg. 16) when describing performance data for the proposed generators.

SPPE Application (TN 264500, pg. 78) and supporting material (TN 264512) mentions the use of natural gas for “Comfort heating,” and this carried into CalEEMod where results include CO₂e due to onsite natural gas use. BAAQMD CEQA guidelines for evaluation of GHG recommend excluding natural gas appliances and natural gas plumbing in both residential and nonresidential development.

DATA REQUESTS

DR AQ-1 Please provide copies of all substantive correspondence between the applicant and BAAQMD regarding the proposed project, including application and e-mails, within one week of submittal or receipt. This request is in effect until staff publishes the environmental document.

RESPONSE TO DR AQ-1

Unlike an application to the CEC to certify a power plant where an air district prepare a preliminary determination of compliance during the CEC licensing process, for a data center requesting a SPPE, applicants do not file for any permits for emergency generators until after the CEC grants the SPPE. Therefore, there has been no correspondence with the BAAQMD nor is there likely to be any correspondence with the BAAQMD until after the CEC SPPE is granted. If there is such communication or correspondence, GIC San Jose will docket copies with the CEC.

DR AQ-2 Please identify the current schedule for the BAAQMD permit application submittal. Please submit a copy of that application to the docket when it is submitted to BAAQMD.

RESPONSE TO DR AQ-2

As described in Response to Data Request AQ-1, GIC San Jose will not file applications for emergency generator permits until the CEC grants the SPPE.

DR AQ-3 Please confirm if SPPE Application Appendix C Generator Specification Sheets was submitted to the docket under a separate cover sheet, and provide the specific location, or if they are completely provided in Appendix AQ2 of SPPE Application Appendix E, Air Quality and Greenhouse Gas Assessment. If specification sheets were not completely submitted, please provide the complete Appendix C Generator Specification Sheets.

RESPONSE TO DR AQ-3

In 2021, the CEC Staff changed its interpretation of whether or not specifications with manufacturer trademarks or copyrights related to the use of a company logo could be docketed. The CEC Staff instructed applicants that the docketing of such material could constitute publishing of protected material and could not be done without the owner of the logo's written permission. Counsel for manufacturer's such as Caterpillar and Cummins did not agree that the docketing of such materials constituted republication and therefore applicants have been unable to obtain permission letters. To accommodate the CEC Staff's interpretation, applicants have been providing the specification sheets directly to Staff by email even though Staff can download copies from the manufacturer's website directly in most cases. The Specifications sheets for the NBGF have been emailed to Staff directly.

DR AQ-4 Please provide a list of all natural gas appliances and plumbing that would be included for onsite use and describe whether it would be feasible to exclude natural gas use onsite.

RESPONSE TO DR AQ-4

GIC San Jose confirms that the NDC will not use natural gas for appliances or comfort heating.

BACKGROUND: CalEEMod Construction and Operation Emission Calculations

The SPPE Application Appendix B (TN 264512), Air Quality and Greenhouse Gas Assessment, sub-Appendix AQ4, Construction and Miscellaneous Emissions Evaluation and Support Data, is used to document CalEEMod emissions calculations. The analysis uses a prior version of CalEEMod (2020) that does not

include EMFAC2021 emission factors. Staff needs the input and output files of the CalEEMod emissions calculations to complete the review.

DATA REQUEST

DR AQ-5 Please re-run the CalEEMod analysis with the 2022 CalEEMod version and please provide the input and output files of the updated CalEEMod emissions calculations.

RESPONSE TO DR AQ-5

The construction emissions analysis for the NTDC SPPE was re-run using the latest version of CalEEMOD 2022.1 (the current on-line version located at the following link: <https://www.caleemod.com/>)

The following comments apply to the inputs, outputs, and results of the revised analysis:

- Every possible effort was made to mirror the inputs from the previous analysis. In cases where this was not possible a slightly higher input value was used to maintain a conservative analysis for comparison.

It should be noted that although the revised output identifies emissions as “Unmitigated” the inputs used were clearly identified and chosen, based on the program choices, as “mitigated”. Examples of these inputs are as follows:

- All construction related equipment was identified as “Tier 4 Final”.
- Water suppression for fugitive dust was used onsite with the default control efficiency.
- Low-VOC coatings were specified for the building interior and exterior, as well as coatings used in the parking areas.

BACKGROUND: Enforceable Permit Conditions, Annual Operations

Air quality impact modeling assumes only a single engine operates for maintenance and readiness testing at any given time. Air quality impact modeling also presumes that readiness testing would be limited to occur within certain hours of the day (between the hours of 7 AM and 5 PM) (TN 264500, pg 89).

Short-term impacts are shown on page 82, Table 4.3-12 of the SPPE Application emissions from one hour of testing of eight C175 engines in one day.

DATA REQUESTS

DR AQ-6 Please confirm that the applicant would request the BAAQMD to require an enforceable limit on concurrent testing of engines so that only a single engine operates for maintenance and readiness testing at any given time.

RESPONSE TO DR AQ-6

GIC San Jose confirms that it will request the limit on concurrent testing of engines in its applications for permits with the BAAQMD.

DR AQ-7 Please confirm that the applicant would request the BAAQMD to require an enforceable limit that would allow testing of standby engines only between the hours of 7 AM to 5 PM daily.

RESPONSE TO DR AQ-7

GIC San Jose confirms that it will request the limit on when the testing of engines can be performed in its applications for permits with the BAAQMD.

DR AQ-8 Please confirm that the applicant would request the BAAQMD to require an enforceable limit that would allow testing of no more than eight C175- 16 engines per day.

RESPONSE TO DR AQ-8

GIC San Jose confirms that it will request the limit on when the testing of engines can be performed in its applications for permits with the BAAQMD.

BACKGROUND: Screening for Low-load Conditions and Warm-up Period

In the SPPE Application, the applicant states, “[t]he engines could be operated over a range of load conditions from one (1) to 100 percent (TN 264500, pg 89). Based on similar projects, the 100% load case always produces the maximum ground-based concentrations. Thus, an air quality screening analysis was not performed.” The applicant also states, “[t]he Applicant is not proposing a test schedule, i.e., hours versus load points. Testing will be done based upon the Applicants judgment, taking into account the manufacturers recommendations, staff availability, and need. Maintenance and readiness testing may occur at loads ranging from 10 to 100% load. For purposes of this application, emissions were assumed to occur at 100% load.” However, in past projects, modelling has shown higher modeled operational concentrations at lower loads (75%, 50%, 25%, and 10%) for both PM10 and PM2.5. Staff needs to verify whether the Health Risk Assessment (HRA) results for these lower load cases exceed those for the 100% load case. Staff also needs to ensure that the health risks of the proposed project during lower load cases would not exceed the BAAQMD Significance Thresholds.

The SPPE Application (TN 264500, pg 89) indicates that testing of the engines can occur over a range of load conditions. However, the analysis says that “an air quality screening analysis was not performed,” and “...the worst-case stack condition and the worst-case engine location could be determined from the screening analysis” (TN 264500, pg 8). Staff needs a detailed description of the types of testing and maintenance scenarios, the frequency of full-load tests and low-load tests, and confirmation of impacts at various standby engine load points to verify the assumptions used in the SPPE analysis.

The applicant assumed that the 100 percent load case would produce the maximum ground-based concentrations (TN 264500, pg 89). In calculating the nitrogen oxides (NOx) emissions for the 100 percent load case, the applicant assumed a warm-up period of 10 minutes. For lower load cases (e.g., 100, 75, 50, 25, and 10 percent load), it may take more time for the selective catalytic reduction (SCR) to warm up. Staff needs to confirm whether the NOx emissions during lower load cases would be lower than those estimated for the 100 percent load case. If a Tier 4 emission factor is assumed for part of the hour for these load cases, the applicant needs to provide documents/certificates from the SCR vendor to verify the warm-up period of the SCR to reach Tier 4 emission rates for these load cases.

In addition, lower exhaust temperatures and slower exhaust velocities at lower loads could result in higher ground-level concentrations, even if the mass emissions would be lower. Without modeling, staff would not be able to confirm whether the ground-level impacts for the lower load cases would be lower than those for the 100 percent load case.

DATA REQUESTS

DR AQ-9 Please provide emission calculations for the uncontrolled and controlled load-specific emission rates covering the range of low-load points (i.e., 75, 50, 25, and 10 percent load).

RESPONSE TO DR AQ-9

Caterpillar, the engine manufacturer provided load emission points of 10, 25, 50, 75 and 100 percent load(s) for the C175-16 and 40, 50, 75 and 100 percent loads for the 3512C engines. Since the background to the data request focused on warmup times for the SCR, the controlled, partial controlled (startup) assuming a 21-minute warmup time, and uncontrolled emissions are presented below for both the C175-16 and 3512C engines. The uncontrolled emissions are based on the NSPS Tier 2 NO_x standard of 4.5 g/bhp-hr for both engines with the mass emission rates based on engine load/horsepower. A summary of the requested emissions data is presented below along with a copy of the spreadsheet calculations (which will be provided electronically to the CEC) in Attachment DR AQ-9.

Caterpillar C175-16				
Engine Load	BHP	NO _x Controlled lb/hr	NO _x Startup lb/hr	NO _x Uncontrolled lb/hr
100	4376	4.824	18.33	43.414
75	3282	3.618	13.75	32.560
50	2188	2.412	9.17	21.707
25	1094	1.206	4.58	10.853
10	438	0.483	1.83	4.345

Caterpillar 3512C				
Engine Load	BHP	NO _x Controlled lb/hr	NO _x Startup lb/hr	NO _x Uncontrolled lb/hr
100	2400	2.646	10.05	23.810
75	1799	1.983	7.54	17.848
50	1237	1.364	5.18	12.272
40	1012	1.116	4.24	10.040

DR AQ-10 Please provide NO_x emission calculations for the representative range of engine load points (e.g., 100, 75, 50, 25, and 10 percent load). If a Tier 4 emission rate is assumed for part of the hour for these load cases, please provide documents/certificates from the vendor to verify the warm-up period of the SCR to reach Tier 4 emission rates for these load cases.

RESPONSE TO DR AQ-10

Assuming this data request is focused on the NO_x startup emissions, the tables above and the calculation sheet as provided with this data response summarizes the startup emissions for each of the listed load points. Based on Caterpillar data regarding warmup periods, a 21-minute time was assumed for the period of uncontrolled emissions (Tier 2) with the remaining 39-minute startup period being Tier 4. The 21-minute time period was based on the following Caterpillar data:

Generator Load	%	100	75	50	25	10
Generator Power (w/ fan)	(ekW)	3,000	2,250	1,500	750	300
Estimated Heat-up time	(min)	7.0	9.0	9.8	14.0	21.0

A copy of the calculations are provided in Attachment DR AQ-9 and will also be provided electronically to the CEC.

Additionally, the accompanying amendment to the NTDC SPPE includes the revised assumptions for the 1-hour startup period of 21 minutes in the NO₂ modeling assessments, which also include the annual NO₂.

DR AQ-11 Please provide a screening review of short-term (1-hour) ambient air quality impacts during testing for a representative range of engine load points (e.g., 100, 75, 50, 25, and 10 percent load) to confirm that full-load testing would produce the highest ground-level concentrations.

RESPONSE TO DR AQ-11

The 1-hour NO₂ screening assessment results are provided in Attachment DR AQ-11 and will also be provided electronically to the CEC. The results of the modeling determined that for all but one of the 40 engines, the 100 percent load case for the 1-hour NO₂ modeling results always produced the maximum concentrations. For one of the Caterpillar C175-16 engines (AERMOD modeling ID C1711), the AERMOD results had this engine produce the maximum 1-hour NO₂ concentration during a start hour at 75 percent load. The modeling results in the amendment to the SPPE has this engine at the 75 percent load case for all of the 1-hour NO₂ modeling.

DR AQ-12 Please provide vendor documentation supporting SCR + diesel particulate filter (DPF) control effectiveness assumptions in achieving the Tier 4 emissions standards.

RESPONSE TO DR AQ-12

The requested information is included in Attachment DR AQ-12.

DR AQ-13 Please elaborate on whether the engines could potentially be tested from a cold start to full load (100%) during any hour, and if not, please explain what steps could be taken by the owner/operator to avoid this type of full load test.

RESPONSE TO DR AQ-13

All of the engines could be tested from a cold start to 100 percent load and this would most likely occur during the commissioning phase of the project. Note that it is not the typical operation for routine maintenance and testing as these engines are often operated at a minimal load.

The routine testing of these engines at the site will, most likely, not rely on a load bank, so any load typical or average load testing would be at loads typically at 50% or less for periods of 20 to 30 minutes.

GREENHOUSE GAS EMISSIONS

BACKGROUND: Sulfur Hexafluoride Emissions

Staff needs to confirm how the use of SF6 would comply with the phase out regulation (Cal. Code Regs., tit. 17, § 95352) and the applicable phase out date based on the proposed Gas-Insulated Equipment (GIE) characteristics.

DATA REQUEST

DR GHG-1 Please explain how the proposed project would comply with the current SF6 phase out regulation (Cal. Code Regs., tit. 17, § 95352). If SF6 would not be used, please provide information on the non-SF6 alternative to be used in the breakers.

RESPONSE TO DR GHG-1

SF6 will be used in the PG&E Switching Station. For Breakers with ratings of 115 kV, the CARB phase out date is January 1, 2028. According to Provision 3 of the applicable regulations, SF6 is allowed to be used in an application that is being phased out if the SF6 GIE device was purchased by the GIE owner prior to the applicable phase-out date, and enters California no later than 24 months after the purchase date. The project is able to use SF6 breakers because the breakers were ordered on 12/19/24 and will arrive by 3/25/27 both occurring prior to phase out date of 1/1/2028.

The Project Substation will have breakers with rating of 115kV and comply with the requirements of Provision 3 of the applicable regulations in the same manner as PG&E is for the Switching Station.

BACKGROUND: Carb Refrigerant Management Program

The California Air Resources Board (CARB) Refrigerant Management Program (RMP) requires facilities with refrigeration systems containing more than 50 pounds of high-global warming potential (GWP) refrigerant to conduct and report periodic leak inspections, promptly repair leaks; and keep service records on site. Stationary refrigeration facilities with more than 50 pounds of high-GWP refrigerant in the largest on-site refrigeration system must register with the RMP. Those with at least 200 pounds of high-GWP refrigerant in the largest system have annual reporting and additional duties. Given that there are approximately 19 tons of refrigerant being used in the proposed cooling units, staff needs to confirm how the proposed project would meet the RMP requirements.

DATA REQUEST

DR GHG-2 Please explain how the proposed project would meet the CARB RMP requirements.

RESPONSE TO DR GHG-2

As explained to Staff in the STACK Trade Zone Park Project SPPE Data Response 72, the RMP was developed by CARB and its requirements are contained in Title 17 California Code of Regulations (CCR) Section 95380 et seq. Section 95381 sets forth the applicability of the RMP as follows:

(a) This subarticle applies to any person ***who owns or operates a stationary refrigeration system***, as defined in this subarticle. This subarticle also applies to any person ***who installs, repairs, maintains, services, replaces, recycles, or disposes of a stationary refrigeration or air-conditioning appliance***, and to any person who distributes or reclaims refrigerants with high global warming potential.

GIC San Jose will not be an owner or operator of a stationary refrigerant system as defined by Section 95382 (a) (57):

“Refrigeration system” means stationary, non-residential equipment that is an industrial process refrigeration, commercial refrigeration, or other refrigeration appliance with a single refrigerant circuit that requires more than 50 pounds of any combination of high-GWP refrigerant to maintain normal operating characteristics and conditions. ***“Refrigeration system” does not include an air-conditioning appliance.*** A single refrigeration system is defined by a single refrigerant circuit.

Section 95382 (a) (2) defines air conditioning as:

“Air-conditioning” means any stationary, non-residential appliance, ***including a computer-room air conditioner***, that provides cooling to a space to an intended temperature of not less than 68°F for the purpose of cooling objects or occupants.

Section 95382 (a) (5) defines an appliance as:

“Appliance” means any device which contains and uses a high-GWP refrigerant, including any air conditioner, refrigerator, ***chiller***, freezer, or refrigeration system.

Therefore, GIC San Jose will not be an owner or operator of a “Refrigeration System.” GIC San Jose will be an owner or operator of an “Air Conditioning Appliance.” The RMP does not apply to the owner or operator of an Air Conditioning Appliance, but rather only applies to a business entity that ***installs, repairs, maintains, services, replaces, recycles, or disposes of a stationary refrigeration or air-conditioning appliance.*** SGIC San Jose will contract with such a business entity which may be subject to participation in the RMP.

BIOLOGICAL RESOURCES

BACKGROUND: Nitrogen Deposition Modeling for Stationary Point Sources

The Biological Resources section of the SPPE Application (TN 263302) did not include a discussion of nitrogen deposition impacts for the proposed project's 42 diesel-fired backup generators. Although air emissions from mobile sources, including nitrogen oxides (NO_x), were discussed in relation to vehicle trips, no modeling or data were provided to evaluate nitrogen deposition resulting from the testing and maintenance of the diesel backup generators.

CEC staff evaluate nitrogen deposition impacts by considering sensitive habitat areas within a 6-mile radius of a project site. These include protected areas such as California Department of Fish and Wildlife (CDFW) sensitive natural communities and U.S. Fish and Wildlife (USFWS) designated critical habitat.

Nitrogen-sensitive vegetation communities, such as serpentine habitat, should also be considered in the evaluation, including areas like the "Serpentine Fee Zones" identified in the Santa Clara Valley Habitat Plan. CEC staff have found that by the time the plume has traveled this distance, in-plume concentrations become indistinguishable from background concentrations.

Although the proposed project is a "covered project" under the Santa Clara Valley Habitat Plan (SCVHP), the mitigation fees for nitrogen deposition apply only to mobile emission sources. The SCVHP does not require or address mitigation for nitrogen deposition from stationary point sources, such as the project's diesel backup generators. However, these stationary point sources may still result in impacts to sensitive habitat. Therefore, a supplemental evaluation is needed, as the backup generators are a stationary point source of NO_x emissions and nitrogen deposition. See California Code of Regulations, title 20, Division 2, Chapter 5, Appendix B (g) (13) (B) (ii), Appendix B (g) (13) (C) (ii), Appendix B

(g) (E), and Appendix B (g) (15) (B) (ii).

DATA REQUESTS

DR BIO-1 Please perform nitrogen deposition modeling for the proposed project's 42 diesel-fired backup generators. The modeling should specify the amount of total annual nitrogen deposition in kilograms of nitrogen per hectare per year (kg N/ha/yr) in special status species habitats and vegetation types for wet and dry deposition. Please describe each habitat and species potentially affected. Include the complete citation for references used in determining deposition rates and location (including the source document for documents not readily available online) in determining deposition rates and location.

RESPONSE TO DR BIO-1

While GIC San Jose acknowledges that the CEC should include a discussion of potential nitrogen deposition impacts from the testing and maintenance of the NBGF generators, applicants within the San Jose and Santa Clara area have repeatedly shown through modeling that the lateral extent of nitrogen deposition simply does not extend far beyond the fenceline. The 6 mile radius is included in Appendix B and was developed for large power plants with exhaust plumes magnitudes larger and higher than the type of generators proposed by NBGF. An analysis performed on the SJ04 Project immediately adjacent to the NBGF demonstrated that nitrogen deposition at the fenceline using assumptions intended to inflate the potential impact was 0.0197 kg/ha/yr and much lower everywhere else. This compares to a significance threshold of 3.73-5 kg/ha/yr used by the CEC in biological sections of CEQA documents for other data center backup generating facilities.

Since the Staff is in possession of the analysis performed for the Microsoft SJ04 Data Center Project immediately adjacent to the NBGF (TN 250709) which showed the impacts at the fenceline were magnitudes below the significance threshold, we request that Staff rely on that analysis to support its demonstration that the NBGF will not cause significant impacts from nitrogen deposition.

DR BIO-2 Please provide an aerial map of the isopleth graphic depicting modeled nitrogen deposition rates. The geographical extent of the nitrogen deposition map(s) should include the entire plume and a radius of 6 (six) miles from the source, specifically identifying acres of sensitive habitat(s) within each isopleth. Please provide modeling parameters and files.

RESPONSE TO DR BIO-2

Please See Response to Data Request **DR BIO-1**.

DR BIO-3 Provide a discussion of sensitive species habitat impacts from air emissions (i.e., nitrogen deposition) including direct, indirect, and cumulative.

RESPONSE TO DR BIO-3

Please See Response to Data Request **DR BIO-1**.

BACKGROUND: Arborist Report

The Arborist Report (TN 264512, Appendix F, dated 2022) provides data for trees in the 10-acre industrial lot on the southwest corner of W Trimble Rd and Orchard Pkwy, which is identified as “DC North” in the CUP and PD Permit Context Plan

P2.0 (TN 264499). Appendix A of the Application, Part IV of IV (TN 264503) Tree Removal and Mitigation Plan Arborist Report (L7.0) incorporates the Arborist Report and identifies trees that would be protected/preserved and trees that would be removed.

Appendix B of the Application, Part V of V (TN 264504) Tree Removal and Mitigation Plan (L7.0) and Arborist Report (L7.1) identifies trees to be removed in the area identified as “DC West”. However, the Application did not include an arborist report for the DC West portion of the proposed project.

DATA REQUEST

DR BIO-4 Please provide the arborist report associated with the NorthTown Data Center DC West Arborist Report CUP Design (L7.1) provided in Appendix B of the Application, Part V of V (TN 264504).

RESPONSE TO DR BIO-4

A revised arborist report, dated September 18, 2025, is provided as Attachment DR BIO-4. The revised arborist report includes all existing trees on the Project Site (including DC North and DC West). The report also accounts for trees that would be impacted by the transmission line Option 1.

BACKGROUND: Special-Status Species and Habitat Mapping

California Code of Regulations, title 20, Division 2, Chapter 5, Appendix B (g)

(13) (B), requires applicants provide a list of species and habitat(s) actually observed or those with a potential to occur within 1 mile of the proposed project site and 1,000 feet from the outer edge of linear facility corridors. The SPPE application includes a land cover map within 250 feet of the proposed project (Figure 4-1) and provides a map of the riparian setback and burrowing owl (Athene cunicularia) mitigation agreement covered area in the immediate vicinity of the proposed project (Figure 4-2) (TN 264500). The Biological Resources Report, Appendix G, provides mapped CNDDDB records of special status species within 10 miles of the site (TN 264512). Staff acknowledges that the surrounding area is highly urbanized, however, both the Guadalupe River and the burrowing owl mitigation agreement covered area extend beyond the immediate vicinity of the proposed project site.

The Biological Resources Report states that the proposed project site was surveyed, and areas within 250 feet of the proposed project site were surveyed for specific resources. However, the Land Cover Map (Figure 3) was omitted from the Biological Resources Report. Although the applicant included Figure 4-1 (Land Cover Map) in the SPPE application, no map was provided showing the actual

survey areas or biological resources detected. Although Section 2.2 mentions that burrowing owl surveys were conducted in the immediate vicinity and incorporated into the results, no supporting documentation or mapping was provided.

DATA REQUEST

DR BIO-5 Please provide a survey results map that shows the location of special-status species and sensitive habitat(s) observed and those with a potential to occur within one mile of the proposed project site. The map(s) should include aerial photographs that show the proposed project and related facilities and biological resources within one mile of the proposed project site. Biological resources should include jurisdictional aquatic features (including state and federal wetlands and waters out to 250 feet), California Natural Diversity Database (CNDDDB) records, sensitive habitats, and any other sensitive biological resources known or discovered during database review or biological surveys.

Maps should indicate the overall biological survey area as well as focused survey areas, including burrowing owl, raptors, tricolored blackbird (*Agelaius tricolor*), bat roosting, and northwestern pond turtle (*Actinemys marmorata*). The survey area for Crotch's bumble bee (*Bombus crotchii*) should also be delineated separately. In addition, maps should show the limits of riparian canopy. If publicly available, records of burrowing owl surveys on adjacent properties, should be included in the figure(s). Please provide all mapped for biological resources data in Geographic Information System (GIS) data format (shape and/or geodatabase file that is georeferenced).

RESPONSE TO DR BIO-5

Figure 1, included as Attachment DR BIO-5 A, provides the following requested data within 1 mile of the site, on an aerial background:

- The project location
- CNDDDB-mapped records of special-status plants and animals

No CNDDDB-mapped records of CDFW sensitive habitats (referred to as *sensitive natural communities* in the CNDDDB and in our Biological Resources Report) occur within 1 mile of the project site. Therefore, no sensitive habitats are shown on Figure 1. Others sensitive habitats occurring in the project vicinity are waters of the U.S./state and CDFW riparian habitat. These habitats are mapped as mixed riparian woodland and forest, coastal and valley freshwater marsh, and riverine habitat along the Guadalupe River within 250 feet of the project site on Figure 2, per CEC requirements.

No special-status species or sensitive habitats (aside from the riparian, marsh, and riverine habitat along the Guadalupe River), were observed during the surveys, no additional records of burrowing owls (*Athene cunicularia*) on adjacent properties are publicly available, and no additional sensitive biological resources are known or were

discovered during the database review or biological surveys to show on Figure 1. In summary, Figure 1 shows all publicly available records of special-status species within 1 mile of the project site, as well as all results of the project surveys and database searches.

Figure 2, included as Attachment DR BIO-5 B, provides the following requested data within 250 feet of the site, on an aerial background:

- The project location
- Sensitive and regulated habitats mapped by H. T. Harvey & Associates within 250 feet of the property line, including the riparian canopy
- The project's biological survey areas, as follows:
 - Burrowing owls and suitable burrowing owl roosting and nesting habitat: Areas on and within 250 feet of the property line
 - Evidence of previous raptor nesting activity (i.e., large stick nests): Areas on and immediately adjacent to the project site
 - Potential bat roosting habitat: The project site
 - Northwestern pond turtles (*Actinemys marmorata*) and suitable habitat for this species: Areas on and adjacent to the project site.
 - Crotch's bumble bees (*Bombus crotchii*): Areas of suitable habitat (i.e., California annual grassland) on the project site
 - Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*): Areas of suitable habitat (i.e., California grassland) on the project site and a surrounding 50-foot buffer

BACKGROUND: Database Searches and Survey Results

California Code of Regulations, title 20, Division 2, Chapter 5, Appendix B (g)

(13) (D) requires submittal of copies of CNDDDB records and field survey forms completed by the applicant's biologist(s) using appropriate field survey protocols. The Biological Resources Report provides mapped CNDDDB records of special status species, and stated a background review was conducted of the CNDDDB and California Native Plant Society (CNPS). The database searches for CNDDDB and CNPS were referenced in Section 2.1 and Section 5, but the database results lists were not included in the report. In addition, a background review of the USFWS Information for Planning and Consultation (IPaC) was not conducted; and review of iNaturalist data was only mentioned once for Crotch's bumble bee.

DATA REQUESTS

DR BIO-6 Please provide copies of the results of all database searches. At a minimum, the database searches should include U. S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) federal resource list, CNDDDB RareFind 5 Data, and CNPS Rare Plant Inventory species list. Please confirm whether iNaturalist was used to assist in the evaluation of species with potential to occur at the proposed project site.

RESPONSE TO DR BIO-6

The following database results are included as Attachment DR BIO-6:

- A U.S. Fish and Wildlife Service Information for Planning and Consultation list for the project
- CNDDDB records within 5 miles of the project site
- CNPS records of rare plants within the Milpitas, California U.S. Geological Survey 7.5-minute quadrangles and surrounding eight quadrangles (Newark, Niles, La Costa Valley, Mountain View, Calaveras Reservoir, Cupertino, San Jose West, and San Jose East).

H. T. Harvey & Associates did not rely on iNaturalist as a primary source to evaluate the potential for species to occur; rather, we relied on our extensive local expertise. H. T. Harvey & Associates cited iNaturalist where appropriate (i.e., as a source of local records of Crotch's bumble bees), but only after H. T. Harvey ecologists verified the accuracy of the identifications of reported Crotch's bumble bees based on the photos provided in iNaturalist.

DR BIO-7 Please provide details of the focused surveys conducted, including burrowing owl, raptors, tricolored blackbird, bat roosting, northwestern pond turtle, Crotch's bumble bee, riparian habitat, and other jurisdictional aquatic features. Include the survey locations, field survey protocols, survey result, and copies of any completed field survey forms.

RESPONSE TO DR BIO-7

As stated in HT Harvey & Associates biological resources report, on February 27, 2025, wildlife ecologist Steve Carpenter, B.S., conducted a focused, reconnaissance-level survey for (1) burrowing owls and suitable burrowing owl roosting and nesting habitat (i.e., burrows of California ground squirrels [*Otospermophilus beecheyi*]) on and within 250 feet of the site, (2) evidence of previous raptor nesting activity (i.e., large stick nests) on and immediately adjacent to the site, (3) potential bat roosting habitat on the site, and (4) northwestern pond turtles and suitable habitat for this species on and adjacent to the site.

Because the reach of the Guadalupe River adjacent to the project site is mapped by the Santa Clara Valley Habitat Plan as potentially suitable nesting habitat for the tricolored blackbird, S. Carpenter and H. T. Harvey & Associates botanist/wetland ecologist Vanessa Morales also conducted a habitat survey to determine whether any potential nesting substrate for tricolored blackbirds was present within 250 feet of the project site. In addition, H. T. Harvey & Associates senior wildlife ecologist Robin Carle, M.S., conducted a focused survey for Crotch's bumble bees within suitable habitat areas on the site on April 13, 2025. All survey areas are shown on Figure 2, in Attachment DR BIO-5b. The wildlife ecologists walked the survey areas, looking for the target species and suitable habitat. No standardized field survey protocols were followed, no individuals of the target species were observed, and no field survey forms were completed. During the Crotch's bumble bee survey, photos of as many bumble bees as possible were obtained to facilitate identification.

Protocol-level surveys for these species are not needed to support CEQA review of the project, as follows:

- The northwestern pond turtle is a covered species under the Santa Clara Valley Habitat Plan (VHP), and the project will comply with applicable VHP conditions. Based on a project-specific evaluation, we determined that compliance with VHP conditions would ensure that impacts on this species are less than significant under CEQA. No species-specific surveys or avoidance measures are required by the VHP.
- The tricolored blackbird is a covered species under the VHP, and the project will comply with applicable VHP conditions. Based on a project-specific evaluation, we determined that compliance with VHP conditions would ensure that impacts on this species are less than significant under CEQA. The habitat survey performed by H. T. Harvey & Associates is consistent with VHP requirements to determine the presence/absence of suitable nesting habitat. Because suitable nesting habitat is absent, no additional species-specific surveys or avoidance measures are required by the VHP.
- H. T. Harvey & Associates' survey of the project site determined that while no existing nests of raptors are present, suitable nesting habitat for raptors is present on the site. Therefore, raptors can potentially establish a nest on or adjacent to the site in the future. As discussed in the project's biological resources report, construction disturbance and project tree removal during the avian breeding season (February 1 through August 31 inclusive, for most species) could result in the incidental loss of eggs or nestlings, either directly through the destruction or disturbance of active nests or indirectly by causing the abandonment of nests. Because such an impact would conflict with Condition 1 of the VHP, it would be considered a significant impact under CEQA. Project Design Measures (PDM) 1.1

through 1.4 proposed in Section 3.4 of the SPPE Application, which include pre-activity surveys for nesting birds (including raptors) would be implemented to reduce impacts due to conflicts with Condition 1 of the VHP to a less-than-significant level. Because birds can construct new nests on the site in any given year, this pre-activity survey would be needed regardless of the outcome of any preliminary surveys performed at this time.

- H. T. Harvey & Associates' survey of the project site, as well as our extensive experience conducting surveys on adjacent properties over more than 15 years, determined that burrowing owls are not currently known to occur on or within 250 feet of the project site, but suitable habitat for this species is present. To ensure impacts on this species are appropriately avoided and minimized, the project will implement the preconstruction surveys, construction avoidance measures, and construction monitoring measures in Condition 15 of the VHP to protect individual burrowing owls prior to and during construction, as described in detail in the biological resources report. Because burrowing owls can potentially move onto the site (or adjacent areas) at any time, these measures would be needed regardless of the outcome of any preliminary surveys performed at this time. Based on a project-specific evaluation, we determined that compliance with VHP Condition 15 would reduce impacts on burrowing owls to less-than-significant levels.
- No suitable roosting habitat for bats was detected during the surveys. Therefore, the project will not result in impacts on roosting bats, and no additional surveys are warranted.
- As stated in the biological resources report, given the low quality of the habitat on the project site, as well as the sparse nature of this species' occurrence in the South Bay (with widely scattered records but no high concentrations known to occur in lowland areas such as the project site), few, if any, Crotch's bumble bee individuals are expected to be present on the site when work occurs, and any impacts on this species would be less than significant under CEQA because the project would not have population-level impacts on the species. Additional surveys for this species could potentially confirm presence, but could not rule out the species' absence given the potential for this species' localized distribution to vary from year to year.

In summary, additional focused or protocol-level surveys for these species would not inform the potential for the project to impact these species, or influence the measures in the project's biological resources report. Presence of all species for which suitable habitat is present is conservatively assumed, and appropriate measures provided where need to ensure impacts are reduced to less-than-significant levels under CEQA. Therefore, additional surveys are not warranted at this time to support CEQA review of the project.

Due to the close proximity of the Guadalupe River to the project site, V. Morales mapped the limits of the riparian canopy and the top of bank on the east side of the river adjacent to the site using a sub-meter GPS in the field. Per CEC requirements, V. Morales also mapped the approximate boundaries of potentially sensitive and regulated habitats, such as wetlands, other waters of the U.S./state, and riparian habitat, within 250 feet of the site.

BACKGROUND: Special-Status Plant Species

The Biological Resources Report states that “the CNPS and CNDDB identify 67 special-status plant species as potentially occurring in at least one of the nine USGS 7.5-minute quadrangles containing or surrounding the proposed project site” and that “all but one were determined to be absent from the proposed project site.” Table 1 provides animal species and their potential occurrence on the proposed project site. A table for plant species and their potential occurrence on the proposed project site is not provided.

DATA REQUEST

DR BIO-8 Please provide a table that lists the 67 special-status plant species as potentially occurring in at least one of the nine USGS 7.5-minute quadrangles containing or surrounding the proposed project site. The table should include each species' status, habitat, and potential for occurrence on the proposed project site.

RESPONSE TO DR BIO-8

Table 1 below lists the 67 special-status plant species from the database searches as well as their status, habitat, and potential for occurrence on the project site.

Table 1. Special-status Plant Species, Their Status, and Potential for Occurrence on the Project Site

Name	*Status	Habitat	Potential for Occurrence on the Project Site
Federal or State Endangered, Threatened, or Candidate Species			
Ben Lomond spineflower (<i>Chorizanthe pungens</i> var. <i>hartwegiana</i>)	FE, CRPR 1B.1	Zayante coarse sands in maritime Ponderosa pine sandhills. 610 - 2000 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Robust spineflower (<i>Chorizanthe robusta</i> var. <i>robusta</i>)	FE, CRPR 1B.1	Cismontane woodland, coastal dunes, coastal scrub, and chaparral. 10 - 984 feet.	Absent. No suitable habitat is present on the project site. Determined to be absent.
Santa Clara Valley Dudleya (<i>Dudleya abramsii</i> ssp. <i>setchellii</i>)	FE, CRPR 1B.1, VHP	Valley and foothill grassland, and cismontane woodland. 197 - 1493 feet.	Absent. Grassland habitat is present on the site, but it does not have suitable rock outcroppings to support this species, and the site is outside the elevation range of the species. Determined to be absent.
Contra Costa goldfields (<i>Lasthenia conjugens</i>)	FE, CRPR 1B.1	Cismontane woodland, alkaline playas, valley and foothill grassland, and vernal pools. 0 -1540 feet.	Absent. Soils on the project site are not alkaline or mesic enough to support this species. Determined to be absent.
White-rayed pentachaeta (<i>Pentachaeta bellidiflora</i>)	FE, SE, CRPR 1B.1	Serpentine soils in cismontane woodland and valley and foothill grassland. 620 - 2035 feet.	Absent. No serpentine soils are present on site to support this species, and the site is outside the elevation range of the species. Determined to be absent.
Metcalf Canyon jewel-flower (<i>Streptanthus albidus</i> ssp. <i>albidus</i>)	FE, CRPR 1B.1, VHP	Valley and foothill grassland (serpentine)/ serpentine bunchgrass grassland. 148 - 2625 feet.	Absent. No serpentine soils or serpentine bunchgrass grasslands are present on site to support this species, and the site is outside the species' elevation range. Determined to be absent.
California seablite (<i>Suaeda californica</i>)	FE, CRPR 1B.1	Marshes and swamps (coastal salt). 0 – 49 feet.	Absent. No suitable marshes or swamps are present on the site to support this species. Determined to be absent.
CNPS-Listed Species			
Alkali milk-vetch (<i>Astragalus tener</i> var. <i>tener</i>)	CRPR 1B.2	Playas, clay soils supporting valley and foothill grasslands, and alkaline, vernal pools. 5 – 195 feet.	Absent. No suitable alkaline and clay soils to support this species are present on the project site. Determined to be absent.
Arcuate bush-mallow (<i>Malacothamnus arcuatus</i>)	CRPR 1B.2	Chaparral and cismontane woodland. 49 – 1165 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Bent-flowered fiddleneck (<i>Amsinckia lunaris</i>)	CRPR 1B.2	Coastal bluff scrub, cismontane woodland, valley and foothill grassland/oak woodland and chaparral. 10 – 1640 feet.	Absent. Grassland habitat on the project site is not suitable for fiddleneck due to predominance of nonnative plant species. Determined to be absent.

Big-scale balsamroot (<i>Balsamorhiza macrolepis</i>)	CRPR 1B.2	Chaparral, cismontane woodland, valley and foothill grassland sometimes in serpentinite/ serpentine bunchgrass grassland, mixed serpentine chaparral, and oak woodland. 150 – 5100 feet.	Absent. No suitable serpentine soils are present on the project site to support this species, and the site is outside the elevation range of the species. Determined to be absent.
Bonny Doon manzanita (<i>Arctostaphylos silvicola</i>)	CRPR 1B.2	Closed-cone coniferous forest, chaparral, lower montane coniferous forest on inland marine sands. 600 - 1970 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Brewer's calandrinia (<i>Calandrinia breweri</i>)	CRPR 4.2	Chaparral, coastal scrub, sandy or loamy, disturbed sites and burns. 33 - 4003 feet.	Absent. No suitable habitat is present on the project site. Determined to be absent.
Brewer's clarkia (<i>Clarkia breweri</i>)	CRPR 4.2	Chaparral, cismontane woodland, coastal scrub, often serpentinite. 705 - 3658 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Bristly leptosiphon (<i>Leptosiphon aureus</i>)	CRPR 4.2	Chaparral, cismontane woodland, coastal prairie, valley and foothill grassland. 180 - 4921 feet.	Absent. The species has been extirpated from the valley floor, and the project site is outside the elevation range of the species. Determined to be absent.
Brittlescale (<i>Atriplex depressa</i>)	CRPR 1B.2	Chenopod scrub, meadows and seeps, playas, valley and foothill grasslands, and vernal pools on alkaline, clay soils/California annual grassland habitat on alkaline soil, seasonal wetlands. 3 – 1050 feet.	Absent. Suitable alkaline and clay soils to support this species are absent from the project site. Determined to be absent.
California alkali grass (<i>Puccinellia simplex</i>)	CRPR 1B.2	Chenopod scrub, meadows and seeps, valley and foothill grassland, and vernal pools. 5–3050 feet.	Absent. No suitable mesic habitat is present on the site to support this species. Determined to be absent.
California androsace (<i>Androsace elongata</i> ssp. <i>acuta</i>)	CRPR 4.2	Chaparral, cismontane woodland, coastal scrub, meadows and seeps, pinyon and juniper woodland, and valley and foothill grassland. 492 - 4281 feet.	Absent. The species has been extirpated from the valley floor, the project site is outside the elevation range of the species, and no suitable low-cover open grasslands with rocky sandy soils are present on the site to support this species. Determined to be absent.
Chaparral harebell (<i>Ravenella exigua</i>)	CRPR 1B.2	Rocky, usually serpentine, substrates in chaparral. 900 – 4100 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Chaparral ragwort (Senecio aphanactis)	CRPR 2B.2	Alkaline substrates of chaparral, cismontane woodland, and coastal scrub. 800 – 2625 feet.	Absent. Suitable alkaline substrate to support this species is absent from the project site, and the site is outside the species' elevation range. Determined to be absent.

