

DOCKETED	
Docket Number:	26-SPPE-02
Project Title:	Silver Creek Back-up Generating Facility (SFBGF)
TN #:	272831
Document Title:	Prologis SPPE Application Silver Creek Backup Generating Facility - Main and App A
Description:	N/A
Filer:	Scott Galati
Organization:	DayZenLLC
Submitter Role:	Applicant Representative
Submission Date:	9/18/2026 9:04:49 AM
Docketed Date:	9/18/2026

Small Power Plant Exemption Application

Silver Creek Backup Generating Facility



Submitted to



Prepared by



August 2026

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Appendix F: Air Quality and Greenhouse Gas Emissions Assessment
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Appendix I: Geotechnical Investigation Report
Appendix J: City of San José Greenhouse Gas Reduction Strategy Compliance Checklist
Appendix K: Phase I Environmental Site Assessment for the SCBGF/SCDC
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Appendix M: Noise and Vibration Assessment
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All appendices are incorporated herein by reference.

Section 1.0 Introduction and Purpose

1.1 Executive Summary

Prologis, L. P. (Prologis) hereby files this Application for a Small Power Plant Exemption (SPPE Application) pursuant to Public Resources Code (PRC) Section 25541 and Section 1934 et seq. of the California Energy Commission (Commission) regulations for the 99-megawatt (MW)¹ Silver Creek Backup Generating Facility (SCBGF). The SCBGF will consist of a total of 44 diesel-fired generators that will be used exclusively to provide up to 99 MW of backup emergency generation to support the Silver Creek Data Center (SCDC). The SCBGF and SCDC will be located at the northwest corner of the intersection of Silver Creek Valley Road and Fontanoso Way at 5977 Silver Creek Valley Road in San José, California (referred to herein as the “SCBGF/SCDC Site”). Of the 44 diesel-fired generators, two of the generators will be used to support general office loads along with building and life safety services (house generators) in the case of a loss of utility power, while the remaining 42 generators (emergency generators) will be dedicated to replacing the electricity needs of the data center.

Unlike the typical electrical generating facility reviewed by the Commission, the SCBGF is designed to operate only when electricity from Pacific Gas & Electric Company (PG&E) is unavailable to the SCDC. The SCBGF will not be electrically interconnected to the electrical transmission grid. Rather, it will consist of one generation yard electrically interconnected solely to the SCDC.

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 SCBGF. To describe the context of the SCBGF and its role in serving the SCDC, Section 3 also includes a general description of the SCDC.

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

Section 5 of the SPPE Application includes a discussion of growth-inducing impacts resulting from the Project.

Section 6 of the SPPE Application contains a discussion of significant and irreversible environmental changes that would result from implementation of the Project.

Section 7 of the SPPE Application contains a discussion of significant and unavoidable impacts from the Project.

¹ Maximum electrical demand of the SCDC.

Section 8 of the SPPE Application includes a discussion of alternative backup generation configurations, technology, and alternative fuels considered by the Project Applicant.

Section 9 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 with permitting jurisdiction for the Project 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.

Section 12 of the SPPE Application contains a map of properties and a list of addresses of the property (and owners where different from the property address) within 1,000 feet of the project site and 500 feet of off-site linear facilities for Commission noticing purposes.

1.2 Project Objectives and Need For Backup Generation

The primary goal of the SCDC is to be a state-of-the-art data center that provides greater than 99.999 percent reliability. The SCDC has been designed to reliably meet the increased demand of digital infrastructure, its customers, and its continued growth. The SCDC'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 of power could lead to server damage or corruption of the data and software stored on the servers by Prologis' clients. The SCDC will be supplied electricity by a new PG&E switching station constructed northeast of the SCBGF/SCDC Site and owned and operated by PG&E (herein referred to as "Hellyer Switching Station").

To ensure a reliable supply of high-quality power, the SCBGF was designed to provide backup electricity to the SCDC only in the event electricity cannot be supplied from PG&E and delivered to the SCDC building. To ensure no interruption of electricity service to the servers housed in the SCDC building, the servers will be connected to uninterruptible power supply (UPS) systems that store energy and provide near-instantaneous protection from input power interruptions. 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 SCBGF provides that backup power generation source.

The SCDC's Project Objectives are as follows:

- Develop a state-of-the-art data center large enough to meet the need for large data centers.
- Develop the SCDC on land that is zoned to allow data center use.
- Incorporate the most reliable and flexible form of backup electric generating technology into the SCBGF considering the following evaluation criteria.
 - **Reliability.** The selected backup electric generation technology must be extremely reliable in the case of an emergency loss of electricity from the utility.

- The SCBGF must provide a higher reliability than 99.999 percent in order for the SCDC to achieve an overall reliability of equal to or greater than 99.999 percent.
 - The SCBGF 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 resilience so if any of the backup unit fails due to external or internal failure, the system will have redundancy to continue to operate without interruption.
 - The SCDC must have on-site means to sustain power at full load for the data center for 24-hours minimum in failure mode, inclusive of utility outage.
- o **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 capable of becoming immediately operational during an emergency loss of utility power.
 - o **Technical Feasibility**. The selected backup electric generation technology must utilize systems that are compatible with one another.

1.3 Commission SPPE Jurisdiction

Prologis 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 authority.³ The SCBGF is not a typical power generating facility in that it consists of generators that can operate independently. In addition, the generators are arranged to support individual portions of the building within the SCDC. None of the generators will be interconnected to the electrical transmission system and therefore no electricity can be delivered off site.

1.3.1 Data Center Facilities Not Within Scope of SPPE

The SCDC is not within the scope of the Commission’s siting jurisdiction because it is neither a related nor appurtenant facility to the thermal power plant (the SCBGF).⁴ The SCDC is the sole consumer of the electricity produced by the SCBGF. Prologis is submitting a development application to construct and operate the SCDC to the City of San José for review. The City is anticipated to begin its preliminary review in June 2026.

² PRC Section 25500

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

⁴ CEC Rulemaking 25-RULE-01, TN 266224.

As outlined in a recent SPPE Decision for the Pittsburgh Backup Generating Facility, although the Commission is the lead agency for making a determination of whether the SCBGF is a thermal power plant that can qualify for a SPPE, the ultimate decision does not extend to the SCDC or utility facilities. The findings necessary for granting an SPPE are limited to the SCBGF because (1) it is the thermal power plant and (2) the SCDC, the Hellyer Switchyard and the PG&E transmission line⁵ are not related or appurtenant facilities to the SCBGF. Prologis does acknowledge that the Commission should include the potential effects of the SCDC, and the PG&E Facilities in the analysis the Commission prepares as lead agency for CEQA. However, the ultimate determination of whether the SCDC 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, Prologis includes a description of the SCDC and its supporting facilities and PG&E Facilities in addition to the SCBGF in Section 3 of this SPPE Application. The potential effects of the SCDC and PG&E facilities are considered in the environmental analyses of Section 4 of this SPPE Application in a manner to assist the Commission in evaluating the impacts of the SCBGF for its own SPPE decision and to allow the City of San José to use the CEQA document as a responsible agency to support its decision on whether or not to approve the SCDC and the SCBGF.

To enable the City of San José to complete a timely review of the SCDC, Prologis requests the Commission complete its CEQA document and make a decision to grant the SPPE by March 2027 or sooner. Applications for the emergency generator permits will be submitted to the Bay Area Air District (Air District) shortly after the SPPE process is completed and are expected to be issued in 2027.

1.4 Project Benefits and Efficiency Measures

The SCDC provides much needed data center infrastructure for an increasingly more internet and data driven society. The SCDC has been designed to:

- Negligible use of water.
 - Project utilizes air-cooled chillers with a closed water loop for heat rejection.
- Use of Renewable Diesel as the primary fuel source for the backup generators,
- Minimize emissions by performing generator maintenance and testing 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,
- 100 percent carbon-free electricity by participating in the SJCE at the TotalGreen level (i.e., 100 percent carbon-free electricity) or participate in a clean energy program that accomplishes the same goals of 100 percent carbon-free electricity as the SJCE TotalGreen Level.

⁵ The Hellyer Switching Station and PG&E transmission line make up the PG&E Facilities.

- Incorporate water efficiency measures, and
- Class A building with an attractive, modern architectural aesthetic featuring high-quality insulated metal panels, prominent glazed curtain wall, and integrated landscaping that enhances the project's visual presence along Silver Creek Valley Road.

Due to the heat generated by the data center IT 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 meeting LEED Silver
- Electric vehicle (EV) parking
- Low flow plumbing fixtures
- Landscaping would meet City requirements for low water use
- Use of low GHG emission refrigerant in the project chillers
- The building incorporates insulated wall panels and enhanced insulation systems, or equivalent measures, to reduce thermal energy loss through the exterior walls.

1.5 California Energy Commission Data Adequacy Worksheets

The Commission has three different approval processes for backup generating facilities including: 1) Power Plant Licensing Application for Certification (AFC), 2) Opt-In Certification Program (Opt-in), and 3) SPPE Application. The standards for the review and approval of SPPE projects are significantly different than those required for AFC and Opt-In projects. These differences are clarified below.

The approvals for AFC and Opt-in projects require findings related to two analyses: CEQA and Laws, Ordinances, Regulations, and Standards (LORS). The Commission is required to evaluate: (1) whether the project would result in significant environmental impacts pursuant to its CEQA Certified Regulatory Program and (2) whether or not the project will comply with all applicable LORS. For AFCs and Opt-In processes, the LORS review is required in addition to its CEQA obligation, because the license the Commission issues is in-lieu of any state or local permit and the Commission is the Chief Building Official.

For SPPE projects, the Commission's review and approval is based solely on CEQA review. A LORS review is not required because the Commission does not issue a license in-lieu of other state or

local permits. The project obtains permits from the local municipality and local air district. To grant a SPPE, the Commission must make a finding that the backup generating facility does not result in significant and unavoidable environmental impacts (i.e., unmitigable impacts). To support this finding, the Commission as the lead agency pursuant to CEQA will prepare an Environmental Impact Report (EIR) or an Initial Study/Mitigated Negative Declaration (IS/MND).

The Commission utilizes the information required in the California Code of Regulations Title 20, Division 2, Chapter 5, Appendix B (Appendix B) regulations to evaluate, approve and ultimately regulate powerplants. Appendix B includes requirements necessary for the analysis of both the potential environmental impacts pursuant to CEQA and compliance with LORS. The Commission developed the Data Adequacy Worksheet tool for both AFC and Opt-In projects. The worksheet helps Staff determine whether the Appendix B information necessary for both CEQA and LORS has been provided and Staff may begin proceedings.

Recently, Staff began using these same worksheets on SPPE Applications for data center backup generating facilities. However, not all of the information outlined in Appendix B and the worksheet are applicable or necessary to enable the Commission Staff to prepare a legally sufficient CEQA document for an SPPE Application (as LORS analysis is not required). In each environmental section of this application, an analysis is included that answers the CEQA Guideline questions necessary for a CEQA analysis. To assist the Commission in conducting its analysis, we have included data adequacy worksheets as Appendix A to this SPPE Application. The data adequacy worksheets contain detailed references as to where in this SPPE Application the information requested appears and also include explanations for why some of the information is not provided.

Section 2.0 Project Information

2.1 Project Title

Silver Creek Backup Generating Facility

2.2 Project Applicant

Prologis, L. P.
2141 Rosecrans Avenue, Suite 1151
El Segundo, CA 90245
Attn: Claudia Tarpin, Director of Development

2.3 Project Location

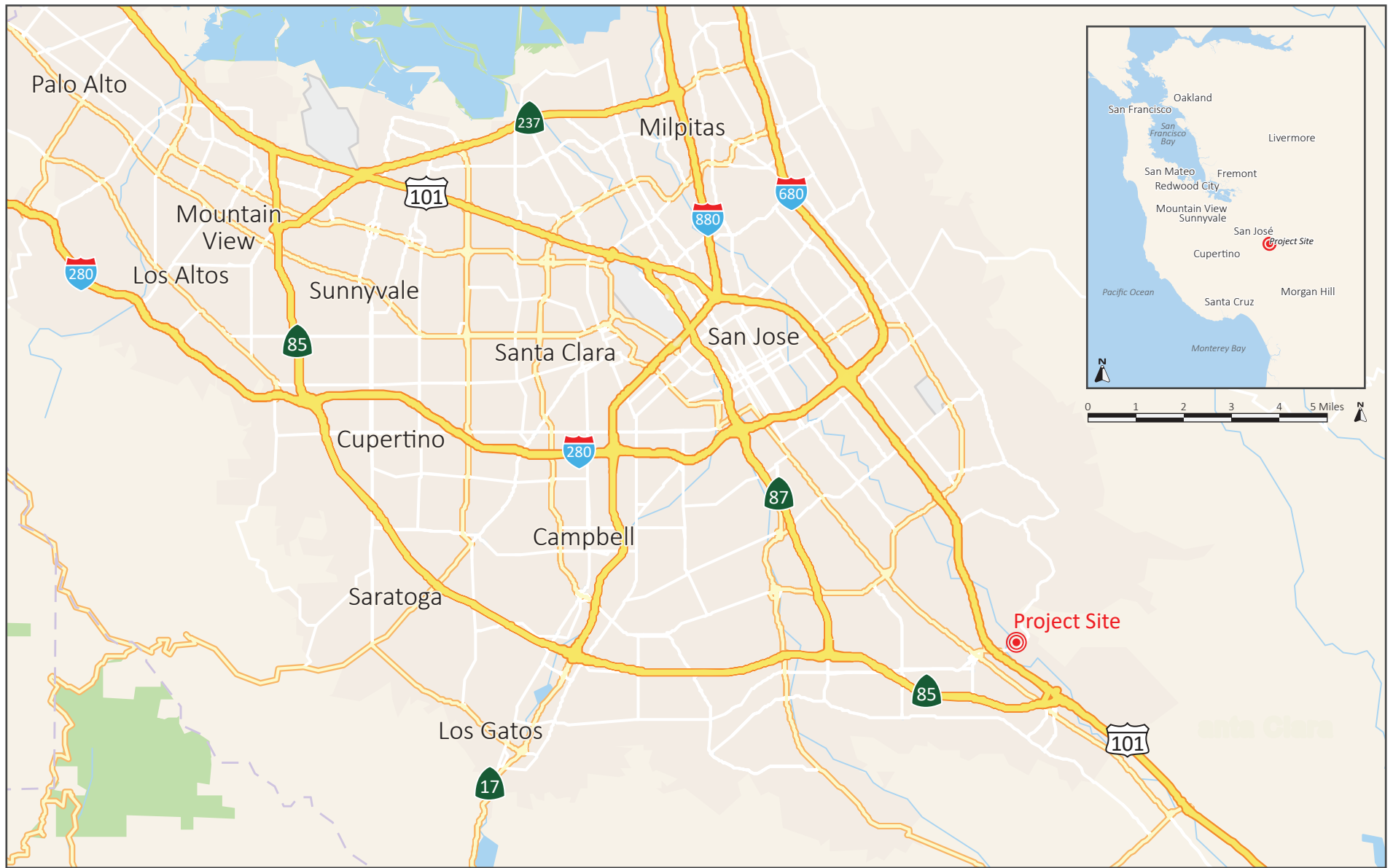
The approximately 15.13-acre SCBGF/SCDC Site is located at 5977 Silver Creek Valley Road at the northwestern corner of the Silver Creek Valley Road and Fontanoso Way intersection. The Hellyer Switching Station Site is approximately 14.26 acres and is located at 455 Piercy Road, approximately 1400 feet east of the SCBGF/SCDC Site. Refer to Figure 2.3-1 through Figure 2.3-3 for the Regional, Vicinity, and Aerial maps, respectively.

2.4 Assessor's Parcel Number

The SCBGF/SCDC Site Assessor's Parcel Number (APN) is 679-02-024. The Hellyer Switching Station Site APN is 678-93-030.

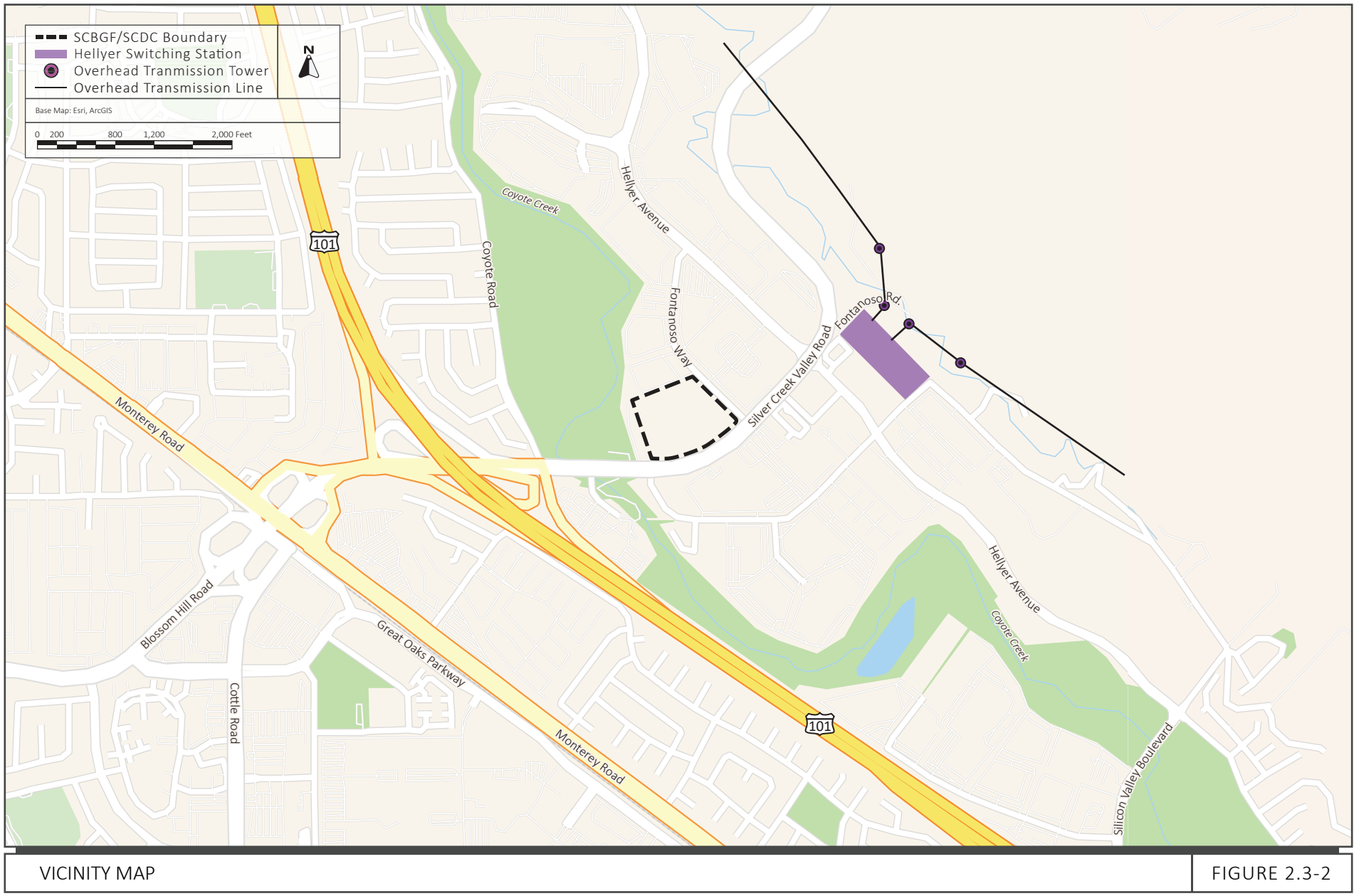
2.5 General Plan Designation and Zoning District

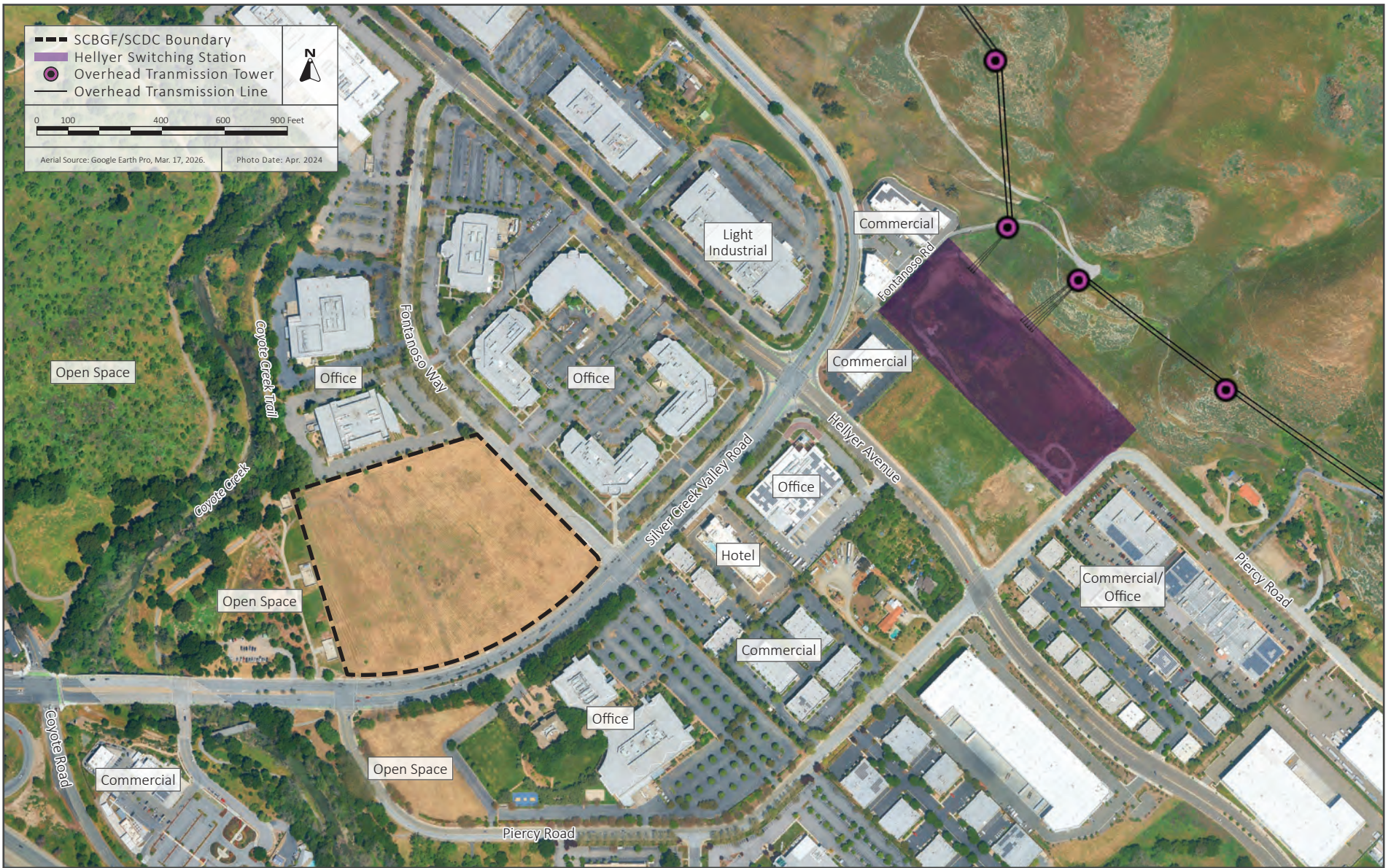
The SCBGF/SCDC Site and Hellyer Switching Station Site are designated Industrial Park in the City of San José Envision San José 2040 General Plan (General Plan) and located in the Industrial Park zoning district.



REGIONAL MAP

FIGURE 2.3-1





AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 2.3-3

Section 3.0 Project Description

3.1 Overview of Proposed Generating Facilities

The SCBGF will be an emergency backup generating facility with a generation capacity of up to 99MW to support the need for the SCDC to provide uninterruptible power supply for its tenant's servers. The SCBGF will consist of 44 diesel-fired emergency generators arranged in a generation yard located on the north side of the SCDC. Of the 44 emergency generators, 42 of the generators (with each having a three-MW capacity) would be dedicated to replacing the electricity needs of the data center and the remaining two emergency generators (with each having a 1.5-MW capacity) would be used to support general office loads and network loads, along with building and life safety services in the case of a loss of utility power.

3.2 Generating Facility Description, Construction and Operation

3.2.1 Site Description

The proposed SCBGF/SCDC site encompasses approximately 15.13 acres and is located at 5977 Silver Creek Valley Road, on the northwest side of the intersection of Silver Creek Valley Road and Fontanoso Way in San Jose, California. The SCBGF/SCDC Site is an irregularly shaped parcel that is currently undeveloped. The surrounding area to north, south, and east of the SCDC Project Site consists primarily of commercial and industrial land uses. The area to the west consists primarily of the Coyote Creek Trail and residential uses. The nearest residence is located to the west approximately 1,150 feet from nearest Project Site boundary. Refer to Figure 2-3 for the project site in relation to the surrounding uses.

The SCBGF/SCDC Site is designated as Industrial Park (IP) per the City of San José Envision San José 2040 General Plan (General Plan). This land use designation allows for a variety of industrial uses, such as research and development, manufacturing, assembly, testing, and offices. The SBGF/SCDC Project Site is located in the IP zoning district. The IP zoning district (similar to the IP land use designation) is established with specific development standards intended to ensure development is compatible with surrounding uses and implements the site's General Plan land use designation. The City of San José's Zoning Ordinance permits data centers with a Special Use Permit and emergency generators with an Administrative Use Permit.

The SCBGF/SCDC Site is within Sub-Area 1 of the Edenvale Area Development Policy, which permits a maximum height of 120 feet and a maximum floor area ratio (FAR) of 0.35.

The SCBGF/SCDC Site is made up of California annual grassland habitat. This grassland is made up of nonnative grasses (including wild oat, ripgut brome, foxtail barley, and smilo grass) ranging in size from one to two feet tall. Small patches of bare ground and gravel are scattered throughout the

grassland area. Scattered woody vegetation is also present throughout the grassland. There are seven trees on-site, including coast live oak, Northern California black walnut, black locust, blue elderberry, and olive. These individuals appear to be either remnant native trees or planted landscape species and do not form a continuous canopy. The Project proposes to remove the existing ground cover and trees on the site. The Project would plant new ground cover, shrubs, and trees that are coordinated with the design, drought tolerant, and suitable for the site.

3.3 General Site Arrangement and Layout

The 44 emergency backup generators (two emergency generators for administrative purposes [house generators] and 42 emergency generators for the data center suites) will be located at the site in a generation yard adjacent to the north side of the SCDC building. As shown in Appendix B, Sheet Plan A1.1 shows the overall site plan for the SCBGF/SCDC and Sheet Plan A2.1 shows the SCBGF to the first floor of the SCDC. The generation yard will be electrically connected to the SCDC building through above ground or in trenched cable bus to a location within the building that houses electrical distribution equipment.

3.3.1 Generating Capacity

3.3.1.1 *Overview*

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

1. The SCBGF will use internal combustion engines and not turbines.
2. The SCBGF internal combustion engines will have a peak rating and a continuous rating.
3. The SCBGF will be controlled exclusively by the SCDC through software technology and electronic devices.
4. The SCBGF has been designed with multiple distributed redundant systems, each with a 7-to-make-6 system redundancy.
5. There will be a total of six redundant generators to support the SCDC.
6. There will be a total of two generators to provide electricity during emergencies to support portions of the administrative building and features necessary for emergency response.
7. The SCBGF will only be operated for maintenance and testing and during emergency utility power outages and will not operate for any demand response program.
8. The SCBGF will only operate at a load equal to the demand of the SCDC during an emergency utility outage.
9. The SCBGF will only be interconnected to the SCDC and will not be interconnected to the transmission or distribution grid.

3.3.2 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 SCDC (which the SCBGF

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 hour in the last 20 years. While these specific conditions could happen, it is extremely unlikely to ever occur. The SCDC load on that worst-case day will be 99 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 would be 1.43.⁶ The average annual PUE at full load would be 1.29.⁷ These PUE estimates are based on design assumptions and represent worst case.

3.4 Backup Electrical System Design

3.4.1.1 Overview

There will be six data center suites in the SCDC. Each data center suite will be designed to handle 11.53 MW of IT equipment load, which includes the IT equipment load, mechanical equipment to cool the IT equipment load, lighting, and data center monitoring equipment. The sum of the six center suites will result in 69.2 MW of critical IT equipment load and 99 MW of total electrical load.

There will be 42 electrical lineups supporting the data center suites. Each electrical lineup will have an electrical capacity of three MW (3,000 kilowatts [kW]) of total power. An electrical lineup consists of one 3,000 kW generator, one 3,360 kilovolt-ampere (kVA) 34.5-kilovolt (kV)-480-volt (V) medium voltage transformer, one 4,000 ampere 480-volt service switchboard, two 1,000-kW uninterruptible power supply (UPS) systems, and a downstream distribution method. Each electrical system will be designed to serve the suites in groups. A data center suite will be served by a group of seven three-MW emergency generators. Each group of seven three-MW emergency generators will be designed for redundancy with the assumption that one electrical lineup could be taken out of service at any moment in time. This redundancy is called the 7-to-make-6 system. The 7-to-make-6 system is being designed as a Block Redundant design. This means, of the 7-to-make-6 electrical systems, six emergency generators will be designed to be the primary power source and support all the IT equipment load in the data center suite they serve. The seventh emergency generator will act as a reserve system and will provide power any time one of the six primary electrical lineups is either scheduled to be out-of-service for maintenance or becomes unavailable due to equipment failure. Therefore, the 14 MW of total power equipment capacity installed for each 7-to-make-6 system effectively provides only 12 MW of total power. During a utility outage all seven three-MW generators will start.

The electrical load on each electrical capacity group is monitored by the building automation system. When any of the electrical capacity groups reach 72 percent loaded (based on 90 percent of

⁶ Total 99 MW demand of the SCDC on Worst Case Day divided by 69.2 MW Total Critical IT Load

⁷ Total 89.3 MW demand of the SCDC average conditions divided by 69.2 MW Total Critical IT Load

the 80 percent maximum loading under normal operation), an alarm is activated in the engineering office. The operations staff will work with the tenants to ensure that the facility power levels are not exceeded.

The consequence of electrical capacity groups exceeding 80 percent load could lead to dropping IT equipment when coupled with a capacity group failure event. If all the capacity groups serving a data center suite (six capacity groups) are loaded over 80 percent and an electrical capacity group fails, the resulting load transferring to the five available capacity group would exceed the rating of the capacity groups and would 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 capacity groups remain below the 80 percent threshold.

3.4.1.2 *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 emergency 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 be closed at any time. Upon the loss of utility power, the programmable logic controllers 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.

Once the generator main breaker is closed, the power created from the individual generator will then be transmitted to the IT equipment via a two-MW (2,000 kW) UPS system and to mechanical equipment designed to cool the IT equipment load served by the UPS. This load is 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 will include back-up batteries sized for five minutes of battery back-up time. During the time between a transfer between utility and generator power, the UPS system will continue 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 takes around ten seconds to get the generator started and up to voltage. During a generator-to-utility transfer, the duration of the power outage between the sources will typically be around five seconds. During this period, the IT loads will be supplied by the UPS.

3.4.1.3 *Uninterruptible Power Supply System*

The UPS System and Batteries are part of the SCDC and are not part of the SCBGF; however, the following description is provided to describe how the UPS system is intended to operate. The UPS

will protect the load against surges, sags, under voltage, and voltage fluctuation. 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 without interruption in the event of an internal UPS malfunction. The status of protective devices 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 will convert alternating current (AC) input power to direct current (DC) power for the inverter and for charging the batteries. The IGBT inverter will supply 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 will recover to the normal operating mode and will 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 will 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 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 2000 kW at 77 degrees Fahrenheit (25 degrees Celsius), 1.67 end volts per cell, end of life.

3.4.2 Generator System Description

Each of the 42 large generators will be Caterpillar Model 3516E standby emergency diesel fired generators. The two smaller house generators will be Caterpillar Model 3512C standby emergency diesel fired generators. Both the larger and smaller generators will be equipped with SCR equipment and DPF to comply with Tier 4 emissions standards.

The maximum peak generating capacity of each large generator is 3 MW and 1.5 MW for each small generator for standby applications (short duration operation). Under normal operation with all

when all generators are active, the maximum load on each generator is designed to be 80 percent of the peak capacity. Manufacturer specification sheets and performance data for the proposed generators are provided in Appendix C (Caterpillar Model 3516E standby 3-megawatts Emergency Diesel Fired Generator) and Appendix D (Caterpillar Model 3512C standby 1.5-megawatts Emergency Diesel Fired Generator).

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 PLC transfer controller located in the 480-volt main switchboard located within the SCDC. Each generator will be controlled by a separate, independent transfer controller. 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 transfer controller has returned the utility to the active source of power serving the computer and mechanical loads within the SCDC.

The generator package will integrate an SCR and Diesel Exhaust Fluid (DEF) tank. The generators will be constructed in a stacked configuration as shown on Sheet Plan A4.1 in Appendix B. The bottom generators will be placed on a concrete slab, and the upper generators will be supported on a raised structural steel platform. The Cat 3516E generators enclosures will be approximately 13 feet wide, 50 feet long and 24 feet high. The Cat 3512C generator enclosures will be approximately 10 feet wide, 43 feet long and 12 feet high. Each pair of generators will be horizontally spaced approximately seven feet apart. Generators will have stack heights approximately 63 feet above ground level. Each pair of generators will be spaced approximately seven feet apart horizontally.

3.4.3 Fuel System

The backup generators will use renewable diesel as its primary fuel and ultra-low sulfur diesel as fuel (less than 15 parts per million sulfur by weight) when renewable diesel is not readily available.⁸ The bottom generator of each stacked pair will have an approximately 10,400-gallon diesel fuel storage tank to serve both generators. The upper generator in the stacked configuration will have a day tank with a storage capacity of approximately 500 gallons. Approximately 9,700 gallons for a stacked pair of generators are required for 24-hour operation. The generators would have a combined diesel fuel storage capacity of approximately 368,600 gallons, which is sufficient to provide more than 24 hours of emergency generation at full electrical worst-case demand of the SCDC.

3.4.4 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 SCBGF.

⁸ See Project Design Measure PDM GHG-1.

3.4.5 Water Supply and Use

The SCBGF will not require any consumption of water.

3.4.6 Waste Management

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

3.4.7 Hazardous Materials Management

The SCBGF 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 are 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 ~17,500 gallons. The tanker truck parks on the access road to the north of the generator yard and extends the fuel fill hose through one of multiple hinged openings in the security fence surrounding the generator equipment yard or via a centralized fueling station with located on the exterior of the security fence.

There are no loading/unloading racks or containment for re-fueling events; however, a spill catch basin is located at each fill port for the generators. 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. 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. Diesel Exhaust Fluid (DEF) is used as part of the diesel engine combustion process to meet the emissions requirements. Each enclosure will have a 550-gallon DEF gallon tank.

3.4.8 SCBGF Project Construction

Construction activities for the SCDC are expected to begin in 2028 and are discussed in more detail in Section 3.5.9 Construction. Since the site preparation activities for the SCDC will include the

ground preparation and grading of the entire SCDC site, the only construction activities for the SCBGF would involve construction of the generation yard. This will include construction of concrete slabs, fencing, installation of underground and above ground conduit and electrical cabling to interconnect to the SCDC Building switchgear, and placement and securing the generators. The generators themselves will be assembled off-site and delivered to site by truck. Each generator will be placed within the generation yard by a crane.

Construction of the generation yard and placement of the generators is expected to take six months and is included in the overall construction schedule for the SCDC described in Section 3.5.9 Construction. Construction personnel for the SCBGF are estimated to range from 10 to 15 workers including one crane operator.

3.4.9 SCBGF 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 Airborne Toxic Control Measures (ATCM) limit each engine to no more than 50 hours annually for reliability purposes (i.e., testing and maintenance). Maintenance and testing of each of the generators are anticipated to be once a month. Each generator will be tested individually during monthly and annual testing. Generators will only be run simultaneously during an emergency utility outage.

3.5 SCDC Data Center Facilities Description

3.5.1 Overview

As described in Section 1.3 Commission SPPE Jurisdiction, the Commission SPPE's determination is limited solely to the SCBGF. However, in order for the Commission to inform the decision-makers of the potential environmental effects of the SCBGF, in combination with the SCDC, Prologis has included a complete description of the SCDC in this SPPE Application. The components of the SCDC (Project Components) will include the following.

- A three-story approximately 516,000 square foot data center building,
- A Project Substation,
- A PG&E Switching Station (Hellyer Switching Station) and transmission line,
- The SCBGF,
- Site Access and Surface Parking,
- Landscaping,
- Stormwater controls and features,
- Utility pipeline interconnections, and
- Physical off-site multi-modal improvements

3.5.2 Data Center Building

The SCDC project's main component will be a three-story 516,000 square foot data center building that will house computer servers for private clients in a secure and environmentally controlled structure and would be designed to provide 69.7 MW of power to information technology (Critical IT) equipment. Appendix B includes the Preliminary Architectural, Civil, Mechanical, Electrical and Landscaping Plans and Elevation Drawings.

The data center building will consist of two main components: (1) the data center suites that will house client servers and (2) the administrative facilities. The data center suite components will consist of three levels of data center space. Each level will contain two data center suites and corresponding electrical/UPS rooms. The data center is being designed with an average rack power rating of seven kW. The administrative facilities will include support facilities such as the building lobby, restrooms, conference rooms, landlord office space, customer office space, loading dock and storage.

The data center is expected to have between 30 and 45 employees and 12-15 visitors (including deliveries) at the site per day.

3.5.2.1 *Massing, Heights, and Setbacks*

The three-story data hall building will be composed of administrative, data hall, and loading dock masses. The administrative portion will encompass approximately 30,121 square feet and will be located on the south side of the building. The administrative portion will be clad with glass and metal panel systems. The data hall portion will be clad primarily in insulated metal panels and/or EIFS. The top of the roof will be 75 feet and the top of the parapet of the administrative and data hall will be 83 feet. A rooftop dunnage platform will be provided at 87 feet for mechanical equipment. Access to the platform will be provided by a freight elevator and staircases in the building. The top of the elevator parapet will be 95 feet.

Note that while the Project intends to include quieter chillers that do not require a screen wall. However, depending on the available technology at the time of operation, a screen wall may be required to reduce operational noise impacts from chillers (refer to PDM NOI-2). The screen wall would be located on top of the roof platform and would reach a maximum height of 24 feet depending on the chiller sound power level. With the addition of the screen wall, the maximum height of the SCDC would be approximately 111 feet tall. Refer to Sheet Plans A3.1 and A3.2 in Appendix B for the exterior elevations from all cardinal directions. These sheet plans also show a potential screen wall in dashed lines.



PROPOSED PROJECT COMPONENTS

FIGURE 3.5-1

The building will be located near the center of the site, orientating its longer axis east to west, and will be set back at a minimum of 1,200 feet from the nearest residential property to the west. The SCDC building will be set back a minimum of 156 feet from the property line to the west, a minimum of 56 feet from the property line to the east, a minimum of 137 feet from the property line to the south, and a minimum of 354 feet from the property line to the north (refer to Sheet Plan A1.1 in Appendix B).

3.5.2.2 *Cooling Technology*

Air-cooled chillers will be used to remove the heat generated in the data center. They will be sized to be able to carry the full heat load without any water requirement. The air-cooled chillers will not evaporate any water. Conditioned air will cool the IT equipment rejecting heat to Hot Aisle Containment (HAC) and then will migrate into the return air plenum above the ceiling. The heat above the ceiling will be drawn back to the gallery and conditioned by the fan wall units before being distributed back to the data hall. The office and storage areas will be conditioned via variable air volume systems consisting of Roof Top Units connected to interior variable air volume boxes.

As mentioned above in Section 3.5.2.1 Massing, Heights, and Setbacks, Prologis intends to use quieter air-cooled chillers. Usage of these types of chillers depends on availability and technological improvements to chillers. For this SPPE Application, a louder chiller model is assumed to showcase the worst-case scenario and maximum impacts.

3.5.3 Project Substation

The project would construct a new 100 mega volt-ampere (MVA) electrical substation (Project Substation) adjacent to the north side of the data center building as shown on Sheet Plan A1.1 in Appendix B. The two-bay Project Substation (two 100 MVA 115 kV-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 100 MVA of total power (a 2-to-make-1 design). The Project Substation will have an all-weather drivable surface. An eight-foot-high chain-like fence will surround all sides of the substation. An oil containment pit surrounding each transformer will capture unintended oil leaks.

The Project Substation will be capable of delivering electricity to the SCDC from PG&E's new Hellyer Switching Station (discussed below) but will not allow any electricity generated from the SCBGF to be delivered to the transmission grid. Availability of Project Substation control systems will be ensured through a redundant DC battery backup system.

The Project Substation will use two 123kV, 63kA rated sulfur hexafluoride (SF₆) gas insulated high voltage breakers. These would be procured prior to the January 1, 2028, phase out date and arrive on-site within 24 months of purchase date as required for this class of GIE. A one-line diagram of the Project Substation is included in Appendix E

3.5.4 PG&E Hellyer Switching Station and Transmission Line

3.5.4.1 *New Hellyer Switching Station*

To serve the SCDC, PG&E will construct a “looped” electrical transmission line interconnection from the new Hellyer Switching Station located approximately 1,400 feet east of the SCBGF/SCDC site at 455 Piercey Road as shown on Figure 3.5-2.

PG&E will loop the existing Metcalf-Evergreen #1 and #2 115-kV transmission lines into the Hellyer Switching Station via three new steel monopoles (#1, #2, and #3,) and one existing lattice tower (#4), which would connect new conductors from the existing transmission line into the proposed Hellyer Switching Station, as shown on Figure 3.5-3. The three new steel monopoles would replace two existing steel lattice towers. The towers to be removed are approximately 96 feet tall and the new monopoles will be similar in height. The total length of the new overhead conductor for the looped interconnection would be approximately 1,750 feet. The new Hellyer Switching Station will be approximately 500 feet west of the existing Metcalf-Evergreen #1 and #2 115-kV transmission lines.

PG&E’s Hellyer Switching Station will be constructed in a ‘Breaker and a Half’ configuration. This will consist of four incoming 115-kV circuits entering a Breaker and a Half configuration consisting of 18 gas-insulated switching station circuit breakers, steel structures, 115-kV switches, metering devices, and a non-occupied control enclosure. The Hellyer Switching Station will be an indoor, gas-insulated switching station. The gas-insulated switching station building would be an approximately 50-foot enclosure, approximately 170 feet long and 80 feet wide for a total area of 13,600 square feet. The switchgear will be a 115-kV, 63-kA rated gas-insulated switching station with internal high voltage breakers and utilizing SF₆. This equipment would be procured prior to the January 1, 2028, phase out date for SF₆ and arrive on-site within 24 months of purchase date as required for this class of gas-insulated equipment. Availability of the Hellyer Switching Station control systems will be ensured through a redundant AC system provided by a 115-kV connected station service transformer and a Distribution service-connected backup. A DC battery backup system will also power the critical station controls and monitoring systems. A preliminary one-line diagram for the PG&E Hellyer Switching Station will be provided under a separate coverage.

To meet current safety and security standards, the Hellyer Switching Station property will be enclosed by an approximately 10-foot to 12-foot-tall security fence with a guard topper. The area enclosed by the fence would be approximately 400 feet by 1,000 feet (for a total area of approximately 400,000 square feet) and will have a crushed rock surface with an aggregate base. Access to the Hellyer Switching Station will be from an existing driveway off of the parcel located at 455 Piercy Road.



PROPOSED HELLYER SWITCHING STATION LOCATION

FIGURE 3.5-2



PROPOSED OVERHEAD TRANSMISSION TOWER LOCATIONS AND DISTURBANCE AREAS

FIGURE 3.5-3

In addition to the construction of the proposed electrical infrastructure, one existing roadway would be repaired and two new access roadways would be constructed to allow PG&E direct access to the proposed overhead transmission towers. Refer to Figure 3.5-3 for the location of the aforementioned roads. The first roadway is the existing access roadway off Fontanoso Way that leads to the vicinity of the #1 transmission tower. Approximately 0.3-mile of an existing access roadway off Fontanoso Way that leads to the #1 transmission tower would be refurbished. The second access roadway would be a new access roadway (approximately 290 feet long) leading to the location of the new #1 transmission tower via the existing access roadway mentioned above. This second access roadway is assumed to be an aggregated-packed gravel roadway with no asphalt pavement. The third roadway would be another new aggregated- packed gravel access roadway accessible via a private roadway off Piercy Road leading up to the existing #4 lattice transmission tower. This third access roadway would be approximately 400 feet in length and allow direct access to the #4 overhead transmission tower. It is assumed that all three roadways would include approximately five-feet of temporary construction staging area on either side of the roadway. The overall construction of the proposed switching station and transmission towers (which include the three access roadways) would take approximately 18 months.

A total of 15 trees were identified on the Hellyer Switching Station site. Of the 15 trees, one is native and 14 are non-native trees. Only 12 of the 15 trees are identified as ordinance-sized trees under the City of San Jose's definition.⁹ Compliance with the City's Tree Ordinance would be required along with a tree removal permit to remove any of the trees.

PG&E will grade the Hellyer site and manage stormwater runoff in accordance with City standards.

3.5.4.2 *PG&E Transmission Line*

The Project will include a PG&E transmission line connecting the Hellyer Switching Station and the Project Substation. The transmission line will run along paved public streets in the right-of-way, as shown in Figure 3.5-4. The transmission line route will exit the southern side of the PG&E Hellyer Switching Station and run approximately 500 feet west on Piercy Road, then run approximately 950 feet north on Hellyer Avenue to Silver Creek Valley Road where it will continue west approximately 900 feet and enter the southeast corner of the SCDC Site and go into the Project Substation.

If constructed as an overhead line, the transmission line will be constructed with approximately 10 light duty steel poles or monopoles ranging in height from approximately 70 to 90 feet tall. If constructed as an underground route, the transmission line will be in three parallel trenches, one for each phase, at least 15 feet apart and approximately five to six feet deep. Each duct bank will consist of installing four six-inch polyvinyl chloride conduits for power cables, two four-inch

⁹ Per the City of San José Municipal Code Section 13.32, ordinance-size trees are defined as follows: Single Trunk - 38 inches or more in circumference at 4.5 feet above ground, or Multi-trunk - The combined measurements of each trunk circumference, at 4.5 feet above ground, add up to 38 inches or more in circumference. Ordinance trees are generally mature trees that help beautify the City, slow the erosion of topsoil, minimize flood hazards, minimize the risk of landslides, increase property values, and improve local air quality. A tree removal permit is required from the City of San José for the removal of ordinance trees.



PROPOSED TRANSMISSION LINE ROUTE FROM HELLYER SWITCHING STATION TO THE SCBGF/SCDC

FIGURE 3.5-4

polyvinyl chloride conduit for communication, and one two-inch polyvinyl chloride conduit for the ground continuity conductor. The conduit system will be encased with thermal concrete. The proposed underground transmission line cable will be (per PG&E standard cable sizes) a 115-kV 2500-kilo-circular mil copper conductor cross-linked polyethylene cable.

Construction of the transmission line is assumed to be within the same 18 month period mentioned above for the Hellyer Switching Station. It is also assumed that trees may need to be removed to accommodate the transmission line route regardless if the line is overhead or underground. The number of trees to be removed has yet to be determined by PG&E.

3.5.5 Site Access and Parking

The overall project site will include one primary entrance from Fontanoso Way located in the northeast corner of the site. A secondary emergency entrance from Silver Creek Valley Road will be located in southwestern corner of the site.

The project would provide a total of 67 parking spaces on site with four of these spaces being accessible parking spaces. Of the 63 standard parking spaces, seven spaces will be designated as electric vehicle (EV) Supply Equipment spaces with the electrical charging equipment available, 26 parking spaces will be categorized as EV capable, and the remaining 31 spaces will be standard spaces. Of the four accessible parking spaces, one will be an EV parking space. Additionally, the project will provide two motorcycle parking spaces and 16 bicycle parking spaces (four long-term and 12 short-term bicycle parking spaces).

3.5.6 Landscaping

There is a total of seven existing trees on the SCDC site. Of the seven trees, two are identified as non-native trees, while the remaining five trees are native trees. Six of the trees are considered ordinance-sized trees. An ordinance-size tree on private property is either: (1) Single Trunk - 38 inches or more in circumference at 4.5 feet above ground or (2) Multi-trunk - The combined measurements of each trunk circumference, at 4.5 feet above ground, add up to 38 inches or more in circumference. All seven trees would be removed and replaced in accordance with the City of San Jose's Tree Ordinance. A tree removal permit from the City of San José would be required to remove any trees from the SCDC site. Sheet Plan L1 in Appendix B shows the complete landscape plan on Sheet Plan L1 and an Arborist Report is included in Appendix G.

3.5.7 Stormwater Controls and Features

The San Francisco Bay Regional Water Quality Control Board (RWQCB) has issued the Municipal Regional Stormwater NPDES Permit (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 SCDC proposes to construct stormwater treatment areas consisting of LID (Low-Impact Development) bioretention areas totaling approximately 39,500 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 the site, and adjacent to paved parking areas.

The existing site is undeveloped vacant land with five storm drain laterals stubbed at the eastern and southern property lines for future use. There are two storm drain laterals on Fontanoso Way and three laterals on Silver Creek Valley Road. The proposed on-site storm drain system will connect to one existing lateral at the northern end of Fontanoso Way and two laterals on Silver Creek Valley Road. Building roof drainage and pavement runoff will be conveyed to the bioretention areas through curb and gutter, valley gutters, and curb notches. The bioretention planters will include perforated underdrains and overflow structures that connect to the on-site storm drain system. The stormwater control pan is shown in Sheet Plan C9.0 in Appendix B.

3.5.8 Utility Interconnections

As part of the construction of the new building, domestic water, fire water, irrigation water, sanitary sewer, electrical, and fiber connections will be made to existing utilities present in adjacent public streets, as described below.

3.5.8.1 *Domestic, Fire and Irrigation Water Infrastructure*

The site is served by existing water mains on Fontanoso Way and Silver Creek Valley Road. The site will connect to the existing water main on Fontanoso Way with a two-inch domestic water lateral. Two fire services will connect to the water mains on Fontanoso Way and Silver Creek Valley Road with 12-inch laterals. One irrigation service will connect to the water main on Silver Creek Valley Road at the southwest corner of the property.

3.5.8.2 *Sanitary Sewer Infrastructure*

The on-site sanitary sewer, including the building sewer, will connect to an existing six-inch sewer stub on Silver Creek Valley Road. The existing sewer main on Silver Creek Valley Road is eight inches in diameter. In accordance with City of San Jose standards, the truck dock and trash enclosure will also connect to this on-site sewer.

3.5.9 Construction

Site grading, excavation, and construction for the SCDC site are anticipated to begin in January 2028 and proceed for a total of approximately 16 months. The peak construction workforce will be approximately 150 workers per month with an average of approximately 100 workers per month. This workforce estimate includes the workers necessary to construct the SCBGF and the PG&E Hellyer Switching Station and transmission line interconnection.

The proposed site grading will involve cut and fill operations utilizing cut material as engineered fill. Based on preliminary grading designs, it is anticipated approximately 1,100 cubic yards of material will be imported to the site. Maximum cut depths are estimated to be 10 feet below existing grade, particularly for gravity utilities. As recommended in the preliminary geotechnical engineering report contained in Appendix I, the foundation system for the data center building could be an auger cast in place concrete pier system extending at approximately 50 to 80 feet into underlying formational material or a single mat foundation up to five feet deep. Shallow foundations placed on engineered fill or stable underlying formational material may be used for ancillary support features. The maximum depth below existing grade for any of the drainage facilities (bioretention areas) will be approximately 5.5 feet below existing grade. Utility pipeline trenches are not expected to exceed 10 feet in depth.

3.5.10 Site Water Supply and Use

3.5.10.1 Construction

Grading and construction of the SCDC including the SCBGF is estimated to utilize 1.75-acre feet of water over the 16-month construction period.

3.5.10.2 SCDC Operation

As described above in Section 3.4.4 Cooling System, the SCDC will use air-cooled chillers for cooling needs of the data center. The cooling system will not use water for evaporation. Table 3.5-1 and Table 3.5-2 show the approximate water and sewer demand for the site.

Table 3.5-1: 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	1,850	675,250	2.07
DH Humidifier	1,811	660,942	2.02
Irrigation Demand	5,039	1,839,370	5.64
Total Potable Water Demand	8,700	3,175,562	9.73

Table 3.5-2: Proposed Sewer Generation

Land Use	Average Daily Generation (gallons per day)	Average Yearly Generation (gallons per year)
Administrative HVAC (condensate water)	165	60,255
DH Humidifier Discharge	181	66,065
FTE Indoor Demand	1,850	675,250
Total Demand	2,196	801,570

3.6 Physical Off-Site Multi-Modal Improvements

The Project may also be required by the City of San José to construct physical multi-modal improvements (herein referred to as “off-site multi-modal improvements”) to reduce the vehicle miles traveled (VMT) metric generated by trips to and from the SCDC (refer to Section 4.17.2.1 and PDM TRN-1 for more detail). The multi-modal improvements are as follows and would be located on Silver Creek Valley Road (between Piercy Road and Fontanoso Way):

- Construct a crosswalk on the west leg of the Silver Creek Valley Road and Fontanoso Way intersection. Potential signal and utility modifications would be needed to implement the improvement.
- Construct a new bus stop along the project frontage at the northwest corner of the Silver Creek Valley Road/Fontanoso Way intersection (as a pair with the existing westbound bus stop) to increase transit accessibility. The final design would require coordination with VTA and the City.

Additionally, to comply with the Transportation Demand Management Policy required by the City of San José (refer to Chapter 20.90 Part 9 of the Municipal Code), the Project Applicant shall be required to either fund or construct the following bicycle facility network improvement. The SPPE Application includes this component as part of the Project Components in the instance where the Project Applicant does choose to construct the facility. The Project Applicant will also include two additional multi-modal improvements into their design. These improvements are listed below.

- Construct the Class IV protected bike lane (on-street) along the southside of Silver Creek Valley Road between Piercy Road and Fontanoso Way per the City of San José Better Bike Plan 2025.
- Construct a Class IV protected bike lane (on-street) along the Frontage of Silver Creek Valley Road between Piercy Road and Fontanoso Way per the City of San José Better Bike Plan 2025.
- Installation of a signal at the intersection of Piercy Road and Silver Creek Valley Road to serve the Silver Creek Valley Road driveway.

It is assumed in this SPPE Application that the multi-modal improvements would primarily consist of striping for the proposed crosswalk, placement of a bus stop sign, and installation of bollards or curbs for the Class IV bike lane. It is assumed that no heavy-duty construction diesel equipment would be required to complete these physical improvements and that no ground-disturbance would occur. It is also assumed that no trees would be removed as part of this effort.

3.7 Project Design Measures

The following Project Design Measures (PDM) are proposed by Prologis 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 Project 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 shall 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 buffer zones shall remain in place until all young in the nest have fledged or the nest otherwise becomes inactive (e.g., due to predation). The buffer 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: **Bird Collision.** Due to the potential for bird collisions with the SCDC building, 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 Factor¹⁰ 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

¹⁰ 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/>.

horizontally from a building corner as far 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.

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-3: Minimize Project Lighting. Due to the potential for lighting on the SCBGF/SCDC Site to affect wildlife species that occur on the site and along Coyote Creek adjacent to the site, the Project Applicant shall implement the following measures to minimize lighting on the SCBGF/SCDC Site.

- All exterior lighting shall be fully shielded to block illumination from shining outward towards Coyote Creek.
- Up-lighting shall be avoided in the project design. All fixtures shall have a BUG up-light rating of B0, and all lighting shall be shielded and directed to block illumination from spilling upwards above the horizontal plane.
- All project lighting shall have a correlated color temperature of no more than 3,000 Kelvins.
- Exterior fixtures shall comply with lighting zone LZ-2, Moderate Ambient, as recommended by the International Dark-Sky Association (2011) for light commercial business districts and high-density or mixed-use residential districts. The allowed total initial luminaire lumens for the project site is 2.5 lumens per square foot of hardscape, and the BUG rating for individual fixtures shall not exceed B3 or G2, as follows:
 - o B3: 2,500 lumens high (60–80 degrees), 5,000 lumens mid (30–60 degrees), 2,500 lumens low (0–30 degrees)
 - o G2: 225 lumens (forward/back light 80–90 degrees), 5,000 lumens (forward 60–80 degrees), 1,000 lumens (back light 60–80 degrees asymmetrical fixtures), 5,000 lumens (back light 60–80 degrees quadrilateral symmetrical fixtures)
- Exterior lighting shall be minimized (i.e., total outdoor lighting lumens shall be reduced by at least 30 percent or extinguished, consistent with

recommendations from the International Dark-Sky Association) from 10:00 p.m. until sunrise, except as needed for safety and City code compliance.

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: Plant Riparian-Compatible Species. All vegetation planted within the riparian setback on the SCBGF/SCDC Site shall consist of locally native or sterile nonnative species and shall avoid species identified by the Cal-IPC as invasive.

PDM BIO-6: 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 4.4-3.

Table 4.4-3: 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

*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 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 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 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-1.2: 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-1.3: Undiscovered Archaeological Resources. If archaeological resources are encountered during excavation or grading of the site, all activity within a 50-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 50-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 soil 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 50-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. Consistent with City of San José Standard Permit Conditions related to geological hazards, the Project shall incorporate and implement the following measures 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 of San José's Director of Planning, Building and Code Enforcement or the Director's designee. 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, beginning after project operations, to the Director or Director's designee with the City of San José Department of Planning, Building and Code Enforcement documenting the amount of renewable diesel used by the generators.

Hazards and Hazardous Materials

PDM HAZ-1.1: Soil testing shall be performed to determine whether 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 for the City's records 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 on-site;
- Identification of workers, supervisor, and employer health and safety responsibilities; and
- Provisions for the on-site 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: Stormwater Best Management Practices. Consistent with applicable provisions of the General Plan and standard permit conditions, the following measures 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.

Noise and Vibration

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.
- 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 current 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.

PDM NOI-2:

Noise Attenuation for Mechanical Equipment. The Project Applicant shall include noise reduction measures to reduce operational noise levels to meet the City of San José’s General Plan Policy EC-1.3 threshold of 55 dBA DNL at the nearest sensitive receptor (i.e., the hotel southeast of the SCBGF/SCDC site). Compliance with the 55 dBA DNL threshold shall be achieved through installation of chillers with a maximum sound power level of 96 dBA, in which case no screen wall would be required. Alternatively, the project shall include of a rooftop screen wall and installation of chillers with adequate sound power levels which, in combination with the rooftop screen wall, would achieve the required noise reduction. The rooftop screen shall fully enclose the chillers on all sides. The screen wall shall be constructed with no acoustically significant gaps and shall provide a minimum surface density of three pounds per square foot or greater. A louvered screen wall with acoustical treatments meeting a minimum Sound Transmission Class (STC) rating of 18 may be used in lieu of a solid screen wall. The following combinations of screen wall height and chiller sound power levels would reduce operational noise below the 55 dBA DNL threshold at the nearest sensitive receptors.

Screen Wall Height (feet)	Chiller Sound Power (dBA)
12	97
12	98
12	99
13	100
16	101
18	102
20	103

Once the screen wall height and chiller selection are finalized, a qualified acoustic/noise specialist shall prepare an acoustical analysis to demonstrate that the chosen measures would reduce the noise levels at the surrounding noise-sensitive land uses (i.e., hotel and residences) to a level below 55 dBA DNL. The Project Applicant shall submit the prepared acoustical analysis and an engineering-approved site plan showing the noise control measures to the City of San José's Director of Planning, Building and Code Enforcement or the Director's designee for their review and approval prior to the issuance of building permits.

Transportation

PDM TRN-1: The Project would exceed the industrial VMT employee threshold of 16.53 VMT per employee. Therefore, the Project shall be required to implement the following improvements:

- **Physical Multi-Modal Improvements.** Prior to the issuance of building occupancy permits, the Project Applicant shall implement the following multi-modal improvements to incentivize alternative modes of travel and reduce VMT for the Project Site.
 - Construct a crosswalk on the west leg of the Silver Creek Valley Road and Fontanoso Way intersection. Potential signal and utility modifications would be needed to implement the improvement. This improvement will satisfy VMT reduction strategies for Pedestrian Network Improvement by increasing pedestrian access beyond the project development frontage.
 - Construct a new bus stop along the project frontage at the northwest corner of the Silver Creek Valley Road/Fontanoso Way intersection (as a pair with the existing westbound bus stop) to increase transit accessibility. The final design would require coordination with VTA and the City.
 - Construct the Class IV protected bike lane (on-street) along the southside of Silver Creek Valley Road between Piercy Road and Fontanoso Way per the City of San José Better Bike Plan 2025. This improvement will satisfy VMT reduction strategies for Bike Access Improvement by improving access to the Coyote Creek Trail.

The multi-modal infrastructure improvements shall be part of a Public Improvement Plan that demonstrates how the multi-modal improvements will be implemented and the schedules for completing the improvements.

The Public Improvement Plan shall be reviewed and approved by the Director of Public Works or the Director's designee. The implementation of the multi-modal improvements shall be verified by the Director of Public Works or the Director's designee prior to the issuance of building occupancy permits.

3.8 PG&E Programmatic Measures

Under the California Constitution and the California Public Utilities Commission (CPUC) General Order 131-E, local jurisdictions acting pursuant to local authority are preempted from regulating public utility facilities subject to the CPUC's jurisdiction (see California Constitution Article XII, Section 5, 8; General Order 131-E). For this reason, public utilities are not subject to local land use or discretionary permit requirements. As a result, the CPUC has exclusive jurisdiction over the proposed PG&E off-site infrastructure associated with the project (i.e., Hellyer Switching Station, transmission towers, and transmission line). The CPUC may either issue a Permit to Construct through a discretionary action, in which case the CPUC acts as the Lead Agency under CEQA, or the CPUC may find the project exempt from the requirement to obtain a Permit to Construct, in which case no discretionary action is needed from the CPUC. One of the exemptions requires the CPUC to confirm that the environmental impacts of the project have been addressed in a CEQA document completed by the local agency in which the project would occur and that the CEQA document determined that no significant impacts would result from the PG&E facilities. The intent of this SPPE Application is to provide full CEQA coverage for the proposed PG&E off-site facilities to assist the CPUC in making its determinations whether the project qualifies for the exemption from the requirement to obtain a Permit to Construct pursuant to General Order 131-E.

Because General Order 131-E precludes the City of San José from regulating the proposed PG&E off-site infrastructure included in the project, the mitigation measures that would be enforced by the City of San José cannot be imposed onto PG&E because PG&E is not the data center applicant. As described throughout this SPPE Application, PG&E is required to implement measures (collectively referred to as PG&E programmatic measures) to reduce impacts associated with its projects, and implementation of those measures is enforced by the CPUC and/or the agency that issued the permit to PG&E that includes the required measures, such as the United States Fish & Wildlife Service (USFWS) in the case of the PG&E's Bay Area Habitat Conservation Plan (HCP) and PG&E's California Department of Fish and Wildlife Incidental Take Permit. Where PG&E programmatic measures either do not address impacts identified in this SPPE Application or are insufficient to reduce impacts to a less than significant level, additional measures, identified as Project Design Measures (PDMs), are identified. These measures shall be implemented by the project applicant and enforced by the City of San José through its authority as the responsible agency under CEQA.

Applicable programmatic measures were identified from PG&E's Bay Area HCP, PG&E's Avian Protection Plan, PG&E's Nesting Bird Management Plan, and the Bay Area Operations & Maintenance Incidental Take Permit (ITP) FEIR (O&M FEIR). Note that the PG&E's Bay Area HCP covers all PG&E O&M activities, minor new construction, and Pipeline Safety Enhancement Plan

activities that are related to PG&E's natural gas and electric transmission and distribution systems. A summary of covered activities is listed below.¹¹

- O&M
 - Operation activities include inspecting, monitoring, testing, and operating valves, enclosures, switches, and other components. These covered activities involve utility personnel working at facilities; personnel typically use existing access roads.
 - Maintenance activities include repairing and replacing facilities, structures, and access roads. This work includes reconductoring electric transmission and distribution projects and gas pipeline replacement. They also include emergency repair and replacement and vegetation management, including tree pruning and removal.
- Minor New Construction (total footprint expressed in acres)
 - Minor new construction, when in natural vegetation or agricultural lands that contain suitable habitat for covered species, is limited to two miles or fewer of new electric or gas line extensions from an existing line, a total of one acre or less of new gas pressure limiting stations within the HCP study area, and 0.5 acre or less per electric substation expansion.
 - Minor substation expansion that is limited to up to three-acres of permanent vegetation loss per substation attributable to the substation footprint.
 - Underground transmission line construction in urban areas.
- Pipeline Safety Enhancement Program
 - Inspection, field testing, and potentially replacing of existing gas transmission pipelines.
 - Pipeline replacements are estimated to average between four to eight miles and are primarily in urban areas.

Based on the list of covered activities above, the Hellyer Switching Station would not be covered by the Bay Area HCP or the O&M FEIR since it would construct a new switching station that would permanently impact approximately eight acres of vegetation. Therefore, the PG&E programmatic measures would only be applicable to the four overhead transmission towers (refer to Figure 3.5-3) and the transmission line connecting the Hellyer Switching Station to the SCBGF/SCDC. The applicable PG&E programmatic measures identified in this SPPE Application are described in more detail below.