Clay buckwheat (<i>Eriogonum argillosum</i>)	CRPR 4.3	Cismontane, often in clay soils, often serpentinite. 492 - 2625 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Clustered lady's slipper (<i>Cypripedium fasciculatum</i>)	CRPR 4.2	Lower montane coniferous forest, North Coast coniferous forest/usually serpentinite seeps and streambanks. 330 – 7990 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Coast iris (<i>Iris longipetala</i>)	CRPR 4.2	Coastal prairie, lower montane coniferous forest, Meadows and seeps/mesic. 0 -1969 feet.	Absent. No suitable habitat is present on the project site. Determined to be absent.
Coast rockcress (<i>Arabis blepharophylla</i>)	CRPR 4.3	Broadleaved upland forest, coastal bluff scrub, and coastal prairie, often associated with rock outcrops. 10 – 3610 feet.	Absent. No suitable habitat is present on the project site. Determined to be absent.
Congdon's tarplant (<i>Centromadia parryi</i> ssp. <i>congonii</i>)	CRPR 1B.1	Valley and foothill grassland (alkaline)/ California annual grassland habitat on alkaline soils. 0 – 755 feet.	Absent. Suitable grassland habitat is present on the site to support this species. A targeted presence/absence survey conducted during the species' blooming period in October 2025 determined that the species is absent from the project site.
Dudley's lousewort (<i>Pedicularis dudleyi</i>)	CRPR 1B.2	Maritime chaparral, cismontane woodland, north coast coniferous forest, and valley and foothill grassland. 900 – 2955 feet.	Absent. No suitable habitat is present on the project site, which is too disturbed to be expected to support the species, and the site is located outside the species' elevation range. Determined to be absent.
Dwarf soaproot (<i>Chlorogalum pomeridianum</i> var. <i>minus</i>)	CRPR 1B.2	Serpentine chaparral. 1000 – 3280 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Elongate copper moss (<i>Mielichhoferia elongata</i>)	CRPR 4.3	Broadleaved upland forest, chaparral, cismontane woodland, coastal scrub, lower montane coniferous forest, meadows and seeps, subalpine coniferous forest, often on metamorphic rock and usually in acidic substrates. 0 - 6430 feet.	Absent. No suitable habitat is present on the project site. Determined to be absent.
Fragrant fritillary (<i>Fritillaria liliacea</i>)	CRPR 1B.2, VHP	Cismontane woodland, coastal prairie, coastal scrub, valley and foothill grassland, often in serpentinite/oak woodland, serpentine bunchgrass grassland. 10 – 1345 feet.	Absent. Suitable serpentine soils to support this species are absent from the project site. Determined to be absent.
Hairless popcornflower (<i>Plagiobothrys glaber</i>)	CRPR 1A	Meadows and seeps, marshes and swamps. 49 - 591 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.

Hall's bush-mallow (<i>Malacothamnus hallii</i>)	CRPR 1B.2	Chaparral and coastal scrub. 33 – 2493 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Hickman's popcornflower (<i>Plagiobothrys chorisianus</i> var. <i>hickmanii</i>)	CRPR 4.2	Closed-cone coniferous forest, chaparral, coastal scrub, marshes and swamps, and vernal pools. 49 - 607 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Hoover's button-celery (<i>Eryngium aristulatum</i> var. <i>hooveri</i>)	CRPR 1B.1	Vernal pools/California annual grassland habitat on alkaline soil, seasonal wetland. 10 – 148 feet.	Absent. Suitable alkaline soils and vernal pools to support this species are absent from the project site. Determined to be absent.
Jepson's woolly sunflower (<i>Eriophyllum jepsonii</i>)	CRPR 4.3	Chaparral, cismontane woodland, coastal scrub, sometimes serpentinite 656 - 3363 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Lesser saltscale (<i>Atriplex minuscule</i>)	CRPR 1B.1	Chenopod scrub, playas, valley and foothill grassland. 49 - 656 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Large-flowered leptosiphon (<i>Leptosiphon grandiflorus</i>)	CRPR 4.2	Usually sandy soils in coastal bluff scrub, closed-cone coniferous forest, cismontane woodland, coastal dunes, coastal prairie, coastal scrub, and valley and foothill grassland. 16 - 4003 feet.	Absent. Suitable sandy soil to support this species is absent from the project site, and, the site is outside the elevation range of the species. Determined to be absent.
Lewis' clarkia (<i>Clarkia lewisii</i>)	CRPR 4.3	Broadleaved upland forest, closed-cone coniferous forest, chaparral, cismontane woodland, coastal scrub. 100 – 3920 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Loma Prieta hoita (<i>Hoita strobilina</i>)	CRPR 1B.1, VHP	Chaparral, cismontane woodland, riparian woodland, usually serpentinite/mesic mixed serpentine chaparral, serpentine seeps. 98 – 2822 feet.	Absent. Suitable serpentine soils to support this species are absent from the project site, and the site is outside the elevation range of this species. Determined to be absent.
Maple-leaved checkerbloom (<i>Sidalcea malachroides</i>)	CRPR 4.2	Broadleaved upland forest, coastal prairie, coastal scrub, North Coast coniferous forest, riparian forest. 0 - 2395 feet.	Absent. No suitable habitat is present on the project site. Determined to be absent.
Most beautiful jewel-flower (<i>Streptanthus albidus</i> ssp. <i>peramoenus</i>)	CRPR 1B.2, VHP	Chaparral, valley and foothill grassland, and cismontane woodland. 312 - 3281 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.

Mt. Hamilton thistle (<i>Cirsium fontinale</i> var. <i>campylon</i>)	CRPR 1B.2, VHP	Chaparral, cismontane woodland, and valley and foothill grassland in serpentinite seeps/ serpentine seeps. 328 – 2920 feet.	Absent. Suitable serpentine soils are not present on the site to support this species, and the site is outside the elevation range of the species. Determined to be absent.
Phlox-leaf serpentine bedstraw (<i>Galium andrewsii</i> ssp. <i>gatense</i>)	CRPR 4.2	Serpentine or rocky substrates in chaparral, cismontane woodland, and lower montane coniferous forest. 490–4755 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Point Reyes salty bird's-beak (<i>Chloropyron maritimum</i> ssp. <i>palustre</i>)	CRPR 1B.2	Coastal salt marsh. 0–33 feet.	Absent. No suitable habitat is present on the project site. Determined to be absent.
Prostrate vernal pool navarretia (<i>Navarretia prostrata</i>)	CRPR 1B.2	Vernal pools, seeps, valley and foothill grassland. 10 – 3970 feet.	Absent. Grasslands on the site lack vernal pools, seeps, and other mesic features to support this species. Determined to be absent.
Rock sanicle (<i>Sanicula saxatilis</i>)	SR, CRPR 1B.2	Broadleaved upland forest, chaparral, valley and foothill grassland. 2034–3855 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Saline clover (<i>Trifolium hydrophilum</i>)	CRPR 1B.2	Mesic, alkaline, or saline sites in valley and foothill grassland habitat, in vernal pool habitat, or in marshes and swamps. 0 – 984 feet.	Absent. Grasslands on the site lack vernal pools, seeps, and other mesic features to support this species. Determined to be absent.
San Francisco collinsia (<i>Collinsia multicolor</i>)	CRPR 1B.2	Closed-cone coniferous forest, coastal scrub, sometimes serpentinite. 98 – 820 feet.	Absent. No suitable habitats or serpentine soils are present on the site to support this species, and the site is outside the species' elevation range. Determined to be absent.
San Francisco gumplant (<i>Grindelia hirsutula</i> var. <i>maritima</i>)	CRPR 3.2	Coastal bluff scrub and valley and foothill grassland. 50 – 1310 feet.	Absent. No suitable sandy or serpentine soils are present on the project site to support this species, and the species has been extirpated from the valley floor. Determined to be absent.
San Joaquin spearscale (<i>Etriplex joaquinana</i>)	CRPR 1B.2	Chenopod scrub, alkali meadow, playas, valley and foothill grassland. 3 - 2740 feet.	Absent. No suitable habitat is present on the project site. Determined to be absent.
Sanford's arrowhead (<i>Sagittaria sanfordii</i>)	CRPR 1B.2	Shallow, freshwater marshes and swamps. 0 – 2135 feet.	Absent. No suitable habitat is present on the project site. Determined to be absent.
Santa Clara red ribbons (<i>Clarkia concinna</i> ssp. <i>automixa</i>)	CRPR 4.3	Chaparral, cismontane woodland/ chaparral, oak woodland; slopes near drainages. 295 – 4921 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.

Santa Clara thorn-mint (<i>Acatthomintha lanceolata</i>)	CRPR 4.2	Chaparral (often serpentinite), cismontane woodland, and coastal scrub, often on rocky substrates. 262 - 3937 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Santa Cruz clover (<i>Trifolium buckwestiorum</i>)	CRPR 1B.1	Gravelly margins of broadleaved upland forest, cismontane woodland, and coastal prairie. 0–985 feet.	Absent. No suitable habitat is present on the project site. Determined to be absent.
Santa Cruz Mountains beardtongue (<i>Penstemon rattan</i> var. <i>kleei</i>)	CRPR 1B.2	Chaparral, yellow pine forest, and North Coast coniferous forest.	Absent. No suitable habitat is present on the project site. Determined to be absent.
Santa Cruz Mountains pussypaws (<i>Calyptidium parryi</i> var. <i>hessae</i>)	CRPR 1B.1	Chaparral and cismontane woodland. 1001 - 5020 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Satan's goldenbush (<i>Isocoma menziesii</i> var. <i>diabolica</i>)	CRPR 4.2	Cismontane woodland/oak woodland. 50 – 1310 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Serpentine leptosiphon (<i>Leptosiphon ambiguus</i>)	CRPR 4.2	Cismontane woodland, coastal scrub, valley and foothill grassland, usually serpentinite. 394 - 3707 feet.	Absent. No suitable serpentine soils are present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Small spikerush (<i>Eleocharis parvula</i>)	CRPR 4.3	Marshes and swamps. 5-9910 feet.	Absent. No suitable marsh and swamp habitat is present on the project site. Determined to be absent.
Small-flowered morning glory (<i>Convolvulus simulans</i>)	CRPR 4.2	Chaparral openings, coastal scrub, and valley and foothill grassland; requires clay soils and shows strong affinity to serpentinite seeps. 100 – 2430 feet.	Absent. No suitable serpentine soils are present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Small-leaved lomatium (<i>Lomatium parvifolium</i>)	CRPR 4.2	Closed-cone coniferous forest, chaparral, coastal scrub, and riparian woodland on serpentine soils. 65 – 2295 feet.	Absent. No suitable serpentine soils are present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Smooth lessingia (<i>Lessingia micradenia</i> var. <i>glabrata</i>)	CRPR 1B.2, VHP	Chaparral, cismontane woodland - on serpentinite, often roadsides/ mixed serpentine chaparral and oak woodland. 394 - 1378 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
South Coast Range morning-glory (<i>Calystegia collina</i> ssp. <i>venusta</i>)	CRPR 4.3	Chaparral, cismontane woodland, valley and foothill grassland, often serpentinite. 1394 - 4888 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.

Spring lessingia (<i>Lessingia micradenia</i> var. <i>glabrata</i>)	CRPR 4.3	Chaparral, cismontane woodland, lower montane coniferous forest and openings. 984 - 7054 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Western leatherwood (<i>Dirca occidentalis</i>)	CRPR 1B.2	Mesic broadleaved upland forest, closed-cone coniferous forest, chaparral, cismontane woodland, North Coast coniferous forest, riparian forest, and riparian woodland habitats. 82 – 1394 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
White-flowered rein orchid (<i>Piperia candida</i>)	CRPR 1B.2	Sometimes in serpentinite substrates of broadleaved upland forest, lower montane coniferous forest, and north coast coniferous forest. 1310 – 4300 feet.	Absent. No suitable habitat is present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Woodland woollythreads (<i>Monolopia gracilens</i>)	CRPR 1B.2, VHP*	Grasslands or open areas in chaparral, coastal scrub, cismontane woodland, and North Coast coniferous forest on serpentinite. 328 – 3937 feet.	Absent. No suitable serpentine soils are present on the project site, and the site is outside the elevation range of the species. Determined to be absent.
Woolly-headed lessingia (<i>Lessingia hololeuca</i>)	CRPR 3	Clay and serpentinite soils in broadleaved upland forest, coastal scrub, lower montane coniferous forest, and valley and foothill grassland habitats. 16 – 4003 feet.	Absent. No suitable habitat or serpentine edaphic conditions are present on the project site. Determined to be absent.

¹FE = Endangered under the Federal Endangered Species Act, SR = State Rare, CRPR = California Rare Plant Rank:

1A Plants considered extinct.

1B Plants rare, threatened, or endangered in California and elsewhere.

3 Plants about which more information is needed - review list.

4 Plants of limited distribution-watch list.

The CRPRs are further described by the following threat code extensions:

.1—seriously endangered in California.

.2—fairly endangered in California.

.3—not very endangered in California.

VHP = Species covered under the Santa Clara Valley Habitat Plan

BACKGROUND: Congdon's Tarplant Surveys

The Biological Resources Report states the proposed project provides suitable habitat for Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*). However, the survey performed in February 2025 was too early in the year to detect this species. No information on future surveys is provided. Impacts to Congdon's tarplant were not analyzed nor was a schedule for floristic botanical surveys included.

DATA REQUESTS

DR BIO-9 Please provide the timeline for completion of protocol-level rare plant surveys for Congdon's tarplant on the proposed project site. Botanical surveys should be conducted according to the most recent CDFW survey protocols (CDFW, 2018a), be floristic in nature, and include surveys of reference populations. Please provide a schedule for submittal of the survey results and submit a survey report upon completion.

RESPONSE TO DR BIO-9

The California Native Plant Society and California Department of Fish and Wildlife define a *protocol-level survey* to include multiple surveys conducted during the blooming periods of many rare plant species. Because the only potentially occurring rare plant species on the project site is Congdon's tarplant, H. T. Harvey & Associates conducted a targeted protocol-level survey for this species, using modified protocols from the *California Native Plant Society (CNPS) Botanical Survey Guidelines*¹ and *CDFW Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*². These guidelines and protocols specify that surveys shall be conducted at the appropriate time of year when target special-status plant species are both evident and identifiable, that all surveys be floristic in nature, and that every plant observed is identified to the level necessary to determine its conservation status. Therefore, although the survey performed was not a *protocol-level survey* as defined by the CNPS and CDFW (because it was not conducted at multiple times of year to detect many rare plant species), it was conducted consistent with these agencies' established methods, and targeted at the appropriate time of year to determine presence/absence of Congdon's tarplant.

H. T. Harvey & Associates botanist Katie Tyree, B.A., conducted a focused, appropriately timed presence/absence survey for Congdon's tarplant on the project site on October 10, 2025, during the blooming period of this species. During the survey, Katie walked meandering transects throughout the entirety of suitable habitat areas on the project site (i.e., areas of California annual grassland in the northern and southern portions of the site) as well as a 50-foot surrounding buffer, as access allowed. In addition, H. T. Harvey

¹ California Native Plant Society. 2001. CNPS Botanical Survey Guidelines. Revised June 2, 2001.

² California Department of Fish and Wildlife. 2018. Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities. California Natural Resources Agency. Sacramento, California

& Associates botanist Billy Krimmel, Ph.D., visited a reference population in east Dublin, Alameda County on September 25, 2025, and confirmed that the species was identifiable and in full to late bloom. No weather events (i.e., heavy rain) occurred in San José between September 25 and October 10 that would have broken down the plants or otherwise affected their detectability.

No individuals of Congdon's tarplant were observed during the survey, and no additional special-status plant species were detected. Therefore, Congdon's tarplant is determined to be absent from the project site. Per the California Department of Fish and Wildlife survey protocol, a list of plant species encountered during the survey is provided in Table 2 below.

Table 2. Plant Species Observed in the Survey Area

Family	Common Name	Species Name
CUPRESSACEAE – CYPRESS FAMILY	coast redwood	<i>Sequoia sempervirens</i>
ANACARDIACEAE – CASHEW FAMILY	Chinese pistache	<i>Pistacia chinensis</i> *
APIACEAE – CARROT FAMILY	Field hedge parsley	<i>Torilis arvensis</i> *
ARALIACEAE – GINSENG FAMILY	English ivy	<i>Hedera helix</i> *
ASPARAGACEAE- ASPARAGUS FAMILY	redflower false yucca	<i>Hesperaloe parviflora</i> *
ASTERACEAE – SUNFLOWER FAMILY	coyote brush	<i>Baccharis pilularis</i>
	Italian thistle	<i>Carduus pycnocephalus</i> ssp. <i>pycnocephalus</i> *
	yellow star-thistle	<i>Centaurea solstitialis</i> *
	Bull thistle	<i>Cirsium vulgare</i> *
	stinkwort	<i>Dimorphia graveolens</i> *
	bristly ox-tongue	<i>Helminthotheca echioides</i> *
	prickly lettuce	<i>Lactuca serriola</i> *
	Pacific aster	<i>Symphyotrichum chilense</i>
	Russian thistle	<i>Salsola tragus</i> *
CHENOPODIACEAE – GOOSEFOOT FAMILY		
CONVOLVULACEAE – MORNING-GLORY FAMILY	field bindweed	<i>Convolvulus arvensis</i> *
ERICACEAE – HEATH FAMILY	strawberry tree	<i>Arbutus unedo</i> *
FABACEAE – PEA FAMILY	western redbud	<i>Cercis occidentalis</i>
FAGACEAE – OAK FAMILY	coast live oak	<i>Quercus agrifolia</i>
MALVACEAE – MALLOW FAMILY	cheeseweed	<i>Malva parviflora</i> *
PLANTAGINACEAE – PLANTAIN FAMILY	London plane tree	<i>Platanus × hispanica</i> *
POLYGONACEAE – BUCKWHEAT FAMILY	knotweed	<i>Polygonum aviculare</i> *
	curly dock	<i>Rumex crispus</i> *
ROSACEAE – ROSE FAMILY	silverleaf cotoneaster	<i>Cotoneaster pannosus</i> *
	toyon	<i>Heteromeles arbutifolia</i>
	Himalayan blackberry	<i>Rubus armeniacus</i> *
POACEAE – GRASS FAMILY	wild oat	<i>Avena fatua</i> *
	ripgut brome	<i>Bromus diandrus</i> *
	pampas grass	<i>Cortaderia selloana</i> *
	smilo grass	<i>Stipa miliacea</i> *
ULMACEAE – ELM FAMILY	Chinese elm	<i>Ulmus parvifolia</i>

DR BIO-10 Please include an impacts discussion of all impacts (direct, indirect, and cumulative) to Congdon's tarplant from proposed project site preparation, construction activities, operation, and maintenance, as applicable. Evaluate the significance of those impacts under CEQA, and identify measures proposed to avoid and/or reduce adverse impacts.

RESPONSE TO DR BIO-10

The project will have no impact on Congdon's tarplant, as a targeted survey determined this species to be absent from the project site. No mitigation measures are warranted.

BACKGROUND: Night Work – Construction

The SPPE Application provides the schedule for construction, which is anticipated to begin in January 2026 and run through December 2028, for approximately 36 months. The SPPE Application discusses night lighting impacts for operation, but does not discuss night lighting impacts for construction, or if night work is proposed.

DATA REQUEST

DR BIO-11 Please clarify whether night work and night lighting are proposed during construction of the proposed project. If night work and night lighting are proposed, please provide the types of lighting proposed, the anticipated impacts on special-status wildlife species, the significance of those impacts under CEQA, and measures proposed to avoid and/or reduce adverse impacts.

RESPONSE TO DR BIO-11

GIC San Jose is not planning to perform work at night with night lighting.

CULTURAL AND TRIBAL CULTURAL RESOURCES

BACKGROUND: Results of Literature Search

To identify previously recorded cultural resources in the vicinity of the proposed project, on January 25, 2025, staff at Chronicle Heritage requested a records search of the California Historical Resources Information System (CHRIS) at the Northwest Information Center (NWIC). The results of the records search are provided in Attachment A to the applicant's confidential cultural resources technical report (Goldman et al. 2025).

The CEC's information requirements related to the results of literature searches conducted to identify cultural and tribal cultural resources are detailed in California Code of Regulations, title 20, Division 2, Chapter 5, Appendix B (g)(2)(B). SPPE applications shall include copies of California Department of Parks and Recreation (DPR) 523 series for all cultural and tribal cultural resources identified in the literature search. The results of the NWIC literature search identified the resource P-43-003283 within 1 mile of the proposed project area, however DPR 523 forms for P-43-003283 are not included in the application documents.

The informational requirements also provide that a copy of a USGS 7.5-minute quadrangle map of the literature search area delineating the areas of all past surveys and noting the CHRIS identifying numbers be included in SPPE applications. A map of the literature search area of showing past surveys with their CHRIS numbers is not included in the applicant's documents.

Also pertaining to the results of the cultural resources literature search presented in the cultural resources technical report, the SPPE application informational requirements (Appendix B(g)(2)(C)(iv)) stipulate that the cultural resources technical report include a USGS topographic quadrangle map at a scale of 1:24,000 depicting the locations of all previously known cultural and tribal cultural resources compiled through the research. The cultural resources technical report submitted under confidential cover (Goldman et al. 2025) does not include a map of all previously identified cultural and tribal cultural resources in the study area.

The CEC's information requirements related to the results of literature searches conducted to identify cultural and tribal cultural resources (Appendix B(g)(2)(B)) also require SPPE applications to include copies of technical reports in the literature search area. The applicant's confidential cultural resources technical report (Goldman et al. 2025, p. 19) indicates that the records search identified 145 cultural resource studies previously conducted within the search area, twenty-nine

of which directly intersect the proposed project area. However, the Record Search Results provided in Attachment A to the technical report provide only Report Details of these investigations and not copies of the actual cultural resources reports. The provided DPR forms show that eight Native American cultural deposits (six of which are buried Native American cultural deposits containing Native American human remains) were identified within the study area. Because of the depositional environment and the prevalence of buried archaeological resources in the area surrounding the proposed Project Area, it is critical that CEC staff have access to these reports (especially excavation reports) to develop an understanding of the recorded archaeology in the vicinity of the proposed project area.

DATA REQUESTS

DR CUL/TRI-1 Please provide DPR 523 forms for P-43-003283 or indicate if DPR 523 forms for this resource are not available from the NWIC.

RESPONSE TO DR CUL/TRI-1

Chronicle Heritage requested DPR form for P-43-003283 from NWIC on 10/24/2025. GIC San Jose will provide to CEC Staff once received.

DR CUL/TRI-2 Provide a copy of a USGS 7.5-minute quadrangle map of the literature search area delineating the areas of all past surveys and noting the California Historical Resources Information System (CHRIS) identifying numbers.

RESPONSE TO DR CUL/TRI-2

Chronicle Heritage has revised the Cultural Resources Technical Report (CRTR) which has been docketed under a Repeated Request for Confidentiality. The Revised CRTR includes the Previous Surveys USGS map as requested by this data request.

DR CUL/TRI-3 Provide a map (USGS topographic quadrangle) at a scale of 1:24,000 depicting the locations of all previously known cultural and tribal cultural resources compiled through your research.

RESPONSE TO DR CUL/TRI-3

Chronicle Heritage has revised the Cultural Resources Technical Report (CRTR) which has been docketed under a Repeated Request for Confidentiality. The Revised CRTR includes the Previous Surveys USGS map as requested by this data request.

DR CUL/TRI-4 Provide copies of all technical reports whose survey coverage is wholly or partly within 0.25 mile of the area surveyed for the proposed project, or which report on any archaeological excavations or architectural surveys within the literature search area.

RESPONSE TO DR CUL/TRI-4

Chronicle Heritage requested copies of all reports that intersect the Project area from NWIC. GIC San Jose will provide to CEC Staff once received.

BACKGROUND: Native American Correspondence

Informational requirements related to Native American outreach are stipulated in California Code of Regulations, title 20, Division 2, Chapter 5, Appendix B (g)(2)(D)(i-iii) of the CEC siting regulations, and require (among other things) that an application include a copy of the applicant's request to the Native American Heritage Commission (NAHC), copies of all responses received from Native American contacts, and a written summary of any oral responses from Native American contacts.

A copy of Chronicle Heritage's January 25, 2025, NAHC request for information on Native American sacred sites and Native American contacts list is not included in the proposed project application documents.

Further, from the information provided it is not clear what, if any, of the responses received from the Native American contacts were oral or written responses.

DATA REQUESTS

DR CUL/TRI-5 Please provide a copy of Chronicle Heritage's January 25, 2025, request to the NAHC.

RESPONSE TO DR CUL/TRI-5

Chronicle Heritage has revised the Cultural Resources Technical Report (CRTR) which has been docketed under a Repeated Request for Confidentiality. The Revised CRTR includes the NAHC request, as directed by this data request.

DR CUL/TRI-6 Provide copies of all correspondence received from the Native American contacts.

RESPONSE TO DR CUL/TRI-6

Chronicle Heritage has revised the Cultural Resources Technical Report (CRTR) which has been docketed under a Repeated Request for Confidentiality. The Revised CRTR includes all correspondence received from the Native American contacts as requested by this data request.

DR CUL/TRI-7 Clarify what, if any, responses received from the Native American contacts, and summarized on the Consultation Log, were oral responses.

RESPONSE TO DR CUL/TRI-7

Chronicle Heritage has revised the Cultural Resources Technical Report (CRTR) which has been docketed under a Repeated Request for Confidentiality. The Revised CRTR includes an affirmative statement on page 39 that no further correspondence has occurred.

BACKGROUND: Project Description and Ground Disturbance

Assessment of potential impacts on cultural and tribal cultural resources hinges in part on knowing the extent and character of ground-disturbing activities associated with a project. The application provides little information about the depth of excavation required to demolish existing improvements on the proposed project site and to build the proposed project, indicating that “cut and fill will generally be limited to approximately four feet, excluding excavations for utilities and deep foundation systems”, and that, “[t]he precise depth of excavation is not yet defined, but is presumed to extend to groundwater.” (DayZenLLC 2025b, p. 27). Review of the DPR 523 forms provided by the applicant indicates that eight previously identified Native American cultural deposits are documented within a 1-mile radius of the proposed project site. From the data available in the provided DPR 523 forms, two Native American cultural deposits have been identified as visible on the ground surface and six others are recorded as cultural deposits buried 35 centimeters (1.14 feet) to 250 centimeters (8.2 feet) below the ground surface.

Section 1.1 of the confidential cultural resources report indicates that the proposed project site consists of 28.5 acres located on two parcels, Accessor’s Parcel Numbers (APNs) 101-020-018 and 101-02-021, totaling around 45.8 acres (Goldman et al. 2025, p. 1).

Project Staging and laydown areas are not identified in the proposed project description, and it is not clear if staging and laydown areas are located on the proposed project site or elsewhere, or if those areas have been included in the applicant’s cultural resources identification efforts and analysis.

DATA REQUESTS

DR CUL/TRI-8 Please identify where proposed project staging and laydown areas are to be located and indicate if these areas are included in the cultural resources survey efforts reported in the application for the proposed project. If the areas have not been included in the applicant's cultural resources analysis, conduct cultural resources identification efforts, and submit a report on the findings and recommendations.

RESPONSE TO DR CUL/TRI-8

The staging, laydown, and construction parking areas will be onsite.

DR CUL/TRI-9 Please provide a detailed description of the depth of excavations and all other ground disturbances, including:

- a. Demolition of existing improvements
- b. Site grading
- c. Installation of emergency generators
- d. Construction of data center buildings
- e. Landscaping
- f. Stormwater treatment features
- g. Utility interconnects (domestic water, recycled water, sewer)
- h. Electrical substation and switching yard
- i. Surface parking
- j. Right-of-Way improvements
- k. Intersection improvements
- l. Staging and laydown areas

RESPONSE TO DR CUL/TRI-9

- a. Demolition of existing improvements - The majority of site demolition will consist of removing the existing parking lot and other surface improvements. Disturbance from these activities will generally be limited to only a few feet of excavation. Demolition of existing underground utilities will require excavation depths of up to 15', but it is important to note that this excavation will only occur in trenches

that were previously excavated for the original installation of these utilities.

- b. Site grading - The maximum excavation depth for site rough grading is approximately 9' as measured from existing ground elevation. This maximum depth occurs at the Northeast corner of the project site, near the intersection of Orchard Parkway and Trimble Road.
- c. Installation of emergency generators – The emergency generators will be installed on concrete slabs with no additional excavation beyond the excavation described in b. Site grading.
- d. Construction of data center buildings - For DC North, grading of the building pad is anticipated to be a fill condition, so excavation for this activity will not be required unless scarification/recompaction of the existing soil is prescribed by the project Geotechnical Engineer. For DC West, approximately 3' of excavation will be required to establish the building pad grade, in addition to any scarification/recompaction requirements from the project Geotechnical Engineer. Foundations would include grade beams at approximately 4 feet deep and drilled displacement columns up to 25 feet.
- e. Landscaping – 3' max for tree planting pits, all other landscape elements such as irrigation trenching, understory plantings, etc. would be 2' or less below finished grade.
- f. Stormwater treatment features – In general, excavation for stormwater treatment bioretention and flow through planters will be 4' max measured from finished grade.
- g. Utility interconnects (domestic water, recycled water, sewer) – Installation of Sanitary Sewer and Storm drain utilities will require up to 15' of excavation. Water utilities are anticipated to require no more than 5' of excavation.
- h. Electrical substation and switching yard – Excluding equipment foundations and footings, rough grading of the electrical substation and switching yard is anticipated to require excavation depths of 2'.
- i. Surface parking – Excavation for the rough grading of parking lot areas is generally limited to 3', with the largest excavation depths of 5' occurring in the Southernmost portion of the site near DC West
- j. Right-of-Way improvements – Surface improvements within the public right-of-way are generally limited to the replacement and reconstruction of existing sidewalks, curbs, gutters, and driveways.

Excavation for these activities is minimal since the replacement will generally not disturb the existing subgrade. Utility construction within the public right-of-way will consist of the installation of sanitary sewer, storm drain, and water service laterals. Maximum excavation for sanitary sewer and storm drain trenching will be up to 15', while excavation for water utility laterals is generally anticipated to be no more than 5'.

- k. Intersection improvements – Improvements consisting of the reconfiguration of the existing pork chop islands at the Trimble Road/Orchard Parkway intersection will generally not require significant excavation since this work will have minimal disturbance to the existing subgrade. Excavation depths are anticipated to be limited to 1-2 feet.
- l. Staging and laydown areas – Staging and laydown areas are expected to be graded independently of the mass grading described in Item b, above.

In addition, Staff should be aware that with the Transmission Infrastructure Option 1 Transmission Route that would be located on the Project Site, maximum excavation for transmission pole foundations would be expected not to exceed 30 feet.

BACKGROUND: Regional Summary and Field Methods

California Code of Regulations, title 20, Division 2, Chapter 5, Appendix B(g)(2)(A) requires that the information from the regional summary, together with the literature search results, must inform the field methods employed for identifying cultural and tribal cultural resources in the proposed project. The proposed project application (DayZenLLC 2025b) and the confidential cultural resources technical report (Goldman et al. 2025) provides summaries of the ethnology, prehistory, and history of the region and addresses the potential for buried cultural resources and tribal cultural resources to occur in the proposed project area. The applicant (DayZenLLC 2025b, p. 149) concludes that the proposed project site has moderate to high potential for buried cultural deposits due to its location adjacent to the Guadalupe River (a perennial freshwater source), proximity to other identified resources, and because it is situated atop especially young alluvium in a highly depositional environment.

Eight Native American cultural deposits have been identified within 1 mile of the proposed project area, including P-43-000296, which appears to have been recorded directly adjacent to (if not extending into) the proposed project area. Six of the previously recorded Native American cultural resources are noted to contain

buried cultural deposits from 35 cm (1.14 feet) to 250 cm (8.2 feet) below surface. Five of the buried deposits are reported to contain Native American burials, two of which are noted as “sacred place[s] to the current Ohlone population” (Carter 1979a, 1979b).

The character of the archaeological sites in the study area, as well as the immediate depositional environment, demonstrate a high likelihood for buried archaeological resources in the proposed project area. Yet, the archaeological field methods do not take into consideration this information and relies solely on visual examination of the ground surface to identify archaeological resources in the proposed project area. Further, the confidential cultural resources report indicates that ground visibility in areas across the proposed project area during the archaeological pedestrian survey was limited to around 25 percent with some sections less than 10 percent because of vegetation (Goldman et al. 2025, p.

40). The applicant’s cultural resources consultant does not indicate what portion of the proposed project area’s surface was inaccessible to visual inspection because of existing development such as pavement or hardscaping.

DATA REQUEST

DR CUL/TRI-10 Please develop, implement, and provide field methods and results for the identification of archaeological resources that are informed by the existing depositional environment and tailored for the identification of buried archaeological resources within the proposed project area.

RESPONSE TO DR CUL/TRI-10

Chronicle Heritage recommends subsurface testing before any ground construction at page 69-70 of the CRTR. Therefore, GIC San Jose has revised its Project Design Measures to include new PDM CUL-1.1 similar to what was proposed in Microsoft SJ04 Data Center Project. With the implementation of the new PDM CUL-1.1 the full vertical Project area will be established both above and below ground.

PDM CUL-1.1: Subsurface Investigation. Prior to the issuance of any grading permit, the project will be required to complete subsurface testing to determine the extent of possible resources onsite. Subsurface testing shall be completed by a qualified archaeologist. Methodologies and procedures for completing the subsurface testing will be developed through completion of a testing plan. The testing plan will identify locations where testing will occur, depth and extent of testing. The testing plan will be submitted to the Director or Director’s designee of the City of San José Department of Planning, Building and Code Enforcement for approval prior

to the completion of any testing. If the findings of the subsurface testing confirm there are significant cultural resources on-site, an archaeological resources treatment plan shall be prepared by a qualified archaeologist and submitted to Director or Director's designee of the City of San José Department of Planning, Building and Code Enforcement for approval prior to the issuance of grading permits.

Prior to ground disturbance, the project will implement the approved treatment plan prior to the issuance of grading permits. The approved treatment plan will utilize data recovery methods to reduce impacts on subsurface resources.

All prehistoric and historic-era features identified during exploration will be evaluated by a qualified archaeologist based on the California Register of Historical Resources criteria consistent with the archaeological treatment plan. After completion of the field work, all artifacts will be cataloged, and the appropriate forms will be completed and filed with the Northwest Information Center of the California Archaeological Inventory at Sonoma State University by the qualified archaeologist in coordination with the Director or Director's designee of the City of San José Department of Planning, Building and Code Enforcement prior to issuance of occupancy permits (temporary or final).

BACKGROUND: Pedestrian Survey and Field Methods Employed

The cultural and tribal cultural resources identification efforts for the proposed project include the deployment of a pedestrian archaeological survey conducted on April 2, 2025, by the applicant's cultural resources consultant, Chronicle Heritage. California Code of Regulations, title 20, Division 2, Chapter 5, Appendix B (g)(2)(C) requires that pedestrian archaeological surveys shall be conducted inclusive of the proposed project site and to no less than 200 feet around the proposed project site, substations, and staging areas. However, Section 5.1 of the confidential cultural resources report (Goldman et al. 2025, p. 39) indicates that the intensive archaeological pedestrian survey for the proposed project was limited to the 45.8-acre Project Area.

From the information provided, it appears that the no less than 200-foot buffer around the proposed project site and all project elements, including road and intersection improvements, was not subject to an archaeological pedestrian survey.

DATA REQUEST

DR CUL/TRI-11 Please include the no less than 200-foot buffer around the proposed project site and all project elements in your intensive archaeological pedestrian survey and report on your results, or explain why Chronicle Heritage did not employ a 200-foot archaeological survey buffer.

RESPONSE TO DR CUL/TRI-11

The CRTR states at page 39 that the survey buffer extended beyond the 200 foot requirement.

EXECUTIVE SUMMARY

BACKGROUND: Executive Summary, Photographic Reproductions

To thoroughly depict and present the proposed project site and surroundings, staff needs several illustrations depicting current conditions.

DATA REQUEST

DR EXEC SUMM-1 Staff requests a full-page color photographic reproduction depicting the visual appearance of the site prior to construction, and a full-page color simulation or artist's rendering of the site and all project components at the site, after construction.

RESPONSE TO DR EXEC SUMM-1

Since the CEC has not required this level of simulation or artist's rendering for SPPE Applications in the past, and this is certainly not a requirement for a complete project description by CEQA, nor are these required by the City of San Jose, these simulations and artist's renderings do not exist.

However, notwithstanding the objection, we will provide simulated elevations under separate cover when completed.

BACKGROUND: Executive Summary, Project Parcel Identification Information

For proper identification of the parcel(s) for siting of the proposed project, staff requires precise location information.

DATA REQUEST

DR EXEC SUMM-2 Please provide identification information for all involved proposed project parcels by section, township, range, and county, as well as assessor's parcel numbers in Section 1.1 Executive Summary and Section 2 Project Information (TN 264500).

RESPONSE TO DR EXEC SUMM-2

GIC San Jose objects to the requirement to provide the section, township, range and county in addition to the assessor's parcel number as described in the General Objection above. The project is clearly identified with an address and assessor's parcel numbers at page 6 of the SPPE Application and its location is clearly shown on Figures 2-1, 2-2 and 2-3.

BACKGROUND: Executive Summary, Property Owner's Mailing List, Map

Staff needs a map of parcels to accompany the list of parcel numbers, the map shall be for parcels within 1,000 feet of the site proper and parcels within 500 feet of linear project components (T-Line, water line, gas line, etc.). For parcels contiguous to the proposed project site and linear features, direct mailing addresses for owners and occupants shall be provided.

DATA REQUEST

DR EXEC SUMM-3 Please provide a list of current assessor's parcel numbers and owners' names and addresses for all parcels within 500 feet of the proposed transmission line and other linear facilities, and within 1000 feet of the proposed power plant and related facilities. Provide the direct mailing addresses for the owners and occupants of properties contiguous to the proposed power plant, related facilities, transmission lines, or other linear facilities as shown on the latest equalized assessment roll. Provide a map showing the parcels in the notice area.

RESPONSE TO DR EXEC SUMM-3

Notice lists for all parcels within 500 feet of the proposed transmission line and other linear facilities, and within 1,000 feet of the NTBGF and related facilities are provided as Attachment DR EXEC SUMM-3. A parcel map is included with each notice list.

BACKGROUND: Executive Summary, Construction Schedule

Staff needs details of construction schedules for workload staffing, peaks, maximum number of workers, time of year, etc. The SPPE Application indicates a full construction schedule is provided in Section 3.3.9.3; however, Section 3.3.9.3 is "Recycled Water" (TN 264500).

DATA REQUEST

DR EXEC SUMM-4 Please provide a comprehensive construction schedule and construction/operation narrative.

RESPONSE TO DR EXEC SUMM-4

The correct reference to the construction schedule is 3.3.9.4 instead of 3.3.9.3. The information provided in 3.3.9.4 is the same level of detail for all previous CEQA documents and SPPE Approvals.

BACKGROUND: Executive Summary, Ownership

Staff needs ownership information to know who will be operating and have responsibility for the proposed project generating facility and the transmission line.

DATA REQUEST

DR EXEC SUMM-5 Please provide a list of all owners and operators and their legal relationships for the proposed owners of the power plant facilities and the transmission lines.

RESPONSE TO DR EXEC SUMM-5

The SPPE identifies the owner of the backup generating facility data center and related facilities at the time of filing as LBA RVI-Company I, LP. As described in the Revised Project Description, attached, the new owner is GIC San Jose LLC. The only other owner is also described in the SPPE Application is PG&E as the owner of both the switching station, switching station expansion and transmission line that interconnects the switching station to the existing PG&E transmission line located near the southwest corner of the project site. There are no other owners.

BACKGROUND: Executive Summary, Responsible Agencies

Staff needs to facilitate and allow responsible agencies the ability to utilize a final exemption document.

DATA REQUEST

DR EXEC SUMM-6 Please identify each agency with jurisdiction to issue applicable permits, leases, and approvals, and adopted local, regional, state and federal land use plans, and agencies which would have permit approval or enforcement authority, should the Commission exempt the proposed project from its exclusive authority to certify sites and related facilities. Please provide detailed contact information (name, phone, email) for officials at relevant agencies that are involved in the proposed project.

If no agencies with relevant jurisdictions exist, please state so.

RESPONSE TO DR EXEC SUMM-6

The only agencies with jurisdiction to issue permits or approvals are identified in the SPPE Application as the City of San Jose and the BAAD.

City of San Jose

John Tu
Division Manager for Development Review. Planning Division
Planning Building Code Enforcement Department
City of San José | 200 East Santa Clara Street
Email: john.tu@sanjoseca.gov
Phone: (408)-535-6818

As described in the response to DR AQ-1 above GIC San Jose has not had any communication with the BAAD and has not yet filed any applications for permits for the emergency generators. Therefore, BAAD has not assigned a contact person.

BACKGROUND: Executive Summary, Comprehensive General Description

Staff needs a summary description of the proposed project including transmission facilities, fuel and water supply, pollution control details and other general characteristics of the proposed project rather than referring to the sections for details in Section 1.1 of the SPPE Application (TN 264500).

DATA REQUEST

DR EXEC SUMM-7 Please provide a comprehensive general description of the proposed site and related facilities, including the transmission facilities, fuel characteristics, fuel supply routes and facilities, water supply routes and facilities, pollution control systems, and other general characteristics.

RESPONSE TO DR EXEC SUMM-7

This data request is an example of Staff adhering to the specific language in Appendix B, which, when updated, Staff confirmed that the CEC would not apply power plant data request requirements to SPPE Applications. This information is not required by CEQA and has not been required or included in prior SPPE Applications.

The Project is described in detail in Section 3 of the SPPE Application including an overview of every relevant project component. Requiring this information to be repeated in the Executive Summary of the SPPE Application elevates form over substance and has not been required of prior SPPE Applications.

BACKGROUND: Executive Summary, Corresponding Sections

Staff requires a summary description in Section 1.1 of the SPPE Application (TN 264500) that includes accurate references to the sections where detailed information is provided to conduct a complete assessment.

DATA REQUEST

DR EXEC SUMM-8 In Section 1.1 of the SPPE Application (TN 264500), the applicant refers to subsequent sections for additional details; however, Sections 5 through 9 do not align with the referenced content. Please revise the Executive Summary to ensure that section numbers accurately correspond to the relevant sections cited in the text.

RESPONSE TO DR EXEC SUMM-8

Section 1.1 has been revised to refer to the correct document sections. Text additions are shown as underlined text, while text deletions are shown with a strikethrough. See Attachment A

BACKGROUND: Project Description

The discrepancies identified across multiple sections of the SPPE Application (TN 264500) — such as incorrect sheet references and mislabeling of plans and appendices — significantly compromise the clarity and reliability of the submission. Accurate referencing within the main application is essential for staff to efficiently access the relevant data and ensure a smooth, informed review process.

In Section 3.2.2 of the SPPE Application (TN 264500), the applicant refers to Sheet Index A 1.0 in Appendix A for the location of the generation yard adjacent to DC North while Index A 1.0 in Appendix A part IV shows Level 01 Plan.

In section 3.2.2 of the SPPE Application (TN 264500), the applicant refers to Sheet Index A 1.0 in Appendix B for the location of the generation yard adjacent to DC West while Sheet Index A 1.0 in Appendix B part IV shows Level 01 Plan

In section 3.2.5 of the SPPE Application (TN 264500), the applicant refers to the generators that will be constructed in a generator yard immediately adjacent to the building it serves as shown in Sheet Index A 1.0 in Appendix A for DC North and Sheet Index A 1.0 in Appendix B for DC West, while both sheets show Level 01 Plan for DC North and West.

In section 3.2.11 of the SPPE Application (TN 264500), the applicant refers to the Section 3.3.9.3 Site Grading, Demolition, Excavation, and Construction for more detail but Section 3.3.9.3 is Recycled Water.

In section 3.3.6 (TN 264500), the applicant refers to the landscaping plan which is provided in Sheet Index L 2.0 in Appendix A for DC North, but there is no Sheet Index L 2.0 in Appendix A.

DATA REQUEST

DR EXEC SUMM-9 Please revise the SPPE Application (TN 264500) to ensure accurate referencing throughout. Specifically, please revise the following sections:

Section 3.2.2

Section 3.2.5

Section 3.2.11

And Section 3.3.6

RESPONSE TO DR EXEC SUMM-9

The sheets referenced in Sections 3.2.2 and 3.2.5 of the SPPE Application are correct. The Level 01 Plan in Sheet A 1.0 for both DC North and DC West show a detailed layout of each generator yard.

Section 3.2.11 of the SPPE Application has been revised to correctly reference Section 3.3.9.4 instead of 3.3.9.3.

Section 3.3.6 of the SPPE Application has been revised to correctly reference Sheet L 1.1 instead of L 2.0.

GEOLOGY

BACKGROUND: Geologic Map and Description of Geology Within Two (2) Miles of the Proposed Project Site

California Code of Regulations, title 20 § 1704 (a) (3) (A) requires a description of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document. California Code of Regulations, title 20, Division 2, Chapter 5, Appendix B (g) (17) (B) requires a map at a scale of 1:24,000 and description of all recognized stratigraphic units, geologic structures, and geomorphic features within two (2) miles of the proposed project site and along proposed facilities.

In Appendix H: Geotechnical Report, Figure 3 identifies faults within two miles of the proposed project and the greater region. Figure 5 identifies liquefaction risk. The figures do not identify geologic units and features within two (2) miles of the proposed project.

DATA REQUEST

DR GEO-1 Please expand subsection 4.7.1.2 Existing Conditions with a map, at 1:24,000 scale that shows, and description of, recognized stratigraphic units, geologic structures, and geomorphic features within two (2) miles of the proposed project site.

RESPONSE TO DR GEO-1

This data request is an example of Staff adhering to the specific language in Appendix B, which, when updated, Staff confirmed that the CEC would not apply power plant data request requirements to SPPE Applications. This information is not required by CEQA and has not been required or included in prior SPPE Applications.

The Geotechnical Report included as Appendix H to the SPPE Application includes a thorough description of the geologic conditions on the project site and in the surrounding area. GIC San Jose believes the information contained in Appendix H is all that is necessary for a CEQA analysis.

As discussed in Response to DR PAL-2 below, the Integrated Final EIR for the Envision San Jose 2040 General Plan included an analysis of paleontological sensitivity, which was based on geologic unit type (Appendix J-3 to the Final EIR). The analysis included maps showing the geologic units present within the city boundaries, including the project site and surrounding area. These maps are provided as Attachment DR GEO-1.

BACKGROUND: Information Regarding Geologic Resources of Recreational, Commercial, or Scientific Value, Including Mineral Resources

California Code of Regulations, title 20 § 1704 (a) (3) (B) requires descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information in the application. California Code of Regulations, title 20 § 1704, (a) (3) (C) requires a list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each reference. California Code of Regulations, title 20, Division 2, Chapter 5, Appendix B (g) (17) (C) requires a map along with a description and discussion of techniques used to identify and evaluate geologic resources of value.

DATA REQUEST

DR GEO-2 Please expand subsection 4.7.1.2 Existing Conditions with a map and description of potential geologic resources of recreational, commercial, or scientific value that the proposed project may impact. Please discuss techniques used to identify and evaluate these potential resources.

RESPONSE TO DR GEO-2

This data request is an example of Staff adhering to the specific language in Appendix B, which, when updated, Staff confirmed that the CEC would not apply power plant data request requirements to SPPE Applications. This information is not required by CEQA and has not been required or included in prior SPPE Applications.

The Geotechnical Report included as Appendix H to the SPPE Application includes a thorough description of the geologic conditions on the project site and in the surrounding area. GIC San Jose believes the information contained in Appendix H is all that is necessary for a CEQA analysis.

BACKGROUND: Information on State and Local Laws, Ordinances, Regulations, and Standards

California Code of Regulations, title 20, Division 2, Chapter 5, Appendix B (g) (1) requires references to local general plans. In subsection 4.7.1.1 Regulatory Framework, the Local subsection describes laws, ordinances, regulations, and standards for the City of San Jose. The subsection does not include a description of applicable laws, ordinances, regulations, and standards for the County of Santa Clara.

DATA REQUEST

DR GEO-3 Please expand subsection 4.7.1.1 Regulatory Framework to include all applicable laws, ordinances, regulations, and standards for the County of Santa Clara. For example, please describe applicable general plan elements and municipal codes.

RESPONSE TO DR GEO-3

This data request is an example of Staff adhering to the specific language in Appendix B, which, when updated, Staff confirmed that the CEC would not apply power plant data request requirements to SPPE Applications. This information is not required by CEQA and has not been required or included in prior SPPE Applications.

Additionally, as the Project is located within San José and consistent with the planned growth in the City of San José Envision San José 2040 General Plan (General Plan), it is subject to the City's policies identified to reduce geology and soil impacts. The Santa Clara County laws, ordinances, regulations, and standards would apply to unincorporated areas located within the county limits. The applicable City of San José policies and regulations are listed in Section 4.7.1.1 Regulatory Framework of the SPPE Application.

HYDROLOGY AND WATER QUALITY

BACKGROUND: Discrepancy In Irrigation Water Quantity and Source Between Water Supply Assessment and the Application

California Code of Regulations, title 20, Division 2, Chapter 5, Appendix B subsection (g)(14)(C) (iii) requires the water demand and discharge for the construction and operation phases of the proposed project. In Table 3.3.10.2 of the SPPE Application, the proposed potable water demand includes 1.22 acre-ft per year (AFY) for landscaping; however, the Water Supply Assessment (Appendix O) lists the landscape irrigation under “recycled water” demand and at a rate of 15.7 AFY.

DATA REQUEST

DR HYD-1 Please explain the discrepancy between the Water Supply Assessment (Appendix O) and the SPPE Application regarding the quantity and source of landscape irrigation water.

RESPONSE TO DR HYD-1

The information in the Water Supply Assessment is correct and the project will not use 1.22 AFY of potable water for landscaping.

PALEONTOLOGY

BACKGROUND: Description of Existing Conditions for Paleontological Resources

California Code of Regulations, title 20 § 1704, (a) (3) (A) requires descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the application.

California Code of Regulations, title 20 § 1704, (a) (3) (B) requires descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the application, including a description of ongoing research of significance to the project.

California Code of Regulations, title 20 § 1704, (a) (3) (C) requires a list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference.

California Code of Regulations, title 20, Division 2, Chapter 5, Appendix B (g) (16) (C) requires a summary of all local museums, literature searches and field surveys used to provide information about paleontological resources in the project area.

California Code of Regulations, title 20, Division 2, Chapter 5, Appendix B (g) (16) (D) requires information for known paleontological resource sites within a one (1) mile of the project, including survey reports, locality records, and 1:24,000 scale maps.

In subsection 4.7.1.2 Existing Conditions of the application, the Paleontological Resources subsection provides limited information on the potential paleontological resources that occur at the surface of, or underground at, the proposed project site. More information is required to evaluate potential paleontological resources.

DATA REQUESTS

DR PAL-1 Please expand the discussion of information relied upon, assumptions, and methods used to evaluate paleontological resources at the proposed project site and within one (1) mile of the proposed project.

RESPONSE TO DR PAL-1

This data request is an example of Staff adhering to the specific language in Appendix B, which, when updated, Staff confirmed that the CEC would not apply power plant data request requirements to SPPE Applications. This information is not required by CEQA and has not been required or included in prior SPPE Applications.

Section 4.2.1.2, Existing Conditions references the “Integrated Final Program Environmental Impact Report for the Envision San José 2040 General Plan” prepared by the City of San José to describe paleontological resources. This is the most appropriate source to evaluate paleontological resources as it is an analysis done at a local-level. The analysis in the Final EIR was based on a Paleontological Sensitivity Report (Appendix J-3 to the Final EIR). The analysis included maps showing the paleontological sensitivity within the city boundaries, including the project site and surrounding area. These maps are provided as Attachment DR GEO-1 to these data responses.

DR PAL-2 Please provide information on known paleontological resource sites at, and within one (1) mile of the proposed project, such as known paleontological resources, survey reports, and locality records. Please provide a 1:24,000 scale map(s) showing fossil finds within 1-mile of the proposed project. Please submit this information confidentially to the proposed project docket.

RESPONSE TO DR PAL-2

This data request is an example of Staff adhering to the specific language in Appendix B, which, when updated, Staff confirmed that the CEC would not apply power plant data request requirements to SPPE Applications. This information is not required by CEQA and has not been required or included in prior SPPE Applications.

GIC San Jose has proposed and committed to the implementation of PDM GEO1.1 and 1.2 to fully mitigate any potential effect of the project in the event that fossils are discovered during construction. With the PDMs, the site is treated as if there is a high potential for discovery of fossils. The PDMs are adapted directly from other SPPE CEQA documents prepared by Staff and approved by the Commission.

BACKGROUND: Description of Regulatory Framework for Paleontological Resources

California Code of Regulations, title 20, Division 2, Chapter 5, Appendix B (i) (1)

(A) requires a discussion of the applicable laws, regulations, ordinances, standards, adopted local, regional and stated land use plans, leases, and permits that are applicable to the proposed project. California Code of Regulations, title 20, Division 2, Chapter 5, Appendix B (g) (1) requires applicant to include any reference materials used such as adopted local, regional, and statewide plans.

In subsection 4.7.1.1 Regulatory Framework, the Local subsection does not describe applicable laws, ordinances, regulations, and standards for the County of Santa Clara nor the City of San Jose.

DATA REQUEST

DR PAL-3 Please expand subsection 4.7.1.1 Regulatory Framework with a description of applicable laws, ordinances, regulations, and standards for the County of Santa Clara and the City of San Jose. For example, please describe applicable general plan elements and municipal codes.

RESPONSE TO DR PAL-3

This data request is an example of Staff adhering to the specific language in Appendix B, which, when updated, Staff confirmed that the CEC would not apply power plant data request requirements to SPPE Applications. This information is not required by CEQA and has not been required or included in prior SPPE Applications.

The Santa Clara County laws, ordinances, regulations, and standards would apply to unincorporated areas located within the county limits. The Project Site is part of San José not unincorporated Santa Clara County. The applicable City of San José policies and regulations are listed in Section 4.7.1.1 Regulatory Framework of the SPPE Application. Notwithstanding that objection, two City of San Joes policies related to paleontological resources have been added to Section 4.7.1.1 Regulatory Framework in the SPPE Application. Refer to General Plan policies ER-10.1 and ER-10.3. See Attachment.

BACKGROUND: Discussion of Paleontological Sensitivity

California Code of Regulations, title 20, Division 2, Chapter 5, Appendix B (g)

(16) (B) requires a discussion on the paleontological sensitivity of geologic units at the proposed project site and each geologic unit within one (1) mile of the proposed project. Appendix B also requires a description of any known paleontological localities or resources within, or adjacent, to the proposed project.

In subsection 4.7.1.2 Existing Conditions, the Paleontological Resources subsection provides does not explain how paleontological sensitivities were determined for geologic units at the project site. A discussion of the paleontological sensitivity of geologic units within one (1) mile of the proposed project was not provided.

DATA REQUEST

DR PAL-4 Please discuss the paleontological sensitivity of each geologic unit that is at, or within one (1) mile, of the proposed project site, as mapped on the 1:24,000 scale geologic map requested in **DR GEO-1**.

RESPONSE TO DR PAL-4

This data request is an example of Staff adhering to the specific language in Appendix B, which, when updated, Staff confirmed that the CEC would not apply power plant data request requirements to SPPE Applications. This information is not required by CEQA and has not been required or included in prior SPPE Applications.

As mentioned in the above responses, the SPPE Application has identified the level of paleontological sensitivity on-site (high sensitivity at depth) in Section 4.7.1.2 Existing Conditions in the SPPE Application. Identifying the paleontological sensitivity within a mile of the Project Site would not change the PDMs proposed by the project applicant. The project applicant proposes to implement PDM GEO-2.1 and GEO-2.2 to educate workers about paleontological resources prior to ground disturbance and to stop work if a fossil is found, respectively. These PDMs would result in less than significant impact to paleontological resources.

POPULATION AND HOUSING

BACKGROUND: Project Construction

Staff needs to know more about the construction workforce for the NorthTown Backup Generating Facility (NTBGF). Page 18 of the SPPE Application (TN 264500) states “Construction personnel for the NTBGF are estimated to range from 10 to 15 workers including one crane operator.” On page 27 of the SPPE Application, it states “Construction will total approximately 36 months. The peak construction workforce will be approximately 600 workers per month with an average of approximately 300 workers per month.”

DATA REQUESTS

DR POP HOUSING-1 Please provide the estimated number of construction workers during peak activities and the average number of construction workers for the project.

RESPONSE TO DR POP HOUSING-1

As described in SPPE Section 3.3.9.4, the peak construction workforce will be approximately 600 workers per month with an average of approximately 300 workers per month.

DR POP HOUSING-2 Please provide a table with the number of construction workers per month for the duration of the construction period.

RESPONSE TO DR POP HOUSING-2

Please see general objection above relating to strict adherence to Appendix B, when not required for prior SPPE Applications that have been approved by the Commission. GIC San Jose believes the average and peak numbers are all that are necessary for a CEQA analysis.

BACKGROUND: Project Construction and Operation Workforce

Staff needs to know about the assumptions used for the construction and operation workforces for the project. No assumptions were discussed in the SPPE Application.

DATA REQUEST

DR POP HOUSING-3 Please provide the percentage of the construction and operation workforces that are estimated to be local and non-local. Please provide the geographic area or commuting distance the applicant is using to define the local workforce.

RESPONSE TO DR POP HOUSING-3

According to our discussions with contractors that may construct the facilities, we estimate all of the construction workers will be local to the greater Bay Area, with a maximum commute distance of approximately 50 miles.

PROJECT DESCRIPTION

BACKGROUND: Project Description

The NorthTown Backup Generating Facility (NTBGF) includes an onsite substation with two 115 kV electrical supply lines proposed to be connected to the to be permitted PG&E switching station. This switching station would be expanded to accommodate the NTBGF. Staff requires a complete description of the NTBGF interconnection to the PG&E transmission grid and the reliability of the PG&E grid in order to understand the potential operation of the back-up generators.

DATA REQUESTS

DR PROJECT DESCRIP-1 Please provide a detailed expanded PG&E switching station one-line diagram with the proposed project interconnection. Show all equipment ratings including bay arrangement of the breakers, disconnect switches, buses, underground cable tie-line, line rating, and other equipment.

RESPONSE TO DR PROJ DESCRIP-1

GIC San Jose has requested this information from PG&E. Since PG&E has not completed detailed design of the PG&E Switching Station Expansion, or Option1, it is not likely that PG&E would provide all of the information identified in this request. GIC San Jose will docket what PG&E does provide when received.

DR PROJECT DESCRIP-2 Please provide the underground cable name, type, current carrying capacity, length, and the underground cable size for the two 115 kV transmission lines which would connect the project substation to the PG&E switching station.

RESPONSE TO DR PROJ DESCRIP-2

See Response to DR PROJ DESCRIP-1 above.

DR PROJECT DESCRIPT-3 Please provide configurations showing trench requirement and conduit spacing.

RESPONSE TO DR PROJ DESCRIP-3

See Response to DR PROJ DESCRIP-1 above.

DR PROJECT DESCRIPT-4 Please provide overhead take off structure configuration and measurement that would support the 115 kV line.

RESPONSE TO DR PROJ DESCRIP-4

See Response to DR PROJ DESCRIP-1 above.

DR PROJECT DESCRIPT-5 Please provide information that reviews the frequency and duration of historic outages or service interruptions on the 115 kV systems that would serve the proposed project and related facilities that would likely trigger the loss of electric service to the proposed onsite substation and could lead to the emergency operations of the diesel-powered generators. This response should identify the reliability of service historically provided by PG&E to similar customers in this part of its service territory.

RESPONSE TO DR PROJ DESCRIP-5

GIC San Jose has requested this information from PG&E and will supplement this response when received.

DR PROJECT DESCRIPT-6 Please explain whether adding the NTBGF would cause any overloads to the PG&E transmission system which would require upgrades to the existing transmission or distribution networks.

RESPONSE TO DR PROJ DESCRIP-6

GIC San Jose has requested this information from PG&E and will supplement this response when received.

TRANSPORTATION

BACKGROUND: Construction Activities and Worker Vehicle Trips

The San Jose Transportation Handbook, Section 4.19 Construction, states “To the extent possible the operational analysis should include information about the project construction such as duration, hours of operations, any required grading, potential haul routes, traffic control plans, closure or relocation of bus stops, street closures and construction entrances.”

Staff reviewed the SPPE Application and the Supplemental Transportation Analysis in Appendix N and found brief discussions of construction activities for the NorthTown Data Center (NTDC) and the NorthTown Backup Generating Facility (NTBGF) in Section 3.2.11 NTBGF Project Construction and Section 3.3.9.3 Site Grading, Demolition, Excavation, and Construction of the SPPE Application. However, there are not enough details to thoroughly describe the potential construction activities. To adequately respond to the Transportation question in Appendix G, Section XVII(b) of the CEQA Guidelines, the applicant must provide more details related to the construction of the proposed project. For instance, staff could not locate a discussion regarding the construction parking and laydown areas, or details on construction worker vehicle trips required for the project’s construction.

DATA REQUESTS

DR TRANS-1 Please provide a map showing the construction worker parking and laydown areas. If these areas are off-site, include the route(s) to be used to access the proposed project site. If they are on-site, please include access and internal circulation routes.

RESPONSE TO DR TRANS-1

The Project will not utilize any offsite construction laydown or parking areas. Construction laydown and parking will be on-site. Please see Attachment DR TRANS-1 which includes a preliminary access plans to be implemented during construction.

DR TRANS-2 Please provide any further details regarding the construction schedule in addition to the NTDC construction anticipated to begin in January 2026 and run through December 2028 and specify the expected start and end dates and expected six months for generator placement. For example, will the construction schedule be divided into phases, and when is the placement of the generators expected to occur?

RESPONSE TO DR TRANS-2

The placement of generators will be after the facility is constructed and immediately before occupation by a tenant. With respect to dividing the construction schedule into phases, please see Section 2 and 3 of the CalEEMod Output which is included in Attachment DR AQ-1, which includes the construction activities that were used in the air emission calculations.

DR TRANS-3 Please provide a 'Construction Trip Generation' table that includes information on trip types (e.g., delivery and haul trucks), AM and PM peak hour trips, and a discussion of how construction workers will arrive at the proposed project site. If the construction activities occur in phases, please provide trip generation information for each phase.

RESPONSE TO DR TRANS-3

See Response to DR TRANS-2.

DR TRANS-4 Please provide the approximate timeframe construction would take to complete the bicycle facility improvements along W Trimble Road. Please confirm whether improvements would take place during project construction. If so, please confirm during which phase of construction the improvements would take place.

RESPONSE TO DR TRANS-4

The bicycle facility improvements will take place during the overall construction schedule and is anticipated to take a few weeks at most.

ATTACHMENT A

Revised Project Description

Section 1.0 Introduction and Purpose

1.1 Executive Summary

~~LBA RVI Company I, LP~~ GIC San Jose LLC hereby files this Application for a Small Power Plant Exemption (SPPE Application) pursuant to Public Resources Code Section 25541 and Section 1934 et seq. of the California Energy Commission (Commission) regulations for the 97.3 megawatt (MW)¹ NorthTown Backup Generating Facility (NTBGF). The NTBGF will consist of a total of 42 diesel-fired generators that will be used exclusively to provide up to 97.3-MW of backup emergency generation to support the NorthTown Data Center (NTDC). The NTDC will consist of two data center buildings designated DC North and DC West and will be located within an existing developed property located on the property associated with 350 and 370 West Trimble Road in San Jose, California. Specific physical addresses for DC North and DC West will not be assigned by the City of San José until the building permit process and thus will not be known for the SPPE.

Of the 42 generators, 40 of the generators will each have a capacity of 3 MW and will provide backup of the electricity needs of the data center's critical operations. Of those 40 data center generators rated 3 MW, a total of eight generators will be redundant. The two remaining generators (out of the total 42 generators) will each have a capacity of up to 1.75 MW and will be used to support general office loads along with building and life safety services for each data center building during an emergency outage (i.e., house generators).

Unlike the typical electrical generating facility reviewed by the Commission, the NTBGF will be designed to operate only when electricity from the Pacific Gas & Electric Company (PG&E) is unavailable to the NTDC. The NTBGF will not be electrically interconnected to the electrical transmission grid. Rather, it will consist of two generation yards, each electrically interconnected solely to the data center building (DC North or DC West) that it supports.

Section 2 of the SPPE Application provides project information such as the project title, lead agency contact, project applicant, project location, assessor's parcel number, and general plan and zoning designations.

Section 3 of the SPPE Application provides a detailed description of the construction and proposed operation of the NTBGF. To describe the context of the NTBGF and its role in serving the NTDC, Section 2 also includes a general description of the NTDC.

Section 4 of the SPPE Application includes environmental information and analyses in sufficient detail to allow the Commission to conduct an Environmental Impact Report or Mitigated Negative Declaration consistent with the California Environmental Quality Act (CEQA) Guidelines.

¹ Maximum electrical demand of the NTDC.

Section 5 of the SPPE Application includes a discussion of growth-inducing impacts resulting from the Project. ~~Alternative backup generation configurations, technology, and alternative fuels considered by the Project Applicant.~~

Section 6 of the SPPE Application contains a discussion of significant and irreversible environmental changes that would result from implementation of the Project. ~~list of applicable agencies and contact information that have jurisdiction over laws, ordinances, regulations, and standards (LORS) that may be applicable to the NTBGF as required by Subsection (i) of Appendix F of the Commission Regulations.~~

Section 7 of the SPPE Application contains a discussion of significant and unavoidable impacts from the Project. ~~list of addresses of properties and addresses of property owners (where different from the site address) within 1,000 feet of the Project Site and 500 feet of off-site linear facilities for Commission noticing purposes.~~

Section 8 ~~provides a list of those who assisted in the preparation of this SPPE Application.~~ of the SPPE Application includes a discussion of Alternative backup generation configurations, technology, and alternative fuels considered by the Project Applicant.

Section 9 ~~provides a list of acronyms used in this SPPE Application.~~ of the SPPE Application includes a list of references used in the SPPE Application.

Section 10 of the SPPE Application includes a list of agency contacts and consultants that prepared the SPPE Application.

Section 11 of the SPPE Application includes a list of acronyms and abbreviations used throughout the SPPE Application.

1.2 Project Objectives

The primary goal of the NTDC is to be a state-of-the-art data center campus that provides greater than 99.999 percent availability. The NTDC has been designed to reliably meet the increasing requirements of the digital economy, its customers, as well as the growing demands of cloud computing and artificial intelligence (AI) applications. The NTDC's purpose is to provide its customers with mission critical space to support their servers, including space conditioning and a steady stream of high-quality power supply. Interruptions and poor power quality could lead to computer equipment damage or corruption of the data and software stored on the servers by GIC San Jose LLC ~~LBA RVI Company I, LP~~'s clients. The NTDC will be supplied electricity by PG&E through an expansion of a recently permitted PG&E switching station adjacent to the NTDC site. The switching station will be owned and operated by PG&E (i.e., PG&E Switching Station Expansion). The NTDC will include a substation that will be owned and operated by GIC San Jose LLC ~~LBA RVI~~

Company I, LP (i.e., Project Substation). The Project Substation will be located immediately adjacent to the PG&E Switching Station.

To ensure a reliable supply of high-quality power, the NTBGF was designed to provide electricity to the NTDC only in the event electricity cannot be supplied from PG&E and delivered to the NTDC campus. To ensure no interruption of electricity service to the servers housed in the NTDC buildings, the servers will be connected to uninterruptible power supply (UPS) systems that provide instantaneous protection from input power interruptions and frequency fluctuations. However, to provide electricity during a prolonged electricity interruption, the UPS systems will require a flexible and reliable backup power generation source to continue supplying steady power to the servers and other equipment. The NTBGF provides that backup power generation source.

The NTDC's Project Objectives are as follows:

- Develop a state-of-the-art data center large enough to meet the increased intensity of data processing, computational power, and energy demands from the projected growth of cloud computing and AI applications;
- Develop the NTDC on land that is currently zoned to permit a data center use at the subject location and that is acceptable to City of San José;
- Incorporate the most reliable and flexible form of backup electric generating technology into the NTBGF considering the following evaluation criteria.
 - **Reliability**. The selected backup electric generation technology must be extremely reliable in case of an emergency loss of electricity from the utility.
 - The NTBGF must provide a higher availability than 99.999 percent in order for the NTDC to achieve an overall reliability of equal to or greater than 99.999 percent availability at the critical load.
 - The NTBGF must provide reliability to the greatest extent feasible during natural disasters including earthquakes.
 - The selected backup electric generation technology must have a proven built-in resiliency so if any backup unit fails due to external or internal failure, the system will have redundancy to continue to operate without interruption.
 - The NTDC must have on-site means to sustain power for 24-hours minimum in failure mode, inclusive of utility outage.
 - **Commercial Availability and Feasibility**. The selected backup electric generation technology must currently be in use and proven as an accepted industry standard for technology sufficient to receive commercial guarantees in a form and amount acceptable to financing entities. It must be able to be permitted and operational within a reasonable timeframe.
 - **Technical Feasibility**. The selected backup electric generation technology must utilize systems that are compatible with one another.

1.3 Commission SPPE Jurisdiction

GIC San Jose LLC~~LBA RVI Company I, LP~~ acknowledges that the Commission's authorizing statute grants exclusive authority for the Commission to issue licenses for the construction and operation of thermal power plants with generating capacities in excess of 50 MW.² For thermal power plants with generating capacities greater than 50 MW but less than 100 MW, the Commission can grant an exemption from its licensing authority³. The NTBGF will not be a typical power generating facility in that it consists of generators that can operate independently. In addition, the generators will be arranged to support individual portions of the buildings within the NTDC. None of the generators will be interconnected to the electrical transmission system; therefore, no electricity can be delivered off-site.⁴

1.3.1 Data Center Facilities Not Within Scope of SPPE

The NTDC is not within the scope of the Commission's sitting jurisdiction because it is not a thermal power plant. The NTDC is the sole consumer of the electricity produced by the NTBGF. GIC San Jose LLC~~LBA RVI Company I, LP~~ is submitting required development applications to construct and operate the NTDC to the City of San José for review. The City commenced its Preliminary Review in September 2024. The Project will require the following permits from the City: a Conditional Use Permit (for DC West, PG&E Switching Station, and Project Substation) and a Planned Development Permit (for DC North).

GIC San Jose LLC~~LBA RVI Company I, LP~~ believes that although the Commission is the lead agency for making a determination of whether the NTBGF is a thermal power plant that can qualify for a SPPE, the ultimate decision does not extend to the NTDC facilities. GIC San Jose LLC~~LBA RVI Company I, LP~~ does acknowledge that the Commission should include the potential effects of the NTDC in its analysis prepared as lead agency for CEQA, but the ultimate determination of whether the NTDC should be approved, denied, or subject to mitigation measures is solely within the City's jurisdiction. To assist the Commission in preparing its CEQA document, GIC San Jose LLC~~LBA RVI Company I, LP~~ includes a description of the NTDC and its supporting facilities in addition to the NTBGF in Section 3.0 Project Description. The potential effects of the NTDC are considered in environmental analyses in Section 4.0 Environmental Setting, Checklist, and Impact Discussion to assist the Commission in evaluating combined impacts from the co-location of the NTBGF and the NTDC. As demonstrated in Section 4.0 Environmental Setting, Impacts, and Mitigation, neither the NTBGF nor the NTDC, would result in significant environmental impacts with the Project Design Measures (PDMs) proposed in this SPPE Application. Therefore, we believe the Commission's CEQA

² Public Resources Code (PRC) Section 25500.

³ PRC Section 25541 and Title 20 California Code of Regulations (CCR) Section 1934.

⁴ The Commission Staff has determined that notwithstanding these facts, the Commission has jurisdiction over the NTBGF as a thermal power plant. LBA RVI-Company I, LP reserves all its rights regarding whether or not the Commission has jurisdiction over the NTBGF and the filing of this SPPE Application is not an admission by LBA RVI-Company I, LP that the Commission has exclusive jurisdiction over either the NTBGF or the NTDC.

document should heavily rely on the analyses contained herein, and the PDMs, to expeditiously prepare an Initial Study that incorporates the PDMs as mitigation measures.

To enable the City to timely complete its review of the NTDC, [GIC San Jose LLC](#) ~~BA RVI Company L~~, ~~LP~~ requests the Commission complete its review of the NTBGF within the Commission's statutory 135-day obligation or no later than December 2025.

1.4 Project Benefits and Efficiency Measures

The NTDC provides much needed data center infrastructure to support an increasing shift towards digital technologies and data-driven society. The NTDC has been designed to:

- Minimize water usage by utilizing closed loop cooling water system with hybrid cooling towers that utilize recycled water.
- Use renewable fuel as the primary fuel source for the backup generators, such as Hydrogenated (or Hydrotreated) Vegetable Oil (HVO), but the generators will also be capable of running on traditional diesel fuel.
- Minimize pollutant emissions concentrations by performing generator maintenance on one generator at a time;
- Operate the backup generators only when there is an interruption of utility service to the site and not for demand response or other grid-related purposes;
- Incorporate noise minimization measures;
- Incorporate energy and water efficiency measures;
- Incorporate Storm Water Low Impact Design (LID) methodologies to capture and treat all runoff from proposed impervious surfaces per local standards; and
- Implement Leadership in Energy and Environmental Design (LEED) and other US Green Building Council (USGBC) design and construction methodologies

Due to the heat generated by the data center equipment, cooling is one of the main uses of electricity in data center operations. In order to reduce greenhouse gas (GHG) emissions and reduce the use of energy related to building operations, the Project proposes to implement the following efficiency measure:

- Daylight penetration to offices
- LED lighting fixtures and occupancy sensors
- Reflective roof surface
- Meet or exceed Title 24 requirements
- Electric vehicle (EV) parking
- Low flow plumbing fixtures
- Landscaping will meet City requirements for low water use
- Use a low GHG emission refrigerant in the Project chillers

- Use of high efficiency critical electrical equipment
- Use of high efficiency HVAC equipment with economization feature

Section 2.0 Project Information

2.1 Project Title

NorthTown Data Center (NTDC) Project

2.2 Lead Agency Contact

Lisa Worrall
Project Manager
Siting, Transmission and Environmental Protection (STEP) Division
California Energy Commission
715 P Street
Sacramento, CA 95814
Phone: 916-661-8367
Email: Lisa.Worrall@energy.ca.gov

2.3 Project Applicant

~~GIC San Jose LLC~~ ~~LBA RVI Company I, LP~~ ~~c/o LBA Realty~~
3347 Michelson Drive, Suite 200
Irvine, CA 92612
Attn: Anthony Calderone

2.4 Project Location

The approximately 28.5-acre Project Site, which includes DC North and DC West, is located at the southwestern corner of the West Trimble Road and Orchard Parkway intersection. The Project Site is associated with property at 350 and 370 West Trimble Road in San José, California. Refer to [Figure 2-1](#)~~Figure 2-1~~, [Figure 2-2](#)~~Figure 2-2~~, and [Figure 2-3](#)~~Figure 2-3~~ for the Regional, Vicinity, and Aerial maps, respectively.

2.5 Assessor's Parcel Number

101-02-018 and 101-02-021

2.6 General Plan Designation and Zoning District

General Plan Designation:	Combined Industrial/Commercial and Industrial Park
Zoning District:	Combined Industrial/Commercial and Industrial Park Planned Development

Figure 2-1: Regional Map

Figure 2-2: Vicinity Map

Figure 2-3: Aerial and Surrounding Land Use Maps

Section 3.0 Project Description

3.1 Overview of Proposed Generating Facilities

NTBGF will be an emergency backup generating facility with a generation capacity of up to 97.3 MW to support the need for the NTDC to provide clean uninterrupted power for its tenant's servers. The NTBGF will consist of 42 diesel-fired backup generators. Of the 42 total generators, two of the generators will each have a generating capacity of up to 1.75 MW and the remaining 40 generators will each have a generating capacity of 3 MW. Of those 40 generators rated 3 MW, eight will be redundant. The generators will be arranged in two generation yards located adjacent to each data center building (DC North and DC West). All 40 of the 3-MW generators will be dedicated to replacing the electricity needs of the data center in case of a loss of utility power, while the two 1.75-MW generators will be used to support general office loads along with building and life safety services (i.e., house generators) during emergencies.

GIC San Jose LLC⁵ provides this revised project description to add an optional PG&E transmission line route and switching station configurations for the Commission to consider in its evaluation of the SPPE Application. GIC San Jose LLC requests the Commission include the interconnection infrastructure described in the original SPPE Application in addition the infrastructure option described in this revised project description. This revised project description also includes a modification to the Project Substation to optimize the site.

The purpose of the revisions is to allow the GIC San Jose LLC flexibility in determining the best interconnection solution at the time of construction of the NTDC. The current interconnection infrastructure assumes that GIC San Jose LLC will be able to expand the PG&E switching station proposed for the Microsoft SJ04 Project. GIC San Jose LLC requires the flexibility in the event the PG&E switching station is not constructed as part of the SJ04 Project in time to allow the expansion to support the NTDC. Therefore the option included in this revised project description include GIC San Jose LLC constructing the PG&E switching station on its property and modification of the transmission line interconnection route within the project site to the switching station. Detailed description of the transmission line and switching station option is included in Sections 3.3.3 and 3.3.4 and shown on attached revised drawing Sheets P5.0A and P5.1A . Minor modifications of the project description are included in other sections to include references to the additional transmission interconnection infrastructure and to highlight any potential changes to the potential effects attributed to the new transmission infrastructure option.