¹¹ Pacific Gas and Electric Company. *Pacific Gas and Electric Company Bay Area Operations & Maintenance Habitat Conservation Plan*. September 2017. Pages 1-17 and 3-1 through 3-38.

PG&E's Bay Area Habitat Conservation Plan

PG&E's Bay Area HCP provides a comprehensive framework for conserving sensitive habitats for preserving protected species. It is a 30-year permit issued by the USFWS to allow PG&E to comply with the federal Endangered Species Act more efficiently. The Bay Area HCP covers the nine counties that surround the San Francisco Bay, including Alameda, Santa Clara, San Mateo, San Francisco, Contra Costa, Marina, Sonoma, Napa, and Solano. Within these counties, the plan areas include PG&E gas and electric transmission and distribution facilities, rights-of-way (including standard buffers), lands owned by PG&E and/or subject to PG&E easements, access routes, and mitigation areas acquired to mitigate impacts resulting from covered activities.

The Bay Area HCP protects 18 wildlife species and 13 plant species and the habitats where they are found for 33 routine O&M activities. The HCP includes a number of avoidance and minimization measures (AMMs) to reduce impacts on sensitive habitats and covered species during performance of covered activities. Furthermore, PG&E has identified "hot zones" where certain covered species are known to occur and where AMMs specific to those species are implemented.

PG&E Avoidance Minimization Measures and Best Management Practices

The Bay Area HCP AMMs and BMPs are part of PG&E's project construction and design process and are referred to as PG&E Programmatic Measures instead of mitigation measures in this SPPE Application. Applicable measures from the Bay Area HCP are listed in Table 3.8-1.

Table 3.8-1: Applicable Bay Area Habitat Conservation Plan Avoidance and Minimization Measures for Project Activities

HCP Code ¹	Description of Measure
FP-01	Hold annual training on habitat conservation plan requirements for employees and contractors performing covered activities in the Plan Area that are applicable to their job duties and work.
FP-02	Park vehicles and equipment on pavement, existing roads, or other disturbed or designated areas (barren, gravel, compacted dirt).
FP-03	Use existing access and ROW roads. Minimize the development of new access and ROW roads, including clearing and blading for temporary vehicle access in areas of natural vegetation.
FP-04	Locate off-road access routes and work sites to minimize impacts on plants, shrubs, and trees, small mammal burrows, and unique natural features (e.g., rock outcrops).
FP-07	Vehicle speeds on unpaved roads will not exceed 15 miles per hour.
FP-08	Prohibit trash dumping, firearms, open fires (such as barbecues), hunting, and pets (except for safety in remote locations) at work sites.
FP-11	Utilize standard erosion and sediment control BMPs (pursuant to the most current version of PG&E's Stormwater Field Manual for Construction Best Management Practices) to prevent construction site runoff into waterways.

HCP Code ¹	Description of Measure
FP-12	Stockpile soil within established work area boundaries and locate stockpiles so as not to enter water bodies, stormwater inlets, or other standing bodies of water. Cover stockpiled soil prior to precipitation events.
FP-15	Prohibit vehicular and equipment refueling 250 feet from the edge of vernal pools, and 100 feet from the edge of other wetlands, streams, or waterways. If refueling must be conducted closer to wetlands, construct a secondary containment area subject to review by an environmental field specialist and/or biologist. Maintain spill prevention and cleanup equipment in refueling areas.
FP-16	Maintain a buffer of 250 feet from the edge of vernal pools and 50 feet from the edge of wetlands, ponds, or riparian areas. If maintaining the buffer is not possible because the areas are either in or adjacent to facilities, the field crew will implement other measures as prescribed by the land planner, biologist, or HCP administrator to minimize impacts by flagging access, requiring foot access, restricting work until dry season, or requiring a biological monitor during the activity.
FP-17	Directionally fell trees away from an exclusion zone, if an exclusion zone has been defined. If this is not possible, remove the tree in sections. Avoid damage to adjacent trees to the extent possible. Avoid removal of snags and conifers with basal hollows, crown deformities, and/or limbs over 6 inches in diameter.
FP-18	Nests with eggs and/or chicks will be avoided: contact a biologist, land planner or the Avian Protection Program manager for further guidance.
Wetland-2	Identify wetlands, ponds, and riparian areas and establish buffers. Maintain a buffer of 50 feet around wetlands, ponds, and riparian areas. If maintaining the buffer is not possible because the areas are either in or adjacent to facilities, the field crew will implement other measures as prescribed by the biologist or HCP administrator to minimize impacts. These measures include flagging access, requiring foot access, restricting work until the dry season, requiring a biological monitor during the activity, or excavating burrows in ROWs where trenching will occur. Activities must maintain the downstream hydrology to the wetland, pond, or riparian area. Additional minimization measures may be implemented with prior concurrence from USFWS.
BMP 12	After vegetation management activities, if the amount of bare soil exposed in one location exceeds 0.1 acre, then erosion control measures shall be implemented. These measures may include straw mulching, seeding, and use of straw wattles. (No rice straw will be used around wetlands containing vernal pools.)
BMP 16	All PG&E employees and contractors shall follow the Vegetation Management Migratory Bird Process, when applicable to vegetation management activities, to comply with Migratory Bird Treaty Act.
BMP 23	If an environmental protection incident occurs, such as accidental introduction of substances into waterways or wetlands, accidental taking of an endangered species, or hazardous material spills, etc., call your supervisor and the PG&E vegetation management representative immediately.
BMP 25	The disturbance or removal of vegetation within the work area shall not exceed the minimum necessary to complete operations, subject to other public and health and safety directives governing the safe operations and maintenance of electric and gas facilities. Precautions shall be taken to avoid damage to non-target vegetation.
BMP 26	Cleared or pruned vegetation, grass clippings and woody debris (including chips) shall be disposed of in a legal manner. All cleared vegetation and debris, grass clippings and woody debris (including chips) shall be removed from any wetland, ditch, pond, or stream and placed or secured where they cannot re-enter the watercourse.

HCP Code ¹	Description of Measure
BMP 27	Vegetation that at mature height does not pose a threat to the conductors shall not be removed, unless the removal is required to maintain compliance with California Public Resource Code Section 4292 (pole clearing).
BMP 28	Any vehicles driven and/or operated within or adjacent to streams shall be checked and maintained daily to prevent leaks of materials that, if introduced to the water, could be harmful to aquatic life.
BMP 29	Vehicle access to streams and wetlands shall be limited to existing roads and crossings.
BMP 30	When possible, activities near streams, wetlands, or on saturated soils shall be conducted during the dry season (generally May 15–October 15) or during periods of minimum flow. If it is not possible to perform the work in the dry season, perform rainy season work during dry spells between rain events.
BMP 52	Sensitive habitats such as meadows, riparian areas, wetlands, vernal pools, and serpentine outcrops shall be flagged and appropriate avoidance measures shall be put in place. Tailboards shall be held before work begins.
BMP 62	The following protection measures are designed to prevent adverse impacts on water quality, help protect soil resources, and minimize the loss of riparian vegetation. Plants in watercourse protection zones that do not pose an imminent or clearly foreseeable future threat to conductors shall not be removed. To help prevent erosion and soil displacement, exclusion zones may be increased in areas with steep slopes or highly erodible soils. Leave at least 50% soil cover (i.e., mulch or vegetative ground cover) for erosion control in watercourse protection zones.
BMP 16	All PG&E employees and contractors shall follow the Vegetation Management Migratory Bird Process, when applicable to vegetation management activities, to comply with Migratory Bird Treaty Act.
BMP 23	If an environmental protection incident occurs, such as accidental introduction of substances into waterways or wetlands, accidental taking of an endangered species, or hazardous material spills, etc., call your supervisor and the PG&E vegetation management representative immediately.
BMP 25	The disturbance or removal of vegetation within the work area shall not exceed the minimum necessary to complete operations, subject to other public and health and safety directives governing the safe operations and maintenance of electric and gas facilities. Precautions shall be taken to avoid damage to non-target vegetation.
BMP 26	Cleared or pruned vegetation, grass clippings and woody debris (including chips) shall be disposed of in a legal manner. All cleared vegetation and debris, grass clippings and woody debris (including chips) shall be removed from any wetland, ditch, pond, or stream and placed or secured where they cannot re-enter the watercourse.
BMP 27	Vegetation that at mature height does not pose a threat to the conductors shall not be removed, unless the removal is required to maintain compliance with California Public Resource Code Section 4292 (pole clearing).
BMP 28	Any vehicles driven and/or operated within or adjacent to streams shall be checked and maintained daily to prevent leaks of materials that, if introduced to the water, could be harmful to aquatic life.

HCP Code ¹	Description of Measure
BMP 29	Vehicle access to streams and wetlands shall be limited to existing roads and crossings.
BMP 30	When possible, activities near streams, wetlands, or on saturated soils shall be conducted during the dry season (generally May 15–October 15) or during periods of minimum flow. If it is not possible to perform the work in the dry season, perform rainy season work during dry spells between rain events.
BMP 52	Sensitive habitats such as meadows, riparian areas, wetlands, vernal pools, and serpentine outcrops shall be flagged and appropriate avoidance measures shall be put in place. Tailboards shall be held before work begins.
BMP 62	The following protection measures are designed to prevent adverse impacts on water quality, help protect soil resources, and minimize the loss of riparian vegetation. - Plants in watercourse protection zones that do not pose an imminent or clearly foreseeable future threat to conductors shall not be removed. - To help prevent erosion and soil displacement, exclusion zones may be increased in areas with steep slopes or highly erodible soils. - Leave at least 50% soil cover (i.e., mulch or vegetative ground cover) for erosion control in watercourse protection zones.
¹ FP = Field Protocol	

In addition, for activities covered by the Bay Area HCP that impact more than 0.1 acres, PG&E will restore temporarily impacted habitat within 12 months of the completion of construction. Site restoration could include soil compaction, recontouring excavated areas to follow natural contours, reseeding areas cleared of plant cover, and planting trees or other vegetation.

PG&E Avian Protection Plan

To avoid and minimize impacts to nesting birds, PG&E has developed an Avian Protection Plan (APP).¹² The APP is implemented by PG&E biologists and other staff working on electric transmission and distribution facilities, as well as other PG&E activities near active bird nests (defined as nests containing eggs or young). PG&E is required to comply with federal and state laws and regulations that prohibit take of birds, including eggs or young, in active nests. Implementation of the APP includes the following:

- Utilizing avian-safe configurations for construction of new electric power facilities (i.e., poles), including framing for raptor protection (by increased separation of energized components), to the extent feasible.
- Utilizing insulation or other bird protection materials on exposed equipment leads during equipment repairs or pole retrofits.
- Providing a step-wise approach for reducing impacts on nesting birds that includes:

¹² California Department of Fish and Wildlife. *PG&E Bay Area O&M Incidental Take Permit Environmental Impact Report Volume 2. Final EIR*. June 2022. Pages 3.4-91 through 3.4-92.

- o Desktop review of activities by a biologist to determine the potential to impact nesting birds.
- o If, during nesting season, there is potential for an activity to impact nesting birds, pre-construction nesting bird surveys are performed.
- o When nesting birds are identified during surveys, nest buffers are assigned for the activity, depending upon species, nest phase, work activity duration, and other environmental factors (e.g., presence of visual screening).
- o For certain species (threatened, endangered, or state fully protected), PG&E will confer with USFWS and/or CDFW when a standard buffer cannot be observed for a nesting species and covered activities cannot be reasonably modified.

The APP formalizes ongoing training requirements for utility employees. Training includes introduction to federal and state laws that protect birds; facility design to reduce avian interactions; information on identification of active bird nests; and reporting requirements pertinent to PG&E's Special Purpose Utility Permit, issued by the USFWS.

PG&E will also follow the process and procedures outlined in PG&E's APP and Nesting Bird Management Plan (discussed below) to protect nesting birds during vegetation removal work, which include pre-activity surveys and measures to protect active nests (e.g., rescheduling the work or maintaining a buffer around the active nest).

PG&E Nesting Bird Management Plan

To avoid impacts to nesting birds and maintain compliance with the Migratory Bird Treaty Act and state statute, PG&E has developed a comprehensive plan to avoid and minimize impacts on nesting birds. This management plan is implemented when PG&E activities are near active bird nests, which are defined as an active nest containing eggs or young. PG&E's Nesting Bird Management Plan is intended to do the following¹³:

- Maintain compliance with applicable federal and state bird protection regulations.
- Avoid and minimize disturbance to nesting birds within PG&E's service area.
- Standardize PG&E's approach to managing nesting bird conflicts using accepted wildlife management practices.

Implementation of the Nesting Bird Management Plan allows for consistent application of avoidance and minimization measures for nesting birds across PG&E activities, provides structured and standardized decision making, and allows PG&E to comply with federal and state regulations applicable to nesting birds. A step-wise compliance approach guides implementation of the Nesting Bird Management Plan is as follows:

¹³ Ibid. Appendix C. Page 2-5.

- **Step 1: Conduct desktop review** as part of the environmental review and planning process prior to initiating activities in locations that provide suitable habitat for nesting birds. A qualified biologist determines if there is potential for the activity to impact nesting birds.
- **Step 2: Conduct preconstruction nesting bird surveys**, if there is potential to impact active nests in or near construction areas. Pre-construction surveys can detect recent or established nests and identify the need to implement or adjust standard exclusion buffers.
- **Step 3: Assign nest exclusion buffers** or other applicable AMMs around active nests. These nest exclusion buffers are species-specific, may be standard or reduced and may include periodic nest monitoring.
- **Step 4: Confer** with the USFWS and/or CDFW, as necessary. PG&E may confer with USFWS and/or CDFW when the standard buffer cannot be observed for a nesting threatened, endangered or fully protected species.

Bay Area Operations and Maintenance Incidental Take Permit Final Environmental Impact Report

The Bay Area Operations & Maintenance Incidental Take Permit (ITP) FEIR (O&M FEIR) for CDFW's 2022 PG&E Bay Area ITP (#2081-2015-031-03) covers PG&E's Bay Area operations and maintenance and minor new construction activities, and establishes a comprehensive approach to avoid, minimize, and fully mitigate impacts on species and habitat, including common and special-status species that are not covered under the Bay Area HCP. The ITP provides incidental take coverage for the covered activities to the extent that they could result in impacts to three species, the California tiger salamander, Alameda whipsnake, and California freshwater shrimp (covered species). Applicable measures from the Bay Area O&M FEIR that are identified in this SPPE Application are provided in Table 3.8-2 below.¹⁴

Table 3.8-2: Applicant¹⁵ Proposed Measures from the PG&E Operations & Maintenance Incidental Take Permit FEIR for Biological Resource Impacts

PG&E Programmatic Measures	Description of Measure
AIR-1: Implement Dust Control Best Management Practices	PG&E will implement control measures to reduce construction-related fugitive dust. The following measures are based on BAAQMD's CEQA guidelines and are in conformance with fugitive dust control recommendations from the NSCAPCD and YSAQMD. • All exposed surfaces will be watered at a frequency adequate to maintain minimum soil moisture of 12%. Moisture content can be verified by lab samples or moisture probe. • All haul trucks transporting soil, sand, or other loose material off site will be covered. • All visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

¹⁴ California Department of Fish and Wildlife. *PG&E Bay Area O&M Incidental Take Permit Environmental Impact Report Volume 2. Final EIR*. June 2022

¹⁵ PG&E is the Applicant.

PG&E Programmatic Measures	Description of Measure
	• All vehicle speeds on unpaved roads will be limited to 15 miles per hour (mph). • All roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used. • All excavation, grading, and/or demolition activities will be suspended when average wind speeds exceed 20 mph. • Wind breaks (e.g., trees, fences) will be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50% air porosity. • Vegetative ground cover (e.g., fast-germinating native grass seed) will be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established. • The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time will be limited. Activities will be phased to reduce the amount of disturbed surfaces at any one time. • All trucks and equipment, including their tires, will be washed off prior to leaving the site. • Site accesses to a distance of 100 feet from the paved road will be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel. • Sandbags or other erosion control measures will be installed to prevent silt runoff to public roadways from sites with a slope greater than 1%.
BIO-1: Prevent or minimize spread of invasive weeds	The following will be implemented on E9a (Reconductoring), G9 (Pipeline Lowering), G11 (Pipeline Replacement), and minor new construction to prevent the spread of invasive weeds during all phases of covered activities, as appropriate: • During covered activities involving ground disturbance, mud and/or accumulated soils will be removed from equipment and vehicles, to the extent feasible. Vehicles and equipment will be cleaned or washed before entering a new work site. A log will be kept for each job site and would be completed to document each cleaning or washing of vehicles or equipment before entering each new work site. • Vehicles will be staged and stored on paved or cleared areas whenever feasible. • Certified weed-free mulch, straw, hay bales, or equivalent materials will be used where necessary for covered activities.
BIO-2: Protect special-status wildlife encountered while performing covered activities and report covered wildlife observations	Any special-status wildlife species encountered during the course of a covered activity will be allowed to leave the area unharmed, and work activities that could disturb or harm the individual will halt until the wildlife has left the area. Encounters with a special-status species will be reported to a qualified biologist and PG&E environmental staff. PG&E will maintain records of all covered wildlife species encountered during permitted activities. Encounters with covered wildlife species will be

PG&E Programmatic Measures	Description of Measure
	documented and provided to CDFW in an annual report as required by the ITP. If a covered wildlife species is encountered during the course of operations, the following information will be reported for each species: • The locations (i.e., narrative, vegetation type, and maps) and dates of observations, including occurrences observed during any required surveys. • The general condition of individual health (e.g., apparent injuries). • If the species is moved, the location where the species was captured and the location where it was released. • The locations, dates, and species and behaviors observed during covered wildlife monitoring. When conducting covered activities E9a (Reconductoring), G9 (Pipeline Lowering), G11 (Pipeline Replacement), and minor new construction PG&E will document encounters with special status species to the same level of detail as required for covered species. During PG&E's environmental screening process, PG&E will also apply this measure to other covered activities to protect special status species and habitats based on recommendations from qualified biologists. This data will be provided in ITP annual reports.
BIO-3: Design and site minor new construction activities to avoid sensitive areas	New, permanent facilities as part of minor new construction activities will be sited and designed to avoid impacts on sensitive vegetation types, sensitive natural communities, and unique plant assemblages, as well as occupied habitat and suitable habitat for special-status species, to the extent feasible. If impacts on these areas cannot be avoided, PG&E will determine if additional permitting is required to conduct the work and obtain the required permits (e.g., LSAA). If impacts are expected on covered species' habitat, Mitigation Measure BIO-1 (MM BIO-1) will be implemented to mitigate for habitat impacts. Where minor new construction would result in impacts on sensitive vegetation types, sensitive natural communities, or unique plant assemblages, PG&E will minimize the construction footprint and implement appropriate protective measures as recommended by the qualified biologist to protect the natural community. Examples of such measures include: reseeded with a California annual seed mix, installing protective fencing around sensitive natural communities or resources, and installing wattles, erosion blankets and other drainage controls to protect new or adjacent plantings.
BIO-3a: Minimize spread of invasive plant and plant pathogens in minor new construction	When conducting minor new construction activities, PG&E will avoid or minimize the spread of invasive species by taking the following actions: 1. Prior to commencement of activities located on or adjacent to non-paved surfaces, a qualified biologist will flag known populations of noxious weeds and invasive plants in the work areas. Invasive plant species include those listed as invasive by the California Invasive Plant Council (Cal IPC).

PG&E Programmatic Measures	Description of Measure
	2. PG&E will stage work in areas not infested with weeds or treat for weed removal prior to using an infested area. 3. Prior to ground disturbance in areas containing species susceptible to Sudden Oak Death, a qualified professional (e.g., biologist, arborist, botanist familiar with Sudden Oak Death and the vegetation communities in the area) will assess the risk of activities and will identify and implement measures to reduce or avoid the risk of Sudden Oak Death spread. These measures will include but will not be limited to the following, and will be further developed and updated based on the best available science and site-specific conditions: a. Designate quarantine areas and implement proper measures for disposal of infested materials (e.g., branches, split wood, wood chips), b. Sanitize shoes, pruning gear, and other equipment with sanitizing materials (e.g., chlorine bleach, Clorox Clean-up, Lysol, scrub brush, boot brush) before and after ground-disturbing and vegetation removal activities are implemented, 4. Clothing, footwear, and equipment used during minor new construction will be cleaned of soil, seeds, vegetation, or other debris or seed-bearing material before entering a work site or when leaving an area with infestations of invasive plants and noxious weeds. 5. Heavy equipment and other machinery used in areas with infestations of invasive plant species or Sudden Oak Death will be inspected for the presence of invasive species before use on the project site and will be cleaned before entering the site, to reduce the risk of introducing invasive plant species or plant pathogens. 6. To minimize the introduction and spread of noxious weeds and invasive plants, PG&E will avoid moving weed-infested gravel, rock, and other fill materials to relatively weed-free locations. In areas where invasive plants are removed during minor new construction or vegetation removal activities, PG&E will dispose of invasive plant biomass off site at an appropriate waste collection facility or treat biomass on site to eliminate seeds and propagules and prevent reestablishment; if moved off site, PG&E will transport invasive plant material in a closed container or bag to prevent the spread of propagules during transport. PG&E will use certified weed-free straw and mulch for erosion-control projects. PG&E will maintain stockpiled, uninfested material in a weed-free condition. 7. Areas where ground disturbance has resulted in exposed soil as a result of minor new construction shall be seeded with compatible California annual species, as determined by a qualified biologist or botanist familiar with the native vegetation in the area and

PG&E Programmatic Measures	Description of Measure
	experienced in revegetation techniques. Revegetation will occur prior to the onset of winter rains within the year initial impacts take place. If work cannot feasibly be scheduled outside the rainy season, revegetation may occur as directed by the qualified biologist and no later than the onset of the next winter rains. 8. To ensure a successful revegetation effort, on-site vegetation shall meet the following success criteria: a. PG&E shall perform pre-activity surveys to record baseline vegetative ground cover conditions and composition by a qualified biologist prior to covered activities as follows. The biologist will record the following: i. Absolute percent ground cover for the entire work area. ii. Relative percentages of ground cover within the work area by herbaceous plants, shrubs, trees, and noxious/invasive plants. iii. Develop a catalog of all invasive species present within the work area, including an estimate of percent composition by species. b. PG&E will conduct post-activity monitoring of work areas in the spring following completion of minor new construction. i. A qualified biologist will record any new invasive species that may have inadvertently been introduced to the work area. The biologist shall make special note of any new invasive plant species rated as “high” by the Cal IPC. ii. A qualified biologist will record whether there was an increase in relative cover of invasive species from baseline that may have resulted from the covered activity. iii. If relative cover of invasive plant species has increased within the work area, PG&E shall remove and/or dispose of invasive plants in an appropriate manner, as recommended by a qualified biologist and/or a Pest Control Advisor.⁵ If any new invasive plants rated by Cal IPC as “high” are found within the work area, they will be removed in an appropriate manner, as recommended by a qualified biologist and/or a Pest Control Advisor. iv. If the relative ground cover of invasive plants exceeds baseline by 100 percent or more, PG&E will reseed the areas where invasive plants are

PG&E Programmatic Measures	Description of Measure
BIO-6: Protect nesting birds	removed and monitor for one additional year. All vegetation clearing and ground-disturbing activities will be conducted outside of the nesting season (generally March 1–August 31) to the extent feasible. If this is not feasible, a biologist or qualified⁷ individual will determine if pre-construction activity surveys, nest buffers, and/or monitoring are needed in accordance with PG&E’s Nesting Bird Management Plan. Nesting bird surveys will be scheduled to occur within a timeframe prior to construction the activity that is suitable for the detection of recently established nests. If active nests containing eggs or young are found, the qualified biologist or individual will establish an appropriate nest buffer in accordance with the species-specific buffers in PG&E’s Nesting Bird Management Plan. Nest buffers under the Plan will be species-specific and can range from 15 to 100 feet for passerines, 50 to 300 feet for raptors, or larger if necessary, depending on the planned activity’s level of disturbance, site conditions, and the observed bird behavior. Covered activities will not commence within the established buffer areas until the qualified biologist or individual determines that the young have fledged or the nest is no longer active. Active nests will be periodically monitored until the young have fledged or the activity all construction is finished. If birds with active nests are observed showing behavioral signs of agitation (e.g., standing up from a brooding position, flying off the nest) during covered activities, the buffer will be increased to a distance in which the behavioral signs of agitation cease, in accordance with PG&E’s Nesting Bird Management Plan. As part of the ITP annual report, PG&E will provide a summary of covered activities where the Nesting Bird Management Plan was implemented; the summary will include the location, dates, species (if known), and nest buffers applied to the covered activity including buffer efficacy. (The Nesting Bird Management Plan is intended to maintain compliance with federal and state bird protection regulations through a standardized approach to avoiding and minimizing disturbance to nesting birds, including burrowing owl [see BIO-6a].)
BIO-7: Protect breeding and pupping bats	When feasible, activities directly affecting bat roosting habitat will be conducted outside of the bat breeding/pupping season (generally, April through mid-September). If work that would affect known bat breeding sites must be done in the bat breeding/pupping season, a qualified biologist would evaluate known breeding/roosting sites or conduct surveys for bat roosts in suitable breeding/roosting sites (e.g., bridges, mines, caves, trees with hollows, palm trees, snags, buildings, long and dark culverts, rock outcrops, dense tree canopies, and flaking tree bark). If evidence of a bat maternity roost is found or maternity roosts are detected, PG&E will avoid conducting covered activities that may directly affect the active roost site, including the following: • If a maternity roost is identified then the qualified bat biologist will develop a Bat Avoidance and Monitoring Plan prior to the start of project activities that shall include: (1) an assessment of all impacts

PG&E Programmatic Measures	Description of Measure
	to bats from the activity, including noise disturbance during covered activities and (2) effective avoidance and minimization measures to protect bats in order to ensure that direct impact to active bat maternity roost site do not occur. Notification will be provided to CDFW prior to the start of covered activities. The notification will include a copy of the Bat Avoidance and Monitoring Plan. If direct impacts to identified maternity roost site cannot be avoided, PG&E will provide a compensatory mitigation plan to CDFW for review and approval. • As necessary, an exclusionary buffer will be maintained around active roosts. The size of the buffer will be determined by the qualified biologist based on factors such as the planned activity's level of disturbance and site conditions and will typically be 250 feet. • As necessary, a qualified biologist will monitor active roost site buffers during O&M activities to determine if roosting activity is influenced by noise or vibrations until a qualified biologist has determined if the young bats are volant (i.e., able to fly) or the roost is unoccupied. • When feasible, to protect bats and in accordance with BMP-30, tree work near riparian zones shall be conducted during the dry season (generally May 15–October 15). If it is not feasible to conduct tree work during the dry season, operations will occur between rain events or during dry spells unless there is an emergency or imminent threat to life or property.
CR-1: Inventory, evaluate, and protect cultural resources	As part of the screening process described in Chapter 2, Project Description, PG&E will continue to review historical and archaeological resources that were previously recorded, as well as structures that meet the 50-year threshold throughout the 30-year duration of ITP. If any resources have the potential to be eligible for listing on the CRHR or NRHP, PG&E will determine whether project activities will affect the resources and, if the activities would cause a substantial adverse change in the resource, a qualified cultural specialist will coordinate with PG&E, the landowner, and CDFW on the appropriate steps for evaluation, protection, documentation and/or preservation of the resource.
CR-2 Provide worker training	The following procedures will be implemented prior to commencement of any project-related construction activities: All PG&E, contractor, and subcontractor project personnel will receive training regarding: • Appropriate work practices necessary to effectively implement the Applicant Proposed Measures (APMs) and to comply with the applicable environmental laws and regulations. • The potential for exposing subsurface cultural resources and paleontological resources. • How to recognize possible buried cultural and paleontological resources.

PG&E Programmatic Measures	Description of Measure
	• Site-specific physical conditions to improve hazard prevention and, if applicable, a review of the stormwater pollution prevention plan, which will also address spill response. • Contact information for the project (i.e., environmental planner who will reach out to the appropriate resource specialist, such as archaeologists, paleontologists, cultural monitors, or tribal monitors, as needed). This training will include a presentation of: • Procedures to be followed upon discovery or suspected discovery of historic or archaeological materials, including Native American remains and their treatment. • Procedures to be followed upon discovery or suspected discovery of paleontological resources. • Procedures to be followed for spill and other hazard prevention. Actions that may be taken in the case of violation of applicable laws.
CR-3: Inadvertent discovery of previously unidentified cultural resources	The following procedure will be employed if a previously undocumented cultural resource is encountered during construction: • All work within 100 feet (30 meters) of the find will be halted or redirected by the construction foreman and protective barriers or flagging will be installed along with signage identifying the area as an “environmentally sensitive area.” Entry into the area will be limited to PG&E-approved/qualified CRSSs, PG&E, and other authorized personnel. • PG&E and the CPUC will be notified immediately. • A qualified archaeologist will document the resource and coordinate with PG&E, the landowner, and the CPUC on the appropriate steps for evaluation and preservation of the find. The level of effort will be based on the size and nature of the resource, as determined by the archeologist and approved by the CPUC. No work will occur within the environmentally sensitive area until clearance has been granted by the archaeologist or PG&E and the CPUC. Environmentally sensitive area flagging and signage will only be removed when authorized by PG&E or the archaeologist and the CPUC.
CR-4: Discovery of human remains	The following procedures will be implemented in the event of the discovery of human remains, in compliance with California law, including, but not limited to, the following provisions: CEQA Guidelines Section 15064.5(e); Public Resources Code Sections 5097.94, 5097.98, and 5097.99; and California Health and Safety Code Section 7050.5: Work in the immediate area within 100 feet of the find will be halted and the PG&E archaeologist, County Coroner, and CPUC will be notified immediately. Work will remain suspended until the Coroner can assess the remains. In the event the remains are determined to be precontact in origin, the Coroner will notify the NAHC within 24 hours, which will then identify an MLD. The MLD will consult with PG&E’s archaeologist within 48 hours of notification to determine further treatment of the remains.
CR-5: Undiscovered potential tribal cultural resources	The following procedure will be employed (after stopping work and following the procedure for determining eligibility in APM CUL-2) if a resource is encountered and determined by the project’s qualified archaeologist to be potentially eligible for the CRHR or a local register of

PG&E Programmatic Measures	Description of Measure
	historic resources and is associated with a California Native American Tribe(s) with a traditional and cultural affiliation with the geographic area of the proposed project: • The project's qualified archaeologist will notify the CPUC for appropriate action. PG&E will assist the CPUC if needed to identify the lead contact person for the California Native American Tribe(s) potentially associated with the cultural resource and with a traditional and cultural affiliation with the geographic area of the proposed project. The CPUC will contact the lead contact person to set up a meeting with PG&E and the CPUC. • ☐ The project's qualified archaeologist will participate with the CPUC in discussions with the California Native American Tribe(s) to determine whether the resource is a TCR as defined by Public Resources Code Section 21074, and the tribe(s)' preferred method of mitigation, if the resource is determined to be a TCR. If no agreement can be reached for mitigation after discussions with the California Native American Tribe(s) or it is determined that the tribe(s)' preferred mitigation is not feasible, PG&E will consult with the CPUC and implement one of the example mitigation measures listed in Public Resources Code Section 21084.3(b), or other feasible mitigation.
GEO-1: Protect unanticipated paleontological resource discoveries	If potential paleontological resources are discovered during construction activities, work will stop within 100 feet and the project paleontologist, who meets the minimum qualification standards established by the Society for Vertebrate Paleontology, will be contacted immediately. If the discovery is determined to be significant, PG&E will implement measures to protect and document the paleontological resource, as directed by the paleontologist in consultation with the landowner, PG&E, and California Department of Fish and Wildlife. Efforts will be made to retain and protect such resources in place. If recovery of those resources is required to prevent their destruction, the paleontologist will develop a recovery strategy at a level appropriate to the discovery and in accordance with industry practice. The paleontologist will supervise the recovery effort, which may include the following components as appropriate to reduce impacts to a less-than-significant level: establishing recovery standards, preparing specimens for identification and preservation, documentation and reporting, and securing a curation agreement from the approved agency. Work may not resume within 100 feet of the find until approval by the paleontologist.
GEO-2: Provide worker environmental awareness training	PG&E will provide environmental awareness training on paleontological resources protection when in areas with known or discovered resources. This training will include: types of paleontological resources that could occur at the project site; types of soils or lithologies in which the paleontological resources could be preserved; procedures that should be followed in the event paleontological resources are discovered; and penalties for disturbing paleontological resources.
HAZ-1: Spill Response	PG&E will implement its hazardous substance control and emergency response procedures as needed. The procedures identify methods and

PG&E Programmatic Measures	Description of Measure
	techniques to minimize the exposure of the public and site workers to potentially hazardous materials during all phases of construction through operation. They address worker training appropriate to the site worker's role in hazardous substance control and emergency response. The procedures also require implementing appropriate control methods and approved containment and spill-control practices for construction and materials stored on site. If it is necessary to store chemicals on site, they will be managed in accordance with all applicable regulations. Material safety data sheets shall be maintained and kept available on site, as applicable. In the event that soils suspected of being contaminated (on the basis of visual, olfactory, or other evidence) are removed during site grading activities or excavation activities, the excavated soil will be tested and, if contaminated above hazardous waste levels, will be contained and disposed of at a licensed waste facility. The presence of suspected contaminated soil will require testing and investigation procedures to be supervised by a qualified person, as appropriate, to meet state and federal regulations. All hazardous materials and hazardous wastes shall be handled, stored, and disposed of in accordance with all applicable regulations, by personnel qualified to handle hazardous materials. The hazardous substance control and emergency response procedures include, but are not limited to, the following: • Proper disposal of potentially contaminated soils. • Establishing site-specific buffers for construction vehicles and equipment located near sensitive resources. • Emergency response and reporting procedures to address hazardous material spills. • Stopping work and contacting the local fire department or other agencies as appropriate. Work will resume after any necessary consultation and approval by the local fire department. • Emergency-spill response and clean up kits will be on site where they are immediately available to respond to an accidental release of a hazardous fluid or material. If applicable, a Stormwater Pollution Prevention Plan (SWPPP) will be implemented, which will also address spill response and other site-specific physical conditions to improve hazard prevention.
NOI-1: Restrict construction hours	Planned construction activities within 900 feet of occupied residential parcels that require the use of off-road construction equipment will be consistent with local noise ordinance guidelines, which typically limit construction noise to daylight hours, or a similar restriction. Should work in these locations be required outside of these hours due to safety or clearance requirements, construction will be limited to the minimum necessary and

PG&E Programmatic Measures	Description of Measure
NOI-2: Limit noise during construction near occupied residences	will proceed as expediently as safely possible to reach a safe and convenient stopping point. PG&E will use “quiet” equipment (i.e., equipment designed with noise control elements), standard equipment fitted with noise control devices (e.g., mufflers), or other noise-reduction measures as feasible to limit construction noise to within local noise ordinance limits whenever feasible and within 250 feet of occupied residences.
FIRE-1: Construction Fire Prevention Practices	PG&E will implement the following fire prevention practices at active construction sites. • During Red Flag Warning events, as issued daily by the National Weather Service, all construction activities will cease, with an exception for transmission line testing, repairs, unfinished work, or other specific activities that may be allowed if the facility/equipment poses a greater fire risk if left in its current state. • All construction crews and inspectors will be provided with radio and cellular telephone access that is operational in all work areas and access routes to allow for immediate reporting of fires. Communication pathways and equipment will be tested and confirmed operational each day prior to initiating construction activities at each work site. All fires will be reported to the fire agencies with jurisdiction in the area immediately upon discovery of the ignition. • Construction personnel will be trained in fire-safe actions, initial attack firefighting, and fire reporting. Construction personnel will be trained and equipped to extinguish small fires in order to prevent them from growing into more serious threats. • All construction personnel will carry a laminated card and be provided a hard hat sticker that list pertinent telephone numbers for reporting fires and defining immediate steps to take if a fire starts. Information on laminated contact cards and hard hat stickers will be updated as needed and redistributed to all construction personnel prior to the day the information change goes into effect. • Construction personnel will have fire suppression equipment on all construction vehicles and will be required to park vehicles away from dry vegetation. PG&E will coordinate with applicable local fire departments prior to construction activities to determine the appropriate amounts of fire equipment to be carried on vehicles and, should a fire occur, to coordinate fire suppression activities. • Water tanks and/or water trucks will be sited or available at active project sites for fire protection during construction.

Section 4.0 Environmental Setting, Impacts, and Mitigation

This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

4.1	Aesthetics	4.11	Land Use and Planning
4.2	Agriculture and Forestry Resources	4.12	Mineral Resources
4.3	Air Quality	4.13	Noise
4.4	Biological Resources	4.14	Population and Housing
4.5	Cultural Resources	4.15	Public Services
4.6	Energy	4.16	Recreation
4.7	Geology and Soils	4.17	Transportation
4.8	Greenhouse Gas Emissions	4.18	Tribal Cultural Resources
4.9	Hazards and Hazardous Materials	4.19	Utilities and Service Systems
4.10	Hydrology and Water Quality	4.20	Wildfire
		4.21	Environmental Justice

The discussion for each environmental subject includes the following subsections:

Environmental Setting – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the Project and 2) describes the existing, physical environmental conditions at the Project Site and in the surrounding area, as relevant.

Impact Discussion – This subsection includes the recommended checklist questions from Appendix G of the CEQA Guidelines to assess impacts.

- **Project Impacts** – This subsection discusses the Project’s impact on the environmental subject as related to the checklist questions. For significant impacts, feasible “Project Design Measures” (PDMs) are identified. PDMs are measures that Prologis has proposed that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). PDMs are numbered to correspond to the impact they address. For example, PDM BIO-1.3 refers to the third measure for the first impact in the Biological Resources section. To reduce impacts related to the off-site PG&E infrastructure, PG&E programmatic measures are identified generally as “PG&E programmatic measures,” or as “Applicant Proposed Measures (APM)” if derived directly from the PG&E Bay Area Operations and Maintenance Incidental Take Permit Final Environmental Impact Report. For example, APM HAZ-1 refers to a specific APM to reduced hazardous impacts.
- **Cumulative Impacts** – This subsection discusses the Project’s cumulative impact on the environmental subject. Cumulative impacts, as defined by CEQA, refer to two or more

individual effects, which when combined, compound or increase other environmental impacts. Cumulative impacts may result from individually minor, but collectively significant effects taking place over a period of time. CEQA Guideline Section 15130 states that an environmental impact report (EIR) should discuss cumulative impacts “when the project’s incremental effect is cumulatively considerable.” The discussion does not need to be in as great detail as is necessary for project impacts but is to be “guided by the standards of practicality and reasonableness.” The purpose of the cumulative analysis is to allow decision makers to better understand the impacts that might result from approval of past, present, and reasonably foreseeable future projects, in conjunction with the proposed Project addressed in this SPPE Application.

The CEQA Guidelines advise that a discussion of cumulative impacts should reflect both their severity and the likelihood of their occurrence (CEQA Guidelines Section 15130(b)). To accomplish these two objectives, the analysis should include either a list of past, present, and probable future projects or a summary of projections from an adopted general plan or similar document (CEQA Guidelines Section 15130(b)(1)).

The analysis must determine whether the Project’s contribution to any cumulatively significant impact is cumulatively considerable, as defined by CEQA Guideline Section 15065(a)(3). The cumulative impacts discussion for each environmental issue accordingly addresses the following issues: 1) would the effects of all of past, present, and probable future (pending) development result in a significant cumulative impact on the resource in question; and, if that cumulative impact is likely to be significant, 2) would the contribution from the proposed project to that significant cumulative impact be cumulatively considerable?

For each resource area, cumulative impacts may occur over different geographic areas. For example, the project effects on air quality would combine with the effects of projects in the entire air basin, whereas noise impacts would primarily be localized to the surrounding area. The geographic area that could be affected by the proposed project varies depending upon the type of environmental issue being considered. Section 15130(b)(3) of the CEQA Guidelines states that lead agencies should define the geographic scope of the area affected by the cumulative effect. Table 4.0-1 provides a summary of the different geographic areas used to evaluate cumulative impacts.

Table 4.0-1: Geographic Considerations in Cumulative Analysis

Resource Area	Geographic Area
Aesthetics	Project Site, Hellyer Switching Station, transmission line, and adjacent parcels
Agriculture and Forestry Resources	Countywide
Air Quality	San Francisco Bay Area Air Basin
Biological Resources	Project Site, Hellyer Switching Station, transmission line, and adjacent parcels
Cultural Resources	Project Site, Hellyer Switching Station, transmission line, and adjacent parcels
Energy	Energy provider's territory
Geology and Soils	Project Site, Hellyer Switching Station, transmission line, and adjacent parcels
GHGs	Planet-wide
Hazards and Hazardous Materials	Project Site, Hellyer Switching Station, transmission line, and adjacent parcels
Hydrology and Water Quality	Coyote Creek watershed
Land Use and Planning/Population and Housing	Citywide
Minerals	Identified mineral recovery or resource area
Noise and Vibration	Project Site, Hellyer Switching Station, transmission line, and adjacent parcels
Public Services and Recreation	Citywide
Transportation/Traffic	Citywide
Tribal Cultural Resources	Project Site, Hellyer Switching Station, transmission line, and adjacent parcels
Utilities and Service Systems	Citywide
Wildfire	Within or adjacent to the wildfire hazard zone

4.1 Aesthetics

4.1.1 Environmental Setting

4.1.1.1 *Regulatory Framework*

State

Streets and Highway Code Sections 260 through 263

The California Scenic Highway Program (Streets and Highway Code, Sections 260 through 263) is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. There are no state-designated scenic highways in San José. Interstate 280 (I-280) from the San Mateo County line to State Route (SR) 17, which includes segments in San José is an eligible, but not officially designated, State Scenic Highway.¹⁶ In Santa Clara County, the one state-designated scenic highway is SR 9 from the Santa Cruz County line to the Los Gatos City Limit.

Local

Envision San José 2040 General Plan

The Envision San José 2040 General Plan (General Plan) includes the following policies that are specific to aesthetic resources and relevant to this analysis:

Policy	Description
CD-1.1	Require the highest standards of architecture and site design, and apply strong design controls for all development projects, both public and private, for the enhancement and development of community character and for the proper transition between areas with different types of land uses.
CD-1.12	Use building design to reflect both the unique character of a specific site and the context of surrounding development and to support pedestrian movement throughout the building site by providing convenient means of entry from public streets and transit facilities where applicable, and by designing ground level building frontages to create an attractive pedestrian environment along building frontages. Unless it is appropriate to the site and context, franchise-style architecture is strongly discouraged.
CD-1.13	Use design review to encourage creative, high-quality, innovative, and distinctive architecture that helps to create unique, vibrant places that are both desirable urban places to live, work, and play and that lead to competitive advantages over other regions.

¹⁶ California Department of Transportation. "Scenic Highways." Accessed February 25, 2026.

<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>.

Policy	Description
CD-1.17	Minimize the footprint and visibility of parking areas. Where parking areas are necessary, provide aesthetically pleasing and visually interesting parking garages with clearly identified pedestrian entrances and walkways. Encourage designs that encapsulate parking facilities behind active building space or screen parked vehicles from view from the public realm. Ensure that garage lighting does not impact adjacent uses, and to the extent feasible, avoid impacts of headlights on adjacent land uses.
CD-1.23	Further the Community Forest Goals and Policies in this Plan by requiring new development to plant and maintain trees at appropriate locations on private property and along public street frontages. Use trees to help soften the appearance of the built environment, help provide transitions between land uses, and shade pedestrian and bicycle areas.
CD-10.2	Require that new public and private development adjacent to Gateways and freeways (including 101, 880, 680, 280, 17, 85, 237, and 87), and Grand Boulevards consist of high-quality materials, and contribute to a positive image of San José.
CD-10.3	Require that development visible from freeways (including 101, 880, 680, 280, 17, 85, 237, and 87) is designed to preserve and enhance attractive natural and man-made vistas.

City Design Guidelines and Design Review Process

Nearly all new private development is subject to a design review process (e.g., architecture and site planning). The design review process is used to evaluate projects for consistency with adopted design guidelines to assist those involved with the design, construction, review, and approval of development in San José. Adopted design guidelines include Residential, Industrial, Commercial, Downtown/Historic, and Downtown Design Guidelines.

City Council Private Outdoor Lighting Policy 4-3

On March 1, 1983, the City of San José implemented the Outdoor Lighting on Private Development policy. The purpose of the policy is to promote energy-efficient outdoor lighting on private development in the City of San José that provides adequate light for nighttime activities, while benefiting from the continued enjoyment of the night sky and continuing operation of the Lick Observatory by reducing light pollution and sky glow.

4.1.1.2 *Existing Conditions*

SCBGF/SCDC Site

The 15.13-acre SCBGF/SCDC Site is currently undeveloped and primarily occupied by mustard seed and other weeds and approximately seven trees. There is a small area of grading and some staged equipment along Silver Creek Valley Road. The SCBGF/SCDC Site is visible from Silver Creek Valley Road, Piercy Road, Fontanoso Way, and the Coyote Creek Trail.

The off-site multi-modal improvements will be located within the public right-of-way of Silver Creek Valley Road between Piercy Road and Fontanoso Way.

Hellyer Switching Station Site

The 14.26-acre Hellyer Switching Station Site is located approximately 1,400 feet east of the SCBGF/SCDC Site at 455 Piercy Road. The Hellyer Switching Station Site is undeveloped, with the exception of 15 on-site trees. PG&E's existing Metcalf-Evergreen #1 and #2 115-kV transmission lines are located east of the Switching Station Site in the hillside.

PG&E Transmission Line Route

The PG&E transmission line route is located within the public right-of-way along Silver Creek Valley Road, Hellyer Avenue, and Piercy Road.

Surrounding Uses

The area surrounding the Project Components Sites is generally characterized by contemporary office buildings ranging from one to three stories in height. These structures are located to the north, east and southeast of the SCBGF/SCDC Site. Directly south of the SCBGF/SCDC Site and to the west, the Site is bounded by open space recreational areas associated with the Coyote Creek Trail. As noted above, PG&E's existing Metcalf-Evergreen #1 and #2 115-kV transmission lines are located east of the Hellyer Switching Station Site in the hillside.

Scenic Views

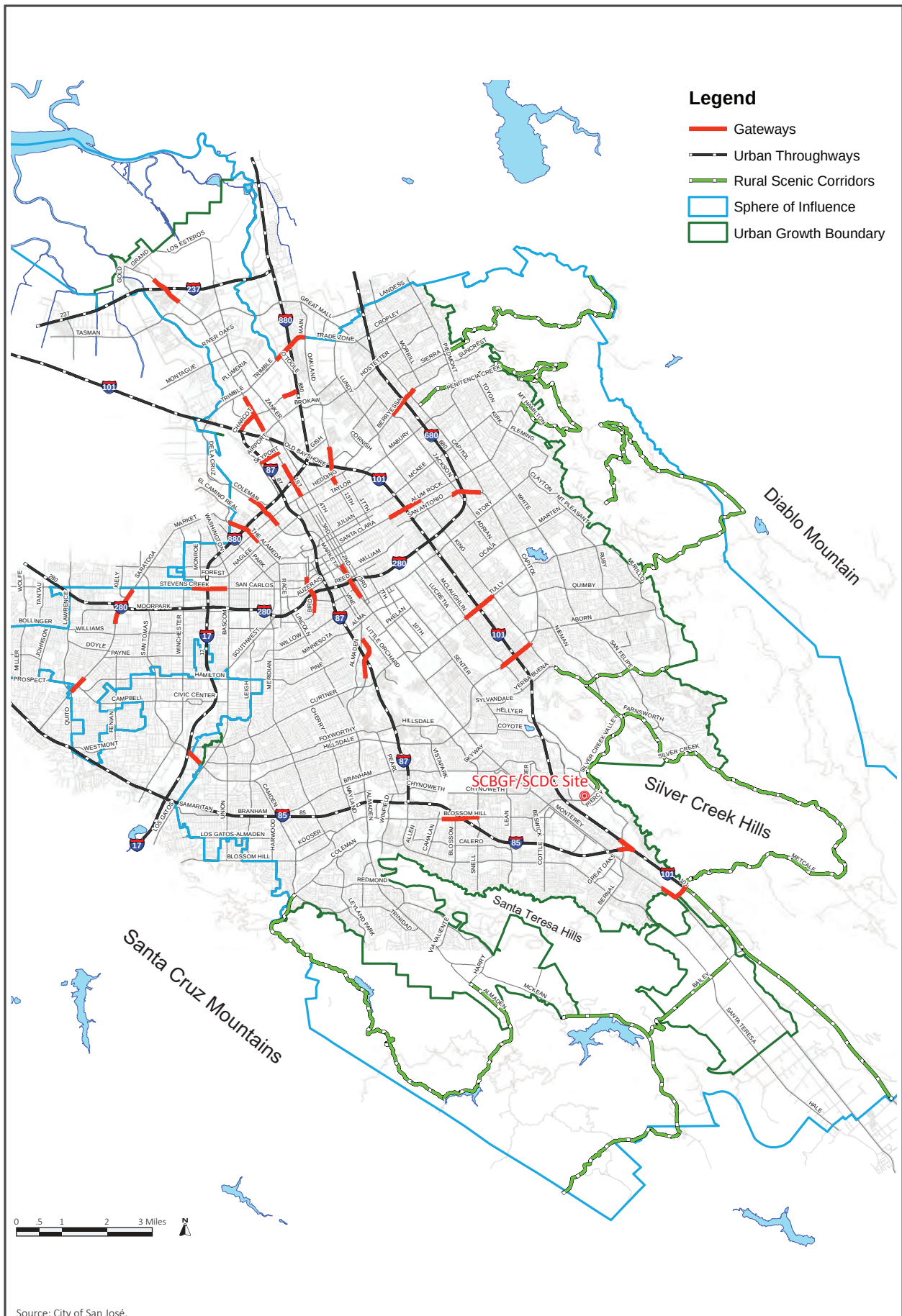
The General Plan defines scenic vistas or resources in the City as broad views of the Santa Clara Valley, the hills and mountains surrounding the valley, the urban skyline, and the baylands.¹⁷ Panoramic views of hillside areas, including the foothills of the Diablo Range, Silver Creek Hills, Santa Teresa Hills, and foothills of the Santa Cruz Mountains, are identified as key scenic features in the City General Plan (as shown in Figure 4.1-1). The Project Components Sites and vicinity have minimal to no scenic views of the Diablo foothills to the northeast, and Santa Teresa Hills to the south. The SCBGF/SCDC and Hellyer Switching Station Sites offer views of the Silver Creek Hills to the east and partial views of the Santa Cruz Mountains to the southwest. PG&E's existing Metcalf-Evergreen #1 and #2 115-kV transmission lines are located in the hillside area at the base of the Silver Creek Hills. No natural scenic resources, such as rock outcroppings, are present on-site or in the vicinity of the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements.

Scenic Corridors

The City's General Plan identifies Gateways and Urban Throughways (urban corridors) where preservation and enhancement of views of the natural and man-made environment are crucial.¹⁸ There are no designated Gateways near the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements. The nearest Urban Throughway is US 101, located approximately 1,120 feet or 0.2-mile west of the SCBGF/SCDC Site. A

¹⁷ City of San José. *Integrated Final Program Environmental Impact Report for the Envision San José 2040 General Plan*. SCH# 2009072096. September 2011. Page 739.

¹⁸ Ibid. Page 717.



CITY OF SAN JOSÉ ENVISION SAN JOSÉ 2040 GENERAL PLAN SCENIC VIEWS AND SCENIC CORRIDORS

FIGURE 4.1-1

portion of Silver Creek Valley Road east of Hellyer Avenue is designated as a Rural Scenic Corridor in the General Plan. Travelers on these roadways are afforded views of these low-lying hills.

There are no state-designated scenic highways in San José. The nearest officially designated state scenic highway to the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements is SR 9, located more than 10 miles southwest of the SCBGF/SCDC Site.¹⁹

Light and Glare

The existing SCBGF/SCDC Site and Hellyer Switching Station Site are both vacant and undeveloped and do not contribute to ambient lighting in the area, while the potential transmission line routes and off-site multi-modal improvements are located either in public right of way with street lighting or paved parking areas with security lighting. The main sources of light in the vicinity of the Sites are typical of developed urban areas, including headlights, streetlights, parking lot lights, security lights, and reflective surfaces such as windows.

4.1.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? ²⁰ If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐

¹⁹ California Department of Transportation. "Scenic Highways." Accessed March 5, 2026.

<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>.

²⁰ Public views are those that are experienced from publicly accessible vantage points.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐
Would the project result in a cumulatively considerable contribution to a significant cumulative aesthetics impact?	☐	☐	☒	☐

4.1.2.1 *Project Impacts*

a) Would the project have a substantial adverse effect on a scenic vista?

SCBGF/SCDC Site

The proposed Project will construct a new data center building with a height of approximately 83 feet to the top of the parapet and 95 feet to the top of the elevator penthouse. The Project area provides views of the Silver Creek Hills to the east and partial views of the Santa Cruz Mountains to the southwest.

In 2022, the City of San José prepared an Initial Study and adopted a Mitigated Negative Declaration (IS/MND) for an industrial warehouse project on the SCBGF/SCDC Site.²¹ The proposed warehouse was proposed to be 50 feet tall and would have had a similar footprint as the SCBGF/SCDC. The City determined that, although the industrial warehouse project would obstruct some views of the hills east of the Site from publicly available areas, such as the Coyote Creek Trail or sidewalks near the Site, these scenic vistas would still be visible from most areas around the project site with construction of the project. The City determined that the 2022 project would be consistent with other development in the area and would not diminish scenic views or damage any scenic resources in the project area and, therefore, implementation of the project would not result in a significant impact on a scenic vista. While the proposed SCBGF/SCDC would be taller than the industrial warehouse analyzed in the City's 2022 IS/MND, it too would only partially block views of the hills from a limited number of public vantage points and would be consistent with other industrial development in the Project area. As a result, the proposed SCBGF/SCDC would not have a substantial adverse effect on a scenic vista.

²¹ City of San José. *5977 Silver Creek Valley Road Warehouse Project 1st Amendment Initial Study*. August 2022. Available at: <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/negative-declaration-initial-studies/5977-silver-creek-valley-road-warehouse-project>

Hellyer Switching Station Site

The Hellyer Switching Station will be an indoor, gas-insulated switching station within a two-story building. A 10- to 12-foot-high security fence with a guard topper will surround the switchyard. The Hellyer Switching Station will loop into the existing Metcalf-Evergreen #1 and #2 115-kV transmission lines via three new steel monopoles (replacing two existing steel lattice towers) and a new overhead conductor line that would be approximately 1,750 feet in length. The new PG&E electrical infrastructure will be installed within the existing PG&E right-of-way in the hillside area east of the Hellyer Switching Station Site. The three new steel monopoles would have a maximum height of 96-feet and will be installed at the eastern fenceline of the Hellyer Switching Station Site. The new steel monopoles will be consistent with the height and general aesthetic characteristics of the existing towers along the Metcalf-Evergreen #1 and #2 115-kV transmission lines.

In 2022, the City of San José prepared and adopted an IS/MND for an industrial warehouse project on the Hellyer Switching Station Site.²² The proposed warehouse was proposed to be 48 feet tall and would have had a similar footprint as the Hellyer Switching Station. The City determined that the 2022 project would not result in significant impact to scenic views because of the low sensitivity of the viewers as the pass by the site on nearby roadways, views that are currently partially obstructed, proposed landscape buffering, and the proposed building height being consistent with adjacent industrial development and the zoning requirements.²³ Additionally, as described previously, the three new steel monopoles in the hillside area east of the Hellyer Switching Station Site would either replace or would be adjacent to existing towers along the Metcalf-Evergreen #1 and #2 115-kV transmission lines, and would have similar heights and general aesthetic characteristics as the existing towers. As a result, the proposed Hellyer Switching Station would not have a substantial adverse effect on a scenic vista.

PG&E Transmission Line Route

In order to connect the SCDC to the proposed Hellyer Switching Station, PG&E will construct a new transmission line, as described in Section 3.5.4 PG&E Hellyer Switching Station and Transmission Line. The transmission line will be either be underground or overhead and will be located in the public right-of-way along Silver Creek Valley Road, Hellyer Avenue, and Piercy Road.

Off-site Multi-Modal Improvements

The proposed off-site multi-modal improvements would be within the public right-of-way of Silver Creek Valley Road and not include any large, elevated infrastructure, such as a building or tower, which could block views of scenic vistas. The off-site multi-modal improvements largely would be flat, at-grade improvements on Silver Creek Valley Road except for the proposed bus stop, which could include a new pole identifying the stop (final design would be dependent on input from VTA

²² City of San José. *455 Piercy Road Industrial Warehouse Project Initial Study*. July 2022. <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/negative-declaration-initial-studies/455-piercy-rd-industrial-warehouse>

²³ City of San José. *455 Piercy Road Industrial Warehouse Project Initial Study*. July 2022. <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/negative-declaration-initial-studies/455-piercy-rd-industrial-warehouse>

and the City). The design of the bus stop, however, would likely not include any infrastructure that would obstruct views of Silver Creek Hills to the east and partial views of the Santa Cruz Mountains to the southwest. For these reasons, the physical improvements would not represent a substantial adverse effect on a scenic vista.

Based on the discussion above, the proposed Project would be consistent with other development in the area and would not diminish scenic views or damage any scenic resources in the project area. Therefore, the Project would not significantly impact any scenic vistas. **(Less than Significant Impact)**

-
- b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
-

The Project (which includes the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements) would not be located along a state scenic highway. The nearest state scenic highway is SR 9, located approximately 10 miles southwest of the SCBGF/SCDC Site, Hellyer Switching Station Site, and PG&E transmission line route. No scenic resources such as heritage trees, rock outcroppings or historic buildings are present on the Sites.^{24,25} Therefore, the proposed Project would not significantly impact scenic resources. **(Less than Significant Impact)**

-
- c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
-

Urbanized Area

The SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements are within an urbanized area in San José, with the exception of the three new steel monopoles that will be installed within the existing PG&E right of way in the hillside area east of the Hellyer Switching Station Site, which are discussed in further detail below. The General Plan EIR concluded that new development and redevelopment allowed under the General Plan would alter the appearance of San José; and implementation of applicable policies and regulations (including the City's various Design Guidelines) would avoid substantial degradation of the visual character of the City. As discussed in Section 4.11 Land Use and Planning, the Project would be consistent with the General Plan designation of IP since a data center use would be allowed under these land use designations. Furthermore, the floor area ratio of 0.8 would not exceed the IP floor area ratio of 10.0.

²⁴ City of San José. "Heritage Trees." Map. Accessed March 5, 2026.
<https://experience.arcgis.com/experience/98193189cb7443b8a8f1452961b6d935>.

²⁵ City of San José. "Historic Resource Inventory." March 5, 2026.
<https://experience.arcgis.com/experience/4ef3418d9e58451c9c45086ac9a90d6e>.

As discussed in Section 4.4 Biological Resources, the construction of the SCBGF/SCDC will include the removal of seven trees on the SCDC site, including six ordinance size trees. All trees removed would be replaced in accordance with the City of San José Tree Protection Ordinance, San José Municipal Code Section 13.28, and General Plan Policies MS-21.4, MS-21.5, and MS-21.6. Therefore, the Project would not conflict with applicable zoning and other regulations governing the scenic quality of the City's community forest and urban canopy.

Although the City's Zoning Ordinance does not include regulations governing scenic quality, the proposed SCBGF and SCDC would be subject to design review conducted as part of the development permit review process to ensure that it conforms with all adopted design guidelines and other relevant policies and ordinances. Additionally, although the Hellyer Switching Station, as a PG&E facility, would not be subject to the City's design review, it would adhere to PG&E's design standards and would be similar in nature to existing PG&E infrastructure in the project area, such as the Edenvale Substation. For these reasons, the proposed Project would not conflict with applicable zoning and other regulations governing scenic quality of the City.

Non-Urbanized Area

As discussed previously, the three steel monopoles to be installed in the non-urbanized hillside area east of the Hellyer Switching Station Site would either replace or would be in the vicinity of existing towers along the Metcalf-Evergreen #1 and #2 115-kV transmission lines. The steel monopoles would have similar heights and general aesthetic characteristics as the existing towers. The steel monopoles would not represent a substantial change compared to existing conditions and, therefore, would not substantially degrade the existing visual character or quality of public views of the Site and its surroundings. **(Less than Significant Impact)**

-
- d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
-

The SCBGF/SCDC will include new lighting for security purposes (including outdoor lighting of driveways, walkways, and parking areas) as well as light from vehicles. However, the increase in night lighting from this new development would not significantly increase the ambient light levels in the area, which are already dominated by existing light sources from surrounding industrial/office uses and roadways. Pole-mounted lighting and fixtures included in the SCBGF/SCDC design would meet the applicable design and height standards of City Lighting Policy 4-3 and will be directed away from Coyote Creek. The design of the SCBGF/SCDC is subject to the City's design review process and will be required to utilize exterior materials that do not result in daytime glare, consistent with relevant General Plan policies and the City's Design Guidelines.

The transmission lines, steel monopoles, and light duty steel poles associated with proposed PG&E infrastructure would not include any lighting. Lighting associated with the Hellyer Switching Station would be limited to security lighting at the access gate and around the perimeter fenceline. Security

lighting would be low intensity and would be directed downward. The off-site multi-modal improvements would not include any new lighting.

For the reasons described above, the proposed Project would have a less than significant light and glare impact. **(Less than Significant Impact)**

4.1.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a significant cumulative aesthetics impact?

The geographic area for cumulative aesthetic impacts is limited to the Project Components Sites of the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements and adjacent properties from which the Project Components Sites would be visible.

All cumulative projects occurring in the vicinity of the Project are urban in nature (primarily industrial and office uses) and would be subject to applicable General Plan policies, development standards under the Zoning Code, the design review process to ensure consistency with applicable design guidelines (depending on the proposed use and location), as well as adherence to applicable lighting standards, and signage regulations. By requiring all cumulative projects to adhere to the City's measures, guidelines, and requirements, aesthetic impacts would be minimized or reduced. All cumulative projects would undergo individual review to ensure that site selection, building materials, heights, and lighting are implemented in a manner that does not result in significant visual impacts. For these reasons, there would not be a significant cumulative aesthetic or visual impact. Furthermore, the proposed Project's contribution to this already less than significant cumulative impact would not be cumulatively considerable. **(Less than Significant Cumulative Impact)**

4.2 Agriculture and Forestry Resources

4.2.1 Environmental Setting

4.2.1.1 *Regulatory Framework*

State

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is identified as Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the project area.²⁶

California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to also identify sites that may contain agricultural resources or are zoned for agricultural uses.²⁷

Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources.²⁸ Programs such as CAL FIRE's Fire and Resource Assessment Program are used to identify whether forest land, timberland, or timberland production areas could be affected are located on or adjacent to a project site.²⁹

²⁶ California Department of Conservation. "DOC Maps: Agriculture." Accessed February 26, 2026. <https://maps.conservation.ca.gov/agriculture/>

²⁷ California Department of Conservation. "Williamson Act." <http://www.conservation.ca.gov/dlrp/lca>.

²⁸ Forest Land is land that can support 10 percent native tree cover and allows for management of forest resources (California Public Resources Code Section 12220(g)); Timberland is land not owned by the federal government or designated as experimental forest land that is available for, and capable of, growing trees to produce lumber and other products, including Christmas trees (California Public Resources Code Section 4526); and Timberland Production is land used for growing and harvesting timber and compatible uses (Government Code Section 51104(g)).

²⁹ California Department of Forestry and Fire Protection. "Fire and Resource Assessment Program." Accessed February 26, 2026. <http://frap.fire.ca.gov/>.

4.2.1.2 Existing Conditions

SCBGF/SCDC Site

The SCBGF/SCDC Site and approximately half of Silver Creek Valley Road (where the off-site multi-modal improvements would be located) are designated Other Land by the California Department of Conservation's Important Farmland Map.³⁰ Other Land is land not included in any other mapping category, but is not Important Farmland (e.g., Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance). The SCBGF/SCDC Site is largely surrounded by Urban Built-Up land³¹, with the exception of approximately 36 acres of Unique Farmland³² to the north. The remaining half of Silver Creek Valley Road is within an area identified as Urban Built-Up Land

The SCBGF/SCDC Site is located in the City's Industrial Park zoning district. There is no forest land located on or adjacent to the SCBGF/SCDC Site and the Site is not subject to a Williamson Act contract.³³

Hellyer Switching Station Site

The Switching Station site is designated Grazing Land.³⁴ Grazing land is land on which the existing vegetation is suited to the grazing of livestock. The Switching Station Site is surrounded by Urban Built-Up Land to the north, south, and west.

The Switching Station Site is located in the City's Industrial Park zoning district. PG&E's existing Metcalf-Evergreen #1 and #2 115-kV transmission lines are located in the County of Santa Clara's HS-d1 (Hillside Combining District) zoning district.³⁵

There is no forest land located on or adjacent to the Hellyer Switching Station Site and the Site is not subject to a Williamson Act contract.³⁶

³⁰ California Department of Conservation. "California Important Farmland Finder." Accessed February 26, 2026.
<https://maps.conservation.ca.gov/dlrp/ciff/>

³¹ Urban Built-Up Land is defined as land occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel.

³² Unique farmland is usually irrigated but may include non-irrigated orchards or vineyards.