In addition to the transmission infrastructure option, this revised project description includes relocation of the project substation to optimize site access along Orchard Parkway. This

⁵ On September 30, 2025, GIC San Jose LLC, a wholly-owned subsidiary of Goodman, acquired the entirety of the NBGF, NDC and Project Site from LBA RVI-Company I, LP.

[modification is shown on attached revised drawing of Sheet P5.1 and the revised landscape plan is shown on revised drawing Sheet L2.1.](#)

3.2 Generating Facility Description, Construction and Operation

3.2.1 Site Description

The Project Site is located at the southwest corner of the intersection of West Trimble Road and Orchard Parkway in San José, California. The data center buildings, emergency backup generating facilities, Project substation, water storage and treatment area, the PG&E Switching Station, site circulation, and parking will be located on APNs 101-02-018 and 101-02-021, (hereinafter referred to as the “Project Site”). The entire Project Site is approximately 28.5 acres.

The Project Site has two General Plan land use designations of Combined Industrial/Commercial (CIC) and Industrial Park (IP). The Project Site also is located in two zoning districts, the CIC zoning district and IP Planned Development (PD) zoning district. DC North sits within the IP(PD) zoning district while DC West, the Project Substation and the PG&E Switching Station sit within the CIC zoning district. The majority of the Project Site is currently developed with circulation and landscaped areas that surround an existing industrial facility. A portion of the Project Site associated with DC North was cleared and graded in 2022 in preparation for a previous advanced manufacturing project that did not move forward.

The Project Site is generally bound to the north by West Trimble Road, to the south by an undeveloped property planned for future development as an unrelated data center facility, to the east by Orchard Parkway, and to the west by the Guadalupe Trail and Guadalupe River. As the Project is primarily a redevelopment of an existing, operating industrial site, the portions of the existing industrial facilities to remain are not included in the definition of the Project Site. Given this, the Project Site is irregularly shaped and only includes the general development areas for DC North and DC West and their associated functions, the Project substation, the PG&E Switching Station and limited modifications to existing site circulation and parking affected by the site’s redevelopment. The overall site plan is shown in Sheet Index P 2.0 in Appendix A.

Parcels near the Project Site consist primarily of industrial land uses to the north, east and south. Uses to the west include industrial and limited commercial uses across the Guadalupe River. US-101 is approximately 1,100 feet southwest of the Project Site, and the San José Mineta International Airport is approximately 1,350 feet southwest of the Project Site at the nearest point. The closest school (Montague Elementary School) is approximately 0.7 mile northwest of the Project Site. The nearest residential area (consisting of single-family residences) is approximately 0.6 mile northwest of the Project Site.

Existing buildings in the vicinity of the Project Site to the north, south and east are similar in height and scale to the proposed data center buildings. The data center buildings would each be approximately 207,000 square feet with a maximum height of 81.4 feet at the top of the rooftop mechanical equipment.

Refer to Sheet Index P 6.0 in Appendix A for the DC North site plan and to Sheet Index P 5.0 in Appendix B for the DC West site plan.

3.2.2 General Site Arrangement and Layout

The 42 emergency backup generators (two 1.75-MW generators for house loads and 40 3-MW generators for the data center loads) will be located at the site in two generation yards adjacent to each of the two NTDC buildings. Refer to Sheet Index A 1.0 in Appendix A for the location of the generation yard adjacent to DC North and to Sheet Index A 1.0 in Appendix B for the location of the generation yard adjacent to DC West.

Each generation yard will be electrically connected to the data center building (DC North or DC West) through an underground cable bus system to a location within each building that houses electrical distribution equipment.

3.2.3 Generating Capacity

3.2.3.1 *Overview*

In order to determine the generating capacity of the NTBGF, it is important to consider and incorporate the following critical and determinative facts.

1. The NTBGF uses internal combustion engines and not turbines.
2. The NTBGF internal combustion engines have a peak rating and a continuous rating.
3. The NTBGF through software technology and electronic devices will be controlled exclusively by the NTDC. The NTBGF has been designed with a potential to be either a block redundant ($N+R=4+1$) or distributed redundant (5-to-make-4) system, as described below. Each data center floor will be served by two systems of five 3-MW data center generators each (as described in Section 3.2.4 Backup Electrical System Design below). Each floor will then be served by a total of 10 3-MW data center generators with a total of 20 3-MW data center generators per data center building (DC North and DC West). The entire data center campus will have a total of 40 3-MW generators.
4. For each building, there will be four 3-MW redundant data center generators which equates to eight redundant generators for the campus.
5. There will be a total of two 1.75-MW house generators (one for each data center building) to provide electricity during emergencies to support portions of the administrative building and features necessary for emergency response.

6. The NTBGF will only be operated for maintenance, testing, and during emergency utility power outages and will not operate for any demand response program.
7. The NTBGF will only operate at a load equal to the demand of the NTDC during an emergency utility outage.
8. The NTBGF will be only interconnected to the NTDC and will not be interconnected to the transmission or distribution grid.

3.2.3.2 *Generating Capacity and PUE*

The Commission has determined the maximum generating capacity of a backup generating facility is the maximum capacity of the load being served. The design demand of the NTDC, which the NTBGF has been designed to reliably supply with redundant components during an emergency, is based on the maximum critical information technology (IT) load and maximum mechanical cooling electrical load occurring during the hottest temperature in the last 20 years. Such conditions are possible but extremely unlikely to ever occur. The NTDC load on that worst-case day will be 97.3 MW.

It is important to understand that while the NTDC will be designed to accommodate the full IT equipment load of the building, it is GIC San Jose LLC/LBA RVI Company I, LP's experience that the customers who lease data center space do not utilize the entire load identified in their lease. This typically results in data center demand loads of approximately 85-90 percent. Therefore, a fully leased 97.3-MW data center will only be expected to reach a demand load of around 88 MW.

The data center industry utilizes a factor called the Power Utilization Efficiency Factor (PUE) to estimate the efficiency of its data centers. The PUE is calculated by dividing the total demand of the data center infrastructure serving the critical IT spaces (including IT load) by the critical IT load itself. The theoretical peak PUE for the Worst Day Calculation will be 1.5⁶. The average annual PUE at full load will be 1.2.⁷ These PUE estimates are based on design assumptions and represent the worst case.

As described above, the expected PUE will be much lower because the Critical IT that is leased by clients is rarely fully utilized. GIC San Jose LLC/LBA RVI Company I, LP team members' experience with operation of other data centers is that the actual annualized PUE will be closer to 1.12.

⁶ The Peak PUE is calculated as follows: Total 99 MW building demand power load on Worst Case Day divided by 64 MW total critical IT load

⁷ The average annual PUE is calculated as follows: Total 80 MW building demand of average conditions divided by 64 MW Design Critical IT Load

3.2.4 Backup Electrical System Design

3.2.4.1 Overview

There will be up to eight data halls in the NTDC. Each data hall will be designed to handle up to 9 MW of IT equipment load. The total electrical load of each 9-MW data hall will be 12 MW which includes the IT equipment load, mechanical equipment to cool the IT equipment load, lighting, data center monitoring equipment, and other general use load. The sum of the eight data halls will result in 72 MW of IT equipment load and 97.3 MW of total electrical load. This total electrical load includes the worst cases of 3 MW of house load, 72 MW of IT equipment load, and 22 MW of mechanical load. The data halls for DC North are shown in Sheet Index A 1.0 and A 1.1 in Appendix A. The data halls for DC West are shown in Sheet Index A 1.0 and A 1.1 in Appendix B.

There will be 40 critical electrical lineups supporting the data centers, each consisting of a 2-MW UPS and a 3-MW generator. Of the 40 critical electrical lineups, there will be eight backup electrical systems and 32 primary electrical systems. All eight of the data halls will each be served by four primary electrical systems and one backup electrical system.

Each 9-MW data hall will be supported by five of the critical electrical lineups or generators. Each group of five of the critical electrical lineups will be designed for one lineup to be taken out of service at any moment in time (called “4+1” block or “5-to-make-4” distributed redundancy). During a utility outage, all five generators will start and carry load up to a design threshold of approximately 80 percent of their nameplate rating. If one of the generators fails or needs to be taken out of service during the emergency, the redundancy design allows the failing generator to be removed from operation automatically with the remaining four generators to continue to serve up to the maximum design load of the data hall.

The IT equipment will have dual cords that will take power from two different critical electrical lineups. The dual cords will be designed to evenly draw power from both cords when power is available on both cords, and automatically draw all of its power from a single cord when power becomes unavailable on the other cord.

Each “4+1” or “5-to-make-4” redundant critical electrical system will be designed to continue supporting all of the IT equipment load in the data hall it serves any time one of the five critical electrical lineups is either scheduled to be out-of-service for maintenance or becomes unavailable due to equipment or utility failure. Therefore, the 15 MW of total power equipment capacity installed for each redundant critical electrical system effectively provides only 12 MW of total power.

The electrical load on each “4+1” or “5-to-make-4” redundant critical electrical system will be monitored by the building automation system. When any of the redundant critical electrical systems reaches 90 percent of the normal operating load, an alarm is activated in the engineering

office. The operations staff will work with the tenants to ensure that the facility's power levels will not be exceeded.

The consequence of a critical electrical lineup exceeding the design threshold load could lead to dropping IT equipment when coupled with a critical electrical lineup failure event. If all the critical electrical lineups serving a data hall will be loaded over the design threshold load and a critical electrical lineup fails, the resulting load transferring to the remaining available critical electrical lineups will exceed the rating of the critical electrical lineups and will lead to over-current protection devices tripping open due to the overload condition. Therefore, it is vital to the reliability of the data center to make sure that all critical electrical lineups remain below the design thresholds described above.

3.2.4.2 *Utility-to-Generator Transfer Control Components and Logic*

In a switchboard located next to the Generator Alternator, there will be a Load Disconnect Breaker that is normally closed while the generator is both in and out of operation. From that load disconnect, power will be brought into the data center facility terminating on a dedicated Main Generator Input Breaker on the lineup Main Switchboard.

This Generator Main Breaker will be electrically interlocked with an adjacent Utility Transformer Main Breaker to allow only one of the breakers to close at any time. Upon the loss of utility power, the digital transfer controller will send a start signal to the generator, followed by the Utility Breaker opening, followed by a confirmation that the generator has started leading to the Generator Main Breaker being closed. All transfers to/from generator will be open transition.

When the Generator Main Breaker is closed, the power created from the individual generator will then be transmitted to the IT equipment via a 2-MW or 2,000 kilowatts (kW) UPS system and to mechanical equipment designed to cool the IT equipment load served by the UPS. This load will be the same load that the dedicated Utility Transformer was supplying power to prior to the utility interruption. Power from this individual generator cannot be transferred to any other load or system, or anywhere outside the facility.

The UPS system includes back-up batteries sized for a minimum of five minutes of battery back-up time at the battery's end of life. During the time between a transfer between utility and generator power, the UPS system continues to support the IT equipment load without interruption. During a utility-to-generator transfer, the duration of the power outage between the sources will typically be around 15 seconds since it will take approximately ten seconds to get the generator started and up to voltage and frequency. During a generator-to-utility transfer, the duration of the power outage between the sources will typically be less than five seconds (during this period the IT loads will be supplied by the UPS).

3.2.4.3 *Uninterruptible Power Supply (UPS) System Description*

The UPS System and Batteries will be part of the NTDC and will not be part of the NTBGF. However, the following description is provided to describe how the UPS system will operate. The UPS will protect the load against power quality issues. The UPS will have built-in protection against permanent damage to itself and the connected load for all predictable types of malfunctions. The load will be automatically transferred to the bypass line in an open transition manner but without interruption in the event of an internal UPS malfunction or overload condition. The status of the UPS system will be indicated on an LCD graphic display screen on the front of the UPS. The UPS will operate in the following modes:

- Normal – Insulated Gate Bipolar Transistor (IGBT) Rectifier converts alternating current (AC) input power to direct current (DC) power for the inverter and for charging the batteries. The IGBT inverter supplies clean and stable AC power continuously to the critical load while regulating power factor and minimizing total harmonic distortion. The UPS Inverter output will be synchronized to the bypass AC source when the bypass source is within the AC input voltage and frequency specifications.
- Loss of Main Power - When Main Power is lost, the battery system will automatically feed the inverter so there is no interruption of AC power to the critical load.
- Return of Main Power or Generator Power - The system shall recover to the Normal Operating Mode and shall cause no disturbance to the critical load while simultaneously recharging the backup battery.
- Transfer to Bypass AC source - If the UPS becomes overloaded, or an internal fault is detected, the UPS controls shall automatically transfer the critical load from the inverter output to the bypass AC source without interruption. When the overload or internal warning condition is removed, after a preset “hold” period the UPS will automatically re-transfer the critical load from the bypass to the inverter output without interruption of power to the critical load.
- Maintenance Bypass - A manual make-before-break maintenance bypass panel will be provided to electrically isolate the UPS for repair, maintenance or test without affecting the operation of critical load.

The UPS system batteries will be lithium and will have tab washers mounted on front terminal posts capable of accepting the wiring components of a battery monitoring system. Batteries will have an expected life of ten years. Each battery bank will provide a minimum of five minutes of backup at 100 percent rated inverter load of 2,000 kW, @ 77°F (25°C), 1.67 end volts per cell.

3.2.5 Generator System Description

Each of the 40 3-MW generators will be Caterpillar Model C175-16 diesel-fired generators. Each of the two 1.75-MW generators will be Caterpillar Model 3512C diesel-fired generators. All generators

will be equipped with Selective Catalytic Reduction (SCR) equipment, diesel exhaust fuel, and diesel particulate filters (DPF) to comply with Tier 4 emissions standards. The maximum peak generating capacity of each generator will be 3-MW for standby applications (short-duration operation). Under typical backup operation, when all generators are active, the maximum load on each generator will be designed to be 80 percent of the peak capacity. Manufacturer specification sheets and performance data for the proposed generators are provided in [Error! Reference source not found.](#)[Appendix C.](#)

Each individual generator will be provided with its own package system. Within that package, the prime mover and alternator will be automatically turned on and off by a utility-generator programmable logic controller (PLC) located in the 480-volt main switchboard located within the respective NTDC building it serves. Each generator will be controlled by a separate, independent PLC. The generator will be turned on if the electrical utility power becomes unavailable and will be turned off after utility power has been restored and the PLC has returned the utility to the active source of power serving the computer and mechanical loads within the NTDC.

The generator package will integrate an SCR and Diesel Exhaust Fluid (DEF) tank. The generators will be constructed in a generator yard immediately adjacent to the building it serves as shown in Sheet Index A 1.0 in Appendix A for DC North and Sheet Index A 1.0 in Appendix B for DC West. The generators will be housed in an enclosure placed on a concrete slab. The enclosures for each individual 3-MW generator will be approximately 13 feet wide, 48 feet long and 20 feet high. Generators will have stack heights approximately 25 feet above ground level. The enclosure for each 1.75-MW generator will be approximately 10 feet wide, 37 feet long, and 16 feet high. The generators will have stack heights approximately 25 feet above the ground level. Each generator will be spaced approximately 12 feet apart horizontally. Each generator yard will be enclosed with a 17 foot high metal screen to obscure views of the generators.

3.2.6 Fuel System

The backup generators will use renewable diesel as its primary fuel when feasible and ultra-low sulfur diesel as fuel (<15 parts per million sulfur by weight) when renewable diesel is not readily available.⁸ Each generator will have a dedicated up to 6,500 gallon tank integrated into its enclosure. Tanks will be double walled with leak detection.

Each of the smaller house generators will have an integrated diesel fuel tank in its enclosure with a maximum capacity of approximately 3,000 gallons.

The generators will have a combined diesel fuel storage capacity of approximately up to 234,000 gallons, which is sufficient to provide more than 24 hours of emergency generation at full electrical worst-case demand of the NTDC.

⁸ See PDM GHG-1.

3.2.7 Cooling System

Each generator will be air cooled independently as part of its integrated package and therefore there is no common cooling system for the NTBGF.

3.2.8 Water Supply and Use

The NTBGF will not require any consumption of water.

3.2.9 Waste Management

The NTBGF will not create any waste materials other than minor amounts of solid waste created during construction and maintenance activities.

3.2.10 Hazardous Materials Management

The NTBGF will prepare a Spill Prevention, Control, and Countermeasure Plan (SPCC) to address the storage, use and delivery of diesel fuel for the generators.

Each generator unit and its integrated fuel tanks have been designed with double walls. The interstitial space between the walls of each tank is continuously monitored electronically for the existence of liquids. Additionally, the standby generator units will be housed within a self-sheltering enclosure that prevents the intrusion of storm water.

Diesel fuel will be delivered on an as-needed basis in a compartmentalized tanker truck with maximum capacity of approximately 17,500 gallons. To refuel the DC West generators, the tanker truck parks on the access road to the east of the DC West generator yard and extends the fuel fill hose through one of multiple hinged openings in the screen wall surrounding the generator equipment yard or via a centralized fueling station located on the exterior of the precast screen wall. To refuel the DC North generators, the tanker truck parks on the access road to the South of the DC North generator yard and follows the same process of extending the fuel fill hose through one of multiple hinged openings.

There will be no loading/unloading racks or containment for re-fueling events; however, a spill catch sump is located at the low spots within each fill port for the fuel tank. To prevent a release from entering the storm drain system, storm drains will be temporarily blocked off by the truck driver and/or facility staff during fueling events. Rubber pads or similar devices will be kept in the generation yard to allow quick blockage of the storm sewer drains during fueling events.

To further minimize the potential for diesel fuel to come into contact with stormwater, to the extent feasible, fueling operations will be scheduled at times when storm events are improbable. Furthermore, the pads where site equipment would be situated, such as the emergency generators,

would be elevated to 29 feet to adhere to flood conveyance restrictions set by the North San José Floodplain Management Policy (NSJFMP). Refer to Section 3.3.9.5 Floodplains for more details.

Warning signs and/or wheel chocks will be used in the loading and/or unloading areas to prevent vehicles from departing before complete disconnection of flexible or fixed transfer lines. An emergency pump shut-off will be utilized if a pump hose breaks while fueling the tanks. Tanker truck loading and unloading procedures will be posted at the loading and unloading areas.

DEF is used as part of the diesel engine combustion process to treat the exhaust gas and meet the emissions requirements. Each enclosure will have an approximately 100-gallon DEF tank. The tank can be filled in place from drums, totes or bulk tanker truck similar to the process identified for the diesel refuel process.

3.2.11 NTBGF Project Construction

Construction activities for the NTDC are expected to begin in the first quarter of 2026 and are discussed in more detail in Section 3.3.9.34 Site Grading, Demolition, Excavation, and Construction. Since the site preparation activities for the NTDC will include the ground preparation and grading of the entire NTDC site, the only construction activities for the NTBGF will involve construction of the generation yards for each data center building. This will include construction of concrete slabs, fencing, installation of underground and above ground conduit and electrical cabling to interconnect to the NTDC switchgear, as well as placement and securing of the generators. Prior to construction of the NTBGF, new site circulation roadways, fire lanes, utility tie-ins, and parking facilities serving the existing industrial buildings will have been established. Consequently, construction of the NTBGF will not materially impact the operational capacity of the existing industrial facilities located directly adjacent to the Project Site.

The generators themselves will be assembled off-site and delivered to site by truck. Each generator will be placed within the generation yards by a crane.

Construction of the generation yards and placement of the generators is expected to take six months and is included in the overall construction schedule for the NTDC described in Section 3.3.9.3 Site Grading, Demolition, Excavation, and Construction. Construction personnel for the NTBGF are estimated to range from 10 to 15 workers including one crane operator.

3.2.12 NTBGF Facility Operation

The backup generators will be run for short periods for testing and maintenance purposes and otherwise will not operate unless there is a disturbance or interruption of the utility supply. The Bay Area Air District's (Air District) Authority to Construct and the California Air Resources Board's (CARB) Airborne Toxic Control Measures (ATCM) limits each engine to no more than 50 hours annually for reliability purposes (i.e., testing and maintenance). Each generator will be tested individually during monthly and annual testing. Generators will only be run simultaneously during an emergency utility outage.

3.3 NTDC Facilities Description

3.3.1 Overview

As described in Section 1.3 Commission SPPE Jurisdiction, the Commission SPPE's determination is limited solely to the NTBGF. However, in order for the Commission to inform the decision-makers of the potential environmental effects of the NTBGF, in combination with the NTDC, [GIC San Jose LLC/LBA RVI Company I, LP](#) has included a complete description of the NTDC. The components of the NTDC will include:

- Two approximately 207,000 square-foot two-story data center buildings designated as DC North and DC West;
- Ancillary water pump houses and storage water tanks serving DC North and DC West;
- A Project Substation;
- Expansion of an existing permitted PG&E Switching Station;
- The NTBGF;
- Site access and surface parking;
- Landscaping;
- Stormwater controls and features; and
- Domestic Water, recycled water, and sewer pipeline interconnections.
- Improvements to the Right-of-Way at the Project frontage including curb, gutter, and sidewalk replacement, reconstruction or relocation of driveway cuts, and addition of storm, sewer, and water utility laterals to the Project Site.
- Intersection improvements at the southwest and southeast corners of the Trimble Road and Orchard Parkway intersection;

3.3.2 Data Center Buildings

The NTDC main component will consist of two approximately 207,000 square foot data center buildings (designated DC North and DC West). Each building will be two-stories and will house computer servers for private clients in a secure and environmentally controlled structure designed to provide 36 MW of power to Critical IT equipment.

The data center buildings will consist of two main components: (1) the data center suites that will house client servers and (2) the administrative facilities including support facilities (such as the building lobby, restrooms, conference rooms, landlord office space, customer office space, loading dock and storage).

The data center suite component within each data center building will consist of two levels of data center space with each level containing four data center suites and corresponding electrical/UPS rooms. The data center will be being designed with an average rack power rating of 5 to 7 kW.

Each data center building is expected to have between 20 employees and 30 visitors (including deliveries) visit the site per day.

3.3.2.1 *Massing, Heights and Setbacks*

Each two-story data center building will be composed of a data hall and administrative space with integrated loading dock masses. The administrative space, located on the northeast side of DC North and the west side of DC West, will be clad with curtain wall and exterior insulated finishing systems. The data hall portion will be clad in exterior insulated finishing system panels. The top of the parapet at the administrative space and data hall will be 55.5 feet above grade. Two stairs located on the end corners of each building's data hall portion will be fully enclosed within the building footprint. Each building will also include stairs in the administrative space. A rooftop mechanical penthouse will be provided for mechanical equipment. A sound attenuating screen topping off at 72 feet above the first-floor level fully encloses the penthouse. Access to the rooftop will be provided by the admin staircase mentioned above, with the top of the structure being approximately 59 feet above grade. The maximum height to the top of the rooftop mechanical equipment would be 81.4 feet.

DC North will be located on the northeast portion of the Project Site with its long axis oriented generally in an east-west configuration. The DC North building will conform to the zoning minimum building setback standards of 10 feet from West Trimble Road and Orchard Parkway and 15 feet from all other interior property lines. The DC North building will be designed to be set back approximately 20 feet from West Trimble Road, approximately 200 feet from Orchard Parkway, and approximately 35 feet from the property line at the center of the private access road to the south.

The first floor, second floor, and roof plan for DC North are shown in Sheet Index A 1.0, A 1.1, and A 1.2, respectively, in Appendix A. The overall exterior elevation of DC North is shown in Sheet Index A 2.0 in Appendix A.

DC West will be located on the west end of the Project Site with its long axis oriented generally in a north-south configuration. The DC West building will conform to the zoning minimum building setback standards of 15 feet front and zero feet all other property lines. The DC West building will be designed to have an approximately 65 feet front setback from West Trimble Road, approximately 200 feet setback from the western property line adjacent to Guadalupe River, approximately 260 feet setback from the southern property line with the adjacent future data center facility, and approximately 20 feet setback from the property line at the center of the access road.

The first floor, second floor, and roof plan for DC North are shown in Sheet Index A 1.0, A 1.1, and A 1.2, respectively, in Appendix B. The overall exterior elevation of DC North is shown in Sheet Index A 2.0 in Appendix B.

3.3.2.2 *Cooling Technology*

Hybrid cooling towers and water-cooled chillers will be used to remove heat generated in the data center. They will be sized to be able to carry the full heat load with reduced water usage when compared to traditional open cooling towers. The units will also have an optional free-cooling coil that allows for further reduced and possibly even eliminated water usage, given agreeable ambient conditions. For this operation, recycled water will be utilized. However, due to water quality required by the manufacturer, a localized water treatment (as part of the building operations) will be required to ensure water quality is maintained at the cooling towers.

Both the data halls and office areas will also require minimal humidification. Although less than the cooling towers noted above, these systems will also use some water and will be connected to the same water treatment systems.

There will be some discharge from the cooling towers and a negligible amount from the humidification system. The discharge from the cooling towers utilizing reclaimed water, a corresponding bespoke water treatment approach from Nalco (a water management solutions company), and an assumed range of 4-6 Cycles of Concentration for the cooling tower water.

The chiller plant will include both high-temperature and low-temperature water-cooled chillers that will be supported by the hybrid cooling towers. The cooling towers and high-temperature water-cooled chillers will work together to provide cooling water for both direct liquid cooling in the IT racks and air cooling of the data halls. The cooling water will be provided to coolant distribution units, which will heat exchange with technical water (anticipated to be a 25 percent glycol/water mixture) that will in turn be pumped to the IT racks for direct liquid cooling. The direct liquid cooling will be capable of removing approximately 80 percent of the IT heat load produced by the IT racks. The data hall air cooling will be capable of removing the remaining approximately 20 percent of the IT heat load. This air cooling could also handle up to 25 to 30 percent of the IT heat load to allow for underperforming direct liquid cooling. The air cooling for the data halls will be in the form of either perimeter cooling equipment (e.g., computer room air handler, fan coil walls, etc.) or rear door heat exchangers. Perimeter cooling will require Hot Aisle Containment to direct the hot air rejected out the back of the IT racks, up into a return plenum ceiling and back to the perimeter cooling units, before being distributed back to the data hall.

The cooling towers and low-temperature water-cooled chiller will work together to provide chilled water for air cooling of both the critical electrical rooms and various technology spaces (e.g., minimum point of entry, meet-me room, main distribution frame, and intermediate distribution frames, etc.).

The non-critical spaces (admin, office, loading, storage and corridor areas) will be conditioned via a network of variable refrigerant flow (VRF) split system air conditioning systems with condensing units on the roof and fan coil units distributed through the spaces.

3.3.3 Project Substation

The Project will construct a new 115-34.5 kilovolt (kV), 110 mega volt-ampere (MVA) electrical substation (Project Substation) adjacent to the proposed expansion of the recently permitted PG&E utility switchyard (see Section 3.3.4 PG&E Switching Station Expansion below). The two-bay Project Substation (two 105 MVA 115kV - 34.5 kV step-down transformers and primary distribution switchgear) will be designed to allow one of the two transformers to be taken out of service, effectively providing 105 MVA of total power (a 2-to-make-1 design). Refer to Sheet Index P 5.1 in Appendix B for the substation layout.

The Project Substation will have a gravel surface matching the adjacent PG&E Switching Station. A seven-foot high panel fence or screen wall will surround all sides of the substation. An oil containment pit surrounding each transformer will capture unintended oil leaks. Firewall protection will be included between the two transformers to meet fire and safety requirements. Access to the substation will be from a private road serving the data center buildings.

The Project Substation will be capable of delivering electricity to the facilities from the new 115kV switchyard recently permitted by PG&E. The utility will not allow any electricity generated from the data center to be delivered to the transmission grid. Availability of Project Substation control systems will be ensured through a redundant DC battery backup system. A one-line diagram of the Project Substation is included in [Error! Reference source not found. Appendix D](#).

3.3.4 PG&E Switching Station Expansion and Transmission Line

~~To serve the NTDC~~ The first option to serve the NTDC, will include PG&E's ~~will be~~ expansion of its soon to be permitted Component Switching Station located on a separate parcel immediately adjacent to the southern boundary of the Project Site. This PG&E Switching Station and its corresponding transmission line extending from the Switching Station to the existing PG&E transmission line west of the site will be permitted and constructed ~~to provide the utility-owned infrastructure~~ to serve the adjacent Microsoft SJ04 Data Center Project.⁹ If the PG&E Switching Station and corresponding transmission line is in service at the time that the NTDC begins construction, ~~For the NTDC,~~ PG&E will ~~be~~ expanding its ~~the PG&E~~ Switching Station onto the Project Site property. To accommodate the land necessary for expansion of the PG&E Switching Station, GIC San Jose LLC ~~LBA RVI Company I, LP~~ will request a lot-line adjustment to allow the finished

⁹ The PG&E Switching Station Expansion is an independent project being undertaken under a separate environmental review and is not part of this SPPE Application. The PG&E Switching Station is analyzed as part of the San José Data Center 04 SPPE Application, which is under with the Commission under TN #245946. The public docket for the San José Data Center 04 project is available here: <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-SPPE-02>.

expanded PG&E Switching Station to be owned and operated by PG&E. The portion of the site accommodating the PG&E Switching Station expansion will be deeded to PG&E.

The PG&E Switching Station will have crushed rock surface with an aggregate base. A 10 foot high panel fence or screen wall will surround all four sides of the switchyard. Access to the PG&E Switching Station will be from a dedicated entrance gate not accessible to the public. The PG&E Switching Station will use 115-kV circuit breakers with a 3,000 Amp and 63 kiloamp fault duty rating using SF₆. A preliminary one-line diagram for the expanded PG&E Switching Station will be provided to the Commission under a separate cover.

3.3.4.1 *New Reconfigured PG&E Switching Station on Project Site*

In the event that the PG&E Switching Station is not in service at the time the NTDC begins construction, PG&E will construct the Switching Station on the NTDC Site as shown in revised drawing Sheets P5.0A and P5.1A. Simplified one-line diagrams of the on-site Switching Station and the looped interconnection is shown in Figures 2-2 and 4-1 Attached. The portion of the project site containing the new Switching Station will be deeded to and owned and operated by PG&E. To interconnect this configuration of the PG&E Switching Station on the NTDC Site, GIC San Jose LLC has identified a new transmission line route to interconnect the Switching Station to the existing transmission line located west of the site. The new route will be located on the Project Site property as shown on revised drawing Sheets P5.0A and P5.1A. While the route has not been fully designed at this time, GIC San Jose LLC in consultation with PG&E estimates a total of 4-7 transmission poles with heights up to 125 feet.

3.3.5 Site Access and Parking

The site will have four access points from the bordering public streets of West Trimble Road and Orchard Parkway. As the Project is a redevelopment of an existing site, portions of the existing access and circulation system will remain. Primary access to common site-wide circulation exists via a right-in and right-out access point on West Trimble Road, ~~and a signalized full-movement intersection on Orchard Parkway~~ and a second full-movement access point on Orchard Parkway approximately 475 feet. ~~A secondary right-in, right-out access point will be created approximately 300 feet south of the existing signalized intersection on Orchard Parkway.~~ These three access points will be connected to a private common circulation access loop serving the existing facility to remain, DC North and DC West. A fourth access point will also be created approximately 220 feet north of the existing signalized intersection on Orchard Parkway. This access point is dedicated to vehicular access to DC North employee/visitor parking and is right-in and right-out only.

The main entrance to DC North will be in the northeast corner of the site accessed through the dedicated driveway on Orchard Parkway and pedestrian linkage at West Trimble Road. Service, loading and fire access to DC North will be taken from the common private access road on the southern property line.

The main entrance to DC West will be located in the northwest corner of the site accessed via common private access roads as DC West does not have a direct access point on a public street. Service, loading and fire access to DC West will be taken from the common private access roads on the north and east sides of the building.

The Project will provide a total of 133 parking spaces on site dedicated specifically to DC North and DC West. Of the aggregate total, 123 parking spaces will be standard spaces, 6 parking spaces will be ADA standard spaces, 2 parking spaces will be ADA Van Accessible spaces and 2 parking spaces will be EV Supply Equipment accessible spaces. Of the 123 standard parking spaces, 12 parking spaces will be Electric Vehicle (EV) Supply Equipment spaces and 56 parking spaces will be EV capable spaces. The proposed parking plan conforms to City of San José Municipal Code and California Green Building Standards (CALGreen).

The entrances, exits, and parking lots for DC North and DC West are shown in Sheet Index P 8.0 in Appendix A and Sheet Index P 7.0 in Appendix B, respectively.

3.3.6 Landscaping

The current condition of the site is a varied mix of existing buildings, parking areas, landscaped areas and either undeveloped or previously demolished areas. Development of the Project Site will entail removal and replacement of landscaping throughout.

New landscaping for the NTDC will consist of trees, large and medium shrubs, and groundcovers installed along the property boundaries, building perimeters, and landscape areas distributed throughout parking facilities and pedestrian areas. Trees will be planted to maintain appropriate setbacks from new and existing water mains or utility lines.

The new landscaping will include a mixture of native and climate adapted non-native trees, shrubs, and groundcovers. New planting will be tolerant of recycled water and will meet the State and City water efficient landscaping ordinance (WELO) requirements for water use through use of water-wise plant material. Based on Project calculations, the new planting will be a minimum of 20 percent under the landscape maximum water use for the site. The landscaping plan is provided in Sheet Index L ~~2.0~~1.1 in Appendix A for DC North and Sheet Index L 2.0 and L 2.1 in Appendix B for DC West and the Project substation.

3.3.7 Stormwater Controls and Features

The San Francisco Bay Regional Water Quality Control Board (RWQCB) has issued the Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit 3.0 (MRP) to regulate stormwater discharges from municipalities and local agencies. Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 5,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID) based stormwater treatment controls to treat post-construction stormwater

runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g., rainwater harvesting for non-potable uses). Examples of C.3 LID measures include bioretention areas, flow-through planters, and subsurface infiltration systems.

The NTDC Project proposes to construct stormwater treatment areas consisting of LID bioretention areas and at-grade flow-through planter boxes totaling approximately 36,000 square feet, based on preliminary impervious calculations, sized according to the requirements of the MRP. The stormwater treatment areas will be located around the perimeter of proposed buildings and adjacent to parking lots, access roads, and equipment yards.

In the existing condition, stormwater from the NTDC site discharges to City of San José public Storm Drain mains located in Orchard Parkway and Trimble Road. There are four existing storm drain laterals connecting the Project Site to the mains - two on Trimble Road and two on Orchard Parkway. In the event that the storm drain laterals are clogged or rainfall exceeds the lateral capacity, overland flows will occur and will release at the lowest point of the site, which is in the vicinity of the Trimble Road and Orchard Parkway intersection.

The proposed NTDC site will attempt to utilize the existing storm drain laterals to the greatest extent feasible, but will propose at least one additional storm drain lateral connection to ensure proper capacity is met. The existing overland release point for the site will be maintained.

Proposed impervious surfaces (building roof, parking, roads, equipment yards, etc.) will drain into bioretention areas or flow through planters. Flow-through planters and bioretention areas will include perforated underdrains and overflow structures that connect to the on-site storm drains systems, which will discharge the treated water to the public storm mains. Refer to Sheet Plan C 3.0 in Appendix A for the Project Site stormwater control plan

3.3.8 Trimble Road and Orchard Parkway Intersection Improvement

In preliminary discussions with staff from the Development Services Division of the City of San José Public Works Department, staff anticipates that the City will seek to impose a Condition of Approval as part of the Project's Conditional Use Permit and Planned Development Permit requiring the Project to improve both the southwest and southeast corners of the Trimble Road and Orchard Parkway intersection. Given the foregoing, the Project has incorporated this improvement as part of the Project.¹⁰

¹⁰ It is important to note the City is also including this same Condition of Approval on the Site Development Permit (file CP23-008) associated with the property directly south of the Project Site, which is associated with the SJ04 Project currently under review at the CEC (22-SPPE-02). The City has stated that construction of these intersection improvements will be the responsibility of whichever project's building permit is approved first, subject to a pro rata fair share apportionment of costs. Therefore, for purposes of a conservative analysis, the Project's CEQA document will incorporate these improvements as a PDM.

The improvement to the intersection corners will consist of removal of the existing pedestrian refuge (pork-chop) islands at the southwest and southeast corners. Removal of these islands will require a modification of the existing traffic signal to relocate the existing poles from the pedestrian refuge islands.

It is important to recognize these improvements will not be required as a mitigation pursuant to CEQA to offset design elements of the Project. Rather, the City often conditions development projects outside of the CEQA process to make improvements to the City street network to provide what the City views as operational improvements to vehicular and pedestrian safety in the area of a project.

3.3.9 Utility Interconnections

As part of the construction of the new buildings, domestic water, fire water, sanitary sewer, and fiber connections will be made. The utility plan for DC North is shown in Sheet Index C 2.0 in Appendix A and in Sheet Index C 2.0 and C 2.01 in Appendix B for DC West.

3.3.9.1 *Domestic Water Infrastructure*

The site is served by existing 12-inch water mains on West Trimble Road and Orchard Parkway. Laterals will provide water service for potable, irrigation, and fire water needs at the buildings.

3.3.9.2 *Sanitary Sewer Infrastructure*

Under existing conditions, the NTDC site is served by a sanitary sewer lateral connection to the existing 20-inch sanitary sewer main on Trimble Road. The proposed NTDC site will attempt to re-use this lateral to the greatest extent possible, but may construct one or more additional sanitary sewer laterals. These proposed sewer laterals may connect to the 20-inch main on Trimble, or to the additional existing 48-inch main on Trimble Road or 15-inch main on Orchard Parkway. It is not anticipated that upgrades to the existing public mains will be required, or that there are any capacity issues with these mains.

3.3.9.3 *Recycled Water*

Recycled water for the Project would be used for landscaping and data center cooling purposes. There is currently no existing recycled water service to the Project Site. However, as part of a separate development project, a recycled water pipeline would be extended from an existing recycled water main at the intersection of Montague Expressway and Kruse Drive in San Jose to

Orchard Parkway adjacent to the Project Site. The Project will connect to the new recycled water pipeline through an underground pipeline in Orchard Parkway.¹¹

3.3.9.4 *Site Grading, Demolition, Excavation, and Construction*

Site grading, excavation, and construction is anticipated to begin in January 2026 and run through December 2028. Construction will total approximately 36 months. The peak construction workforce will be approximately 600 workers per month with an average of approximately 300 workers per month.

The proposed grading will involve cut and fill throughout the NTDC limit of work. Cut and fill will generally be limited to approximately four feet, excluding excavations for utilities and deep foundation systems. The precise depth of excavation is not yet defined, but is presumed to extend to groundwater. Excess soils will be exported off-site to an appropriate location to be determined during the permitting and construction phases of the Project.

3.3.9.5 *Floodplains*

NTDC is located in Zone X (area outside the 500 year floodplain) and Zone AH (Special Flood Hazard Area) with base flood elevation of 27 feet. These designations are per the flood insurance rate map, Federal Emergency Management Agency's (FEMA) panel No. 06085C0068J dated February 19, 2014.

The NTDC site also falls within the North San Jose Floodplain Management Policy (NSJFMP) study area, where the City of San José has conducted its own flood study independent of the FEMA flood maps. The NSJFMP indicates that shallow surface flood conveyance could reach an elevation of approximately 28 feet in the vicinity of the two proposed data center buildings. Therefore, the grading design of these structures will be to elevate the finish floor elevation to at least 29 feet, providing one foot of freeboard above the flood elevation. Since this elevation is higher than the floodplain elevation given by FEMA, NSJFMP will govern the grading design of the site. The Flood Analysis is shown in Sheet Index C 4.0 in Appendix A.

The NSJFMP also stipulates that the proposed site grading must not completely obstruct the passage of shallow surface flood water through the site. To comply with this requirement, a portion of the site along the Orchard Parkway side will maintain the existing elevations. Equipment within this area (including the PG&E switching station and NTDC substation) will have pads elevated above the flood elevation. A detailed discussion of the Project's compliance with the NSJFMP is included in Section 4.10 Hydrology and Water Quality.

¹¹ Similar to the PG&E Switching Station Expansion, the construction and operation of an extended recycled water line is an independent project being undertaken under a separate environmental review and is not part of this SPPE Application. The recycled water line is analyzed as part of the San José Data Center 04 SPPE Application, which is under review with the Commission under TN #245946. The public docket for the San José Data Center 04 project is available here: <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-SPPE-02>.

3.3.10 Site Water Supply and Use

3.3.10.1 Construction

Grading and construction of the NTDC including the NTBGF is estimated to utilize approximately 1.75 acre-feet of water over the 36-month construction period.

3.3.10.2 NTDC Operation

As described above in Section 3.3.2.2 Cooling Technology, the NTDC uses hybrid closed-circuit cooling towers and water-cooled chillers for cooling needs of the data center. [Table 3.3-1](#)~~Table 3.3-1~~, [Table 3.3-2](#)~~Table 3.3-2~~, and [Table 3.3-3](#)~~Table 3.3-3~~ present the potable water, reclaimed water, and sewer demand for the site, respectively.

Table 3.3-1: Proposed Potable Water Demand

Land Use	Average Daily Demand (gallons per day)	Average Yearly Demand (gallons per year)	Average Yearly Demand (acre-feet per year)
FTE Indoor Demand	500 – DC North	182,500 – DC North	0.56 - DC North
	500 – DC West	182,500 – DC West	0.56 - DC West
Landscaping	545 – DC North	199,125 – DC North	0.61 – DC North
	545 – DC West	199,125 – DC West	0.61 – DC West
Total Demand	1,045 – DC North	381,625 – DC North	1.17 - DC North
	1,045 – DC West	381,625 – DC West	1.17 - DC West

Table 3.3-2: Proposed Reclaim Water Demand

Land Use	Average Daily Demand (gallons per day)	Average Yearly Demand (gallons per year)	Average Yearly Demand (acre-feet per year)
Data Center Critical Cooling	437,760 – DC North	159,782,400 – DC North	490 - DC North
	437,760 – DC West	159,782,400 – DC West	490 - DC West
Total Demand	437,760 – DC North	159,782,400 – DC North	490 - DC North
	437,760 – DC West	159,782,400 – DC West	490 - DC West

Table 3.3-3: Proposed Sewer Demand

Land Use	Average Daily Demand (gallons per day)	Average Yearly Demand (gallons per year)
Administrative HVAC	145 – DC North	52,925 – DC North
	145 – DC West	52,925 – DC West
Data Center Critical Cooling	108,777 – DC North	39,703,824 – DC North
	108,777 – DC West	39,703,824 – DC West
FTE Indoor Demand	500 – DC North	182,500 – DC North
	500 – DC West	182,500 – DC West
Total Demand	109,422 – DC North	39,939,030 – DC North
	109,422 – DC West	39,939,030 – DC West

3.4 Project Design Measures

The following Project Design Measures (PDM) are proposed by ~~GIC San Jose LLC~~ ~~LBA RVI Company L~~ ~~LP~~ and are incorporated into the design of the Project. They are outlined here to ensure that Commission's Staff assessment of the potential impacts of the NTBGF and NTDC is completed with these measures in place. These PDMs are also repeated in each environmental technical section where applicable and in many cases are identical to the Mitigation Measures adopted by Staff and approved by the Commission in recent SPPE proceedings.

Air Quality

PDM AIR-1: Fugitive Dust Best Management Practices. To incorporate the Bay Area Air District (Air District) recommendations for Best Management Practices (BMPs) to control fugitive dust, the Project Owner shall implement a construction emissions control plan that has been reviewed and approved by the Director of Planning, Building, and Code Enforcement or the Director's designee prior to the issuance of any grading or building permits, whichever occurs earliest. The Project Owner shall implement the following measures during construction:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt trackout onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 5 mph.
- All new roadways, driveways, and sidewalks shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted wood chips, mulch, or gravel.

- Equipment idling times shall be minimized to 5 minutes per the Air Toxics Control Measure (ATCM). Idling time signage shall be provided for construction workers at all access points.
- Properly tune and maintain all construction equipment in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Install wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.
- Minimize the amount of excavated material or waste materials stored at the site.
- Post a publicly visible sign with the telephone number and name of the person to contact regarding dust complaints and the Air District telephone number. The contact person shall implement corrective measures, as needed, within 48 hours, and the Air District shall be informed of any legitimate complaints received to verify compliance with applicable regulations.

Biological Resources

PDM BIO-1.1: Nesting Season Avoidance. To the extent feasible, commencement of construction activities should be scheduled to avoid the nesting season (September 1 through January 31, inclusive). If construction activities are scheduled to commence outside the nesting season, all impacts to nesting birds protected under the MBTA and California Fish and Game Code would be avoided. The nesting season for most birds in Santa Clara County extends from February 1 through August 31, inclusive.

PDM BIO-1.2: Preconstruction Survey. If it is not possible to schedule commencement of construction activities and/or tree removal between September 1 and January 31, preconstruction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. These surveys shall be conducted no more than 7 days prior to the initiation of demolition or construction activities or initiation of tree removal and pruning. During this survey, the ornithologist shall inspect all trees and other potential nesting habitats (e.g., trees, shrubs, ruderal grasslands, buildings) in and up 300 feet from the impact areas for nests.

PDM BIO-1.3: Buffer zones. During this survey, the ornithologist shall inspect all trees and other potential nesting habitats (e.g., trees, shrubs, ruderal grasslands, buildings) in and up 300 feet from the impact areas for nests. If active nests of protected species are found within project impact areas or close enough to these areas to affect breeding success, the ornithologist shall establish a species-specific work exclusion zone around each nest that shall be followed by the contractor. If an active nest is found within a distance that could result in disturbance, the ornithologist shall establish a construction-free buffer zone (typically 300 feet for raptors and 100 feet for other bird species) to prevent nest disturbance.

Established exclusion zones shall remain in place until all young in the nest have fledged or the nest otherwise becomes inactive (e.g., due to predation). Appropriate exclusion zone sizes vary dependent upon bird species, nest location, existing visual buffers, ambient sound levels, and other factors; an exclusion zone radius (typically 300 feet for raptors and 100 feet for other species). The exclusion zone size may be reduced from established levels if supported with nest monitoring by a qualified ornithologist indicating that work activities outside the reduced radius would not impact the nest.

PDM BIO-1.4: Buffer Monitoring. The project buffer shall be monitored on a frequency determined by the project ornithologist to verify compliance. After nesting is complete and all young have fledged, as determined by the ornithologist, the buffer would no longer be required, and tree removal may occur. If an active bird nest is discovered during demolition or construction, then a buffer zone shall be established under the guidelines specified above.

PDM BIO-1.5: Reporting. A report detailing the survey findings and any required buffer zones shall be submitted to the Director of Planning, Building, and Code Enforcement or the Director's designee for review and approval prior to tree removal and the issuance of a grading or demolition permit. The report shall contain maps showing the location of all nests, species nesting, status of the nest (e.g., incubation of eggs, feeding of young, near fledging), and the buffer size around each nest (including reasoning behind any alterations to the initial buffer size). The report shall be provided within 10 days of completing a preconstruction nest survey.

PDM BIO-1.6: Worker Environmental Awareness Program. A qualified biologist shall be retained by the project owner/developer to conduct a Worker Environmental Awareness Program (WEAP) training focused on nesting bird protection for all construction personnel prior to the commencement of any ground disturbing activities during the nesting season. The training shall include a description of nesting bird species that may be encountered, regulatory protections under the

Migratory Bird Treaty Act and California Fish and Game Code and other state and federal laws protecting birds, survey and buffer requirements during the nesting season, and proper protocols for reporting and avoiding impacts to active nests.

PDM BIO-2: Pay Habitat Plan Burrowing Owl Fees for Impacts on Occupied Nesting Habitat.

Prior to the issuance of any demolition, grading, or tree removal permit (whichever occurs first), the Project shall pay the Habitat Plan burrowing owl fees for the portion of California annual grassland that is permanently lost and located within 0.5 mile of a burrow that has been used for nesting within the three years prior to the start of construction, as mapped in the Habitat Agency's burrowing owl fee zone or based on the results of the project's pre-activity surveys and other surveys regularly performed in the area.

PDM BIO-3: Bird Collision. Due to the potential for bird collisions with the DC North and DC West buildings, the project shall implement the following bird-safe building design considerations for these facades:

- Reduce the extent of glass on building facades, to the extent feasible (as determined in consultation with the City and consistent with any City building design standards and California Building Code requirements).
- Reduce or eliminate the visibility of plants behind glass.
- All glazing used on the building facades shall have a reflectivity index of no more than 20 percent. Any bird-safe glazing shall have a reflectivity index of no more than 15 percent.
- No more than 10 percent of the surface area of the combined façades for each building shall have untreated glazing between the ground and 60 feet above ground. Bird-safe glazing treatments may include fritting, netting, permanent stencils, frosted glass, exterior screens, physical grids placed on the exterior of glazing or ultraviolet patterns visible to birds. Bird-safe treatments shall have the following specifications, to ensure they are sufficiently effective:
 - Vertical elements of the window patterns shall be at least 0.25 inch wide at a maximum spacing of 4 inches or have horizontal elements at least 0.125 inch wide at a maximum spacing of 2 inches.

OR

- Bird-safe glazing shall have a Threat Factor¹² less than or equal to 30.
- Avoid free-standing clear glass walls, skywalks, transparent building corners, glass enclosures (e.g., greenhouses) on rooftops, and free-standing clear glass railings where feasible. If any such features are included in the project design, all glazing used in any such features shall be 100 percent treated as specified above. These features shall be treated to a height of 60 feet above grade. Features located more than 60 feet above grade are not required to be treated. For transparent glass corners, the required treatment area extends horizontally from a building corner as far the corner as it is possible to see through the corner to the other side of the building.
- Landscaping, including planted vegetation and water features, shall be designed to minimize the potential for collisions adjacent to glazed building facades. For example, vegetation providing particularly valuable resources to birds (such as fruits) shall be planted away from glass facades, and vegetation in general shall be planted in such a way that it is not clearly reflected in windows. Water features shall be located away from building exteriors to reduce the attraction of birds toward glazed facades.

Due to the potential for night lighting to disorient birds, the project shall implement the following bird-safe design considerations for all new interior and exterior lighting on the project site:

- Minimize exterior lighting to the extent feasible, except as needed for safety/security. All exterior lights shall be shielded and directed toward facilities on the project site to ensure that light is not directed upward or outward toward the Guadalupe River.
- Occupancy sensors or other switch control devices shall be installed on interior lights, with the exception of emergency lights or lights needed for safety/security purposes. If occupancy sensors are not active, these lights shall be programmed to shut off during non-work hours and between 10:00 p.m. and sunrise.
- To the extent consistent with the normal and expected operations of commercial uses under the project, take appropriate measures to

¹² A material's Threat Factor is assigned by the American Bird Conservancy, and refers to the level of danger posed to birds based on birds' ability to perceive the material as an obstruction, as tested using a "tunnel" protocol (a standardized test that uses wild birds to determine the relative effectiveness of various products at deterring bird collisions). The higher the Threat Factor, the greater the risk that collisions will occur. An opaque material will have a Threat Factor of 0, and a completely transparent material will have a Threat Factor of 100. Threat Factors for many commercially available façade materials can be found at <https://abcbirds.org/glass-collisions/products-database/>.

avoid use of unnecessary lighting at night. Such measures may include the installation of motion-sensor lighting, automatic light shut-off mechanisms, downward-facing exterior light fixtures, the use of Dark-Sky-approved lighting¹³, and others.

Site plans demonstrating incorporation of the above measures shall be reviewed and approved for effectiveness by a qualified ornithologist. The site plans approved by the qualified ornithologist shall be submitted to the Director of Planning, Building and Code Enforcement or the Director’s designee for approval prior to the issuance of any planning permit.

PDM BIO-4: **Santa Clara Valley Habitat Plan Nitrogen Deposition Fee.** Prior to the issuance of any demolition, grading, or tree removal permit (whichever occurs first), the Project shall pay Santa Clara Valley Habitat Plan nitrogen deposition fees. The Project Applicant shall submit the Santa Clara Valley Habitat Plan Coverage Screening Form to the Director of Planning, Building & Code Enforcement or the Director's designee for approval and payment of the nitrogen deposition fees prior to the issuance of a grading permit.

PDM BIO-5: **Tree Removal Permit.** Prior to any tree removal, a tree removal permit shall be obtained from the City of San José. The removed trees would be replaced according to tree replacement ratios required by the City as outlined in Table 4.4-1.

Table 4.4-1 Tree Replacement Ratios				
Circumference of Tree to be Removed	Replacement Ratio - Native	Replacement Ratio – Non-Native	Replacement Ratio - Orchard	Minimum Size of Each Replacement Tree**
38 inches or more	5:1*	4:1	3:1	15-gallon
19 up to 38 inches	3:1	2:1	none	15-gallon
Less than 19 inches	1:1	1:1	none	15-gallon

¹³ Exterior lighting fixtures that meet the International Dark-Sky Association’s standards for artificial lighting minimize glare while reducing light trespass and skyglow, and are required to be fully shielded and minimize the amount of blue light in the nighttime environment (International Dark-Sky Association 2025).

*x:x = tree replacement to tree loss ratio

Note: Trees greater than or equal to 38-inch circumference measured at 54 inches above natural grade shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees. For Multi-Family residential, Commercial and Industrial properties, a permit is required for removal of trees of any size.

A 38-inch tree equals 12.1 inches in diameter.

** A 24-inch box replacement tree = two 15-gallon replacement trees

Single Family and Two-dwelling properties may replace trees at a ratio of 1:1.

- Prior to the issuance of building permit(s), the permittee shall pay Off-Site Tree Replacement Fee(s) to the City for off-site replacement trees in accordance with the City Council approved Fee Resolution in effect at the time of payment for any replacement trees that cannot be located on-site.
- If there is insufficient area on the Project Site to accommodate the required replacement trees, one or more of the following measures shall be implemented, to the satisfaction of the Director of Planning, Building and Code Enforcement or Director's designee. Changes to an approved landscape plan requires the issuance of a Permit Adjustment or Permit Amendment.
 - The size of a 15-gallon replacement tree may be increased to 24-inch box and count as two replacement trees to be planted on the Project Site.
 - Pay Off-Site Tree Replacement Fee(s) to the City, prior to the issuance of building permit(s), in accordance with the City Council approved Fee Resolution in effect at the time of payment. The City will use the off-site tree replacement fee(s) to plant trees at alternative sites.

Cultural Resources

PDM CUL-1.1: **Subsurface Investigation.** Prior to the issuance of any grading permit, the project will be required to complete subsurface testing to determine the extent of possible resources onsite. Subsurface testing shall be completed by a qualified archaeologist. Methodologies and procedures for completing the subsurface testing will be developed through completion of a testing plan. The testing plan will identify locations where testing will occur, depth and extent of testing. The testing plan will be submitted to the Director or Director's designee of the City of San José Department of Planning, Building and Code Enforcement for approval prior to the completion of any testing. If the findings of the subsurface testing confirm there are significant cultural resources on-site, an archaeological

resources treatment plan shall be prepared by a qualified archaeologist and submitted to Director or Director's designee of the City of San José Department of Planning, Building and Code Enforcement for approval prior to the issuance of grading permits.

Prior to ground disturbance, the project will implement the approved treatment plan prior to the issuance of grading permits. The approved treatment plan will utilize data recovery methods to reduce impacts on subsurface resources.

All prehistoric and historic-era features identified during exploration will be evaluated by a qualified archaeologist based on the California Register of Historical Resources criteria consistent with the archaeological treatment plan. After completion of the field work, all artifacts will be cataloged, and the appropriate forms will be completed and filed with the Northwest Information Center of the California Archaeological Inventory at Sonoma State University by the qualified archaeologist in coordination with the Director or Director's designee of the City of San José Department of Planning, Building and Code Enforcement prior to issuance of occupancy permits (temporary or final).

PDM CUL-1.24: **Worker Environmental Awareness Program.** Prior to the commencement of construction, the Project Applicant shall secure the services of qualified archaeological and Native American monitors. These monitors shall prepare a workforce environmental awareness program (WEAP) to instruct construction workers of the obligation to protect and preserve valuable archaeological and Native American resources for review and approval by the City of San José's Director of Planning, Building and Code Enforcement or the Director's designee. This programs hall be provided to all construction workers via a recorded presentation and shall include a discussion of applicable laws and penalties under the laws; samples or visual aids of resources that could be encountered in the project vicinity; instructions regarding the need to halt work in the vicinity of any potential archaeological and Native American resources encountered; and measures to notify their supervisor, the applicant, and the specialists. The Project Applicant shall submit the qualifications of archaeological and Native American monitors, as well as an electronic copy of the WEAP to the City of San José's Director of Planning, Building and Code Enforcement or the Director's designee.

PDM CUL-1.32: **Construction Monitoring and Protection Measures.** The Project Applicant shall secure the services of Native American and archaeological monitors to observe excavations of the native soils that underlie disturbed and fill dirt at the project site. The Native American monitor shall be selected based on the following:

- Traditional ties to the area being monitored.

- Knowledge of local Native American village sites.
- Knowledge and understanding of Health and Safety Code, section 7050.5, and Public Resources Code, section 5097.9 et seq.
- Ability to effectively communicate the requirements of Health and Safety Code, section 7050.5, and Public Resources Code, section 5097.9 et seq.
- Ability to work with law enforcement officials and the Native American Heritage Commission to ensure the return of all associated grave goods taken from a Native American grave during excavation.
- Ability to travel to project sites within traditional tribal territory.
- Knowledge and understanding of Title 14, California Code of Regulations, section 15064.5.
- Ability to advocate for the preservation in place of Native American cultural features through knowledge and understanding of CEQA mitigation provisions.
- Ability to read a topographical map and be able to locate site and reburial locations for future inclusions in the Native American Heritage Commission's Sacred Lands Inventory.
- Knowledge and understanding of archaeological practices, including the phases of archaeological investigation.

The qualified archaeologist and Native American monitor shall have authority to halt construction activities temporarily in the immediate vicinity of an unanticipated find. If, for any reasons, the qualified archaeologist or qualified Native American monitor are not present but construction crews encounter a cultural resource, then all work shall stop temporarily within 100 feet of the find until a qualified archaeologist in consultation with a qualified Native American monitor, have been contacted to determine the proper course of action. The City of San José's Director of Planning, Building and Code Enforcement or the Director's designee shall be notified of any finds during the grading or other construction activities.

PDM CUL-1.43: **Undiscovered Archaeological Resources.** If archaeological resources are encountered during excavation or grading of the site, all activity within a 100-foot radius of the find shall be stopped, the City of San José's Director of Planning, Building and Code Enforcement or the Director's designee shall be notified, and a qualified archaeologist shall examine the find. The archaeological and Native American monitors shall evaluate the find to determine if they meet the definition of a historical, unique archaeological, or tribal cultural resource and make appropriate recommendations regarding the disposition of such finds prior to issuance of building permits for any construction occurring within the

above-referenced 100-foot radius. If the finds do not meet the definition of a historical, unique archaeological, or tribal cultural resource, no further study or protection is necessary prior to project implementation. If the find does meet the definition of a historical, unique archaeological, or tribal cultural resource, then it shall be avoided by project activities. If avoidance is not feasible, adverse effects to such resources shall be mitigated in accordance with the recommendations of the archaeological and Native American monitors. Recommendations may include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery shall be submitted to the City of San José's Director of Planning, Building and Code Enforcement or the Director's designee, Native American Heritage Commission (tribal cultural resources), and the Northwest Information Center prior to issuance of the certificate of occupancy.

The Project Applicant shall ensure that construction personnel do not collect or move any cultural material and shall ensure that any fill soils that may be used for construction purposes does not contain any archaeological materials.

PDM CUL-2: Stop Work for Human Remains. If human remains are discovered during excavation or grading of the site, all activity within a 100-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified immediately and will determine whether the remains are of Native American origin or an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours of the identification. Once the NAHC identifies the most likely descendant(s) (MLD), the descendant(s) will make recommendations regarding proper burial (including the treatment of grave goods), which will be implemented in accordance with section 15064.5(e) of the California Code of Regulations, Title 14. The archaeologist shall recover scientifically valuable information, as appropriate and in accordance with the recommendations of the MLD. A report of findings documenting any data recovery shall be submitted to the City of San José Director of Planning, Building and Code Enforcement or the Director's designee, the Northwest Information Center, and the MLD.

Geology and Soils

PDM GEO-1: Geologic Hazard Best Management Practices. The Project shall incorporate and implement the following City of San José Standard Permit Conditions related to geological hazards during construction:

- To avoid or minimize potential damage from seismic shaking, the Project shall be constructed using standard engineering and seismic

safety design techniques. Building design and construction at the site shall be completed in conformance with the recommendations of an approved geotechnical investigation. The report shall be reviewed and approved by the City of San José Department of Public Works as part of the building permit review and issuance process. The buildings shall meet the requirements of applicable Building and Fire Codes as adopted or updated by the City. The Project shall be designed to withstand soil hazards identified on the site and the Project shall be designed to reduce the risk to life or property on site and off site to the extent feasible and in compliance with the Building Code.

- All excavation and grading work shall be scheduled in dry weather months or, in the alternative, construction sites shall be weatherized.
- Stockpiles and excavated soils shall be covered with secured tarps or plastic sheeting when not in use.
- Ditches shall be installed to divert runoff around excavations and graded areas if necessary.
- The Project shall be constructed in accordance with the standard engineering practices in the California Building Code, as adopted by the City of San José. These standard practices would ensure that the future buildings on the Project Site are designed to properly account for soils-related hazards on the Project Site.

PDM GEO-2.1: Worker Environmental Awareness Program for Paleontological Resources.

Prior to the start of construction, the Project Applicant shall secure the services of a qualified paleontologist specialist, as defined by the Society of Vertebrate Paleontology. The specialist shall prepare a Worker Environmental Awareness Program to instruct site workers of the obligation to protect and preserve valuable paleontological resources for review by the City's Planning Manager. This program shall be provided to all construction workers via a recorded presentation and shall include a discussion of applicable laws and penalties under the laws; samples or visual aids of resources that could be encountered in the project vicinity; instructions regarding the need to halt work in the vicinity of any potential paleontological resources encountered; and measures to notify their supervisor, the applicant, and the qualified paleontologist specialist.

Prior to the start of any subsurface excavations that would extend beyond previously disturbed soils, all construction forepersons and field supervisors shall receive training by a qualified professional paleontologist, as defined by the Society of Vertebrate Paleontology (SVP 2010), who is experienced in teaching non-specialists, to ensure they can recognize fossil materials and shall follow

proper notification procedures in the event any are uncovered during construction. Procedures to be conveyed to workers are halting construction within 50 feet of any potential fossil find and notifying a qualified paleontologist, who shall evaluate its significance.

PDM GEO-2.2: Stop Work for Paleontological Resources. If a fossil is encountered, the City shall be notified immediately and a qualified paleontologist shall be retained by the Project Applicant to examine the fossil, and if determined to be significant and avoidance is not feasible, Project construction shall be halted in the immediate area and the paleontologist shall develop and implement an excavation and salvage plan in accordance with Society of Vertebrate Paleontology standards. The excavation and salvage plan shall be provided to the City for approval prior to implementation. Construction work in the immediate area shall be halted or diverted to allow recovery of fossil remains in a timely manner. Fossil remains collected shall be cleaned, repaired, sorted, and cataloged, along with copies of all pertinent field notes, photos, and maps.

Greenhouse Gas Emissions

PDM GHG-1: Carbon-Free Energy. The Project Owner shall participate in the SJCE at the TotalGreen level (i.e., 100% carbon-free electricity) for electricity accounts associated with the Project or participate in a clean energy program that accomplishes the same goals of 100 percent carbon-free electricity as the SJCE TotalGreen Level.

During operation, the Project Owner shall provide documentation to the Director or Director's designee with the City of San José Planning, Building and Code Enforcement of initial enrollment and shall submit annual reports to the Director or Director's designee with the City of San José Department of Planning, Building and Code Enforcement documenting either continued participation in SJCE at the TotalGreen level or documentation that alternative measures continue to provide 100 percent carbon-free electricity, as verified by an independent third-party auditor specializing in greenhouse gas emissions.

PDM GHG-2: Use of Renewable Fuel. The Project Owner shall use renewable diesel fuel for the diesel-fired generators to the extent feasible. During an emergency where renewable diesel fuel supplies may be limited, the Project Owner shall document their efforts to secure other vendors of renewable diesel fuel prior to refueling with non-renewable diesel. The project owner shall submit annual reports demonstrating the use of renewable resources for 100 percent of total energy use by the generators following project commencement.

Hazards and Hazardous Materials

PDM HAZ-1.1: Soil testing for arsenic, metals, and organochlorine pesticides shall be performed to determine if a Site Management Plan (SMP) shall be prepared. If soil testing identifies contaminants in areas of the Project Site to be disturbed that exceed both published naturally occurring background levels and applicable environmental screening levels (ESL) for the protection of future commercial/industrial workers published by the San Francisco Bay Regional Water Quality Control Board (RWQCB), the Project applicant shall be required to prepare and submit a SMP.

Components of the SMP (if required) shall include, but shall not be limited to:

- A detailed discussion of the site background;
- A description of either capping soils or removal and hauling soils off-site to a licensed non-hazardous or hazardous materials disposal site based on environmental testing of the soil.
- Notification procedures if previously undiscovered significantly impacted soil or free fuel product is encountered during construction;
- Development of cleanup levels as based on Section 4.25.2.3 of the RWQCB's The Water Quality Control Plan for the San Francisco Bay Basin (March 2023, Basin Plan);
- Sampling and laboratory analyses of excess soil requiring disposal at an appropriate off- site waste disposal facility;
- Soil stockpiling protocols; and
- Protocols to manage groundwater that may be encountered during trenching and/or subsurface excavation activities.

The SMP shall be submitted to the RWQCB, Santa Clara County Environmental Health Department, California Department of Toxic Substances Control, or equivalent regulatory agency for review and/or approval (if required). Copies of the approved SMP shall be provided to the Director of Planning, Building, and Code Enforcement or the Director's designee and the Environmental Compliance Officer in the City of San José Environmental Services Department prior to the issuance of any demolition, grading and/or building permits (whichever occurs earliest).

PDM HAZ-1.2: Prior to the issuance of any demolition, grading and/or building permits (whichever occurs earliest), all contractors and subcontractors at the project site shall develop a Health and Safety Plan (HSP) specific to their scope of work and based upon the known environmental conditions for the site prior to project construction. The HSP shall be prepared by an industrial hygienist. The HSP shall

be submitted to the Director of Planning, Building and Code Enforcement, or their designee, and the Environmental Compliance Officer in the City of San José Environmental Services Department and implemented under the direction of a Site Safety and Health Officer. The HSP shall include, but shall not be limited to, the following elements, as applicable:

- A description of potential health and safety hazards;
- A description of applicable regulations and standards to be implemented for the project site;
- Provisions for personal protection and monitoring exposure to construction workers;
- Education for workers in the proper use of personnel protection;
- Provisions for Hazard Communication Standard (HAZCOM) worker training and education including information about HAZCOM labeling, copies of
- Safety Data Sheets for any hazardous materials that may be used onsite;
- Identification of workers, supervisor, and employer health and safety responsibilities; and
- Provisions for the onsite management and/or treatment of contaminated groundwater during extraction or dewatering activities; and
- A description of emergency procedures and identification of responsible personnel to contact in event of an emergency. Include contact information for responsible personnel and other emergency contact numbers.

Copies of the approved HSPs shall be kept at the Project Site.

Hydrology and Water Quality

PDM HYD-1.1: Stormwater Best Management Practices. Consistent with applicable provisions of the General Plan, standard permit conditions that shall be implemented to prevent stormwater pollution and minimize potential sedimentation during construction include, but are not limited to, the following:

- Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains.
- Earthmoving or other dust-producing activities shall be suspended during periods of high winds and when other dust reducing measures are ineffective.

- All exposed or disturbed soil surfaces shall be watered at least twice daily to control dust as necessary.
- Stockpiles of soil or other materials that can be blown by the wind shall be watered or covered.
- All trucks hauling soil, sand, and other loose materials shall be covered and all trucks shall maintain at least two feet of freeboard.
- All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites shall be swept daily (with water sweepers).
- Vegetation in disturbed areas shall be replanted as quickly as possible.
- All unpaved entrances to the Project Site shall be filled with rock to remove mud from tires prior to entering City streets. A tire wash system shall be installed if requested by the City.
- The Project Applicant shall comply with the City of San José Grading Ordinance, including implementing erosion and dust control during site preparation and with the applicable City of San José Zoning Ordinance requirements for keeping adjacent streets free of dirt and mud during construction.

PDM HYD-1.2: The discharge of any water from construction dewatering activities shall be required to comply with National Pollutant Discharge Elimination System (NPDES) permit requirements or wastewater discharge permit conditions to the sanitary sewer. For short-term discharge (less than 1-year), a discharge permit shall be obtained from the City of San José's Watershed Protection Division and the water discharged to the sanitary sewer. For long term discharge (greater than 1-year), the Project Applicant shall obtain a NPDES permit from the Regional Water Quality Control Board (RWQCB) for discharge to the storm system.

Both discharge permits require pre-testing of the water to determine if the water meets the respective City or RWQCB pollutant discharge limits. The water shall be analyzed by a State-certified laboratory for the suspected pollutants prior to discharge. Based on the results of the analytical testing, the Project Applicant shall work with the RWQCB and the City of San José to determine appropriate disposal options and then implement said disposal option. A copy of the discharge permit or NPDES permit, whichever is applicable, shall be submitted to the Director of Planning, Building and Code Enforcement, or their designee prior to the issuance of any demolition, grading and/or building permits (whichever occurs earliest).

Noise

PDM NOI-1: **Construction Noise Best Management Practices.** The Project shall implement the following City of San José Standard Permit Conditions related to construction noise:

- Construct solid plywood fences or similar noise reducing mechanism around construction sites adjacent to operational business, residences, or other noise-sensitive land uses.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Prohibit unnecessary idling of internal combustion engines.
- Locate stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors (if any). Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses (if any).
- Utilize “quiet” air compressors and other stationary noise sources where technology exists.
- Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the Intersection Improvement Area.
- Notify all adjacent business, residences, and other noise-sensitive land uses of the construction schedule, in writing, and provide a written schedule of “noisy” construction activities to adjacent land uses and nearby residences.
- If complaints are received or excessive noise levels cannot be reduced using the measures above, erect a temporary noise control blanket barrier along surrounding building facades that face the construction sites.
- Designate a “disturbance coordinator” who shall be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

Transportation:

PDM TRN-1: Transportation Demand Management Plan. Prior to the issuance of building occupancy permits, the Project Applicant shall prepare and submit a final Transportation Demand Management (TDM) plan with measures to reduce trips associated with the proposed project. The final TDM Plan shall be submitted to the Director of the Department of Planning, Building, and Code Enforcement and the Director of the Department of Transportation or their designees. The TDM Plan shall include the following measures:

- Provide Commute Trip Reduction Marketing/Education: The project shall implement marketing/educational campaigns for all employees that promote the use of transit, shared rides, and travel through active modes. Strategies may include the incorporation of alternative commute options into new employee orientations, event promotions, and publications.
- Provide Ride Sharing Program: The project shall provide ride-sharing programs by facilitating carpool for interested future employees, achieving at least 10 percent employee participation.

The TDM Plan shall include a trip cap sufficient to reduce trips below the 16.53 VMT per employee threshold for VMT monitoring purposes. The trip cap shall be prepared by a traffic engineer. The monitoring shall be based on annual trip generation counts that demonstrate the vehicle trips generated by the project are within 10 percent of an established peak hour trip cap that is prepared by a traffic engineer. The annual trip monitoring reports shall be submitted that demonstrate that project-generated VMT is below the significance threshold. If the annual trip monitoring report finds that the project is exceeding the established trip cap, the project shall be required to submit a follow-up report that demonstrates compliance with the trip cap requirements within a period not to exceed six months.

KEY PLAN

SUBSTATION
(PLANNED)

MATCHLINE - SEE SHEET P5.0

370 W. TRIMBLE
LUMILEDS (EXISTING)

350 W. TRIMBLE
BLDG 90 (EXISTING)

SITE PLAN LEGEND

SYMBOL	DESCRIPTION
1	SUBSTATION
2	PG&E SWITCHING STATION
3	WATER TANK
4	PUMP STATION
5	UNDERGROUND WATER SUPPLY LINES
6	GENERATORS
7	EXISTING CURBLINE
8	POINT OF DEPARTURE FROM EXISTING CURBLINE
9	EXISTING DRIVE TO REMAIN
10	EXISTING PARKING TO REMAIN
11	NEW / RECONFIGURED PARKING AREA
12	NEW / RECONFIGURED DRIVE
13	SMALL SERVICE VEHICLE ACCESS LANE
14	EXISTING PEDESTRIAN WALK TO REMAIN
15	PEDESTRIAN WALK
16	ACCESSIBLE RAMP
17	STAIRS
18	CONFORM TO EXISTING IMPROVEMENTS
19	VEHICULAR PARKING
20	ACCESSIBLE PARKING
21	LOADING SPACE
22	SERVICE/FUELING PARKING RESERVE
23	SERVICE VEHICLE TURNING POCKET (NO PARKING)
24	FIRE LANE TURNING POCKET (NO PARKING)
25	LOADING DOCK / SERVICE
26	EXISTING CHAIN LINK FENCE
27	8" SECURITY FENCE
28	SECURED PEDESTRIAN GATE
29	SECURED VEHICULAR ENTRANCE
30	SECURED SERVICE / LOADING GATE
31	GENERATOR YARD SCREEN WALL
32	ARCHITECTURAL SCREEN WALL
33	FIRE ACCESS GATE
34	FIRE LANE CONNECTION AT ROW
35	FIRE AERIAL APPARATUS ACCESS
36	FIRE LANE (GRAVELPAVE OR GRASSCELL)
37	EXISTING LANDSCAPE AREA TO REMAIN
38	LANDSCAPE AREA
39	EXISTING BIORETENTION TO REMAIN
40	BIORETENTION
41	EXISTING HIGH-VOLTAGE TRANSMISSION TOWER
42	EXISTING OVERHEAD TRANSMISSION EASEMENT
43	EXISTING UNDERGROUND HIGH-VOLTAGE EASEMENT
44	SURVEYED TOP OF BANK / RIPARIAN EDGE
45	EXTENT OF 100' RIPARIAN SETBACK
46	EXISTING WATER EASEMENT
47	EXISTING SEWER EASEMENT
48	EXISTING PUBLIC UTILITIES EASEMENT
49	EXISTING AVIGATION EASEMENT
50	EXISTING PROPERTY LINE
51	PROPOSED LOT LINE PER TENTATIVE MAP
52	PROJECT BOUNDARY

DC NORTH
NOT PART OF THIS
PERMIT FOR
REFERENCE ONLY

ENTRY DRIVE

ORCHARD PARKWAY

Scale: 1"= 30'
0' 15' 30' 60'

CITY OF SAN JOSE APPROVAL

OWNER / APPLICANT:

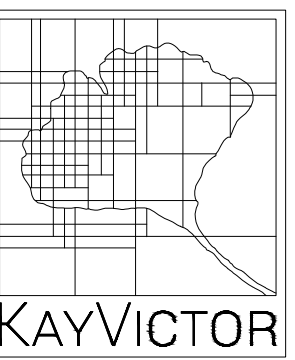


PROJECT TEAM:

ARCHITECT:



PLANNER / LANDSCAPE ARCHITECT:



CIVIL ENGINEER / ARBORIST:



LIGHTING / ELECTRICAL ENGINEER:



NO.	DATE	REMARKS
1	06/16/2025	1st CUP Submittal
2	11/05/2025	SIPPE DR-1

**NORTHTOWN
DATA CENTER
DC WEST**
370 W. Trimble Road
San Jose, CA 95131

PERMIT TYPE:
Conditional Use Permit

PERMIT REF: **CP25-013**

AUTHORED BY: KAYVICTOR

DRAWN BY: GG

CHECKED BY: JV

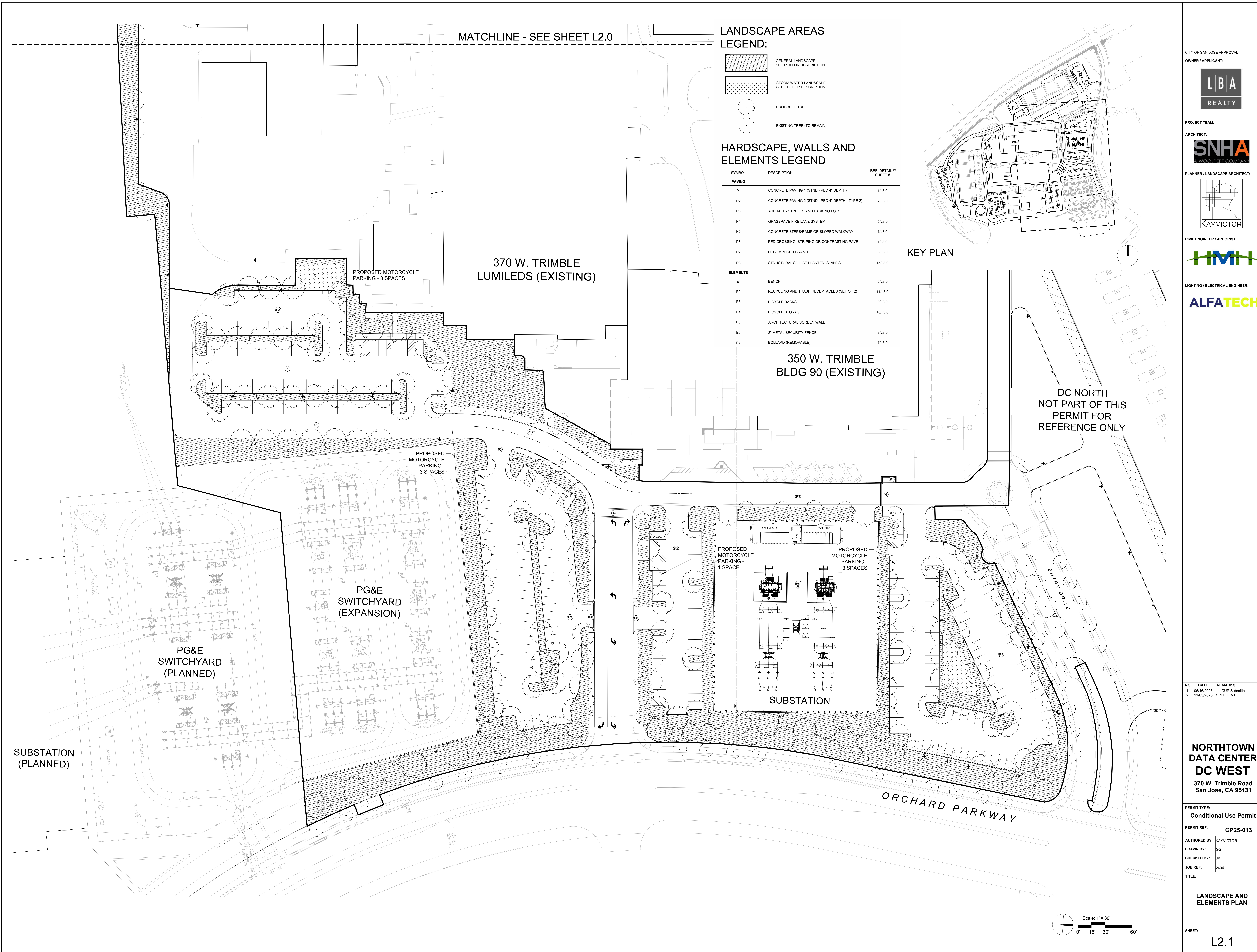
JOB REF: 2404

TITLE:

SITE PLAN

SHEET:

P5.1



MATCHLINE - SEE SHEET L2.0

LANDSCAPE AREAS
LEGEND:

- GENERAL LANDSCAPE
SEE L1.0 FOR DESCRIPTION
- STORM WATER LANDSCAPE
SEE L1.0 FOR DESCRIPTION
- PROPOSED TREE
- EXISTING TREE (TO REMAIN)

HARDSCAPE, WALLS AND
ELEMENTS LEGEND

SYMBOL	DESCRIPTION	REF. DETAIL # SHEET #
PAVING		
P1	CONCRETE PAVING 1 (STND - PED 4" DEPTH)	1/L3.0
P2	CONCRETE PAVING 2 (STND - PED 4" DEPTH - TYPE 2)	2/L3.0
P3	ASPHALT - STREETS AND PARKING LOTS	
P4	GRASSPAVE FIRE LANE SYSTEM	5/L3.0
P5	CONCRETE STEPS/RAMP OR SLOPED WALKWAY	1/L3.0
P6	PED CROSSING, STRIPING OR CONTRASTING PAVE	1/L3.0
P7	DECOMPOSED GRANITE	3/L3.0
P8	STRUCTURAL SOIL AT PLANTER ISLANDS	15/L3.0
ELEMENTS		
E1	BENCH	6/L3.0
E2	RECYCLING AND TRASH RECEPTACLES (SET OF 2)	11/L3.0
E3	BICYCLE RACKS	9/L3.0
E4	BICYCLE STORAGE	10/L3.0
E5	ARCHITECTURAL SCREEN WALL	
E6	8" METAL SECURITY FENCE	8/L3.0
E7	BOLLARD (REMOVABLE)	7/L3.0

KEY PLAN

370 W. TRIMBLE
LUMILEDS (EXISTING)

350 W. TRIMBLE
BLDG 90 (EXISTING)

DC NORTH
NOT PART OF THIS
PERMIT FOR
REFERENCE ONLY

PG&E
SWITCHYARD
(EXPANSION)

PG&E
SWITCHYARD
(PLANNED)

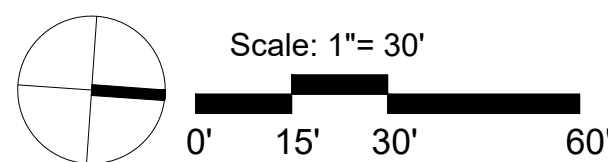
SUBSTATION
(PLANNED)

PROPOSED MOTORCYCLE
PARKING - 1 SPACE

PROPOSED MOTORCYCLE
PARKING - 3 SPACES

SUBSTATION

ORCHARD PARKWAY



NO.	DATE	REMARKS
1	06/16/2025	1st CUP Submittal
2	11/05/2025	SPPE DR-1

**NORTHTOWN
DATA CENTER
DC WEST**

370 W. Trimble Road
San Jose, CA 95131

PERMIT TYPE:
Conditional Use Permit

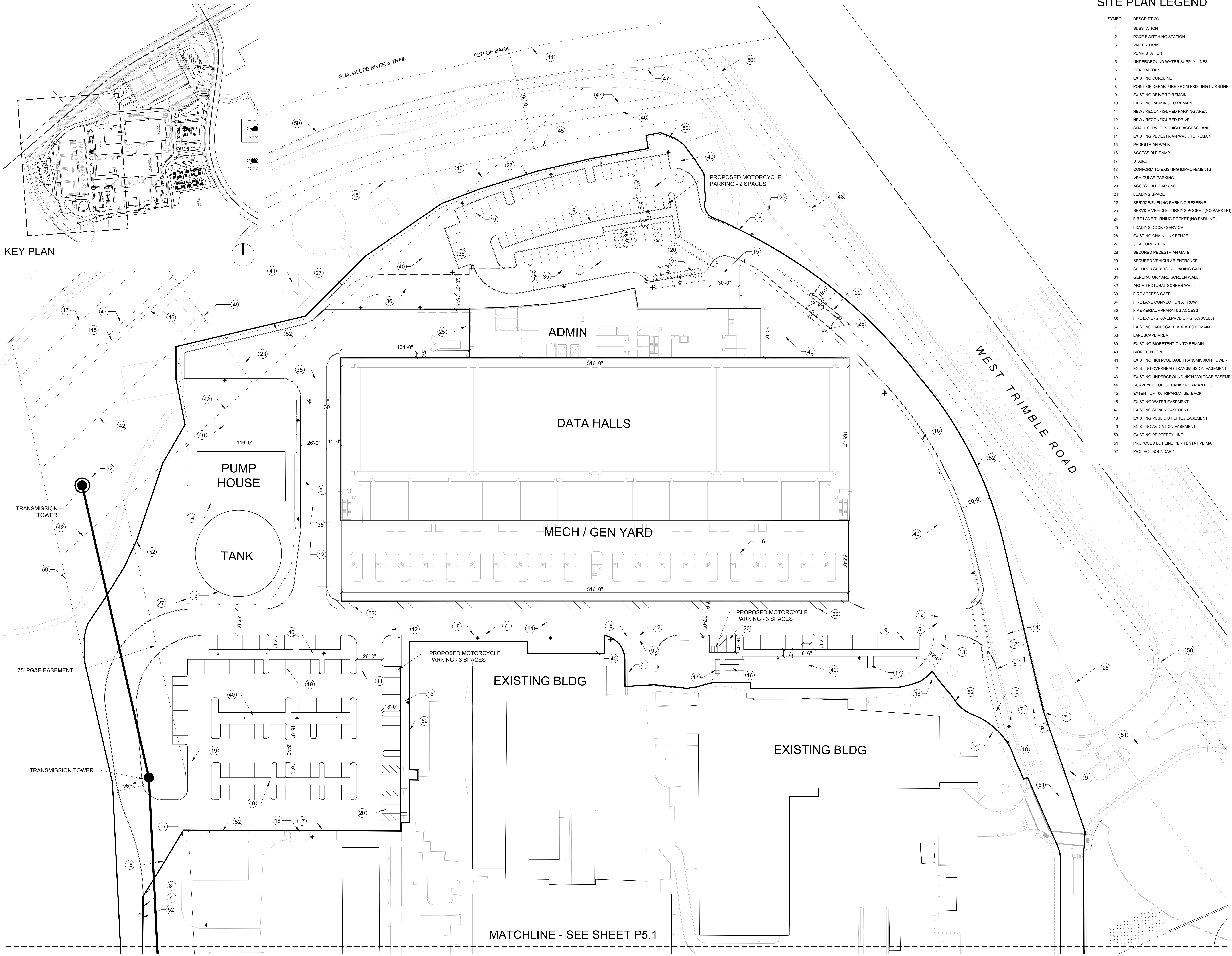
PERMIT REF: CP25-013

AUTHORED BY: KAYVICTOR
DRAWN BY: GG
CHECKED BY: JV
JOB REF: 2404

TITLE:

LANDSCAPE AND
ELEMENTS PLAN

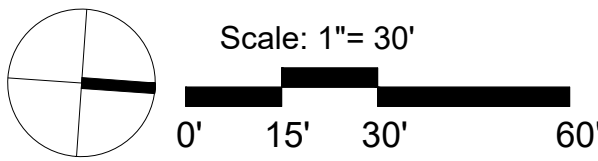
SHEET:
L2.1



KEY PLAN

SITE PLAN LEGEND

SYMBOL	DESCRIPTION
1	SUBSTATION
2	PG&E SWITCHING STATION
3	WATER TANK
4	PUMP STATION
5	UNDERGROUND WATER SUPPLY LINES
6	GENERATORS
7	EXISTING CURBLINE
8	POINT OF DEPARTURE FROM EXISTING CURBLINE
9	EXISTING DRIVE TO REMAIN
10	EXISTING PARKING TO REMAIN
11	NEW / RECONFIGURED PARKING AREA
12	NEW / RECONFIGURED DRIVE
13	SMALL SERVICE VEHICLE ACCESS LANE
14	EXISTING PEDESTRIAN WALK TO REMAIN
15	PEDESTRIAN WALK
16	ACCESSIBLE RAMP
17	STAIRS
18	CONFORM TO EXISTING IMPROVEMENTS
19	VEHICULAR PARKING
20	ACCESSIBLE PARKING
21	LOADING SPACE
22	SERVICE/FUELING PARKING RESERVE
23	SERVICE VEHICLE TURNING POCKET (NO PARKING)
24	FIRE LANE TURNING POCKET (NO PARKING)
25	LOADING DOCK / SERVICE
26	EXISTING CHAIN LINK FENCE
27	8' SECURITY FENCE
28	SECURED PEDESTRIAN GATE
29	SECURED VEHICULAR ENTRANCE
30	SECURED SERVICE / LOADING GATE
31	GENERATOR YARD SCREEN WALL
32	ARCHITECTURAL SCREEN WALL
33	FIRE ACCESS GATE
34	FIRE LANE CONNECTION AT ROW
35	FIRE AERIAL APPARATUS ACCESS
36	FIRE LANE (GRAVEL/PAVE OR GRASSCELL)
37	EXISTING LANDSCAPE AREA TO REMAIN
38	LANDSCAPE AREA
39	EXISTING BIORETENTION TO REMAIN
40	BIORETENTION
41	EXISTING HIGH-VOLTAGE TRANSMISSION TOWER
42	EXISTING OVERHEAD TRANSMISSION EASEMENT
43	EXISTING UNDERGROUND HIGH-VOLTAGE EASEMENT
44	SURVEYED TOP OF BANK / RIPARIAN EDGE
45	EXTENT OF 100' RIPARIAN SETBACK
46	EXISTING WATER EASEMENT
47	EXISTING SEWER EASEMENT
48	EXISTING PUBLIC UTILITIES EASEMENT
49	EXISTING AVIGATION EASEMENT
50	EXISTING PROPERTY LINE
51	PROPOSED LOT LINE PER TENTATIVE MAP
52	PROJECT BOUNDARY



CITY OF SAN JOSE APPROVAL

OWNER / APPLICANT:

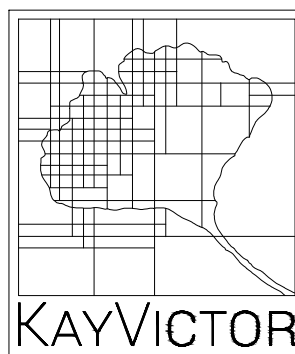


PROJECT TEAM:

ARCHITECT:



PLANNER / LANDSCAPE ARCHITECT:



CIVIL ENGINEER / ARBORIST:



LIGHTING / ELECTRICAL ENGINEER:



NO.	DATE	REMARKS
1	06/16/2025	1st CUP Submittal
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**NORTHTOWN
DATA CENTER
DC WEST**
370 W. Trimble Road
San Jose, CA 95131

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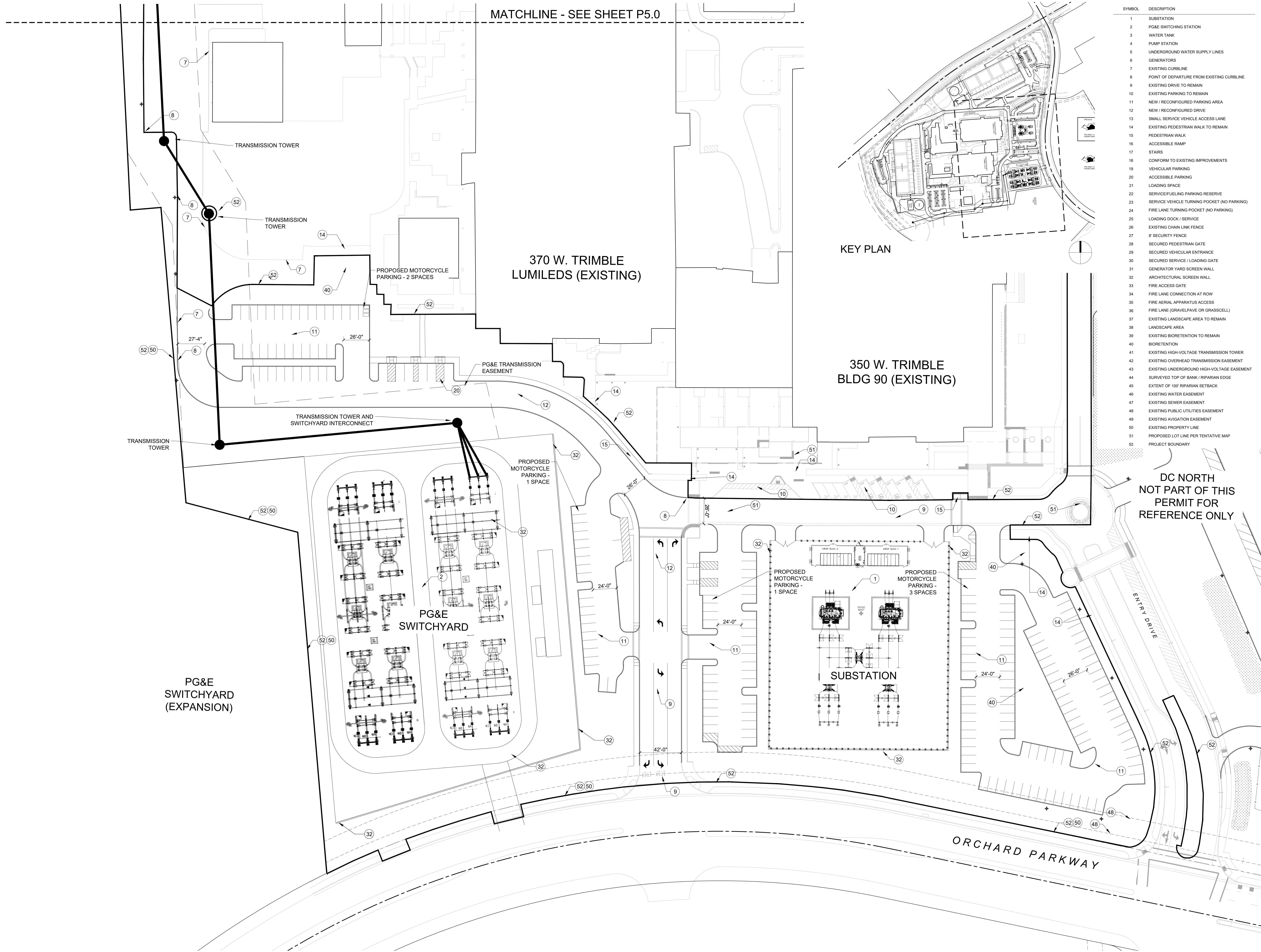
JOB REF: 2404

TITLE:

**SITE PLAN
TRANSMISSION
OPTION 1**

SHEET:

P5.0A



KEY PLAN

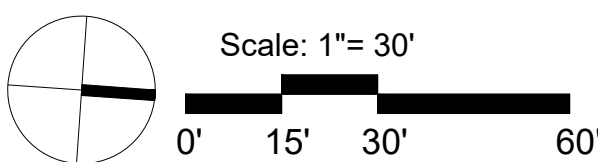
SITE PLAN LEGEND

SYMBOL	DESCRIPTION
1	SUBSTATION
2	PG&E SWITCHING STATION
3	WATER TANK
4	PUMP STATION
5	UNDERGROUND WATER SUPPLY LINES
6	GENERATORS
7	EXISTING CURBLINE
8	POINT OF DEPARTURE FROM EXISTING CURBLINE
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29	SECURED VEHICULAR ENTRANCE
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49	EXISTING AVIGATION EASEMENT
50	EXISTING PROPERTY LINE
51	PROPOSED LOT LINE PER TENTATIVE MAP
52	PROJECT BOUNDARY

DC NORTH
NOT PART OF THIS
PERMIT FOR
REFERENCE ONLY

ENTRY DRIVE

ORCHARD PARKWAY



CITY OF SAN JOSE APPROVAL

OWNER / APPLICANT:

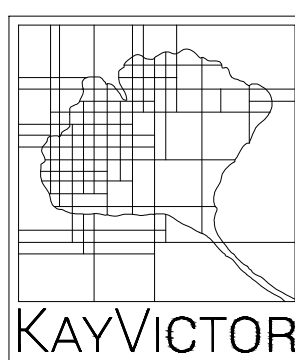


PROJECT TEAM:

ARCHITECT:



PLANNER / LANDSCAPE ARCHITECT:



CIVIL ENGINEER / ARBORIST:



LIGHTING / ELECTRICAL ENGINEER:



NO.	DATE	REMARKS
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**NORTHTOWN
DATA CENTER
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370 W. Trimble Road
San Jose, CA 95131

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AUTHORED BY: KAYVICTOR

DRAWN BY: GG

CHECKED BY: JV

JOB REF: 2404

TITLE:

**SITE PLAN
TRANSMISSION
OPTION 1**

SHEET:

P5.1A

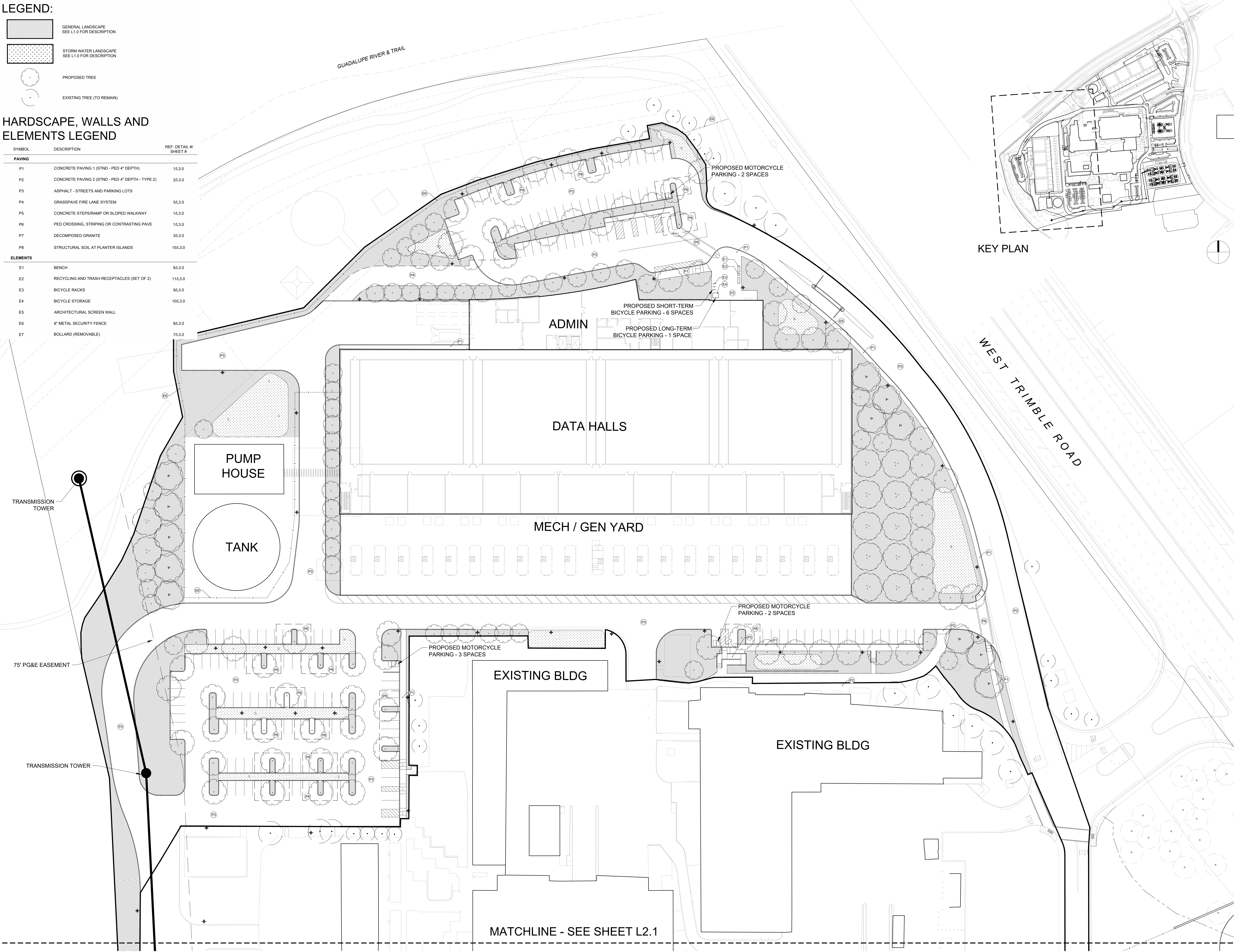
LANDSCAPE AREAS

LEGEND:

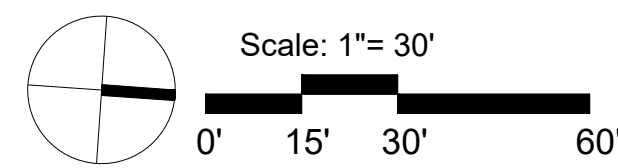
- GENERAL LANDSCAPE
SEE L1.0 FOR DESCRIPTION
- STORM WATER LANDSCAPE
SEE L1.0 FOR DESCRIPTION
- PROPOSED TREE
- EXISTING TREE (TO REMAIN)

HARDSCAPE, WALLS AND
ELEMENTS LEGEND

SYMBOL	DESCRIPTION	REF. DETAIL #/ SHEET #
PAVING		
P1	CONCRETE PAVING 1 (STND - PED 4" DEPTH)	1/L3.0
P2	CONCRETE PAVING 2 (STND - PED 4" DEPTH - TYPE 2)	2/L3.0
P3	ASPHALT - STREETS AND PARKING LOTS	
P4	GRASSPAVE FIRE LANE SYSTEM	5/L3.0
P5	CONCRETE STEPS/RAMP OR SLOPED WALKWAY	1/L3.0
P6	PED CROSSING, STRIPING OR CONTRASTING PAVE	1/L3.0
P7	DECOMPOSED GRANITE	3/L3.0
P8	STRUCTURAL SOIL AT PLANTER ISLANDS	15/L3.0
ELEMENTS		
E1	BENCH	6/L3.0
E2	RECYCLING AND TRASH RECEPTACLES (SET OF 2)	11/L3.0
E3	BICYCLE RACKS	9/L3.0
E4	BICYCLE STORAGE	10/L3.0
E5	ARCHITECTURAL SCREEN WALL	
E6	8" METAL SECURITY FENCE	8/L3.0
E7	BOLLARD (REMOVABLE)	7/L3.0



KEY PLAN



CITY OF SAN JOSE APPROVAL

OWNER / APPLICANT:

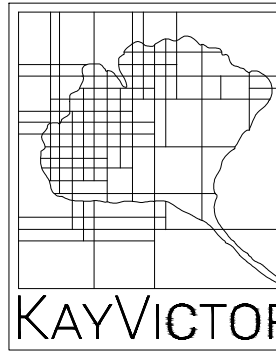


PROJECT TEAM:

ARCHITECT:



PLANNER / LANDSCAPE ARCHITECT:



CIVIL ENGINEER / ARBORIST:



LIGHTING / ELECTRICAL ENGINEER:



NO.	DATE	REMARKS
1	06/16/2025	1st CUP Submittal
2	11/05/2025	SPPPE DR-1

**NORTHTOWN
DATA CENTER
DC WEST**
370 W. Trimble Road
San Jose, CA 95131

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AUTHORED BY: KAYVICTOR

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CHECKED BY: JV

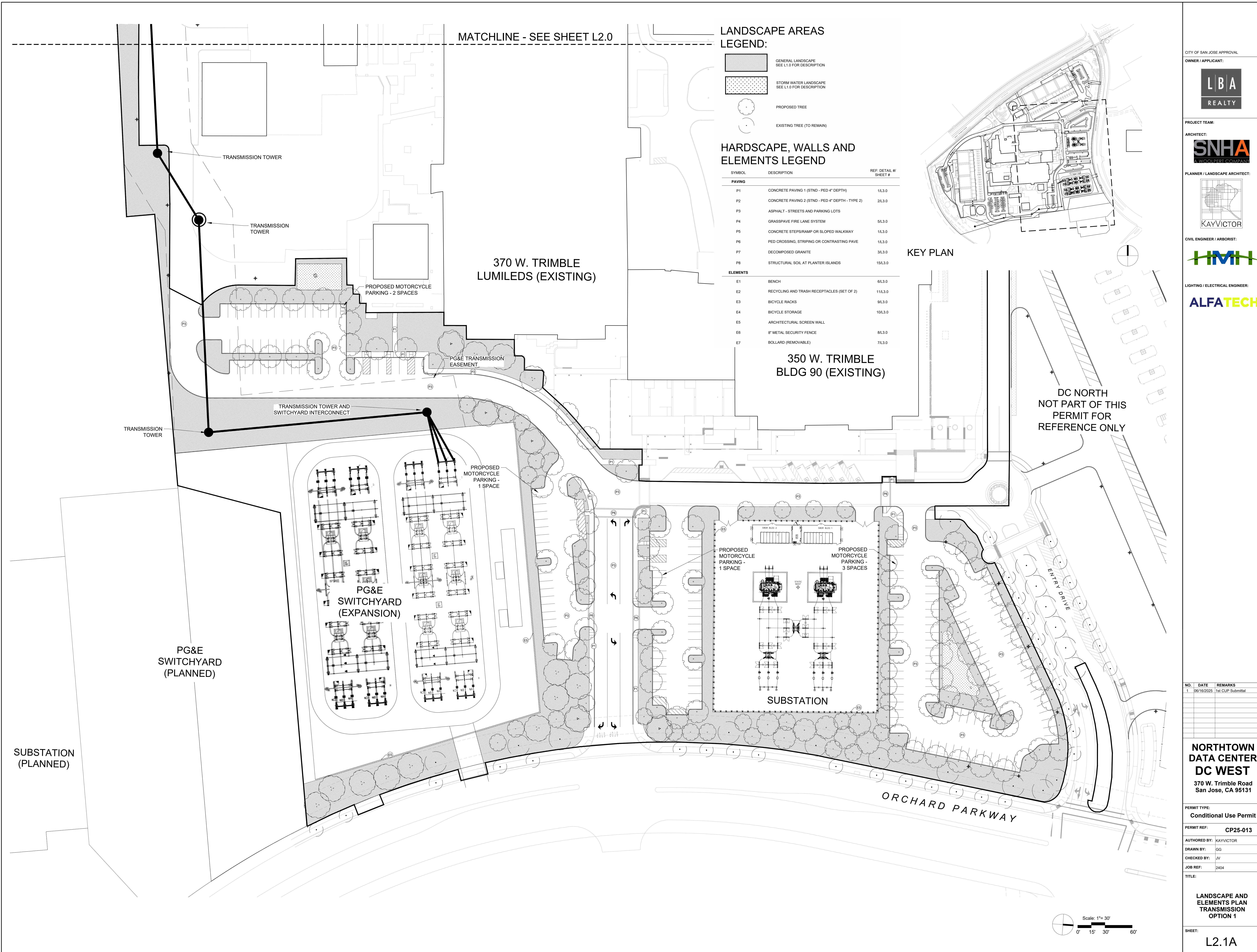
JOB REF: 2404

TITLE:

**LANDSCAPE AND
ELEMENTS PLAN
TRANSMISSION
OPTION 1**

SHEET:

L2.0A



MATCHLINE - SEE SHEET L2.0

LANDSCAPE AREAS
LEGEND:

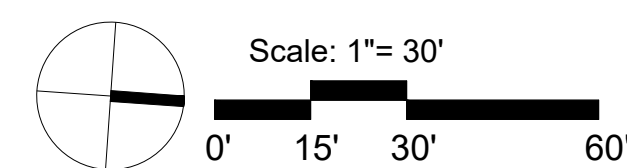
- GENERAL LANDSCAPE
SEE L1.0 FOR DESCRIPTION
- STORM WATER LANDSCAPE
SEE L1.0 FOR DESCRIPTION
- PROPOSED TREE
- EXISTING TREE (TO REMAIN)

HARDSCAPE, WALLS AND
ELEMENTS LEGEND

SYMBOL	DESCRIPTION	REF. DETAIL # SHEET #
PAVING		
P1	CONCRETE PAVING 1 (STND - PED 4" DEPTH)	1/L3.0
P2	CONCRETE PAVING 2 (STND - PED 4" DEPTH - TYPE 2)	2/L3.0
P3	ASPHALT - STREETS AND PARKING LOTS	
P4	GRASSPAVE FIRE LANE SYSTEM	5/L3.0
P5	CONCRETE STEPS/RAMP OR SLOPED WALKWAY	1/L3.0
P6	PED CROSSING, STRIPING OR CONTRASTING PAVE	1/L3.0
P7	DECOMPOSED GRANITE	3/L3.0
P8	STRUCTURAL SOIL AT PLANTER ISLANDS	15/L3.0
ELEMENTS		
E1	BENCH	6/L3.0
E2	RECYCLING AND TRASH RECEPTACLES (SET OF 2)	11/L3.0
E3	BICYCLE RACKS	9/L3.0
E4	BICYCLE STORAGE	10/L3.0
E5	ARCHITECTURAL SCREEN WALL	
E6	8" METAL SECURITY FENCE	8/L3.0
E7	BOLLARD (REMOVABLE)	7/L3.0

KEY PLAN

DC NORTH
NOT PART OF THIS
PERMIT FOR
REFERENCE ONLY



CITY OF SAN JOSE APPROVAL

OWNER / APPLICANT:

LBA
REALTY

PROJECT TEAM:

ARCHITECT:

SNHA
A WOOLBERT COMPANY

PLANNER / LANDSCAPE ARCHITECT:

KAYVICTOR

CIVIL ENGINEER / ARBORIST:

HMM

LIGHTING / ELECTRICAL ENGINEER:

ALFATECH

NO.	DATE	REMARKS
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TITLE:

**LANDSCAPE AND
ELEMENTS PLAN
TRANSMISSION
OPTION 1**

SHEET:
L2.1A

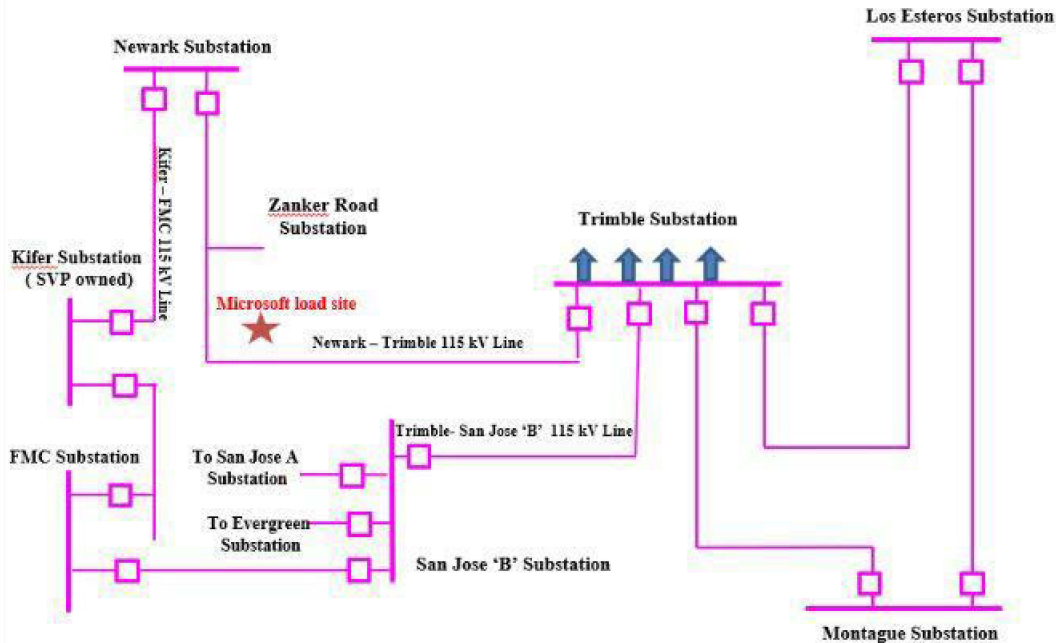


Figure 2-2: Simplified Single Line Diagram

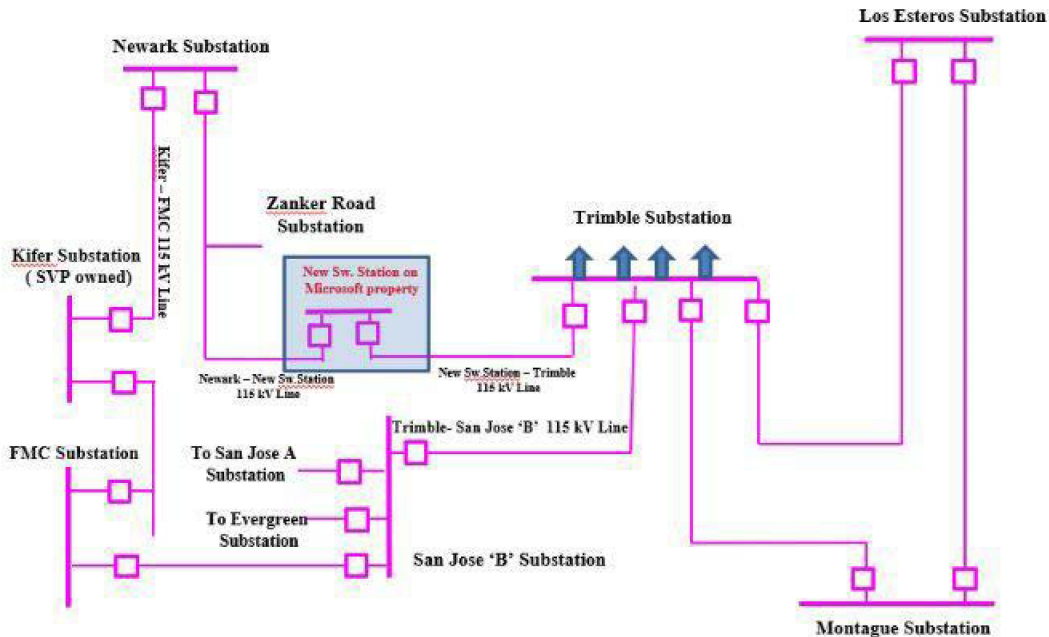


Figure 4-1: Conceptual SLD of looping Newark-Trimble 115 kV via a new BAHH switching station on customer property

ATTACHMENT DR AQ-9

Revised Air Quality Tables AQ-1 and AQ-2

Air Quality Report Amendment

Table AQ1-1 Emissions Estimates for Emergency Standby Generators

Engine Mfg: CAT		# of Units:	40		Use Area: Data Center Bldg (IT Power)					Max # of Engines Tested per Day: 8		# Redundant Engines: 8									
Model #: C175-16					(engines are not tested concurrently)					Emer Ops Engines: 32											
Fuel: ULSD		Engine Data												METRIC UNITS							
														Stk Flow, ACFM		Stack Vel, f/s		Stk Temp, Kelvins		NOx Startup lb/hr	
Fuel S, %wt: 0.0015		BHP	kWe	Load %	RPM	Fuel, gph	Stk Ht, ft	Stk Diam, in	Stk Temp, F	mmbtu/hr	ACFM	f/s	Stk Ht, m	Stk Diam, m	Kelvins	Stk Vel, m/s	lb/hr				
Fuel wt, lb/gal: 7.05		4376	3100	100	1800	209.01	25.33	28	860.4	28.63	25620.00	99.8584	7.720584	0.7112	733.37	30.4368	18.33				
Btu/gal: 137000		3282	2325	75	1800	160.40	25.33	28	833.4	21.97	20121	78.4251	7.720584	0.7112	718.37	23.904	13.75				
Lbs S/1000 gal: 0.10575		2188	1550	50	1800	124.09	25.33	28	826.2	17.00	17315	67.4882	7.720584	0.7112	714.37	20.5704	9.17				
Lbs SO2/1000 gal: 0.2115		1094	775	25	1800	71.39	25.33	28	793.8	9.78	11409	44.4685	7.720584	0.7112	696.37	13.554	4.58				
Default SO2 EF: 0.005		g/bhp-hr	438	310	10	1800	34.00	25.33	28	615.6	4.66	6901	26.8978	7.720584	0.7112	597.37	8.1985	1.83			
EPA Tier: 2																					
Control System: SCR + DPF to Meet T4																					
Turbocharged: Yes		Stack Exit Area (sq.ft) = 4.276057																			
Aftercooled: Yes																					
Scenarios			Emissions Factor Scenarios (all values in g/bhp-hr)								CO2e										
			NOx	CO	VOC	SO2	PM10	PM2.5	lb/mmbtu												
Emergency Ops, 100 hrs/yr, Tier 4 Controlled EFs, 100% Load			0.5	2.6	0.14	0.005	0.02	0.02	163.052												
Maint/Readiness Testing, 50 hrs/yr, T2/T4 SU adjusted EFs, 100% Load			1.90	2.60	0.17	0.005	0.02	0.02	163.052												
Weighted EF Input and Calculation Data																					
0.167 hr Uncontrolled, Tier 2 Stds Efs, 100% Load, w/DPF			4.5	2.6	0.3																
0.833 hr Controlled, T4 Efs, 100% Load, w/DPF			0.5	2.6	0.14																
Diesel engine warm-up time is <= 10 minutes.																					
			Controlled Emissions Factor Scenarios (all values in g/bhp-hr)								CO2e										
			NOx	CO	VOC	SO2	PM10	PM2.5	lb/mmbtu												
Emergency Ops, 100 hrs/yr, Tier 4 Controlled EFs, 100% Load			0.500	2.6	0.14	0.005	0.02	0.02	163.052												
Maint/Readiness Testing, 50 hrs/yr, T2/T4 SU adjusted EFs, 100% Load			1.90	2.6	0.14	0.005	0.02	0.02	163.052												
Scenario 1: Emergency Ops, 100 hrs/yr, Tier 4 Controlled EFs, 100% Load			Redundant engines do NOT operate during emergency operations.																		
Max Hourly Runtime: 1																					
Max Daily Runtime: 24																					
Max Annual Runtime: 100																					
			NOx	CO	VOC	SO2	PM10	PM2.5	CO2e												
lbs/hr			4.824	25.083	1.351	0.048	0.193	0.193	na												
lbs/day			115.770	602.003	32.416	1.158	4.631	4.631	na												
TPY			0.241	1.254	0.068	0.002	0.010	0.010	233.4												
			32 Engines																		
			NOx	CO	VOC	SO2	PM10	PM2.5	CO2e												
lbs/hr			154.36	802.67	43.22	1.54	6.17	6.17	na												
lbs/day			3704.63	19264.09	1037.30	37.05	148.19	148.19	na												
TPY			7.72	40.13	2.16	0.08	0.31	0.31	7470.18												
Scenario 2: Maint/Readiness Testing, 50 hrs/yr, T2/T4 SU adjusted EFs, 100% Load																					
Max Hourly Runtime: 1																					
Max Daily Runtime: 1																					
Max Annual Runtime: 50																					
			NOx	CO	VOC	SO2	PM10	PM2.5	CO2e												
lbs/hr			18.330	25.083	1.351	0.048	0.193	0.193	na												
lbs/day			18.330	25.083	1.351	0.048	0.193	0.193	na												
TPY			0.458	0.627	0.034	0.001	0.005	0.005	116.7												
			8 Engines																		
			NOx	CO	VOC	SO2	PM10	PM2.5	CO2e												
lbs/hr			18.330	25.083	1.351	0.048	0.193	0.193	na												
lbs/day			146.642	200.668	10.805	0.386	1.544	1.544	na												
			All Engines																		
TPY			18.33	25.08	1.35	0.05	0.19	0.19	4668.86												
BAAQMD 150 Hrs/Yr Emissions Totals, TPY:			NOx	CO	VOC	SO2	PM10	PM2.5	CO2e												
			26.048	65.217	3.512	0.125	0.502	0.502	12139.0												