³³ Santa Clara County. "Williamson Act Properties." Accessed February 26, 2026.
<https://experience.arcgis.com/experience/034e46f2f4bc44d1ada505dd92940ff7>.

³⁴ California Department of Conservation. "California Important Farmland Finder." Accessed February 26, 2026.
<https://maps.conservation.ca.gov/dlrp/ciff/>.

³⁵ County of Santa Clara. "Santa Clara County Department of Planning and Development." *Interactive Property Assessment*. Accessed February 27, 2026.
https://experience.arcgis.com/experience/a26ac88b18d7465baf1be31302706f1d#data_s=id%3AdataSource_14-PlanningOfficeDataService2_7406%3A891

³⁶ Santa Clara County. "Williamson Act Properties." Accessed February 26, 2026.
<https://experience.arcgis.com/experience/034e46f2f4bc44d1ada505dd92940ff7>.

PG&E Transmission Line Route

The PG&E transmission line route is located on land designated as Grazing Land, Urban Built-Up Land, and Other Land.³⁷ There is no forest land located on or adjacent to the transmission line route nor is it subject to a Williamson Act contract.³⁸

4.2.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d) Result in a loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒
f) Would the project result in a cumulatively considerable contribution to a cumulatively significant agricultural and forestry resources impact?	☐	☐	☐	☒
Would the project result in a cumulatively considerable contribution to a cumulatively significant agricultural and forestry resources impact?	☐	☐	☒	☐

³⁷ California Department of Conservation. "California Important Farmland Finder." Accessed February 26, 2026. <https://maps.conservation.ca.gov/dlrp/ciff/>.

³⁸ Santa Clara County. "Williamson Act Properties." Accessed February 26, 2026. <https://experience.arcgis.com/experience/034e46f2f4bc44d1ada505dd92940ff7>.

4.2.2.1 *Project Impacts*

-
- a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
-

As described in Section 4.2.1.2 Existing Conditions, there is no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance located on the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, or the off-site multi-modal improvements. Therefore, no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be converted to non-agricultural uses due to the Project. **(No Impact)**

- b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?
-

The SCBGF/SCDC Site and Hellyer Switching Station Site are both zoned Industrial Park. The existing PG&E Metcalf-Evergreen #1 and #2 115-kV transmission lines are located in the HS-d1 (Hillside Combining District) zoning district. The PG&E transmission line route and off-site multi-modal improvements will be located within existing public right-of-way. The SCBGF/SCDC Site, Hellyer Switching Site, and PG&E transmission line route are not subject to a Williamson Contract. Therefore, the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract. **(No Impact)**

- c) Would the project conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?
-

As described in Section 4.2.1.2 Existing Conditions, neither the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, nor the off-site multi-modal improvements routes are zoned as, or adjacent to, forest land, timberland, or timberland zoned Timberland Production. Therefore, the Project would not conflict with existing zoning or cause rezoning of forest land, timberland, or timberland zoned Timberland Production. **(No Impact)**

- d) Would the project result in a loss of forest land or conversion of forest land to non-forest use?
-

Neither the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, nor the off-site multi-modal improvements function as forest land. Therefore, the Project would not result in a loss of forest land or convert forest land to non-forest use. **(No Impact)**

-
- e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?
-

As described above, no farmland or forest land is located on or near the SCBGF/SCDC Site, Hellyer Switching Station Site, the PG&E transmission line route, or the off-site multi-modal improvements. The Hellyer Switching Station Site is designated as Grazing Land, which is not defined by the FMMP as Important Farmland; therefore, impacts to Grazing Land would not be considered an impact pursuant to CEQA. The Project, therefore, would not involve other changes in the existing environment which could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. **(No Impact)**

4.2.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant agricultural and forestry resources impact?

The geographic area for cumulative agricultural and forestry resource impacts is the County of Santa Clara. The Project would have no impact on agricultural and forestry resources and, therefore, the Project has no potential to combine with other projects to result in cumulative impacts to these resources. **(No Cumulative Impact)**

4.3 Air Quality

This section was prepared by Atmospheric Dynamics, Inc. in accordance with the Commission's SPPE Application requirements pursuant to the power plant siting regulations, and the rules and regulations of the Bay Area Air District (Air District). This section presents the evaluation of emissions and impacts resulting from the construction and operation of the SCBGF, which supports the SCDC.

Additional modeling data to support the Air Quality and Public Health analyses can be found in Appendix F. The modeling is organized as follows:

- SubAppendix AQ1 – Emissions Data for Criteria Pollutants, Toxic Pollutants, and GHGs
- SubAppendix AQ2 – Equipment Specifications and Emissions Control System Information
- SubAppendix AQ3 – Air Quality Impact Modeling Support Data
- SubAppendix AQ4 – Construction and Miscellaneous Emissions Evaluation and Support Data
- SubAppendix AQ5 – Risk Assessment Support Data

4.3.1 Environmental Setting

Air quality in the San Francisco Bay Area Air Basin (SFBAAB) is typically better than most other areas of the state, due to its proximity to the Pacific Ocean and the weather patterns that dominate the region. The summer climate of the west coast and the Bay Area region is dominated by a semi-permanent high pressure centered over the northeastern Pacific Ocean. Because this high-pressure cell is quite persistent, storms rarely affect the California coast during the summer. Thus, the conditions that persist along the coast of California during summer are a northwest air flow and negligible precipitation. A thermal low-pressure area from the Sonoran-Mojave Desert also causes air to flow onshore over the San Francisco Bay Area much of the summer.

The steady northwesterly flow around the eastern edge of the Pacific high-pressure cell exerts a stress on the ocean surface along the west coast. This induces upwelling of cold water from below. Upwelling produces a band of cold water that is approximately 80 miles wide off San Francisco.

Air approaching the California coast, already cool and moisture-laden from its long trajectory over the Pacific, is further cooled as it flows across this cold bank of water near the coast, thus accentuating the temperature contrast across the coastline. This cooling is often sufficient to produce a high incidence of fog and stratus clouds along the Northern California coast in summer.

In winter, the Pacific High weakens and shifts southward, upwelling ceases, and winter storms become frequent. Almost all of the Bay Area's annual precipitation takes place in the November through April period. During the winter rainy periods, inversions are weak or nonexistent, winds are often moderate and air pollution potential is very low. During winter periods when the Pacific high becomes dominant, inversions become strong and often are surface-based; winds are light and

pollution potential is high. These periods are characterized by winds that flow out of the Central Valley into the Bay Area and often include Tule fog.

Air quality is determined by measuring ambient concentrations of criteria pollutants at various locations through a defined region. Degradation, or lack thereof, of air quality is determined by comparing past air concentrations to the current ambient air quality standards and establishing trends for the area in question. Toxic air contaminants (TACs) have no ambient air quality standards, and a health risk assessment (HRA) is typically conducted to evaluate whether risks of exposure to TACs will create an adverse impact.

4.3.1.1 *Existing Air Quality*

In 1970, the United States Congress instructed the United States Environmental Protection Agency (EPA) to establish standards for air pollutants, which were of nationwide concern. This directive resulted from the concern of the effects of air pollutants on the health and welfare of the public. The resulting Clean Air Act (CAA) set forth air quality standards to protect the health and welfare of the public. Two levels of standards were promulgated – primary standards and secondary standards. Primary national ambient air quality standards (NAAQS) are “those which, in the judgment of the administrator [of the EPA], based on air quality criteria and allowing an adequate margin of safety, are requisite to protect the public health (state of general health of community or population).” The secondary NAAQS are “those which in the judgment of the administrator [of the EPA], based on air quality criteria, are requisite to protect the public welfare and ecosystems associated with the presence of air pollutants in the ambient air.” To date, NAAQS have been established for seven criteria pollutants as follows: sulfur dioxide (SO₂), carbon monoxide (CO), ozone (O₃), nitrogen dioxide (NO₂), sub-10-micron particulate matter (PM₁₀), sub-2.5-micron particulate matter (PM_{2.5}), and lead (Pb).

The criteria pollutants are those that have been demonstrated historically to be widespread and have a potential for adverse health impacts. The EPA developed comprehensive documents detailing the basis of, or criteria for, the standards that limit the ambient concentrations of these pollutants. The State of California has also established ambient air quality standards (AAQS) that further limit the allowable concentrations of certain criteria pollutants. Review of the established air quality standards are undertaken by both the EPA and the State of California on a periodic basis. As a result of the periodic reviews, the standards have been updated (i.e., amended, additions, and deletions) over the ensuing years to the present.

Each federal or state ambient air quality standard is comprised of two basic elements: (1) a numerical limit expressed as an allowable concentration, and (2) an averaging time which specifies the period over which the concentration value is to be measured. Table 4.3-1 presents the current federal and state ambient quality standards.

Table 4.3-1: California and National Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards Concentration	National Standards Concentration
Ozone	1 hour	0.09 ppm (180 µg/m ³)	-
	8 hours	0.070 ppm (137 µg/m ³)	0.070 ppm (137 µg/m ³)
Carbon monoxide (CO)	8 hours	9.0 ppm (10,000 µg/m ³)	9 ppm (10,000 µg/m ³)
	1 hour	20 ppm (23,000 µg/m ³)	35 ppm (40,000 µg/m ³)
Nitrogen dioxide (NO ₂)	Annual Arithmetic Mean	0.030 ppm (57 µg/m ³)	0.053 ppm (100 µg/m ³)
	1 hour	0.18 ppm (339 µg/m ³)	100 ppb (188 µg/m ³)
Sulfur dioxide (SO ₂)	Annual Arithmetic Mean	-	0.030 ppm (80 µg/m ³)
	24 hours	0.04 ppm (105 µg/m ³)	0.14 ppm (365 µg/m ³)
	3 hours	-	0.5 ppm (1300 µg/m ³)
	1 hour	0.25 ppm (655 µg/m ³)	75 ppb (196 µg/m ³)
Suspended particulate matter or PM ₁₀ (10 micron)	24 hours	50 µg/m ³	150 µg/m ³
	Annual Arithmetic Mean	20 µg/m ³	-
Suspended particulate matter or PM _{2.5} (2.5 micron)	Annual Arithmetic Mean	12 µg/m ³	12.0 µg/m ³ (3-year average)
	24 hours	-	35 µg/m ³
Sulfates	24 hours	25 µg/m ³	-
	30 days	1.5 µg/m ³	-
Lead (Pb)	Calendar Quarter	-	1.5 µg/m ³
	Rolling 3-month Average	-	0.15 µg/m ³

ppm = parts per million, ppb=parts per billion, µg/m³ = micrograms per cubic meter

Source: California Air Resources Board. "Table of Ambient Air Quality Standards." July 16, 2024. Accessed March 2026.
https://ww2.arb.ca.gov/sites/default/files/2024-08/AAQS%20Table_ADA_FINAL_07222024.pdf.

Brief descriptions of health effects for the main criteria pollutants are as follows.

Ozone

Ozone is a reactive pollutant, which is not emitted directly into the atmosphere, but is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving precursor organic compounds (POC) and oxides of nitrogen (NO_x). POC and NO_x are known as precursor compounds for ozone. Significant ozone production generally requires ozone precursors to be present in a stable atmosphere with strong sunlight for approximately three hours. Ozone is a regional air pollutant because it is not emitted directly by sources but is formed downwind of sources of POC and NO_x under the influence of wind and sunlight. Short-term exposure to ozone can irritate the eyes and cause constriction of the airways. Besides causing

shortness of breath, ozone can aggravate existing respiratory diseases such as asthma, bronchitis, and emphysema.

Carbon Monoxide

Carbon monoxide is a non-reactive pollutant that is a product of incomplete combustion. Ambient carbon monoxide concentrations generally follow the spatial and temporal distributions of vehicular traffic and are also influenced by meteorological factors such as wind speed and atmospheric mixing. Under inversion conditions, carbon monoxide concentrations may be distributed more uniformly over an area out to some distance from vehicular sources. When inhaled at high concentrations, carbon monoxide combines with hemoglobin in the blood and reduces the oxygen-carrying capacity of the blood. This results in reduced oxygen reaching the brain, heart, and other body tissues. This condition is especially critical for people with cardiovascular diseases, chronic lung disease, or anemia, as well as fetuses.

Particulate Matter (PM₁₀ and PM_{2.5})

PM₁₀ consists of particulate matter that is 10 microns or less in diameter (a micron is one-millionth of a meter), and fine particulate matter, PM_{2.5}, which consists of particulate matter 2.5 microns or less in diameter. Both PM₁₀ and PM_{2.5} represent fractions of particulate matter, which can be inhaled into the air passages and the lungs and can cause adverse health effects. Particulate matter in the atmosphere results from many kinds of dust- and fume-producing industrial and agricultural operations, combustion, and atmospheric photochemical reactions. Some of these operations, such as demolition and construction activities, contribute to increases in local PM₁₀ and PM_{2.5} concentrations, while others, such as stationary source emissions, vehicular traffic, etc. affect regional PM₁₀ and PM_{2.5} concentrations.

Nitrogen Dioxide and Sulfur Dioxide

Nitrogen dioxide (NO₂) and sulfur dioxide (SO₂) are two gaseous compounds within a larger group of compounds, NO_x and sulfur oxides (SO_x), respectively, which are products of the combustion of fuel. NO_x and SO_x emission sources can elevate local NO₂ and SO₂ concentrations, and both are regional precursor compounds to particulate matter. As described above, NO_x is also an ozone precursor compound and can affect regional visibility. (Nitrogen dioxide is the “whiskey brown” colored gas readily visible during periods of heavy air pollution.) Elevated concentrations of these compounds are associated with increased risk of acute and chronic respiratory disease. Additionally, sulfur dioxide and nitrogen oxides emissions can be oxidized in the atmosphere to eventually form sulfates and nitrates, which contribute to acid rain.

Lead

Gasoline-powered automobile engines used to be the major source of airborne lead in urban areas. Excessive exposure to lead concentrations can result in gastrointestinal disturbances, anemia, kidney disease, and in severe cases of neuromuscular and neurological dysfunction. The use of lead

additives in motor vehicle fuel has been eliminated in California, and lead concentrations have declined substantially as a result.

Hydrogen Sulfide

Hydrogen sulfide (H₂S) is a naturally occurring gas contained, as a for-instance, in geothermal steam from the Geysers. H₂S has a “rotten egg” odor at concentration levels as low as 0.005 parts per million (ppm). The state 1-hour standard of 0.03 ppm is set to reduce the potential for substantial odor complaints. At concentrations of approximately 10 ppm, exposure to H₂S can lead to health effects such as eye irritation.

Toxic/Hazardous Air Contaminants

“Toxic air contaminants” (TACs) are air pollutants that are believed to have carcinogenic or adverse non-carcinogenic effects but do not have a corresponding ambient air quality standard. There are hundreds of different types of toxic air contaminants, with varying degrees of toxicity. Sources of toxic air contaminants include industrial processes such as petroleum refining, electric utility and chrome plating operations, commercial operations such as gasoline stations and dry cleaners, and motor vehicle exhaust.

Toxic air contaminants are regulated under both state and federal laws. Federal laws use the term “Hazardous Air Pollutants” (HAPs) to refer to the same types of compounds referred to as TACs under state law. Both terms generally encompass the same compounds, although the California TAC listing is considerably more extensive than the federal HAPs list. For the sake of consistency, this analysis will use TACs when referring to these compounds rather than HAPs. Under the Clean Air Act Amendments of 1990, approximately 190 substances are designated as TACs. Appendix AQ1 presents the annual emissions of the TACs.

Attainment Status

The EPA designates the attainment status of regional areas with respect to federal air quality standards, while the California Air Resources Board (CARB) designates the attainment status of regional areas of California with respect to state air quality standards. Local air districts in California play a vital role in such designations at both levels. These classifications depend on whether the monitored ambient air quality data shows compliance, or non-compliance with the ambient air quality standards, respectively. Unclassified means the area is in attainment or there is insufficient data to determine the classification. The SCBG/SCDC site is located within Santa Clara County, under the jurisdiction of the Air District. Table 4.3-2 summarizes the attainment status for each of the criteria pollutants in the Air District with regards to both the federal and state standards.

Table 4.3-2: Attainment Status for the San Francisco Bay Area Air Basin

Pollutant	Averaging Time	Federal Designation	State Designation
Ozone	1 Hour	Nonattainment (Marginal)	Nonattainment (Transitional)
	8 Hour	Nonattainment	Nonattainment (Transitional)
CO	1 Hour	Attainment/Unclassifiable	Attainment
	8 Hour	Attainment/Unclassifiable	Attainment
NO ₂	1 Hour	Attainment/Unclassifiable	Attainment
	Annual AM	Attainment/Unclassifiable	Attainment
SO ₂	1 Hour	Attainment/Unclassifiable	Attainment
	3 Hour	-	-
	24 Hour	-	Attainment
	Annual AM	TBD 2026	-
PM ₁₀	24 Hour	Attainment	Nonattainment
	Annual AM	-	Nonattainment
PM _{2.5}	24 Hour	Nonattainment Moderate	-
	Annual AM (2012)	Attainment/Unclassifiable	Attainment
	Annual AM (2024)	TBD 2026	-
Lead	30-day Avg	-	Attainment
	Calendar Qtr.	-	-
	Rolling 3 Month Avg	Attainment	-
Visibility Reducing PM (VRP)	8 Hour	-	Unclassified
Sulfates	24 Hour	-	Attainment
H ₂ S	1 Hour	-	Unclassified
Vinyl Chloride	24 Hour	-	No information

Source: Bay Area Air Quality District. "Air Quality Standards and Designation Status for the San Francisco Bay Area Basin." Accessed March 2026. <https://www.baaqmd.gov/en/about-air-quality/research-and-data/air-quality-standards-and-attainment-status>.

Existing Ambient Air Quality Conditions

Table 4.3-3 provides the background ambient air concentrations of criteria pollutants for the previous three 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 4.3-3 and used for comparison to the NAAQS and CAAQS.

Table 4.3-3: Measured Ambient Air Quality Concentrations by Year

Pollutant	Units	Average Time	Concentration Value Type	2021	2022	2023	2024
Ozone	ppb	1-Hr	CAAQS-1 st Highs/3-year Max	0.098	0.090	0.087	0.04
Ozone	ppb	8-Hr	CAAQS-1 st Highs/3-year Max	0.084	0.074	0.068	0.035
Ozone	ppb	8-Hr	NAAQS-4 th Highs/3-year Avg	0.072	0.062	0.059	0.034
NO ₂	ppb	1-Hr	CAAQS-1 st Highs/3-year Max	47	47	59	38
NO ₂	ppb	1-Hr	NAAQS-98 th %s/3-year Avg	39	44	44	37
NO ₂	ppb	Annual	CAAQS/NAAQS-AAM/3-year Max	8.73	9.46	9.28	11.7
CO	ppm	1-Hr	CAAQS-1 st Highs/3-year Max	1.7	1.7	1.9	1.4
			NAAQS-2 nd Highs/3-year Max	1.6	1.5	1.6	1.4
CO	ppm	8-Hr	CAAQS-1 st Highs/3-year Max	1.5	1.4	1.4	1.1
			NAAQS-2 nd Highs/3-year Max	1.3	1.3	1.4	1.0
SO ₂	ppb	1-Hr	CAAQS-1 st Highs/3-year Max	1.8	2	35.7	5
			NAAQS-99 th %s/3-year Avg	2	2	2	5
		24-Hr	CAAQS-1 st Highs/3-year Max	0.7	0.9	1.9	0.4
			NAAQS-2 nd Highs/3-year Max	0.5	0.6	0.5	0.4
		Annual	CAAQS/NAAQS-AAM/3-year Max	0.17	0.22	0.09	0.09
PM ₁₀	µg/m ³	24-Hr	CAAQS-1 st Highs/3-year Max	134	42	41	53
			NAAQS-2 nd Highs/3-year 4 th High	91	41	41	48
		Annual	CAAQS-AAM/3-year Max	24.8	20.1	21.3	ND
PM _{2.5}	µg/m ³	24-Hr	NAAQS-98 th %/3-year Avg	23	27	27	24
		Annual	CAAQS –AAM/3-year Max	8.9	10.1	8.2	9.2
			NAAQS-AAM/3-year Avg	8.9	10.1	8.2	9.2

Notes: Values for 158 East Jackson Street, San Jose, CA, and Rumhill Blvd., San Pablo, CA., stations are the nearest BAAD monitoring sites.

No data for any of the Air District counties for year 2025 was available on the EPA AIRS site as of 03/2026. PM10 data for Santa Clara County is not available for years after 2023. PM10 data derived from the closest monitor, i.e., Contra Costa County (San Pablo 0601131004).

Source: California Air Resources Board. "California Air Quality Data Statistics, 2021-2024 Data, ADAM Database." Accessed March 2026. <http://www.arb.ca.gov/adam>.

United States Environmental Protection Agency. "AIRs Data System, Monitor Values for 2021 to 2014," Accessed March 2026. <https://www.epa.gov/outdoor-air-quality-data/monitor-values-report>.

Tables are provided in SubAppendix AQ3 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 4.3-4 represent the derived background concentrations by pollutant for the established averaging times.

Table 4.3-4: Background Air Quality Data Summary

Pollutant and Averaging Time	AQ Data Value	Units	Background Value (µg/m³)
Ozone – 1-hour Maximum CAAQS	0.098	ppm	192.4
Ozone – 8-hour Maximum CAAQS	0.084	ppm	164.9
Ozone – 3-year average 4 th High NAAQS	0.064	ppm	102.1
PM ₁₀ – 24-hour Maximum CAAQS	134	µg/m ³	53
PM ₁₀ - 24-hour 3-year 4 th High NAAQS	41	µg/m ³	48
PM ₁₀ – Annual Maximum CAAQS	24.8	µg/m ³	24.8
PM _{2.5} – 3-Year Average of Annual 24-hour 98 th Percentiles NAAQS	25.7	µg/m ³	26
PM _{2.5} – Annual Maximum CAAQS	10.1	µg/m ³	10.1
PM _{2.5} - 3-Year Average of Annual Values NAAQS	9.1	µg/m ³	9.2
CO – 1-hour Maximum CAAQS	1.9	ppm	2,176
CO - 1-hour High, 2 nd High NAAQS	1.6	ppm	1,832
CO – 8-hour Maximum CAAQS	1.5	ppm	1,603
CO - 8-hour High, 2 nd High NAAQS	1.3	ppm	1,603
NO ₂ – 1-hour Maximum CAAQS	59	ppb	111.0
NO ₂ - 3-Year Average of Annual 98 th Percentile 1-hour Daily Maxima NAAQS	42.3	ppb	78.5
NO ₂ – Annual Maximum CAAQS/NAAQS	9.46	ppb	17.8
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	2	ppb	7.85
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	4.97
SO ₂ – 24-hour High, 2 nd High NAAQS	0.9	ppb	1.6
SO ₂ – Annual Maximum NAAQS	0.22	ppb	0.6

Values for 158 East Jackson Street, San Jose, CA, and Rumhill Blvd., San Pablo, CA., CARB data used for AAM for PM₁₀ for the period 2021-2023.

Conversion of ppm/ppb measurements to µg/m³ concentrations based on:
µg/m³ = ppm x 40.9 x MW, where MW = 48, 28, 46, and 64 for ozone, CO, NO₂, and SO₂, respectively.

4.3.2 Regulatory Background

Federal

At the federal level, EPA is responsible for overseeing implementation of the federal Clean Air Act and its subsequent amendments (CAA). As required by the federal CAA, NAAQS have been established for the criteria pollutants described above.

New Source Performance Standards

The SCBGF will be subject to the applicable New Source Performance Standards (NSPS) standards that are identified below. A description of the applicant's compliance plan to meet each standard is included.

40 CFR Part 60, Subpart IIII

Standards of Performance for Stationary Compression Ignition Internal Combustion Engines became effective July 11, 2006. The diesel engines are subject to Subpart IIII. The proposed engines are EPA Tier 2 rated and will be equipped with Best Available Control Technology (BACT) to meet Tier 4 emissions standards.

Compression Ignition (CI) Diesel Engines Emission Standards

Based on 40 CFR 60.4202, emergency CI engines rated at > 560 kW are subject to the emissions standards in 40 CFR 89.112, Table 1, as follows:

- Tier 4 – NO_x = 0.5 g/brake horsepower (bhp)-hour
- Tier 4 – NMHC = 0.14 g/bhp-hour
- Tier 4 – CO = 2.6 g/bhp-hour
- Tier 4 – PM = 0.02 g/bhp-hour

The proposed diesel-fired engines will be equipped with SCR catalyst systems (or equivalents) and DPF which will result in the engines meeting the EPA/CARB Tier 4 emissions standards, as well as the BACT requirements of the Air District for engines rated at greater than 1000 bhp.

40 CFR Part 60 Subpart ZZZZ

The proposed CI engines are exempt from the requirements of Subpart ZZZZ (63.6590 (c)(1)) if the engines comply with the emissions limitations specified in 40 CFR 60 Subpart IIII. See discussion above.

State

California Air Resources Board

CARB is the state agency that retains authority to regulate mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act. The CARB also establishes and revises the CAAQS.

Regional

Air District's Role in Air Quality

The Air District 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. Air District'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 Commission, the Air District 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, Air District may coordinate the environmental review process with the lead agency regarding Air District's permitting process, provide comments to the Lead Agency regarding potential impacts, and recommend mitigation measures.

The Air District is the primary regional agency responsible for attaining and maintaining air quality conditions in the SFBAAB through a comprehensive program of planning, regulation, and enforcement. Examples of the Air District's primary air plans and regulations are described below. This section also briefly describes the regulations which would apply to the SCBGF as set forth in the Air District Rules and Regulations. The Project will require a New Source Review permit with the Air District.

Clean Air Plan

The 2017 Bay Area Clean Air Plan was adopted by the Air District on April 19, 2017, and provides a regional strategy to protect public health and protect the climate. The 2017 Bay Area Clean Air Plan updates the most recent Bay Area ozone plan, as well as the 2010 Clean Air Plan, and is a multi-pollutant air quality plan addressing four categories of air pollutants:

- 1) Ozone and the primary ozone precursor pollutants (VOCs and NO_x)
- 2) Particulate matter (PM₁₀ and PM_{2.5}), as well as their precursors
- 3) TACs/HAPs
- 4) Greenhouse gases

Air District Regulation 2, Rule 2 – New Source Review (NSR)

This rule applies to all new or modified sources requiring a Permit to Operate for any new source with actual or potential emissions above the rule trigger limits. The rule also specifies when BACT is required, when offsets are required and the offset ratios, as well the requirements for the required impact analyses, etc.

BACT Requirements (Air District Policy)

A review of BACT for CI-Stationary Emergency Standby engines rated at greater than 1000 BHP (Air District Policy Memo, BACT Determination for Diesel Back-Up Engines Greater than or equal to 1,000 Brake Horsepower, 12/21/2020) indicates that BACT for engines in the stated size range must be in compliance with the EPA Tier 4-Final standards as follows:

- PM 0.02 g/bhp-hour
- NO_x = 0.5 g/bhp-hour
- NMHC = 0.14 g/bhp-hour
- CO = 2.6 g/bhp-hour
- SO₂ = fuel sulfur content not to exceed 15 parts per million weight (0.005 g/bhp-hour)

The engines proposed for the SCBGF, which are all rated at greater than 1,000 BHP will meet these requirements, so BACT is satisfied.

Additionally, the use of DPF on both engine types will reduce the PM emissions to less than or equal to 0.02 g/bhp-hour (the Tier 4 compliance level).

NSR Offset Requirements

Required emissions offsets as identified in this application will be obtained in compliance with the Regulation 2 Rule 2 NSR rule provisions in Section 302. These provisions are discussed as follows:

- Pursuant to the Air District NSR Rule (Regulation 2 Rule 2), section 2-2-302, offsets must be provided for NO_x or POC (VOC is used in this application), for any source with potential emissions greater than 10 tons/year. For sources which emit NO_x or VOC in excess of 10 (tons per year) tpy but less than 35 tpy, these offsets can be provided by either of the two methods outlined in subsections 302.1.1 or 302.1.2 as follows; (1) the APCO must provide the required offsets from the Small Facility Bank Account, or (2) if the Small Facility Bank Account is exhausted then it is the responsibility of the Applicant to provide the required offsets to mitigate the proposed emissions net increase. VOC emissions from the proposed facility are less than 10 tpy, so VOC offsets are not required under the District NSR rule. NO_x emissions for the proposed facility are greater than 10 tpy but less than 35 tpy, and as such, NO_x offsets must be secured at a ratio of 1.15:1 for any un-offset cumulative increase in emissions. Presently, NO_x offsets cannot be acquired from the Small Facility Offset Bank so the applicant, as required by Air District rules, will supply the offsets through the purchase of emission reduction credits pursuant to option (2) above pursuant to the Air District guidance Policy Memo dated 6/3/2019 (Calculating PTE for Emergency Backup Power Generators).
- Offset mitigation for PM₁₀, PM_{2.5}, and sulfur dioxide emissions is addressed in Section 2-2-303. This section specifies that offsets are only required if the source has the potential to emit any of these pollutants in excess of 100 tons per year. Emissions of PM₁₀, PM_{2.5}, and SO₂ are well below the 100 tpy threshold value, therefore mitigation for emissions at these low emissions levels is not warranted, and such mitigation is not required under Regulation 2 Rule 2.

Air District Regulation 9 Rule 8 – NO_x and CO from Stationary Internal Combustion Engines

- Section 9-8-304 requires that emergency CI engines rated at greater than 175 bhp meet the following limits (at 15% O₂ dry basis): NO_x 110 ppm and CO 310 ppm. Section 9-8-110.5 exempts “emergency standby engines” from this requirement. Therefore, the proposed facility generators will be exempt from this requirement.
- Section 9-8-330 requires that emergency CI engines be limited to non-emergency operations of less than or equal to 50 hours per year. Based on Section 9-8-330, the engines will be limited to no more than 50 hours per year.
- Section 9-8-530 requires that each engine be equipped with a non-resettable totalizing meter, and the following must be logged and reported to the AQMD:
 - a. Total hours run each year
 - b. Total hours of emergency operation per year
 - c. Specify the nature of each emergency operation

Each of the facility generators will be equipped with a non-resettable totalizing meter and the total hours of emergency operation per year and the nature of emergency operations will be documented.

Except as noted for the requirements of Section 9-8-304 above, the proposed engine models will comply with the applicable requirements.

Air District Regulation 2, Rule 5 – New Source Review of Toxic Air Contaminants

This rule provides for the review of new and modified sources of TAC emissions to evaluate potential public exposure and health risk. The rule also specifies when toxics-BACT is required, trigger limits for further analysis based on substance specific emissions levels (both short and long term), risk assessment procedures, etc. Emergency standby engines have a limited exemption from Regulation 3 Rule 5 Section 2-5-111 which reads as follows: Limited Exemption, Emergency Standby Engines: This rule shall not apply to toxic air contaminant emissions occurring from emergency use of emergency standby engines (as defined in Regulation 9, Rule 8, Section 231 or the applicable CARB ATCM)³⁹; or from initial start-up testing; or from emission testing of emergency standby engines required by the Air Pollution Control Officer.

4.3.3 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) 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?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Note: Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the determinations.

The discussion below includes analysis of the construction and operation of the SCBGF/SCDC. The Applicant has commissioned an air quality and GHG analysis related to the construction and operation of the Hellyer Switching Station and PG&E transmission line. This analysis will be submitted under a separate cover.

4.3.3.1 Significance Thresholds

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgment on the part of the lead agency and must be based to the extent possible on scientific and factual data. The Commission has considered

³⁹ California Code of Regulations, Title 17, 93115-93115.15, Final Regulation Order, Airborne Toxic Control Measure for Stationary Compression Ignition Engines, May 19, 2011.

the air quality thresholds updated by the Air District in April 2023 and regards these thresholds to be based on the best information available for the SFBAAB and conservative in terms of the assessment of health effects associated with TACs and PM_{2.5}. The Air District CEQA Air Quality thresholds for criteria air pollutants and fugitive dust used in this analysis are identified in Table 4.3-5. Table 4.3-6 below lists the Air District health risk and hazards thresholds for single-source and cumulative-sources.

Table 4.3-5: Bay Area Air District Air Quality Significance Thresholds

Criteria Air Pollutant	Construction Thresholds*	Operation Thresholds	Operation Thresholds
	Average Daily Emissions (pounds/day)	Average Daily Emissions (pounds/day)	Annual Average Emissions (tons/year)
ROG and NO _x	54	54	10
PM ₁₀	82 (exhaust)	82	15
PM _{2.5}	54 (exhaust)	54	10
CO	Not Applicable	9.0 ppm (eight-hour) or 20.0 ppm (one-hour)	
Fugitive Dust	Dust Control Measures/Best Management Practices	Not Applicable	

Notes: ROG = reactive organic gases; NO_x = oxides of nitrogen; PM₁₀ = respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less; PM_{2.5} = fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less; CO = carbon monoxide

* The Air District recommends for construction projects that require less than one year to complete, lead agencies should annualize impacts over the scope of actual days that peak impacts would occur rather than over the full year. Additionally, for phased projects that results in concurrent construction and operational emissions. Construction-related exhaust emissions should be combined with operational emissions for all phases where construction and operations overlap.

Source: Bay Area Air Quality Management District. *2022 California Environmental Quality Act Air Quality Guidelines*. April 2023. Pages 3-5 and 3-6.

Table 4.3-6: Bay Area Air District Health Risks and Hazards Thresholds

Health Risk	Single Source	Combined Cumulative Sources
Cancer Risk	10 per one million	100 per one million
Non-Cancer Hazard Index	1.0	10.0
Annual PM _{2.5} Concentration	0.3 µg/m ³	0.8 µg/m ³ (average)

Notes: µg/m³ = micrograms per cubic meter; PM_{2.5} = fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less

Thresholds are applicable to construction and operational activities.

Source: Bay Area Air Quality Management District. *2022 California Environmental Quality Act Air Quality Guidelines*. April 2023. Pages 3-5 and 3-6.

4.3.3.2 *Project Impacts*

- a) Would the project conflict with or obstruct implementation of the applicable air quality plan?
-

The Project would not conflict with or obstruct the implementation of the applicable air quality plan due to the following:

- The Project will comply with all applicable rules and regulations of the Air District regarding emissions of criteria pollutants.
- The Project will comply with all applicable rules and regulations of the Air District regarding emissions of toxic pollutants.
- The proposed engines at the Project will be certified with or comply with the applicable federal Tier 4 emissions standards for emergency standby electrical generation CI engines.
- The Project will comply with all applicable provisions of the 2017 Air District Air Quality Implementation Plan.
- The Project will obtain and maintain all required air quality related permits from the Air District, and requirements imposed by the Commission.

For these reasons, impacts would be less than significant. **(Less than Significant Impact)**

- b) Would the project 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?
-

As discussed below in Section 4.3.3.3 Project Emissions, Air Quality Impact Analysis, and Health Risk Assessment, the Project would not 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, due to the following:

- The use of best management practices during the construction phase will ensure that the emissions do not result in a cumulative considerable net increase of any non-attainment pollutants. These emissions are generally short term in nature and vary widely from day to day.
- The project will comply with the current BACT and Toxics BACT standards as adopted by the Air District.
- See offset mitigation requirements under the NSR discussion above, which is applicable to NO_x emergency generator testing and maintenance operational emissions (refer to Table 4.3-12).

For these reasons, impacts would be less than significant. **(Less than Significant Impact)**

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

The project would not expose sensitive receptors to substantial pollutant concentrations due to the following:

- The air quality impact analysis presented herein shows that the project will not cause or contribute to a violation of any state or federal ambient air quality standard.
- The construction and operational health risk assessments presented herein indicate that the emissions of toxic air contaminants from the Project will not cause a significant risk, as defined using the thresholds presented in Table 4.3-6 above, to any sensitive or non-sensitive receptor with respect to cancer, chronic, or acute impacts.

For these reasons, impacts would be less than significant. **(Less than Significant Impact)**

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

The Project would not result in other emissions or odors that would adversely affect a substantial number of people due to the following:

- Similar facilities, both larger and smaller in scale, have not been identified as sources of odors that would adversely affect off-site receptors.
- The Project is not one of the Project types listed in the Air District CEQA guidelines as producing odors that may affect off-site receptors.
- The applicant has not identified any operational or construction practices, which are planned for use at the Project Site, which would generate substantial amounts of odors that would affect off-site receptors.

4.3.3.3 *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 SubAppendix AQ4. On-site 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 on-site construction equipment. Construction emissions from the Project include emissions from the SCBGF and SCDC. Off-site construction emissions will be derived

primarily from materials transport to and from the site, worker travel, etc. Emissions from the continuous approximate 38-month construction period were estimated using the California Emissions Estimator Model (CalEEMod) program. Estimated criteria pollutant construction emissions for the Project are summarized in Table 4.3-7.

Construction of the project is tentatively scheduled to commence in January 2028. Construction support data and the CalEEMod analysis output are presented in SubAppendix AQ4. The Air District 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. Air District 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 1,000 feet of the site boundary, community risk impacts from construction activities would be less than significant.

Table 4.3-7: Mitigated Criteria Pollutant Emissions from Construction Activities

Scenario/Year	NO _x	CO	VOC	SO _x	PM ₁₀ (Exhaust)	PM _{2.5} (Exhaust)	CO ₂ e (metric tons)
Max Construction Year	2027	2027	2028	2027	2027	2027	2027
Max Construction Year (tons)	0.7093	2.7237	3.06	0.00418	0.00920	0.01323	390.34
Construction Period (tons/year)	1.034	3.75	3.11	0.0058	0.0124	0.0132	537.02
Average Daily Emissions (pounds)	4.546	17.459	19.62	0.02679	0.05897	0.08481	
Air District Significance Thresholds (pounds/day)	54	-	54	-	82	54	-
Exceeds Thresholds	No	NA	No	NA	No	No	NA

Notes: Construction schedule for the project will be approximately 16 months, 25 days per avg month, or ~ 416 days.

12 month const period = 312 workdays.

Proposed work period will be 10 hours/day, 25 days/month. The 10 hours/day timeframe is reduced by 2 hours/day due to labor work breaks and equipment maintenance and fueling periods.

Average daily emissions are based on the max construction year as noted above.

Source: ADI CalEEMod analysis, March 2026 contained in SubAppendix AQ4.

As shown in Table 4.3-7, construction of the Project would not generate VOCs, NO_x, SO_x, PM₁₀ and PM_{2.5} emissions in excess of Air District's numeric significance thresholds. The Air District's CEQA Guidelines consider fugitive dust impacts to be less than significant through the application of best management practices (BMPs). These measures are included in the Project as a PDM.

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.

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 TAC considered to result from operation of the Project. Detailed operation emission calculations are presented in SubAppendix 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, off-site 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:

- 42 – CAT 3516E HPD diesel-fired engines, each rated at 4,393 HP (3,000 kilowatts of electrical power) at 100 percent Load
- 2 – CAT 3512C diesel-fired engines, each rated at 2,206 HP (1,500 kilowatts of electrical power) at 100 percent 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 DPFs to reduce the diesel particulates to less than or equal to 0.02 grams/brake horse-power 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 Air District 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.

The SCDC building (which will be comprised of six data halls) will be equipped with the following systems to provide cooling for the data center and administrative areas:

Each of the six data halls will be equipped with:

- Six chillers plus one additional chiller (for redundancy) for a total of seven chillers
- Model-GeoClima TMA 4D2100B (C32 13 1W) (see specifications in SubAppendix AQ-2)
- Proposed refrigerant: R513A with a current GWP value of 629.5
- System leak rate will be less than or equal to 5 percent per year.
- Each chiller will hold a refrigerant charge of 1340.4 lbs.

The above results in a total system comprised as follows:

- 42 chillers
- Total system refrigerant charge of approximately 56,297 pounds

The cooling system will not use water therefore no contaminated water will be discharged to the atmosphere.

SubAppendix AQ1 presents the detailed emissions calculations for the proposed engines, fuel storage tanks, and cooling systems (refrigerant losses). SubAppendix 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 SubAppendix AQ1. The 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. The DPM emissions resulting from diesel stationary combustion were assumed equal to PM₁₀ and PM_{2.5} emissions. For conservative evaluation purposes, it was assumed that testing would occur for no more than 50 hours per year, which is the limit specified by the Airborne Toxic Control Measure for Stationary Toxic Compression Ignition Engines (Title 17, Section 93115, CCR)⁴⁰. 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 percent load. For purposes of this application, emissions were assumed to occur at 100 percent load. Tables AQ1-1 and AQ1-2 in SubAppendix AQ1 present the engine emissions based upon the 100 percent load point, number of engines tested, etc. The Ammonia emissions, calculated as slip from the SCR on the engines, is also provided in SubAppendix AQ1. The engines were evaluated for the following emissions scenarios:

⁴⁰ California Code of Regulations, Title 17, 93115-93115.15, Final Regulation Order, Airborne Toxic Control Measure for Stationary Compression Ignition Engines, May 19, 2011.

- CAT 3516E HPD Engines:
 - Each large engine running for 100 hours per year for Declared Emergency operations, at 100 percent load, at the guaranteed emissions levels from the Tier 4 control systems. Due to the speculative nature of this analysis, it is performed only to assess whether the project could trigger offsets in accordance with Air District guidance and should not be used for CEQA purposes.
 - Each large engine running for 50 hours per year for Maintenance and Readiness operations, at 100 percent 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.
- CAT 3512C Engines:
 - Each small engine running for 100 hours per year for Declared Emergency operations, at 100 percent load, at the guaranteed emissions levels from the Tier 4 control systems. Due to the speculative nature of this analysis, it is performed only to assess whether the project could trigger offsets in accordance with Air District guidance and should not be used for CEQA purposes.
 - Each small engine running for 50 hours per year for Maintenance and Readiness operations, at 100 percent 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 (Table 4.3-8, Table 4.3-9, Table 4.3-10, and Table 4.3-11) 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 of the 3516E HPD engines will be tested on any day (and the eight engines will not be run concurrently).

Table 4.3-8: Emergency Operations Emissions Summary for CAT 3516E HPD and CAT 3512C Engines

Period	NO _x	CO	VOC	SO ₂	PM ₁₀ /PM _{2.5}	CO _{2e}
CAT 3516E HPD						
Max Hourly, pounds	174.33	906.51	48.81	1.74	6.97	-
Max Daily, pounds	4,183.90	21,756.29	1,171.49	41.84	167.36	-
Max Annual, tons	8.72	45.33	2.44	0.09	0.35	8,371.44
3516E HPD as defined above. 100 hours/yr emergency operations. A total of 36 engines in operation. The redundant engines are not run during emergencies.						
CAT 3512C						
Max Hourly, pounds	4.86	25.29	1.36	0.05	0.19	-
Max Daily, pounds	116.72	606.96	32.68	1.17	4.67	-
Max Annual, tons	0.24	1.26	0.07	0.002	0.010	230.53
3512C as defined above. 100 hours/year emergency operations. A total of two engines in operation.						

Table 4.3-9: Maintenance and Readiness Testing Emissions Summary for CAT 3516E HPD and CAT 3512C Engines (50 Hours per Year)

Period	NO _x	CO	VOC	SO ₂	PM ₁₀ /PM _{2.5}	CO _{2e}
CAT 3516E HPD						
Single Engine Max Hourly, pounds	24.21	25.18	1.36	0.05	0.194	-
8 Engines	193.7	201.45	10.85	0.39	1.55	-
Max Daily, pounds						
All Engines	25.42	26.44	1.42	0.05	0.20	4,883.34
Max Annual, tons						
CAT 3512C						
Single Engine Max Hourly, pounds	12.16	12.65	1.07	0.024	0.097	-
Single Engine	24.32	25.29	2.14	0.049	0.195	-
Max Daily, pounds						
All Engines	0.61	0.63	0.05	0.001	0.005	115.26
Max Annual, tons						

Table 4.3-10: Emergency Operations Emissions Summary for CAT 3516E HPD and CAT 3512C Engines

Period	NO _x	CO	VOC	SO ₂	PM ₁₀ /PM _{2.5}	CO _{2e}
CAT 3516E HPD						
Max Annual, tons	8.72	45.33	2.44	0.09	0.35	8371.44
CAT 3512C						
Max Annual, tons	0.24	1.26	0.07	0.002	0.010	230.53

Table 4.3-11: Maintenance and Readiness Testing Emissions Summary for CAT 3516E HPD and CAT 3512C Engines

Period	NO _x	CO	VOC	SO ₂	PM _{10/2.5}	CO _{2e}
CAT 3516E HPD						
Max Annual, tons	25.42	26.44	1.42	0.05	0.20	4,883.34
CAT 3512C						
Max Annual, tons	0.61	0.63	0.05	0.001	0.005	115.26

Table 4.3-12 below presents the maximum daily and annual emissions data for the various testing scenarios in comparison to the Air District CEQA significance thresholds.

Table 4.3-12: Facility Scenario Emissions and Air District CEQA Significance Levels (Maintenance and Readiness Testing)

Scenario/ Pounds Per Day	NO _x	CO	VOC	SO ₂	PM ₁₀	PM _{2.5}
Air District CEQA Thresholds	54	NA	54	NA	82	54
Worst Case Daily Engine Emissions ¹	193.7	201.45	10.85	0.39	1.55	1.55
Fuel VOC Losses	-	-	0.1051	-	-	-
Daily Emissions	193.7	201.45	10.85	0.39	1.55	1.55
Significance Threshold Exceeded	Yes	NA	No	NA	No	No
Tons Per Year	NO _x	CO	VOC	SO ₂	PM ₁₀	PM _{2.5}
Air District CEQA Thresholds	10	AAQS	10	NA	15	10
Fuel VOC Losses	-	-	0.0191	-	-	-
Worst Case Annual Engine Emissions ²	25.52	27.07	1.47	0.051	0.205	0.205
Annual Emissions	25.52	27.07	1.49	0.051	0.205	0.205
Significance Threshold Exceeded	Yes	NA	No	NA	No	No

¹ Based on the emissions for an eight engine test day (8 – 3516E HPD engines).

² Based on the summation of the CAT 3516E HPD and CAT 3512C engines.

Note: CO_{2e} emissions are 4,998.6 tons per year (4,533.9 metric tons per year) from Maintenance and Readiness Testing.

The following should be noted with respect to Table 4.3-12 above.

- NO_x emissions exceed the Air District CEQA significance levels on the days when the eight engine Maintenance and Readiness tests occur, and on a tons per year basis (total emissions from all engines).
- The emissions of NO_x may be mitigated through the participation in the Air District ERC Bank, or other alternative methods as negotiated with the Air District.

Fuel Storage (Working and Breathing) VOC Emissions

Each stacked pair of the large CAT 3516E HPD engines will be equipped with an approximate 10,400-gallon belly storage tank, while the upper engine of the pair will also have a 500-gallon day tank. Each of the CAT 3512C engines will be equipped with an approximate 4,000-gallon belly storage tank. VOC working and breathing losses (for the 44 proposed tanks) are presented in Appendix AQ-1, and summarized as follows⁴¹:

- Total VOC losses = 0.0191 tpy or 38.4 pounds per year or 0.1051 pounds per day

GHG Emissions from Refrigerant Use

GHG emissions from the cooling systems using refrigerants are as follows:

- 885.97 tpy or 803.60 metric tons per year

SF₆ Use in Electrical Breakers

SF₆ Emissions resultant from electrical breaker leakage are as follows:

- 20.3 metric tons/year

Table 4.3-13 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 Air District permitting policy criteria.

Table 4.3-13: Air District 150 Hours per Year Emissions Summation (Tons per Year)

Engines	NO _x	CO	VOC	SO ₂	PM _{10/2.5}	CO ₂ e
CAT 3516E HPD + CAT 3512C	35.0	73.67	3.98	0.142	0.015	13,601

Note: Summation for both engine types.
The total metrics tons of CO₂e equates to 12,336.5 metric tons.
These values are NOT the NSR offset applicability values.

Table 4.3-14 presents data on the DPM emissions levels (worst case) for both models of engines.

⁴¹ Compilation of Air Pollution Emission Factors, Volume I, Fifth Edition; AP-42, USEPA, as amended May 28, 2025
<https://www.epa.gov/air-emissions-factors-and-quantification/ap-42-compilation-air-emissions-factors-stationary-sources>. See Appendix AQ1, Tables AQ1-3,-4,-5.

Table 4.3-14: Toxic Air Contaminant (DPM) Emissions from the Proposed Engines (Per Engine Basis)

Scenario/ DPM Emissions	CAT 3516E HPD	CAT 3512C
Maximum Annual, pounds	9.701	4.850
Maximum Hourly, pounds	0.194	0.097
Notes: DPM is the approved surrogate compound for diesel fuel combustion for purposes of health risk assessment. Annual emissions for each engine are based on the max allowed runtime of 50 hours per year, Maintenance and Readiness testing as defined.		

Table 4.3-15 presents the hourly and annual fuel use values for the Maintenance and Readiness operational scenario as outlined above.

Table 4.3-15: Maintenance and Readiness Testing Engine Fuel Use Values

Scenario/ Fuel Use, gallons (per engine basis)	CAT C175	CAT 3512C
Maximum Hourly, gallons	208.2	103.2
Maximum Annual, gallons	10,410	5,160
Total Annual Fuel Use (All Engines)		
Annual Fuel Use, gallons	447,540	

Miscellaneous Operational Emissions

Miscellaneous emissions from SCDC/SCBGF operational activities (subsequent to full buildout) such as worker travel, deliveries, energy and fuel use for facility electrical, heating, and cooling needs, periodic use of architectural coatings, landscaping, etc. were evaluated by CalEEMod. These emissions are presented in Table 4.3-16.

Table 4.3-16: Miscellaneous Operational Emissions

Scenario/Pounds per Day	NO _x	CO	VOC	SO ₂	PM ₁₀ Exhaust	PM _{2.5} Exhaust
Average Daily Emissions	3.6	15.93	14.12	0.03	0.273	0.268
Air District CEQA Thresholds	54	NA	54	NA	82	54
Exceeds Thresholds	No	NA	No	NA	No	No
Scenario/Tons per Year						
Annual Emissions	0.66	2.91	2.58	0.005	0.05	0.049
Air District CEQA Thresholds	10	NA	10	NA	15	10
Exceeds Thresholds	No	NA	No	NA	No	No

Note: Assumes the full buildout and data center is manned 365 days/year. This table does NOT include the emissions from the emergency engines. All source categories include mobile worker travel, deliveries, energy use, fuel use, waste disposal, water use, and miscellaneous area sources.

Source: ADI CalEEMod analysis, March 2026, SubAppendix AQ4.

GHG Operations Emissions

A summary of GHG operational emissions is as follows:

- Miscellaneous Operations (Area, energy, mobile, waste, water) = 1,230.1 metric tons CO₂e/year
- Emergency Engines (Maintenance and Readiness Testing only) = 4,533.9 metric tons CO₂e/year
- Refrigerant leakage emissions = 803.6 metric tons CO₂e/year
- SF₆ Breaker emissions = 20.3 metric tons CO₂e/year
- 99 MW of energy use, 8,760 hours/year, PG&E Carbon Intensity Factor 206 pounds CO₂/MW-hour = 81,000.2 metric tons CO₂e/year⁴²

Total CO₂e emissions from stationary source facility operations are: 5,357.8 metric tons CO₂e/Year. This value is below the Air District significance level of 10,000 metric tons/year for operations of stationary sources.

Air Quality Impact Analysis

Modeling Overview

The evaluation of the potential air quality impacts and health risks were based on the estimate of the ambient air concentrations that could result from SCBGF air emission sources. This section discusses the selection of the dispersion model, the data that was used in the dispersion model (pollutants modeled with appropriate averaging times, source characterization, building downwash, terrain, and meteorology), etc.

Assessments of ambient concentrations resulting from pollutant emissions (called air quality impacts) are typically conducted using EPA-approved air quality dispersion models. These models are based on mathematical descriptions of atmospheric diffusion and dispersion processes in which a pollutant source impact can be calculated over a given area and for a specific period of time (called averaging period). By using mathematical models, the assessment of emissions can be determined for both existing sources as well as future sources not yet in operation. Inputs required by most dispersion models, which must be specified by the user, include the following:

- Model options, such as averaging time to be calculated,
- Meteorological data, used by the model to estimate the dispersion conditions experienced by the source emissions,

⁴² Note: The emissions noted above (i.e., 81,000.2 metric tons CO₂e/year) are not emitted at the project facility. These emissions result from power generation across the PG&E system, and as such they are reported by PG&E on a specific generating facility basis. These emissions are not part of the project facility inventory. In addition, it should not be implied that “new” fossil fuel generation capacity will be required to be added to the PG&E system to supply the data center needs.

- Source data, such as source location and characteristics – stack emissions like those considered here are modeled as “point” sources, which require user inputs of the release height, exit temperature and velocity, and stack diameter (used by the dispersion model to estimate the mechanical and buoyant plume rise that will occur due to the release of emissions from a stack), and
- Receptor data, which are the location(s) of the given area where ambient concentrations are to be calculated by the dispersion model.

Model Selection

To estimate ambient air concentrations, the latest version of the AERMOD (Version 24142)⁴³ dispersion model was used. AERMOD is appropriate for use in estimating ground-level short-term ambient air concentrations resulting from non-reactive buoyant emissions from sources located in simple, intermediate, and complex terrain. AERMOD is the preferred guideline model recommended by EPA for these types of assessments and is based on conservative assumptions (i.e., the model tends to over-predict actual impacts by assuming steady state conditions, no pollutant loss through conservation of mass, no chemical reactions, etc.). AERMOD is capable of assessing impacts from a variety of source types such as point, area, line, and volume sources (as noted above, point source types are used to model stack sources like the SCBGF engine emissions); downwash effects; gradual plume rise as a function of downwind distance; time-dependent exponential decay of pollutants; and can account for settling and dry deposition of particulates (all SCBGF emissions were conservatively modeled as non-reactive gaseous emissions). The model is capable of estimating concentrations for a wide range of averaging times (from one hour to the entire period of meteorological data provided).

AERMOD calculates ambient concentrations in areas of simple terrain (receptor base elevations below the stack release heights), intermediate terrain (receptor base elevations between stack release and final plume height), and complex terrain (receptor base elevations above final plume height). AERMOD assesses these impacts for all meteorological conditions, including those that would limit the amount of final plume rise. Plume impaction on elevated terrain, such as on the slope of a nearby hill, can cause high ground level concentrations, especially under stable atmospheric conditions. Due to the relatively flat nature of the SCBGF Project terrain area, including the surrounding properties, plume impaction effects would not be expected to occur. AERMOD also considers receptors located above the receptor base elevation, called flagpole receptors.

Another dispersion condition that can cause high ground level pollutant concentrations is caused by building downwash. Building downwash can occur during high wind speeds or a building or structure is in close proximity to the emission source. This can result in building wake effects where the plume is drawn down toward the ground by the lower pressure region that exists in the lee side (downwind) of the building or structure. This AERMOD feature was also used in modeling the SCBGF emission sources as described later.

⁴³ United States Environmental Protection Agency. *User's Guide for the AERMOD Dispersion Models, User's Guide to the Building Profile Input Program (Revised)*, EPA-454/B-24-007, Office of Air Quality Planning and Standards. November 2024.

Model Input Options

Model options refer to user selections that account for conditions specific to the area being modeled or to the emissions source that needs to be examined. AERMOD also supplies recommended defaults for the user for other model options. This analysis was conducted using AERMOD in the regulatory default mode, which includes the following additional modeling control options:

- adjusting stack heights for stack-tip downwash,
- using upper-bound concentration estimates for sources influenced by building downwash from super-squat buildings,
- incorporating the effects of elevated terrain,
- employing the EPA-recommended calms processing routine, and
- employing the EPA-recommended missing data processing routine.

Calculation of chemical concentrations for use in the impact and exposure analysis requires the selection of appropriate concentration averaging times. Average pollutant concentrations ranging from one hour to annual based on the meteorological data were calculated for each SCBGF source and the facility in total.

Site Urban/Rural Classification

The Land Use/Land Classification data from 2023 were analyzed within a three-kilometer radius around the project site. The Land Use/Land Classification data shows that within the three-kilometer radius around the Project Site, the region can be characterized as urban, made up largely of commercial, industrial, transportation and mid to high density residential. Figure AQ3-1 in SubAppendix AQ3 presents the results of this analysis. In accordance with the Auer land use classification methodology (EPA's "Guideline on Air Quality Models"), land use within the area circumscribed by a three-kilometer radius around the facility is greater than 50 percent urban. Therefore, in the AERMOD modeling analyses, urban coefficients were assigned.

The 2022 AERMOD Implementation Guide provides the following recommendations for assigning an urban population number in AERMOD.

For urban areas adjacent to or near other urban areas, or part of urban corridors, the user should attempt to identify that part of the urban area that will contribute to the urban heat island plume affecting the source(s). If this approach results in the identification of clearly defined MSAs, then census data may be used as above to determine the appropriate population for input to AERMOD. Use of population based on the Consolidated MSA (CMSA) for applications within urban corridors is not recommended, since this may tend to overstate the urban heat island effect. Similarly, for application sites that are in isolated areas of dense population but are not representative of the larger MSA, care should be taken to determine the extent of the urban area that will contribute to the urban heat island plume affecting the source(s).

For situations where MSAs cannot be clearly identified, the user may determine the extent of the area, including the source(s) of interest, where the population density exceeds 750 people per square kilometer. The combined population within this identified area may then be used for input to the AERMOD model.

Dispersion within urban environments has different characteristics than that occurring in a rural environment. The urban boundary layer will behave in a more convective, turbulent manner during the hours just after sunset due to the urban heat island effect.

Using the Project site as general center point, the San Jose 2020 census areas was used to establish the urban population values as inputs into AERMOD. A population of 997,368 persons was used for South San José. Based on the population of 997,368, this value was used for the population input into AERMOD. This combined population would present a conservative and appropriate magnitude of the urban heat island effects within the impact areas surrounding both sites.

Meteorological Data – Modeling Inputs

AERMOD requires a meteorological input file to characterize the transport and dispersion of pollutants in the atmosphere. Surface and upper air meteorological data inputs, along with surface parameter data describing the land use and surface characteristics near a site, are used as inputs into the AERMET meteorological preprocessor. The output files generated by AERMET consist of the surface and upper air meteorological input files required by AERMOD.

AERMOD uses hourly meteorological data to characterize plume dispersion. AERMOD calculates the dispersion conditions for each hour of meteorological data for the emission sources modeled at the user-specific receptor locations. The resulting one-hour impacts are then averaged by AERMOD for the averaging time(s) specified by the user (accounting for calm winds and missing meteorological data as specified in the model options). Meteorological data from the San José International Airport were provided by the Air District for the five years of 2013 through 2017, inclusive. The representativeness of the meteorological data is dependent on the proximity of the meteorological monitoring site to the area under consideration; the complexity of the terrain, the exposure of the meteorological monitoring site, and the period of time during which the data are collected. The data was collected approximately three kilometers from the eastern edge of the SCBGF project boundary and was provided by the Air District as the most appropriate meteorological data for this modeling analysis. The data were processed by Air District with AERMET (version 18081), AERMOD's meteorological data preprocessor module.

The Air District SCBGF meteorological data consists of surface measurements including wind speed, wind direction, temperature, and solar radiation, which were combined with National Weather Service upper air data from the Oakland International Airport. The EPA-recommended 90 percent completeness criteria are met for all modeled parameters in the Air District meteorological data.

Building Downwash and Receptors – Modeling Inputs

The effects of building downwash on facility emissions were included in the modeling assessment. The Plume Rise Model Enhancements to the EPA Building Profile Input Program (BPIP-PRIME, version 04274) was used to determine the direction-specific building downwash parameters. The PRIME enhancements in AERMOD calculate fields of turbulence intensity, wind speed, and slopes of the mean streamlines as a function of projected building shape. Using a numerical plume rise model, the PRIME enhancements in AERMOD determine the change in plume centerline location and the rate of plume dispersion with downwind distance. Concentrations are then predicted by AERMOD in both the near and far wake regions, with the plume mass captured by the near wake treated separately from the uncaptured primary plume and re-emitted to the far wake as a volume source. Figure AQ3-2 in SubAppendix AQ3 presents the building data used in the downwash analysis.

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 latest version of AERMAP (version 24142) was used to determine receptor elevations and hill-slope factors utilizing USGS's 1-degree square National Elevation Dataset (NED). NED spacings were 1/3 inches (approximately 10 meters) for the fence line, 20-meter, 50-meter, and 100-meter spaced receptor grids and one inch (approximately 30 meters) for 200-meter and 500-meter spaced receptor grids and sensitive receptors. Flagpole receptors were generated for the two- and three-story residential areas just north of the Project Area. Electronic copies of the BPIP-PRIME and AERMAP input and output files, including the NED data, are included with the application will be submitted to Staff electronically. Figure AQ3-3 in SubAppendix AQ3 presents the receptor grids used in the modeling analyses.

Source Data – Modeling Inputs

Emissions and stack parameters for the 44 Caterpillar diesel engines are presented in SubAppendix AQ-1 and AQ-3 and were used to develop the modeling inputs. Stack parameters (e.g., stack height, exit temperature, stack diameter, and stack exit velocity) were based on the parameters given by the engine manufacturer and the Applicant. Stack locations for the proposed sources were matched to show their actual location based on the proposed facility plot plan. SubAppendix AQ-3 presents the locations of the SCBGF sources, and the building outlines considered in the downwash analysis. Stack base elevations were given a common base elevation based on the range of elevations calculated with AERMAP for the stack locations.

Impact Analysis Summary

Operation

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 10 to 100 percent. To determine the maximum for the short-term hourly average impacts, a screening analysis was prepared for the engine loads from 10, 25, 50, 75 and 100 percent. The results of the load screening assessment identified that the 100 percent load case always produced the highest ground level concentrations. From the load screening, the 100 percent load stack parameters and emission rates were used for each of the proposed 44 engines. Each engine was assigned its own source group to identify which engine location would produce the largest ground level concentrations for the 1-hour, 8-hour, and 24-hour averaging periods. The engines were assumed to be tested anytime from 7:00 AM to 5:00 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 eight hours/day (7:00 AM to 5:00 PM) to conservatively represent eight different engines operating one hour each in any one day for 3-hour, 8-hour, and 24-hour averaging times. Thus, using the worst-case stack condition, the worst-case engine location could be determined from the screening analysis. All 44 engines were assumed to be tested for annual averages, with emissions proportioned accordingly. The screening results are presented in SubAppendix AQ-3.

Based on the results of the screening analyses, all SCBGF 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 NO_2 and SO_2 and 24-hour $\text{PM}_{2.5}$ and PM_{10}). Impacts during normal testing operations were based on the worst-case engine location, taken from the engine screening analyses which were used to identify the worst-case location. Since the engines will each be tested less than or equal to 50 hours/year, the annual average emission rate was converted into a 1-hour NO_2 and SO_2 emission rate for the NAAQS modeling analyses. For the CAAQS, the maximum hourly emission rates were used for the short-term standards.

For the 1-hour NO_2 modeling assessments, the Ambient Ratio Method Version 2 (ARM2) was used in the modeling analyses with an in-stack NO_2/NO_x ratio of 0.5 (50 percent) based on EPA Guideline requirements. This is conservative as the NO_2/NO_x ratios for these types of engines are typically around 10 percent, as per the EPA's ISR database.

The highest NO_2 background data over the last three years from the 158 East Jackson Street monitoring site was used to assess the CAAQS, which was then added to the modeled NO_2 concentration for the 1-hour CAAQS assessment. The three-year average of the second-highest hourly value for the same three-year period were added to the modeled NO_2 concentration for the NAAQS assessment. Assessment with the CAAQS is based on the maximum 1-hour NO_2 concentration with background added. NO_2 NAAQS compliance based on the five-year average of the 98th percentile daily maximum annual 1-hour impacts with background concentration added.

Based on the results of the modeling analyses, the modeled concentrations are presented in Table 4.3-17. Note that the annual maximum PM_{2.5} concentration is less than the significance impact level (SIL) of 0.13 ug/m³. Therefore, the Project will not cause or contribute to any exceedances of the annual PM_{2.5} standard.

Table 4.3-17: 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)	126	111	237	339	-
	3-year average of 1-hour yearly 98 th percentile (NAAQS)**	2.4	78.4	80.8	-	188
	Annual maximum	10.4	22	32.4	57	100
CO	1-hour maximum	262	2176	2438	23,000	40,000
	8-hour maximum	136	1568	1704	10,000	10,000
SO ₂	1-hour maximum (CAAQS)	0.5	93.4	93.9	655	-
	3-year average of 1-hour yearly 99 th percentile (NAAQS)**	0.01	7.9	7.91	-	196
	24-hour maximum	0.09	5	5.1	105	365
	Annual maximum	0.02	0.6	0.62	-	80
PM ₁₀	24-hour maximum (CAAQS)	0.339	134	134.3	50	-
	24-hour 4 th highest over 5 years (NAAQS)	0.302	41	41.3	-	150
	Annual maximum (CAAQS)	0.092	24.8	24.9	20	-
PM _{2.5}	3-year average of 24-hour yearly 98 th percentile	0.266	26	26.3	-	35
	Annual maximum (CAAQS)	0.092	10.1	10.2	9.0	-
	3-year average of annual concentrations (NAAQS)	0.084	9.2	9.3	-	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 EPA-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 EPA 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”.