Table AQ1-2 Emissions Estimates for Emergency Standby Generators

Engine Mfg:	CAT	# of Units:	2	Use Area: Data Center Bldg (Admin Power)						Max # of Engines Tested per Day:	1	# Redundant Engines:	0												
Model #:	3512C			(engines are not tested concurrently)								Emer Ops Engines:	2												
Fuel:	ULSD	Engine Data																							
													METRIC UNITS												
Fuel S, %wt:	0.0015	BHP	kWe	Load %	RPM	Fuel, gph	Stk Ht, ft	Stk Diam, in	Stk Temp, F	mmbtu/hr	Stk Flow, ACFM	Stack Vel, f/s	Stk Ht, m	Stk Diam, m	Stk Temp, Kelvins	Stk Vel, m/s	NOx Startup lb/hr	NOx Controlled lb/hr							
Fuel wt, lb/gal:	7.05	2400	1750	100	1800	109.4	22.5	16	820.4	14.99	12943.5	154.5017	6.858	0.4064	711.15	47.0921	10.05	2.646							
Btu/gal:	137000	1799	1200	75	1800	86.1	22.5	16	819.4	11.80	10575.9	126.2405	6.858	0.4064	710.59	38.4781	7.54	1.983							
Lbs S/1000 gal:	0.10575	1237	800	50	1800	63.8	22.5	16	813.5	8.74	8410	100.3870	6.858	0.4064	707.32	30.598	5.18	1.364							
Lbs SO2/1000 gal:	0.2115	1012	640	40	1800	54.6	22.5	16	805.6	7.48	7410.8	88.4599	6.858	0.4064	702.93	26.9626	4.24	1.116							
Default SO2 EF:	0.005	g/bhp-hr																							
EPA Tier:	2																								
Control System:	SCR + DPF to Meet T4																								
Turbocharged:	Yes																								
Aftercooled:	Yes																								
																		Stack Exit Area (sq.ft) =		1.396263					
																		Emissions Factor Scenarios (all values in g/bhp-hr)						CO2e	
Scenarios			NOx	CO	VOC	SO2	PM10	PM2.5	lb/mmbtu																
Emergency Ops, 100 hrs/yr, Tier 4 Controlled EFs, 100% Load			0.5	2.6	0.14	0.005	0.02	0.02	163.052																
Maint/Readiness Testing, 50 hrs/yr, T2/T4 SU Adjusted EFs, 100% Load			1.90	2.60	0.17	0.005	0.02	0.02	163.052																
Weighted EF Input and Calculation Data																									
0.167 hr Uncontrolled, Tier 2 Stds EFs, 100% Load, w/DPF			4.5	2.6	0.3																				
0.833 hr Controlled, T4 Efs, 100% Load, w/DPF			0.5	2.6	0.14																				
Diesel engine warm-up time is <= 10 minutes.																									
																		Controlled Emissions Factor Scenarios (all values in g/bhp-hr)						CO2e	
			NOx	CO	VOC	SO2	PM10	PM2.5	lb/mmbtu																
Emergency Ops, 100 hrs/yr, Tier 4 Controlled EFs, 100% Load			0.500	2.600	0.140	0.005	0.020	0.020	163.052																
Maint/Readiness Testing, 50 hrs/yr, T2/T4 SU Adjusted EFs, 100% Load			1.90	2.600	0.167	0.005	0.020	0.020	163.052																
Scenario 1: Emergency Ops, 100 hrs/yr, Tier 4 Controlled EFs, 100% Load																									
Max Hourly Runtime:		1																							
Max Daily Runtime:		24																							
Max Annual Runtime:		100																							
			NOx	CO	VOC	SO2	PM10	PM2.5	CO2e																
lbs/hr			2.646	13.757	0.741	0.026	0.106	0.106	na																
lbs/day			63.493	330.166	17.778	0.635	2.540	2.540	na																
TPY			0.132	0.688	0.037	0.001	0.005	0.005	122.2																
All Engines																									
			NOx	CO	VOC	SO2	PM10	PM2.5	CO2e																
lbs/hr			5.29	27.51	1.48	0.05	0.21	0.21	na																
lbs/day			126.99	660.33	35.56	1.27	5.08	5.08	na																
TPY			0.26	1.38	0.07	0.003	0.011	0.011	244.38																
Scenario 2: Maint/Readiness Testing, 50 hrs/yr, T2/T4 SU Adjusted EFs, 100% Load																									
Max Hourly Runtime:		1																							
Max Daily Runtime:		1																							
Max Annual Runtime:		50																							
			NOx	CO	VOC	SO2	PM10	PM2.5	CO2e																
lbs/hr			10.053	13.757	0.882	0.026	0.106	0.106	na																
lbs/day			10.053	13.757	0.882	0.026	0.106	0.106	na																
TPY			0.251	0.344	0.022	0.0007	0.003	0.003	61.1																
1 Engine																									
			NOx	CO	VOC	SO2	PM10	PM2.5	CO2e																
lbs/hr			10.053	13.757	0.882	0.026	0.106	0.106	na																
lbs/day			10.053	13.757	0.882	0.026	0.106	0.106	na																
All Engines																									
TPY			0.50	0.69	0.04	0.001	0.005	0.005	122.19																
BAAQMD 150 Hrs/Yr Emissions Totals, TPY:																									
			NOx	CO	VOC	SO2	PM10	PM2.5	CO2e																
			0.767	2.064	0.118	0.004	0.016	0.016	366.6																

METRIC UNITS					
		Stk Temp,		NOx Startup	
Stk Ht, m	Stk Diam, m	Kelvins	Stk Vel, m/s	lb/hr	NOx Controlled lb/hr
6.858	0.4064	711.15	47.0921	10.05	2.646
6.858	0.4064	710.59	38.4781	7.54	1.983
6.858	0.4064	707.32	30.598	5.18	1.364
6.858	0.4064	702.93	26.9626	4.24	1.116

This amendment to 25-SPPE-02 addresses the following proposed changes to the project:

- Changes to the 1-hour NO₂ start emissions and annual emissions based on a load screening analysis
- Changes to construction emissions for the existing construction scenario which now includes seven utility poles constructed within the project boundary
- Revised project fence line

As a result of these proposed changes this amendment presents revised data for the following:

- Revised emissions estimates for the engine changes noted above.
- Revised ambient air quality data which will now include the year 2024
- Revised air quality impact modeling.
- Revised air quality modeling for the health risk assessments.
- Revised health risk assessments.

Although this amendment follows the same basic outline of the original Air Quality and Public Health section of the SPPE, a significant portion of the original text has been removed. The removed text consists of a number of general discussions in the SPPE that need not be repeated herein as these discussions remain valid and unchanged.

3.0 AIR QUALITY

This section presents the evaluation of emissions and impacts resulting from the construction and operation of the NorthTown Backup Generating Facility (NTBGF), which supports the NorthTown Data Center (NTDC). The NTBGF will be comprised of 42 diesel engines, which will provide emergency backup power. This section also presents the proposed mitigation measures to be used in order to minimize emissions and limit impacts to below established significance thresholds. This section is based upon an analysis prepared by Atmospheric Dynamics, Inc. in accordance with the California Energy Commission (CEC) application requirements for a Small Power Plant Exemption (SPPE) pursuant to the power plant siting regulations, and the rules and regulations of the Bay Area Air District (BAAD or District). This analysis is but one part of a larger analysis, which seeks an SPPE Decision from the CEC and an Authority to Construct from the BAAD.

The following Appendices contain support data for the Air Quality and Public Health analyses.

- Appendix AQ1 – Revised Emissions Data for Criteria Pollutants, Toxic Pollutants, and GHGs
- Appendix AQ2 – Submitted Previously (not included herein)
- Appendix AQ3 – Air Quality Impact Modeling Support Data
- Appendix AQ4 – Construction and Miscellaneous Emissions Evaluation and Support Data
- Appendix AQ5 – Risk Assessment Support Data

3.1 ENVIRONMENTAL SETTING

Text not included in the amendment.

3.1.1.1 Existing Air Quality

Existing Conditions. The existing air quality conditions in the project area are summarized in Tables 4.3-3. Table 3.3-4 provides the background ambient air concentrations of criteria pollutants for the previous three (3) years as measured at certified monitoring stations near the project site. To evaluate the potential for air quality degradation as a result of the project, modeled project air concentrations are combined with the respective background concentrations as presented in Table 3.3-4 and used for comparison to the NAAQS and CAAQS.

Revised Table 3.3-3: Measured Ambient Air Quality Concentrations by Year

Pollutant	Units	AvgTime	Concentration Value Type	2022	2023	2024
Ozone	ppm	1-Hr	CAAQS-1 st Highs/3-yr Max	0.090	0.087	.04
Ozone	ppm	8-Hr	CAAQS-1 st Highs/3-yr Max	0.074	0.068	.035
Ozone	ppm	8-Hr	NAAQS-4 th Highs/3-yr Avg	0.062	0.059	.034
NO ₂	ppb	1-Hr	CAAQS-1 st Highs/3-yr Max	47	59	38
NO ₂	ppb	1-Hr	NAAQS-98 th %s/3-yr Avg	44	44	37
NO ₂	ppb	Annual	CAAQS/NAAQS-AAM/3-yr Max	9.46	9.28	11.7
CO	ppm	1-Hr	CAAQS-1 st Highs/3-yr Max	1.7	1.9	1.4
			NAAQS-2 nd Highs/3-yr Max	1.5	1.6	1.4
CO	ppm	8-Hr	CAAQS-1 st Highs/3-yr Max	1.4	1.4	1.1
			NAAQS-2 nd Highs/3-yr Max	1.3	1.4	1.0
SO ₂	ppb	1-Hr	CAAQS-1 st Highs/3-yr Max	2	35.7	5
			NAAQS-99 th %s/3-yr Avg	2	2	5
		24-Hr	CAAQS-1 st Highs/3-yr Max	0.9	1.9	0.4
			NAAQS-2 nd Highs/3-yr Max	0.6	0.5	0.4
		Annual	CAAQS/NAAQS-AAM/3-yr Max	0.22	0.09	0.09
PM ₁₀	µg/m ³	24-Hr	CAAQS-1 st Highs/3-yr Max*	134	42	41
			NAAQS-2 nd Highs/3-yr 4 th High*	91	41	41
		Annual	CAAQS-AAM/3-yr Max*	24.8	20.1	21.3
PM _{2.5}	µg/m ³	24-Hr	NAAQS-98 th %/3-yr Avg	27	27	24
		Annual	CAAQS –AAM/3-yr Max	10.1	8.2	9.2
			NAAQS-AAM/3-yr Avg	10.1	8.2	9.2

Notes: Values for 158 East Jackson Street, San Jose, CA, the nearest BAAD monitoring site (all applicable pollutants measured)
Data sources: EPA AIRS website and CARB ADAM (12/2024).
*No data for Santa Clara County in 2024, therefore 2021 to 2023 was used to establish background. CARB also has no PM10 data for Santa Clara County for 2023 or 2024.

Tables are provided in Appendix AQ-3 that present a detailed summary of the air quality monitoring data derived from the EPA AIRS and CARB ADAM systems. The values presented in Table 3.3-4 represent the derived background concentrations by pollutant for the established averaging times.

Revised TABLE 3.3-4: Background Air Quality Data Summary

Pollutant and Averaging Time	AQ Data Value	Units	Background Value ($\mu\text{g}/\text{m}^3$)
Ozone – 1-hour Maximum CAAQS	0.09	ppm	176.7
Ozone – 8-hour Maximum CAAQS	0.074	ppm	145.3
Ozone – 3-year average 4 th High NAAQS	0.052	ppm	101.4
PM10 – 24-hour Maximum CAAQS	134	$\mu\text{g}/\text{m}^3$	134
PM10 - 24-hour 3-year 4 th High NAAQS	91	$\mu\text{g}/\text{m}^3$	91
PM10 – Annual Maximum CAAQS	ND	$\mu\text{g}/\text{m}^3$	ND
PM2.5 – 3-Year Average of Annual 24-hour 98 th Percentiles NAAQS	26	$\mu\text{g}/\text{m}^3$	26
PM2.5 – Annual Maximum CAAQS	10.1	$\mu\text{g}/\text{m}^3$	10.1
PM2.5 - 3-Year Average of Annual Values NAAQS	9.2	$\mu\text{g}/\text{m}^3$	9.2
CO – 1-hour Maximum CAAQS	1.9	ppm	2175
CO - 1-hour High, 2 nd High NAAQS	1.7	ppm	1947
CO – 8-hour Maximum CAAQS	1.4	ppm	1568
CO - 8-hour High, 2 nd High NAAQS	1.4	ppm	1568
NO ₂ – 1-hour Maximum CAAQS	59	ppb	111
NO ₂ - 3-Year Average of Annual 98 th Percentile 1-hour Daily Maxima NAAQS	41.7	ppb	78.4
NO ₂ – Annual Maximum CAAQS/NAAQS	11.7	ppb	22
SO ₂ – 1-hour Maximum CAAQS	35.7	ppb	93.4
SO ₂ - 3-Year Average of Annual 99 th Percentile 1-hour Daily Maxima NAAQS	3	ppb	7.9
SO ₂ – 3-hour Maximum NAAQS (Not Available - Used 1-hour Maxima)	35.7	ppb	93.4
SO ₂ – 24-hour Maximum CAAQS	1.9	ppb	5
SO ₂ - 24-hour High, 2 nd High NAAQS	0.6	ppb	1.6
SO ₂ – Annual Maximum NAAQS	0.22	ppb	0.6
Values for 158 East Jackson Street, San Jose, CA, the nearest BAAD monitoring site (all applicable pollutants measured). CARB data used for AAM for PM10 for the period 2021-2023. Conversion of ppm/ppb measurements to $\mu\text{g}/\text{m}^3$ concentrations based on: $\mu\text{g}/\text{m}^3 = \text{ppm} \times 40.9 \times \text{MW}$, where MW = 48, 28, 46, and 64 for ozone, CO, NO ₂ , and SO ₂ , respectively.			

Regulatory Background

Text not included in the amendment.

3.1.2 **Impact Discussion**

The following presents the impact determinations for the general CEQA areas related to air quality and public health. Each of these general determinations are discussed in greater detail in the analysis which follows.

3.1.2.1 ***Significance Criteria***

Text not included in the amendment.

3.1.2.2 ***Impact Summary***

Text not included in the amendment.

3.1.2.3 ***Project Emissions, Air Quality Impact Analysis, and Health Risk Assessment***

PROJECT EMISSIONS

Construction. Project construction emissions of CO, VOCs, NO_x, SO₂, PM₁₀, PM_{2.5}, and CO₂e were evaluated. Detailed construction emission calculations are presented in Appendix AQ4. Onsite construction emissions from construction of the project will result from site preparation and grading activities, building erection and parking lot construction activities, “finish” construction activities, and the use of onsite construction equipment. Construction emissions from the project include emissions from the NTBGF and NTDC. Offsite construction emissions will be derived primarily from materials transport to and from the site, worker travel, etc. Emissions from the continuous approximate 38-39 month construction period were estimated using the current CalEEMod program (Online Ver 2022.1). Estimated criteria pollutant construction emissions for the project are summarized in Table 3.3-6. Construction of the project is tentatively scheduled to commence in October 2025. Construction support data and the CalEEMod analysis output are presented in Appendix AQ-4.

The BAAD CEQA Air Quality Guidelines considers exposure of sensitive receptors to air pollutant levels that result in an unacceptable cancer risk or hazard to be significant. BAAD recommends a 1,000-foot zone of influence around project boundaries. Since construction activities are typically temporary and mitigation measures as delineated below are proposed to be implemented, and since there are no identified sensitive receptors within 1000 ft. of the site boundary, community risk impacts from construction activities would be *less than significant* (see the Public Health section).

Revised Table 3.3-6A: Mitigated Criteria Pollutant Emissions from Construction Activities

(CalEEMOD Ver 2022.1)

Scenario/Year	NO _x	CO	VOC (TOG)	SO _x	PM10Exh	PM10Fug	PM2.5Exh	PM2.5Fug	CO ₂ e
Max Year	2027	2026	2027	2026	2026	2027	2026	2027	2026
2025, tpy	.16	.97	.03	.005	.005	.05	.005	.01	181
2026, tpy	1.04	5.98	.31	.015	.015	.685	.015	.165	1309

2027, tpy	1.07	5.26	.33	.005	.01	.77	.01	.18	1113
2028, tpy	.88	4.68	.30	.005	.01	.73	.01	.17	1012
Max Year Avg. lbs/day	8.11	45.3	2.5	0.114	0.114	5.19	.114	1.36	-
BAAD Significance Thresholds Lbs/day	54	-	54	-	82	-	54	-	-
BAAD Significance Thresholds TPY	10	-	10	-	15	-	10	-	11.025
Exceeds Thresholds	No	NA	No	NA	No	-	No	-	NA
Notes: Construction schedule for the project is approximately 39 months (maximum), 22 days per avg month, or ~ 858 days. Annual work period is 12 months, 22 days/month, or ~264 days. Average daily emissions are based on the max construction year as noted above. VOC=ROG 10,000 MT = 11025 short tons Source: ADI CalEEMod revised analysis, October 2025. Values for 2026 represent the addition of the onsite T-Line pole installation emissions (assessed 10/2025).									

As shown in Table 3.3-6, construction of the project would not generate VOCs, NO_x, SO_x, PM10 and PM2.5 emissions in excess of BAAD's numeric significance thresholds. The BAAD's CEQA Guidelines consider fugitive dust impacts to be less than significant through the application of best management practices (BMPs).

Table 3.3-6B (New) presents the construction emissions for the newly proposed offsite utility trenching project.

Table 3.3-6B: Emissions from the Offsite Utility Trenching Project

(CalEEMOD Ver 2022.1)

Scenario/Year	NO _x	CO	VOC (TOG)	SO _x	PM10Exh	PM10Fug	PM2.5Exh	PM2.5Fug	CO _{2e}
Max Year	2025	2025	2025	2025	2025	2025	2025	2025	2025
2025, tpy	1.17	5.10	.12	.01	.01	.12	.01	.03	857
2026, tpy	1.17	5.06	.12	.01	.01	.12	.01	.03	854
Max Year Avg. lbs/day	26	112.4	2.67	.222	.222	2.67	.222	.67	-
BAAD Significance Thresholds Lbs/day	54	-	54	-	82	-	54	-	-

BAAD Significance Thresholds TPY	10	-	10	-	15	-	10	-	11025
Exceeds Thresholds	No	NA	No	NA	No	-	No	-	NA
Notes: Construction schedule for the project is approximately ~ 90 days. Average daily emissions are based on the max construction year as noted above. VOC=ROG Source: ADI CalEEMod revised analysis, 10/2025 10,000 MT = 11025 short tones									

Mitigation Incorporated into the Construction Phase and Project Design:

Text for construction not included in the amendment.

Operation. Operational emissions of NO_x, VOCs, CO, SO₂, PM₁₀, PM_{2.5}, and GHGs were evaluated. Diesel particulate matter (DPM) which is the approved surrogate representing “whole diesel exhaust” for purposes of health risk evaluations, was the only toxic air contaminant (TAC) considered to result from operation of the project. Detailed operation emission calculations are presented in Appendix AQ1. Primary operation emissions are a result of diesel fuel combustion from the standby diesel generators, emissions from the building cooling systems, fugitive emissions from fuel storage, and refrigerant use (system leakage). Secondary operational emissions from facility upkeep, such as architectural coatings, consumer product use, landscaping, water use, waste generation, natural gas use for comfort heating, electricity use, offsite vehicle trips for worker commutes and material deliveries were not considered significant. Each of the primary emission sources are described in more detail below.

Stationary Sources. The project’s 42 Caterpillar standby diesel generators will be comprised of the following equipment:

- 40 – CAT C175 diesel-fired engines, each rated at 4,423 HP (3000 kWe) at 100% Load
- 2 – CAT 3512C diesel-fired engines, each rated at 2,360 HP (1600 kWe) at 100% Load

The generators proposed for installation are made by Caterpillar and will incorporate emissions control systems to meet Tier 4 emissions standards. The engines will be equipped with diesel particulate filters (DPF) to reduce the diesel particulates to less than or equal to 0.02 grams/brake horsepower hour (g/bhp-hr), and catalyst systems for the control of NO_x, CO, and VOCs. The control systems result in engine emissions compliance with the EPA Tier 4 standards and with BAAD BACT. Ammonia slip from the control system will not exceed 10 ppm. All generators would be operated routinely, i.e., readiness and maintenance testing, to ensure that they would function normally during an emergency event.

Each of the data center buildings will be equipped with the following systems to provide cooling for the data center and administrative areas:

- 1 - Addison (PRAK 150) cooling unit – DOAS Admin – using R454B refrigerant, with a system charge of 41 lbs. GWP = 466.
- 1 – Addison (PRAK 720) cooling unit – DOAS DC – using R454B refrigerant, with a system charge of 144 lbs. GWP = 466.
- 18 – Marley Closed Circuit Cooling Towers (MHF7109EAKBNC3) – 3 fan cells per tower, with a total rated water flow rate at 1782 gpm. These units do NOT use any refrigerants.
- 10 – SMARTD (WE.600.6K) chillers – using R-1234ze refrigerant, with a system charge of 3503 lbs. GWP = 1.
- 4 – SMARTD (WE.100.2H) chillers – using R-1234ze refrigerant, with a system charge of 708 lbs. GWP = 1.
- 2 – Daikin (REYQ264XBYDA – VRF-CU-Admin) cooling units – using R-32 refrigerant, with a system charge of 129.63 lbs. GWP = 675.
- 2 – Daikin (REYQ312XBYDA – VRF-CU-DC) cooling units – using R-32 refrigerant, with a system charge of 129.63 lbs. GWP = 675.

Appendix AQ1 presents detailed emissions calculations for the proposed engines, fuel storage tanks, and cooling systems. Appendix AQ2 contains the manufacturers specification sheets for the engines, engine add-on air pollution control systems, and the building cooling systems.

During routine readiness testing, criteria pollutants and TACs (as DPM) would be emitted directly from the generators. Criteria pollutant emissions from generator testing were quantified using information provided by the manufacturer, as specified in Appendix AQ1. SO₂ emissions were based on the maximum sulfur content allowed in California diesel (15 parts per million by weight), and an assumed 100 percent conversion of fuel sulfur to SO₂. DPM emissions resulting from diesel stationary combustion were assumed equal to PM_{10/2.5} emissions. For conservative evaluation purposes, it was assumed that testing would occur for no more than 50 hours per year. 50 hours per year per engine is the limit specified by the Airborne Toxic Control Measure for Stationary Toxic Compression Ignition Engines (Title 17, Section 93115, CCR). The Applicant is not proposing a test schedule, i.e., hours versus load points. Testing will be done based upon the Applicants judgment, taking into account the manufacturers recommendations, staff availability, and need. Maintenance and readiness testing may occur at loads ranging from 10 to 100% load. For purposes of this application, emissions were assumed to occur at 100% load. Tables AQ1-1 and AQ1-2 in Appendix AQ1 present the engine emissions based upon the 100% load point, number of engines tested, etc. Ammonia emissions, calculated as slip from the SCR on the engines, is also provided in Appendix AQ1. The engines were evaluated for the following emissions scenarios:

- CAT C175-16 Engines:
 - Each large engine running for 100 hours per year for Declared Emergency operations, at 100% load, at the guaranteed emissions levels from the Tier 4 control systems.
 - Each large engine running for 50 hours per year for Maintenance and Readiness operations, at 100% load, using composite emissions factors to address both uncontrolled and controlled emissions during such testing. The composite emission factor is based on a 21 minute uncontrolled time period.
 - Ammonia slip from the SCR will be limited to 10 ppm.
- CAT 3512C Engines:
 - Each small engine running for 100 hours per year for Declared Emergency operations, at

- 100% load, at the guaranteed emissions levels from the Tier 4 control systems.
- Each small engine running for 50 hours per year for Maintenance and Readiness operations, at 100% load, using composite emissions factors to address both uncontrolled and controlled emissions during such testing.
- Ammonia slip from the SCR will be limited to 10 ppm.

The tables which follow present emissions summaries for the two engines for each of the scenarios noted above in terms of the worst case hourly, daily, and annual emissions. Maximum daily emissions are based on the assumption that only eight (8) of the C175-16 engines will be tested on any day (and the eight (8) engines will not be run concurrently).

**Revised Table 3.3-7: Emergency Operations Emissions Summary
for CAT C175 and CAT 3512C Engines**

Period	NO _x	CO	VOC	SO ₂	PM10/2.5	CO _{2e}
CAT C175						
Max Hourly, lbs	154.36	802.67	43.22	1.54	6.17	-
Max Daily, lbs	3704.6	19264.1	1037.3	37.05	148.19	-
Max Annual, tons	7.72	40.13	2.16	0.08	0.31	7470.2
C175 as defined above. 100 hrs/yr emergency Ops. 32 engines in operation. The redundant engines are not run during emergencies.						
CAT 3512C						
Max Hourly, lbs	5.29	27.51	1.48	0.05	0.21	-
Max Daily, lbs	127	660.3	35.56	1.27	5.08	-
Max Annual, tons	0.26	1.38	0.07	0.003	0.011	244.4
3512C as defined above. 100 hrs/yr emergency Ops. All engines in operation.						

**Revised Table 3.3-8: M&R Testing Emissions Summary
for CAT C175 and 3512C Engines**

Period	NO _x	CO	VOC	SO ₂	PM10/2.5	CO _{2e}
CAT C175						
Single Engine Max Hourly, lbs	18.33	25.1	1.35	0.048	0.193	-
8 Engines Max Daily, lbs	146.64	200.7	10.8	0.39	1.54	-
All Engines Max Annual, tons	18.33	25.1	1.35	0.05	0.19	4668.9
Maintenance/Readiness operations, 50 hrs/yr, as defined above.						
CAT 3512C						

Single Engine Max Hourly, lbs	10.05	13.76	0.882	0.026	0.106	-
Single Engine Max Daily, lbs	10.05	13.76	0.882	0.026	0.106	-
All Engines Max Annual, tons	0.50	0.69	0.04	0.001	0.005	122.2
Maintenance/Readiness operations, 50 hrs/yr, as defined above.						

**Revised Table 3.3-9: Emergency Operations Emissions Summary for CAT C175
and CAT 3512C Engines**

Period	NO _x	CO	VOC	SO ₂	PM10/2.5	CO _{2e}
CAT C175						
Max Annual, tons	7.72	40.13	2.16	0.08	0.31	7470.2
Emergency Ops.						
CAT 3512C						
Max Annual, tons	0.26	1.38	0.07	0.003	0.011	244.4
Emergency Ops.						

**Revised Table 3.3-10: M&R Testing Emissions Summary for CAT C175
and CAT 3512C Engines**

Period	NO _x	CO	VOC	SO ₂	PM10/2.5	CO _{2e}
CAT C175						
Max Annual, tons	18.33	25.08	1.35	0.05	0.19	4668.9
M&R Testing.						
CAT 3512C						
Max Annual, tons	0.50	0.69	0.04	0.001	0.005	122.2
M&R Testing.						

Table 3.3-11 presents maximum daily and annual emissions data for the various testing scenarios in comparison to the BAAD CEQA significance thresholds.

**Revised Table 3.3-11: Facility Scenario Emissions and BAAD CEQA Significance
Levels (M&R Testing)**

Scenario	Lbs/Day					
	NO _x	CO	VOC	SO ₂	PM10	PM2.5
BAAD CEQA Thresholds	54	NA	54	NA	82	54
Worst Case Daily Engine Emissions ¹	146.6	200.7	10.81	0.386	1.54	1.54

Fuel VOC Losses	-	-	0.0896	-	-	-
Cooling Towers	-	-	-	-	1.356	1.356
Daily Emissions	146.6	200.7	10.9	0.386	3.03	3.03
Significance Threshold Exceeded	Yes	NA	No	NA	No	No
Scenario	Tons/Yr					
	NO _x	CO	VOC	SO ₂	PM10	PM2.5
BAAD CEQA Thresholds	10	AAQS	10	NA	15	10
Fuel VOC Losses	-	-	0.0165	-	-	-
Cooling Towers	-	-	-	-	0.271	0.271
Worst Case Annual Engine Emissions ²	18.83	25.77	1.39	0.051	0.195	0.195
Annual Emissions	18.83	25.77	1.407	0.051	0.466	0.466
Significance Threshold Exceeded	Yes	NA	No	NA	No	No
¹ Based on the emissions for a 8 engine test day (8 - C175 engines). ² Based on the summation of the CAT C175 and CAT 3512C engines. ² CO _{2e} emissions are 4791 tpy (4345.6 Mtons/yr) from M&R Testing.						

Table 3.3-12 presents the summation of emissions for all engines for the maximum of the scenarios noted above, i.e., the 150 hours per year criteria per the BAAD permitting policy criteria.

**Revised Table 3.3-12 BAAD 150 Hours per Year Emissions Summation
(Tons per year)**

Engines	NO _x	CO	VOC	SO ₂	PM10/2.5	CO _{2e}
CAT C175 + CAT 3512C	26.82	67.28	3.63	0.13	0.518	12506
Summation for both engines types. <i>These values are NOT the NSR offset applicability values.</i>						

Miscellaneous Operational Emissions

Additional text not included in the amendment.

**Revised Table 3.3-15: Miscellaneous Operational Emissions
(CalEEMod 2022.1)**

Scenario	Lbs/Day					
	NO _x	CO	VOC*	SO ₂	PM10	PM2.5

					Exhaust	Exhaust
BAAD CEQA Thresholds, lbs/day	54	NA	54	NA	82	54
Lbs/avg day	0.49	5.0	0.88	0.027	<0.027	<0.027
Exceeds Thresholds	No	NA	No	NA	No	No
TPY						
BAAD CEQA Thresholds, TPY	10	NA	10	NA	15	10
Tons/yr	0.09	0.92	0.16	<0.005	<0.005	<0.005
Exceeds Thresholds	No	NA	No	NA	No	No
Note: Assumes the full buildout and data center is manned 365 days/yr. This table does NOT include the emissions from the emergency engines. All source category includes, mobile worker travel, deliveries, energy use, fuel use, waste disposal, water use, and miscellaneous area sources. *VOC = ROG Total CO₂e = 294 MTons/yr = 324.1 short tons/yr Source: ADI CalEEMod analysis, October 2025.						

GHG Operations Emissions

Additional text not included in the amendment.

AIR QUALITY IMPACT ANALYSIS

Some of the text is not included in the amendment. Support figures showing the location of the new fenceline and construction areas are included in the appendix. Updated background air quality data is also provided in the impact tables.

The same background ambient air quality levels and modeling techniques from the modeling analyses of project operating impacts were used in the construction analysis. The applicable background concentrations of NO₂, SO₂, CO, PM_{2.5}, and PM₁₀ from the operational modeling analyses used in the construction impact analysis are shown in the following table. As with the previous modeling assessment, the USEPA-approved model AERMOD was used to estimate ambient impacts from construction activities, consistent with the facility operational impact analyses and the AERMET meteorological preprocessor was used by BAAD to process the meteorological data from the San Jose (surface data) and Oakland Airport (upper air data).

A new receptor grid was developed based on the modified fenceline location in the southeast portion of the project. The new fence line extends outwards by 60 meters. Receptor grids were generated along the fence line (≤10 meter spacing), from the fence line to 300 meters (20 meter spacing), from 300 meters to one kilometer (km) (50-meter spacing), from 1.0 to 5.0 km (200-meter spacing). If any of the maximum impacts occurred on receptors with spacing greater than 20 meters, a refined grid with 20-meter resolution would be created and extended outwards by 500 meters in all directions. All receptor and source locations are referenced in meters using the Universal Transverse Mercator

(UTM) Cartesian coordinate system based on the North American Datum of 1983 (NAD83) for Zone 10. The new project boundary is provided in Figure AQ4-1.

Operational characteristics of the diesel engines, such as emission rate, exit velocity, and exit temperature, vary by operating loads. The engines could be operated over a range of load conditions from one (1) to 100 percent. Based on the CEC data request, a load screening for NO_x was performed for the 1-hour averaging period using the engine load points of 10, 25, 50, 75 and 100 percent. The screening results are presented in Appendix AQ-3 which identified one of the C175-16 diesel engines (C1711) with having the maximum 1-hour NO₂ during a 75% load test. All of the other 41 engines had the maximum 1-hour NO₂ concentrations with 100 % load.

The one-hour NO₂ modeling also revised the SCR warmup time which was modified to reflect 21 minutes for all loads. This is the maximum warmup time period across the load range of 10 to 100% as provided by data from Caterpillar. The revised operational modeling results reflect the longer warmup period for both 1-hour and annual impacts.

The engines were assumed to be tested anytime from 7 AM to 5 PM (controlled using the EMISFACT/HROFDY model option). Although the engines will typically only be tested individually for up to one hour at any one time, each engine was assumed to operate up to 8 hours/day (7AM-5PM) to conservatively represent 8 different engines operating one hour each in any one day for 3-hour, 8-hour, and 24-hour averaging times. Thus, the worst-case stack condition and the worst-case engine location could be determined from the screening analysis. All 42 engines were assumed to be tested for annual averages, with emissions proportioned accordingly.

Based on the results of the screening analyses, all NTBGF sources were modeled in the refined analyses for comparisons with the annual CAAQS and NAAQS and the short-term NAAQS with multi-year statistical forms (1-hour NO₂ and SO₂ and 24-hour PM_{2.5} and PM₁₀). Impacts during normal testing operations were based on the worst-case screening condition. Since the engines will each be tested far less than 100 hours/year, the annual average emission rate was included in 1-hour NO₂ and SO₂ NAAQS modeling analyses at the annual average emission rates per EPA guidance due to the statistical nature of these standards (the engines were modeled at the maximum 1-hour emission rate for the CAAQS).

For the 1-hour NO₂ modeling assessments, the Ambient Ratio Method Version 2 (ARM2) was used in the modeling analyses with an in-stack NO₂/NO_x ratio of 0.5 (50%) based on EPA Guideline requirements. This is conservative as the NO₂/NO_x ratios for these types of engines are on the order of 10%, as per the EPA's ISR database.

The emission sources for the construction site were grouped into two categories: exhaust emissions and dust emissions. Combustion equipment exhaust emissions for the overlap analysis were modeled as 323-3.05-meter-high point sources (exhaust parameters of 750 Kelvins, 64.68 m/s exit velocity, and 0.1524-meter stack diameter) placed at regular 20-meter intervals around the construction area of the project. Construction fugitive dust emissions were modeled as two area sources covering the DC1 and DC2 construction areas with an effective plume height of two (2) meters (6.6 feet). Combustion and fugitive emissions were assumed to occur for 10 hours/day (7 AM to 5 PM) consistent with the expected period of onsite construction activities generating both exhaust emissions and fugitive dust. The construction impacts modeling analysis used the same receptor locations and meteorological data as used for the project operating impact analysis (with the revised fence line). Figure AQ4-2 presents the point source and area source locations as well as the locations

of the emergency diesel generators next to the DC1 data center. The receptor locations and meteorological data used in this analysis were previously discussed.

Based on the revised results of the modeling analyses, the modeled concentrations are presented in Tables 3.3-16 and 3.3-17.

Revised Table 3.3-16: Modeled Operational Concentrations and Ambient Air Quality Standards

Pollutant	Averaging Period	Maximum Concentration (µg/m³)	Background (µg/m³)	Total (µg/m³)	Ambient Air Quality Standards (µg/m³)	
					CAAQS	NAAQS
3-/8-/24-Hour Maxima shown for one engine operating up to 10 hours/day (7AM-5PM)						
NO ₂ *	1-hour maximum (CAAQS)	147.4	111	258.4	339	-
	3-year average of 1-hour yearly 98th % (NAAQS)**	3.1	78.4	81.5	-	188
	Annual maximum	2.1	22	24.1	57	100
CO	1-hour maximum	403	2175	2578	23,000	40,000
	8-hour maximum	299	1568	1867	10,000	10,000
SO ₂	1-hour maximum (CAAQS)	0.8	93.4	94.2	655	-
	3-year average of 1-hour yearly 99th % (NAAQS)**	0.01	7.9	7.9	-	196
	24-hour maximum	0.2	5	5.2	105	365
	Annual maximum	0.01	0.6	0.61	-	80
PM10	24-hour maximum (CAAQS)	0.8	134	134.8	50	-
	24-hour 4 th highest over 5 years (NAAQS)	0.7	41	41.7	-	150
	Annual maximum (CAAQS)	0.04	24.8	24.8	20	-
PM2.5	3-year average of 24-hour yearly 98th %	0.5	26	26.5	-	35
	Annual maximum (CAAQS)	0.04	10.1	10.1	12	-
	3-year average of annual concentrations (NAAQS)	0.03	9.2	9.2	-	9.0

*1-hour NO₂ impacts evaluated with Ambien Ratio Method #2 (ARM2), with the maximum hourly background added in separately. Annual NO₂ impacts evaluated with ARM2. Modeling utilized USEPA-default minimum/maximum NO₂/NO_x ambient ratios of 0.5/0.9.

** Impacts for the 1-hour statistical-based NO₂ and SO₂ NAAQS are based on the annual average emissions per USEPA guidance documents for intermittent sources like emergency generators. Impacts for the 1-hour NO₂ and SO₂ CAAQS are based on the 1-hour emission rate since these CAAQS are “values that are not to be exceeded”.

Revised Table 3.3-17: Modeled Construction Concentrations and Ambient Air Quality Standards

Pollutant	Averaging Period	Maximum Concentration (µg/m³)	Background (µg/m³)	Total (µg/m³)	Ambient Air Quality Standards (µg/m³)	
					CAAQS	NAAQS
Construction occurs for up to 10 hours/day (7AM-5PM)						
NO ₂ *	1-hour maximum (CAAQS)	2.08	111	113.08	339	-
	3-year average of 1-hour yearly 98th % (NAAQS)	1.79	78.4	80.19	-	188
	Annual maximum	0.25	22	22.3	57	100
CO	1-hour maximum	13.3	2175	2188.3	23,000	40,000
	8-hour maximum	6.2	1568	1574.2	10,000	10,000
SO ₂	1-hour maximum (CAAQS)	0.03	93.4	943.4	655	-
	3-year average of 1-hour yearly 99th % (NAAQS)	0.03	7.9	7.9	-	196
	24-hour maximum	0.01	5	5	105	365
	Annual maximum	0.004	0.6	0.6	-	80
PM10	24-hour maximum (CAAQS)	3.20	134	137.2	50	-
	24-hour H6H (NAAQS)	2.79	41	43.79	-	150
	Annual maximum (CAAQS)	1.36	24.8	26.2	20	-
PM2.5	3-year average of 24-hour yearly 98th %	0.545	26	26.6	-	35
	Annual maximum (CAAQS)	0.33	10.1	10.4	12	-
	3-year average of annual concentrations (NAAQS)	0.30	9.2	9.7	-	9.0

*1-hour NO₂ impacts evaluated with Ambien Ratio Method #2 (ARM2), with the maximum hourly background added in separately. Annual NO₂ impacts evaluated with ARM2. Modeling utilized USEPA-default minimum/maximum NO₂/NO_x ambient ratios of 0.5/0.9.

- 1 - Maximum 8th-highest max daily 1-hr results averaged over 5 years
- 2 - Maximum 4th-highest
- 3 - Maximum 8th-highest 24-hr results averaged over 5 years
- 4 - Maximum annual results averaged over 5 years

The air quality modeling support data will be submitted to Staff electronically.

Based on the operational modeling results in Table 3.3-16, the 24-hr and annual PM₁₀ combined impacts exceed the CAAQS but the project only impacts are less than the applicable SILs of 5 ug/m³ and 1 ug/m³, respectively and thus, would not cause or contribute to these exceedances.

The construction modeling results in Table 3.3-17 show combined modeled impacts and background concentrations greater than the annual PM_{2.5} NAAQS but note that the project only impact does not exceed the BAAD annual SIL of 0.3 ug/m³, as identified in the BAAD CEQA Guidelines. In general, these exceedances are only because the background concentrations already exceed these particular standards. Modeled project impacts in these instances are less than the USEPA and/or BAAD significance levels and thus, the project will not cause or contribute to an exceedance of any air quality standard for any averaging time period. Also of note, the application of the CEC standard construction mitigation measures will also result in construction impacts that will be less than significant. The project will therefore comply with the CAAQS and NAAQS.

PUBLIC HEALTH AND HEALTH RISK ASSESSMENT

Text not included in the amendment.

Construction Phase Impacts

The proposed project would be a source of air pollutant emissions during project construction. The BAAD CEQA Air Quality Guidelines considers exposure of sensitive receptors to air pollutant levels that result in an unacceptable cancer risk or hazard to be significant. BAAD recommends a 1,000-foot zone of influence around project boundaries. Results of the revised construction related health risk assessment indicate that the risk values from construction would be as follows in Table 3.3-21:

**Revised Table 3.3-21: NTDC/NTBGF Construction
Health Risk Assessment Summary**

Location	Receptor #	UTM (meters)	Cancer Risk	Chronic HI	Acute HI	Cancer Burden
PMI	2363	594590.0, 4137720.0	1.31E-06	0.00073	-	NA
MEIR	3685	593300.0, 4138250.0	6.43E-08	0.000036	-	NA
MEIS	3796	593400.0, 4138400.0	6.78E-08	0.000038	-	NA
MEIW	1655	594250.0, 4137860.0	4.04E-09	0.000268	-	NA

Notes: See acronym definitions above.
The PMI noted above is located at the eastern fence line.
DPM is the surrogate compound for construction equipment diesel exhaust. No acute REL has been established for DPM.
38-39 month construction period (HRA used 4 years as a conservative exposure period.)
FAH=1 for all age groups from 3rd trimester to 16 years, for MEIR and MEIS.
FAH not used for MEIW.
MEIS – Montague Elementary School

These values are well below the significance thresholds for construction health risk impacts, and as such the community risk impacts from construction activities would be *less than significant*.

Characterization Of Risks from Operations Toxic Air Pollutants

Text not included in the amendment.

**Revised Table 3.3-23: Operational NTDC/NTBGF Residential/Sensitive Health
Risk Assessment Summary**

Location	Receptor #	UTM (meters)	Cancer Risk	Chronic HI	Acute HI	Cancer Burden
PMI	67	594394.54, 4137896.71	1.16E-05	0.00311	-	NA
MEIR	7491	596450, 4136000	5.42E-07	0.000146	-	NA
MEIS	3790	593400.0, 4138400.0	8.47E-07	0.000228	-	NA

Notes: See acronym definitions above.
The PMI noted above is located at the northern fence line.
FAH=1 for all age groups from 3rd trimester to 16 years, for MEIR and MEIS.
FAH not used for MEIW.
MEIS – Montague Elementary School
The maximum 30-year cancer risk from rooftop cooling tower is 1.46E-09.

Revised Table 3.3-24: Operational NTDC/NTBGF Worker Health Risk Assessment Summary

Location	Receptor #	UTM	Cancer Risk	Chronic HI	Acute HI	Cancer Burden
PMI	67	594394.54, 4137896.71	3.38E-06	0.00311	-	NA
MEIW	1861	594350, 4137940	2.75E-06	0.00254	-	NA
Notes: See acronym definitions above. The PMI noted above is located at the northern fence line. The maximum worker risk from rooftop cooling tower is 2.76E-10.						

The chronic non-cancer hazard quotient associated with concentrations in air are shown in Table 3.3-23. The chronic non-cancer hazard quotient for all target organs falls below 1.0. As described previously, a hazard quotient less than 1.0 is unlikely to represent significant impact to public health. Since DPM does not have an acute REL, no acute hazard index or quotient was calculated. As described previously, human health risks associated with emissions from the proposed facility are unlikely to be higher at any other location than at the location of the PMI. If there is no significant impact associated with concentrations in air at the PMI location, it is unlikely that there would be significant impacts in any other location in the vicinity of the facility.

Detailed risk and hazard values are provided in the HARP output which will be submitted to Staff electronically.

The estimated lifetime cancer risks to the maximally exposed individual located at the NTBGF PMI, MEIR, MEIW, and MEIS do not exceed the 10×10^{-6} significance level for T-BACT sources. These engines are EPA Tier 4 units equipped with diesel particulate filters, and are used only for emergency power backup, therefore BACT or T-BACT for DPM is satisfied. The chronic hazard index value is also well below the significance threshold of 1.0. These risk estimates were calculated using assumptions that are highly health conservative. Evaluation of the risks associated with the NTBGF emissions should consider that the conservatism in the assumptions and methods used in risk estimation considerably over-state the risks from NTBGF emissions. Based on the results of this risk assessment, there are no significant public health impacts anticipated from emissions of toxic pollutants to the air from the NTBGF.

Operation Odors

The facility is not expected to produce any contaminants at concentrations that could produce objectionable odors.

Summary of Impacts

The revised health risk assessment for the NTBGF indicates that the maximum sensitive receptor cancer risk will be approximately 5.42×10^{-7} (versus a significance threshold of 10×10^{-6} with T-BACT) at the MEIR to air toxics from NTBGF emissions. This risk level is considered to be not significant. Non-cancer chronic effects for all scenarios are well below the chronic hazard index significance value.

Results from an air toxics risk assessment based on emissions modeling indicate that there will be no significant incremental public health risks from the construction and operation of the NTBGF. Results from criteria pollutant modeling for routine operations indicate that potential ambient concentrations of NO₂, CO, SO₂, and PM₁₀ will not significantly impact air quality. Potential concentrations are below the federal and California standards established to protect public health, including the more sensitive members of the population.

Construction and Operation Overlap Assessment

The following analysis addresses the emissions overlap period in which the engines from phase DC1 will be readiness and maintenance tested during the construction of DC2. The overlap data is summarized as follows:

- The overlap period, based upon the current construction schedule, will commence near the end of construction of DC1 (start of construction of DC2). The overlap period will be approximately 19.5 months (1.625 years).
- DC1 consists of 20 large engines (CAT C175) and 1 small engine (CAT 3512C).
- All of the large engines and the single small engine will be readiness and maintenance tested during the 19.5-month period.
- Annual emissions (readiness/maintenance testing only) for the engines are based on 50 hours/yr each over the scheduled 1.625-year period.
- Emissions from construction of DC2 were derived from CalEEMod and adjusted based on Appendix AQ4 Table AQ4-3. These emissions were annualized for any representative 12-month period during the 19.5 month overlap period.

Table 3.3-25 below shows the emissions summary for the overlap period (annualized).

Revised Table 3.3-25 Overlap Emissions Table

Parameter	NO _x	CO	VOC	SO _x	PM10 Exhaust/Fugitive	PM2.5 Exhaust/Fugitive
Total DC1 Engine Emissions, tpy	9.42	12.89	0.97	0.026	0.098	0.098
DC1 Cooling Tower, tpy	-	-	-	-	0.136	0.136
DC2 Annualized Construction Emissions (tpy)	0.953	4.905	0.296	0.005	0.01/0.745	0.01/0.174
Total Annualized Overlap Emissions, tpy (w/o cooling tower)	10.37	17.8	1.27	0.031	0.108/0.745	0.108/0.174
Notes: 1. See Table AQ4-3 for the emissions breakout analysis for DC2						

2. Engines will be M&R tested for no more than 50 hours/yr. Engines will not be tested concurrently.
3. Construction will occur 5 days/wk for an average of 8 hours/day.
4. Exhaust = engine exhaust

Daily and hourly emissions for the backup generator engines were derived from the emissions calculations presented in Appendix AQ1, while daily and hourly emissions from construction were derived from the annualized construction emissions presented in Table 3.3-25 above. Table 3.3-26 presents the daily and hourly emissions for the overlap period.

Revised Table 3.3-26 Daily and Hourly Emissions for the Overlap Period

Parameter	NO _x	CO	VOC	SO _x	PM10 Exhaust/Fugitive	PM2.5 Exhaust/Fugitive
M&R Testing						
8 Large Engines, lbs/day	146.64	200.67	15.13	0.386	1.544	1.544
DC1 Cooling Tower, lbs/day	-	-	-	-	0.743	0.743
DC2 Annualized Construction Year Emissions (lbs/day)	7.22	37.16	2.24	0.04	0.08/5.65	0.08/1.32
<i>Total Estimated Emissions, lbs/day (w/o cooling tower)</i>	<i>153.86</i>	<i>237.8</i>	<i>17.37</i>	<i>0.43</i>	<i>1.62/5.65</i>	<i>1.62/1.32</i>
1 Large Engine, lbs/hr	18.33	25.08	1.89	0.048	0.193	0.193
DC1 Cooling Tower, lbs/hr	-	-	-	-	0.031	0.031
DC2 Annualized Construction Year Emissions (lbs/hr)	0.903	4.645	0.280	0.005	0.009/0.706	0.009/0.165
<i>Total Estimated Emissions, lbs/hr (w/o cooling tower)</i>	<i>19.23</i>	<i>29.73</i>	<i>2.17</i>	<i>0.053</i>	<i>0.202/0.706</i>	<i>0.202/0.165</i>
Notes:						
1. See Table AQ4-3 for the emissions breakout analysis for DC2 2. Max hourly engine emissions are based on 1 large engine (readiness/maintenance testing) for 1 hour/day. 3. Max daily engine emissions are based on 8 large engines tested for 1 hour each per day. Exhaust = engine exhaust. 4. Construction for 12 months at 22 days/month = 264 days. 8 hours/day.						

Criteria Pollutant Impacts for Overlap Scenario

The same background ambient air quality levels and modeling techniques from the modeling analyses of project operating impacts were used in the construction analysis. The applicable background concentrations of NO₂, SO₂, CO, PM2.5, and PM10 from the operational modeling analyses used in the construction impact analysis are shown in the following table. As with the previous modeling assessment, the USEPA-approved model AERMOD was used to estimate ambient impacts from construction activities, consistent with the facility operational impact analyses and the AERMET meteorological preprocessor was used by BAAD to process the meteorological data from the San Jose (surface data) and Oakland Airport (upper air data).

The emission sources for the construction site were grouped into two categories: exhaust emissions and dust emissions. Combustion equipment exhaust emissions for the overlap analysis were modeled as 195-3.05-meter-high point sources (exhaust parameters of 750 Kelvins, 64.68 m/s exit velocity, and 0.1524-meter stack diameter) placed at regular 20-meter intervals around the construction area of the project. Construction fugitive dust emissions were modeled as a single area source covering the DC2 construction area with an effective plume height of two (2) meters (6.6 feet). Combustion and

fugitive emissions were assumed to occur for 10 hours/day (7 AM to 5 PM) consistent with the expected period of onsite construction activities generating both exhaust emissions and fugitive dust. The construction impacts modeling analysis used the same receptor locations and meteorological data as used for the project operating impact analysis. Figure AQ4-2 presents the point source and area source locations as well as the locations of the emergency diesel generators next to the DC1 data center. The receptor locations and meteorological data used in this analysis were previously discussed.

Modeling Results

Based on the emission rates of the routine testing of the engines at DC1 plus the construction emissions for DC2 of NO_x, SO₂, CO, PM2.5, and PM10, the modeling options, receptor grids, and meteorological data, AERMOD calculated the short-term and annual ambient impacts for each pollutant. As mentioned above, the modeled 1-hour, 3-hour 8-hour, and 24-hour ambient impacts are based on the worst-case daily emission rates of NO_x, SO₂, CO, PM2.5, and PM10 spread over the estimated daily hours of operation. The annual impacts are based on the annual emission rates of these pollutants. The 1-hour and annual average concentrations of NO₂ were computed using ARM2 method with a NO₂/NO_x ratio of 0.5. Background concentrations were added to the modeled results.

The modeling analysis results are shown in Table 3.3-27 below, including the appropriate background levels and the resulting total ambient impacts. Modeled crossover impacts are expected to be below the most stringent state and Federal standards for all pollutants except PM10 and PM2.5, where the background already exceeds the standards.

Modeled concentrations for 24-hr PM10 and annual PM10 and PM2.5 will exceed the CAAQS for PM10 and the NAAQS for PM2.5. In all cases, this is due to the construction activities and are not due to the operation of the DC1 data center. For this overlap modeling, the combined annual and 24-hour PM10 emergency generators and rooftop chiller concentration is 0.035 ug/m³ and 0.8 ug/m³, which are less than the applicable annual PM10 SIL of 1 and 5 ug/m³, respectively. The combined annual PM2.5 emergency generators and rooftop chiller concentration is 0.033 ug/m³, which is less than the annual PM2.5 SIL of 0.13 ug/m³. While the construction fugitive dust for PM10 and PM2.5 remains over the SIL, construction activities are temporary in nature, and any impacts will be fully mitigated. And as noted in the BAAQMD CEQA Guidelines, application of the fugitive dust control measures would reduce PM fugitive impacts to less than significant. Thus, the overlap modeling demonstrates that the project will not cause or contribute to exceedances of the annual PM2.5 CAAQS or NAAQS.

Table 3.3-27: Modeled Overlap (Construction + Operation) Concentrations and Ambient Air Quality Standards

Pollutant	Averaging Period	Maximum Concentration (µg/m³)	Background (µg/m³)	Total (µg/m³)	Ambient Air Quality Standards (µg/m³)	
					CAAQS	NAAQS
Construction occurs for up to 10 hours/day (7AM-5PM)						
NO ₂ *	1-hour maximum (CAAQS)	147.4	111	258.4	339	-
	3-year average of 1-hour yearly 98th % (NAAQS)	3.75	78.4	82.2	-	188

Table 3.3-27: Modeled Overlap (Construction + Operation) Concentrations and Ambient Air Quality Standards

Pollutant	Averaging Period	Maximum Concentration (µg/m³)	Background (µg/m³)	Total (µg/m³)	Ambient Air Quality Standards (µg/m³)	
					CAAQS	NAAQS
	Annual maximum	2.09	22	24.1	57	100
CO	1-hour maximum	403.9	2175	2579	23,000	40,000
	8-hour maximum	301.7	1568	1870	10,000	10,000
SO ₂	1-hour maximum (CAAQS)	0.8	93.4	94.2	655	-
	3-year average of 1-hour yearly 99th % (NAAQS)	0.02	7.9	7.9	-	196
	24-hour maximum	0.20	5	5.2	105	365
	Annual maximum	0.005	0.6	0.6	-	80
PM ₁₀	24-hour maximum (CAAQS)	7.12	134	141.1	50	-
	24-hour H6H (NAAQS)	6.12	41	47.1	-	150
	Annual maximum (CAAQS)	3.03	24.8	27.8	20	-
PM _{2.5}	3-year average of 24-hour yearly 98th %	1.13	26	27.1	-	35
	Annual maximum (CAAQS)	0.71	10.1	10.8	12	-
	3-year average of annual concentrations (NAAQS)	0.64	9.2	9.8	-	9.0

*1-hour NO₂ impacts evaluated with Ambien Ratio Method #2 (ARM2), with the maximum hourly background added in separately. Annual NO₂ impacts evaluated with ARM2. Modeling utilized USEPA-default minimum/maximum NO₂/NO_x ambient ratios of 0.5/0.9.

1 - Maximum 8th-highest max daily 1-hr results averaged over 5 years

2 - Maximum 4th-highest

3 - Maximum 8th-highest 24-hr results averaged over 5 years

4 - Maximum annual results averaged over 5 years

HRA Impacts for Overlap Scenario

An HRA was performed using the HARP Risk Assessment Standalone Tool (Version 22118). The HRA was performed for DPM only, as DPM is the accepted surrogate compound for whole diesel exhaust. The necessary output files from AERMOD were imported into HARP. Detailed descriptions of the risk assessment methods and support data are contained in the SPPE application document and are not repeated here. Assumptions used in the HRA analysis are as follows:

- The standard project receptor file was used. This file contained an extensive cartesian grid of receptors as well as the identified sensitive receptors included in the other project modeling analyses.
- The BAAD health tables were used (enabled in HARP)
- Two separate analyses were run as follows:
 - a. Residential run, FAH=1, 2-year exposure period (see note below)
 - b. Worker run, FAH=off, 2-year exposure period (see note below)

Note: HARP does not allow fractions of years as exposure values, therefore a 2-year exposure period was used to represent the 19.5-month emissions overlap.
- The PMI, MEIR, MEIW, and MEIS values were derived from the HRA output files.

Table 3.3-21: NTBGF Overlap (Construction + Operation) Health Risk Assessment Summary

Location	Receptor #	UTM (meters)	Cancer Risk	Chronic HI	Acute HI	Cancer Burden
PMI	73	594583.04, 4137779.09	9.80E-06	0.00674	-	NA
MEIR	4014	593600.0, 4138500.0	4.04E-07	0.000278	-	NA
MEIS	3851	593450.0, 4138450.0	3.78E-07	0.000260	-	NA
MEIW	1833	594330.0, 4137940.0	1.61E-08	0.00213	-	NA

Notes: See acronym definitions above.

The PMI noted above is located on the eastern fenceline.

Testing hours for the overlap of construction and operation was set to 50 hours per engine/yr.

DPM is the surrogate compound for construction equipment diesel exhaust. No acute REL has been established for DPM.

DC2 construction period is 19.5 months (HRA used 2-year exposure period.)

FAH=1 for all age groups from 3rd trimester to 16 years, for MEIR and MEIS.

FAH not used for MEIW.

* MEIS – Montague Elementary School

CalEnviroScreen 4.0 Survey

Additional text is not included in the amendment.

Cumulative Impacts

BAAD's Role in Air Quality

The BAAD is the primary agency responsible for assuring that the National and California Ambient Air Quality Standards (NAAQS and CAAQS, respectively) are attained and maintained in the Bay Area. BAAD's jurisdiction includes all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo and Santa Clara counties, and the southern portions of Solano and Sonoma counties. The Air District's responsibilities in improving air quality in the region include: preparing plans for attaining and maintaining air quality standards; adopting and enforcing rules and regulations; issuing permits for stationary sources of air pollutants; inspecting stationary sources and responding to citizen complaints; monitoring air quality and meteorological conditions; awarding grants to reduce mobile emissions; implementing public outreach campaigns; and assisting local governments in addressing climate change.

Under the Small Power Plant Exemption process with the California Energy Commission (CEC), the BAAD acts as a Responsible Agency when it has limited discretionary authority over a portion of a project but does not have the primary discretionary authority of a Lead Agency. As a Responsible Agency, BAAD may coordinate the environmental review process with the lead agency regarding BAAD's permitting process, provide comments to the Lead Agency regarding potential impacts, and recommend mitigation measures.

Cumulative Thresholds of Significance

In accordance with BAAD CEQA Guidelines, a project impact would be considered significant if the project would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);
- Expose sensitive receptors to substantial pollutant concentrations; or
- Create objectionable odors affecting a substantial number of people.

In May 2017, the BAAD updated the significance thresholds for agencies to use with environmental review of projects. These thresholds were designed to establish the level at which BAAD believed air pollutant emissions would cause significant impacts under CEQA.

A project would have a cumulative considerable impact if the aggregate total of all past, present, and foreseeable future sources within a 1,000-foot radius from the fence line of a source plus the contribution from the project, exceeds the following recommended significance thresholds in Table 1-1 below.

Table 3.3-25 Cumulative Significance Thresholds

Health Risks and Hazards for Sensitive Receptors (Cumulative from All Sources within 1,000-Foot Zone of Influence) and Cumulative Thresholds for New Sources	
Excess Cancer Risk	100 per 1 million
Chronic Hazard Index	10.0
Annual Average PM _{2.5}	0.8 µg/m ³
PM _{2.5} = fine particulate matter or particulates with an aerodynamic diameter of 2.5µm or less. Source: BAAD, 2018.	

Cumulative Impacts Assessment

Stationary and mobile cumulative source impacts were not assessed for the proposed project as the nearest sensitive receptor is 3,200 feet from the project fence line, well in excess of the 1,000 foot radius established by the BAAD for cumulative assessments. However, for summary purposes, cumulative risks from permitted stationary sources of TACs near the project site were identified using BAAD's *Stationary Source Risk and Hazard Analysis Tool*. This mapping tool uses Google Earth to identify the location of stationary sources and their estimated screening level cancer risk and hazard impacts. This tool identified thirteen (13) sources within 1,000 feet of the project boundaries and the distance adjusted impacts are summarized in Table 3.3-26. The BAAD Health Risk Calculator was utilized to adjust the BAAD provided risk, hazard and PM_{2.5} concentrations based on distance.

Table 3.3-26 Combined Source Listing (Post-BAAD Distance Adjustments)

Source	Maximum Cancer Risk (per million)	Hazard Index	PM2.5 concentration ($\mu\text{g}/\text{m}^3$)
17437 Lumileds LLC	15.3015	2.861	0.85487
18923 City of San Jose MWTP	0.1333	0	0
15271 Accurate Finishing	0	0	0
8611 Gilbert Spray Coat	0	0	0.00647
19141 SJC Fuel Company LLC	0.8172	0	0.0009
104171-1 ConocoPhillips	0.4119	0.0018	0
22513 Verizon Business	0.7595	0	0
201160 AutoMax Collision Inc	0	0	0
201418 Toshiba	0.544	0	0.0008
22797 Caliber Collision Center	0	0	0
201834 Harmonic Inc.	2.5265	0	0.0031
23091 Apple Inc.	0.1215	0	0
202171 TBUSA	5.5022	0.0022	0.0066
NTBGF	0.542	0.00015	0.04
Microsoft SJC04/06	0.233	0.00014	0.115
<i>Combined Sources</i> ¹	26.89	2.86	1.03
BAAD Threshold – Combined Sources	100	10.0	0.8
Based on actual distances to the sensitive receptors, the summarized impacts would be much smaller than the listed results. Note: ¹ The combined source level is an overestimate because the maximum impact from each source is assumed to occur at the same location.			

The cumulative cancer and hazard index impacts are all less than the BAAD CEQA thresholds. For PM2.5, one facility, Lumileds LLC, is exceeding the cumulative concentration threshold by itself. All PM2.5 concentrations for the NTBGF at all sensitive receptors are well below the BAAD annual significance criteria of $0.3 \mu\text{g}/\text{m}^3$ and below the NAAQS significance level of $0.13 \mu\text{g}/\text{m}^3$. Thus, regardless of the background cumulative PM2.5 impacts, the projects contributions will always be less than the BAAD CEQA significance levels and represent an insignificant impact.

ATTACHMENT DR AQ-12

Emissions Control Vendor Documentation

CENEX #2 DIESEL FUEL TYPICAL SPECIFICATIONS

LOW SULFUR #2 **ULTRA LOW SULFUR #2**

PHYSICAL PROPERTIES

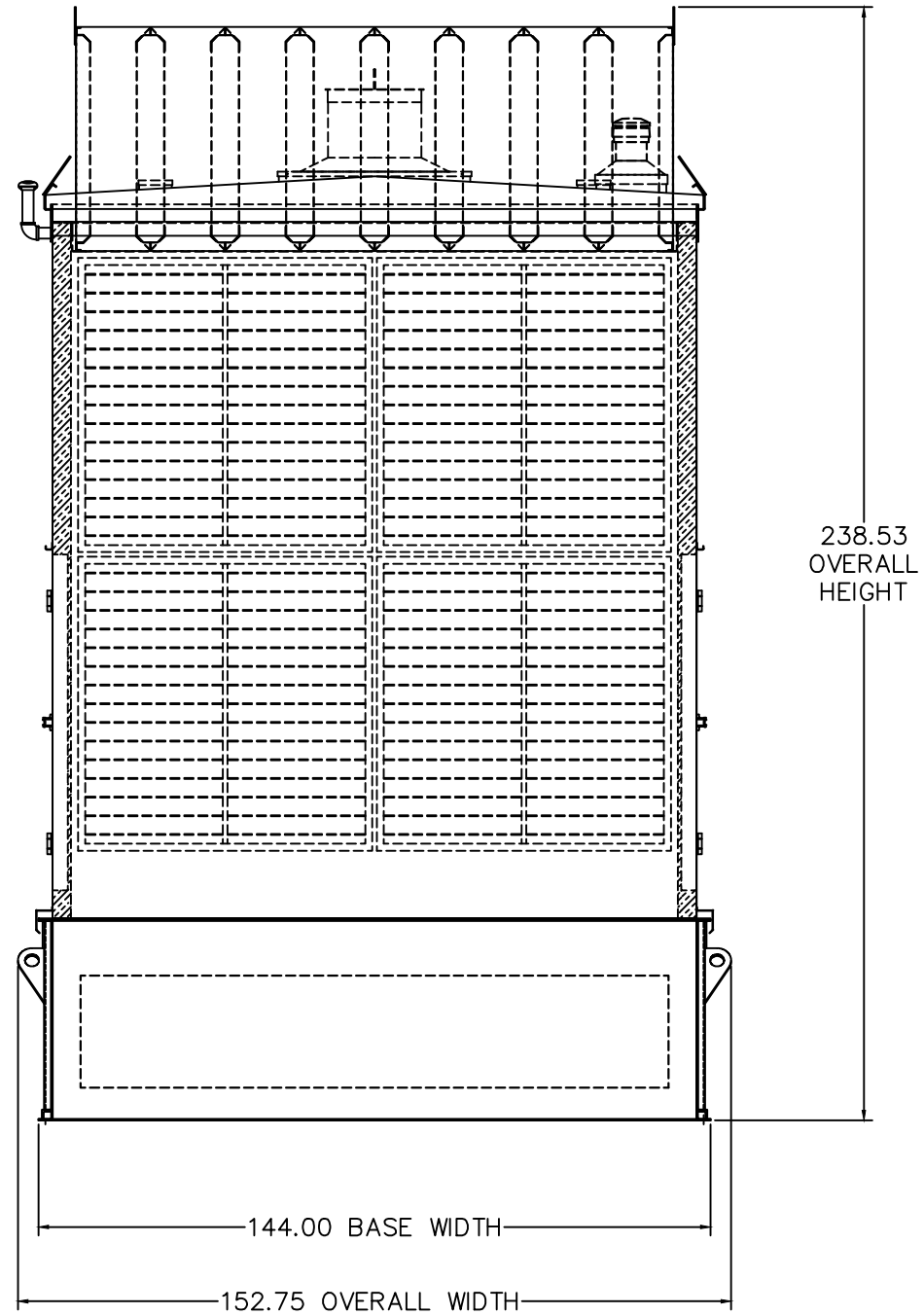
TYPICAL ANALYSIS

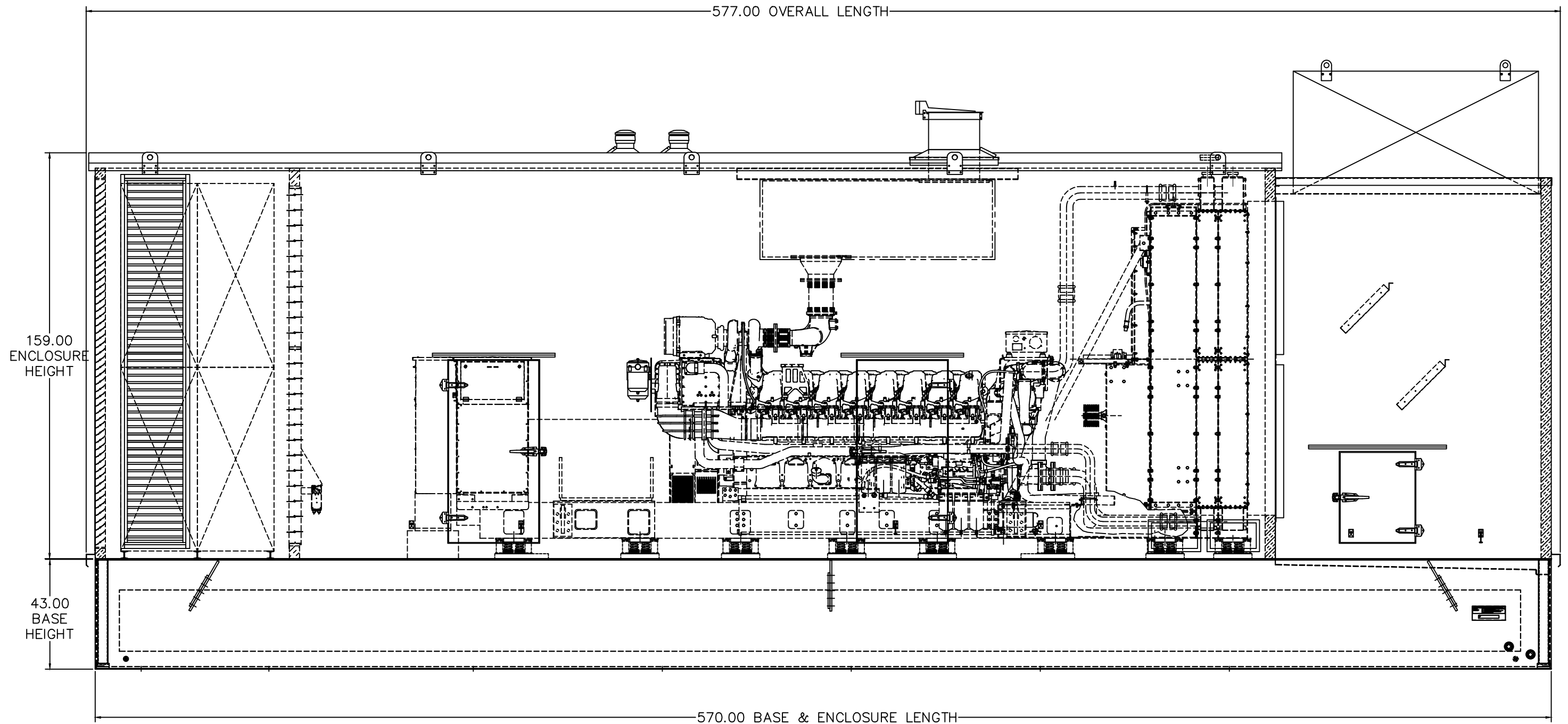
FUEL TYPE	Ultra Low Sulfur #2
API GRAVITY	36
LBS/GAL	7.0
FLASH POINT, F.	125
DISTILLATION, F.	
INITIAL BOILING POINT	366
50% RECOVERY	491
90% RECOVERY, F 572-672	610
END POINT	643
POUR POINT, F.	0
CLOUD POINT, F.	14
CFPP, F	12
VISCOSITY @ 40C. cSt	3.1
SULFUR, PPM	15
CETANE NUMBER	40
COLOR	RED or UNDYED
WATER & SEDIMENT	NIL
COPPER STRIP CORROSION @ 122F.	1A
ASH, % WT	NIL
LUBRICITY BY HFRR, MICRON	520

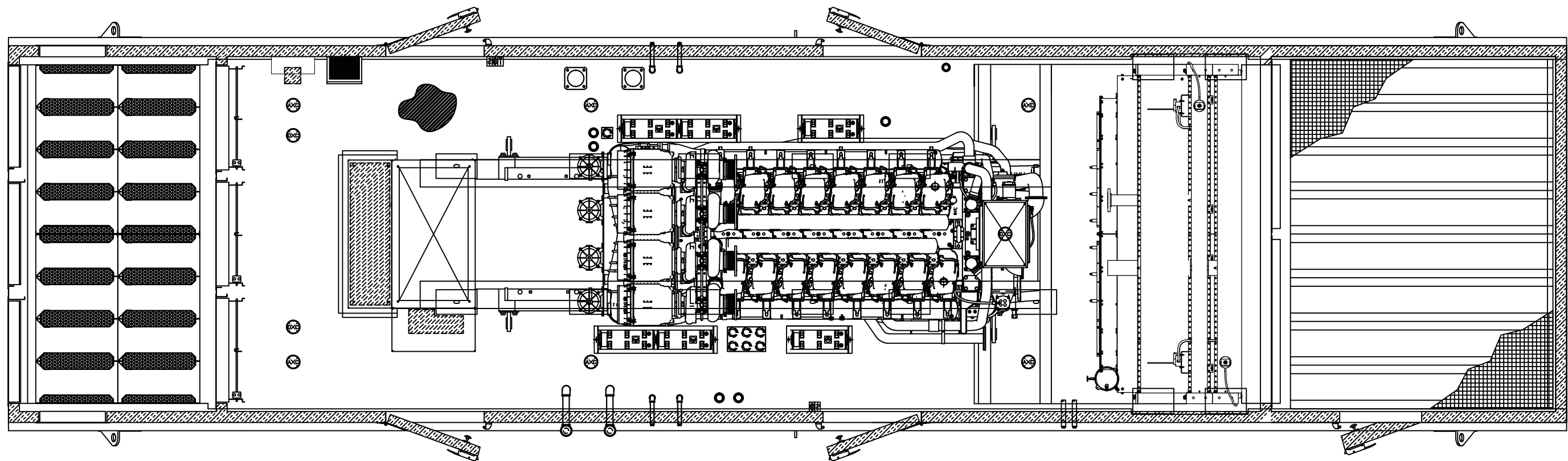
*** Values listed above represent typical properties. These values may vary between terminal locations.**

PRELIMINARY ONLY
NOT FOR CONSTRUCTION

DRAWING NUMBER: PRELIMINARY MECH. LAYOUT	WORK ORDER NUMBER: PRELIMINARY		PURCHASE ORDER NUMBER:		REV.#	DATE:	DESCRIPTION:		DRN BY:	
	JOB REFERENCE: EQUINIX SV5-3 PRELIMINARY MECHANICAL LAYOUT				INTERNATIONAL SUPPLY CO., INC. 2717 W. NORTH STREET, P.O. BOX 17, EDELSTEIN, IL 61526 - WWW.ELHISCO.COM					
					DRAWING APPROVAL: INITIAL/DATE		DRAWING APPROVAL: INITIAL/DATE		DRAWING APPROVAL: INITIAL/DATE	
	DRAWN BY: MSK		ENGINE SIZE: C175		FUEL TANK CAPACITY: 6500 GALLONS		DRAWING TITLE: PRELIMINARY MECHANICAL LAYOUT			
	DATE: 10/15/15		KW AND VOLTAGE: 3000kW @ 480V		RUPTURE BASIN CAPACITY: 7150 GALLONS		DRAWING DESCRIPTION: MECHANICAL LAYOUT FOR (1) C175, 3000kW @ 480V, WITH A IEA RADIATOR, SOUND ATTENUATED ENCLOSURE, WITH A U.L. 2085 6500 GAL / 7150 GAL FUEL TANK / RUPTURE BASIN BASE, & WITH AN INTERIOR SILENCER.			
	SCALE: 1=4.0		RADIATOR DESIGNATION: IEA RADIATORS		SOUND ATTENUATION: 78dBA @ 23 FEET					
	REV.# 0		CUSTOMER: PETERSON POWER SYSTEMS		ENCLOSURE MATERIAL: 14 GAUGE		PAGE 1 OF 4			









UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
2019 MODEL YEAR
CERTIFICATE OF CONFORMITY
WITH THE CLEAN AIR ACT

OFFICE OF TRANSPORTATION
AND AIR QUALITY
ANN ARBOR, MICHIGAN 48105

Certificate Issued To: Caterpillar Inc.
(U.S. Manufacturer or Importer)
Certificate Number: KCPXL106.NZS-013

Effective Date:

07/24/2018

Expiration Date:

12/31/2019

Byron J. Bunker, Division Director
Compliance Division

Issue Date:

07/24/2018

Revision Date:

N/A

Model Year: 2019
Manufacturer Type: Original Engine Manufacturer
Engine Family: KCPXL106.NZS

Mobile/Stationary Indicator: Stationary
Emissions Power Category: kW>560
Fuel Type: Diesel
After Treatment Devices: No After Treatment Devices Installed
Non-after Treatment Devices: Electronic Control, Engine Design Modification

Pursuant to Section 111 and Section 213 of the Clean Air Act (42 U.S.C. sections 7411 and 7547) and 40 CFR Part 60, and subject to the terms and conditions prescribed in those provisions, this certificate of conformity is hereby issued with respect to the test engines which have been found to conform to applicable requirements and which represent the following engines, by engine family, more fully described in the documentation required by 40 CFR Part 60 and produced in the stated model year.

This certificate of conformity covers only those new compression-ignition engines which conform in all material respects to the design specifications that applied to those engines described in the documentation required by 40 CFR Part 60 and which are produced during the model year stated on this certificate of the said manufacturer, as defined in 40 CFR Part 60.

It is a term of this certificate that the manufacturer shall consent to all inspections described in 40 CFR 1068 and authorized in a warrant or court order. Failure to comply with the requirements of such a warrant or court order may lead to revocation or suspension of this certificate for reasons specified in 40 CFR Part 60. It is also a term of this certificate that this certificate may be revoked or suspended or rendered void *ab initio* for other reasons specified in 40 CFR Part 60.

This certificate does not cover engines sold, offered for sale, or introduced, or delivered for introduction, into commerce in the U.S. prior to the effective date of the certificate.