Construction

Construction equipment and associated heavy-duty truck traffic generate diesel exhaust, which is a known TAC. These exhaust air pollutant emissions would not be considered to contribute substantially to existing or projected air quality violations. Construction exhaust emissions may still pose health risks for sensitive receptors such as nearby residents. The primary community risk impact issues associated with construction emissions are cancer risk and exposure to PM_{2.5}. Diesel exhaust poses both a potential health and nuisance impact to nearby receptors. A health risk assessment of the project construction activities was conducted that evaluated potential health effects of sensitive receptors at these nearby residences from construction emissions of DPM and PM_{2.5}. The closest residential sensitive receptors to the project site are located beyond 1000 feet, west, southwest, and east-southeast of the project boundary. Emissions and dispersion modeling were conducted to predict the off-site concentrations resulting from project construction, so that lifetime cancer risks and non-cancer health effects could be evaluated.

In addition, during excavation, grading, and some building construction activities, substantial amounts of dust could be generated. Most of the dust would result during grading activities. The amount of dust generated would be highly variable and would be dependent on the size of the area disturbed at any given time, amount of activity, soil conditions, and meteorological conditions. To address fugitive dust emissions that lead to elevated PM₁₀ and PM_{2.5} levels near construction sites, the Air District CEQA Air Quality Guidelines identify BMPs. Once these BMPs are included in construction projects, these impacts will be considered less than significant. In addition, diesel emissions from construction related equipment will temporarily result in an increase in health risk to nearby off-site receptors.

For modeling fugitive PM₁₀ and PM_{2.5} emissions, a near-ground level release height of 0.5 meters (1.6 feet) was used for the area source. Emissions from the construction equipment and on-road vehicle travel were distributed throughout the modeled area source. To represent the construction equipment exhaust emissions, 103 equally spaced (25 meter) point sources were placed within the area of construction activity. Each point source had an emission release height of 3.05 meters (10 feet). The exit temperature and stack velocity were based on an average sized construction engine that could be used for the Project. Construction emissions were modeled as occurring daily between 7:00 AM to 5:00 PM, when the majority of construction activity would occur. Figure AQ4-1 in SubAppendix AQ4 presents the source and fugitive dust sources that were included in AERMOD.

Table 4.3-18: 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 per day (7:00 AM-5:00 PM)						
NO ₂ *	1-hour maximum (CAAQS)	3.50	111	114.5	339	-
	3-year average of 1-hour yearly 98th percentile (NAAQS)	1.83	78.4	80.2	-	188
	Annual maximum	0.368	22	22.4	57	100
CO	1-hour maximum	14.95	2175	2190	23,000	40,000
	8-hour maximum	7.93	1568	1576	10,000	10,000
SO ₂	1-hour maximum (CAAQS)	0.020	93.4	93.4	655	-
	3-year average of 1-hour yearly 99th percentile (NAAQS)	0.015	7.9	7.9	-	196
	24-hour maximum	0.004	5	5.0	105	365
	Annual maximum	0.002	0.6	0.6	-	80
PM ₁₀	24-hour maximum (CAAQS)	0.12	134	134.1	50	-
	24-hour H6H (NAAQS)	0.098	41	41.1	-	150
	Annual maximum (CAAQS)	0.06	24.8	24.9	20	-
PM _{2.5}	3-year average of 24-hour yearly 98 th percentile	0.0147	26	26.0	-	35
	Annual maximum (CAAQS)	0.0107	10.1	10.1	9.0	-
	3-year average of annual concentrations (NAAQS)	0.0098	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 EPA-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						

Based on the modeling results in Table 4.3-17 and Table 4.3-18, the only combined modeled impacts and background concentrations greater than the standards are for the 24-hour and annual PM₁₀ CAAQS and the 24-hour PM_{2.5} NAAQS and annual PM_{2.5} CAAQS. These exceedances are only because the background concentrations already exceed the standards. Modeled project impacts in these instances are less than the EPA and/or Air District significance levels and thus, the project will not cause or contribute to an exceedance of any air quality standard for any averaging time period. The project will therefore comply with the CAAQS and NAAQS.

Public Health and Health Risk Assessment

This section presents the methodology and results of a human health risk assessment performed to assess potential impacts and public exposure associated with airborne emissions from the routine operation of the Project.

Air will be the dominant pathway for public exposure to chemical substances released by the Project. Emissions to the air will consist primarily of combustion byproducts produced by the diesel-fired emergency standby engines. Potential health risks from combustion emissions will occur almost entirely by direct inhalation. To be conservative, additional pathways were included in the health risk modeling; however, direct inhalation is considered the most likely exposure pathway. The risk assessment was conducted in accordance with guidance established by the California Office of Environmental Health Hazard Assessment and CARB.⁴⁴

Combustion byproducts with established CAAQS or NAAQS, including NO_x, CO, SO₂ and PM₁₀/PM_{2.5} were addressed in the previous Air Quality Section.

Affected Environment

Sensitive receptors are defined as groups of individuals that may be more susceptible to health risks due to chemical exposure. Schools (public and private), day care facilities, convalescent homes, and hospitals are of particular concern. The nearest sensitive receptors, by type, are listed in Table 4.3-19. There are no sensitive receptors within 1,000 feet of the facility boundary. SubAppendix AQ5 contains support materials for the facility health risk assessment, including a listing of sensitive receptors within a 2.5-mile radius area, as well as the receptor plot for the 2.5-mile radius area. HAPs emissions evaluations are presented in SubAppendix AQ1.

The receptors noted above should not be assumed to represent the maximum impact locations based on receptor type. For example, the nearest residence noted in the table may not be the maximum impacted residence on the modeling grid.

⁴⁴ ADMRT, Air Dispersion Modeling and Risk Tool, HARP2, Ver. 22118, CARB, April 28, 2022.

Table 4.3-19: Sensitive Receptors Nearfield of the SCBGF Site

Receptor Type	UTM Coordinates	Distance from Site (Approximate feet)
Nearest Residences (East Southeast)	607957.7, 4124162.5	1,100 (Project Boundary to Residence) 1,770 (Mid-engine Bay to Residence)
Nearest Residences (West)	606984.7, 4124132.5	1,120 (Project Boundary to Residence) 1,500 (Mid-engine Bay to Residence)
Nearest Residences (Southwest)	607108.6, 4124731.3	1,460 (Project Boundary to Residence) 2,090 (Mid-engine Bay to Residence)
Nearest Hospital	606328.87, 4122121.62	7,897
Nearest School	604657.79, 4123503.81	9,395
Nearest Daycare	606662.95, 4122146.63	7,386
Nearest Convalescent Home	603304.89, 4125542.66	14,132
Nearest College/University	607729.16, 4123717.62	2,046

Source: Google Earth Image March 2025. All coordinates are approximate.

Air quality and health risk data presented by CARB in the 2013 Almanac of Emissions and Air Quality⁴⁵ for the state shows that over the period from the mid-1990s through 2013, the average concentrations for DPM have been substantially reduced, and the associated health risks for the state are showing a steady downward trend as well. This same trend has occurred in the Air District.

Environmental Consequences

Cancer Risk

Cancer risk is the probability or chance of contracting cancer over a period of time normally defined as either 30 or 70-years depending on the project type and agency risk procedures. Carcinogens are not assumed to have a threshold below which there would be no human health impact. In other words, any exposure to a carcinogen is assumed to have some probability of causing cancer; the lower the exposure, the lower the cancer risk (i.e., a linear, no-threshold model). Under various state and local regulations, an incremental cancer risk greater than 10-in-one million due to a project is considered to be a significant impact on public health. For example, the 10-in-one-million risk level is used by the Air Toxics Hot Spots (AB 2588) program and California's Proposition 65 as the public notification level for air toxic emissions from existing sources.

Non-Cancer Risk

Non-cancer health effects can be either chronic or acute. In determining potential non-cancer health risks (chronic and acute) from air toxics, it is assumed there is a dose of the chemical of

⁴⁵ California Air Resources Board, "The California Almanac of Emissions and Air Quality (2013 Edition)." 2013.
<https://ww2.arb.ca.gov/our-work/programs/resource-center/technical-assistance/air-quality-and-emissions-data/almanac-0>

concern below which there would be no impact on human health. The air concentration corresponding to this dose is called the Reference Exposure Level (REL). Non-cancer health risks are measured in terms of a hazard quotient, which is the calculated exposure of each contaminant divided by its REL. Hazard quotients for pollutants affecting the same target organ are typically summed with the resulting totals expressed as hazard indices for each organ system. A hazard index of less than 1.0 is considered to be an insignificant health risk. For this health risk assessment, all hazard quotients were summed regardless of target organ. This method leads to a conservative (upper bound) assessment. RELs used in the hazard index calculations were those published in the Consolidated CARB/OEHHA listings dated August 2025.

Chronic toxicity is defined as adverse health effects from prolonged chemical exposure, caused by chemicals accumulating in the body. Because chemical accumulation to toxic levels typically occurs slowly, symptoms of chronic effects usually do not appear until long after exposure commences. The lowest no-effect chronic exposure level for a non-carcinogenic air toxic is the chronic REL. The body is capable of eliminating or detoxifying the chemical rapidly enough to prevent its accumulation below this threshold. The chronic hazard index was calculated using the hazard quotients calculated with annual concentrations.

Acute toxicity is defined as adverse health effects caused by a brief chemical exposure of no more than 24 hours. For most chemicals, the air concentration required to produce acute effects is higher than the level required to produce chronic effects because the duration of exposure is shorter. Because acute toxicity is predominantly manifested in the upper respiratory system at threshold exposures, all hazard quotients are typically summed to calculate the acute hazard index. One-hour average concentrations are divided by acute RELs to obtain a hazard index for health effects caused by relatively high, short-term exposure to air toxics. Since this assessment considers only DPM, and DPM has no acute REL, acute HI values were not calculated. The following receptor descriptors are used herein:

- Point of maximum impact (PMI) – this receptor represents the highest concentration and risk point on the receptor grid for the analysis under consideration.
- Maximum exposed individual residential receptor (MEIR) – this receptor represents the maximum impacted actual residential location on the grid for the analysis under consideration.
- Maximum exposed individual worker receptor (MEIW) – this receptor represents the maximum impacted actual worker location on the grid for the analysis under consideration.
- Maximum exposed individual sensitive receptor (MEIS) – this receptor represents the maximum impacted actual sensitive location on the grid for the analysis under consideration. This location is a non-residential sensitive receptor (i.e., school, hospital, daycare center, convalescent home, etc.).

Construction and Operational Phase Impacts

Environmental consequences potentially associated with the project are potential human exposure to chemical substances emitted into the air. The human health risks potentially associated with these chemical substances were evaluated in a health risk assessment. The chemical substance potentially emitted to the air from the proposed facility is DPM. DPM is the approved surrogate compound for diesel fuel combustion pursuant to CARB and EPA.

Emissions of criteria pollutants will adhere to NAAQS or CAAQS as discussed in the Ambient Air Quality section. The proposed facility emergency electrical backup engines will be either certified or compliant Tier 4 units and as such, they meet the BACT requirements of the Air District. These engines are equipped with DPFs. Finally, air dispersion modeling results show that emissions will not result in concentrations of criteria pollutants in air that exceed ambient air quality standards (either NAAQS or CAAQS). These standards are intended to protect the general public with a wide margin of safety. Therefore, the Project is not anticipated to have a significant impact on public health from emissions of criteria pollutants.

Potential impacts associated with emissions of toxic pollutants to the air from the proposed facility were addressed in a health risk assessment, with support data presented in Appendix AQ5. The risk assessment was prepared using guidelines developed by OEHHA and CARB, as implemented in the latest version of the HARP model (ADMRT46 Version 22118). The Air District health database option in HARP was used for all analyses.

Public Health Impact Study Methods

Emissions of TACs potentially associated with the facility were estimated using emission factors for PM₁₀ as DPM derived from the following:

- Caterpillar 3516E HPD Engines (42 sources):
 - Each large engine running for 50 hours per year for Maintenance and Readiness operations, at 100 percent load, using composite emissions factors to address both uncontrolled and controlled emissions during such testing.
- Caterpillar 3512C Engine (2 sources):
 - Each small engine running for 50 hours per year for Maintenance and Readiness operations, at 100 percent load, using composite emissions factors to address both uncontrolled and controlled emissions during such testing.

TACs from fuel storage emissions were not included as the level of emissions is insignificant. The emissions from the diesel fuel storage tanks are often well below the HRA acute and chronic mass emissions thresholds in Air District Regulation 2 Rule 5.

⁴⁶ ADMRT, Air Dispersion Modeling and Risk Tool, HARP2, Ver. 22118, CARB, April 28, 2022.

There were no identified TACs associated with the data center chiller systems emissions or the use of the insulation gas in the substation breakers.

Concentrations of these pollutants in air potentially associated with the emissions were estimated using dispersion modeling as discussed in the Air Quality section. Modeling allows the estimation of both short-term and long-term average concentrations in air for use in a risk assessment, accounting for site-specific terrain and meteorological conditions. Health risks potentially associated with the estimated concentrations of pollutants in air were characterized in terms of excess lifetime cancer risks, or comparison with reference exposure levels for non-cancer health effects.

Health risks potentially associated with concentrations of carcinogenic pollutants in air were calculated as estimated excess lifetime cancer risks. The excess lifetime cancer risk for a pollutant is estimated as the product of the concentration in air and a unit risk value. The unit risk value is defined as the estimated probability of a person contracting cancer as a result of constant exposure to an ambient concentration of 1 $\mu\text{g}/\text{m}^3$ over a 30-year lifetime. In other words, it represents the increased cancer risk associated with continuous exposure to a concentration in air over a pre-defined period (i.e., usually a 30-year lifetime). Evaluation of potential non-cancer health effects from exposure to short-term and long-term concentrations in air was performed by comparing modeled concentrations in air with the RELs. An REL is a concentration in air at or below which no adverse health effects are anticipated. RELs are based on the most sensitive adverse effects reported in the medical and toxicological literature. Potential non-cancer effects were evaluated by calculating a ratio of the modeled concentration in air and the REL. This ratio is referred to as a hazard quotient. The unit risk values and RELs used to characterize health risks associated with modeled concentrations in air were obtained from the Consolidated Table of OEHHA/ARB Approved Risk Assessment Health Values⁴⁷ and are presented in Table 4.3-20.

Table 4.3-20: Toxicity Values Used to Characterize Health Risks

TAC	Unit Risk Factor ($\mu\text{g}/\text{m}^3$)-1	Chronic Reference Exposure Level ($\mu\text{g}/\text{m}^3$)	Acute Reference Exposure Level ($\mu\text{g}/\text{m}^3$)
DPM	0.0003	5	--

Source: California Air Resources Board. "Consolidated Table of OEHHA/ARB Approved Risk Assessment Health Values." August 2025. <https://ww2.arb.ca.gov/sites/default/files/classic/toxics/healthval/contable09252025.pdf>

Table 4.3-21 delineates the maximum hourly and annual emissions of the identified air toxic pollutants (DPM) from the emergency backup engines.

⁴⁷ California Air Resources Board. "Consolidated Table of OEHHA/ARB Approved Risk Assessment Health Values." August 2025. <https://ww2.arb.ca.gov/sites/default/files/classic/toxics/healthval/contable09252025.pdf>

Table 4.3-21: Maximum SCBGF Hourly, Daily, and Annual Air Toxic Emissions (Per Engine Basis)

Engine Model	Toxic	Max Hour Emissions, Lbs	Max Daily Emissions, Lbs	Max Annual Emissions Lbs
CAT C175	DPM	0.194	-	9.701
CAR 3512C	DPM	0.097	-	4.850

Note: Engines are equipped with diesel particulate filters at ≤ 0.02 g/bhp-hour
Annual emissions are based on the Maintenance and Readiness Testing scenario.

Construction Phase Impacts

The proposed Project would be a source of air pollutant emissions during Project construction. The Air District 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. Air District recommends a 1,000-foot zone of influence around project boundaries. Results of the construction related health risk assessment indicate that the risk values from construction would be as follows in Table 4.3-22:

Table 4.3-22: SCDC/SCBGF Construction Health Risk Assessment Summary

Location	Receptor #	UTM (meters)	Cancer Risk	Chronic HI	Acute HI	Cancer Burden
PMI	1268	607580.0, 4124160	1.41×10^{-6}		-	NA
MEIR	3266	607950.0, 4124150.0	1.45×10^{-7}		-	NA
MEIS	5785	609700.0, 4122700.0	1.45×10^{-8}		-	NA
MEIW	1348	607620.0, 4124120.0	2.72×10^{-8}		-	NA

Note: PMI = point of maximum impact; MEIR = maximum exposed individual residential receptor; MEIW = maximum exposed individual worker receptor; MEIS = maximum exposed individual sensitive receptor

The PMI noted above is located at the southern fence line on Silver Creek Valley Road.

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

16-month construction period (HRA used 2 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 – Ledesma (Rita) Elementary School

These values are below the Air District's 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

The excess lifetime cancer risk associated with operational concentrations in air estimated for the maximum SCBGF sensitive receptor location is calculated to be $5.21\text{E-}06$ or 5.2 per million which is located southeast of the project fence line. Excess lifetime cancer risks less than 10×10^{-6} , for sources with T-BACT, are unlikely to represent significant public health impacts that require additional controls of facility emissions. Risks higher than 1×10^{-6} may or may not be of concern, depending upon several factors. These include the conservatism of assumptions used in risk estimation, size of the potentially exposed population and toxicity of the risk-driving chemicals.

Health effects risk thresholds are listed on Table 4.3-23. Risks associated with pollutants potentially emitted from the facility are presented Table 4.3-24 (operations) and Table 4.3-25 (construction). For the worker risk assessment, the Tier 1 worker adjustment factor (WAF) was set to 4.2 to account for the non-continuous testing schedule for the engines, as outlined in the 2016 Air Toxics Hot Spots Program Guidance Manual. The recommended Tier 1 activity rate of moderate intensity was also utilized. The initial results indicated that 10.8×10^{-6} cancer risk at the maximum worker location exceeded the 10×10^{-6} significance level. The location, receptor 1348 was identified as an office location where much of the work is considered administrative (Renesas Electronics America, Inc – corporate office), as are most of the worker receptors in the areas where the maximum risk results were modeled. Based on this location, the activity rate was revised to reflect Tier 2 scenario of office work with a light intensity activity level. The revised risk results decreased to 4.7×10^{-6} which is below the 10 in a million risk threshold.

The chronic hazard indices for all scenarios are well below 1.0. It should be noted that DPM does not currently have an acute hazard index value, and as such, acute health effects were not evaluated in the HRA. Further description of the methodology used to calculate health risks associated with emissions to the air can be found in the March 2015 ADMRT Users Manual. 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. However, the location of the PMI is on the project fence line, adjacent to an existing parking lot and does not reflect the potential impact at any of the sensitive receptors, all of which have risks less than $10\text{E-}06$ or 10 in a million.

Table 4.3-23: Health Risk Significance Thresholds

Risk Category	Air District Project Risk	Air District Net Project Risk
Cancer Risk	10×10^{-6}	10×10^{-6}
Cancer Risk (Overburdened Community)	6×10^{-6}	6×10^{-6}
Chronic Hazard Index	1.0	1.0
Acute Hazard Index	1.0	1.0
Cancer (T-BACT required)	>1 in a million Chronic HI > 0.20	>1 in a million Chronic HI > 0.20
Cancer Burden	NA	NA

Source: Regulation 2 Rule 5, NSR for Toxic Air Contaminants

Table 4.3-24: Operational SCDC/SCBGF Residential/Sensitive Health Risk Assessment Summary

Location	Receptor #	UTM (meters)	Cancer Risk	Chronic HI	Acute HI	Cancer Burden
PMI	76	607560.9, 4124170.66	6.21×10^{-5}	0.0167	-	NA
MEIR	3266	607950.0, 4124150.0	5.12×10^{-6}	0.00138	-	NA
MEIS	5785	609700.0, 4122700.0	6.32×10^{-7}	0.000170	-	NA

Note: PMI = point of maximum impact; MEIR = maximum exposed individual residential receptor; MEIS = maximum exposed individual sensitive receptor

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 – Ledesma (Rita) Elementary School

Table 4.3-25: Operational SCDC/SCBGF Worker Health Risk Assessment Summary

Location	Receptor #	UTM	Cancer Risk	Chronic HI	Acute HI	Cancer Burden
PMI	76	607560.9, 4124170.66	1.59×10^{-5}	0.0167	-	NA
MEIW*	1348	607620.0, 4124120.0	4.70×10^{-6}	0.0114	-	NA

Note: PMI = point of maximum impact; MEIW = maximum exposed individual worker receptor

The PMI noted above is located at the southern fence line.

* With moderate activity level, the maximum Tier 1 receptor is 5.58×10^{-6} at receptor #1263.

Cancer risks potentially associated with facility emissions also were not assessed in terms of cancer burden. Cancer burden is a hypothetical upper-bound estimate of the additional number of cancer cases that could be associated with emissions from the facility. Cancer burden is calculated as the worst-case product of excess lifetime cancer risk, at the 1×10^{-6} isopleth and the number of individuals at that risk level. Cancer burden evaluations are not required by the Air District.

The chronic non-cancer hazard quotient associated with concentrations in air are shown in Table 4.3-24 and Table 4.3-25 above. 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 SCBGF/SCDC Site.

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

The estimates of excess lifetime cancer risks and non-cancer risks associated with chronic or acute exposures fall below thresholds used for regulating emissions of toxic pollutants to the air. Historically, exposure to any level of a carcinogen has been considered to have a finite risk of inducing cancer. In other words, there is no threshold for carcinogenicity. Since risks at low levels of exposure cannot be quantified directly by either animal or epidemiological studies, mathematical models have estimated such risks by extrapolation from high to low doses. This modeling procedure is designed to provide a highly conservative estimate of cancer risks based on the most sensitive species of laboratory animal for extrapolation to humans (i.e., the assumption being that humans are as sensitive as the most sensitive animal species). Therefore, the true risk is not likely to be higher than risks estimated using unit risk factors and is most likely lower and could even be zero.

An excess lifetime cancer risk of 1×10^{-6} is typically used as a screening threshold of significance for potential exposure to carcinogenic substances in air. The excess cancer risk level of 1×10^{-6} , which

has historically been judged to be an acceptable risk, originates from efforts by the Food and Drug Administration to use quantitative risk assessment for regulating carcinogens in food additives considering the zero-tolerance provision of the Delany Amendment⁴⁸. The associated dose, known as a “virtually safe dose” has become a standard used by many policy makers and the lay public for evaluating cancer risks. However, a study of regulatory actions pertaining to carcinogens found that an acceptable risk level can often be determined on a case-by-case basis. This analysis of 132 regulatory decisions found that regulatory action was not taken to control estimated risks below 1×10^{-6} , which are called de minimis risks. De minimis risks are historically considered risks of no regulatory concern. Chemical exposures with risks above 4×10^{-3} , called de manifestis risks, were consistently regulated. De manifestis risks are typically risks of regulatory concern. The risks falling between these two extremes were regulated in some cases, but not in others.⁴⁹

The estimated lifetime cancer risks to the maximally exposed individual located at the SCBGF 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 and 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 SCBGF emissions should consider that the conservatism in the assumptions and methods used in risk estimation considerably over-state the risks from SCBGF 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 SCBGF.

Operation Odors

The SCBGF/SCDC is not expected to produce any contaminants at concentrations that could produce objectionable odors.

Summary of Impacts

The health risk assessment for the SCBGF indicates that the maximum cancer risk will be approximately 5.12×10^{-7} (versus a significance threshold of 10×10^{-6} with T-BACT) at the MEIR to air toxics from SCBGF 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 SCBGF. 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

⁴⁸ P.B. Hutt, et.al. Use of Quantitative Risk Assessment in Regulatory Decision Making Under Federal Health and Safety Statutes, in Risk quantitation and Regulatory Policy, Banbury Report 19, Cold Springs Harbor Laboratory, 1985.

⁴⁹ Travis, et.al. Cancer Risk Management: A Review of 132 Federal Regulatory Cases, Environmental Science and Technology, 21:415-420, 1987.

concentrations are below the federal and California standards established to protect public health, including the more sensitive members of the population.

CalEnviroScreen 4.0 Survey

Pursuant to recent amendments to Air District Regulation 2 Rules 1 and 5 which address a lower risk threshold value for sources located in or within 1,000 feet of an Overburdened Community (an area with a percentile rating of greater than or equal to 70th percentile, the maximum allowed risk from such facilities is 6×10^{-6} in place of 10×10^{-6}). There is no change to the cumulative risk value threshold of 100-in-a-million. A review of the CalEnviroScreen maps in March 2026 indicates the following:

- The Project Site is situated in census zone 6085512001, rated at the 17th percentile.
- To the west-northwest lies census zone 6085512043 with a percentile rating of 65 percent.
- To the west-southwest lies census zone 6085512039 with a percentile rating of 41 percent.
- The project site is situated approximately 2.3 miles away from nearest zone which is rated at the 70th percentile or higher.

Based on the above, the Project would not be subject to the lower risk threshold applicable to an Overburdened Community per Regulation 2 Rules 1 and 5 (i.e., the distance from the Project Site to a known Overburdened Community is greater than 1,000 feet).

4.3.3.4 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a significant cumulative air quality impact?

Implementation of the 2017 CAP

As described above under checklist question a), the Project would be consistent with the 2017 CAP. The Project, therefore, would not result in a cumulatively considerable impact to the implementation of the 2017 CAP.

Increase in Criteria Pollutants

As discussed under checklist question a) and b), the construction and operational emissions generated by the Project would not exceed the Air District's thresholds for criteria air pollutant emissions except for the NO_x emergency generator testing and maintenance operational emissions. The Air District's Regulation 2 Rule 2 NSR rule provisions would apply to the SCDC and the applicant would be required to purchase offsets. Therefore, the Project would not result in a cumulatively considerable contribution to criteria pollutant emissions.

Exposure Sensitive Receptors to Substantial Pollutant Concentrations

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 significance thresholds shown above in Table 4.3-6.

Cumulative Impacts Assessment

Stationary and mobile cumulative source impacts were not assessed for the proposed Project as the nearest sensitive receptor is over 1,000 feet from the Project fence line, which is beyond the 1,000-foot radius established by the Air District for cumulative assessments. However, for summary purposes, cumulative risks from permitted stationary sources of TACs near the Project Site were identified using Air District'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 five sources within 1,000 feet of the Project boundaries and the distance adjusted impacts are summarized in Table 4.3-26. The Air District Health Risk Calculator was utilized to adjust the Air District provided risk, hazard and PM_{2.5} concentrations based on distance.

The cumulative cancer and hazard index impacts are all less than the Air District CEQA thresholds. All PM_{2.5} concentrations for the SCBGF at all sensitive receptors are well below the Air District annual cumulative significance criteria of 0.8 ug/m³ and below the NAAQS significance level of 0.13 ug/m³. Thus, regardless of the background cumulative PM_{2.5} impacts, the projects contributions will always be less than the Air District CEQA significance levels and represent a less than significant impact.

Table 4.3-26: Combined Source Listing (Post-Air District Distance Adjustments)

Source	Maximum Cancer Risk (per million)	Chronic Hazard Index	PM_{2.5} concentration (µg/m³)
Commonwealth Central Credit Union	0	0	0
EGP 5855 San Jose LLC	6.4	0	0.01
Kaiser Foundation Health Plan - Project Genetics Lab	10.98	0.02	0.0144
M West Propco XVII LLC	4	0	0.01
Renesas Electronics America Inc	6.64	0.0256	0.112
San Jose Bioscience II LLC	3	0	0
Silver Creek Valley Shell	1.38	0	0
Stryker Corporation	3	0	0
The Realty Associates Fund XII Portfolio LP	0	0	0
Veldodyne LiDAR	0	0	0
Veolia WTS Services USA Inc.	1	0	0
Highway 101	5-20	0.01	0.55
SCBGF/SCDC Project	5.12	0.0014	0.084
Total Combined Sources¹	61.52*	0.057*	0.78*
Air District 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 represents a significant overestimation because the maximum impact from each source is assumed to occur at the same location.

Silver Creek Shell impacts were based on the 2022 CARB & CAPCOA Gasoline Service Station Industrywide Risk Assessment Look-up Tool Version 1.0 and used the Air District supplied throughput of 4,280,000 gallons per year, with 140 meters to nearest residential receptor.

Sources: Bay Area Air District. "Mobile Source Screening Tool." Accessed March 2026.

<https://experience.arcgis.com/experience/89ba715c4dc7427f85e2d2fc5b8175ff/page/Stationary-Source-Screening-Tool?draft=true>.

Bay Area Air District. "Health Risk Calculator with Distance Multipliers." Accessed March 2026.

<https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/ceqa-tools/health-risk-screening-and-modeling>.

4.4 Biological Resources

The following discussion is based upon Arborist Reports prepared by HMM dated October 29, 2025, for the SCBGF/SCDC Site and the Hellyer Switching Station, and a Biological Resources Evaluation (BRE) prepared for the SCBGF/SCDC Site by H. T. Harvey & Associates, Inc. dated April 3, 2026. Copies of these reports are included as Appendix G and Appendix H of this SPPE Application, respectively. The BRE recommends mitigation measures to reduce impacts. The Applicant has incorporated these recommendations into PDMs as discussed below.

4.4.1 Environmental Setting

4.4.1.1 *Regulatory Framework*

Federal and State

Endangered Species Act

Individual plant and animal species listed as rare, threatened, or endangered under state and federal Endangered Species Acts are considered special-status species. Federal and state endangered species legislation has provided the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Permits may be required from both the USFWS and CDFW if activities associated with a proposed project would result in the “take” of a species listed as threatened or endangered. To “take” a listed species, as defined by the State of California, is “to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill” these species. Take is more broadly defined by the federal Endangered Species Act to include harm of a listed species.

In addition to species listed under state and federal Endangered Species Acts, Sections 15380(b) and (c) of the CEQA Guidelines provide that all potential rare or sensitive species, or habitats capable of supporting rare species, must be considered as part of the environmental review process. These may include plant species listed by the California Native Plant Society and CDFW-listed Species of Special Concern.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits killing, capture, possession, or trade of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Hunting and poaching are also prohibited. This includes direct and indirect acts, except for harassment and habitat modification, which are not included unless they result in direct loss of birds, nests, or eggs. The CDFW also protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5, and 3800. The CDFW defines taking as causing abandonment and/or loss of reproductive efforts through disturbance.

Sensitive Habitat Regulations

Wetland and riparian habitats are considered sensitive habitats under CEQA. They are also afforded protection under applicable federal, state, and local regulations, and are generally subject to regulation by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), CDFW, and/or the USFWS under provisions of the federal Clean Water Act (e.g., Sections 303, 304, 404) and State of California Porter-Cologne Water Quality Control Act.

Fish and Game Code Section 1602

Streambeds and banks, as well as associated riparian habitat, are regulated by the CDFW per Section 1602 of the Fish and Game Code. Work within the bed or banks of a stream or the adjacent riparian habitat requires a Streambed Alteration Agreement from the CDFW.

Regional

Santa Clara Valley Habitat Plan

The Santa Clara Valley Habitat Plan (VHP) covers approximately 520,000 acres, or approximately 62 percent of Santa Clara County. It was developed and adopted through a partnership between Santa Clara County, the Cities of San José, Morgan Hill, and Gilroy, Santa Clara Valley Water District (Valley Water), Santa Clara Valley Transportation Authority (VTA), USFWS, and CDFW. The VHP is intended to promote the recovery of endangered species and enhance ecological diversity and function, while accommodating planned growth in southern Santa Clara County. The Santa Clara Valley Habitat Agency is responsible for implementing the plan.

PG&E's Bay Area Habitat Conservation Plan

PG&E's Bay Area Habitat Conservation Plan (Bay Area HCP) provides a comprehensive framework for conserving sensitive habitats for preserving protected species. It is a 30-year permit issued by the USFWS to allow PG&E to comply with the federal Endangered Species Act more efficiently. The Bay Area HCP covers the nine counties that surround the San Francisco Bay, including Alameda, Santa Clara, San Mateo, San Francisco, Contra Costa, Marina, Sonoma, Napa, and Solano. Within these counties, the plan areas include PG&E gas and electric transmission and distribution facilities, rights-of-way (including standard buffers), lands owned by PG&E and/or subject to PG&E easements, access routes, and mitigation areas acquired to mitigate impacts resulting from covered activities.

The Bay Area HCP protects 18 wildlife species and 13 plant species and the habitats where they are found for 33 routine operations and maintenance activities. The Bay Area HCP includes a number of avoidance and minimization measures (AMMs) to reduce impacts on sensitive habitats and covered species during performance of covered activities. Furthermore, PG&E has identified "hot zones" where certain covered species are known to occur and where AMMs specific to those species are implemented.

The Bay Area HCP AMMs and BMPs are part of PG&E's project construction and design process and are referred to as PG&E Programmatic Measures instead of mitigation measures. Applicable biological resources measures from the Bay Area HCP are listed in Table 4.4-1.

Table 4.4-1: Applicable Bay Area Habitat Conservation Plan Avoidance and Minimization Measures for Project Activities

HCP Code ¹	Description of Measure
FP-01	Hold annual training on habitat conservation plan requirements for employees and contractors performing covered activities in the Plan Area that are applicable to their job duties and work.
FP-02	Park vehicles and equipment on pavement, existing roads, or other disturbed or designated areas (barren, gravel, compacted dirt).
FP-03	Use existing access and ROW roads. Minimize the development of new access and ROW roads, including clearing and blading for temporary vehicle access in areas of natural vegetation.
FP-04	Locate off-road access routes and work sites to minimize impacts on plants, shrubs, and trees, small mammal burrows, and unique natural features (e.g., rock outcrops).
FP-07	Vehicle speeds on unpaved roads will not exceed 15 miles per hour.
FP-08	Prohibit trash dumping, firearms, open fires (such as barbecues), hunting, and pets (except for safety in remote locations) at work sites.
FP-11	Utilize standard erosion and sediment control BMPs (pursuant to the most current version of PG&E's Stormwater Field Manual for Construction Best Management Practices) to prevent construction site runoff into waterways.
FP-12	Stockpile soil within established work area boundaries and locate stockpiles so as not to enter water bodies, stormwater inlets, or other standing bodies of water. Cover stockpiled soil prior to precipitation events.
FP-15	Prohibit vehicular and equipment refueling 250 feet from the edge of vernal pools, and 100 feet from the edge of other wetlands, streams, or waterways. If refueling must be conducted closer to wetlands, construct a secondary containment area subject to review by an environmental field specialist and/or biologist. Maintain spill prevention and cleanup equipment in refueling areas.
FP-16	Maintain a buffer of 250 feet from the edge of vernal pools and 50 feet from the edge of wetlands, ponds, or riparian areas. If maintaining the buffer is not possible because the areas are either in or adjacent to facilities, the field crew will implement other measures as prescribed by the land planner, biologist, or HCP administrator to minimize impacts by flagging access, requiring foot access, restricting work until dry season, or requiring a biological monitor during the activity.
FP-17	Directionally fell trees away from an exclusion zone, if an exclusion zone has been defined. If this is not possible, remove the tree in sections. Avoid damage to adjacent trees to the extent possible. Avoid removal of snags and conifers with basal hollows, crown deformities, and/or limbs over 6 inches in diameter.
FP-18	Nests with eggs and/or chicks will be avoided: contact a biologist, land planner or the Avian Protection Program manager for further guidance.
Wetland-2	Identify wetlands, ponds, and riparian areas and establish buffers. Maintain a buffer of 50 feet around wetlands, ponds, and riparian areas. If maintaining the buffer is not possible because the areas are either in or adjacent to facilities, the field crew will implement other measures as prescribed by the biologist or HCP administrator to minimize impacts. These measures include flagging access, requiring foot access, restricting work until the dry season, requiring a biological

HCP Code ¹	Description of Measure
	monitor during the activity, or excavating burrows in ROWs where trenching will occur. Activities must maintain the downstream hydrology to the wetland, pond, or riparian area. Additional minimization measures may be implemented with prior concurrence from USFWS.
BMP 12	After vegetation management activities, if the amount of bare soil exposed in one location exceeds 0.1 acre, then erosion control measures shall be implemented. These measures may include straw mulching, seeding, and use of straw wattles. (No rice straw will be used around wetlands containing vernal pools.)
BMP 16	All PG&E employees and contractors shall follow the Vegetation Management Migratory Bird Process, when applicable to vegetation management activities, to comply with Migratory Bird Treaty Act.
BMP 23	If an environmental protection incident occurs, such as accidental introduction of substances into waterways or wetlands, accidental taking of an endangered species, or hazardous material spills, etc., call your supervisor and the PG&E vegetation management representative immediately.
BMP 25	The disturbance or removal of vegetation within the work area shall not exceed the minimum necessary to complete operations, subject to other public and health and safety directives governing the safe operations and maintenance of electric and gas facilities. Precautions shall be taken to avoid damage to non-target vegetation.
BMP 26	Cleared or pruned vegetation, grass clippings and woody debris (including chips) shall be disposed of in a legal manner. All cleared vegetation and debris, grass clippings and woody debris (including chips) shall be removed from any wetland, ditch, pond, or stream and placed or secured where they cannot re-enter the watercourse.
BMP 27	Vegetation that at mature height does not pose a threat to the conductors shall not be removed, unless the removal is required to maintain compliance with California Public Resource Code Section 4292 (pole clearing).
BMP 28	Any vehicles driven and/or operated within or adjacent to streams shall be checked and maintained daily to prevent leaks of materials that, if introduced to the water, could be harmful to aquatic life.
BMP 29	Vehicle access to streams and wetlands shall be limited to existing roads and crossings.
BMP 30	When possible, activities near streams, wetlands, or on saturated soils shall be conducted during the dry season (generally May 15–October 15) or during periods of minimum flow. If it is not possible to perform the work in the dry season, perform rainy season work during dry spells between rain events.
BMP 52	Sensitive habitats such as meadows, riparian areas, wetlands, vernal pools, and serpentine outcrops shall be flagged and appropriate avoidance measures shall be put in place. Tailboards shall be held before work begins.
BMP 62	The following protection measures are designed to prevent adverse impacts on water quality, help protect soil resources, and minimize the loss of riparian vegetation. Plants in watercourse protection zones that do not pose an imminent or clearly foreseeable future threat to conductors shall not be removed. To help prevent erosion and soil displacement, exclusion zones may be increased in areas with steep slopes or highly erodible soils. Leave at least 50% soil cover (i.e., mulch or vegetative ground cover) for erosion control in watercourse protection zones.
BMP 16	All PG&E employees and contractors shall follow the Vegetation Management Migratory Bird Process, when applicable to vegetation management activities, to comply with Migratory Bird Treaty Act.

HCP Code ¹	Description of Measure
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BMP 26	Cleared or pruned vegetation, grass clippings and woody debris (including chips) shall be disposed of in a legal manner. All cleared vegetation and debris, grass clippings and woody debris (including chips) shall be removed from any wetland, ditch, pond, or stream and placed or secured where they cannot re-enter the watercourse.
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¹FP = Field Protocol

In addition, for activities covered by the Bay Area HCP that impact more than 0.1 acres, PG&E will restore temporarily impacted habitat within 12 months of the completion of construction. Site restoration could include soil compaction, recontouring excavated areas to follow natural contours, reseeding areas cleared of plant cover, and planting trees or other vegetation.

PG&E Avian Protection Plan

To avoid and minimize impacts to nesting birds, PG&E has developed an Avian Protection Plan (APP).⁵⁰ The APP is implemented by PG&E biologists and other staff working on electric transmission and distribution facilities, as well as other PG&E activities near active bird nests (defined as nests containing eggs or young). PG&E is required to comply with federal and state laws and regulations that prohibit take of birds, including eggs or young, in active nests. Implementation of the APP includes the following:

- Utilizing avian-safe configurations for construction of new electric power facilities (i.e., poles), including framing for raptor protection (by increased separation of energized components), to the extent feasible.
- Utilizing insulation or other bird protection materials on exposed equipment leads during equipment repairs or pole retrofits.
- Providing a step-wise approach for reducing impacts on nesting birds that include:
 - Desktop review of activities by a biologist to determine the potential to impact nesting birds.
 - If, during nesting season, there is potential for an activity to impact nesting birds, pre-construction nesting bird surveys are performed.
 - When nesting birds are identified during surveys, nest buffers are assigned for the activity, depending upon species, nest phase, work activity duration, and other environmental factors (e.g., presence of visual screening).
 - For certain species (threatened, endangered, or state fully protected), PG&E will confer with USFWS and/or CDFW when a standard buffer cannot be observed for a nesting species and covered activities cannot be reasonably modified.

The APP formalizes ongoing training requirements for utility employees. Training includes introduction to federal and state laws that protect birds; facility design to reduce avian interactions; information on identification of active bird nests; and reporting requirements pertinent to PG&E's Special Purpose Utility Permit, issued by the USFWS.

PG&E follows the process and procedures outlined in PG&E's APP and Nesting Bird Management Plan (discussed below) to protect nesting birds during vegetation removal work, which include pre-activity surveys and measures to protect active nests (e.g., rescheduling the work or maintaining a buffer around the active nest).

PG&E Nesting Bird Management Plan

To avoid impacts to nesting birds and maintain compliance with the Migratory Bird Treaty Act and state statute, PG&E has developed a comprehensive plan to avoid and minimize impacts on nesting birds. This management plan is implemented when PG&E activities are near active bird nests, which

⁵⁰ California Department of Fish and Wildlife. *PG&E Bay Area O&M Incidental Take Permit Environmental Impact Report Volume 2. Final EIR*. June 2022. Pages 3.4-91 through 3.4-92.

are defined as an active nest containing eggs or young. PG&E's Nesting Bird Management Plan is intended to do the following⁵¹:

- Maintain compliance with applicable federal and state bird protection regulations.
- Avoid and minimize disturbance to nesting birds within PG&E's service area.
- Standardize PG&E's approach to managing nesting bird conflicts using accepted wildlife management practices.

Implementation of the Nesting Bird Management Plan allows for consistent application of avoidance and minimization measures for nesting birds across PG&E activities, provides structured and standardized decision making, and allows PG&E to comply with federal and state regulations applicable to nesting birds. A step-wise compliance approach guides implementation of the Nesting Bird Management Plan is as follows:

- **Step 1: Conduct desktop review** as part of the environmental review and planning process prior to initiating activities in locations that provide suitable habitat for nesting birds. A qualified biologist determines if there is potential for the activity to impact nesting birds.
- **Step 2: Conduct preconstruction nesting bird surveys**, if there is potential to impact active nests in or near construction areas. Pre-construction surveys can detect recent or established nests and identify the need to implement or adjust standard exclusion buffers.
- **Step 3: Assign nest exclusion buffers** or other applicable AMMs around active nests. These nest exclusion buffers are species-specific, may be standard or reduced and may include periodic nest monitoring.
- **Step 4: Confer** with the USFWS and/or CDFW, as necessary. PG&E may confer with USFWS and/or CDFW when the standard buffer cannot be observed for a nesting threatened, endangered or fully protected species.

Bay Area Operations and Maintenance Incidental Take Permit Final Environmental Impact Report

The Bay Area Operations & Maintenance Incidental Take Permit (ITP) FEIR (O&M FEIR) for CDFW's 2022 PG&E Bay Area ITP (#2081-2015-031-03) covers PG&E's Bay Area operations and maintenance and minor new construction activities, and establishes a comprehensive approach to avoid, minimize, and fully mitigate impacts on species and habitat, including common and special-status species that are not covered under the Bay Area HCP. The ITP provides incidental take coverage for three species, the California tiger salamander, Alameda whipsnake, and California freshwater shrimp (covered species). Applicable measures from the Bay Area O&M FEIR that are identified in this SPPE Application are provided in Table 4.4-2 below.⁵²

⁵¹ Ibid. Appendix C. Page 2-5.

⁵² California Department of Fish and Wildlife. *PG&E Bay Area O&M Incidental Take Permit Environmental Impact Report Volume 2. Final EIR*. June 2022

Table 4.4-2: Programmatic Measures from the PG&E Operations & Maintenance Incidental Take Permit FEIR for Biological Resource Impacts

PG&E Programmatic Measures	Description of Measure
BIO-1: Prevent or minimize spread of invasive weeds	The following will be implemented on E9a (Reconductoring), G9 (Pipeline Lowering), G11 (Pipeline Replacement), and minor new construction to prevent the spread of invasive weeds during all phases of covered activities, as appropriate: • During covered activities involving ground disturbance, mud and/or accumulated soils will be removed from equipment and vehicles, to the extent feasible. Vehicles and equipment will be cleaned or washed before entering a new work site. A log will be kept for each job site and would be completed to document each cleaning or washing of vehicles or equipment before entering each new work site. • Vehicles will be staged and stored on paved or cleared areas whenever feasible. • Certified weed-free mulch, straw, hay bales, or equivalent materials will be used where necessary for covered activities.
BIO-2: Protect special-status wildlife encountered while performing covered activities and report covered wildlife observations	Any special-status wildlife species encountered during the course of a covered activity will be allowed to leave the area unharmed, and work activities that could disturb or harm the individual will halt until the wildlife has left the area. Encounters with a special-status species will be reported to a qualified biologist and PG&E environmental staff. PG&E will maintain records of all covered wildlife species encountered during permitted activities. Encounters with covered wildlife species will be documented and provided to CDFW in an annual report as required by the ITP. If a covered wildlife species is encountered during the course of operations, the following information will be reported for each species: • The locations (i.e., narrative, vegetation type, and maps) and dates of observations, including occurrences observed during any required surveys. • The general condition of individual health (e.g., apparent injuries). • If the species is moved, the location where the species was captured and the location where it was released. • The locations, dates, and species and behaviors observed during covered wildlife monitoring. When conducting covered activities E9a (Reconductoring), G9 (Pipeline Lowering), G11 (Pipeline Replacement), and minor new construction PG&E will document encounters with special status species to the same level of detail as required for covered species. During PG&E's environmental screening process, PG&E will also apply this measure to other covered activities to protect special status species and habitats based on recommendations from qualified biologists. This data will be provided in ITP annual reports.
BIO-3: Design and site minor new construction activities to avoid sensitive areas	New, permanent facilities as part of minor new construction activities will be sited and designed to avoid impacts on sensitive vegetation types, sensitive natural communities, and unique plant assemblages, as well as occupied habitat and suitable habitat for special-status species, to the extent feasible. If impacts on these areas cannot be avoided, PG&E will determine if additional permitting is required to conduct the work and obtain the required permits (e.g., LSAA). If impacts are expected on covered species' habitat, Mitigation Measure BIO-1 (MM BIO-1) will be implemented to mitigate for habitat impacts. Where minor new construction would result in impacts on sensitive vegetation types, sensitive natural communities, or unique plant assemblages, PG&E will

PG&E Programmatic Measures	Description of Measure
BIO-3a: Minimize spread of invasive plant and plant pathogens in minor new construction	minimize the construction footprint and implement appropriate protective measures as recommended by the qualified biologist to protect the natural community. Examples of such measures include: reseeded with a California annual seed mix, installing protective fencing around sensitive natural communities or resources, and installing wattles, erosion blankets and other drainage controls to protect new or adjacent plantings. When conducting minor new construction activities, PG&E will avoid or minimize the spread of invasive species by taking the following actions: 9. Prior to commencement of activities located on or adjacent to non-paved surfaces, a qualified biologist will flag known populations of noxious weeds and invasive plants in the work areas. Invasive plant species include those listed as invasive by the California Invasive Plant Council (Cal IPC). 10. PG&E will stage work in areas not infested with weeds or treat for weed removal prior to using an infested area. 11. Prior to ground disturbance in areas containing species susceptible to Sudden Oak Death, a qualified professional (e.g., biologist, arborist, botanist familiar with Sudden Oak Death and the vegetation communities in the area) will assess the risk of activities and will identify and implement measures to reduce or avoid the risk of Sudden Oak Death spread. These measures will include but will not be limited to the following, and will be further developed and updated based on the best available science and site-specific conditions: a. Designate quarantine areas and implement proper measures for disposal of infested materials (e.g., branches, split wood, wood chips), b. Sanitize shoes, pruning gear, and other equipment with sanitizing materials (e.g., chlorine bleach, Clorox Clean-up, Lysol, scrub brush, boot brush) before and after ground-disturbing and vegetation removal activities are implemented, 12. Clothing, footwear, and equipment used during minor new construction will be cleaned of soil, seeds, vegetation, or other debris or seed-bearing material before entering a work site or when leaving an area with infestations of invasive plants and noxious weeds. 13. Heavy equipment and other machinery used in areas with infestations of invasive plant species or Sudden Oak Death will be inspected for the presence of invasive species before use on the project site and will be cleaned before entering the site, to reduce the risk of introducing invasive plant species or plant pathogens. 14. To minimize the introduction and spread of noxious weeds and invasive plants, PG&E will avoid moving weed-infested gravel, rock, and other fill materials to relatively weed-free locations. In areas where invasive plants are removed during minor new construction or vegetation removal activities, PG&E will dispose of invasive plant biomass off site at an appropriate waste collection facility or treat biomass on site to eliminate seeds and propagules and prevent reestablishment; if moved off site, PG&E will transport invasive plant material in a closed container or bag to prevent the spread of

PG&E Programmatic Measures	Description of Measure
	propagules during transport. PG&E will use certified weed-free straw and mulch for erosion-control projects. PG&E will maintain stockpiled, uninfested material in a weed-free condition. 15. Areas where ground disturbance has resulted in exposed soil as a result of minor new construction shall be seeded with compatible California annual species, as determined by a qualified biologist or botanist familiar with the native vegetation in the area and experienced in revegetation techniques. Revegetation will occur prior to the onset of winter rains within the year initial impacts take place. If work cannot feasibly be scheduled outside the rainy season, revegetation may occur as directed by the qualified biologist and no later than the onset of the next winter rains. 16. To ensure a successful revegetation effort, on-site vegetation shall meet the following success criteria: a. PG&E shall perform pre-activity surveys to record baseline vegetative ground cover conditions and composition by a qualified biologist prior to covered activities as follows. The biologist will record the following: i. Absolute percent ground cover for the entire work area. ii. Relative percentages of ground cover within the work area by herbaceous plants, shrubs, trees, and noxious/invasive plants. iii. Develop a catalog of all invasive species present within the work area, including an estimate of percent composition by species. b. PG&E will conduct post-activity monitoring of work areas in the spring following completion of minor new construction. i. A qualified biologist will record any new invasive species that may have inadvertently been introduced to the work area. The biologist shall make special note of any new invasive plant species rated as “high” by the Cal IPC. ii. A qualified biologist will record whether there was an increase in relative cover of invasive species from baseline that may have resulted from the covered activity. iii. If relative cover of invasive plant species has increased within the work area, PG&E shall remove and/or dispose of invasive plants in an appropriate manner, as recommended by a qualified biologist and/or a Pest Control Advisor.⁵ If any new invasive plants rated by Cal IPC as “high” are found within the work area, they will be removed in an appropriate manner, as recommended by a qualified biologist and/or a Pest Control Advisor. iv. If the relative ground cover of invasive plants

PG&E Programmatic Measures	Description of Measure
	exceeds baseline by 100 percent or more, PG&E will reseed the areas where invasive plants are removed and monitor for one additional year.
BIO-6: Protect nesting birds	All vegetation clearing and ground-disturbing activities will be conducted outside of the nesting season (generally March 1–August 31) to the extent feasible. If this is not feasible, a biologist or qualified individual will determine if pre-construction activity surveys, nest buffers, and/or monitoring are needed in accordance with PG&E’s Nesting Bird Management Plan. Nesting bird surveys will be scheduled to occur within a timeframe prior to construction the activity that is suitable for the detection of recently established nests. If active nests containing eggs or young are found, the qualified biologist or individual will establish an appropriate nest buffer in accordance with the species-specific buffers in PG&E’s Nesting Bird Management Plan. Nest buffers under the Plan will be species-specific and can range from 15 to 100 feet for passerines, 50 to 300 feet for raptors, or larger if necessary, depending on the planned activity’s level of disturbance, site conditions, and the observed bird behavior. Covered activities will not commence within the established buffer areas until the qualified biologist or individual determines that the young have fledged or the nest is no longer active. Active nests will be periodically monitored until the young have fledged or the activity all construction is finished. If birds with active nests are observed showing behavioral signs of agitation (e.g., standing up from a brooding position, flying off the nest) during covered activities, the buffer will be increased to a distance in which the behavioral signs of agitation cease, in accordance with PG&E’s Nesting Bird Management Plan. As part of the ITP annual report, PG&E will provide a summary of covered activities where the Nesting Bird Management Plan was implemented; the summary will include the location, dates, species (if known), and nest buffers applied to the covered activity including buffer efficacy. (The Nesting Bird Management Plan is intended to maintain compliance with federal and state bird protection regulations through a standardized approach to avoiding and minimizing disturbance to nesting birds, including burrowing owl [see BIO-6a].)
BIO-7: Protect breeding and pupping bats	When feasible, activities directly affecting bat roosting habitat will be conducted outside of the bat breeding/pupping season (generally, April through mid-September). If work that would affect known bat breeding sites must be done in the bat breeding/pupping season, a qualified biologist would evaluate known breeding/roosting sites or conduct surveys for bat roosts in suitable breeding/roosting sites (e.g., bridges, mines, caves, trees with hollows, palm trees, snags, buildings, long and dark culverts, rock outcrops, dense tree canopies, and flaking tree bark). If evidence of a bat maternity roost is found or maternity roosts are detected, PG&E will avoid conducting covered activities that may directly affect the active roost site, including the following: • If a maternity roost is identified then the qualified bat biologist will develop a Bat Avoidance and Monitoring Plan prior to the start of project activities that shall include: (1) an assessment of all impacts to bats from the activity, including noise disturbance during covered activities and (2) effective avoidance and minimization measures to protect bats in order to ensure that direct impact to active bat maternity roost site do not occur. Notification will be provided to CDFW prior to the start of covered activities. The notification will include a copy of the Bat Avoidance and

PG&E Programmatic Measures	Description of Measure
	Monitoring Plan. If direct impacts to identified maternity roost site cannot be avoided, PG&E will provide a compensatory mitigation plan to CDFW for review and approval. • As necessary, an exclusionary buffer will be maintained around active roosts. The size of the buffer will be determined by the qualified biologist based on factors such as the planned activity's level of disturbance and site conditions and will typically be 250 feet. • As necessary, a qualified biologist will monitor active roost site buffers during O&M activities to determine if roosting activity is influenced by noise or vibrations until a qualified biologist has determined if the young bats are volant (i.e., able to fly) or the roost is unoccupied. • When feasible, to protect bats and in accordance with BMP-30, tree work near riparian zones shall be conducted during the dry season (generally May 15–October 15). If it is not feasible to conduct tree work during the dry season, operations will occur between rain events or during dry spells unless there is an emergency or imminent threat to life or property.
HAZ-1: Spill Response	PG&E will implement its hazardous substance control and emergency response procedures as needed. The procedures identify methods and techniques to minimize the exposure of the public and site workers to potentially hazardous materials during all phases of construction through operation. They address worker training appropriate to the site worker's role in hazardous substance control and emergency response. The procedures also require implementing appropriate control methods and approved containment and spill-control practices for construction and materials stored on site. If it is necessary to store chemicals on site, they will be managed in accordance with all applicable regulations. Material safety data sheets shall be maintained and kept available on site, as applicable. In the event that soils suspected of being contaminated (on the basis of visual, olfactory, or other evidence) are removed during site grading activities or excavation activities, the excavated soil will be tested and, if contaminated above hazardous waste levels, will be contained and disposed of at a licensed waste facility. The presence of suspected contaminated soil will require testing and investigation procedures to be supervised by a qualified person, as appropriate, to meet state and federal regulations. All hazardous materials and hazardous wastes shall be handled, stored, and disposed of in accordance with all applicable regulations, by personnel qualified to handle hazardous materials. The hazardous substance control and emergency response procedures include, but are not limited to, the following:

PG&E Programmatic Measures	Description of Measure
	• Proper disposal of potentially contaminated soils. • Establishing site-specific buffers for construction vehicles and equipment located near sensitive resources. • Emergency response and reporting procedures to address hazardous material spills. • Stopping work and contacting the local fire department or other agencies as appropriate. Work will resume after any necessary consultation and approval by the local fire department. • Emergency-spill response and clean up kits will be on site where they are immediately available to respond to an accidental release of a hazardous fluid or material. If applicable, a Stormwater Pollution Prevention Plan (SWPPP) will be implemented, which will also address spill response and other site-specific physical conditions to improve hazard prevention.
HAZ-2: Vehicle Refueling	No vehicles or heavy equipment will be refueled within 100 feet of a wetland, stream, or other waterway, or within 250 feet of vernal pools, unless secondary containment is used. The fueling operator must always stay with the fueling operation. Tanks may not be topped off.

City of San José

Envision San José 2040 General Plan

The following General Plan policies related to biological resources are applicable to proposed projects in San José:

Policy	Description
ER-5.1	Avoid implementing activities that result in the loss of active native birds' nests, including both direct loss and indirect loss through abandonment, of native birds. Avoidance of activities that could result in impacts to nests during the breeding season or maintenance of buffers between such activities and active nests would avoid such impacts.
ER-5.2	Require that development projects incorporate measures to avoid impacts to nesting migratory birds.
MS-21.4	Encourage the maintenance of mature trees, especially natives, on public and private property as an integral part of the community forest. Prior to allowing the removal of any mature tree, pursue all reasonable measures to preserve it.
MS-21.5	As part of the development review process, preserve protected trees (as defined by the Municipal Code), and other significant trees. Avoid any adverse effect on the health and longevity of protected or other significant trees through appropriate design measures and construction practices. Special priority should be given to the preservation of native oaks and native sycamores. When tree preservation is not feasible, include appropriate tree replacement, both in number and spread of canopy.
MS-21.6	As a condition of new development, require the planting and maintenance of both street trees and trees on private property to achieve a level of tree coverage in compliance with and that implements City laws, policies or guidelines.
CD-1.24	Within new development projects, include preservation of ordinance-sized and other significant trees, particularly natives. Avoid any adverse effect on the health and longevity of such trees

Policy	Description
	through design measures, construction, and best maintenance practices. When tree preservation is not feasible include replacement or alternative mitigation measures in the project to maintain and enhance our Community Forest.

San José Riparian Corridor Protection and Bird-Safe Design Policy

Council Policy 6-34 provides guidance on the implementation of riparian corridor protection consistent with all City policies and requirements for riparian protection. Council Policy 6-34 indicates that riparian setbacks should be measured from the outside edges of riparian habitat or the top of bank, whichever is greater, and that development of new buildings and roads generally should be set back 100 feet from the riparian corridor. However, Council Policy 6-34 also indicates that a reduced setback may be considered under limited circumstances, including the existence of legal uses within the minimum setback, and utility or equipment installations or replacements that involve no significant disturbance to the riparian corridor during construction and operation and that generate only incidental human activity.

San José Tree Ordinance

The City of San José maintains the urban landscape by controlling the removal of ordinance trees on private property (San José Municipal Code Section 13.32). Per the City's Municipal Code, ordinance-size trees are defined as follows: Single Trunk - 38 inches or more in circumference at 4.5 feet above ground, or Multi-trunk - The combined measurements of each trunk circumference, at 4.5 feet above ground, add up to 38 inches or more in circumference. Ordinance trees are generally mature trees that help beautify the City, slow the erosion of topsoil, minimize flood hazards, minimize the risk of landslides, increase property values, and improve local air quality. A tree removal permit is required from the City of San José for the removal of ordinance trees.

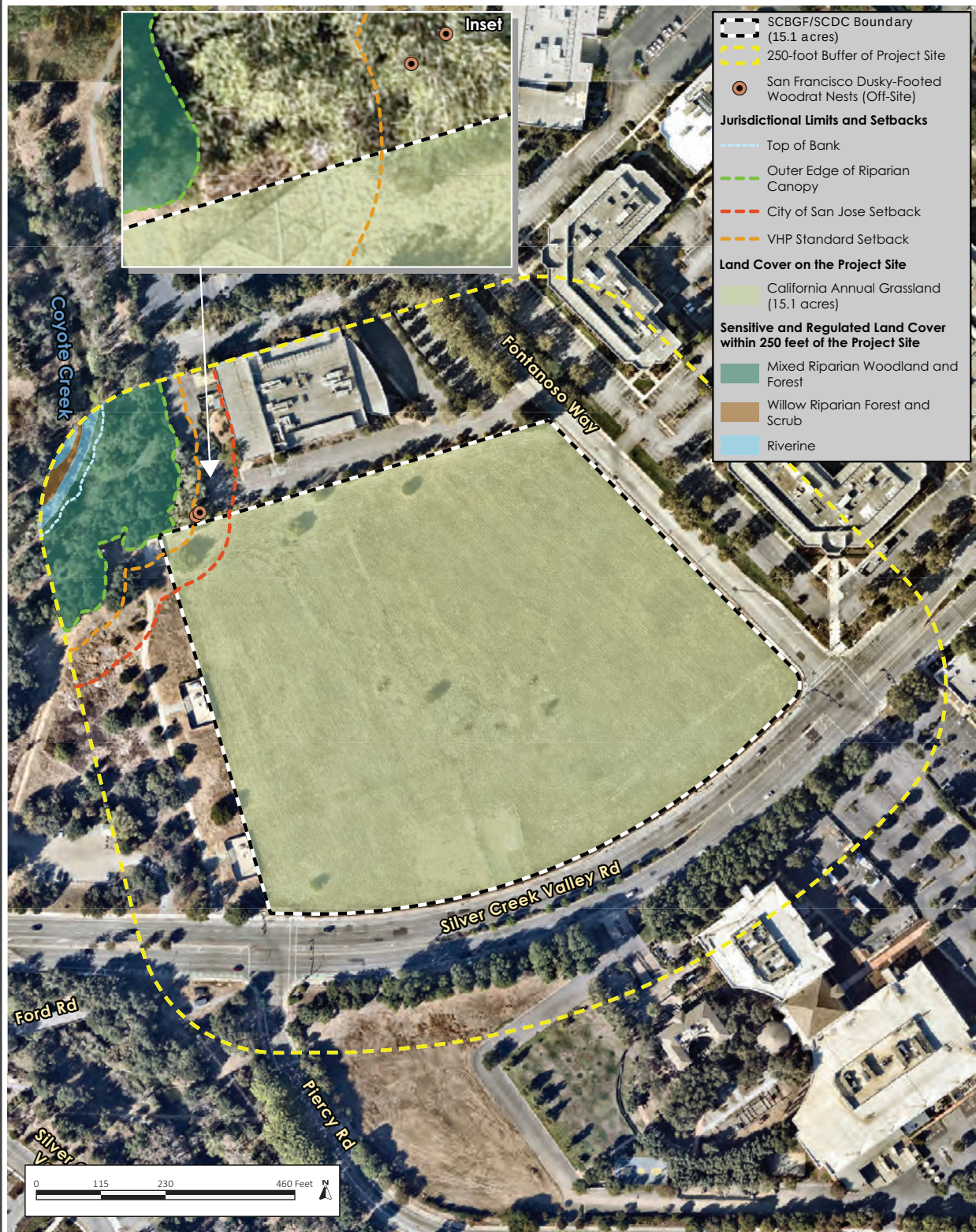
4.4.1.2 *Existing Conditions*

SCBGF/SCDC Site

H. T. Harvey & Associates conducted reconnaissance-level surveys of the SCBGF/SCDC Site and adjacent riparian corridor on October 23, 2025, November 11, 2025, February 20, 2026, and February 21, 2026 (refer to Appendix H).

Santa Clara Valley Habitat Plan Land Covers

The SCBGF/SCDC Site is mapped as California Annual Grassland under the Habitat Plan, as shown in Figure 4.4-1.



Source: H.T. Harvey & Associates, March 2026.

BIOLOGICAL RESOURCES LAND COVER MAP FOR THE SCBGF/SCDC SITE

FIGURE 4.4-1

Portions of the Site appear to have been historically developed or landscaped, with evidence of past clearing and soil disturbance. Small patches of bare ground and gravel are scattered throughout the grassland area. During the October 2025 site visit, vegetation was fully grown and past flowering, with nonnative annual grasses ranging from approximately one to two feet tall. The grassland is dominated by nonnative grasses including wild oat, ripgut brome, foxtail barley, and smilo grass. Dominant forbs include nonnative curly dock, cheeseweed, field bindweed, prickly lettuce, short-podded mustard, horseweed, wild beet, and bull thistle. Scattered woody vegetation is present throughout the grassland. Tree and shrub species observed on the Site include native coast live oak, California black walnut, coyote brush, and blue elderberry, as well as nonnative black locust and European olive. These individuals appear to be either remnant native trees or planted landscape species and do not form a continuous canopy.

Wildlife use of grasslands on the SCBGF/SCDC Site is limited by disturbance (e.g., periodic mowing as well as human activity in surrounding areas), the limited extent of the grassland area, and the isolation of this habitat from more extensive grasslands in the region (i.e., in the Diablo Range to the east). As a result, some of the wildlife species associated with extensive grasslands in the South Bay, such as the grasshopper sparrow, are absent from the grasslands on the Site. Many of the wildlife species found in this grassland area occur primarily in adjacent developed or riparian areas and use the grasslands on the Site for foraging. These include birds such as the house finch, bushtit, and lesser goldfinch, which forage on seeds in grassland areas, and the black phoebe, cliff swallow, and Mexican free-tailed bat, which forage aerially over grassland habitats for insects. Mammals associated with nearby urban areas will also use the grassland habitats on the project site for foraging; these include the native striped skunk and raccoon as well as the nonnative Virginia opossum and feral cat.

Approximately 15 burrows of California ground squirrels were observed on the SCBGF/SCDC Site during the November 2025 site visit. Other common rodent species that can occur in grasslands on the Site include the Botta's pocket gopher, California vole, and deer mouse. Diurnal raptors such as red-tailed hawks and red-shouldered hawks forage for these small mammals over grasslands during the day, and at night nocturnal raptors, such as barn owls, will forage for nocturnal rodents, such as deer mice. Several reptile species can also occur in this grassland habitat, including the western fence lizard, gopher snake, and southern alligator lizard.

Adjacent Habitat Areas

The SCBGF/SCDC Site is located east of Coyote Creek, which supports mixed riparian woodland and forest habitats adjacent to the northwestern boundary of the Site and riverine habitat 160 feet northwest of the Site (refer to Figure 4.4-1).

The mixed riparian woodland and forest habitat along Coyote Creek is characterized by a moderately dense canopy with native mature trees and an understory of smaller trees, saplings, shrubs, herbaceous species, and grasses. Native coast live oak is the dominant riparian tree species, with many California buckeye, Fremont cottonwood, and blue elderberry also present. The understory is relatively open and supports shrubs including native poison oak and nonnative

Himalayan blackberry, as well as herbaceous common annual grassland species such as Italian ryegrass. Channel bars within and along Coyote Creek support willow riparian forest and scrub habitat. This habitat is dominated by native sandbar willow and arroyo willow, with localized infestations of nonnative giant reed.

The riparian habitat along Coyote Creek near the SCBGF/SCDC Site is considered moderately high quality for birds. However, the relatively narrow width of the riparian canopy, the relatively open understory, the regularly disturbed nature of the stream channel (for stream maintenance/flood prevention purposes), and trampling/disturbance of this habitat from homeless encampments negatively affect the quality of this habitat for birds. This riparian habitat is also fragmented due to the surrounding high-density urban development and the presence of bridges and road crossings along nearby portions of the river, which reduces connectivity with riparian habitat and other natural areas upstream and downstream. This reach of the Coyote Creek is also used regularly by resident birds that are present in the vicinity year-round and are attracted to the riparian habitat for foraging and nesting opportunities.

Reptiles such as the gopher snake, western fence lizard, and southern alligator lizard are present in the riparian habitat along the Coyote Creek. Amphibians such as the arboreal salamander occur in the leaf litter in this habitat and the native Pacific tree frog is also known to be present. Urban-adapted mammals, such as the native raccoon and striped skunk, as well as the nonnative Virginia opossum, feral cat, and eastern gray squirrel, reside in riparian habitat and adjacent habitats along Coyote Creek.

Special Status Species

Under CEQA, special-status species are considered to be those that are protected by state, federal, or local governments as “threatened, rare, or endangered,” as described in further detail below.

Special-status plants are considered plant species that are:

- Listed under Federal Endangered Species Act (FESA) as threatened, endangered, proposed threatened, proposed endangered, or a candidate species;
- Listed under the California Endangered Species Act (CESA) as threatened, endangered, rare, or a candidate species;
- Listed by the California Native Plant Society (CNPS) as California Rare Plant Rank (CRPR) 1A, 1B, 2, 3, or 4.

Special-status animals are considered animal species that are:

- Listed under FESA as threatened, endangered, proposed threatened, proposed endangered, or a candidate species;
- Listed under CESA as threatened, endangered, or a candidate threatened or endangered species;

- Designated by the CDFW as a California species of special concern;
- Listed in the California Fish and Game Code as fully protected species.

Special Status Plants

Based on a review of the CNPS and California Natural Diversity Database (CNDDDB), there is only one special-status plant species that could occur on the SCBGF/SCDC Site—Congdon’s tarplant (CRPR 1B.1). Congdon’s tarplant is an annual herb in the composite family (Asteraceae) that is endemic to California. It has a variable blooming period extending from approximately May through November. Congdon’s tarplant occurs in valley and foothill grassland habitat, floodplains, and swales, particularly those with alkaline substrates; and in disturbed areas with nonnative grasses.

The closest location of Congdon’s tarplant is 13 miles to the northwest in Milpitas. The California annual grassland habitat on the SCBGF/SCDC Site provides some suitable habitat for Congdon’s tarplant, though the soils on the Site are not alkaline, which Congdon’s tarplant prefers. Due to the lack of alkaline soils and regular disturbance from mowing, the habitat on the Site is considered only marginally suitable for this species.

During the survey performed in October 2025, which was conducted during the blooming period of this species, a focused survey was conducted for Congdon’s tarplant within areas of suitable habitat (i.e., areas of California annual grassland) throughout the SCBGF/SCDC Site as well as a 50-foot surrounding buffer, as access allowed. 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 Site.

Special Status Animals

A review of the SCBGF/SCDC Site found that a number of special-status species would be absent from the Site because it lacks suitable habitat, is outside the known range of the species, and/or is isolated from the nearest known extant populations by development or otherwise unsuitable habitat.

The only potential special-status wildlife species that could occur on-site include the yellow warbler, Crotch’s bumble bee, northwestern pond turtle, and white-tailed kite. These species can potentially breed or occur on or immediately adjacent to the project site and/or may be significantly impacted by project construction. A brief description and observations about each aforementioned special-status animal is summarized below.

- **Yellow Warbler:** The yellow warbler is a California Species of Concern (nesting). No suitable nesting habitat for yellow warblers is present on the SCBGF/SCDC Site. However, suitable riparian nesting habitat for this species is present west of the Site along Coyote Creek. Yellow warblers forage along Coyote Creek in large numbers during migration, and up to one or two pairs of yellow warblers can potentially nest adjacent to the Site.
- **Crotch’s bumble bee:** The Crotch’s bumble bee is a State Candidate for listing under the CESA since 2019. This species’ habitat is primarily open grassland and scrub habitats. The

SCBGF/SCDC Site does not provide high-quality habitat for this species, as few flowering plants are present and the grasslands are periodically maintained by mowing. Due to the low quality of the habitat, nesting on the Site is unlikely under current conditions. However, individuals may occur occasionally and in small numbers as foragers, and the possibility that nesting could occur on the site cannot be ruled out.

- **Northwestern pond turtle:** The northwestern pond turtle is federally protected as threatened, is a California Species of Concern, and a Santa Clara Valley HCP covered species. No suitable aquatic habitat is present on the project site, and breeding populations of northwestern pond turtles have been extirpated from most urbanized areas in the region. However, individuals of this long-lived species still occur in urban streams and ponds in the Santa Clara Valley. The northwestern pond turtle is known to occur in Coyote Creek and at the Metcalf Pond/Parkway Lakes complex approximately 1.9 miles to the southeast. The VHP maps primary habitat for northwestern pond turtles along Coyote Creek adjacent to the SCBGF/SCDC Site, and secondary habitat in adjacent grasslands on the Site. No pond turtles were observed on or adjacent to the site during the November 2025 or February 2026 site visits. Potentially suitable nesting habitat for northwestern pond turtles is present in grassland areas on the project site, and it is possible that an individual could access the project site and potentially nest there.
- **White-tailed kite:** The white-tailed kite is State Protected. Potentially suitable nesting habitat for this species is present in trees on and adjacent to the SCBGF/SCDC Site, and suitable foraging habitat is present in grasslands on the Site. Up to one pair of white-tailed kites may nest on or adjacent to the Site, and occasional individuals may forage on the Site year-round.

In addition to the species discussed above, nests of the San Francisco dusky-footed woodrat were observed in the riparian habitat west of the Site along Coyote Creek. However, no suitable habitat for this species is present on the Site, and no woodrat nests were observed on the Site during the November 2025 focused survey.

Sensitive Natural Communities

Sensitive natural communities are absent from the SCBGF/SCDC Site and no sensitive vegetation alliances occur on the Site.

The CDFW would likely claim jurisdiction over areas at, and below, the tops of bank on either side of Coyote Creek, as well as associated riparian habitat located outside of the tops of bank. However, riparian habitat associated with the Coyote Creek corridor does not occur on the SCBGF/SCDC Site.

No waters or wetlands of the U.S. or state occur on the Site. Coyote Creek to the west is considered jurisdictional waters of the U.S. up to the ordinary high-water marks, and the RWQCB may claim the banks of the creek, and riparian habitat rooted below top of bank, as waters of the state.

Wildlife Movement

Movement corridors are segments of habitat that provide linkage for wildlife through the mosaic of suitable and unsuitable habitat types found within a landscape while also providing cover. On a broader level, corridors also function as paths along which wide-ranging animals can travel, populations can move in response to environmental changes and natural disasters, and genetic interchange can occur. In California, environmental corridors often consist of riparian areas along streams, rivers, or other natural features.

Due to the presence of development north, east, and south of the SCBGF/SCDC there are currently no well-defined or important movement corridors for mammals, amphibians, or reptiles on or through the project site. Wildlife species may move through the area using cover and refugia as they find them available. Coyote Creek, which eventually drains to the open waters of the San Francisco Bay, and its associated riparian corridor adjacent to the site serves as a movement corridor for several common and special-status species of birds, fish, mammals, reptiles, and amphibians. In addition, a number of birds, mammals, reptiles, and amphibians utilize the riparian corridor of Coyote Creek for movement purposes, as it provides sufficient vegetative cover preferred by these species when navigating across the landscape. Specifically, migratory passerines, rabbits, striped skunks, raccoons, Pacific tree frogs, and alligator lizards, amongst other species, are expected to move along this corridor adjacent to the project site.

Existing Trees

The City of San José maintains the urban landscape by controlling the removal of ordinance trees on private property (San José Municipal Code Section 13.32). Ordinance trees are defined as trees exceeding 38 inches in circumference, or approximately 12 inches in diameter, at a height of 4.5 feet above the ground. Ordinance trees are generally mature trees that help beautify the City, slow the erosion of topsoil, minimize flood hazards, minimize risk of landslides, increase property values, and improve local air quality.

A total of seven trees were identified on the SCBGF/SCDC Site, of which six were identified as ordinance-sized trees under the City's Tree Removal Ordinance. Refer to Appendix G for the summary of existing trees on the SCBGF/SCDC Site.

PG&E Transmission Line Route

The PG&E transmission line route is located within the public right-of-way along Silver Creek Valley Road, Hellyer Avenue, and Piercy Road.

4.4.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
e) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	☐	☐	☒	☐
f) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	☐	☐	☒	☐
g) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
h) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	☐	☐	☒	☐
i) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
j) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐
Would the project result in a cumulatively considerable contribution to a significant cumulative biological resources impact?	☐	☐	☒	☐

The discussion below includes analysis of the SCBGF/SCDC Site. The Applicant has commissioned a biological resources analysis related to the construction and operation of the Hellyer Switching Station and PG&E transmission line. This analysis will be submitted under a separate cover.

Note that the off-site multi-modal improvements will be located within the existing public-right-of-way of Silver Creek Valley Road (between Piercy Road and Fontanoso Way) and are assumed to have no impact on biological resources due to this location and would not involve removal of trees. These improvements are assumed to occur in an urbanized area that is void of biological resource

habitat, such as unique land covers or waterways, and special-status species that would utilize the existing paved area. For these reasons, the off-site multi-modal improvements are not discussed further in the following impact analysis.

4.4.2.1 *Project Impacts*

- a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS?
-

Impacts on California Annual Grassland and Associated Common Plant and Wildlife Species

SCBGF/SCDC Site

The SCBGF/SCDC would result in 15.1 acres of permanent impacts on California annual grassland habitat on the SCBGF/SCDC Site, which would reduce the availability of this habitat and result in a reduction in abundance of some of the common plant and wildlife species that occur on the Site. However, while the SCBGF/SCDC would result in the loss of California annual grassland habitat, this area of California annual grassland is regularly disturbed, located in a highly urbanized area, and does not provide regionally rare or especially high-value habitat for native vegetation or wildlife, or special-status species aside from the burrowing owl. Furthermore, California annual grassland is a widespread habitat within the VHP area. Since the quality of California annual grassland habitat that would be permanently impacted is not of high-value and would not reduce regional populations of animal species, impacts would be less than significant. **(Less than Significant Impact)**

Impacts on Water Quality and Special-Status Fish

SCBGF/SCDC Site

No direct impacts are proposed within the bed and banks of Coyote Creek, which is located 160 feet northwest of the SCBGF/SCDC Site, and no indirect impacts on the creek, water quality within the channel, or fish species inhabiting the creek are expected to occur as a result of SCBGF/SCDC activities. Additionally, as a project covered under the Santa Clara Valley Habitat Plan, the SCBGF/SCDC would be required to comply with Condition 3, which states projects disturbing one acre or more must comply with the State requirements under the Municipal Regional Stormwater National Pollutant Discharge Elimination System General Construction Permit (as discussed more in Section 4.10 Hydrology and Water Quality). Compliance with this permit would reduce temporary impacts to water quality due to construction activities. Compliance with applicable State water quality permit requirements, combined with the absence of project-related effects to Coyote Creek, would ensure that the SCBGF/SCDC would not result in impacts to water quality in the creek or to special-status fish species within it. **(Less than Significant Impact)**

Impacts on Nonbreeding Special-Status Species

SCBGF/SCDC Site

Several special-status invertebrate, bird, and mammal species may occur on the SCBGF/SCDC Site as nonbreeding migrants, transients, or foragers, but they are not known or expected to breed or occur in large numbers within or near the project impact area. These are the monarch butterfly, tricolored blackbird, Bryant's savannah sparrow, grasshopper sparrow, golden eagle, and pallid bat.

Construction of the SCBGF/SCDC would have some potential to impact foraging habitats and/or disturb individuals of these species. Construction activities might result in a temporary direct impact through the alteration of foraging patterns (e.g., avoidance of work sites because of increased noise and activity levels during maintenance activities) but would not result in the loss of individuals, as individuals of these species would fly away from any construction areas or equipment before they could be injured or killed. Further, the SCBGF/SCDC Site does not provide important foraging habitat used regularly or by large numbers of individuals of any of these species. As a result, the SCBGF/SCDC would have little impact on these species' foraging habitat and no substantive impact on regional populations of these species. **(Less than Significant Impact)**

Impacts on Yellow Warbler, White-Tailed Kite, and San Francisco Dusky-Footed Woodrat

SCBGF/SCDC Site

The yellow warbler (a California species of special concern) could potentially nest adjacent to the project site in riparian trees along Coyote Creek. The white-tailed kite (a state fully protected species) may nest in trees along Coyote Creek or in landscape and woodland areas adjacent to the Site. Nests of San Francisco dusky-footed woodrats are present in woodland habitat adjacent to the Site (refer to Figure 4.4-1). These three species are assessed together because the potential impacts of the SCBGF/SCDC on these species would be similar.

Based on observations, the areal extent of suitable habitats within and adjacent to the SCBGF/SCDC Site, and known nesting densities of these species, it is likely that no more than one to two pairs of yellow warblers would nest adjacent to the site along Coyote Creek, and one pair of white-tailed kites could potentially nest on or adjacent to the Site. In addition, two nests of San Francisco dusky-footed woodrats are present adjacent to the Site. The SCBGF/SCDC would not result in the loss of suitable nesting or foraging habitat for the yellow warbler or San Francisco dusky-footed woodrat, as no activities are proposed within riparian habitat along Coyote Creek. However, the SCBGF/SCDC would result in the permanent loss of suitable nesting and foraging habitat for the white-tailed kite. In addition, activities that occur during the nesting season and cause a substantial increase in noise or human activity near active nests may result in the abandonment of active nests of all of these species (i.e., bird nests with eggs or young or woodrat nests with young). Heavy ground disturbance, noise, and vibrations caused by project activities could also potentially disturb nesting and foraging individuals and cause them to move away from work areas.

While the construction of the SCBGF/SCDC would result in the permanent loss of suitable nesting and foraging habitat for the white-tailed kite and could cause the abandonment of active nests for

all these species, the impact would be marginal since the number of individuals and nests that could be impacted would not affect the overall regional population number. Therefore, neither the potential loss of individuals nor the disturbance of nesting and foraging habitat would rise to the level of having a substantial adverse effect, and these impacts would thus not constitute a significant impact on these species or their habitat under CEQA. **(Less than Significant Impact)**

However, all native bird species are protected from direct take by federal and state statutes under provisions of the MBTA and CDFW code. The SCBGF/SCDC includes PDM (refer to PDMs BIO-1.1 through BIO-1.6, below) that would require the project to either restrict work to the non-nesting season (September 1 through January 31) or conduct preconstruction surveys prior to project activities and maintaining appropriate buffers around active nests of protected birds.

PDM BIO-1.1: Nesting Season Avoidance. To the extent feasible, commencement of construction activities shall 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 buffer zones shall remain in place until all young in the nest have fledged or the nest otherwise becomes inactive (e.g., due to predation). The buffer 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.

With implementation of PDM BIO-1.1 through BIO-1.6, impacts to the yellow warbler, white-tailed kite, and common nesting birds would be further reduced and impacts would be less than significant. **(Less than Significant Impact)**

Impacts on Crotch's Bumble Bee

SCBGF/SCDC Site

As stated in Section 4.4.1.2 Existing Conditions, the SCBGF/SCDC Site is low-quality habitat for Crotch's bumble bee. 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 construction occurs. If construction activities were to result in the potential loss of individual Crotch's bumble bees, then SCBGF/SCDC construction would impact only a small number of individuals and/or nests

representing a very small proportion of the species' regional population. For these reasons, the SCBGF/SCDC would not have a substantial adverse effect on Crotch's bumble bee since high-quality nesting and foraging habitat for this species exists in other regions of the Bay Area and the low probability of the species being present on the Site. **(Less than Significant Impact)**

Impacts on Northwestern Pond Turtle

SCBGF/SCDC Site

Northwestern pond turtles occurring along Coyote Creek can potentially travel to the SCBGF/SCDC Site and occur there, and grasslands on the Site provide suitable nesting habitat for this species. Due to the potential for pond turtles to access the Site, SCBGF/SCDC construction activities could potentially disturb upland habitat used for nesting by pond turtles. Individual turtles or their eggs that are present in the work areas may be harmed or killed due to crushing by construction personnel or equipment, or as a result of desiccation or burying (e.g., during grading). Although pond turtles are widespread in the region, the species is not particularly abundant, and the loss of individuals could reduce the viability of a population to the extent that it would be extirpated.

The VHP does not provide specific species-level avoidance and minimization measures for the northwestern pond turtle. However, the SCBGF/SCDC would be required to adhere to all conditions noted in the VHP (as applicable) including Condition 3 (Maintain Hydrologic Conditions and Protect Water Quality) and Condition 11 (Adhere to Stream and Riparian Setbacks). These conditions would minimize potential impacts on the northwestern pond turtle and its habitat. Since the SCBGF/SCDC would comply with all relevant VHP conditions, impacts on the northwestern pond turtle would be less than significant. **(Less than Significant Impact)**

Impacts Due to Bird Collisions

SCBGF/SCDC Site

As discussed in section 4.1.1.2 Existing Conditions, the riparian habitat along Coyote Creek adjacent to the Site supports relatively high bird diversity and abundance, and songbirds that migrate along the Pacific Flyway disperse and forage along Coyote Creek in relatively large numbers. There is potential for a moderate number of birds to collide with the glazed facades of the proposed SCDC due to the connectivity of the landscape vegetation located adjacent to and opposite this glazing with Coyote Creek. Birds would potentially collide with glazing on façades of the SCDC building for the following reasons:

- Birds may be unable to distinguish building facades as solid features to avoid
- Birds may mistake proposed landscaping vegetation reflected in the building facades as real vegetation and strike the glass
- Reflections of the sky in the glass façade may be perceived by birds as an open flight path instead of solid glass
- Night lighting may disorient birds and cause them to collide with the buildings

To reduce bird collisions and integrate bird-safe designs into the SCDC building, the following PDM would be implemented.

PDM BIO-2: **Bird Collision.** Due to the potential for bird collisions with the SCDC building, 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 Factor⁵³ 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

⁵³ 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/>.

horizontally from a building corner as far 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.

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.

As described in PDM BIO-2, the SCBGF/SCDC's use of bird-safe glazing and the orientation of the proposed glazing away from Coyote Creek would reduce the number and frequency of avian collisions. Therefore, the SCBGF/SCDC would not result in the loss of a substantial proportion of any species' Bay-area populations or any Bay-area bird community, and impacts would be less than significant. **(Less than Significant Impact)**

Impacts Due to Increased Lighting

SCBGF/SCDC Site

Construction of the Project would result in new sources of light around the SCBGF/SCDC Site. Sources would include light fixtures illuminating buildings, building architectural lighting, and parking lot and pedestrian lighting. Depending on the location, direction, and intensity of exterior lighting, this lighting could potentially spill into adjacent natural areas, thereby resulting in an increase in lighting compared to existing conditions. Areas to the north, east, and south are primarily developed urban habitats that do not support sensitive species that might be significantly impacted by illuminance from the SCBGF/SCDC, and lighting from the SCBGF/SCDC is not expected to spill past surrounding buildings to illuminate grassland habitats within Silver Creek Hills to the east/northeast. However, the riparian and wetland habitats along Coyote Creek provide suitable habitat for a variety of wildlife species, including sensitive species such as the yellow warbler, and are close enough to the SCBGF/SCDC to be affected by an increase in lighting.

Wildlife species inhabiting the sensitive habitats along Coyote Creek are already habituated to the existing artificial illuminance from a variety of urban and natural light sources that are found nearby. However, due to the ecological importance of the riparian and aquatic habitats of Coyote Creek and the fish and wildlife communities they support, substantial increases in illuminance of Coyote Creek and its associated riparian and aquatic habitats could result in a potentially significant

impact by disrupting the natural behaviors of the species using these habitats. The following PDM would reduce impacts from lighting from the SCBGF/SCDC, as well as lighting directed at Coyote Creek.

PDM BIO-3: Minimize Project Lighting. Due to the potential for lighting on the SCBGF/SCDC Site to affect wildlife species that occur on the site and along Coyote Creek adjacent to the site, the Project Applicant shall implement the following measures to minimize lighting on the SCBGF/SCDC Site.

- All exterior lighting shall be fully shielded to block illumination from shining outward towards Coyote Creek.
- Up-lighting shall be avoided in the project design. All fixtures shall have a BUG up-light rating of B0, and all lighting shall be shielded and directed to block illumination from spilling upwards above the horizontal plane.
- All project lighting shall have a correlated color temperature of no more than 3,000 Kelvins.
- Exterior fixtures shall comply with lighting zone LZ-2, Moderate Ambient, as recommended by the International Dark-Sky Association (2011) for light commercial business districts and high-density or mixed-use residential districts. The allowed total initial luminaire lumens for the project site is 2.5 lumens per square foot of hardscape, and the BUG rating for individual fixtures shall not exceed B3 or G2, as follows:
 - o B3: 2,500 lumens high (60–80 degrees), 5,000 lumens mid (30–60 degrees), 2,500 lumens low (0–30 degrees)
 - o G2: 225 lumens (forward/back light 80–90 degrees), 5,000 lumens (forward 60–80 degrees), 1,000 lumens (back light 60–80 degrees asymmetrical fixtures), 5,000 lumens (back light 60–80 degrees quadrilateral symmetrical fixtures)
- Exterior lighting shall be minimized (i.e., total outdoor lighting lumens shall be reduced by at least 30 percent or extinguished, consistent with recommendations from the International Dark-Sky Association) from 10:00 p.m. until sunrise, except as needed for safety and City code compliance.

With PDM BIO-3 incorporated, the SCBGF/SCDC would be required to minimize Project lighting, thereby reducing the potential for impacts to wildlife species.

Impacts Due to Increased Noise Levels

The wildlife inhabiting the Coyote Creek is acclimated to some existing noise levels from the surrounding areas already (approximately 49 to 59 decibel, A-weighted [dBA] with an hourly average of 53 dBA). Additionally, an existing generator is located along the western boundary of the project site. This generator operates on an intermittent basis generating instantaneous noise levels of approximately 80 dBA in the Coyote Creek riparian corridor. The exact testing schedule for this existing generator is unknown.

The Project would generate noise from construction activities (e.g., equipment and trucks) and during operation (e.g., testing of emergency generators for maintenance purposes). During construction, noise levels along the Coyote Creek corridor would increase to regular or sustained levels of approximately 62 to 83 dBA over approximately 16 months. During operation, noise levels would be approximately 60 dbA during normal operations and up to 75 dBA when the emergency generators would be operating for testing and maintenance purposes. The testing of the emergency generators would represent an intermittent disturbance to the Coyote Creek corridor.

While the Project would increase noise levels during construction and from future generator testing, the noise levels anticipated from these activities would be similar to the existing noise that the Coyote Creek corridor is currently exposed to from existing sources. The Coyote Creek corridor is also within a highly disturbed area with surrounding development operations, vehicles on roadways, and humans using the Coyote Creek trail; therefore, this riparian corridor is exposed to a variety of noise sources. It is not anticipated that the wildlife that uses the creek would avoid or stop using the riparian habitat due to the temporary construction noise or the new operational noise (e.g., generator testing) since they are acclimated to these noise levels. For these reasons, the Project would not generate new noise levels that wildlife along the Coyote Creek is not already acclimated to. Therefore, biological resource impacts due to noise generated from construction and/or operational activities on the site would be less than significant. **(Less than Significant Impact)**

Nitrogen Deposition Impacts

SCBGF/SCDC Site

The VHP covers impacts from nitrogen deposition since increased NO_x emissions from new developments (e.g., vehicles) contribute effects of nitrogen deposition on serpentine grassland ecosystems. While the Site has no serpentine grassland, the 381 new operational trips per day that would be generated from the SCDC would emit more NO_x that could disperse and contribute to the nitrogen deposition impacts to serpentine habitat elsewhere in the VHP. To reduce the impacts of nitrogen deposition, the VHP includes an impact fee to mitigate airborne nitrogen deposition from covered activities. The amount of the fee is based on the number of new daily vehicle trips generated by a covered activity. The fee-per-vehicle-trip is a surrogate that captures the overall effects of a project, recognizing that vehicle trips are not the only source of a project's NO_x emissions. The following PDM, based on the City's Standard Permit Condition, would ensure compliance with the VHP.

The Applicant has commissioned a nitrogen deposition analysis related to the testing and maintenance of the backup generators to evaluate the effect on the Coyote Creek Habitat and the area to the north and east of the site which has been identified as Bay Checkerspot Butterfly critical habitat. The analysis was not complete at the time of this analysis and will be submitted separately. It is important to note that nitrogen deposition from backup generators is extremely low. Nitrogen deposition concentrations have been so low that the Commission has routinely determined that

backup generating facilities granted an SPPE have not resulted in significant nitrogen deposition impacts.

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.

With PDM BIO-4 the SCBGF/SCDC would be required to pay the mandatory nitrogen deposition impact fee, which would reduce impacts related to Project's NO_x emissions in relation to biological resources.

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- b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?
-

SCBGF/SCDC Site

Coyote Creek flows from south to north adjacent to the SCBGF/SCDC Site. The entirety of ground-disturbing impacts would occur outside of the riparian corridor.

To protect the ecological functions and values of a stream, buffers are often prescribed between new development and the stream (or its banks or associated riparian habitat). These buffers provide habitat for plants and animals associated with the stream, provide habitat connectivity (i.e., areas used for wildlife movement, including flight paths for birds), reduce indirect effects of adjacent development (e.g., noise, lighting, human activity, or invasive species) on the natural stream and riparian habitats, allow for the possible future expansion of natural habitat, help to maintain site hydrology, and in some areas allow for runoff to be treated (e.g., by flowing through vegetated areas) before it enters the stream. In addition, along streams such as Coyote Creek, vegetative communities within stream buffers may provide important refugia for animals associated with wetland and riparian habitats along the creek during flood events, when little to no such refugia may be present within the banks of the creek itself.

The City's Riparian Corridor Protection and Bird Safe Design Council Policy states that riparian setbacks should be measured 100 feet from the outside edges of riparian habitat or the top of bank, whichever is greater. However, the Policy also states that setback distances for individual sites may vary if consultation with the City and a qualified biologist, or other appropriate means, indicates that a smaller or larger setback is more appropriate for consistency with riparian preservation objectives. Additionally, under Condition 11 of the VHP, the standard required setback for Coyote Creek (a Category 1 stream) is 100 feet from the top of bank or 35 feet from the outer edge of the

riparian canopy, whichever is greater. On the SCBGF/SCDC Site, the VHP setback is 35 feet from the outer edge of the riparian canopy because the slope of the project site is, on average, less than 30 percent, all areas 35 feet from the edge of riparian vegetation extend past the 100-foot buffer from top of bank, and the Site is located inside the VHP-designated urban service area. The VHP provides exceptions to standard stream setbacks, including an exception to prevent denying an owner economically viable use of their land or adversely affecting recognized real property interests.

For the purposes of the SCBGF/SCDC Site, the City's standard 100-foot setback extends landward from the outer edge of the riparian habitat along Coyote Creek, and the VHP setback extends 35 feet landward from the edge of the riparian habitat (refer to Figure 4.4-1). As a result, the City's setback extends 65 feet farther onto the SCBGF/SCDC than the VHP setback. These setbacks are applicable to all proposed project improvements.

Under the proposed Project, all areas within the VHP and City setbacks on the SCBGF/SCDC site will be modified in some way. The Project proposes <0.01 acre of permanent impacts within the VHP standard setback (measured 35 feet from the edge of the riparian canopy) and 0.3 acre of encroachment into the City of San José setback area (measured 100 feet from the edge of the riparian canopy). Within the VHP setback, the Project will plant new landscape vegetation of unknown composition. Within the City setback, the Project will construct a portion of a stormwater treatment basin, plant new landscape vegetation of unknown composition, and plant several native coast live oak and valley oak trees. No new impervious surface or structures are proposed within the setback areas.

Encroachment into the riparian setback along Coyote Creek could potentially affect habitat quality within the riparian corridor, or animals that use the riparian corridor (some of which use habitat both within and adjacent to the riparian corridor). Because the existing California annual grassland habitat does not provide especially high-quality habitat for riparian-associated species, the proposed planting of native coast live oak and valley oak trees within the setback is expected to improve habitat quality (e.g., by increasing breeding and foraging habitat) for some riparian animal species relative to existing conditions. However, the composition of other vegetation to be planted in the setback (e.g., shrubs, forbs, and ground cover), including within the stormwater treatment basin, is unknown; as a result, the effects of this vegetation on the riparian corridor and associated wildlife species is also unknown. In general, because these areas will continue to be dominated by vegetation, wildlife species that use the riparian corridor will continue to be able to use these areas for foraging and movement following project construction. However, if locally native, riparian-compatible vegetation is used, such vegetation would provide higher-quality resources for native wildlife and would potentially represent a net benefit compared to existing conditions. In contrast, if nonnative invasive species are used, such species would provide low-quality habitat for native wildlife and potentially spread to the adjacent riparian corridor. The spread of nonnative invasive species into the adjacent riparian corridor would be considered a significant impact under CEQA due to the potential for such species to degrade the quality of the adjacent habitat for wildlife. PDM BIO-5 would ensure that the project's planting plan is compatible with the adjacent riparian corridor, thus avoiding impacts associated with planting invasive species.

PDM BIO-5: Plant Riparian-Compatible Species. All vegetation planted within the riparian setback on the SCBGF/SCDC Site shall consist of locally native or sterile nonnative species and shall avoid species identified by the Cal-IPC as invasive.

With the incorporation of PDM BIO-5, the SCBGF/SCDC would result in a less than significant impact to riparian habitat.

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- c) Would the project have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means?
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SCBGF/SCDC Site

As mentioned in Section 4.4.1.2 Existing Conditions, the SCBGF/SCDC does not contain wetland areas. While the Site is adjacent to Coyote Creek, where Waters of the United States and State are present, the Project would not disturb or encroach into the river. Therefore, the proposed SCBGF/SCDC would not impact state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means.

-
- d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
-

SCBGF/SCDC Site

Coyote Creek and its associated riparian corridor provide an important movement pathway for both aquatic and terrestrial wildlife species, connecting the associated wetlands to the San Francisco Bay. The SCBGF/SCDC would not result in any loss of aquatic, wetland, or riparian habitat along Coyote Creek or in any substantial reduction in the value of the Coyote Creek corridor for wildlife movement. Thus, aquatic and terrestrial species would continue to be able to move north to south along Coyote Creek following construction of the SCBGF/SCDC. Therefore, the SCBGF/SCDC would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

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- e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
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SCBGF/SCDC Site

As described in Section 4.4.1.2 Existing Conditions, the SCBGF/SCDC site contains seven trees, six of which are ordinance-sized according to the City of San José's Municipal Code Title 13. Construction of the SCBGF/SCDC would result in the removal of trees, which requires a Tree Removal Permit

from the City of San José. The Project Applicant would be required to replace removed trees using the City's tree replacement ratios. The species of trees to be planted would be determined in consultation with the City Arborist and the Department of Planning, Building and Code Enforcement. The SCBGF/SCDC would be required to conform to the replacement requirements as identified in the Municipal Code Section 13.28.300, General Plan Policies MS-21.4, MS-21.5, MS-21.6 and CD-1.24 and City of San José Tree Removal Ordinance (Municipal Code Section 13.31.010 to 13.32.100). The City's Standard Permit Condition for tree planting would be implemented by the Project as a PDM.

PDM BIO-6: 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 4.4-3.

Table 4.4-3: 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

*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.

By conforming to the standard permit conditions through implementation of PDM BIO-6, the SCBGF/SCDC would meet all applicable tree removal and tree protection requirements set forth by the City of San José.

Additionally, as discussed above, the Project will construct a portion of a stormwater treatment basin, plant new landscape vegetation of unknown composition, and plant several native coast live oak and valley oak trees within the City's riparian setback for Coyote Creek. Per Council Policy 6-34, the Project applicant would be required to request an exception to the riparian setback requirement from the City. Policy 6-34 allows for an exception from the riparian setback in instances "...where implementation of the project includes measures that can protect and enhance the riparian value more than the minimum setback."⁵⁴ As described above, because the existing California annual grassland habitat within the setback area on the SCBGF/SCDC Site does not provide especially high-quality habitat for riparian-associated species, the proposed planting of native coast live oak and valley oak trees within the setback is expected to improve habitat quality relative to existing conditions. Additionally, the planting of riparian-compatible vegetation in accordance with PDM BIO-5 would provide higher-quality resources for native wildlife and would potentially represent a net benefit compared to existing conditions. With City approval of an exception to the riparian setback requirements based on the above-described qualifications, the SCBGF/SCDC would not conflict with Policy 6-34.

-
- f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?
-

The SCBGF/SCDC is a covered activity under the VHP. As a result, the SCBGF/SCDC would be required to comply with the VHP conditions, which includes paying applicable VHP fees and/or complying with specific VHP conditions to reduce impacts to biological resources. The SCBGF/SCDC would be required to comply with the following applicable VHP Conditions:

⁵⁴ City of San José. Council Policy 6-34. August 23, 2016. Available at: <https://www.sanjoseca.gov/home/showpublisheddocument/12815/636669915138100000>.

- **Condition 1. Avoid Direct Impacts on Legally Protected Plant and Wildlife Species:** Several wildlife species that occur in the project vicinity are protected under state and federal laws. Some of these animal species are listed as fully protected under the California Fish and Game Code (e.g., the white-tailed kite), and eagles are protected under the Bald and Golden Eagle Protection Act. Further, all native bird species and their nests are protected under the MBTA and California Fish and Game Code. Actions conducted under the VHP must comply with the provisions of the MBTA and California Fish and Game Code.
- **Condition 3. Maintain Hydrologic Conditions and Protect Water Quality:** Condition 3 applies to all projects and identifies a set of programmatic BMPs, performance standards, and control measures to minimize increases of peak discharge of storm water and to reduce runoff of pollutants to protect water quality, including during project construction. These requirements include preconstruction, construction site, and post-construction actions. Preconstruction conditions are site design planning approaches that protect water quality by preventing and reducing the adverse impacts of stormwater pollutants and increases in peak runoff rate and volume. They include hydrologic source control measures that focus on the protection of natural resources. Construction site conditions include source and treatment control measure to prevent pollutants from leaving the construction site and minimizing site erosion and local stream sedimentation during construction. Post-construction conditions include measures for stormwater treatment and flow control.
- **Condition 11. Stream and Riparian Setbacks:** Condition 11 applies to covered projects that may affect streams and associated riparian vegetation within the VHP area. This condition requires new covered projects to adhere to setbacks from creeks and streams and associated riparian vegetation to minimize and avoid impacts on aquatic and riparian land cover types, covered species, and wildlife corridors. The standard required setback for Coyote Creek (a Category 1 stream) is 100 feet from the top of bank or 35 feet from the outer edge of the riparian canopy, whichever is greater. On the project site, the VHP setback is 35 feet from the outer edge of the riparian canopy because the slope of the SCBGF/SCDC Site is less than 30 percent, no areas 100 feet from the top of bank extend past the 35-foot buffer, and the Site is located inside the VHP-designated urban service area.

As described above, the Project will plant new landscape vegetation of unknown composition within the riparian setback established under Condition 11 of the VHP. The VHP allows for exceptions to the riparian setback in instances where the "...stream setback exception does not preclude achieving the biological goals and objectives of the Habitat Plan or conflict with other applicable requirements of the Habitat Plan and local policies."⁵⁵ As described previously, the existing California annual grassland habitat within the setback area on the SCBGF/SCDC Site does not provide especially high-quality habitat for riparian-associated species. The Project includes PDM BIO-5 requiring the planting of riparian-compatible vegetation, which would provide higher-quality resources for native wildlife and would potentially represent a net benefit compared to existing conditions in the setback. As

⁵⁵ Santa Clara Valley Habitat Agency. Final Santa Clara Valley Habitat Plan. Pages 6-54–6-55. Available at: <https://scv-habitatagency.org/DocumentCenter/View/128/Chapter-6-Conditions-on-Covered-Activities-and-Application-Process>.

a result, an exception from the Condition 11 riparian setback would not preclude achieving the biological goals of the VHP or conflict with other applicant requirements of the VHP and local policies. The Project would be required to request an exception to Condition 11 from the “Implementing Entity” of the VHP, which, based on the Project’s location, is the City of San José. With approval of the exception request by the City, the Project would be consistent with Condition 11 of the VHP.

- **Condition 17. Tricolored Blackbird:** This condition applies to projects that are located within 250 feet of any riparian, coastal, and valley freshwater marsh and helps to protect tricolored blackbirds by prescribing preconstruction surveys, construction buffer zones, biological monitoring, and other requirements. If a project is located within 250 feet of habitat mapped as pond by the VHP, a qualified biologist must confirm that the pond land cover type is present. If a qualified biologist verifies that the project area is within 250 feet of pond habitat, a qualified biologist must conduct a field investigation to identify and map potential nesting substrate. If suitable nesting substrate is identified, avoidance and minimization measures must be implemented (see pages 4-43 to 4-44 of the VHP). No suitable vegetation for nesting by tricolored blackbirds was present along Coyote Creek within 250 feet of the SCBGF/SCDC Site due to predominance by woody riparian vegetation and shorter ruderal vegetation, and the absence of large stands of emergent vegetation or other tall, dense herbaceous vegetation. Thus, no tricolored blackbird nesting colonies are expected to occur on or within 250 feet of the Site, and no additional surveys or avoidance and minimization measures pertaining to this species are required.

With compliance with the VHP Conditions and implementation of the PDMs that require payment of the nitrogen deposition VHP fee, the SCBGF/SCDC would not conflict with the provisions of an adopted Habitat Conservation Plan.

4.4.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a significant cumulative biological resources impact?

Cumulative impacts arise due to the linking of impacts from past, current, and reasonably foreseeable future projects in the region. Future development activities in San José and development activities covered by the VHP would result in impacts on the same habitat types and species that will be affected by the proposed project. The Project, in combination with other projects in the area and other activities that impact the species that are affected under the project, could contribute to cumulative effects on special-status species. Other projects in the area include both development and maintenance projects that could adversely affect these species and restoration projects that will benefit these species.

The cumulative impact on biological resources resulting from the Project in combination with other projects in the region would be dependent on the relative magnitude of adverse effects of these projects on biological resources compared to the relative benefit of impact avoidance and

minimization efforts prescribed by (1) planning documents, CEQA mitigation measures, and permit requirements for each project; (2) compensatory mitigation and proactive conservation measures associated with each project; and (3) the benefits to biological resources accruing from the VHP. In the absence of such avoidance, minimization, compensatory mitigation, and conservation measures, cumulatively significant impacts on biological resources would occur.

The City's General Plan and the VHP include numerous conservation measures to offset adverse effects on covered activities. Many projects in the region that impact resources similar to those impacted by the proposed Project would be covered activities under the VHP and would mitigate impacts on sensitive habitats and many special-status species through that program, which will require payment of fees for habitat restoration. Furthermore, the SCBGF/SCDC would implement PDMs (refer to PDM BIO-1.1 through BIO-1.6, PDM BIO-2, PDM BIO-3, PDM BIO-4, PDM BIO-5, PDM BIO-6) to reduce impacts on both common and special-status species, as described above. Therefore, the Project would not contribute to substantial cumulative effects on biological resources. **(Less than Significant Cumulative Impact)**

4.5 Cultural Resources

The discussion in this section is based in part on Cultural Resources Reports (CRR) prepared for the SCBGF/SCDC and Hellyer Switching Station site (dated April 16, 2026) and PG&E Transmission Line (dated April 16, 2026) by Chronicle Heritage. A copy of these reports will be docketed with the Commission under a Request for Confidentiality. In this report mitigation measures are recommended to reduce impacts. The Applicant has incorporated these recommendations into PDMs as discussed below.

Note that the CRR for the SCBGF/SCDC includes surveys and analysis for several potential transmission line routes from the Hellyer Switching Station to the SCDC site. Since the time the CRR was prepared, the transmission line route was narrowed down to the option described in Section 3.5.4.2 PG&E Transmission Line and shown in Figure 3.5-4. Discussion of additional routes in the CRR can be disregarded.

4.5.1 Environmental Setting

4.5.1.1 *Regulatory Framework*

Federal and State

National Historic Preservation Act

Federal protection of cultural resources is legislated by the National Historic Preservation Act of 1966 (NHPA) and the Archaeological Resource Protection Act of 1979. These laws maintain processes for determination of the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP). Section 106 of the NHPA and related regulations (36 Code of Federal Regulations [CFR] Part 800) constitute the primary federal regulatory framework guiding cultural resources investigations and require consideration of effects on properties that are listed or eligible for listing in the NRHP. Impacts to properties listed in the NRHP must be evaluated under CEQA.

The NRHP is the nation's master inventory of historic resources that are considered significant at the national, state, or local level. The minimum criteria for determining NRHP eligibility include:

- The property is at least 50 years old (properties under 50 years of age that are of exceptional importance or are contributors to a district can also be included in the NRHP);
- It retains integrity of location, design, setting, materials, workmanship, feeling, and associations; and
- It possesses at least one of the following characteristics:
 - Association with events that have made a significant contribution to the broad patterns of history;
 - Association with the lives of persons significant in the past;

- o Distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant, distinguishable entity whose components may lack individual distinction; or
- o Has yielded, or may yield, information important to prehistory or history.

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is administered by the State Office of Historic Preservation and encourages protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local planning purposes and affords protections under CEQA. Under Public Resources Code Section 5024.1(c), a resource may be eligible for listing in the CRHR if it meets any of the NRHP criteria.⁵⁶

Historical resources eligible for listing in the CRHR must meet the significance criteria described previously and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the CRHR if it maintains the potential to yield significant scientific or historical information or specific data.

The concept of integrity is essential to identifying the important physical characteristics of historical resources and, therefore, in evaluating adverse changes to them. Integrity is defined as “the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance.” The processes of determining integrity are similar for both the CRHR and NRHP and use the same seven variables or aspects to define integrity that are used to evaluate a resource’s eligibility for listing. These seven characteristics include 1) location, 2) design, 3) setting, 4) materials, 5) workmanship, 6) feeling, and 7) association.

California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act applies to both state and private lands. The act requires that upon discovery of human remains, construction or excavation activity must cease and the county coroner be notified.

Public Resources Code Sections 5097.98

Section 15064.5 of the CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American human remains on non-federal land. These procedures are outlined in Public Resources Code Sections 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction, establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project, and establish the

⁵⁶ California Office of Historic Preservation. “CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6.” Accessed May 22, 2024.
<http://www.ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf>.

Native American Heritage Commission (NAHC) as the authority to resolve disputes regarding disposition of such remains.

Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the county coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are of a Native American, the county coroner must notify the NAHC. The NAHC then notifies those persons most likely to be related to the Native American remains. The code section also stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

Regional

PG&E Bay Area Operations and Maintenance Incidental Take Permit Final Environmental Impact Report

Applicable measures from the Bay Area O&M FEIR that would reduce cultural resources impacts under CEQA are provided in Table 4.5-1 below.⁵⁷

Table 4.5-1: Programmatic Measures from the PG&E Operations & Maintenance Incidental Take Permit FEIR for Cultural Resources Impacts

PG&E Programmatic Measures	Description of Measure
CR-1: Inventory, evaluate, and protect cultural resources	As part of the screening process described in Chapter 2, Project Description, PG&E will continue to review historical and archaeological resources that were previously recorded, as well as structures that meet the 50-year threshold throughout the 30-year duration of ITP. If any resources have the potential to be eligible for listing on the CRHR or NRHP, PG&E will determine whether project activities will affect the resources and, if the activities would cause a substantial adverse change in the resource, a qualified cultural specialist will coordinate with PG&E, the landowner, and CDFW on the appropriate steps for evaluation, protection, documentation and/or preservation of the resource.
CR-2 Provide worker training	The following procedures will be implemented prior to commencement of any project-related construction activities: All PG&E, contractor, and subcontractor project personnel will receive training regarding: • Appropriate work practices necessary to effectively implement the Applicant Proposed Measures (APMs) and to comply with the applicable environmental laws and regulations. • The potential for exposing subsurface cultural resources and paleontological resources. • How to recognize possible buried cultural and paleontological resources.

⁵⁷ California Department of Fish and Wildlife. *PG&E Bay Area O&M Incidental Take Permit Environmental Impact Report Volume 2. Final EIR*. June 2022

PG&E Programmatic Measures	Description of Measure
	• Site-specific physical conditions to improve hazard prevention and, if applicable, a review of the stormwater pollution prevention plan, which will also address spill response. • Contact information for the project (i.e., environmental planner who will reach out to the appropriate resource specialist, such as archaeologists, paleontologists, cultural monitors, or tribal monitors, as needed). This training will include a presentation of: • Procedures to be followed upon discovery or suspected discovery of historic or archaeological materials, including Native American remains and their treatment. • Procedures to be followed upon discovery or suspected discovery of paleontological resources. • Procedures to be followed for spill and other hazard prevention. • Actions that may be taken in the case of violation of applicable laws.
CR-3: Inadvertent discovery of previously unidentified cultural resources	The following procedure will be employed if a previously undocumented cultural resource is encountered during construction: • All work within 100 feet (30 meters) of the find will be halted or redirected by the construction foreman and protective barriers or flagging will be installed along with signage identifying the area as an “environmentally sensitive area.” Entry into the area will be limited to PG&E-approved/qualified CRSs, PG&E, and other authorized personnel. • PG&E and the CPUC will be notified immediately. • A qualified archaeologist will document the resource and coordinate with PG&E, the landowner, and the CPUC on the appropriate steps for evaluation and preservation of the find. The level of effort will be based on the size and nature of the resource, as determined by the archeologist and approved by the CPUC. • No work will occur within the environmentally sensitive area until clearance has been granted by the archaeologist or PG&E and the CPUC. Environmentally sensitive area flagging and signage will only be removed when authorized by PG&E or the archaeologist and the CPUC.
CR-4: Discovery of human remains	The following procedures will be implemented in the event of the discovery of human remains, in compliance with California law, including, but not limited to, the following provisions: CEQA Guidelines Section 15064.5(e); Public Resources Code Sections 5097.94, 5097.98, and 5097.99; and California Health and Safety Code Section 7050.5: • Work in the immediate area within 100 feet of the find will be halted and the PG&E archaeologist, County Coroner, and CPUC will be notified immediately. Work will remain suspended until the Coroner can assess the remains. In the event the remains are determined to be precontact in origin, the Coroner will notify the NAHC within 24 hours, which will then identify an MLD. The MLD will consult with PG&E’s archaeologist within 48 hours of notification to determine further treatment of the remains.

PG&E Programmatic Measures	Description of Measure
CR-5: Undiscovered potential tribal cultural resources	The following procedure will be employed (after stopping work and following the procedure for determining eligibility in APM CUL-2) if a resource is encountered and determined by the project's qualified archaeologist to be potentially eligible for the CRHR or a local register of historic resources and is associated with a California Native American Tribe(s) with a traditional and cultural affiliation with the geographic area of the proposed project: • The project's qualified archaeologist will notify the CPUC for appropriate action. PG&E will assist the CPUC if needed to identify the lead contact person for the California Native American Tribe(s) potentially associated with the cultural resource and with a traditional and cultural affiliation with the geographic area of the proposed project. The CPUC will contact the lead contact person to set up a meeting with PG&E and the CPUC. • ☐ The project's qualified archaeologist will participate with the CPUC in discussions with the California Native American Tribe(s) to determine whether the resource is a TCR as defined by Public Resources Code Section 21074, and the tribe(s)' preferred method of mitigation, if the resource is determined to be a TCR. If no agreement can be reached for mitigation after discussions with the California Native American Tribe(s) or it is determined that the tribe(s)' preferred mitigation is not feasible, PG&E will consult with the CPUC and implement one of the example mitigation measures listed in Public Resources Code Section 21084.3(b), or other feasible mitigation.

City of San José

Historic Preservation Ordinance

The City of San José Historic Preservation Ordinance (Chapter 13.48 of the Municipal Code) provides a framework for the City to identify, protect, and encourage the preservation of significant resources and foster civic pride in the City's cultural resources. The Historic Preservation Ordinance establishes processes for the designation of City Landmarks, City Landmark Districts and Conservation Areas, review of proposed exterior alterations to designated City Landmarks and properties within City Landmark Districts and Conservation Area, maintenance of a Historic Resources Inventory (HRI), and administration of Mills Act Contracts.

The City of San José also uses the significance criteria for City Landmark eligibility to evaluate properties that are 45 years or older that have not previously been determined to be a significant historical resource under CEQA (Discretionary Resource). Properties that meet the eligibility criteria for listing in the San José Historic Resources Inventory as a Candidate City Landmark have special historical, architectural, cultural, aesthetic, or engineering interest or value of a historical nature and are significant under at least one of the following criteria:

1. Its character, interest or value as a part of the local, regional, State or national history, heritage or culture
2. Its location as a site of a significant historic event
3. Its identification with a person or persons who significantly contributed to the local, regional, State or national culture and history
4. Its exemplification of the cultural, economic, social or historic heritage of the city of San José
5. Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style
6. Its embodiment of distinguishing characteristics of an architectural type or specimen
7. Its identification as the work of an architect or master builder whose individual work has influenced the development of the city of San José
8. Its embodiment of elements of architectural or engineering design, detail, materials or craftsmanship which represents a significant architectural innovation, or which is unique.

San José Historic Resources Inventory

Consistent with the City's Historic Preservation Ordinance, in 1975, the City developed an inventory of historically and architecturally significant structures. The inventory now includes approximately 4,000 properties, including designated City Landmarks and City Landmark Districts.

Envision San José 2040 General Plan

Various policies in the City's General Plan have been adopted for the purpose of reducing or avoiding impacts related to cultural resources. The following are applicable to the Project. The following cultural-resources-related General Plan policies are applicable to the Project.

Policy	Description
ER-10.1	For proposed development sites that have been identified as archaeologically or paleontologically sensitive, requiring investigation during the planning process in order to determine whether potentially significant archaeological or paleontological information may be affected by the project and then require, if needed, that appropriate mitigation measures be incorporated into project design.
ER-10.2	Recognizing that Native American human remains may be encountered at unexpected locations, impose a requirement on all development permits and tentative subdivision maps that upon discovery during construction, development activity will cease until professional archaeological examination confirms whether the burial is human. If the remains are determined to be Native American, applicable state laws shall be enforced.
ER-10.3	Ensure that City, State, and Federal historic preservation laws, regulations, and codes are enforced, including laws related to archaeological and paleontological resources to ensure that adequate protection of historic and pre-historic resources.

4.5.1.2 Existing Conditions

Archaeological Resources

Pre-Contact Resources

Native Americans occupied Santa Clara Valley and the greater Bay Area for more than 5,000 years. The exact time period of the Ohlone (originally referred to as Costanoan) migration into the Bay Area is debated by scholars. Dates of the migration range between 3,000 B.C. and 500 A.D. Regardless of the actual time frame of their initial occupation of the Bay Area and, in particular, Santa Clara Valley, it is known that the Ohlone had a well-established population of approximately 7,000 to 11,000 people with a territory that ranged from the San Francisco Peninsula and the East Bay south through the Santa Clara Valley and down to Monterey and San Juan Bautista.

A record search at the Northwest Information Center (NWIC) of the California Historical Resources Information Systems (CHRIS) and a literature review were completed to establish the archaeological sensitivity of the Sites for both Native American and historic-period archaeological resources. The record search was submitted to NWIC on October 24, 2025 and covered the SCBGF/SCDC Site, Hellyer Switching Station Site, and PG&E transmission line route, and a surrounding one-half mile buffer. The record search was also utilized for the PG&E transmission towers because they are located adjacent to the Hellyer Switching Station site and are within the search radius. The record search identified 46 previously recorded resources within the requested search area. Of the 46 previously recorded resources, 15 are precontact sites, seven are historical sites, and two are multicomponent (pre-historic and historic) sites.

Sacred Lands File Search requests were also submitted to the Native American Heritage Commission (NAHC). Responses were received on October 27, 2025 and March 25, 2026 stating the search results were negative.

Archaeological sites are most often found in flat locations with access to a perennial source of fresh water. Soils deposited during the Holocene era (since 11,700 years ago), especially young alluvium from the last 2,000-3,000 years, are more likely to contain buried archaeological deposits. In Santa Clara County, Native American sites are most often found within one-half mile of major watercourses and one-quarter mile of minor watercourses.

A pedestrian field survey of the SCBGF/SCDC Site, Hellyer Switching Station Site, and PG&E transmission line route was completed on September 11, 2025 and February 26, 2026. No precontact artifacts or features were observed during the field survey.⁵⁸ However, given the close proximity to Coyote Creek, as well as its proximity to significant precontact archaeological sites, buried sediments within the Project Area have a moderate to high potential for the presence of buried precontact cultural resources. As depth decreases, the potential for encountering precontact cultural resources increases from moderate to high.⁵⁹

⁵⁸ Chronicle Heritage. *Cultural Resources Assessment Report for the Prologis Data Center Project*. March 2026. Page 33.

⁵⁹ Ibid. Page 28.

A pedestrian field survey of the PG&E transmission towers and a 200-foot buffer was conducted on September 11, 2025. No precontact artifacts or features were observed during the field survey. The transmission towers area is on the lower extent of foothills of the Diablo Range. The area is not subject to regular flooding and consistent inputs of new material promoting the burial of archaeological materials. Erosion and aggradation appear limited, and overall soil depth is shallow. Therefore, it was determined that the potential for buried precontact cultural resources in this area is considered low.⁶⁰

Historic-Period Resources

Historic-period activities may also lead to the creation of archaeological features or deposits. These can include structural remains such as walls, foundations, cellars, or wells; or landscape features such as roads, levees, fence lines, ponds, dams, or embankments. Per historical and topographic maps, the SCBGF/SCDC and Hellyer Switching Station Sites had a couple of occupation events beginning in at least 1889. By 1943 topographic maps show roads and structures intersecting both Sites. Aerial images first cover the Sites beginning 1948, which depict the SCBGF/SCDC occupied by a homestead with multiple outbuildings and orchards. The same aerial image depicts the Hellyer Switching Station Site within an orchard, but it is unclear if any buildings or structures stood within the parcel at that time. The results of the pedestrian field surveys suggest that the SCBGF/SCDC Site and the Hellyer Switching Station show signs of historic-era human occupation.⁶¹

The SCBGF/SCDC Site contained multiple isolated trash scatters with mixed historic-era and modern materials including wood beams, potentially historic-era sanitary cans, cone-top beer cans predating the 1950s, two rusted trucks, and abandoned farming equipment. There have been recordings of previous structures being on the SCBGF/SCDC but none of the structures remain and there was no evidence of foundations or other remnants of these structures. Although some of the material observed on this parcel, such as the trucks abandoned on site, may be associated with these structures, which might be those that are depicted on USGS topographic maps from the 1940s and 1950s, the trash piles are so heavily mixed with modern materials that the integrity of the deposits is completely lost. Anything of the material that potentially might be historic does not maintain any integrity of provenance and therefore is considered to be insignificant with relation to CEQA criteria. No precontact artifacts or features were observed during the field survey.⁶²

The Hellyer Switching Station Site, which includes the PG&E transmission towers in the foothills, contained multiple isolated trash scatters with mixed historic-era and modern materials including wood beams and potentially historic-era sanitary cans. The structures and pads are associated with the previously recorded approximately 10-acre mine site. Features that were identified included brick foundations, a brick oven or furnace, brick piles, three mine adit or tunnel passage locations, and a waste rock pile. Other features associated with the mine site that were observed within the Hellyer Switching Station areas include a graded pad with a fire brick furnace, a graded pad with

⁶⁰ Chronicle Heritage. *Cultural Resources Assessment Report for the Silver Creek Valley Transmission Tower Project*. April 2026. Pages 14 and 26.

⁶¹ Ibid. Page 33.

⁶² Chronicle Heritage. *Cultural Resources Assessment Report for the Prologis Data Center Project*. April 2026. Page 33.

concrete footings, irrigation pipes, and an ephemeral road cut. Although some of the material observed may be associated with these structures, the trash piles are so heavily mixed with modern materials that the integrity of the deposits is completely lost. Therefore, anything of the material that potentially might be historical does not maintain any integrity of provenance and therefore is considered to be insignificant with relation to CEQA criteria. No precontact artifacts or features were observed during the field survey.⁶³

Based on the above, none of the historic-period resources identified on the Sites are eligible for listing in the CRHR and are not historical resources for purposes of CEQA. Similarly, though the results of the pedestrian field surveys of the transmission tower locations suggest that the area shows signs of historic-era human occupation, none of the historic-period resources identified on the Sites are eligible for listing in the CRHR and are not historical resources for purposes of CEQA.⁶⁴

Historical Resources

Pedestrian surveys to evaluate the built environment in the vicinity of the SCBGF/SCDC Site, Hellyer Switching Station Site (and adjacent transmission towers), and the PG&E transmission line route were completed on September 11, 2025 and February 26, 2026. There are no built environment resources on either the SCBGF/SCDC or Hellyer Switching Station Sites, or within the disturbance areas of the PG&E transmission line route.⁶⁵ The only built environment resources in the area of the transmission towers are the towers themselves.

Three historic-era properties were identified in the Project Area, located at 443, 451, and 475 Piercy Road. The property at 443 Piercy Road was constructed in 1976, 451 Piercy Road was constructed in 1978, and 475 Piercy Road was constructed in 1980. These properties are discussed in further detail below.

Historical Evaluation

The three aforementioned structures were analyzed to determine if the resources were eligible for inclusion in the CRHR and the City of San José's Landmark Criteria. None of the resources have been previously listed under any local, State, or Federal historic resource designation criteria.

Based on the windshield survey of each property from the public right-of-way and a desktop review of available building permits, historical newspaper articles, and City of San José planning literature, the residences at 443, 451, and 475 Piercy Road are typical examples of mid-1970s hillside residential development associated with suburban expansion in the Santa Teresa area of San José. They lack documented association with significant events or persons, do not embody distinctive architectural characteristics, and do not possess demonstrated research potential. Therefore, the properties are not eligible for listing in the CRHR and are not historical resources for purposes of

⁶³ Chronicle Heritage. *Cultural Resources Assessment Report for the Silver Creek Valley Transmission Tower Project*. April 2026. Page 22.

⁶⁴ Ibid. Page 22.

⁶⁵ Chronicle Heritage. *Cultural Resources Assessment Report for the Prologis Data Center Project*. April 2026. Page 42.

CEQA. DPR 523 forms for each of the three properties have been drafted and are appended to the Cultural Resources Reports prepared for the Project.

4.5.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
k) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	☐	☐	☒	☐
l) Cause a substantial adverse change in the significance of an archaeological resource as pursuant to CEQA Guidelines Section 15064.5?	☐	☐	☒	☐
m) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐
Would the project result in a cumulatively considerable contribution to a significant cumulative cultural resources impact?	☐	☐	☒	☐

Note that the off-site multi-modal improvements will be located within the existing public-right-of-way of Silver Creek Valley Road (between Piercy Road and Fontanoso Way) and are assumed to have no impact on cultural resources due to this location and minimal construction efforts. These improvements are assumed to occur within an already paved area and would not involve any ground-disturbing work into native soils that could result in the discovery of unknown cultural resources (both archaeological and historical resources). For this reason, the off-site multi-modal improvements are not discussed further in the following impact analysis.

4.5.2.1 Project Impacts

-
- a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?
-

Pursuant to CEQA Guidelines Section 15064.5 (b)(1), a “substantial adverse change” in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.

As described in Section 4.5.1.2 Existing Conditions, the Project Components Sites do not contain historic resources or properties listed on federal, state, or local inventories. There are also no historical resources present within the surrounding area as the existing structures within the one-parcel buffer are not eligible for listing on the NRHP or CRHR. Furthermore, the Sites are not located

within a historic district and the proposed development would not detract from the historical significance of any nearby historic structures through incompatible land uses or design. For these reasons, the Project would not cause a substantial adverse change in the significance of a historical resource. **(Less than Significant Impact)**

-
- b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?
-

As described in Section 4.5.1.2 Existing Conditions, the SCBGF/SCDC Site, Hellyer Switching Station Site, and PG&E transmission line route have moderate to high sensitivity for archaeological resources (including Native American resources), while the PG&E transmission towers have a low sensitivity for archaeological resources.

All project components would require grading and/or subsurface work during construction, which increases the potential of encountering an unknown subsurface archaeological resource.

In accordance with the recommendations of the site-specific archaeological resources report, the following PDM will be implemented by the Project on the SCBGF/SCDC Site and Hellyer Switching Station Site to reduce impacts to subsurface archaeological resources.

PDM CUL-1.1 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 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 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-1.2: 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-1.3: Undiscovered Archaeological Resources. If archaeological resources are encountered during excavation or grading of the site, all activity within a 50-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 50-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 soil that may be used for construction purposes does not contain any archaeological materials.

With implementation of PDM CUL-1.1 through PDM CUL-1.3, impacts to unrecorded subsurface cultural resources on the SCBGF/SCDC Site and Hellyer Switching Station Site would be less than significant.

Because the PG&E transmission line and transmission towers would be covered under PG&E's O&M FEIR, they would not be subject to the PDMs identified above. Instead, to reduce the impacts to undiscovered archaeological resources, PG&E would be required to implement the following measures for the transmission line and transmission towers:

- PG&E Programmatic Measures: CR-1, CR-2, CR-3, CR-4, and CR-5 (refer to Table 4.5-1)

With implementation of the above PG&E programmatic measures, the impact on archeological resources resulting from the proposed PG&E transmission line and transmission towers would be less than significant.

As documented above, with the implementation of PDM CUL-1.1 through PDM CUL-1.3 and PG&E's Programmatic Measures CR-1, CR-2, CR-3, CR-4, and CR-5, impacts to unrecorded subsurface cultural resources would be less than significant. **(Less than Significant Impact)**

-
- c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?
-

The SCBGF/SCDC and Hellyer Switching Station Sites would involve substantial grading and subsurface work during construction, which could result in the discovery of previously unknown burials at the Sites. Therefore, in the unlikely event that human remains are encountered, the proposed Project would be required to comply with the following PDM, which is based on City of San José standard permit conditions.

PDM CUL-2: Stop Work for Human Remains. If human remains are discovered during excavation or grading of the site, all activity within a 50-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.

Through compliance with the PDM above, the proposed Project would properly handle findings of undiscovered human remains at the SCBGF/SCDC and Hellyer Switching Station Sites and this would reduce any impacts to a less than significant level.

There is also the potential to encounter human remains during excavation for the PG&E transmission line and transmission towers. Consistent with the O&M FEIR, the Project would be required to comply with PG&E programmatic measure CR-4 to stop work if human remains are found and have the coroner identify the remains, which will determine next steps. With implementation of PG&E programmatic measure CR-4, the proposed PG&E transmission line and transmission towers would result in a less than significant impact on human remains.

With the implementation of PDM CUL-2 for the SCBG/SCDC and Hellyer Switching Station Sites and PG&E's compliance with programmatic measure CR-4 for the transmission line and transmission towers, the Project would have a less than significant impact on human remains, including those interred outside of dedicated cemeteries. **(Less than Significant Impact)**

4.5.2.2 Cumulative Impacts

Would the project result in a cumulatively considerable contribution to a significant cumulative cultural resources impact?

The geographic area for cultural resources is the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission towers, PG&E transmission line route, and adjacent parcels as cultural resource impacts are typically localized and generally limited to the immediate area in which a given cultural resource is located. The cumulative projects may require excavation and grading or other activities that may affect unknown prehistoric cultural resources and/or historic resources. Other projects in the City of San José may also have cultural resources, irrespective of their designation as such on local, state, or federal registers. Any excavation or grading activities could affect these known and unknown cultural resources. Therefore, the City has adopted standard conditions that will be implemented by all projects to reduce potential impacts to cultural resources. Project-level analyses will determine the necessity of additional mitigation measures to reduce localized and site-specific impacts to these resources.

Historic Resources

As discussed above, the Project Components Sites are not classified as a historic resource nor the sites eligible to be listed on the CRHR nor the NRHP. The PG&E transmission line route is located within the public right-of-way along Silver Creek Valley Road, Hellyer Avenue, and Piercy Road. For these reasons, the Project would not contribute to a significant cumulative impact on historic resources. **(Less than Significant Cumulative Impact)**

Archaeological Resources

The cumulative projects (including the proposed Project) would be required to implement General Plan policies and the City of San José's standard permit conditions to reduce impacts to archaeological resources (if encountered) to a less than significant level. The Project includes PDMs CUL-1.1 through CUL-1.3 to ensure the proposed development does not impact prehistoric or historic resources. As concluded in the General Plan Final Program EIR, future development under the General Plan, in conformance with existing policies and regulations, would not result in significant cumulative impacts to archaeological resources.⁶⁶ Cumulative PG&E infrastructure projects would adhere to PG&E's Programmatic Measures: CR-1, CR-2, CR-3, CR-4, and CR-5 to reduce impacts to archaeological resources. **(Less than Significant Cumulative Impact)**

Human Remains

Build out of the General Plan, including the proposed Project and cumulative projects, would be required to implement General Plan policy ER-10.2 to reduce impacts to human remains (if

⁶⁶ City of San José. *Integrated Final Program Environmental Impact Report for the Envision San José 2040 General Plan*. SCH# 2009072096. September 2011

encountered) to a less than significant level (refer to PDM CUL-2). Therefore, the City has adopted standard conditions that will be implemented by all projects to ensure if human remains are discovered during earthwork activities then the remains would be handled properly and to limit disturbance. As concluded in the General Plan EIR, future development under the General Plan, in conformance with existing policies and regulations, would not result in significant cumulative impacts to human remains.⁶⁷ Cumulative PG&E infrastructure projects would adhere to PG&E's Programmatic Measures APM CR-4 to reduce impacts to human remains. **(Less than Significant Cumulative Impact)**

⁶⁷ Ibid.

4.6 Energy

4.6.1 Environmental Setting

4.6.1.1 *Regulatory Framework*

Federal and State

Energy Star and Fuel Efficiency

At the federal level, energy standards set by the EPA apply to numerous consumer products and appliances (e.g., the EnergyStar™ program). The EPA also sets fuel efficiency standards for automobiles and other modes of transportation.

Renewables Portfolio Standard Program

In 2002, California established its Renewables Portfolio Standard Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2010. Governor Schwarzenegger issued Executive Order (EO) S-3-05, requiring statewide emissions reductions to 80 percent below 1990 levels by 2050. In 2008, EO S-14-08 was signed into law, requiring retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2030. SB 100, passed in 2018, requires 100 percent of electricity in California to be provided by 100 percent renewable and carbon-free sources by 2045.

Executive Order B-55-18 and Assembly Bill 1279

Executive Order B-55-18 was issued in September 2018. It ordered a new statewide goal of achieving carbon neutrality no later than 2045 and to maintain net negative emissions thereafter.

Assembly Bill 1279, also known as the California Climate Crisis Act, was approved on September 16, 2022, and codifies the statewide goal set by Executive Order B-55-18 of achieving net zero GHG emissions no later than the year 2045 and maintaining net negative emissions thereafter. In addition, this bill has a statewide goal of reducing anthropogenic GHG emissions by 85 percent below the 1990 levels by the year 2045. The bill requires CARB to work with relevant state agencies to ensure that updates to the scoping plan, identify and recommend measures to achieve these policy goals, and implement strategies that enable CO₂ removal solutions and carbon capture, utilization, and storage technologies in California. The bill requires CARB to submit an annual report.

California Building Standards Code

The California Building Standards Code (CBSC) is Title 24 of the California Code of Regulations. The California Building Energy Efficiency Standards (California Energy Code) is under Title 24, Part 6 and

was established in 1978 in response to a legislative mandate to reduce California’s energy consumption. The California Energy Code is overseen by the California Energy Commission and includes design requirements to conserve energy in new residential and non-residential developments. The California Energy Code is enforced and verified by cities during the planning and building permit process. Title 24, Part 11 of the CBSC, also known as CALGreen, establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state environmental directives. CALGreen covers five categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality.

Title 24 is updated approximately every three years.^{68,69} Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.

Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars II program in 2022 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing pollutants and GHG emissions into a single coordinated set of requirements for vehicle model years 2026 through 2035. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.⁷⁰

Regional and Local

Climate Smart San José

Climate Smart San José is a plan to reduce air pollution, save water, and create a stronger and healthier community. The City approved goals and milestones in February 2018 to ensure the City can substantially reduce GHG emissions through reaching the following goals and milestones:

- All new residential buildings will be Zero Net Carbon Emissions (ZNE) by 2020 and all new commercial buildings will be ZNE by 2030 (Note that ZNE buildings would be all electric with a carbon-free electricity source).
- San José Clean Energy (SJCE) will provide 100-percent carbon-free base power by 2021.
- One gigawatt of solar power will be installed in San Jose by 2040.
- 61 percent of passenger vehicles will be powered by electricity by 2030.

⁶⁸ Refer to <https://www.dgs.ca.gov/bsc/codes>.

⁶⁹ After passage of Assembly Bill 130, the residential building code is frozen until June 2031. This does not apply to nonresidential codes.

⁷⁰ California Air Resources Board. “Advanced Clean Cars II.” Accessed March 12, 2026. <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program/advanced-clean-cars-ii>.

City of San José Reach Building Code

In 2019, the San José City Council approved Ordinance No. 30311 and adopted the Reach Code Ordinance (Reach Code) to reduce energy related GHG emissions consistent with the goals of Climate Smart San José. The Reach Code applies to new construction projects in San José.

City of San José Municipal Code

The City's Municipal Code includes regulations associated with energy efficiency and energy use. City regulations include a Green Building Ordinance (Chapter 17.84) to foster practices to minimize the use and waste of energy, water and other resources in the City of San José, Water Efficient Landscape Standards for New and Rehabilitated Landscaping (Chapter 15.10), requirements for Transportation Demand Programs for employers with more than 100 employees (Chapter 11.105), and a Construction and Demolition Division Deposit Program that fosters recycling of construction and demolition materials (Chapter 9.10).

Envision San José 2040 General Plan

The General Plan includes the following energy policies applicable to the proposed Project.

Policy	Description
MS-2.3	Utilize solar orientation, (i.e., building placement), landscaping, design, and construction techniques for new construction to minimize energy consumption.
MS-2.11	Require new development to incorporate green building practices, including those required by the Green Building Ordinance. Specifically target reduced energy use through construction techniques (e.g., design of building envelopes and systems to maximize energy performance), through architectural design (e.g., design to maximize cross ventilation and interior daylight) and through site design techniques (e.g., orienting buildings on sites to maximize the effectiveness of passive solar design).
MS-3.1	Require water-efficient landscaping, which conforms to the State's Model Water Efficient Landscape Ordinance, for all new commercial, institutional, industrial, and developer installed residential development unless for recreation or other area functions.
MS-5.5	Maximize recycling and composting from all residents, businesses, and institutions in the City.
MS-6.5	Reduce the amount of waste disposed in landfills through waste prevention, reuse, and recycling of materials at venues, facilities, and special events.

4.6.1.2 *Existing Conditions*

Total energy usage in California was approximately 6,014 trillion British thermal units (Btu) in the year 2023, the most recent year for which this data was available. Out of the 50 states, California is ranked second in total energy consumption after Texas but 47th in its per capita energy consumption. The breakdown by sector was approximately 781 trillion Btu (13 percent) consumed by the commercial sector, 890 trillion Btu (15 percent) consumed by the residential sector, 1,313 trillion Btu (22 percent) consumed by the industrial sector, and 3,030 trillion Btu (50 percent) consumed by the transportation sector. This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.⁷¹

Electricity

California's total system electric generation (which includes imports) in 2024 was approximately 278,338 gigawatt hours (GWh), which was a reduction of approximately less than one percent from the 2023 electric generation of 281,140 GWh.^{72,73} In 2024, renewable/greenhouse gas (GHG) free sources of energy were the largest source of California's power mix at approximately 62 percent and thermal sources accounting for the remaining 38 percent.⁷⁴

In 2024, Santa Clara County consumed a total of 17,794 GWh of electricity with the residential sector consuming approximately 4,273 GWh (24 percent) and non-residential consuming approximately 13,521 (76 percent) of the total electricity.⁷⁵

San José Clean Energy (SJCE) is the electricity provider for residents and businesses in the City of San José. SJCE sources the electricity and the Pacific Gas and Electric Company (PG&E) delivers it to customers over their existing utility lines. SJCE customers are automatically enrolled in the GreenSource program, which provides 62 percent GHG emission-free electricity. Customers can choose to enroll in SJCE's TotalGreen program at any time to receive 100 percent GHG emission-free electricity from entirely renewable sources.⁷⁶

Fuel for Motor Vehicles

In 2024, an estimated 13,423 millions of gallons of gasoline and approximately 2,212 millions of gallons of diesel was consumed by vehicles in California. In Santa Clara County, approximately 547 millions of gallons of gasoline and approximately 54 millions of gallons of diesel was consumed by

⁷¹ United States Energy Information Administration. "California State Energy Profile." Accessed March 12, 2026.

<https://www.eia.gov/states/CA/overview>.

⁷² California Energy Commission. "2024 Total System Electric Generation. Accessed March 12, 2026.

<https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2024-total-system-electric-generation>.

⁷³ California Energy Commission. "2023 Total System Electric Generation. Accessed March 12, 2026.

<https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2023-total-system-electric-generation>.

⁷⁴ California Energy Commission. "2024 Total System Electric Generation. Accessed March 12, 2026.

<https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2024-total-system-electric-generation>.

⁷⁵ California Energy Commission. Energy Consumption Data Management System. "Electricity Consumption by County." Accessed March 12, 2026.

<https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/california-energy-consumption-dashboards-0>.

⁷⁶ San José Clean Energy. "Your Choices." Accessed March 12, 2026. <https://sanjosecleanenergy.org/your-choices/#top>.

vehicles.⁷⁷ The average fuel economy for light-duty vehicles (autos, pickups, vans, and sport utility vehicles) in the United States has steadily increased from about 13.1 miles per gallon (mpg) in the mid-1970s to 27.2 mpg in 2024, which is a record high.⁷⁸ Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. That standard, which originally mandated a national fuel economy standard of 35 miles per gallon by the year 2020, was updated in June 2024 to require all cars and light duty trucks achieve an overall industry average fuel economy of 50.4 mpg by model year 2031.⁷⁹

4.6.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐
c) Result in a substantial increase in demand upon energy resources in relation to projected supplies?	☐	☐	☒	☐
Would the project result in a cumulatively considerable contribution to a significant cumulative energy impact?	☐	☐	☒	☐

⁷⁷ California Energy Commission. "2010-2024 California Annual Retail Fuel Outlet Report Results (CEC-A15) Energy Assessments Division." August 26, 2025. Accessed March 12, 2026. <https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/california-retail-fuel-outlet-annual-reporting>.

⁷⁸ United States Environmental Protection Agency. "The 2025 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975." February 2026. Accessed March 12, 2026. <https://www.epa.gov/automotive-trends/download-automotive-trends-report#Full-Report>.

⁷⁹ United States Department of Transportation. "USDOT Announces New Vehicle Fuel Economy Standards for Model Year 2027-2031." June 7, 2024. Accessed March 12, 2026. <https://www.transportation.gov/briefing-room/usdot-finalizes-new-fuel-economy-standards-model-years-2027-2031>.

-
- a) Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
-

Construction

Construction of the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements would require energy for the manufacturing and transportation of building materials, preparation of the Project Components Sites, use of construction equipment, and the construction of buildings and related improvements. Construction energy usage is temporary and would not result in excessive energy consumption because construction processes are generally designed to be efficient to avoid excess monetary costs. The Project would also be constructed in an urbanized area with close access to roadways, construction supplies, and workers, making the Project more efficient than construction occurring in outlying, more isolated areas. Thus, the construction process is already efficient and opportunities for increasing energy efficiency during construction are limited.

Furthermore, construction of the SCBGF/SCDC and Hellyer Switching Station would require construction workers to implement best management practices to reduce fugitive dust and exhaust emissions (refer to PDM AIR-1 in Section 4.3 Air Quality), which would, among other things, restrict unnecessary idling of construction equipment and requires the applicant to post signs on the SCBGF/SCDC and Hellyer Switching Station Sites reminding workers to shut off idle equipment. These best management practices would reduce the potential for energy waste. Furthermore, pursuant with General Plan Policy MS-14.3 and MS-2.11, the applicant of the SCBGF/SCDC Project would be required to implement the City's Green Building Policies to ensure that construction of the Project meets industry best practices and techniques are applied to maximize energy performance at the construction stage. The City's Zero Waste Strategic Plan would be implemented at a project level to enhance construction and demolition debris recycling, thus increasing diversion from landfills and further contributing to the energy efficiency of the SCBGF/SCDC construction activities.

For the proposed transmission line routes, PG&E would implement the following best management practices from the O&M FEIR⁸⁰:

- Encourage workers to carpool to the job site to the extent feasible for large jobs. The ability to develop an effective carpool program for the project will depend upon the proximity of carpool facilities to the area, the geographical commute departure points of construction workers, and the extent to which carpooling will not adversely affect worker arrival time and the project's schedule.

⁸⁰ California Department of Fish and Wildlife. *PG&E Bay Area O&M Incidental Take Permit Environmental Impact Report Volume 2*. Final EIR. June 2022. Page 3.3-9

- Minimize unnecessary vehicle idling time. The ability to limit vehicle idling time will depend on the sequence of activities and when and where vehicles are needed or staged. Certain vehicles, such as large diesel-powered vehicles, have extended warm-up times following start-up that limit their availability for use following start-up. Where such diesel-powered vehicles are required for repetitive tasks, these vehicles may require more idling time. The crews apply a “common sense” approach to vehicle use, so that idling is reduced as far as possible below the maximum of 5 consecutive minutes allowed by California law; if a vehicle is not required for use immediately or continuously, its engine will be shut off.
- Maintain equipment in proper working conditions in accordance with PG&E standards.
- Minimize equipment exhaust by using low-emission or electric equipment where feasible. Portable diesel-fueled construction equipment with engines 50 horsepower or larger and manufactured in 2000 or later are registered under the CARB Statewide Portable Equipment Registration Program.
- Minimize welding and cutting by using compression of mechanical applications where practical and within standards.
- Encourage use of natural gas or electric powered vehicles for passenger cars and light-duty trucks where feasible and available.
- Encourage the recycling of waste where feasible.

For the reasons described above, the proposed Project would result in less than significant construction-related impacts due to the aforementioned regulatory measures that are required to be implemented. **(Less than Significant Impact)**

Operation

SCBGF/SCDC

Operation of the data center building and related infrastructure would consume energy for multiple purposes including, but not limited to, building cooling, lighting, appliances, and electronics. Energy would also be consumed during each vehicle trip generated by employees and visitors. The SCBGF/SCDC would be designed and constructed in compliance with Title 24 and CALGreen standards and would include green building measures to reduce energy consumption. Design features such as water-efficient landscaping and ultra-low flow plumbing fixtures in the building would be implemented to limit water consumption to the extent feasible. The SCDC would meet LEED Silver criteria. Other than the proposed emergency backup generators, the SCBGF/SCDC would be designed to be 100 percent electric. Due to the energy efficiency measures incorporated into the Project, it would not result in a wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources while operating.

Power Usage Effectiveness, or PUE, is a metric used to compare the efficiency of facilities that house computer servers. PUE is defined as the ratio of total facility energy use to Information Technology (IT) (i.e., server) power draw (e.g., $PUE = \text{Total Facility Source Energy} / \text{IT Source Energy}$). For example, a PUE of two, means that the data center or laboratory must draw two watts of

electricity for every one watt of power consumed by the IT/server equipment. It is equal to the total energy consumption of a data center (for all fuels) divided by the energy consumption used for the IT equipment. The ideal PUE is one where all power drawn by the facility goes to the IT infrastructure. Based on industry surveys, the 2024 average PUE for data centers was 1.56 with larger data center facilities being more efficient due to new technology.⁸¹ The average annual PUE of the data center proposed by the Project would be 1.29⁸², and the peak PUE would be 1.43.⁸³ Due to the energy efficiency of the data center operation, with a PUE well below industry average, it would not result in wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources.

Energy would also be consumed by the Project during regular testing and maintenance of the 44 emergency backup generators. As shown in Table 4.3-15, assuming all the generators are operated for testing and maintenance testing for a total of 50 hours annually, total annual fuel consumption would be 447,540 gallons (or 10,655 barrels). As described in PDM GHG-2 in Section 4.8 Greenhouse Gases, the Project would use renewable diesel fuel for the diesel-fired generators to the extent feasible to further reduce the Project's consumption on non-renewable resources. Therefore, the project's fuel usage for the emergency generators was compared to the supply and demand for renewable diesel fuel.

In 2024, approximately 76,054 million barrels of renewable diesel fuel was produced domestically and 12,394 million barrels were imported for a total supply of 88,448 million barrels.⁸⁴ Approximately 87,395 million barrels of renewable diesel fuel were consumed in the United States.⁸⁵ Based on the amount of renewable diesel fuel available and the amount consumed, there is a remainder of 1,053 million barrels of renewable diesel available. The SCBGF/SCDC would result in a slight increase in demand for renewable diesel fuel (less than 0.01 percent). This would not be a substantial increase upon energy resources and there would be adequate renewable diesel supplies to serve the Project. Additionally, since the generators would only be operated when necessary for maintenance and testing, and would not be used regularly for electricity generation, the Project would not result in a wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources.

Hellyer Switching Station, Transmission Line, and Off-site Multi-Modal Improvements

The PG&E Hellyer Switching Station, transmission line, and off-site multi-modal improvements would not result in a wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources during operation since the electrical infrastructure would convert and distribute electricity instead of consuming it, and the off-site multi-modal improvement would facilitate alternative modes of transportation to reduce vehicle trips. Therefore, the PG&E Hellyer Switching

⁸¹ Uptime Institute. "Uptime Institute Global Data Center Survey 2024." July 2024. Accessed March 12, 2026.

<https://datacenter.uptimeinstitute.com/rs/711-RIA-145/images/2024.GlobalDataCenterSurvey.Report.pdf>

⁸² Total 89.3 MW demand of the SCDC average conditions divided by 69.2 MW Design Critical IT Load

⁸³ Total 99 MW demand of the SCDC on Worst Case Day divided by 69.2 MW Total Critical IT Load

⁸⁴ United States Energy Information Administration. "10. Renewable Energy." February 24, 2026. Table 10.4b Renewable Diesel Fuel Overview. <https://www.eia.gov/totalenergy/data/monthly/pdf/sec10.pdf>

⁸⁵ Ibid.

Station, transmission line, and off-site multi-modal improvements would result in less than significant operational energy impacts.

For the reasons described above, the Project would not have a significant adverse effect on local or regional energy supplies for the above reasons and would not create a significant adverse impact on California's energy resources. **(Less than Significant Impact)**

-
- b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?
-

Statewide energy efficiency and renewable energy goals are set forth in the California Renewables Portfolio Standard Program, which is one of California's key programs for advancing renewable energy. The Commission verifies the eligibility of renewable energy procured by all entities serving retail sales of electricity in California, as these entities are obligated to participate and report energy portfolios to the Commission to comply with the Renewables Portfolio Standard Program.⁸⁶ Electricity would be provided to the Project by SJCE or a similar provider (e.g., PG&E) from sources of renewable and carbon-free power including wind, solar, geothermal, and hydroelectric. SJCE and PG&E are subject to verification by the Commission as an electricity-providing entity. By sourcing electricity from SJCE or PG&E, the Project would be compliant with statewide energy goals as set forth in the California Renewables Portfolio Standard Program.

In addition, the proposed SCDC would be required to comply with various local policies and regulations adopted to improve energy efficiency in new developments and increase utilization of renewable energy sources, including the City's Green Building Program, Private Sector Green Building Policy, Greenhouse Gas Reduction Strategy, Climate Smart San José, Reach Code and General Plan energy policies. Implementation of applicable local policies and regulations would ensure the Project is compliant with regional and statewide energy efficiency and renewable energy plans and policies, such as the California Public Utilities Commission's California Long Term Energy Efficiency Strategic Plan (General Plan Policy MS-14.3), the Model Water Efficient Landscape Ordinance (General Plan Policy MS-3.1), and CALGreen (City of San José Building Code). By adhering to adopted policies and regulations and sourcing electricity from SJCE or PG&E, the proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**

-
- c) Would the project result in a substantial increase in demand upon energy resources in relation to projected supplies?
-

The Commission provides new forecasts for electricity demand every two years as part of the Integrated Energy Policy Report process. According to the 2024 Integrated Energy Policy Report Update, which is the latest adopted integrated energy policy report, statewide electricity

⁸⁶ California Energy Commission. "Renewables Portfolio Standard – Verification and Compliance." Accessed March 12, 2026. <https://www.energy.ca.gov/programs-and-topics/programs/renewables-portfolio-standard/renewables-portfolio-standard>

consumption was more than 276,000 GWh in 2023, which is primarily due to the growth of data center load. Consumption is projected to reach approximately 401,000 GWh in the high baseline used in the local reliability scenario. Demand forecasts for planning purposes use multiple scenarios, taking into account potential savings in different sectors, expected technological improvements, government mandates, and other factors.

The proposed SCDC would have a maximum electricity demand of approximately 867,240 MWh per year if the Project were to operate at maximum capacity at all times.⁸⁷ The maximum Project electricity demand load would comprise a very small fraction of the expected statewide electricity consumption. In addition, while the SCBGF/SCDC would contribute to more electricity consumption, the proposed Project would be designed for energy efficiency and conservation in accordance with applicable provisions of the City's Green Building Program, Climate Smart San José goals and actions, and GHG Reduction Strategy. In addition, the use of diesel fuel for the emergency generators, as discussed above in checklist question a), would also represent a fraction of the expected statewide renewable diesel fuel consumption. Therefore, the SCDC would not result in a substantial increase in demand for energy resources relative to projected supplies. Impacts would be less than significant. **(Less than Significant Impact)**

Hellyer Switching Station and Transmission Line

The PG&E Hellyer Switching Station and transmission line are infrastructure that convert and distribute electricity instead of consuming it. Therefore, the PG&E infrastructure would have no impact on the demand or supplies of energy resources. **(No Impact)**

4.6.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a significant cumulative energy impact?

Cumulative energy impacts could occur as a result of the Project in combination with the other projects in the cumulative scenario. All cumulative projects would use energy during construction. However, it is reasonable to assume that the overall construction schedule and process for all cumulative projects would be designed to be efficient to comply with applicable local regulations and to avoid excess monetary costs. Additionally, all cumulative projects would include applicable air quality-related measures to lessen idling times of equipment and improve the efficiency during construction in accordance with a comprehensive regulatory framework. As a result, any construction-related cumulative energy impact due to wasteful use of energy resources would be less than significant.

The proposed Project in conjunction with other larger cumulative developments could result in cumulative energy impacts during occupation if energy were wasted. All cumulative projects would be required to be constructed consistent with the City's adopted Green Building Ordinance, which

⁸⁷ 99 MW * 8,760 hours per year = 867,240 MWh per year

requires energy efficient design and use of fixtures to ensure buildings do not waste energy. Operation/occupation of all cumulative projects in the cumulative scenario would not result in a substantial increase in demand upon energy resources because their combined energy requirements would not exceed anticipated state, county, or local energy supplies. Thus, there would not be a significant cumulative energy impact. Moreover, the Project's contribution to this already less than significant cumulative energy impact would not be cumulatively considerable for the reasons detailed above. **(Less than Significant Cumulative Impact)**

4.7 Geology and Soils

The following discussion is based on a Geotechnical Investigation Report prepared by Kleinfelder dated February 27, 2026. A copy of the report is included as Appendix I of this SPPE Application.

4.7.1 Environmental Setting

4.7.1.1 *Regulatory Framework*

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed following the 1971 San Fernando earthquake. The act regulates development in California near known active faults due to hazards associated with surface fault ruptures. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction. Areas within an Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) was passed in 1990 following the 1989 Loma Prieta earthquake. The SHMA directs the California Geological Survey (CGS) to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. CGS has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, landslides, and ground shaking, including the central San Francisco Bay Area. The SHMA requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the seismic hazard is present and identify measures to reduce earthquake-related hazards.

California Building Standards Code

The CBC prescribes standards for constructing safe buildings. The CBC contains provisions for earthquake safety based on factors including occupancy type, soil and rock profile, ground strength, and distance to seismic sources. The CBC requires that a site-specific geotechnical investigation report be prepared for most development projects to evaluate seismic and geologic conditions such as surface fault ruptures, ground shaking, liquefaction, differential settlement, lateral spreading, expansive soils, and slope stability. The CBC is updated every three years.

California Division of Occupational Safety and Health Regulations

Excavation, shoring, and trenching activities during construction are subject to occupational safety standards for stabilization by the California Department of Industrial Relations, Division of

Occupational Safety and Health (Cal/OSHA) under Title 8 of the California Code of Regulations and Excavation Rules. These regulations minimize the potential for instability and collapse that could injure construction workers on the site.

Public Resources Code Section 5097.5

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. They range from mammoth and dinosaur bones to impressions of ancient animals and plants, trace remains, and microfossils. These materials are valued for the information they yield about the history of the earth and its past ecological settings. California Public Resources Code Section 5097.5 specifies that unauthorized removal of a paleontological resource is a misdemeanor. Under the CEQA Guidelines, a project would have a significant impact on paleontological resources if it would disturb or destroy a unique paleontological resource or site or unique geologic feature.

Local

Envision San José 2040 General Plan

The General Plan includes the following policies that are specific to geology and soils and applicable to the proposed Project.

Policy	Description
EC-3.1	Design all new or remodeled habitable structures in accordance with the most recent California Building Code and California Fire Code as amended locally and adopted by the City of San José, including provisions regarding lateral forces.
EC-4.1	Design and build all new or remodeled habitable structures in accordance with the most recent California Building Code and municipal code requirements as amended
EC-4.2	Development in areas subject to soils and geologic hazards, including engineered fill and weak soils and landslide-prone areas, only when the severity of hazards have been evaluated and if shown to be required, appropriate mitigation measures are provided. New development proposed within areas of geologic hazards shall not be endangered by, nor contribute to, the hazardous conditions on the site or on adjacent properties. The City of San José Geologist will review and approve geotechnical and geological investigation reports for projects within these areas as part of the project approval process.
EC-4.4	Require all new development to conform to the City of San José's Geologic Hazard Ordinance.
EC-4.5	Ensure that any development activity that requires grading does not impact adjacent properties, local creeks, and storm drainage systems by designing and building the site to drain properly and minimize erosion. An Erosion Control Plan is required for all private development projects that have a soil disturbance of one acre or more, adjacent to a creek/river, and/or are located in hillside areas. Erosion Control Plans are also required for any new grading occurring between October 15 and April 15.
EC-4.11	Require the preparation of geotechnical and geological investigation reports for projects within areas subject to soils and geologic hazards and require review and implementation of mitigation measures as part of the project approval process.

Policy	Description
EC-4.12	Require review and approval of grading plans and erosion control plans (if applicable) prior to issuance of grading permits by the Director of Public Works.
ES-4.9	Permit development only in those areas where potential danger to health, safety, and welfare of the persons in that area can be mitigated to an acceptable level.

San José Municipal Code

Title 24 of the San José Municipal Code includes the most recent California Building, Plumbing, Mechanical, Electrical, Existing Building, and Historical Building Codes. Requirements for building safety and earthquake hazard reduction are also addressed in Chapter 17.40 (Dangerous Buildings) and Chapter 17.10 (Geologic Hazards Regulations) of the Municipal Code. Requirements for grading, excavation, and erosion control are included in Chapter 17.04 (Building Code, Part 6 Excavation and Grading). In accordance with the Municipal Code, the Director of Public Works must issue a Certificate of Geologic Hazard Clearance prior to the issuance of grading and building permits within defined geologic hazard zones, including State Seismic Hazard Zones for Liquefaction.

4.7.1.2 *Existing Conditions*

Regional Geology

The City of San José is located in the northern Santa Clara Valley, an alluvial basin underlain by sedimentary and metamorphic rocks of the Franciscan Complex. These alluvial deposits consist of unconsolidated to semi-consolidated sand, silt, clay, and gravel. The Santa Clara Valley is bounded by the Diablo Range to the east and the Santa Cruz Mountains to the west. The Valley was formed when sediments derived from both mountain ranges were exposed by tectonic uplift and regression of the inland sea which previously inundated this area.

SCBGF/SCDC Site Geologic Conditions

Topography and Soils

The SCBGF/SCDC Site is relatively flat and underlain by Holocene age (less than approximately 12,000 years old) alluvial fan deposits, consisting of moderately dense to dense gravelly sand, sandy and clayey gravel, grading upward to sandy and silty clay.⁸⁸ On-site soils have a plasticity index (PI) ranging from eight to 15, which is considered a low to moderate potential for shrink/swell behavior.⁸⁹

⁸⁸ Kleinfelder. *Geotechnical Investigation Report Silver Creek Data Center*. February 27, 2026. Page 11.

⁸⁹ Kleinfelder. *Geotechnical Investigation Report Silver Creek Data Center*. February 27, 2026. Page 19.

Groundwater

Groundwater was encountered in soil borings at depths ranging from 23 to 36 feet below ground surface (bgs).⁹⁰ Groundwater levels at the SCBGF/SCDC Site may fluctuate with time due to seasonal conditions, rainfall, and irrigation practices.

Seismicity and Seismic Hazards

The SCBGF/SCDC Site and off-site multi-modal improvements are located within the seismically active San Francisco Bay region. The San Francisco Bay Area contains several faults that are capable of generating earthquakes of magnitude 7.0 or higher. The major active faults in the area are the San Andreas, San Gregorio, Hayward, and Calaveras faults. The closest faults to the SCBGF/SCDC Site are the Silver Creek fault (approximately 2.0-miles northeast of the SCBGF/SCDC Site), Hayward fault (approximately 3.4 miles northeast of the SCBGF/SCDC Site), Monte-Vista Shannon fault (approximately 4.0 miles southwest of the SCBGF/SCDC Site), and Calaveras fault (approximately 6.2 miles east of the SCBGF/SCDC Site).⁹¹

The SCBGF/SCDC Site and the off-site multi-modal improvements are not located within an Alquist-Priolo Earthquake Fault Zone.⁹² The Coyote Creek fault zone is located approximately 0.2 miles northeast of the SCBGF/SCDC Site. However, this trace is not zoned as active by the CGS and is not considered a source of seismic shaking.⁹³ The County of Santa Clara has incorporated the Coyote Creek fault zone in their County Geologic Hazard Zonation program. The SCBGF/SCDC Site is located approximately 600 feet southwest of this County Fault Rupture Hazard Zone boundary at its closest point (i.e., outside the County ordinance required investigation zone).⁹⁴

Liquefaction

Liquefaction can be defined as ground failure or loss of strength that causes otherwise solid soil to take on the characteristics of a liquid. This phenomenon is triggered by earthquakes or ground shaking that causes saturated or partially saturated soils to lose strength, potentially resulting in the soil's inability to support structures. Liquefaction can result in adverse impacts to human and building safety and is typically addressed at the building design stage of a project. The SCBGF/SCDC Site and the off-site multi-modal improvements are located in a Liquefaction Hazard Zone as identified in maps prepared by the California Geological Survey. However, review of maps of historical liquefaction occurrences suggest that the nearest documented occurrences of earthquake-induced liquefaction are in a site on or near Coyote Creek about three miles southeast of the SCBGF/SCDC Site.⁹⁵ Based on the liquefaction analyses, the potential for liquefaction is considered low at the SCBGF/SCDC Site.⁹⁶

⁹⁰ Ibid. Page 15.

⁹¹ Ibid. Page 12.

⁹² Ibid. Page 11.

⁹³ Ibid. Page 13.

⁹⁴ Ibid. Page 13.

⁹⁵ Ibid. Page 17.

⁹⁶ Ibid. Page 19.

Lateral spreading is a type of ground failure related to liquefaction. It consists of the horizontal displacement of flat-lying alluvial material toward an open area, such as a steep bank of a stream channel. The project-level Geotechnical Investigation concluded that the potential for lateral spreading on-site is low.⁹⁷

Landslide

The SCBGF/SCDC site and the off-site multi-modal improvements are not within a landslide zone.⁹⁸

Paleontological Resources

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. Most of the City of San José is situated on alluvial fan deposits of Holocene age that have a low potential to contain significant nonrenewable paleontological resources; however, older Pleistocene sediments present at or near the ground surface at some locations have high potential to contain these resources. These older sediments, often found at depths greater than 10 feet below the ground surface, have yielded the fossil remains of plants and extinct terrestrial Pleistocene vertebrates. Based on Figure 3.11-1 of the General Plan Final Program EIR, the SCBGF/SCDC Site and the off-site multi-modal improvements are located in an area of high paleontological sensitivity at depth.⁹⁹

Hellyer Switching Station Site Geologic Conditions

Topography and Soils

The Hellyer Switching Station Site is situated near the base of a hillside where the Silver Creek Hills transition to the valley bottom. Approximately one half (southwest one half) of the site is nearly level but with minor terracing from previous grading activities. Lowland portions of the site have been graded to three pads that decrease in elevation to the southwest.¹⁰⁰ Subsurface explorations encountered very stiff to hard, clay and very dense, clayey sand with gravel underlain by Franciscan bedrock.¹⁰¹ On-site soils are highly expansive.¹⁰²

Groundwater

The depth to groundwater at the Hellyer Switching Station Site is greater than 50 feet.¹⁰³

⁹⁷ Kleinfelder. *Geotechnical Investigation Report Silver Creek Data Center*. February 27, 2026. Page 19.

⁹⁸ Department of Conservation. "Earthquake Zones of Required Investigation." Accessed April 22, 2026. <https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/>.

⁹⁹ City of San José. *Integrated Final Program Environmental Impact Report for the Envision San José 2040 General Plan*. SCH# 2009072096. September 2011. Figure 3.11-1.

¹⁰⁰ City of San José. *Piercy Road Industrial Warehouse Project Initial Study*. July 2022. Appendix D.

¹⁰¹ Ibid.

¹⁰² Ibid.

¹⁰³ Ibid.

Seismicity and Seismic Hazards

The Hellyer Switching Station Site is not located within an Alquist-Priolo Earthquake Fault Zone.¹⁰⁴ The Calaveras Fault is located about 5.3 miles northeast of the site and the southeast segment of the Hayward Fault is located about 2.5 miles east. The nearest mapped surface trace of the Monte Vista-Shannon Fault is located approximately 4.1 miles south of the subject site.¹⁰⁵

The Percy Fault zone, a 70-foot-wide fault zone, traverses the middle of the site.¹⁰⁶ Typically, the State defines active faults as faults that have displayed evidence of movement within the Holocene time (the last 11,000 years) or potentially active if there is evidence of movement within the Quaternary time (within the last 1.6 million years). In a previously prepared Geotechnical Investigation, the Percy Fault zone was identified as pre-dating the Holocene era and movement likely occurred during the Pleistocene epoch, which is within the Quaternary timeframe. Therefore, the Percy Fault zone is potentially active.¹⁰⁷

Liquefaction

The Hellyer Switching Station Site is within a State designated Liquefaction Hazard Zone.¹⁰⁸ However, the potential for liquefaction is low.¹⁰⁹ The potential for lateral spreading is also low.¹¹⁰ The southwestern portion of the Hellyer Switching Station Site is also within a liquefaction zone.¹¹¹

Landslide

The southeastern corner of the Hellyer Switching Station site is within an identified State designated landslide zone; however, this landslide is identified as a dormant landslide that is unlikely to move based on previously prepared Geotechnical Investigation research.¹¹²

Paleontological Resources

Based on Figure 3.11-1 of the General Plan Final Program EIR, the Hellyer Switching Station Site is located in an area of high paleontological sensitivity at depth.¹¹³

¹⁰⁴ California Geologic Survey. Department of Conservation. *Earthquake Zones of Required Investigation*. Accessed March 3, 2026. https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/#data_s=id%3ADataSource_4-191d8e4b825-layer-21%3A106

¹⁰⁵ City of San José. *Percy Road Industrial Warehouse Project Initial Study*. July 2022. Appendix D.

¹⁰⁶ City of San José. *Percy Road Industrial Warehouse Project Initial Study*. July 2022.

¹⁰⁷ City of San José. *Percy Road Industrial Warehouse Project Initial Study*. July 2022. Appendix D.

¹⁰⁸ California Geologic Survey. Department of Conservation. *Earthquake Zones of Required Investigation*. Accessed March 3, 2026. https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/#data_s=id%3ADataSource_4-191d8e4b825-layer-21%3A106

¹⁰⁹ City of San José. *Percy Road Industrial Warehouse Project Initial Study*. July 2022.

¹¹⁰ Ibid.

¹¹¹ California Geologic Survey. Department of Conservation. *Earthquake Zones of Required Investigation*. Accessed March 3, 2026. https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/#data_s=id%3ADataSource_4-191d8e4b825-layer-21%3A106

¹¹² City of San José. *Percy Road Industrial Warehouse Project Initial Study*. July 2022. Appendix D.

¹¹³ City of San José. *Integrated Final Program Environmental Impact Report for the Envision San José 2040 General Plan*. SCH# 2009072096. September 2011. Figure 3.11-1.

PG&E Transmission Line Route Geologic Conditions

The PG&E transmission line route area is within the same general geologic area as the SCBGF/SCDC Site and Hellyer Switching Station Site and within the existing public right-of-way.

4.7.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
- Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)?	☐	☐	☒	☐
- Strong seismic ground shaking?	☐	☐	☒	☐
- Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
- Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project: Would the project result in a cumulatively considerable contribution to a cumulatively significant geology and soils impact?	☐	☐	☒	☐

4.7.2.1 *Project Impacts*

- a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides?

Fault Rupture

As described in Section 4.7.1.2 Existing Conditions, neither the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, nor the off-site multi-modal improvements are located within an Alquist-Priolo Earthquake Fault Zone or a Santa Clara County Fault Rupture Hazard Zone. The Piercy Fault zone, a 70-foot-wide fault zone, traverses the middle of the Hellyer Switching Station Site. Fault rupture risks at the Hellyer Switching Station Site are discussed in further detail below. Since no faults are located on or adjacent to the SCBGF/SCDC Site or transmission line routes, fault rupture at those Sites is unlikely. While existing faults are located in the region, these Sites would be outside of the fault zone for any regional fault systems, and significant impacts from fault ruptures are not anticipated to occur.

Hellyer Switching Station Site

In 2022, the City of San José prepared and adopted an IS/MND for an industrial warehouse project on the Hellyer Switching Station Site.¹¹⁴ In order to mitigate potential impacts due to rupture of a Piercy Fault, which traverses the middle of the Site, the Geotechnical Investigation prepared for the 2022 project recommended a building exclusion zone be established along the surface trace of the fault. The Geotechnical Investigation also recommended a 35-foot setback along the northeast boundary of this fault and a 25-foot setback along its southwestern edge. It was determined in the Geotechnical Investigation that with the implementation of the setback the potential for fault surface rupture affecting habitable structures would be low, and impacts would be reduced to a less than significant level. It should be noted that in July 2021, the City of San José provided a Certificate of Geologic Hazard Clearance to construct the proposed project, as designed, stating that clearance is contingent upon fulfillment of all recommendations of the project's Geotechnical Report.

¹¹⁴ City of San José. *455 Piercy Road Industrial Warehouse Project Initial Study*. July 2022.

Portions of the Hellyer Switching Station, as currently designed, are located within the Piercy Fault exclusion zone and setbacks defined for the 2022 project. As a result, the Hellyer Switching Station may be subject to risks associated with rupture of the Piercy Fault. However, as determined by the California Supreme Court in *California Building Industry Association v. Bay Area Air Quality Management District* (2015), CEQA generally does not require an analysis of the impact of existing environmental conditions on a project, unless the project exacerbates those conditions. The Court specifically identified development on a fault line as an example of exposing development to a hazard in a manner that would not risk exacerbating it and thus should not be considered an impact under CEQA. As a result, the Project would not result in significant impacts related to fault rupture because it would not exacerbate existing fault rupture risks.

Seismic Ground Shaking

The SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements are located within the seismically active San Francisco Bay region. The faults in this region are capable of generating earthquakes of magnitude 7.0 or higher. During an earthquake, very strong ground shaking could occur at the Sites.

Consistent with the City's General Plan and Municipal Code, to avoid and/or minimize potential damage from seismic shaking, the proposed SCBGF/SCDC and Hellyer Switching Station will be required to be built using standard engineering and seismic safety design techniques. The following PDM, which is based on a Standard Permit Condition in the City of San José, shall be implemented to ensure the proposed SCBGF/SCDC and the Hellyer Switching Station are designed to address seismic hazards. Since the off-site multi-modal improvements would not include any new building infrastructure that would be required to comply with seismic engineering safety standards (striping, a bus stop sign, and bollards or curbs are presumed), PDM GEO-1 would not apply.

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

With implementation of the PDM GEO-1, the proposed Project would not expose people or structures to substantial adverse effects due to ground shaking; nor would the Project exacerbate existing geological hazards on the Sites such that it would impact (or worsen) off-site geological and soil conditions.

Liquefaction

As mentioned in Section 4.7.1.2 Existing Conditions, the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements are located within a Liquefaction Hazard Zone. However, the Project Components Sites were determined to have a low potential for liquefaction. According to the City's Municipal Code, a Certificate of Geologic Hazard Clearance is required for the SCBGF/SCDC prior to issuance of grading and/or development permits due to its location within a Geologic Hazard Zone. By subjecting the SCBGF/SCDC to review by the City of San José's geologist and requiring geologic hazard clearance from the Director of Public Works (pursuant with PDM GEO-1), hazards posed by seismically induced liquefaction at the SCBGF/SCDC site would be reduced to less than significant. Although the Hellyer Switching Station would not be required to obtain a Certificate of Geologic Hazard Clearance from the City because it would be a public utility under the exclusive jurisdiction of the CPUC, implementation of PDM GEO-1 would reduce impacts to less than significant on the Site.

Lateral Spreading

As mentioned in Section 4.7.1.2 Existing Conditions, the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements have low probability for lateral spreading. In accordance with City policy and PDM GEO-1 discussed above, the proposed Project will be designed in accordance with a site-specific geotechnical investigation to reduce the risk of geologic hazards at the Sites, including lateral spreading. By constructing the Project in accordance with standard engineering practices and the recommendations of the geotechnical investigation, the proposed Project will not result in a significant impact related to lateral spreading.

Landslides

The SCBGF/SCDC Site and off-site multi-modal improvements are located in a relatively flat area and not mapped in a landslide hazard area. As discussed in Section 4.7.1.2 Existing Conditions, the Hellyer Switching Station Site is located within a State designated Landslide Zone. Based on previous investigations, it has been determined that the large-scale landslide mapped on this portion of the slope is interpreted as a dormant landslide and is unlikely to move in the future.¹¹⁵ As such, the proposed Project would not pose a risk to human or building safety due to earthquake-induced landslides.

As documented above, with the implementation of PDM GEO-1, the Project would not directly or indirectly cause substantial adverse effects, including loss, injury, or death from fault rupture, seismic-related ground shaking or ground failure, or landslides. **(Less than Significant Impact)**

b) Would the project result in substantial soil erosion or the loss of topsoil?

Ground disturbance on the SCBGF/SCDC Site, Hellyer Switching Station Site and PG&E transmission line route will occur during grading/excavation, trenching for utilities, and construction of the proposed building, and other proposed improvements and infrastructure. These activities could increase the exposure of affected soils to wind and water erosion. The MRP, City's urban runoff policies, and the Municipal Code are the primary means of enforcing erosion control measures through the grading and building permit process (refer to Section 4.10.1.1 Regulatory Framework in Section 4.10 Hydrology and Water Quality for more details about these regulatory policies). General Plan Action EC-4.5 requires an Erosion Control Plan for private development projects that have a soil disturbance of one acre or more, are adjacent to a creek/river, and/or are located in hillside areas. The SCBGF/SCDC will disturb more than one acre and is located adjacent to Coyote Creek. Therefore, an Erosion Control Plan will be required to be prepared for the Project. The Hellyer Switching Station will disturb more than one acre and is located adjacent to a hillside area. Although the Hellyer Switching Station is not subject to General Plan Action EC-4.5, provision C.6 of the MRP applies to PG&E's activities and requires preparation of an Erosion Control Plan. Implementation Erosion Control Plans, in combination with PDM GEO-1, will reduce the Project's potential erosion impacts to a less than significant level. **(Less than Significant Impact)**

c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

As discussed in Section 4.7.1.2, the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements are located within a Liquefaction Hazard Zone. However, both Sites were determined to have a low potential for liquefaction. The SCBGF/SCDC Site and the off-site multi-modal improvements are located in a

¹¹⁵ City of San José. *Piercy Road Industrial Warehouse Project Initial Study*. July 2022.

relatively flat area and not mapped in a landslide hazard area. As discussed in Section 4.7.1.2 Existing Conditions, the Hellyer Switching Station Site is located within a State designated Landslide Zone. Based on previous investigations, it has been determined that the large-scale landslide mapped on this portion of the slope is interpreted as a dormant landslide and is unlikely to move in the future. As such, the proposed Project would not pose a risk to human or building safety due to earthquake-induced landslides.

Impacts related to these geological hazards will be further reduced with implementation of the PDM GEO-1 above, which requires future developments to be designed and constructed in accordance with applicable provisions of the recent California Building Code and a design-level geotechnical investigation. The design-level geotechnical investigation would identify site-specific ground failure hazards such as liquefaction and lateral spreading and appropriate techniques to minimize risks to people and structures. Development of the Project Site will not change or exacerbate the geologic conditions of the Project vicinity. Therefore, the Project will not be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. **(Less than Significant Impact)**

-
- d) Would the project be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?
-

The California Building Code defines expansive soils as those having a Plasticity Index (PI) of 15 or greater. As described in Section 4.7.1.2 Existing Conditions, the SCBGF/SCDC Site is located on low to moderate expansive soils with a plasticity index ranging between eight and 15. The Hellyer Switching Station site is located on highly expansive soil. By adhering to the recommendations included in the geotechnical investigation for soil and seismic hazards and by implementing PDM GEO-1, the proposed Project would not result in a significant impact due to the underlying soils nor would it create substantial direct or indirect risks to life or property due to expansive soils. **(Less than Significant Impact)**

-
- e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?
-

The proposed Project would dispose of wastewater via lateral connections to the City's sewer system and would not require the use of septic tanks or alternative wastewater disposal systems. **(No Impact)**

-
- f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?
-

As described in Section 4.7.1.2 Existing Conditions, the SCBGF/SCDC Site, Hellyer Switching Station Site and PG&E transmission line route are sensitive for paleontological resources at depth. As mentioned in Section 3.5.9 Construction, the maximum excavation depth is 10 feet bgs. There is no specific depth below the ground surface where paleontological resources would be found in areas with high sensitivity for paleontological resources at depth, therefore the Project has the potential of discovering paleontological resource. The Project will be required to implement the following measures (based on City Standard Permit Condition) for the SCBGF/SCDC and Hellyer Switching Station Sites as PDM GEO-2.1 to reduce and avoid impacts to unidentified paleontological resources and PDM GEO-2.2 to educate construction workers to identify fossils.

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 of San José's Director of Planning, Building and Code Enforcement or the Director's designee. 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.

The construction of the PG&E transmission line and transmission towers would be subject to APMs GEO-1 and GEO-2, which are described below.

APM GEO-1: Protect Unanticipated Paleontological Resource Discoveries. If potential paleontological resources are discovered during construction activities, work will stop within 100 feet and the project paleontologist, who meets the minimum qualification standards established by the Society for Vertebrate Paleontology, will be contacted immediately. If the discovery is determined to be significant, PG&E will implement measures to protect and document the paleontological resource, as directed by the paleontologist in consultation with the landowner, PG&E, and California Department of Fish and Wildlife. Efforts will be made to retain and protect such resources in place. If recovery of those resources is required to prevent their destruction, the paleontologist will develop a recovery strategy at a level appropriate to the discovery and in accordance with industry practice. The paleontologist will supervise the recovery effort, which may include the following components as appropriate to reduce impacts to a less-than-significant level: establishing recovery standards, preparing specimens for identification and preservation, documentation and reporting, and securing a curation agreement from the approved agency.

Work may not resume within 100 feet of the find until approval by the paleontologist.

APM GEO-2: Provide worker environmental awareness training. PG&E will provide environmental awareness training on paleontological resources protection when in areas with known or discovered resources. This training will include: types of paleontological resources that could occur at the project site; types of soils or lithologies in which the paleontological resources could be preserved; procedures that should be followed in the event paleontological resources are discovered; and penalties for disturbing paleontological resources.

With implementation PDM GEO-2.1 and GEO-2.2 along with PG&E's programmatic measures, the proposed Project would result in a less than significant impact to paleontological resources. **(Less than Significant Impact)**

4.7.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant geology and soils impact?

The geographic scope for this cumulative analysis is the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route area, and adjacent parcels. Cumulatively, all other cumulative

projects in the general vicinity of the Project Site would trigger similar geology, soils, and seismicity impacts as the proposed Project. All cumulative projects are required to implement standard conditions of approval (similar to PDM GEO-1) as well as identified mitigation measures, and to ensure consistency with applicable provisions of the California Building Code to avoid significant impacts related to seismic, geologic, and soils hazards and/or reduce them to a less than significant level. Thus, there would not be a cumulative significant impact in this regard. Moreover, for the reasons described above, the Project's contribution to this already less than significant cumulative impact would not be cumulatively considerable.

Regarding paleontological resources, cumulative projects involving excavation at depth would result in similar impacts in connection with construction. However, adherence to the Standard Permit Condition listed in PDM GEO-2.1 and GEO 2.2 for discovery of paleontological resources as well as other identified mitigation measures, and adherence to other applicable requirements and standards will ensure that there would not be a cumulative significant impact in this regard. Moreover, for the reasons described above, the Project's contribution to this already less than significant cumulative impact is not cumulatively considerable. For these reasons, the cumulative projects, including the proposed Project, will not result in significant cumulative geologic and soils impacts. **(Less than Significant Cumulative Impact)**

4.8 Greenhouse Gas Emissions

The following discussion is based, in part, on a 2030 Greenhouse Gas Reduction Strategy Compliance Checklist completed by the Applicant (attached to this application as Appendix J) and the Air Quality and Greenhouse Gas Emissions Assessment (attached to this application as Appendix F).

4.8.1 Environmental Setting

4.8.1.1 *Background Information*

Greenhouse gases (GHG) are gases that trap heat in the atmosphere and regulate the earth's temperature. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate. In GHG emission inventories, the weight of each gas is multiplied by its global warming potential (GWP) and is measured in units of CO₂ equivalents (CO₂e). The most common GHGs are carbon dioxide (CO₂) and water vapor but there are also several others, most importantly methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). These are released into the earth's atmosphere through a variety of natural processes and human activities (anthropogenic). Natural and anthropogenic sources of GHGs are generally as follows:

- CO₂ exchange between the atmosphere, ocean, and land surface
- CO₂, CH₄, and N₂O are emitted from wildfires and volcanic eruptions
- CO₂ and N₂O are byproducts of fossil fuel combustion
- N₂O is associated with agricultural operations such as fertilization of crops
- CH₄ is commonly created by off-gassing from agricultural practices (e.g., keeping livestock) and landfill operations
- Chlorofluorocarbons (CFCs) were widely used as refrigerants, propellants, and cleaning solvents, but their production has been stopped by international treaty
- HFCs are now used as a substitute for CFCs in refrigeration and cooling
- PFCs and SF₆ emissions are commonly created by industries such as aluminum production and semiconductor manufacturing

An expanding body of scientific research supports the theory that global climate change is currently causing changes in weather patterns, average sea level, ocean acidification, chemical reaction rates, and precipitation rates, and that it will increasingly do so in the future. Per the 2022 Scoping Plan from CARB, atmospheric concentrations of CO₂ have increased by 50 percent since the Industrial Revolution and continue to increase at a rate of two parts per million each year, which will result in increased global temperatures.¹¹⁶ The various climates within California are adversely affected by the global warming trend. Increased precipitation and sea level rise will increase coastal flooding,

¹¹⁶ CARB. 2022 Scoping Plan for Achieving Carbon Neutrality. December 2022. Page 3.

saltwater intrusion, and degradation of wetlands. Mass migration and loss of plant and animal species could also occur. Potential effects of global climate change that could adversely affect human health include more extreme heat waves and heat-related stress; an increase in climate-sensitive diseases; more frequent and intense natural disasters such as flooding, hurricanes, and drought; and increased levels of air pollution.

4.8.1.2 *Regulatory Framework*

State

Assembly Bill 32 and State Bill 32

Under the California Global Warming Solutions Act, known as AB 32, CARB established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHGs, and adopted a comprehensive plan, known as the Climate Change Scoping Plan, identifying how emission reductions would be achieved from significant GHG sources. The first Scoping Plan was approved by CARB in 2008 and must be updated at least every five years. Since 2008, there have been two updates to the Scoping Plan.

In 2016, SB 32 was signed into law, amending the California Global Warming Solution Act. SB 32, and accompanying Executive Order B-30-15, require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. CARB updated its Climate Change Scoping Plan in December of 2017 to accelerate 2030 statewide target in terms of million metric tons of CO₂e (MMTCO₂e). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 MMTCO₂e.

2022 Scoping Plan

On December 15, 2022, CARB approved the 2022 Scoping Plan. The 2022 Scoping Plan provides a sector-by-sector guide on how to reduce man-made (i.e., anthropogenic) GHG emissions by 85 percent below 1990 levels and achieve carbon neutrality by 2045 over a 25-year horizon.¹¹⁷ The primary focus of the 2022 Scoping Plan is to reduce the usage of fossil fuels by electricizing the transportation sector, procuring electricity from renewable resources, phasing out natural gas in land use developments, and building transit-oriented communities that encourage multi-modal transportation. If implemented successfully, the 2022 Scoping Plan would not only reduce GHG emissions but also reduce smog-forming air pollution (NO_x) by 71 percent and reduce fossil fuel demand by 94 percent. The 2022 Scoping Plan also details natural carbon capture and storage process along with mechanical carbon capture programs to address the remaining 15 of anthropogenic GHG emissions that will remain post-2045. To meet these goals, CARB also includes a revised goal of reducing state GHG emissions 48 percent below 1990 levels by 2030.

¹¹⁷ CARB. *2022 Scoping Plan for Achieving Carbon Neutrality*. December 2022. Page 5.

Senate Bill 375 and Plan Bay Area 2050

SB 375, known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. SB 375 builds upon AB 32 by requiring CARB to develop regional GHG reduction targets for automobile and light truck sectors for 2020 and 2035. The per capita GHG emissions reduction targets for passenger vehicles in the Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035.

Consistent with the requirements of SB 375, the Metropolitan Transportation Commission (MTC) partnered with the Association of Bay Area Governments (ABAG), the Air District, and the Bay Conservation and Development Commission to prepare the region's Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan process. The SCS is referred to as Plan Bay Area 2050.

Plan Bay Area 2050 is a long-range plan for the nine-county San Francisco Bay Area that provides strategies that increase the availability of affordable housing, support a more equitable and efficient economy, improve the transportation network, and enhance the region's environmental resilience. Plan Bay Area 2050 promotes the development of a variety of housing types and densities within identified priority development areas (PDAs). PDAs are areas generally near existing job centers or frequent transit that are locally identified for housing and job growth.¹¹⁸

Plan Bay Area 2050 includes a goal to increase the number of households that live within 0.5 mile of frequent transit by 2050. Plan Bay Area 2050 promotes strategies that support active and shared modes, combined with a transit-supportive land use patterns, which together are forecasted to lower the share of Bay Area residents that drive to work alone from 50 percent in 2015 to 33 percent in 2050, resulting in a decrease in GHG emissions. Plan Bay Area 2050 also provides a path to emissions reductions via goals to expand TDM initiatives that support and augment employers' commute programs.

SB 100

SB 100, known as The 100 Percent Clean Energy Act of 2018, was adopted on September 10, 2018. The overall goal is to have all retail electricity sold in California be procured from 100 percent renewable and zero-carbon resources by the year 2045. SB 100 also modified the renewables portfolio standard to 50 percent by 2025 and 60 percent by 2030.

Executive Order B-55-18 and Assembly Bill 1279

Executive Order B-55-18 was issued in September 2018. It ordered a new statewide goal of achieving carbon neutrality no later than 2045 and to maintain net negative emissions thereafter.

¹¹⁸ Association of Bay Area Governments and Metropolitan Transportation Commission. Plan Bay Area 2050. October 21, 2021. Page 20.

Assembly Bill 1279, also known as the California Climate Crisis Act, was approved on September 16, 2022 and codifies the statewide goal set by Executive Order B-55-18 of achieving net zero GHG emissions no later than the year 2045 and maintaining net negative emissions thereafter. In addition, this bill has a statewide goal of reducing anthropogenic GHG emissions by 85 percent below the 1990 levels by the year 2045. The bill requires CARB to work with relevant state agencies to ensure that updates to the scoping plan identify and recommend measures to achieve these policy goals and implement strategies that enable CO₂ removal solutions and carbon capture, utilization, and storage technologies in California. The bill requires CARB to submit an annual report.

Advanced Clean Cars II Regulation

To continue reducing air pollutants and GHG emissions in the transportation sector, CARB adopted the Advanced Clean Cars II Regulations (Resolution 22-12) on August 25, 2022. The new regulation requires that by 2035 all new passenger cars, trucks, and SUVs sold in California will be zero-emission vehicles. This regulation bans the sale of new gasoline or diesel passenger cars, trucks, and SUVs in California from automakers. Beginning in 2026, 35 percent of new vehicle sales must be zero-emission vehicles and plug-in hybrid EVs and that percentage will increase per year. By 2030, 70 percent of new vehicle sales will be zero-emissions vehicles and by the 2035 model year 100 percent of new vehicle sales will be zero-emissions. CARB will limit the use of plug-in hybrid EVs in the percentage requirements to keep the manufacturing of zero-emissions as the primary goal. Existing gasoline cars can continue to be driven and sold as used cars beyond 2035. CARB is required to track and report on the zero-emissions vehicle market development annually.

California Building Standards Code – Title 24 Part 11 and Part 6

The CALGreen Code is part of the CBSC under Title 24, Part 11.¹¹⁹ The CALGreen Code encourages sustainable construction standards that incorporate planning/design, energy efficiency, water efficiency resource efficiency, and environmental quality. These green building standard codes are mandatory statewide and are applicable to residential and non-residential developments. The most recent CALGreen Code (2025 CALGreen Code) will be effective on January 1, 2026.

The California Building Energy Efficiency Standards (California Energy Code) is under Title 24, Part 6 and is overseen by the Commission. This code includes design requirements to conserve energy in new residential and non-residential developments. This Energy Code is enforced and verified by cities during the planning and building permit process. The 2025 Energy Code replaces the 2022 Energy Code on January 1, 2026. There are new 2025 standards for single-family residences, multi-family residences, and non-residential uses.

Regional and Local

2017 Clean Air Plan

To protect the climate, the 2017 Clean Air Plan prepared by the Air District includes control measures designed to reduce emissions of methane and other super-GHGs that are potent climate

¹¹⁹ Refer to <https://www.dgs.ca.gov/BSC/Codes>.

pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

Bay Area Air District CEQA Thresholds for Evaluating Climate Impacts from Land Use Projects and Plans

In April 2022, the Air District Board of Directors adopted the Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans. The report includes the Air District's thresholds of significance for use in determining whether a proposed project or plan will have a significant impact on climate change and provides substantial evidence to support these thresholds. The April 2022 GHG thresholds, as shown in Section 4.8.2.1 below, replace the GHG thresholds set forth in the May 2017 Air District CEQA Air Quality Guidelines and represent what is required of new land use development projects and plans to achieve California's long-term climate goal of carbon neutrality by 2045.

Envision San José 2040 General Plan

The General Plan includes the following GHG policies applicable to the proposed Project.

Policy	Description
MS-2.11	Require new development to incorporate green building practices, including those required by the Green Building Ordinance. Specifically, target reduced energy use through construction techniques (e.g., design of building envelopes and systems to maximize energy performance), through architectural design (e.g., design to maximize cross ventilation and interior daylight) and through site design techniques (e.g., orienting buildings on sites to maximize the effectiveness of passive solar design).
MS-14.4	Implement the City's Green Building Policies so that new construction and rehabilitation of existing buildings fully implements industry best practices, including the use of optimized energy system, selection of materials and resources, water efficiency, sustainable site selection, passive solar building design, and planting of trees and other landscape materials to reduce energy consumption.

City of San José Reach Building Code

In 2019, the San José City Council approved Ordinance No. 30311 and adopted Reach Code Ordinances (Reach Code) to reduce energy related GHG emissions consistent with the goals of Climate Smart San José. The Reach Codes apply to new construction projects in San José.

Climate Smart San José

Climate Smart San José is a plan to reduce air pollution, save water, and create a stronger and healthier community. The City approved goals and milestones in February 2018 to ensure the City can substantially reduce GHG emissions through reaching the following goals and milestones:

- All new residential buildings will be Zero Net Carbon Emissions (ZNE) by 2020 and all new commercial buildings will be ZNE by 2030 (Note that ZNE buildings would be all electric with a carbon-free electricity source)
- One gigawatt of solar power will be installed in San José by 2040
- 61 percent of passenger vehicles will be powered by electricity by 2030

San José 2030 Greenhouse Gas Reduction Strategy

The 2030 Greenhouse Gas Reduction Strategy (GHGRS) is the latest update to the City's GHGRS and is designed to meet statewide GHG reduction targets for 2030 set by SB 32. As a qualified Climate Action Plan, the 2030 GHGRS allows for tiering and streamlining of GHG analyses under CEQA. The GHGRS identifies General Plan policies and strategies to be implemented by development projects in the areas of green building/energy use, multi-modal transportation, water conservation, and solid waste reduction. Projects that are consistent with the land use designation that covers the site they are located on and comply with the policies and strategies outlined in the 2030 GHGRS, would have less than significant GHG impacts under CEQA.

4.8.1.3 *Existing Conditions*

Unlike emissions of criteria and toxic air pollutants, which have regional and local impacts, emissions of GHGs have a broader, global impact. Global warming is a process whereby GHGs accumulating in the upper atmosphere contribute to an increase in the temperature of the earth and changes in weather patterns. The Project Components Sites do not actively emit GHG emissions since they are unoccupied.

4.8.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs?	☐	☐	☒	☐
Would the project result in a cumulatively considerable contribution to a cumulatively significant GHG emissions impact?	☐	☐	☒	☐

4.8.2.1 *Thresholds of Significance*

Pursuant with the latest Air District guidelines, for land use projects to result in a less than significant GHG emissions impact, the land use project would need to comply with either threshold A or B below.

- A. Projects must include, at a minimum, the following project design elements:
 - 1. Buildings
 - a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
 - b. The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.
 - 2. Transportation
 - a. Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA:
 - i. Residential projects: 15 percent below the existing VMT per capita
 - ii. Office projects: 15 percent below the existing VMT per employee
 - iii. Retail projects: no net increase in existing VMT
 - b. Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.
- B. Be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b)

This Project is consistent with the City's General Plan land use designations for the Project Components Sites, therefore; the City's local GHGRS can be used. The City of San José's 2030 GHGRS is a qualified GHGRS that meets the criteria under State CEQA Guidelines Section 15183.5(b). Threshold B is applicable to the Project.

In addition, the Air District has adopted a numeric threshold of 10,000 metric tons of CO₂e per year (MT CO₂e/year) for projects that require permits from the Air District. Given that the Project would include standby generators requiring Air District permits to operate, the significance threshold applicable to stationary source emissions from the Project is 10,000 MT CO₂e/year. This Air District threshold is consistent with stationary source thresholds adopted by other air quality management districts throughout the state.

4.8.2.2 *Project Impacts*

-
- a) Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?
-

SCBGF/SCDC

Construction Emissions

As shown in the emissions calculations in Table 4.3-7 in Section 4.3 Air Quality, the Project's total GHG emissions from construction activities would be approximately 390.34 metric tons CO₂e/max year and 537.02 metric tons CO₂e over the full construction period. Since construction emissions would cease once construction is complete, they are considered temporary emissions. Neither the Commission, City of San José, nor the Air District have an adopted threshold of significance for construction-related GHG emissions. Based on the temporary nature of construction GHG emissions, the Project would not interfere with the implementation of SB 32, and the impact is considered less than significant. **(Less Than Significant Impact)**

Stationary Source Emissions

As shown in the emissions calculations in Table 4.3-9 in Section 4.3 Air Quality, the Project's maximum annual GHG emissions from maintenance and readiness testing of the backup generators would be approximately 4,883.34 metric tons CO₂e per year. This is below the Air District's threshold of 10,000 metric tons CO₂e per year for stationary sources and is, therefore, less than significant. **(Less Than Significant Impact)**

Operational Emissions

Consistency with City of San José GHGRS

As discussed in Section 4.8.1.2 Regulatory Framework projects that comply with the policies and strategies outlined in the City's 2030 GHGRS would have less than significant GHG impacts. The City has developed a consistency checklist to determine if a project is consistent with the 2030 GHGRS, which would show compliance with the State's goal of reducing statewide GHG emissions 40 percent below 1990 level by 2030 (SB 32). Compliance with these mandatory policies and strategies by the Project ensures consistency with the 2030 GHGRS.

As documented in Appendix J, the Project would be consistent with the mandatory policies and strategies of the 2030 GHGRS. Therefore, since the Project would be consistent with 2030 GHGRS, GHG emissions generated by the Project would not conflict with SB 32. The Project includes the following PDM to ensure consistency with the City's GHGRS. This PDM is consistent with measures approved by the City of San José and the Commission in recent data center projects.

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.

While not required by any law, regulation, the 2030 GHGRS, or requirement to mitigate any significant project impact, the Project also includes the following PDM as a voluntary commitment to the use of renewable diesel as its primary fuel source for the backup generating facilities.

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, beginning after project operations, to the Director or Director's designee with the City of San José Department of Planning, Building and Code Enforcement documenting the amount of renewable diesel used by the generators.

Based on the above analysis, the Project's operational GHG emissions would be consistent with the Air District's GHG Threshold B, which would ensure consistency with the SB 32 and carbon neutral goals set by the State. Therefore, the proposed Project would result in a less than significant GHG impact during construction and operations of the proposed Project. **(Less than Significant Impact)**

Hellyer Switching Station, Transmission Line and Off-Site Multi-Modal Improvements

The PG&E Hellyer Switching Station, transmission line, and off-site multi-modal improvements would not generate GHG emissions, either directly or indirectly, during operation since the electrical infrastructure would convert and distribute electricity instead of consuming it, and the off-site multimodal improvements would facilitate alternative modes of transportation to reduce vehicle trips associated with the project. Therefore, the PG&E infrastructure and off-site multimodal improvements would result in less than significant operational GHG impacts. **(Less than Significant Impact)**

-
- b) Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?
-

CARB 2022 Scoping Plan

As described in Section 4.8.1.2 Regulatory Framework, the 2022 Scoping Plan is a document that plans how the State will achieve carbon neutrality by 2045 and reduce anthropogenic emissions to 85 percent below 1990 levels by 2045. The latest Air District GHG qualitative thresholds were designed to ensure future projects complete their “fair share” of implementing carbon reduction design features to help achieve the State’s carbon neutrality goal. A project that can either meet the energy and transportation design elements under Threshold A or is consistent with a qualified GHG reduction strategy under Threshold B is then consistent with the goals outlined in the 2022 Scoping Plan and would not hinder the State from achieving carbon neutrality. As described under checklist question a), the Project would be consistent the City’s qualified 2030 GHGRS compliance checklist. Therefore, the proposed Project’s contribution would not be cumulatively considerable as it does not impede California’s ability to achieve carbon neutrality.

California Senate Bill 100

SB 100 advances the RPS renewable resources requirement to 50 percent by 2026 and 60 percent by 2030. It also requires renewable energy resources and zero-carbon resources to supply 100 percent of all retail sales of electricity by 2045. The Project’s GHG emissions are predominantly from electricity usage. Since all electricity supplied by SJCE or PG&E to the Project would be subject to the RPS requirements promulgated under SB 100, the Project would not conflict with plans, policies, or regulations adopted pursuant to SB 100.

Bay Area 2017 Clean Air Plan

The Bay Area 2017 Clean Air Plan includes performance objectives, consistent with the state’s climate protection goals under AB 32 and SB 375, designed to reduce GHG emissions to 1990 levels by 2020 and 80 percent below 1990 levels by 2050. Due to the relatively high electrical demand of the Project, energy efficiency measures are included in the design and operation of the on-site electrical and mechanical systems. Additionally, as described above, the Project would participate in a clean energy program that accomplishes 100 percent carbon-free electricity for the Project. This would be consistent with the general purpose of Energy and Climate Measure (ECM)-1 – Energy Efficiency in the 2017 Bay Area Clean Air Plan.

City of San José GHGRS

The Project applicant would be required to apply for building permits for the Project from the City of San José. For commercial or industrial projects subject to development review by the City of San José, the City’s 2030 GHGRS presents the City’s comprehensive path to reduce GHG emissions to achieve the SB 32 2030 reduction target of reducing statewide GHG emissions 40 percent below the 1990 level by 2030. Additionally, the 2030 GHGRS leverages other important City plans and policies, including the General Plan, Climate Smart San José, and the City Municipal Code in identifying

reductions strategies that achieve the City's target. The Project applicant would be required to incorporate measures from the GHGRS into the Project, as specified by the City during the design review process to ensure compliance with applicable laws, ordinances, regulations, and standards. Conformance with the applicable design codes and policies would be enforced during the City design review process. As discussed above, the Project would be consistent with the 2030 GHGRS (refer to Appendix J).

City of San José General Plan, Climate Smart San José, and Green Building Ordinance

The Project would be consistent with the City's General Plan policies, Climate Smart San José, and Green Building Ordinance, which are all local regulations that aim to improve sustainable design and reduce GHG emissions. As required by the State and the City, the Project would be constructed in compliance with the current CALGreen Building Standards Code (Title 24, Part 11) to increase energy and water efficiency standards in new developments. The CALGreen Building Standards requires efficient windows, insulation, lighting, ventilation systems, and other features that reduce water and energy consumption. Also as mentioned previously, the Project would source carbon-free electricity for the data center building, which would reduce energy-related GHG emissions. There would also be electric vehicle parking spaces and charging infrastructure to support the transition to electric vehicles, which would reduce reliance on gasoline fueled vehicles. Pursuant to the City's Green Building requirements, the Project would also be required to demonstrate and achieve (at a minimum) the USGBC Silver level, which would reduce water and energy.¹²⁰ Therefore, the Project would be designed in a manner that requires more efficient energy and water use and supports electric vehicle infrastructure. The Project would be consistent Climate Smart San José and Green Building Ordinance along with complying with the City's General Plan policies related to GHG emissions reduction.

Conclusion

With implementation of the efficiency measures to be incorporated into the Project and the implementation of PDM GHG-1 and PDM GHG-2, GHG emissions related to the Project would be consistent with applicable plans and policies adopted to reduce GHG emissions and would be required to comply with all regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. For these reasons, the Project would not conflict with an applicable plan, policy, or regulation for GHG reductions. **(Less than Significant Impact)**

¹²⁰ Refer to San José Municipal Code Chapter 17.84 Green Building Regulations for Private Development.

4.8.2.3 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant GHG emissions impact?

As discussed above, GHG emissions worldwide contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. No single land use project could generate sufficient GHG emissions on its own to noticeably change the global average temperature. The combination of GHG emissions from past, present, and foreseeable future projects in San José, the entire state of California, and across the nation and around the world, contribute cumulatively to the phenomenon of global climate change and its associated environmental impacts. The above analysis of the Project's GHG emissions impacts is, therefore, also an analysis of the Project's contribution to cumulative GHG emissions impacts. **(Less than Significant Cumulative Impact)**

4.9 Hazards and Hazardous Materials

The following discussion is based on a Phase I Environmental Site Assessment (ESA) prepared by Partner Engineering and Science, Inc. dated September 8, 2025 and a Phase I ESA prepared by Citadel EHS dated September 11, 2025. A copy of the reports are included as Appendix K and L of this SPPE Application, respectively.

4.9.1 Environmental Setting

4.9.1.1 *Regulatory Framework*

Overview

The storage, use, generation, transport, and disposal of hazardous materials and waste are highly regulated under federal and state laws. In California, the EPA has granted most enforcement authority over federal hazardous materials regulations to the California Environmental Protection Agency (CalEPA). In turn, local agencies have been granted responsibility for implementation and enforcement of many hazardous materials regulations under the Certified Unified Program Agency (CUPA) program.

Worker health and safety and public safety are key issues when dealing with hazardous materials. Proper handling and disposal of hazardous material is vital if it is disturbed during project construction. Cal/OSHA enforces state worker health and safety regulations related to construction activities. Regulations include exposure limits, requirements for protective clothing, and training requirements to prevent exposure to hazardous materials. Cal/OSHA also enforces occupational health and safety regulations specific to lead and asbestos investigations and abatement.

Federal and State

Federal Aviation Regulations Part 77

Federal Aviation Regulations, Part 77 Objects Affecting Navigable Airspace (FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above the ground.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the

chemical and petroleum industries and provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Over five years, \$1.6 billion was collected and the tax went to a trust fund for cleaning up abandoned or uncontrolled hazardous waste sites. CERCLA accomplished the following objectives:

- Established prohibitions and requirements concerning closed and abandoned hazardous waste sites;
- Provided for liability of persons responsible for releases of hazardous waste at these sites; and
- Established a trust fund to provide for cleanup when no responsible party could be identified.

The law authorizes two kinds of response actions:

- Short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response; and
- Long-term remedial response actions that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious, but not immediately life-threatening. These actions can be completed only at sites listed on the EPA's National Priorities List.

CERCLA also enabled the revision of the National Contingency Plan (NCP). The NCP provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.¹²¹

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA), enacted in 1976, is the principal federal law in the United States governing the disposal of solid waste and hazardous waste. RCRA gives the EPA the authority to control hazardous waste from the "cradle to the grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also sets forth a framework for the management of non-hazardous solid wastes.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization, phasing out land disposal of hazardous waste, and corrective action for releases. Some of the other mandates of this law include increased enforcement

¹²¹ United States Environmental Protection Agency. "Superfund: CERCLA Overview." Accessed March 3, 2026. <https://www.epa.gov/superfund/superfund-cercla-overview>.

authority for the EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.¹²²

Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB).¹²³

Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides the EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. The TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program aims to prevent accidental releases of regulated hazardous materials that represent a potential hazard beyond the boundaries of a property. Facilities that are required to participate in the CalARP Program use or store specified quantities of toxic and flammable substances (hazardous materials) that can have off-site consequences if accidentally released. The Santa Clara County Department of Environmental Health reviews CalARP risk management plans as the CUPA.

Asbestos-Containing Materials

Friable asbestos is any asbestos-containing material (ACM) that, when dry, can easily be crumbled or pulverized to a powder by hand, allowing the asbestos particles to become airborne. Common examples of products that have been found to contain friable asbestos include acoustical ceilings, plaster, wallboard, and thermal insulation for water heaters and pipes. Common examples of non-friable ACMs are asphalt roofing shingles, vinyl floor tiles, and transite siding made with cement. The EPA began phasing out use of friable asbestos products in 1973 and issued a ban in 1978 on manufacture, import, processing, and distribution of some asbestos-containing products and new uses of asbestos products.¹²⁴ The EPA is currently considering a proposed ban on on-going use of

¹²² United States Environmental Protection Agency. "Summary of the Resource Conservation and Recovery Act." Accessed March 3, 2026. <https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act>.

¹²³ California Environmental Protection Agency. "Cortese List Data Resources." Accessed March 3, 2026. <https://calepa.ca.gov/sitecleanup/corteselist/>.

¹²⁴ United States Environmental Protection Agency. "EPA Actions to Protect the Public from Exposure to Asbestos." Accessed March 3, 2026. <https://www.epa.gov/asbestos/epa-actions-protect-public-exposure-asbestos>

asbestos.¹²⁵ National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines require that potentially friable ACMs be removed prior to building demolition or remodeling that may disturb the ACMs.

CCR Title 8, Section 1532.1

The United States Consumer Product Safety Commission banned the use of lead-based paint in 1978. Removal of older structures with lead-based paint is subject to requirements outlined by the Cal/OSHA Lead in Construction Standard, CCR Title 8, Section 1532.1 during demolition activities. Requirements include employee training, employee air monitoring, and dust control. If lead-based paint is peeling, flaking, or blistered, it is required to be removed prior to demolition.

Regional and Local

Municipal Regional Permit Provision C.12.f

Polychlorinated biphenyls (PCBs) were produced in the United States between 1955 and 1978 and used in hundreds of industrial and commercial applications, including building and structure materials such as plasticizers, paints, sealants, caulk, and wood floor finishes. In 1979, the EPA banned the production and use of PCBs due to their potential harmful health effects and persistence in the environment. PCBs can still be released to the environment today during demolition of buildings that contain legacy caulks, sealants, or other PCB-containing materials.

With the adoption of the San Francisco Bay Region Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (MRP) by the San Francisco Bay Regional Water Quality Control Board on November 19, 2015, Provision C.12.f requires that permittees develop an assessment methodology for applicable structures planned for demolition to ensure PCBs do not enter municipal storm drain systems. Municipalities throughout the Bay Area are currently modifying demolition permit processes and implementing PCB screening protocols to comply with Provision C.12.f. Buildings constructed between 1950 and 1980 that are proposed for demolition must be screened for the presence of PCBs prior to the issuance of a demolition permit. Single family homes and wood-frame structures are exempt from these requirements.

Envision San José 2040 General Plan

The General Plan includes the following hazards and hazardous materials policies applicable to the proposed Project.

Policy	Description
EC-7.1	For development and redevelopment projects, require evaluation of the proposed site's historical and present use to determine if any potential environmental conditions exist that could adversely impact the community or environment.
EC-7.2	Identify existing soil, soil vapor, groundwater, and indoor air contamination and mitigation for identified human health and environmental hazards to future users and provide as part of the

¹²⁵Ibid.

	environmental review process for all development and redevelopment projects. Mitigation measures for soil, soil vapor and ground water contamination shall be designed to avoid adverse human health and environmental risk, in conformance with regional, state, and federal laws, regulations, guidelines and standards.
EC-7.5	In development and redevelopment sites, require all sources of imported fill to have adequate documentation that it is clean and free of contamination and/or acceptable for the proposed land use considering appropriate environmental screening levels for contaminants. Disposal of groundwater from excavations on construction sites shall comply with local, regional, and State requirements.
EC-7.9	Ensure coordination with the County of Santa Clara Department of Environmental Health, Regional Water Quality Control Board, Department of Toxic Substances Control or other applicable regulatory agencies, as appropriate, on projects with contaminated soils and/or groundwater or where historical or active regulatory oversight exists.
EC-7.10	Require review and approval of grading, erosion control and dust control plans prior to issuance of a grading permit by the Director of Public Works on sites with known soil contamination. Construction operations shall be conducted to limit the creation of dispersion of dust and sediment runoff.
EC-7.11	Require sampling for residual agricultural chemicals, based on the history of land use, on sites to be used for any new development or redevelopment to account for worker and community safety during construction. Mitigation to meet appropriate end use such as residential or commercial/industrial shall be provided.
TR-14.2	Regulate development in the vicinity of airports in accordance with Federal Aviation Administration regulations to maintain the airspace required for the safe operation of these facilities and avoid potential hazards navigation.

City of San José Emergency Operations Plan

The latest City of San José Emergency Operations Plan (EOP) was adopted in May 2024. The EOP identifies emergency response policies, describes the response and recovery organization, and assigns specific roles and responsibilities to City departments, agencies, and community partners in a way that allows the EOP to be used for all emergencies that could occur within the City.

San José Fire Department Wildland-Urban Interface Fire Conformance Policy

Buildings proposed to be built within the San Jose Fire Department Wildland Urban Interface (WUI) shall comply with all WUI materials and construction methods per CBC Chapter 7A and CRC Section R337.¹²⁶ The applicant shall, prior to construction, provide sufficient detail to demonstrate that the building proposed to be built complies with this policy. Building Permit Plans are also to be approved by the San Jose Fire Department.

¹²⁶ San José Fire Department. *Wildland-Urban Interface (WUI) Fire Conformance Policy*. January 1, 2017. <https://www.sanjoseca.gov/Home/ShowDocument?id=9345>.

4.9.1.2 Existing Conditions

SCBGF/SCDC Site History

The SCBGF/SCDC Site is currently vacant land covered with grass and weeds with a small area of grading and some staged equipment along Silver Creek Valley Road. There are currently no on-site operations. The property is improved with perimeter fencing and utility features at the perimeters. The off-site multi-modal improvements are within the existing public right-of-way in Silver Creek Valley Road.

According to available historical sources, the subject property was formerly unimproved land from as early as 1889 to 1899; was agricultural land with a farmstead present in the center of the property from as early as 1939 until 1993; and has been vacant from 1998 until present day.

Tenants on the subject property have included individual residential occupants from at least 1889 to the 1980s. An individual occupant was listed in a 2001-2002 city directory; however, no dwellings were apparent on the subject property at that time.

On-Site Sources of Contamination

The Phase I ESA did not identify any recognized environmental conditions (RECs¹²⁷), controlled recognized environmental conditions (CRECs¹²⁸), or historical recognized environmental conditions (HRECs¹²⁹).¹³⁰

Based on the lack of on-site structures, asbestos-containing materials (ACMs) and lead based paint (LBP) are not part of the subject property's existing condition. No hazardous substances or petroleum products were observed at the subject property, including PCBs.¹³¹

Regulatory Database Listings

The SCBGF/SCDC Site and the portion of Silver Creek Valley Road (between Piercy Road and Fontanoso Way) where the off-site physical improvements would be located are not listed on the Cortese List or other regulatory databases as a known source or suspected source of contamination or as a site that contains hazardous materials or hazardous waste.

¹²⁷ A REC is defined as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.

¹²⁸ A CREC is defined as a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

¹²⁹ A HREC refers to a previous release of hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the subject property to any controls.

¹³⁰ PARTNER Engineering and Science, Inc. *Phase I Environmental Site Assessment Report 5977 and 6001 Silver Creek Valley Road*. September 8, 2025.

¹³¹ Ibid.

Hellyer Switching Station Site

The Hellyer Switching Station Site is currently vacant and has been undeveloped since as early as 1939, prior to which time it was used as an orchard. The properties to the southwest, south, and southeast were developed as orchards from as early as 1939 through the late 1970s, when urban development began in the area. Around this time period, Piercy Road and Silver Creek Valley Road were also constructed. By 1982, the orchards in the surrounding area were removed and commercial buildings were constructed by 2006 on parcels to the east, south, and west. By 2006, the surrounding properties appear in their current configuration. The Hellyer Switching Station was unchanged during this entire period.¹³²

On-Site Sources of Contamination

While no RECs, CREC, or HRECs have been identified on the site, the site was sampled for pesticides, metals, and naturally occurring asbestos in 2021 due to the past orchard use. A total of 28 soil samples were taken to analyze total petroleum hydrocarbons, volatile organic compounds, semi-volatile organic compounds, organochlorine pesticides, polychlorinated biphenyls, metals, and asbestos. The testing showed that contaminant concentrations were below regulatory and background levels; therefore, the site was deemed acceptable for future commercial development.¹³³ No further investigation was recommended.¹³⁴

Regulatory Database Listings

The Hellyer Switching Station Site is not listed on the Cortese List or other regulatory databases as a known source or suspected source of contamination or as a site that contains hazardous materials or hazardous waste.¹³⁵

PG&E Transmission Line Route

The PG&E transmission line route is within the same general area as the SCBGF/SCDC and Hellyer Switching Station Sites and has similar characteristics as it pertains to hazards and hazardous materials. There are no documented releases of hazardous materials in the transmission line route area, although much of the area was used for agricultural uses in the past.

Off-Site Sources of Contamination

A review of databases and files from federal, state, and local environmental regulatory agencies was used to identify use, generation, storage, treatment, or disposal of hazardous substances and chemicals, or release incidents of such materials at surrounding facilities that may have impacted the Project Components Sites. Based on distance, regulatory status, and/or apparent groundwater

¹³² Citadel EHS. *Phase I Environmental Site Assessment Report 455 Piercy Road, San José, California 95138*. September 11, 2025. Pages 7 to 9.

¹³³ Citadel EHS. *Phase I Environmental Site Assessment Report 455 Piercy Road, San José, California 95138*. September 11, 2025. Page 8.

¹³⁴ Citadel EHS. *Phase I Environmental Site Assessment Report 455 Piercy Road, San José, California 95138*. September 11, 2025. Pages 16 and 17.

¹³⁵ Ibid. Page 10.

gradient, there are no sites in the project vicinity that pose an environmental concern to the Project Components Sites.^{136,137}

Airport Operations

The Reid-Hillview County Airport is located approximately five miles north of the SCBGF/SCDC Site. The San José Mineta International Airport is located even further, approximately 9.5 miles northwest of the Site. The Project Components Sites are located outside the noise contours of these airports and would not be located within the airport safety zones.

Wildfires

The Project area is located in the Wildland Urban Interface.^{138,139} The SCBGF/SCDC Site and the off-site multi-modal improvements are not located in a Fire Hazard Severity Zone (FHSZ) based on the CAL FIRE map.¹⁴⁰ The Hellyer Switching Station Site (including the associated steel monopoles to be installed in the hillside area to the east) and portions of the PG&E transmission line route are located in the High FHSZ.

4.9.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒

¹³⁶ PARTNER Engineering and Science, Inc. *Phase I Environmental Site Assessment Report 5977 and 6001 Silver Creek Valley Road*. September 8, 2025.

¹³⁷ Citadel EHS. *Phase I Environmental Site Assessment Report 455 Piercy Road, San José, California 95138*. September 11, 2025.

¹³⁸ City of San José. *Public GIS Viewer*. Accessed March 4, 2026. <https://gis.sanjoseca.gov/maps/publicgisviewer/>

¹³⁹ Wildland-urban interface areas are areas that have a history of wildfire and are vulnerable to wildfire given their proximity to vegetative fuels. They are typically transitional areas, where structures and other human development meet or intermingle with undeveloped wildland.

¹⁴⁰ California Department of Forestry and Fire Protection. *Fire Hazard Severity Zone Viewer*. Accessed March 4, 2026. <https://experience.arcgis.com/experience/6a9cb66bb1824cd98756812af41292a0>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐
Would the project result in a cumulatively considerable contribution to a cumulatively significant hazards and hazardous materials impact?	☐	☐	☒	☐

4.9.2.1 *Project Impacts*

- a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

SCBGF/SCDC

Construction

During the construction phase of the SCBGF/SCDC and the off-site multi-modal improvements, the only hazardous materials used would be paints, cleaners, solvents, gasoline, motor oil, welding gases, and lubricants. When not in use, any hazardous material would be stored in designated construction staging areas in compliance with local, state, and federal requirements. Any impacts resulting from spills or other accidental releases of these materials would be limited to the site due to the small quantities involved and their infrequent use, hence reduced chances of release. Temporary containment berms would also be used to help contain any spills during the construction of the project.

During construction, all 44 diesel generator fuel tanks would have to be filled. The transportation of the diesel fuel to the site would take several tanker truck trips. Diesel fuel has a long history of

being routinely transported and used as a common motor fuel. It is appropriate to rely upon the extensive regulatory program that applies to the shipment of hazardous materials on California highways and roads to ensure safe handling in general transportation (see Federal Hazardous Materials Transportation Law 49 USC Section 5101 et seq., DOT regulations 49 C.F.R. subpart H, Sections 172–700, and California Department of Motor Vehicles (DMV) regulations on hazardous cargo). Thus, the transportation of diesel fuel would pose a less than significant risk to the surrounding public. Therefore, the routine transport, use or disposal of hazardous materials during construction would have a less than significant impact to the public or the environment. **(Less than Significant Impact)**

Operation

Operation of the SCBGF/SCDC would include the use and storage of diesel fuel for testing and maintenance of the backup generators. Some oils and lubricants could be stored on-site for maintenance of mechanical equipment in the equipment yards. The SCBGF/SCDC would be required to prepare a Spill Prevention, Control and Countermeasure (SPCC) Plan in accordance with applicable laws and regulations to address the storage, use and delivery of renewable diesel and diesel fuel for the generators.

As described in Section 3.4.7 Hazardous Materials Management, the SCBGF will prepare a 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 are 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. The tanker truck parks on the access road to the south of the generator yard and extends the fuel fill hose through one of multiple gates in the security fence surrounding the generator equipment yard.

To minimize spills during re-fueling, the generator has a small spill catch basin located at each fill port for the generators. 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. 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.

Diesel Exhaust Fluid (DEF) is used as part of the diesel engine combustion process to meet the emissions requirements. Each enclosure will have a 550-gallon DEF gallon tank.

Neither the SCBGF nor the SCDC will store, use, or handle any hazardous material subject to the CalARP Program that would trigger the requirement for an off-site consequences analysis and a Risk Management Plan. **(Less than Significant Impact)**

Hellyer Switching Station and PG&E Transmission Line

PG&E is responsible for operation of the Hellyer Switching Station and transmission line. The Hellyer Switching Station would utilize hazardous materials such as mineral oils in the transformers and lead-acid batteries for backup power. PG&E substations are equipped with a containment system, such as an impervious liner and an open or gravel-filled sump basin, designed to capture potential leaks or spills of mineral oil. These containment features would be designed to be consistent with a required SPCC Plan. Batteries in PG&E substations are installed with secondary containment beneath and around the battery racks. The secondary containment system would be designed to be consistent with the California Fire Code Section 1207 requirements for stationary storage battery systems. PG&E must comply with applicable state and federal laws, regulations, and requirements pertaining to hazardous materials and hazardous wastes.

Adherence to all applicable state and federal laws would ensure that impacts related to the routine transport, use, or disposal of hazardous materials would be less than significant. **(Less than Significant Impact)**

-
- b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
-

Soil Contamination

As described in Section 4.9.1.2 Existing Conditions, there are no RECs, CRECs, or HRECs associated with the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements. However, due to the agricultural history of the SCBGF/SCDC, residual organochlorine pesticides, and/or pesticide-based metals (such as arsenic and lead) may be present in subsurface soil that could adversely affect construction workers, adjacent properties, and future site workers if disturbed. A previous soil sampling investigation has been completed for the Hellyer Switching Station as described in Section 4.9.1.2 Existing Condition and with the results of the investigation being deemed adequate and complete. No further investigation is required for the Hellyer Switching Station.

For the SCBGF/SCDC site, the following measures are included in the Project as PDMs to reduce hazardous materials impacts to a less than significant level. The following PDMs would not apply to

the off-site multi-modal improvements since no ground-disturbing construction activities are assumed to occur.

PDM HAZ-1.1: Soil testing shall be performed to determine whether 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 for the City's records 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 on-site;
- Identification of workers, supervisor, and employer health and safety responsibilities; and
- Provisions for the on-site 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.

For the proposed transmission line routes and transmission towers, PG&E would implement the following avoidance and minimization measures, as applicable, from the PG&E Operations and Maintenance Incidental Take Permit FEIR¹⁴¹:

APM HAZ-1 Spill Response. PG&E will implement its hazardous substance control and emergency response procedures as needed. The procedures identify methods and techniques to minimize the exposure of the public and site workers to potentially hazardous materials during all phases of construction through operation. They address worker training appropriate to the site worker's role in hazardous substance control and emergency response. The procedures also require implementing appropriate control methods and approved containment and spill control practices for construction and materials stored on

¹⁴¹ California Department of Fish and Wildlife. PG&E Bay Area O&M Incidental Take Permit Environmental Impact Report Volume 2. Final EIR. June 2022.

site. If it is necessary to store chemicals on site, they will be managed in accordance with all applicable regulations. Material safety data sheets shall be maintained and kept available on site, as applicable.

In the event that soils suspected of being contaminated (on the basis of visual, olfactory, or other evidence) are removed during site grading activities or excavation activities, the excavated soil will be tested and, if contaminated above hazardous waste levels, will be contained and disposal of at a licensed waste facility. The presence of suspected contaminated soil will require testing and investigation procedures to be supervised by a qualified person, as appropriate, to meet state and federal regulations.

All hazardous materials and hazardous wastes shall be handled, stored, and disposed of in accordance with all applicable regulations, by personnel qualified to handle hazardous materials. The hazardous substance control and emergency response procedures include, but are not limited to, the following:

- Proper disposal of potentially contaminated soils.
- Establishing site-specific buffers for construction vehicles and equipment located near sensitive resources.
- Emergency response and reporting procedures to address hazardous material spills.
- Stopping work and contacting the local fire department or other agencies as appropriate. Work will resume after any necessary consultation and approval by the local fire department.
- Emergency-spill response and clean up kits will be on site where they are immediately available to respond to an accidental release of a hazardous fluid or material. If applicable, a Stormwater Pollution Prevention Plan (SWPPP) will be implemented, which will also address spill response and other site-specific physical conditions to improve hazard prevention.

With implementation of PDM HAZ-1.1 and PDM HAZ-1.2 described above, as well as PG&E programmatic measure APM HAZ-1, the proposed Project would result in a less than significant impact due to any potentially contaminated soil and groundwater on-site as contamination would be addressed via a SMP and HSP or other required measures. **(Less than Significant Impact)**

Project Operation

As described in the discussion under checklist question a), a SPCC Plan would be required to be completed for the safe storage and use of chemicals at the SCBGF/SCDC and Hellyer Switching Station Sites. Conformance with relevant laws and regulations would minimize the likelihood of hazardous material releases from the SCBGF/SCDC and Hellyer Switching Station Sites. No hazardous materials releases are anticipated for the transmission line or the off-site multi-modal improvements. **(Less than Significant Impact)**

-
- c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
-

The proposed Project will be located approximately 0.7 mile southeast of the nearest school, Edenvale Elementary School. Therefore, the Project will not emit hazardous emissions or handle hazardous materials, substances, or waste within a quarter mile of an existing or proposed school. **(No Impact)**

- d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
-

As discussed in Section 4.9.1.2 Existing Conditions, the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements are not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. As discussed under checklist question a), the Project, with the implementation of PMD HAZ-1.1, PDM HAZ-1.2, PG&E programmatic measure APM HAZ-1, along with the Project's SPCC Plan, would not emit significant hazards or hazardous materials impacts from construction or operation. Therefore, the Project would not create a significant hazard to the public or environment. **(Less than Significant Impact)**

- e) If located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
-

The SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements are not located within two miles of a public airport or public use airport. As discussed in Section 4.9.1.2 Existing Conditions, the nearest airport (Reid-Hillview County Airport) is located approximately five miles north of the Project. For these reasons, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area. **(No Impact)**

- f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
-

The City's 2024 EOP is principally designed to establish the foundational policies and procedures that define how the City will effectively prepare for, respond to, recover from, and mitigate against natural or human-caused disasters. This includes assigning City departmental roles and responsibilities during disaster response and recovery activities, establishing communication and coordination procedures, and the logistics for disseminating information and resources, among other similar items.

The SCBGF/SCDC would develop a vacant site consistent with the existing General Plan designation of the site and would not alter evacuation routes. In addition, the SCBGF/SCDC would be constructed in accordance with current building and fire codes and would be required to be maintained in accordance with applicable City policies identified in the General Plan FEIR to avoid unsafe building conditions. Therefore, the SCBGF/SCDC would be consistent with existing emergency response plans and emergency evacuation plans.

The Hellyer Switching Station would install electric infrastructure on a currently vacant property and would not create barriers to evacuation or emergency response, nor would it add population to the site that would need to evacuate in the event of an emergency.

The transmission line routes and the off-site multi-modal improvements would primarily be within the right-of-way of existing roadways and would not modify any of the roadways that would obstruct emergency vehicles or remove access.

For these reasons, construction and operation of the Project would not impair implementation of or physically interfere with the City's adopted EOP. **(Less than Significant Impact)**

-
- g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?
-

As discussed in Section 4.9.1.2 Existing Conditions, the Project is located in the WUI. The SCBGF/SCDC Site and off-site multi-modal improvements are not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; however, the Hellyer Switching Station Site and portions of the PG&E transmission line route are located in a High FHSZ. The Project would be constructed in accordance with current state and local building and fire codes (including Chapter 7A of the CBC) to ensure structural stability and safety and the final site design would be reviewed by San Jose Fire Department for consistency with applicable fire department standards. **(Less than Significant Impact)**

4.9.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant hazards and hazardous materials impact?

The geographic area for cumulative hazards and hazardous materials impacts is the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements and immediate vicinity. As described in the discussion under checklist question a), the proposed Project would include the use and storage of diesel fuel for testing and maintenance of the backup generators associated with the data center. A Hazardous Materials Business Plan would be required to be completed for the safe storage and use of chemicals and a Spill Prevention,

Control, and Countermeasure Plan would be implemented. Conformance with relevant laws and regulations would minimize the likelihood of hazardous material releases from the Project and ensure the Project would not result in or substantially contribute to a significant cumulative impact related to the use and storage of hazardous materials.

No significant cumulative impacts associated with hazardous materials or contaminated soil/groundwater have been identified in the immediate project vicinity. The Project would implement PDMs as well as adhere to all applicable laws and regulations with respect to the remediation of existing soil and groundwater contamination on the Project Site, thereby reducing contamination in the Project vicinity. The Project would not result in or substantially contribute to a cumulative impact related to soil and groundwater contamination. **(Less than Significant Cumulative Impact)**

4.10 Hydrology and Water Quality

4.10.1 Environmental Setting

4.10.1.1 *Regulatory Framework*

Federal and State

The federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality in California. Regulations set forth by the Environmental Protection Agency (EPA) and the State Water Resources Control Board (SWRCB) have been developed to fulfill the requirements of this legislation. EPA regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into the waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by the Regional Water Quality Control Boards (RWQCBs). The SCBG/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements are within the jurisdiction of the San Francisco Bay RWQCB.

Under Section 303(d) of the federal Clean Water Act, the SWRCB and RWQCBs are required to identify impaired surface water bodies that do not meet water quality standards and develop total maximum daily loads for contaminants of concern. The list of the state's identified impaired surface water bodies, known as the "303(d) list" can be found on the on the SWRCB's website.¹⁴²

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRMs) that identify Special Flood Hazard Areas. A Special Flood Hazard Areas is an area that would be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood.

Statewide Construction General Permit

The SWRCB has implemented an NPDES General Construction Permit for the State of California (Construction General Permit). For projects disturbing one acre or more of soil, a Notice of Intent must be filed with the RWQCB by the project sponsor, and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a qualified professional prior to commencement of construction and filed with the RWQCB by the project sponsor. The Construction General Permit includes requirements for training, inspections, record keeping, and, for projects of certain risk levels,

¹⁴² California State Water Resources Control Board. "2020-2022 California Integrated Report (Clean Water Act Section 303(d) List and 305(b) Report)." May 11, 2022. Accessed March 2, 2026.
https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2020_2022_integrated_report.html.

monitoring. The general purpose of the requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

Regional and Local

San Francisco Bay Basin Plan

The San Francisco Bay RWQCB regulates water quality in accordance with the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan). The Basin Plan lists the beneficial uses that the San Francisco Bay RWQCB has identified for local aquifers, streams, marshes, rivers, and the San Francisco Bay, as well as the water quality objectives and criteria that must be met to protect these uses. The San Francisco Bay RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements, including permits for nonpoint sources such as the urban runoff discharged by a City's stormwater drainage system. The Basin Plan also describes watershed management programs and water quality attainment strategies.

Municipal Regional Permit Provision C.3

The San Francisco Bay RWQCB re-issued the Municipal Regional Stormwater NPDES Permit (MRP) in May 2022 to regulate stormwater discharges from municipalities and local agencies (co-permittees) in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo.¹⁴³ 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). The MRP also requires that stormwater treatment measures be properly installed, operated, and maintained.

In addition to water quality controls, the MRP requires new development and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation, or other impacts to local rivers, streams, and creeks. Projects may be deemed exempt from these requirements if: (1) the post-project impervious surface area is less than, or the same as, the pre-project impervious surface area; (2) the project is located in a catchment that drains to a hardened (e.g., continuously lined with concrete) engineered channel or channels or enclosed pipes, which extend continuously to the Bay, Delta, or flow-controlled reservoir, or, in a catchment that drains to channels that are tidally influenced; or

¹⁴³ California Regional Water Quality Control Board San Francisco Region. Municipal Regional Stormwater NPDES Permit, Order No. R2-2022-0018, NPDES Permit No. CAS612008. May 11, 2022.

(3) the project is located in a catchment or subwatershed that is highly developed (i.e., that is 70 percent or more impervious).¹⁴⁴

Municipal Regional Permit Provision C.12.f

Provision C.12.f of the MRP requires co-permittee agencies to implement a control program for PCBs that reduces PCB loads by a specified amount during the term of the permit, thereby making substantial progress toward achieving the urban runoff PCBs wasteload allocation in the Basin Plan by March 2030.¹⁴⁵ Programs must include focused implementation of PCB control measures, such as source control, treatment control, and pollution prevention strategies. Municipalities throughout the Bay Area are updating their demolition permit processes to incorporate the management of PCBs in demolition building materials to ensure PCBs are not discharged to storm drains during demolition. Buildings constructed between 1950 and 1980 that are proposed for demolition must be screened for the presence of PCBs prior to the issuance of a demolition permit. Single-family residential and wood frame structures are exempt.

Water Resources Protection Ordinance and District Well Ordinance

Valley Water operates as the flood control agency for Santa Clara County. Valley Water also provides stream stewardship and is the wholesale water supplier throughout the county, which includes the groundwater recharge program. Well construction and deconstruction permits, including borings 45 feet or deeper, are required under Valley Water's Well Ordinance 90-1. Under Valley Water's Water Resources Protection Ordinance, projects within Valley Water property or easements are required to obtain encroachment permits.

2021 Groundwater Management Plan

The 2021 Groundwater Management Plan (GWMP) describes Valley Water's comprehensive groundwater management framework, including existing and potential actions to achieve basin sustainability goals and ensure continued sustainable groundwater management. The GWMP covers the Santa Clara and Llagas subbasins, which are located entirely in Santa Clara County. Valley Water manages a diverse water supply portfolio, with sources including groundwater, local surface water, imported water, and recycled water. About half of the county's water supply comes from local sources and the other half comes from imported sources. Imported water includes the District's State Water Project and Central Valley contract supplies and supplies delivered by the San Francisco Public Utilities Commission (SFPUC) to cities in northern Santa Clara County. Local sources include natural groundwater recharge and surface water supplies. A small portion of the county's water supply is recycled water.

¹⁴⁴ The Hydromodification Applicability Maps developed the permittees under Order No. R2-2009-0074 were prepared using this standard, adjusted to 65 percent imperviousness to account for the presence of vegetation on the photographic references used to determine imperviousness. Thus, the maps for Order No. R2-2009-0074 are accepted as meeting the 70 percent requirement.

¹⁴⁵ California Regional Water Quality Control Board San Francisco Region. *Municipal Regional Stormwater NPDES Permit, Order No. R2-2022-0018, NPDES Permit No. CAS61200*. May 11, 2022.

Local groundwater resources make up the foundation of the county's water supply, but they need to be augmented by the District's comprehensive water supply management activities to reliably meet the county's needs. These include the managed recharge of imported and local surface water and in-lieu groundwater recharge through the provision of treated surface water and raw water, acquisition of supplemental water supplies, and water conservation and recycling.¹⁴⁶

Post-Construction Urban Runoff Management (City Council Policy No. 6-29)

The City of San José's Policy No. 6-29 implements the stormwater treatment requirements of Provision C.3 of the MRP. City Council Policy No. 6-29 requires new development and redevelopment projects to implement post-construction Best Management Practices (BMPs) and Treatment Control Measures (TCMs). This policy also established specific design standards for post-construction TCMs for projects that create or replace 10,000 square feet or more of impervious surfaces.

Post-Construction Hydromodification Management (City Council Policy No. 8-14)

The City of San José's Policy No. 8-14 implements the hydromodification management requirements of Provision C.3 of the MRP. Policy No. 8-14 requires new development and redevelopment projects that create or replace one acre or more of impervious surface area and are located within a subwatershed that is less than 65 percent impervious, to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt generation, or other impacts to local rivers, streams, and creeks. The policy requires these projects to be designed to control project-related hydromodification through a Hydromodification Management Plan (HMP). Projects that do not meet the minimum size threshold, drain into tidally influenced areas or directly into the Bay, or are infill projects in subwatersheds or catchment areas that are greater than or equal to 65 percent impervious would not be subject to the HMP requirement.

Construction Dewatering Waste Discharge Requirements

Each of the RWQCBs regulate construction dewatering discharges to storm drains or surface waters within its Region under the NPDES program and Waste Discharge Requirements.

Envision San José 2040 General Plan

The General Plan includes the following hydrology and water quality policies applicable to the proposed project.

Policy	Description
ER-8.1	Manage stormwater runoff in compliance with the City's Post-Construction Urban Runoff (6-29) and Hydromodification Management (8-14) Policies.

¹⁴⁶ Santa Clara Valley Water District. *2021 Groundwater Management Plan, Santa Clara and Llagas Subbasins*. November 2021.

Policy	Description
ER-8.3	Ensure that private development in San José includes adequate measures to treat stormwater runoff.
ER-8.5	Ensure that all development projects in San José maximize opportunities to filter, infiltrate, store and reuse or evaporate stormwater runoff on-site.
ER-10.5	Protect groundwater recharge areas, particularly creeks and riparian corridors.
EC-4.1	Design and build all new or remodeled habitable structures in accordance with the most recent California Building Code and municipal code requirements as amended and adopted by the City of San José, including provisions for expansive soil, and grading and stormwater controls.
EC-5.7	Allow new urban development only when mitigation measures are incorporated into the project design to ensure that new urban runoff does not increase flood risks elsewhere.
EC-5.16	Implement the Post-Construction Urban Runoff Management requirements of the City's Municipal NPDES Permit to reduce urban runoff from project sites.
EC-7.10	Require review and approval of grading, erosion control and dust control plans prior to issuance of a grading permit by the Director of Public Works on sites with known soil contamination. Construction operations shall be conducted to limit the creation and dispersion of dust and sediment runoff.
IN-3.9	Require developers to prepare drainage plans that define needed drainage improvements for proposed developments per City standards.

4.10.1.2 *Existing Conditions*

SCBGF/SCDC Site

Hydrology and Drainage

The water quality of streams, creeks, ponds, and other surface water bodies can be greatly affected by pollution carried in contaminated surface runoff. Pollutants from unidentified sources, known as “non-point” source pollutants, are washed from streets, construction sites, parking lots, and other exposed surfaces into storm drains. Coyote Creek flows south to north approximately 186 feet northwest of the SCBGF/SCDC Site. According to the EPA, Coyote Creek is currently listed on the 303(d) list of impaired waterways for low oxygen, mercury, pesticides, and total toxic chemicals.¹⁴⁷

The existing SCBGF/SCDC SITE is undeveloped vacant land with five storm drain laterals stubbed at the eastern and southern property lines for future use. There are two storm drain laterals on Fontanoso Way and three laterals on Silver Creek Valley Road.

¹⁴⁷ United States Environmental Protection Agency. “How’s My Waterway?” Accessed March 2, 2026. <https://mywaterway.epa.gov/community/5977%20Silver%20Creek%20Valley%20Rd,%20San%20Jose,%20CA,%2095138,%20USA/overview>

Flooding

The SCBGF/SCDC Site is located within the FEMA Flood Zone D. Zone D is an area of undetermined but possible flood hazard that is outside the 100-year flood plain.¹⁴⁸ The City of San José does not have established guidelines for Zone D flood hazard zones.

Seiches and Tsunamis

A seiche is the oscillation of water in an enclosed body of water such as a lake or the San Francisco Bay. There are no landlocked bodies of water near the SCBGF/SCDC Site that would affect the site in the event of a seiche.

A tsunami is a sea wave generated by an earthquake, landslide, or other large displacement of water in the ocean. There are no bodies of water near the SCBGF/SCDC Site that would affect the site in the event of a tsunami.¹⁴⁹

Groundwater

The SCBGF/SCDC Site is located within the Santa Clara Subbasin in a recharge area.^{150,151} Groundwater was encountered at the SCBGF/SCDC Site at depths between 23 and 36 feet bgs.

Hellyer Switching Station Site

Hydrology and Drainage

The Hellyer Switching Station site is undeveloped. There is an existing 48-inch storm drain line in Piercy Road that ultimately connects to the existing storm drain manhole in Piercy Road.

Flooding

The Hellyer Switching Station Site is located within the FEMA Flood Zone D.¹⁵²

Seiches, Tsunamis, and Mudflows

There are no landlocked bodies of water near the Hellyer Switching Station Site that would affect the site in the event of a seiche.

¹⁴⁸ Federal Emergency Management Agency. *FEMA's National Flood Hazard Layer (NFHL) Viewer*. Accessed March 2, 2026. <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>

¹⁴⁹ California Department of Conservation. "Tsunami Hazard Area Map." Accessed March 2, 2026. https://maps.conservation.ca.gov/cgs/informationwarehouse/ts_evacuation/.

¹⁵⁰ Santa Clara Valley Water District. *2021 Groundwater Management Plan*. Figure 2-1. November 2021.

¹⁵¹ Santa Clara Valley Water District. "SCVWD Groundwater Subbasins." Accessed March 2, 2026. <https://data-valleywater.opendata.arcgis.com/maps/7c3f7808407045f88ae1d83d692c8be5/about>

¹⁵² Federal Emergency Management Agency. *FEMA's National Flood Hazard Layer (NFHL) Viewer*. Accessed March 2, 2026. <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>

There are no bodies of water near the Hellyer Switching Station Site that would affect the site in the event of a tsunami.¹⁵³

The Hellyer Switching Station Site is not susceptible to mudflows.

Groundwater

The Hellyer Switching Station Site is located within the Santa Clara Subbasin in a recharge area.^{154,155} Groundwater depths at the Site are greater than 50 feet.¹⁵⁶

PG&E Transmission Line Route and Off-Site Multi-Modal Improvements

Flooding

The PG&E transmission line route and the off-site multi-modal improvements are located within Flood Zone D.¹⁵⁷

Seiches and Tsunamis

There are no landlocked bodies of water near the PG&E transmission line route and the off-site multi-modal improvements that would affect the site in the event of a seiche.

There are no bodies of water near the PG&E transmission line and the off-site multi-modal improvements that would affect the site in the event of a tsunami.¹⁵⁸

Groundwater

The PG&E transmission line route and the off-site multi-modal improvements are located within the Santa Clara Subbasin in a recharge area.^{159,160}

¹⁵³ California Department of Conservation. "Tsunami Hazard Area Map." Accessed March 2, 2026. https://maps.conservation.ca.gov/cgs/informationwarehouse/ts_evacuation/.

¹⁵⁴ Santa Clara Valley Water District. *2021 Groundwater Management Plan*. Figure 2-1. November 2021.

¹⁵⁵ Santa Clara Valley Water District. "SCVWD Groundwater Subbasins." Accessed March 2, 2026. <https://data-valleywater.opendata.arcgis.com/maps/7c3f7808407045f88ae1d83d692c8be5/about>

¹⁵⁶ City of San José. *Piercy Road Industrial Warehouse Project Initial Study*. July 2022.

¹⁵⁷ Federal Emergency Management Agency. *FEMA's National Flood Hazard Layer (NFHL) Viewer*. Accessed March 2, 2026. <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>

¹⁵⁸ California Department of Conservation. "Tsunami Hazard Area Map." Accessed March 2, 2026. https://maps.conservation.ca.gov/cgs/informationwarehouse/ts_evacuation/.

¹⁵⁹ Santa Clara Valley Water District. *2021 Groundwater Management Plan*. Figure 2-1. November 2021.

¹⁶⁰ Santa Clara Valley Water District. "SCVWD Groundwater Subbasins." Accessed March 2, 2026. <https://data-valleywater.opendata.arcgis.com/maps/7c3f7808407045f88ae1d83d692c8be5/about>

4.10.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
- result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
- substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
- create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
- impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐
Would the project result in a cumulatively considerable contribution to a cumulatively significant hydrology and water quality impact?	☐	☐	☒	☐

Note that the off-site multi-modal improvements will be located within the existing public-right-of-way of Silver Creek Valley Road (between Piercy Road and Fontanoso Way) and are assumed to have no impact on hydrology and water quality due to this location and minimal construction efforts. These improvements are assumed to occur within an already paved area and would not

involve any ground-disturbing work that would have construction or post-construction impacts on hydrology. It is assumed that the multi-modal improvements would primarily consist of striping for the proposed crosswalk, placement of a bus stop sign, and installation of bollards or curbs for the Class IV bike lane. No heavy-duty construction equipment would be utilized. For this reason, the off-site multi-modal improvements are not discussed further in the following impact analysis.

4.10.2.1 *Project Impacts*

-
- a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
-

Construction-Related Water Quality Impacts

Construction activities, such as grading and excavation, may result in temporary impacts to surface water quality in local waterways. When disturbance to underlying soil occurs, surface water that flows across the site may contain sediments may be dislodged and discharged to the storm drainage system.

SCBGF/SCDC

Construction of the SCBGF/SCDC will disturb over 15 acres, which requires that the Project obtain a NPDES General Permit for Construction. Prior to initiating grading activities, the Project Applicant will file a Notice of Intent with the SWRCB and prepare a SWPPP prior to commencement of construction to establish methods for controlling discharge associated with construction activities. Additionally, all development projects in San José are also required to comply with the City of San José's Grading Ordinance regardless of whether the Project is required to obtain an NPDES General Construction Permit.¹⁶¹ Consistent with the City's General Plan policies to reduce construction-related water quality impacts, the following measures, based on City Standard Permit Conditions, would be implemented and are incorporated as PDM HYD-1.

PDM HYD-1: Stormwater Best Management Practices. Consistent with applicable provisions of the General Plan and standard permit conditions, the following measures 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.

¹⁶¹ The San José Grading Ordinance requires the use of erosion and sediment controls to protect water quality when a site is under construction.

- 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.

Additionally, an Erosion Control Plan will be prepared for the Project in accordance with all applicable standards and requirements (refer to Section 4.7 Geology and Soils). The Erosion Control Plan will be required to detail the BMPs to be implemented during the construction phases to prevent the discard of stormwater pollutants and minimize erosion.

As discussed in Section 3.5, maximum cut depths are estimated to be 10 feet below existing grade. Groundwater depths at the SCBGF/SCDC Site range between 23 and 36 feet bgs. Therefore, it is not anticipated that groundwater will be encountered and the Project will not require dewatering.

Hellyer Switching Station and PG&E Transmission Line

Construction of the Hellyer Switching Station will disturb up to 14.6 acres, which requires that PG&E obtain a NPDES General Permit for Construction. Also as described in Section 3.5.4.1 New Hellyer Switching Station, PG&E will comply with the City's requirements, such as the City of San José's Grading Ordinance.

The Hellyer Switching Station will loop into the existing Metcalf-Evergreen #1 and #2 115-kV transmission lines into the Hellyer Switching Station by replacing two existing steel lattice towers with three new steel monopoles to connect new conductors from the existing transmission line into the proposed Hellyer Switching Station, as shown on Figure 3.5-3. These improvements will occur in the existing PG&E right of way. The transmission line will be either overhead or underground and constructed entirely within the public right-of-way. PG&E would be required to comply with BMP 62 for the transmission line, an avoidance and minimization measure from the Bay Area HCP related to

water quality. These regulatory requirements would reduce water quality impacts during construction as the measures prevent the discharge of stormwater pollutants and minimize erosion.

Post-Construction Impacts

SCBGF/SCDC

Construction of the SCBGF/SCDC will result in the replacement of more than 5,000 square feet of impervious surface at the Project Site. Therefore, the Project would be required to comply with Provision C.3 of the MRP. This requires the project to incorporate site design, source control, and runoff treatment controls to reduce the rates, volumes and pollutant loads of runoff from the project. The MRP requires all post-construction stormwater runoff to be treated by numerically sized LID treatment controls, such as biotreatment facilities, unless the project is granted Special Project LID Reduction Credits, which would allow the project to implement non-LID measures for all or a portion of the site depending on the project characteristics. In addition to the requirements of Provision C.3, the SCBGF/SCDC would be subject to the City's Post-Construction Urban Runoff Management Policy (Policy 6-29).

As described under Section 3.5.7, the SCBGF/SCDC would include the construction of LID bioretention areas totaling approximately 39,500 square feet. These stormwater treatments would promote on-site infiltration and reduce stormwater runoff on-site. With the implementation of stormwater treatment measures, the Project would comply with the City's stormwater management requirements and result in a less than significant impact on water quality. Therefore, the proposed SCBGF/SCDC would result in less than significant impacts on runoff and groundwater post-construction.

Hellyer Switching Station and PG&E Transmission Line

Construction of the switching station will result in the replacement of more than 5,000 square feet of impervious surface. Therefore, PG&E will be required to comply with Provision C.3 of the MRP. The MRP requires all post-construction stormwater runoff to be treated by numerically sized LID treatment controls, such as biotreatment facilities, unless the project is granted Special Project LID Reduction Credits, which would allow the project to implement non-LID measures for all or a portion of the site depending on the project characteristics. Additionally, PG&E will comply with the City's Post-Construction Urban Runoff Management Policy as described in Section 3.5.4.1 New Hellyer Switching Station.

The PG&E transmission line will not result in significant water quality impacts post construction. The transmission line will be either underground or overhead and will be located entirely within the public right of way.

As documented above, the Project will not impact water quality with the implementation of the Construction General Permit requirements, as well as PDM HYD-1. **(Less than Significant Impact)**

-
- b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
-

The proposed Project is located within the Santa Clara Subbasin, one of two groundwater basins located within the City of San José Urban Growth Boundaries. The Santa Clara Subbasin has not been identified as a groundwater basin in a state of overdraft, as the Valley Water District actively manages the aquifer by importing water for recharge. As described in Section 4.10.1.2 Existing Conditions, the SCBGF/SCDC Site and Hellyer Switching Station Site are located within a groundwater recharge area.

Although the Project will increase the demand for water (refer to Section 4.19 Utilities and Service Systems for a discussion of the Project's water demand) within the City compared to existing conditions, water demand resulting from the proposed Project will remain consistent with what is anticipated in the General Plan and the Urban Water Management Plan (UWMP). Further, as discussed in Section 3.5.10.2, the SCDC will use air-cooled chillers for cooling needs of the data center, which reduces the need for water since the cooling system will not use water for evaporation. For these reasons, the Project would not establish groundwater wells to supply the site, deplete groundwater supply, or interfere with groundwater recharge. **(Less than Significant Impact)**

- c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows?
-

SCBGF/SCDC

Construction of the SCBGF/SCDC will alter the existing drainage pattern on the Site and surrounding area since development of the Project will increase impervious surface area. However, the Project will not alter the course of a stream or river since no waterways are on-site.

Post-construction stormwater runoff from the Project's impervious surfaces will be directed towards bioretention areas located around the perimeter of the site and adjacent to paved parking areas, consistent with the MRP and City of San José Policy 6-29. The proposed bioretention basins will remove pollutants and minimize the rate and volume of runoff from the Site, reducing the potential for runoff, erosion or siltation on and off-site. Additionally, the Project's proposed bioretention basins would allow percolation of stormwater into the ground and reduce the rate of stormwater runoff entering the City's storm drainage system.

With adherence to the requirements of Provision C.3 of the MRP and the City's Standard Permit Conditions, the Project would not create substantial new sources of polluted runoff. Finally, the Project will be required to manage erosion and sedimentation during construction in accordance with the City's Municipal Code and the Construction General Permit.

Hellyer Switching Station and PG&E Transmission Line

PGE&E will be required to comply with Provision C.3 of the MRP. In addition, PG&E will comply with the City's Grading Ordinance and Post-Construction Urban Runoff Management Policy to manage stormwater runoff. With adherence to the requirements of Provision C.3 of the MRP, PDM HYD-1, and local City policies, the Project will not create substantial new sources of polluted runoff. The Project will implement LID stormwater treatment controls to treat post-construction stormwater runoff. Finally, the Project would be required to manage erosion and sedimentation during construction in accordance with the City's Municipal Code and the Construction General Permit.

(Less than Significant Impact)

-
- d) Would the project risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones?
-

The SCBGF/SCDC Site, Hellyer Switching Station Site, and PG&E transmission line are not located near a large body of water and would not be subject to a seiche or tsunami. The Project is located within the FEMA Flood Zone D, which is a zone that does not contain the 100-year floodplain.

As discussed under checklist question a) in Section 4.9 Hazards and Hazardous Materials, the Project will prepare a SPCC Plan in accordance with applicable laws and regulations to address the storage, use and delivery of hazardous materials. Additionally, the Project will be required to comply with the City's Post-Construction Urban Runoff Policy 6-29 and Provision C.3 of the RWQCB Municipal Regional NPDES Permit requirements to reduce the impacts of stormwater runoff on post-construction water quality [refer to checklist question a)]. For these reasons, the Project will result in a less than significant risk for releasing pollutants due to inundation. **(Less than Significant Impact)**

-
- e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?
-

Water Quality Control

As discussed in checklist question a), the Project will comply with the City's Post-Construction Urban Runoff Policy 6-29 and Provision C.3 of the RWQCB MRP requirements and would implement PDMs (such as PDM HYD-1) addressing construction- and operational-related surface runoff quality. Thus, the Project will not conflict with or obstruct implementation of the San Francisco Bay Basin Plan.

Santa Clara Plain and Llagas Subbasin Groundwater Management Plan

As discussed in checklist question b), the Project Site is within the Santa Clara Plain groundwater subbasin, and this subbasin has not been identified in the GWMP as being overdrafted. Implementation of the Project will not interfere with any actions set forth by Valley Water in its GWMP regarding groundwater recharge, transport of groundwater, and/or groundwater quality. As discussed under checklist question b), the Project will not substantially decrease groundwater supplies or substantially interfere with groundwater recharge. The Project will include LID stormwater management treatment tools, such as bioretention basins, to control runoff on-site. Therefore, implementation of the Project would not interfere with any actions set forth by Valley Water in its GWMP regarding groundwater recharge, transport of groundwater, and/or groundwater quality.

For these reasons, with compliance with the regional and local regulatory requirements, the Project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. **(Less than Significant Impact)**

4.10.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant hydrology and water quality impact?

Build-out of the proposed Project and other projects in the cumulative scenario would involve redevelopment of existing developed and vacant sites with substantial impervious surfaces, and these cumulative projects would be required to conform to applicable General Plan goals, policies, and action statements as well as all other applicable laws and regulations regarding stormwater runoff, infrastructure and flooding. The proposed Project would increase the amount of stormwater runoff from the Project Components Sites but would be required to comply with the Construction General Permit to reduce potential surface and groundwater quality impacts during construction. In addition, the Project would manage future stormwater runoff from the Project Components Sites using LID-based treatment methods, in compliance with Provision C.3 of the MRP. Cumulatively, other projects of similar scale in San José in the Coyote Creek watershed would also be required to adhere to General Plan policies, standard permit conditions, and existing regulations to ensure hydrology and water quality impacts are avoided or minimized. The existing policies and regulations would reduce the hydrology and water quality impacts of the proposed Project and cumulative projects in the area; therefore, the Project would not result in significant cumulative impacts to hydrology and water quality. **(Less than Significant Cumulative Impact)**

4.11 Land Use and Planning

4.11.1 Environmental Setting

4.11.1.1 *Regulatory Framework*

Local

Envision San José 2040 General Plan and Municipal Code

The SCBGF/SCDC Site and Hellyer Switching Station Site are designated as Industrial Park (IP) per the General Plan. This land use designation allows for a variety of industrial uses, such as research and development, manufacturing, assembly testing, and offices. This designation is different than Light Industrial and Heavy Industrial designations since Industrial Park uses are limited to those for which the functional or operational characteristics of a hazardous or nuisance nature can be mitigated through design controls.

The SCBGF/SCDC Site and Hellyer Switching Station Site are located in the IP zoning district. The IP zoning district (similar to the IP designation) is established with specific development standards intended to ensure development is compatible with surrounding uses and implements the site's General Plan land use designation. The City of San José's Zoning Ordinance permits data centers with a Special Use Permit and emergency generators with an Administrative Use Permit.

The SCBGF/SCDC is within Sub-Area 1 of the Edenvale Area Development Policy (EADP), which permits a maximum height of 120 feet and a maximum floor area ratio (FAR) of 0.35. The EADP is a policy addressing the circulation system and specifically roadways serving the Edenvale area. Uses exceeding the base maximum FAR in the EADP are not prohibited, but the City may require payment of traffic impact fees to offset their contribution to traffic impacts. The Hellyer Switching Station Site is within the Sub-Area 3 of the EADP, which allows a maximum FAR of 0.40.¹⁶²

The PG&E transmission line and the off-site multi-modal improvements are primarily within the existing right-of-way of public roadways (e.g., Silver Creek Valley Road).

Airport Plans and Regulations

The San José Mineta International Airport is owned and operated by the City of San José. It is regulated by various federal, state, and local laws and regulations, including the Code of Federal Aviation Regulations. Part 77 of the Federal Aviation Regulations (FAR) regulate obstructions to navigable airspace, as described in Section 4.9 Hazards and Hazardous Materials of this SPPE. The SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements are not located within the Airport Influence Area (AIA) established by the Santa Clara County Airport Land Use Commission (ALUC) in its Comprehensive Land Use Plan (CLUP) for the airport. The AIA is a composite of areas surrounding the airport that are affected by

¹⁶² City of San José. *Piercy Road Industrial Warehouse Project Initial Study*. July 2022.

noise, height, and safety considerations, and the CLUP sets forth standards and policies for land use compatibility with these airport considerations.

4.11.1.2 *Existing Conditions*

SCBGF/SCDC Site

The SCBGF/SCDC Project Site encompasses approximately 15.13 acres and is located at 5977 and 6001 Silver Creek Valley Road, on the northwest side of the intersection of Silver Creek Valley Road and Fontanoso Way. The Site is currently undeveloped.

Hellyer Switching Station Site

The Hellyer Switching Station Site is designated as Industrial Park (IP) per the General Plan and is located in the IP Zoning district. The Site is undeveloped.

PG&E Transmission Line Route and Off-Site Multi-Modal Improvements

The PG&E transmission line route is located within the public right of way.

The off-site multi-modal improvements would be located in the portion of the Silver Creek Valley Road existing right-of-way between Piercy Road and Fontanoso Way.

Surrounding Land Uses

The area surrounding the Project Components Sites consists primarily of commercial and industrial land uses. The area to the west of the SCBGF/SCDC consists primarily of the Coyote Creek Parkway and residential uses. The nearest residence is located to the west approximately 1,150 feet from nearest Site boundary.

4.11.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	☐	☐	☒	☐
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
Would the project result in a cumulatively considerable contribution to a cumulatively significant land use and planning impact?	☐	☐	☒	☐

4.11.2.1 Project Impacts

a) Would the project physically divide an established community?

A physical division of an established community typically refers to the construction of a physical feature (such as a wall, roadway, or railroad tracks) or the removal of a means of access (such as a local roadway or bridge) that would impair mobility within an existing community or between communities.

As proposed, the Project would construct the proposed SCBGF/SCDC and Hellyer Switching Station within existing established parcels, the transmission line routes would be located in the public right of way, and the off-site multi-modal improvements would be located within the right-of-way of Silver Creek Valley Road. The proposed Project does not include any features that would physically divide the community (e.g., roadway, railway, or highway) or restrict movement within the surrounding community. The proposed Project would be similar in nature to the other industrial development in the Project area and would not physically divide an established community. **(Less than Significant Impact)**

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Consistency with General Plan and Municipal Code

The proposed Project would develop an approximately 15.13-acre SCBGF/SCDC Site with one approximately 516,000 square foot data center building, substation, and other associated infrastructure to support the data center. A new PG&E switching station is proposed at the Hellyer

Switching Station Site and would connect to the proposed data center via proposed PG&E transmission line. The Project would be consistent with the General Plan designation of IP since a data center and electric utility uses would be allowed under these land use designations.

The SCBGF/SCDC would have a floor area ratio of 0.8, which would not exceed the maximum IP floor area ratio of 10.0. However, the SCBGF/SCDC Site is within Sub-Area 1 of the EADP, which permits a maximum floor area ratio of 0.35. The SCBGF/SCDC's FAR of 0.8 would exceed the base maximum FAR identified in the EADP. The EADP is a policy addressing the circulation system and specifically roadways serving the Edenvale area. For projects exceeding the base maximum FAR in the EADP, the City may require payment of traffic impact fees. With payment of proportional traffic impact fees, if required by the City, the project would be consistent with the EADP. The proposed three-story data center building would not exceed the IP designation's allowable 15 stories or the maximum height of 120 feet established in the EADP, which is also the maximum height allowed in the IP zoning district within the EADP.

The Project's consistency with applicable General Plan policies and Municipal Code requirements pertaining to specific environmental impacts are discussed throughout this SPPE Application in the relevant resource areas. For these reasons, the proposed Project would not result in environmental impacts due to conflict with the General Plan or Zoning Code or any other land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

Compatibility with Airport Operations

The Project is not located within the AIA for any airport; therefore, the Project would not conflict with a CLUP.^{163,164} **(No Impact)**

Santa Clara Valley Habitat Plan

As discussed under checklist question f) in Section 4.4 Biological Resources, the SCBGF/SCDC and Hellyer Switching Station site (excluding the overhead transmission towers) is considered a covered activity under the Santa Clara Valley Habitat Plan, and with implementation of PDM BIO-4 (i.e., conformance with applicable Habitat Plan conditions and fees), the Project would not conflict with provisions of the Habitat Plan. Additionally, the overhead transmission towers and PG&E transmission line are covered under the PG&E Bay Area HCP. With implementation of programmatic measures and BMPs identified in the HCP, as required by the CPUC, the project would not conflict with the provisions of the HCP. **(Less than Significant Impact)**

¹⁶³ Santa Clara County Airport Land Use Commission. *Comprehensive Land Use Plan Santa Clara County Norman Y. Mineta San José International Airport*. March 27, 2024. Figure 8.

¹⁶⁴ Santa Clara County Airport Land Use Commission. *Comprehensive Land Use Plan Santa Clara County Reid-Hillview Airport*. November 18, 2020. Figure 8.

4.11.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant land use and planning impact?

The proposed Project would not include any infrastructure that could potentially divide an established community, such as roadways, bridges, or open spaces. Development of the Project would be confined to the site and would be consistent with the City's General Plan and Zoning Ordinance. The Project would not conflict with any other land use plans, policies, or regulations adopted to reduce or avoid environmental impacts. Other projects in the city would be required to go through the City's development review process. Projects would be analyzed for conformance with applicable policies adopted for the purpose of avoiding or mitigating an environmental impact through the CEQA review process. The Project, in combination with other cumulative development, would not result in a significant cumulative land use impact. **(Less than Significant Cumulative Impact)**

4.12 Mineral Resources

4.12.1 Environmental Setting

4.12.1.1 *Regulatory Framework*

State

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act (SMARA) was enacted by the California legislature in 1975 to address the need for a continuing supply of mineral resources, and to prevent or minimize the negative impacts of surface mining to public health, property, and the environment. As mandated under SMARA, the State Geologist has designated mineral land classifications in order to help identify and protect mineral resources in areas within the state subject to urban expansion or other irreversible land uses which would preclude mineral extraction. SMARA also allowed the State Mining and Geology Board (SMGB), after receiving classification information from the State Geologist, to designate lands containing mineral deposits of regional or statewide significance.

Pursuant to the mandate of the SMARA, the SMGB has designated the Communications Hill Area (Sector EE), bounded generally by the Southern Pacific Railroad, Curtner Avenue, SR 87, and Hillsdale Avenue as containing mineral deposits that are of regional significance as a source of construction aggregate materials. Neither the State Geologist nor the SMGB have classified any other areas in San José as containing mineral deposits of statewide significance or requiring further evaluation.

4.12.1.2 *Existing Conditions*

The Santa Clara Valley was formed when sediments derived from the Santa Cruz Mountains and the Mount Hamilton-Diablo Range were exposed by continuous tectonic uplift and regression of the inland sea that had previously inundated the area. As a result of this process, the topography of the City is relatively flat and there are no significant mineral resources.

Pursuant to the mandate of the SMARA, the SMGB has designated the Communications Hill Area (Sector EE), bounded generally by the Southern Pacific Railroad, Curtner Avenue, SR 87, and Hillsdale Avenue as containing mineral deposits that are of regional significance as a source of construction aggregate materials.¹⁶⁵ Neither the State Geologist nor the SMGB have classified any other areas in San José as containing mineral deposits of statewide significance or requiring further evaluation. The Hellyer Switching Station Site and PG&E transmission line route are also not within lands classified for mineral resources.¹⁶⁶ The SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E

¹⁶⁵ City of San José. *Envision San José 2040 General Plan*. Adopted November 1, 2011. As Amended on May 7, 2025. Page 36, Chapter 3 Environmental Leadership.

¹⁶⁶ Department of Conservation. "California Mineral Land Classification Map." Accessed March 3, 2026.
<https://maps.conservation.ca.gov/cgs/minerals/?page=Mineral-Land-Classification&views=Legend---MLC-Reports>.

transmission line route, and the off-site multi-modal improvements are located approximately 3.6 miles southeast of Communications Hill.

4.12.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
Would the project result in a cumulatively considerable contribution to a cumulatively significant mineral resources impact?	☐	☐	☐	☒

4.12.2.1 Project Impacts

- a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state?

As discussed in Section 4.12.1.2 Existing Conditions, neither the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, nor the off-site multi-modal improvements are located in an area containing any known mineral resources. Implementation of the Project would not result in the loss of availability of any known resources. **(No Impact)**

- b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

As stated in Section 4.12.1.2 Existing Conditions, the only identified mineral resources in San José are located within the Communications Hill area. The SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements are approximately 3.6 miles southeast of Communications Hill. Therefore, the proposed Project would not result in the loss of availability of a locally important mineral resource. **(No Impact)**

4.12.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant mineral resources impact?

As discussed above, the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements would not result in the loss of a known mineral resource or mineral resource recovery site. Therefore, the Project in combination with other projects would not contribute to a significant cumulative mineral resource impact. **(No Cumulative Impact)**

4.13 Noise

The following discussion is based on a Noise and Vibration Assessment prepared by Illingworth & Rodkin, Inc. dated March 2026. A copy of the report is included as Appendix M of this SPPE Application. The Noise and Vibration Assessment recommends mitigation measures to reduce impacts. The Applicant has incorporated these recommendations into PDMs as discussed below.

4.13.1 Environmental Setting

4.13.1.1 *Background Information*

Noise

Factors that influence sound as it is perceived by the human ear, include the actual level of sound, period of exposure, frequencies involved, and fluctuation in the noise level during exposure. Noise is measured on a decibel scale, which serves as an index of loudness. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness. Because the human ear cannot hear all pitches or frequencies, sound levels are frequently adjusted or weighted to correspond to human hearing. This adjusted unit is known as the A-weighted decibel, or dBA.

Since excessive noise levels can adversely affect human activities and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. Noise guidelines are generally expressed using one of several noise averaging methods, including L_{eq} , DNL, or CNEL.¹⁶⁷ These descriptors are used to measure a location's overall noise exposure, given that there are times when noise levels are higher (e.g., when a jet is taking off from an airport or when a leaf blower is operating) and times when noise levels are lower (e.g., during lulls in traffic flows on freeways or in the middle of the night). L_{max} is the maximum A-weighted noise level during a measurement period.

Vibration

Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Vibration amplitude can be quantified using Peak Particle Velocity (PPV), which is defined as the maximum instantaneous positive or negative peak of the vibration wave. PPV has been routinely used to measure and assess ground-borne construction vibration. Studies have shown that the threshold of perception for average persons is in the range of 0.008 to 0.012 inches/second (in/sec) PPV.

¹⁶⁷ L_{eq} is a measurement of average energy level intensity of noise over a given period of time. Day-Night Level (DNL) is a 24-hour average of noise levels, with a 10 dB penalty applied to noise occurring between 10:00 PM and 7:00 AM. Community Noise Equivalent Level (CNEL) includes an additional five dB applied to noise occurring between 7:00 PM and 10:00 PM. Where traffic noise predominates, the CNEL and DNL are typically within two dBA of the peak-hour L_{eq} .

4.13.1.2 Regulatory Framework

State and Local

California Building Standards Code

The California Building Code establishes uniform minimum noise insulation performance standards to protect persons within new buildings housing people, including hotels, motels, dormitories, apartments, and dwellings other than single-family residences. Title 24 mandates that interior noise levels attributable to exterior sources do not exceed 45 L_{dn} /CNEL in any habitable room. Exterior windows must have a minimum Sound Transmission Class (STC) of 40 or Outdoor-Indoor Transmission Class (OITC) of 30 when the property falls within the 65 dBA DNL noise contour for a freeway or expressway, railroad, or industrial source.

Comprehensive Land Use Plan for Reid-Hillview Airport

The Comprehensive Land Use Plan (CLUP) for Reid-Hillview Airport, adopted by the Santa Clara County Airport Land Use Commission on October 24, 2007 and amended on November 18, 2020, is intended to safeguard the general welfare of the inhabitants within the vicinity of the airport and the aircraft occupants. The CLUP is also intended to ensure that surrounding new land uses do not affect the airport's continued operation.

Envision San José 2040 General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from planned development projects with the City. The following policies are specific to noise and vibration and are applicable to the proposed Project.

Policies	Description
EC-1.1	Locate new development in areas where noise levels are appropriate for the proposed uses. Consider federal, State and City noise standards and guidelines as a part of new development review. Applicable standards and guidelines for land uses in San José include: Interior Noise Levels The City's standard for interior noise levels in residences, hotels, motels, residential care facilities, and hospitals is 45 dBA DNL. Include appropriate site and building design, building construction and noise attenuation techniques in new development to meet this standard. For sites with exterior noise levels of 60 dBA DNL or more, an acoustical analysis following protocols in the City-adopted California Building Code is required to demonstrate that development projects can meet this standard. The acoustical analysis shall base required noise attenuation techniques on expected <i>Envision General Plan</i> traffic volumes to ensure land use compatibility and General Plan consistency over the life of this plan. Exterior Noise Levels The City's acceptable exterior noise level objective is 60 dBA DNL or less for residential and most institutional land uses [refer to Table EC-1 in the General Plan or

Policies	Description
	Table 4.13-1 in this SPPE]. The acceptable exterior noise level objective is established for the City, except in the environs of the San José International Airport and the Downtown, as described below: - For new multi-family residential projects and for the residential component of mixed-use development, use a standard of 60 dBA DNL in usable outdoor activity areas, excluding balconies and residential stoops and porches facing existing roadways. Some common use areas that meet the 60 dBA DNL exterior standard will be available to all residents. Use noise attenuation techniques such as shielding by buildings and structures for outdoor common use areas. On sites subject to aircraft overflights or adjacent to elevated roadways, use noise attenuation techniques to achieve the 60 dBA DNL standard for noise from sources other than aircraft and elevated roadway segments. - For single family residential uses, use a standard of 60 dBA DNL for exterior noise in private usable outdoor activity areas, such as backyards
EC-1.2	Minimize the noise impacts of new development on land uses sensitive to increased noise levels [Land Use Categories 1, 2, 3 and 6 in Table EC-1 in the General Plan or Table 4.13-1 in this SPPE] by limiting noise generation and by requiring use of noise attenuation measures such as acoustical enclosures and sound barriers, where feasible. The City considers significant noise impacts to occur if a project would: • Cause the DNL at noise sensitive receptors to increase by 5 dBA DNL or more where the noise levels would remain “Normally Acceptable”; or • Cause the DNL at noise sensitive receptors to increase by 3 dBA DNL or more where noise levels would equal or exceed the “Normally Acceptable” level.
EC-1.7	Require construction operations within San José to use best available noise suppression devices and techniques and limit construction hours near residential uses per the City’s Municipal Code. The City considers significant construction noise impacts to occur if a project located within 500 feet of residential uses or 200 feet of commercial or office uses would: • Involve substantial noise generating activities (such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing) continuing for more than 12 months. For such large or complex projects, a construction noise logistics plan that specifies hours of construction, noise and vibration minimization measures, posting or notification of construction schedules, and designation of a noise disturbance coordinator who would respond to neighborhood complaints will be required to be in place prior to the start of construction and implemented during construction to reduce noise impacts on neighboring residents and other uses.
EC-2.3	Require new development to minimize continuous vibration impacts to adjacent uses during demolition and construction. For sensitive historic structures, including ruins and ancient monuments or building that are documented to be structurally weakened, a continuous vibration limit of 0.08 in/sec PPV (peak particle velocity) will be used to minimize the potential for cosmetic damage to a building. A continuous vibration limit of 0.20 in/sec PPV will be used to minimize the potential for cosmetic damage at buildings of normal conventional construction. Equipment or activities typical of generating continuous vibration include but are not limited to: excavation equipment; static compaction equipment; vibratory pile drivers; pile-extraction equipment; and vibratory compaction equipment. Avoid use of impact pile drivers within 125 feet of any buildings, and within 300 feet of historical buildings, or buildings in poor condition. On a project-

Policies	Description
	specific basis, this distance of 300 feet may be reduced where warranted by a technical study by a qualified professional that verifies that there will be virtually no risk of cosmetic damage to sensitive buildings from the new development during demolition and construction. Transient vibration impacts may exceed a vibration limit of 0.08 in/sec PPV only when and where warranted by a technical study by a qualified professional that verifies that there will be virtually no risk of cosmetic damage to sensitive buildings from the new development during demolition and construction.

Table 4.13-1: General Plan Noise Land Use Compatibility Guidelines

Land Use Category	Exterior DNL Value in Decibels					
	55	60	65	70	75	80
1. Residential, Hotels and Motels, Hospitals and Residential Care ¹						
2. Outdoor Sports and Recreation, Neighborhood Parks and Playgrounds						
3. Schools, Libraries, Museums, Meeting Halls, and Churches						
4. Office Buildings, Business Commercial, and Professional Offices						
5. Sports Arena, Outdoor Spectator Sports						
6. Public and Quasi-Public Auditoriums, Concert Halls, and Amphitheaters						
Notes: ¹ Noise mitigation to reduce interior noise levels pursuant to Policy EC-1.1 is required. Normally Acceptable:  Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements. Conditionally Acceptable:  Specified land use may be permitted only after detailed analysis of the noise reduction requirements and noise mitigation features included in the design. Unacceptable:  New construction or development should generally not be undertaken because mitigation is usually not feasible to comply with noise element policies.						

4.13.1.3 Existing Conditions

The following discussion focuses on the SCBGF/SCDC Site.

Existing Noise Environment

The noise environment at the SCDC/SCBGF Site is generated primarily from traffic noise along Silver Creek Valley Road with some small contribution from vehicles on U.S. Route 101. A generator was identified along the western property line of the Site near the Coyote Creek Trail during the noise measurement surveys. It is assumed that the testing and maintenance of the generator contributes periodically to the local ambient noise environment at the project site.

Existing Ambient Noise Levels

A noise monitoring survey consisting of two long-term (LT-1 and LT-2) and three short-term (ST-1 through ST-3) noise measurements was conducted at sensitive receptor locations in the vicinity of the Site between Tuesday, December 9, 2025, and Friday, December 12, 2025. All measurement locations are shown in Figure 4.13-1. Table 4.13-2 lists the short-term noise measurements. Note that the aforementioned generator was operating during the short-term noise measurement at ST-3.

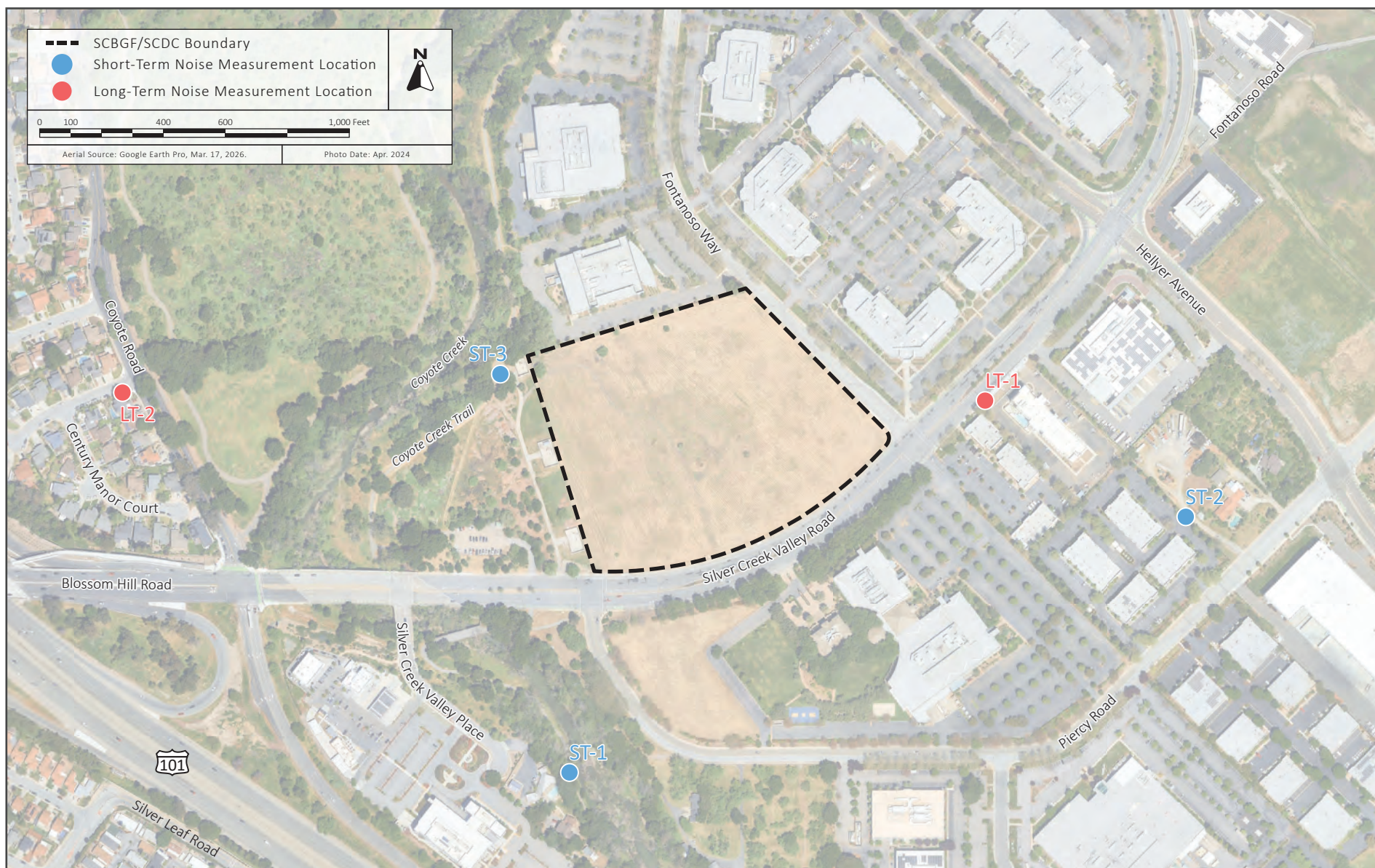
Table 4.13-2: Short-Term Noise Measurements

Noise Measurement Location	Date, Time	L _{max}	L ₍₁₎	L ₍₁₀₎	L ₍₅₀₎	L ₍₉₀₎	L _{eq}
ST-1: Along Coyote Creek Trail, south of the SCBGF/SCDC project site	12/9/2025, 10:40-10:50 AM	58	56	54	52	51	53
ST-2: Southeast of the SCBGF/SCDC project site	12/9/2025, 11:00-11:10 AM	58	54	50	47	46	48
ST-3: Along Coyote Creek Trail, northwest edge of the SCBGF/SCDC project site	12/9/2025, 11:20-11:30 AM	59	57	53	50	49	51

ST = short-term; L_{max} = maximum A-weighted noise level during the measurement period; L₍₁₎, L₍₁₀₎, L₍₅₀₎, L₍₉₀₎ = The A-weighted noise levels that are exceeded 1%, 10%, 50%, and 90% of the time during the measurement period; L_{eq} = The average A-weighted noise level during the measurement period.

Illingworth & Rodkin. *Silver Creek Data Center Project Noise and Vibration Assessment*. March 2026.

Long-term noise measurement LT-1 was made along Silver Creek Valley Road, approximately 55 feet from the centerline of the roadway. Hourly average noise levels at LT-1 typically ranged from 65 to 72 dBA L_{eq} during daytime hours (7:00 AM and 10:00 PM) and from 54 to 66 dBA L_{eq} during nighttime hours (10:00 PM and 7:00 AM). The day-night average noise level was 70 dBA DNL on December 10, 2025 and December 11, 2025.



NOISE MEASUREMENT LOCATIONS FOR THE SCBGF/SCDC SITE

FIGURE 4.13-1

Long-term noise measurement LT-2 was made near the closest residences to the west of the project site along Coyote Road, approximately 60 feet from the Coyote Road centerline. Hourly average noise levels at LT-2 typically ranged from 58 to 66 dBA L_{eq} during daytime hours (7:00 AM and 10:00 PM) and from 48 to 60 dBA L_{eq} during nighttime hours (10:00 PM and 7:00 AM). The day-night average noise level was 64 dBA DNL on December 10, 2025 and 67 dBA DNL on December 11, 2025.

Existing Noise-Sensitive Receptors

The nearest noise sensitive receptors to the SCBGF/SCDC Site are residences located approximately 1,100 feet to the west. There are also commercial office and industrial buildings within 100 feet of the site. There are no sensitive historical structures located within 200 feet of the SCBGF/SCDC site.¹⁶⁸

4.13.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐
Would the project result in a cumulatively considerable contribution to a cumulatively significant noise impact?	☐	☐	☒	☐

The discussion below includes analysis of the construction and operation of the SCBGF/SCDC. The Applicant has commissioned a noise analysis related to the construction and operation of the Hellyer Switching Station and PG&E transmission line. This analysis will be submitted under a separate cover.

¹⁶⁸ City of San José. "Historic Resources Inventory." Accessed March 16, 2026.
<https://experience.arcgis.com/experience/4ef3418d9e58451c9c45086ac9a90d6e>.

City of San José Standards

The City of San José relies on the following guidelines and standards for new development to avoid impacts above the CEQA thresholds of significance outlined above.

Construction Noise

The City considers significant construction noise impacts to occur if a project that is located within 500 feet of residential uses or 200 feet of commercial or office uses would involve substantial noise-generating activities (such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing) continuing for more than 12 months. While the City of San José does not establish noise level thresholds for construction activities, this analysis uses the noise limits established by the Federal Transit Administration (FTA) to quantify potential impacts due to substantial temporary construction noise for informational purposes. The FTA identifies construction noise limits in the Transit Noise and Vibration Impact Assessment Manual. During daytime hours, an exterior threshold of 80 dBA L_{eq} shall be enforced at residential land uses, 85 dBA L_{eq} shall be enforced at commercial land uses, and 90 dBA L_{eq} shall be enforced at industrial land uses.

Operational Noise

The City of San José considers a significant noise impact to occur where existing noise sensitive land uses would be subject to permanent noise level increases of 3.0 dBA DNL or more where noise levels would equal or exceed the “Normally Acceptable” level, or 5.0 dBA DNL or more where noise levels would remain normally acceptable. A significant noise impact would also be identified if the project would expose persons to or generate noise levels that would exceed applicable noise standards presented in the General Plan.

Construction Vibration

The City of San José relies on guidance developed by Caltrans to address vibration impacts from development projects in San José. A vibration limit of 12.7 millimeters per second (mm/sec; 0.5 inch/sec) PPV is used for buildings that are structurally sound and designed to modern engineering standards. A conservative vibration limit of 5.0 mm/sec (0.2 inches/sec) PPV has been used for buildings that are found to be structurally sound but where structural damage is a major concern. For historic buildings or buildings that are documented to be structurally weakened, a conservative limit of 2.0 mm/sec (0.08 inches/sec) PPV is used to provide the highest level of protection.

4.13.2.1 *Project Impacts*

-
- a) Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
-

Construction Noise

SCBGF/SCDC Site

Policy EC-1.7 of the City's General Plan requires that all construction activities within the City use best available noise suppression devices and techniques and to limit construction hours near residential uses per the Municipal Code, which are between 7:00 AM and 7:00 PM on weekdays when construction occurs within 500 feet of a residential land use. Furthermore, the City considers a significant construction noise impact to occur if a project is located within 500 feet of a residential use or 200 feet of a commercial or office use and would involve substantial noise-generating activities continuing for a period of more than 12 months. As noted in Section 4.13.1.3 Existing Conditions above, there are no residential uses within 500 feet of the site but there are commercial and office uses within 200 feet of the SCBGF/SCDC site.

While the City of San José does not establish noise level thresholds for construction activities, this analysis uses the noise limits established by the Federal Transit Administration (FTA) to identify the potential for impacts due to substantial temporary construction noise. The FTA identifies construction noise limits in the *Transit Noise and Vibration Impact Assessment Manual*. During daytime hours, an exterior threshold of 80 dBA L_{eq} shall be applied at residential land uses, 85 dBA L_{eq} shall be applied at commercial land uses, and 90 dBA L_{eq} shall be applied at industrial land uses. Table 4.13-3 lists the construction noise level estimates at land uses in proximity to the project. The noise levels do not assume reductions due to intervening buildings or existing barriers.

As shown in Table 4.13-3, construction noise levels, when focused near the center of the project site, would be below 80 dBA L_{eq} at the nearest residences, below 85 dBA L_{eq} at the nearest commercial uses, and below 90 dBA L_{eq} at all existing industrial land uses surrounding the Site. Therefore, noise generated from the construction of the SCBGF/SCDC would not exceed the FTA thresholds. Although the project site is not located within 500 feet of existing residential uses, it is located within 200 feet of existing non-residential uses. Additionally, the total construction is expected to last for a period of more than 12 months. As a result, the City's Standard Permit Conditions for Noise are incorporated into the Project as a PDM to reduce construction noise levels to less than significant.

Table 4.13-3: Estimated Construction Noise Levels at Nearby Land Uses (dBA L_{eq})

Phase of Construction/Land Use	North Industrial	East Industrial	South Industrial	Southeast Hotel/Commercial	West Residential
Distance from Property Line (Feet)	350	430	540	770	1,600
Site Cleanup/Preparation	71	70	68	64	58
Grading/ Trenching/Foundation	74 to 75 ^a	73	71	68	61
Building Construction (Exterior and Interior)	66 to 75 ^a	64 to 73 ^a	62 to 71 ^a	59 to 68 ^a	53 to 61 ^a
Paving Sitework	70 to 72 ^a	68 to 70 ^a	66 to 68 ^a	63 to 65 ^a	56 to 58 ^a
Architectural Coating	62 to 68 ^a	60 to 66 ^a	58 to 64 ^a	55 to 61 ^a	49 to 54 ^a

^a Due to overlapping construction phases, hourly construction noise levels are expressed as ranges. The lower end of the range corresponds to the predicted noise level from the phase evaluated independently. The upper end represents the potential combined noise level when equipment associated with overlapping phases operates concurrently.

L_{eq} = The average A-weighted noise level during the measurement period.

Illingworth & Rodkin. *Silver Creek Data Center Project Noise and Vibration Assessment*. March 2026. Table 8.

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.
- 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 current 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.

With implementation of the PDM NOI-1, the Project would have a less than significant construction noise impact.

Operational Noise

SCBGF/SCDC

According to Policy EC-1.2 of the City’s General Plan, a significant permanent noise increase would occur if the project substantially increased noise levels at existing sensitive receptors in the project vicinity. A substantial increase would occur if: (a) the noise level increase is 5 dBA DNL or greater, with a future noise level of less than 60 dBA DNL at residences; or (b) the noise level increase is 3 dBA DNL or greater, with a future noise level of 60 dBA DNL or greater at residences. Noise levels around the project site exceed 60 dBA DNL; therefore, a significant impact would occur if traffic or operational noise from the proposed project permanently increases ambient levels by 3 dBA DNL.

General Plan Policy EC-1.3 requires new nonresidential land uses located adjacent to existing or planned noise-sensitive residential or public/quasi-public land uses to mitigate operational noise such that noise levels do not exceed 55 dBA DNL at the property line. Although the residences to the west of Coyote Creek and the hotel to the southeast across Silver Creek Valley Road are not directly adjacent to the project site, these receptors were evaluated in accordance with the policy's intent to protect nearby noise-sensitive uses from excessive operational noise.

Section 20.50.300 of the City’s Municipal Code establishes noise level performance standards for sources of noise originating from land zoned for industrial use. Noise levels are not to exceed 55 dBA at receiving residential uses, 60 dBA at receiving office and commercial uses, and 70 dBA at receiving industrial uses.

Potential sources of operational noise from the SCBGF/SCDC would be Project traffic, truck loading and unloading activity, and data center and substation operation.

Project-Generated Traffic

The proposed data center project would generate 363 daily trips. The existing average daily traffic volumes along Silver Creek Valley Road is approximately 17,514 average daily trips. Adding 362 daily trips from the proposed project would not result in a measurable or detectable increase in noise levels in the area (zero dBA DNL increase). **(Less than Significant Impact)**

Truck Loading and Unloading Activity

The data center loading area would be along the southeastern façade of the building. Noise generated by truck loading and unloading activities at the data center would be well shielded from the existing receptors to the north and west.

Truck maneuvering noise would include a combination of engine, exhaust, and tire noise, as well as intermittent sounds of backup alarms and the release of compressed air associated with truck/trailer air brakes. The noise level of backup alarms can vary depending on the type and directivity of the sound, but maximum levels are typically 65 to 75 dBA at 50 feet. Heavy-duty trucks are expected at the data center, generating noise levels of 70 to 75 dBA at 50 feet, with back alarms reaching 75 dBA at 50 feet. Assuming five to eight deliveries would occur in a day, the hourly average noise levels would range 71 to 73 dBA L_{eq} at 50 feet.

The property line of the closest south industrial land uses across Silver Creek Valley Road would be approximately 180 feet from the center of the loading zone. Assuming no attenuation, the hourly average noise levels would range from 60 to 62 dBA L_{eq} at the industrial-use property line. The day-night average noise level at the closest receptor property line would range from 46 to 48 dBA DNL, assuming five to eight truck deliveries per day occurring between 7:00 AM and 10:00 PM. Since the ambient existing noise level at this location was 70 dBA DNL, noise from truck loading/unloading would not result in a measurable increase (zero dBA DNL). Noise impacts at receptors at other industrial and commercial uses further away (over 200 feet away from the center of the loading zone) would be even lower. Therefore, the truck loading and unloading activity would not have an operational noise impact. **(Less than Significant Impact)**

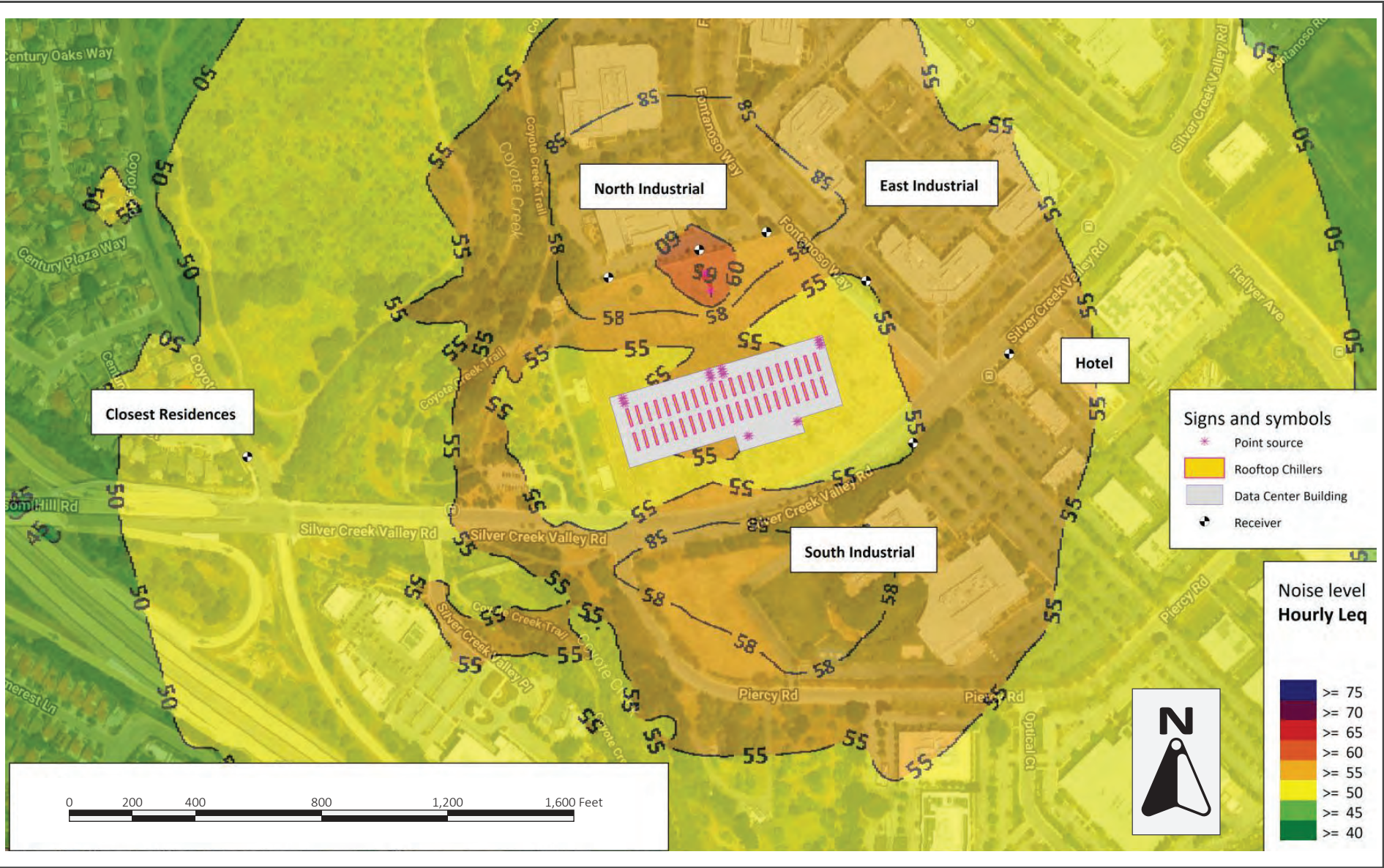
Data Center and Substation Operation

Mechanical equipment at the data center buildings would include 42 three-MW diesel-powered backup generators, two 1.5-MW diesel-powered backup generators, 42 rooftop air-cooled chillers, along with dedicated outside air systems (DOAS) and exhaust fans. The backup generators for emergency power supply would be located in a generator yard on the north of the SCDC building. Manufacturer specifications in terms of source levels for the mechanical equipment were provided by the applicant and are summarized in Appendix L. As mentioned above in Section 3.5.2.2 Cooling Technology, Prologis intends to use quieter air-cooled chillers. Usage of these types of chillers depends on availability and technological improvements to chillers. For this SPPE Application, a louder chiller model with a sound power rating of 104 dBA is assumed to showcase the worst-case scenario and maximum impacts.

The SCBGF/SCDC Project will also include a new 100 MVA electrical substation north of the generator yard. The two-bay substation (two 100 MVA 115 kV-34.5kV 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 100 MVA of total power (a 2-to-make-1 design). This substation would include various components such as transformers, gas-insulated circuit breakers, and switchgear. In the absence of manufacturer-specific acoustic data, transformer noise was represented using typical sound levels published by the National Electrical Manufacturers Association. According to National Electrical Manufacturers Association Standard Publication TR-1 , large liquid-filled power transformers with approximately 100 MVA capacity typically produce sound levels in the range of 68 to 71 dBA at a distance of 6.5 feet (two meters) when operating under forced-air cooling. For the purposes of this assessment, a conservative sound level of 71 dBA at 6.5 feet was assumed to represent each transformer. Other substation equipment, such as gas-insulated circuit breakers and switchgear, may generate brief, impulsive sounds during switching operations, but these events occur infrequently and are not expected to meaningfully contribute to the steady-state operational noise environment; therefore, they were not modeled as continuous noise sources in this assessment.

To calculate the SCDC and Project Substation noise levels, SoundPLAN (version 9.0), a three-dimensional ray-tracing computer program, was used to create scenarios representing daily operations with and without the emergency generators. The mechanical equipment noise sources were modeled as either point-sources (e.g., generators, rooftop DOAS units, etc.) or area sources (e.g., rooftop air-cooled chillers) to demonstrate the noise propagation to the nearby receptors based on the cumulative noise from the combined sources operating during the different scenarios. To model the worst-case scenario, no attenuation was assumed from the rooftop equipment and the generator yard. All pieces of mechanical equipment were assumed to operate continuously throughout the day, with the exception of the generators. Generator operations were modeled considering that a maximum of eight hours of testing on one day, with one hour of testing per generator at 100 percent load. All generators would be tested sequentially (one after the other) not simultaneously.

Figure 4.13-2 and Figure 4.13-4 show the hourly average L_{eq} noise levels without and with emergency generators, respectively. Figure 4.13-3 and Figure 4.13-5 show the DNL noise levels without and with emergency generators, respectively.



HOURLY AVERAGE NOISE CONTOURS (LEQ) FOR DATA CENTER OPERATION WITHOUT EMERGENCY GENERATOR TESTING

FIGURE 4.13-2

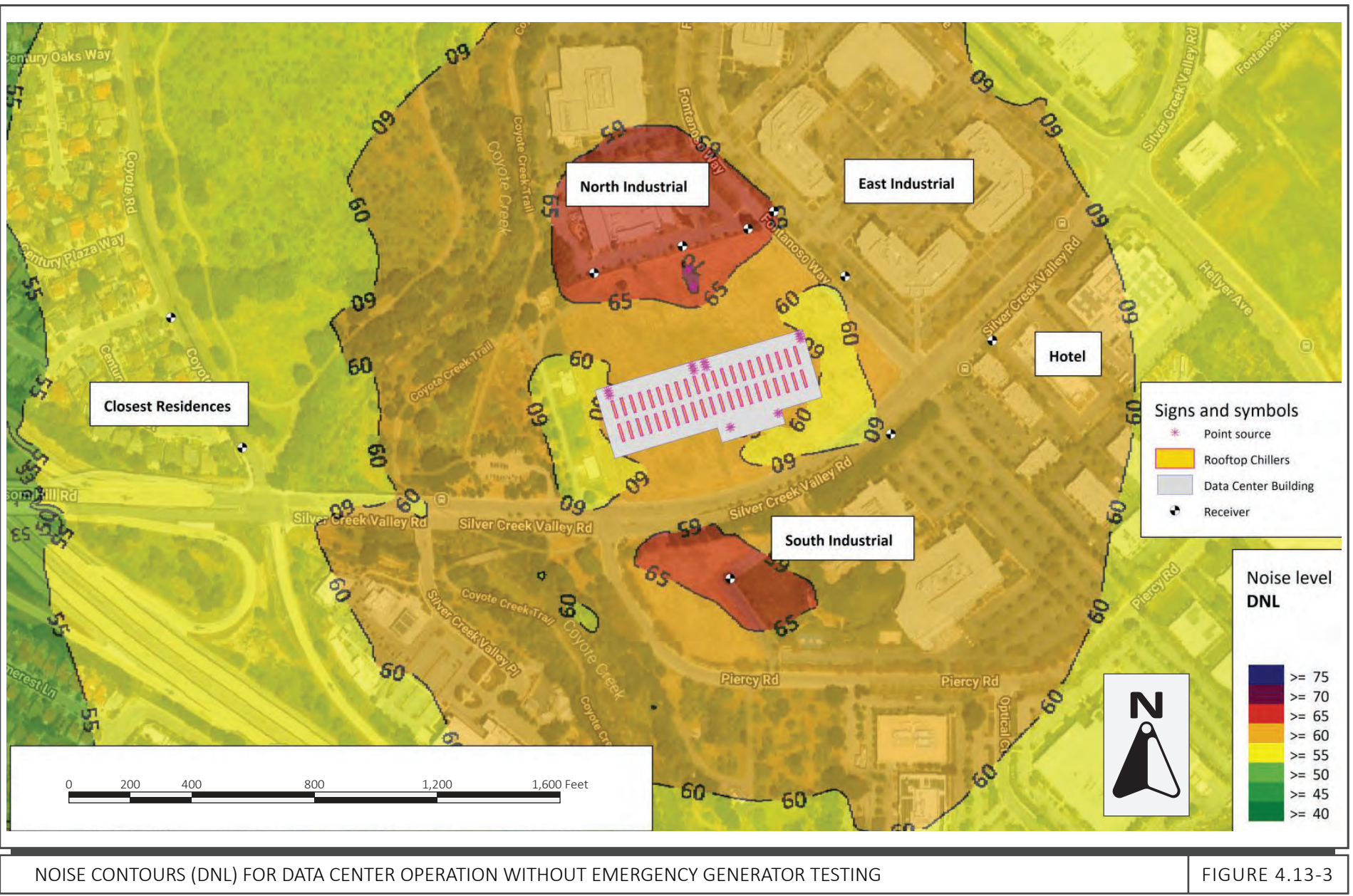
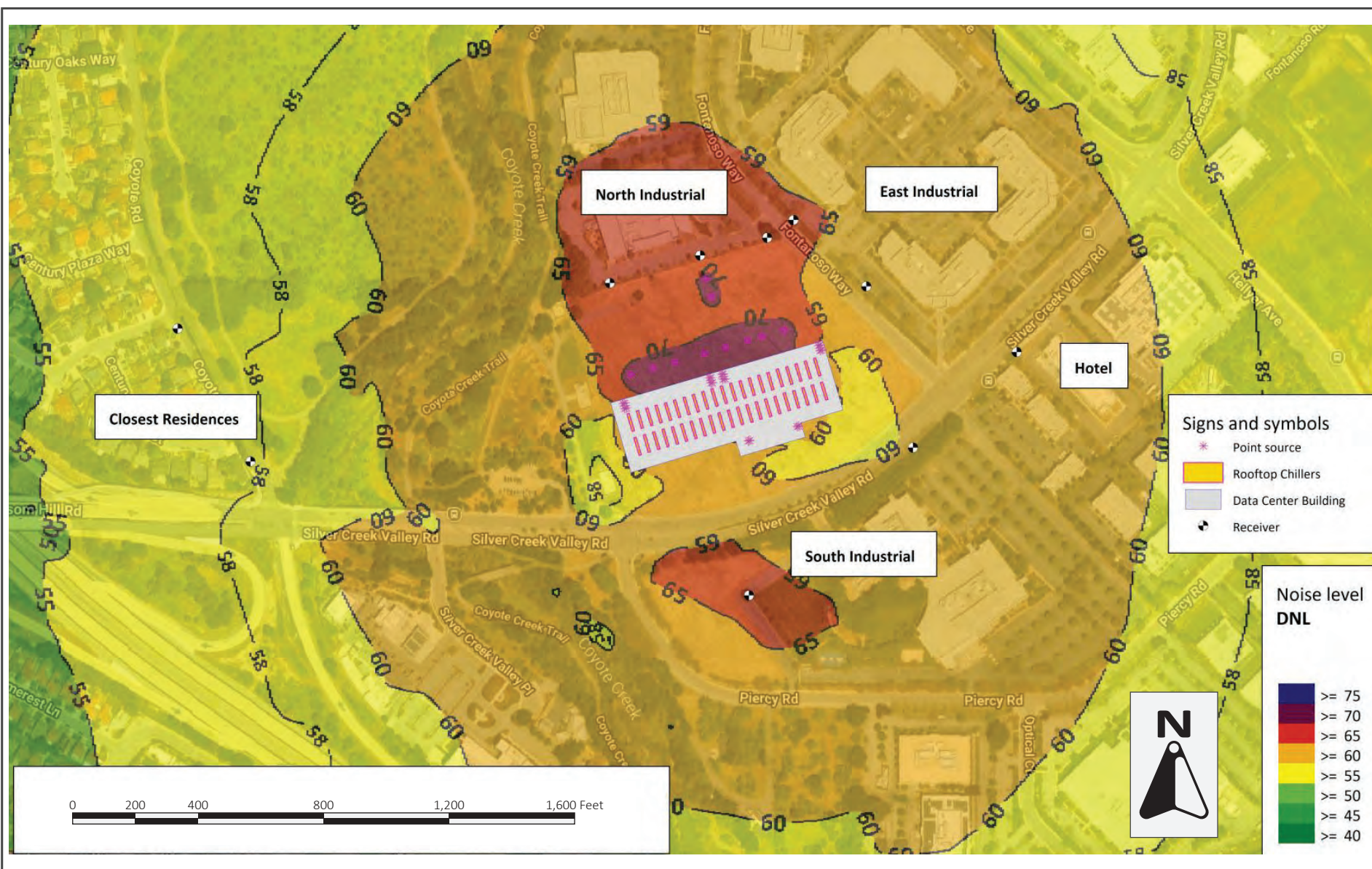


FIGURE 4.13-3





NOISE CONTOURS (DNL) FOR DATA CENTER OPERATION WITH EMERGENCY GENERATOR TESTING

FIGURE 4.13-5

Table 4.13-4 and Table 4.13-5 summarize the noise levels calculated in SoundPLAN for the surrounding off-site receptors during daily operations without and with the emergency generators, respectively. The tables show the hourly average noise levels and the DNL noise levels calculated at the nearest receiving property lines from the mechanical equipment.

Table 4.13-4: Daily Operational Noise Levels without Emergency Generator Testing

Receptor	Hourly L_{eq} (dBA)	DNL (dBA)
North Industrial	59 to 61	66 to 67
East Industrial	55 to 58	62 to 65
South Industrial	55 to 59	61 to 66
Southeast Hotel/Commercial	56	63
West Residences	50 to 52	56 to 58

Bold text indicates a significant impact

Illingworth & Rodkin. *Silver Creek Data Center Project Noise and Vibration Assessment*. March 2026. Table 9.

Table 4.13-5: Daily Operational Noise Levels with Emergency Generator Testing

Receptor	Hourly L_{eq} (dBA)	DNL (dBA)
North Industrial	62 to 66	66 to 68
East Industrial	60 to 66	62 to 66
South Industrial	55 to 59	61 to 66
Southeast Hotel/Commercial	58	63
West Residences	52 to 53	57 to 58

Bold text indicates a significant impact

Illingworth & Rodkin. *Silver Creek Data Center Project Noise and Vibration Assessment*. March 2026. Table 10.

As shown in Table 4.13-4 and Table 4.13-5 above, data center and substation operation hourly average noise levels (L_{eq}) would not exceed the City's Municipal Code thresholds of 55 L_{eq} dBA at receiving residential uses, 60 dBA at receiving office and commercial uses, or 70 dBA at receiving industrial uses with or without the emergency generator testing. However, the DNL noise levels at the hotel¹⁶⁹ to the southeast and the residences to the west of the SCBGF/SCDC Site would exceed the City's General Plan Policy EC-1.3 noise level threshold of 55 dBA DNL for noise sensitive land uses. The primary source for the noise impact would be the rooftop chiller equipment. The

¹⁶⁹ Hotels are considered a noise-sensitive land use because they contain overnight occupants and sleeping areas. Although the hotel site is designated Combined Industrial/Commercial under the City of San José General Plan 2040 land use designation, a conservative residential noise standard is applied to evaluate potential impacts

exceedance of the City's General Plan Policy EC-1.3 threshold of 55 dBA DNL would be reduced to less than significant levels with the implementation of PDM NOI-2.

PDM NOI-2: Noise Attenuation for Mechanical Equipment. The Project Applicant shall include noise reduction measures to reduce operational noise levels to meet the City of San José's General Plan Policy EC-1.3 threshold of 55 dBA DNL at the nearest sensitive receptor (i.e., the hotel southeast of the SCBGF/SCDC site). Compliance with the 55 dBA DNL threshold shall be achieved through installation of chillers with a maximum sound power level of 96 dBA, in which case no screen wall would be required. Alternatively, the project shall include of a rooftop screen wall and installation of chillers with adequate sound power levels which, in combination with the rooftop screen wall, would achieve the required noise reduction. The rooftop screen shall fully enclose the chillers on all sides. The screen wall shall be constructed with no acoustically significant gaps and shall provide a minimum surface density of three pounds per square foot or greater. A louvered screen wall with acoustical treatments meeting a minimum Sound Transmission Class (STC) rating of 18 may be used in lieu of a solid screen wall. The following combinations of screen wall height and chiller sound power levels would reduce operational noise below the 55 dBA DNL threshold at the nearest sensitive receptors.

Screen Wall Height (feet)	Chiller Sound Power (dBA)
12	97
12	98
12	99
13	100
16	101
18	102
20	103
24	104

Once the screen wall height and chiller selection are finalized, a qualified acoustic/noise specialist shall prepare an acoustical analysis to demonstrate that the chosen measures would reduce the noise levels at the surrounding noise-sensitive land uses (i.e., hotel and residences) to a level below 55 dBA DNL. The Project Applicant shall submit the prepared acoustical analysis and an engineering-approved site plan showing the noise control measures to the City of San José's Director of Planning, Building and Code Enforcement or the Director's designee for their review and approval prior to the issuance of building permits.

With implementation of the PDM NOI-2, the SCBGF/SCDC would not result in a significant operational noise impact.

PG&E Transmission Line

The PG&E transmission line would not be a substantial source of operational noise and require no further analysis.

-
- b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?
-

SCBGF/SCDC

Construction of the Project may generate vibration when heavy equipment or impact tools (e.g., jackhammers, hoe rams) are used. Construction activities would include grading, foundation work, paving, and new building framing and finishing. According to the equipment list provided at the time of this study, impact or vibratory pile driving activities, which can cause excessive vibration, are not expected for the proposed project.

According to Policy EC-2.3 of the City of San José General Plan, a vibration limit of 0.08 in/sec PPV shall be used to minimize the potential for cosmetic damage to sensitive historical structures, and a vibration limit of 0.20 in/sec PPV shall be used to minimize damage at buildings of normal conventional construction. The vibration limits contained in this policy are conservative and designed to provide the ultimate level of protection for existing buildings in San José.

Groundborne vibration levels exceeding the 0.08 in/sec PPV threshold would have the potential to result in a significant vibration impact on historic buildings. According to the San Jose Historic Resource Inventory, no sensitive historical or older structures are located within 200 feet of the project site. This was confirmed by the Cultural Resources Report prepared for the Project (refer to Section 4.5 Cultural Resources). Therefore, no historic building would be impacted by the construction of the SCBGF/SCDC building and infrastructure. The vibration limit of 0.20 in/sec PPV would apply to surrounding normal conventional buildings, though.

Table 4.13-6 presents typical vibration levels that could be expected from construction equipment at a distance of 25 feet. Project construction activities, such as drilling, the use of jackhammers, rock drills and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, compactors, etc.), may generate substantial vibration in the immediate vicinity. Jackhammers typically generate vibration levels of 0.035 in/sec PPV, and drilling typically generates vibration levels of 0.09 in/sec PPV at a distance of 25 feet.

Table 4.13-6: Vibration Source Levels for Construction Equipment

Equipment		PPV at 25 ft. (in/sec)	Minimum Distance to Meet 0.2 in/sec PPV (feet)
Clam shovel drop		0.202	26
Hydromill (slurry wall)	in soil	0.008	2
	in rock	0.017	3
Vibratory Roller		0.210	27
Hoe Ram		0.089	13
Large bulldozer		0.089	13
Caisson drilling		0.089	13
Loaded trucks		0.076	11
Jackhammer		0.035	6
Small bulldozer		0.003	<1

Illingworth & Rodkin. *Silver Creek Data Center Project Noise and Vibration Assessment*. March 2026. Table 11.

The nearest off-site building adjacent to the Site is the Celestial City Health Insurance building, located about 60 feet north of the nearest Project construction area. Construction vibration levels at this distance could reach up to 0.080 in/sec PPV for a vibratory roller operating along the project property line, which is below the threshold of 0.20 in/sec PPV.

All other existing buildings in the vicinity of the site are located more than 300 feet away from project construction. Neither cosmetic, minor, or major damage would occur at historical or conventional buildings located 300 feet or more from the project site. At these locations, and in other surrounding areas where vibration would not be expected to cause cosmetic damage, vibration levels may still be perceptible. However, as with any type of construction, this would be anticipated and would not be considered significant, given the intermittent and short duration of the phases that have the highest potential of producing vibration (use of jackhammers and other high-power tools).

With compliance with PDM NOI-1, such as notifying neighbors of scheduled construction activities and identifying when the noisy activities would be scheduled, perceptible vibration can be kept to a minimum. Therefore, construction of the SCBGF/SCDC Project would not generate vibration levels exceeding the 0.2 in/sec PPV threshold at conventional off-site buildings surrounding the project site. **(Less than Significant Impact)**

-
- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
-

San José Mineta International Airport is a public-use airport located approximately 9.5 miles northwest of the SCBGF/SCDC Site. According to the new Airport Master Plan Environmental Impact Report, the SCBGF/SCDC Site lies outside the 60 dBA CNEL noise contour, which is in the “Generally Acceptable” range of the Santa Clara County CLUP noise compatibility limits for industrial use areas. Additionally, the Reid-Hillview County Airport is located approximately five miles north of the Site. According to the CLUP prepared for the Reid-Hillview Airport, the Site is outside the 60 dBA CNEL noise contour.¹⁷⁰ Therefore, the SCBGF/SCDC Project Site is compatible with the City’s exterior noise standards for aircraft noise. **(Less than Significant Impact)**

4.13.2.2 Cumulative Impacts

Would the project result in a cumulatively considerable contribution to a cumulatively significant noise impact?

The noise and vibration impacts from the Project are localized; therefore, the geographic study area is the Project Components Sites and surrounding area (i.e., within 1,000 feet of the Project Components Sites). There are no other known planned or approved projects within 1,000 feet of the Project Components Sites that would be constructed during the same timeframe as the proposed project or would have substantial operational noise once constructed. Therefore, the noise-sensitive receptors surrounding the project site would not be subject to other cumulative construction or operational noise impacts. **(Less than Significant Cumulative Impact)**

¹⁷⁰ Santa Clara County Airport Land Use Commission. *Comprehensive Land Use Plan Santa Clara County Reid-Hillview Airport*. November 18, 2020. Figure 5.

4.14 Population and Housing

4.14.1 Environmental Setting

4.14.1.1 *Regulatory Framework*

State

Housing-Element Law

State requirements mandating that housing be included as an element of each jurisdiction's general plan is known as housing-element law. The Regional Housing Need Allocation (RHNA) is the state-mandated process to identify the total number of housing units (by affordability level) that each jurisdiction must accommodate in its housing element. California housing-element law requires cities to: 1) zone adequate lands to accommodate its RHNA; 2) produce an inventory of sites that can accommodate its share of the RHNA; 3) identify governmental and non-governmental constraints to residential development; 4) develop strategies and a work plan to mitigate or eliminate those constraints; and 5) adopt a housing element and update it on a regular basis.¹⁷¹ The City of San José Housing Element and related land use policies were last updated in June 2023.

Regional and Local

Plan Bay Area 2050

Plan Bay Area 2050 is a long-range plan for the nine-county San Francisco Bay Area that provides strategies that increase the availability of affordable housing, support a more equitable and efficient economy, improve the transportation network, and enhance the region's environmental resilience. Plan Bay Area 2050 promotes the development of a variety of housing types and densities within identified Priority Development Areas (PDAs). PDAs are areas generally near existing job centers or frequent transit that are locally identified for housing and job growth.¹⁷²

ABAG allocates regional housing needs to each city and county within the San Francisco Bay Area, based on statewide goals. These allocations are designed to lay the foundation for Plan Bay Area 2050's long-term envisioned growth pattern for the region. ABAG also develops a series of forecasts and models to project the growth of population, housing units, and jobs in the Bay Area. ABAG, MTC, and local jurisdiction planning staff created the Forecasting and Modeling Report, which is a technical overview of the growth forecasts and land use models upon which Plan Bay Area 2050 is based.

¹⁷¹ California Department of Housing and Community Development. "Current Housing Planning Process." Accessed March 3, 2025. <https://www.hcd.ca.gov/rhna/process>.

¹⁷² Association of Bay Area Governments and Metropolitan Transportation Commission. *Plan Bay Area 2050*. October 21, 2021. Page 20.

City of San José Housing Element 2023-2031

The Housing Element is part of San José's General Plan, a community-based plan that serves as the blueprint for the City's growth. The Housing Element identifies the city's housing needs and opportunities and establishes goals and strategies to inform housing decisions. The plan is intended to achieve the construction of 62,200 units of residential development by 2031 with a variety of household types serving all income levels. The City has an expected population growth of 360,000 residents by 2040.

4.14.1.2 *Existing Conditions*

The residential population of San José was estimated to be approximately 963,211 in January 2025 with an average of 2.88 persons per household.¹⁷³ The City currently has a total population of 979,415.¹⁷⁴ Full build out of the General Plan includes 120,000 new dwelling units and 470,000 new jobs by 2035.¹⁷⁵ Development approved under the General Plan is projected to increase the City's residential population to 1,313,811.¹⁷⁶

The City currently has a higher number of employed residents than jobs (approximately 0.8 jobs per employed resident), but this trend is projected to reverse with full build out under the General Plan. The General Plan assumptions, as amended in the first Four-Year Review in 2016, envision a Jobs/Employee Resident ratio of 1.1/1 or 382,200 new jobs by 2040.¹⁷⁷ To meet the current and projected housing needs in the City, the 2040 General Plan identifies areas for mixed-use and residential development to accommodate 120,000 new dwelling units by 2040.¹⁷⁸

The SCBGF/SCDC Site and Hellyer Switching Station Site are undeveloped parcels. The proposed PG&E transmission line route is within the roadway right-of-way. Surrounding uses consist of industrial and office uses.

¹⁷³ State of California, Department of Finance. "E-5 Population and Housing Estimate for Cities, Counties, and the State – January 2021-2025." May 2025. Accessed March 3, 2026. <https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2025/>.

¹⁷⁴ Ibid.

¹⁷⁵ City of San José. *Integrated Final Program Environmental Impact Report for the Envision San José 2040 General Plan*. SCH# 2009072096. September 2011. Page 770.

¹⁷⁶ Ibid. Table 3.1 4-4.

¹⁷⁷ City of San José. *Addendum to the Envision San José 2040 General Plan Final Program Environmental Impact Report and Supplemental Program Environmental Impact Report*. November 2016. Page 8.

¹⁷⁸ Ibid. Page 11.

4.14.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
Would the project result in a cumulatively considerable contribution to a cumulatively significant population and housing impact?	☐	☐	☒	☐

4.14.2.1 Project Impacts

- a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The Project would result in the construction of a data center building, backup generating facility, new PG&E electrical infrastructure (Hellyer Switching Station and PG&E transmission line), and off-site multi-modal improvements. The Hellyer Switching Station and proposed transmission line would not generate any new employment since these uses would be maintained by current PG&E employees. The SCBGF/SCDC would be a low employment generating use that is not anticipated to substantially increase permanent jobs in San José. The SCDC is expected to generate a maximum of 45 employees. The Project would result in a temporary increase in jobs during construction; however, this temporary increase would not result in substantial permanent population growth in the area. For these reasons, the proposed Project would not induce substantial population growth in the City or substantially alter the City's job/housing ratio and would, therefore, result in a less than significant population and housing impacts. **(Less than Significant Impact)**

- b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements would not include residences or generate new residents. Therefore, the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. **(No Impact)**

4.14.2.2 Cumulative Impacts

Would the project result in a cumulatively considerable contribution to a cumulatively significant population and housing impact?

Neither the SCBGF/SCDC, Hellyer Switching Station, nor the PG&E transmission line would remove any residences or displace any people. Other cumulative projects proposed in San José could potentially remove housing and/or facilitate unplanned growth; however, the City's Housing Element to the General Plan incorporates a land use vision for the planned build out to 2040, which would utilize existing areas within the City's Urban Growth Boundary to increase residential development. New housing developments as part of the General Plan buildout would focus on an intensification of land use in already developed areas.

The General Plan Final Program EIR identified a significant unavoidable impact related to a project jobs/housing imbalance with full buildout of the General Plan.¹⁷⁹ As mentioned above in checklist question a), the SCDC would be a low employment-generating use. Approval of the Project would result in a minor increase of the overall jobs represented by the cumulative projects. For this reason, the jobs added by the SCDC would not make a cumulatively considerable contribution to a worsening of the jobs/housing imbalance. **(Less than Significant Cumulative Impact)**

¹⁷⁹ City of San José. *Integrated Final Program Environmental Impact Report for the Envision San José 2040 General Plan*. SCH# 2009072096. September 2011. Page 776.

4.15 Public Services

4.15.1 Environmental Setting

4.15.1.1 *Regulatory Framework*

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

Government Code Section 65995 through 65998

California Government Code Section 65996 specifies that an acceptable method of offsetting a project's effect on the adequacy of school facilities is the payment of a school impact fee prior to the issuance of a building permit. Government Code Sections 65995 through 65998 set forth provisions for the payment of school impact fees by new development by "mitigating impacts on school facilities that occur (as a result of the planning, use, or development of real property" (Section 65996[a]). The legislation states that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA (Section 65996[b]).

Developers are required to pay a school impact fee to the school district to offset the increased demands on school facilities caused by the proposed residential development project. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Regional and Local

Countywide Trails Master Plan

The Santa Clara County Trails Master Plan Update is a regional trails plan approved by the Santa Clara County Board of Supervisors. It provides a framework for implementing the County's vision of providing a contiguous trail network that connects cities to one another, cities to the county's regional open space resources, County parks to other County parks, and the northern and southern urbanized regions of the County. The plan identifies regional trail routes, sub-regional trail routes, connector trail routes, and historic trails. The nearest recreational facility is the Coyote Creek Trail approximately 225 feet west of the SCBGF/SCDC site with the Shady Oaks Open Space being further

west at 485 feet. The Hellyer Switching Station site is approximately 125 feet southwest of the Silver Creek Valley Trail.¹⁸⁰

Envision San José 2040 General Plan

The following General Plan policies are specific to public services and are applicable to the proposed project.

Policies	Description
ES-3.9	Implement urban design techniques that promote public and property safety in new development through safe, durable construction and publicly-visible and accessible spaces.
ES-3.11	Ensure that adequate water supplies are available for fire-suppression throughout the City. Require development to construct and include all fire suppression infrastructure and equipment needed for their projects.
PR-2.4	To ensure that residents of a new project and existing residents in the area benefit from new amenities, spend Park Dedication Ordinance (PDO) and Park Impact Ordinance (PIO) fees for neighborhood serving elements (such as playgrounds/tot-lots, basketball courts, etc.) within a ¼ mile radius of the project site that generates the funds.

Parkland Dedication Ordinance and Park Impact Ordinance

The City of San José has adopted the Parkland Dedication Ordinance (PDO, Municipal Code Chapter 19.38) and Park Impact Ordinance (PIO, Municipal Code Chapter 14.25), requiring new residential development to either dedicate sufficient land to serve new residents or pay fees to offset the increased costs of providing new park facilities for new development. Under the PDO and PIO, a project can satisfy half of its total parkland obligation by providing private recreational facilities on-site. The acreage of parkland required is based on the minimum acreage dedication formula outlined in the PDO.

ActivateSJ Strategic Plan (2020-2040)

The ActivateSJ Strategic Plan is the latest 20-year strategic plan for the City of San José's Department of Parks, Recreation, and Neighborhood Services.¹⁸¹ This plan does not replace the Greenprint 2009 update but instead is a complement to the Greenprint document and focuses more on the daily operations of the Department of Parks, Recreation, and Neighborhood Services. ActivateSJ includes key plan outcomes to support the following guiding principles: stewardship, nature, equity and access, identify, and public life. These guiding principles also align with the specific goals and policies of the General Plan.

¹⁸⁰ City of San José. "San José Parks Finder." Accessed March 3, 2026.

<https://csj.maps.arcgis.com/apps/webappviewer/index.html?id=93ae7909fe8f4b758daa5a73baa895c3>

¹⁸¹ City of San José. "ACTIVATESJ Strategic Plan (2020-2040)." 2020. Accessed March 3, 2026. Page 2.

<https://www.sanjoseca.gov/home/showpublisheddocument/43503/637178743945470000>

4.15.1.2 Existing Conditions

Fire Protection Services

Fire protection services for the Project Components Sites are provided by the San José Fire Department, which is one of the busiest fire departments in the county with the fire department responding to approximately 109,000 service calls per year and serving over 1.2 million residents.¹⁸² The San José Fire Department consists of 34 stations distributed throughout the City. Per General Plan Policy E.S-3.1, the response time goal for fire protection is eight minutes and a total travel time of four minutes for 80 percent of emergency incidents.

The closest fire station is Station 25, located at 135 Poughkeepsie Road, which is approximately two miles southwest of the SCBGF/SCDC Site, Hellyer Switching Station Site, and PG&E transmission line route.

Police Protection Services

Police protection services are provided by the City of San José Police Department. The San José Police Department employs approximately 1,700 employees including both sworn and non-sworn, who are assigned to one of the 70 specialized units and assignments in the department.¹⁸³ Per General Plan Policy E.S-3.1, a police protection service goal is six minutes or less for 60 percent of all Priority 1 (emergency) calls and 11 minutes or less for 60 percent of all Priority 2 (non-emergency) calls. The police headquarters is located at 201 West Mission Street, approximately 12 miles northwest of the SCBGF/SCDC Site, Hellyer Switching Station Site, and PG&E transmission line route.

Schools

The SCBGF/SCDC Site, Hellyer Switching Station Site, and PG&E transmission line route are located within the Oak Grove School district for elementary and middle school and in the East Side Union High School District.¹⁸⁴ The nearest school is Edenvale Elementary School (285 Azucar Avenue) approximately 0.7-mile northwest of the SCBGF/SCDC site, which is the closest Project parcel to the elementary school. Carrington College (5883 Rue Ferrari), a professional adult program school, is located approximately 0.8 mile southeast of the SCBGF/SCDC site and Davis Intermediate school (5035 Edenvue Drive) is located approximately 1.3 miles northwest of the SCBGF/SCDC site.

Parks

The City's Department of Parks, Recreation, and Neighborhood Services is responsible for the development, operation, and maintenance of all City park facilities. The City operates and maintains

¹⁸² City of San José. "About SJFD." Accessed March 5, 2026. <https://www.sanjoseca.gov/your-government/departments-offices/fire-department/about-sjfd#:~:text=The%20San%20Jos%C3%A9%20Fire%20Department,areas%20of%20Santa%20Clara%20County>.

¹⁸³ San José Police Department. "Department Information." Accessed March 6, 2026. <https://www.sjpd.org/about-us/inside-sjpd/departments-information>.

¹⁸⁴ County of Santa Clara. "Real Property Search." Accessed March 9, 2026. <https://www.sccassessor.org/online-services/property-search/real-property>.

regional and neighborhood/community-serving parkland, including 206 parks, 50 community centers, and over 61 miles of trails.¹⁸⁵ The nearest recreational facility is the Coyote Creek Trail approximately 225 feet west of the SCBGF/SCDC site with the Shady Oaks Open Space being further west at 485 feet. The Hellyer Switching Station site is approximately 125 feet southwest of the Silver Creek Valley Trail.¹⁸⁶

Libraries and Community Centers

The City of San José is served by the San José Public Library System. The San José Public Library System consists of one main library (Dr. Martin Luther King Jr.) and 25 branch libraries.¹⁸⁷ The nearest library is the Edenvale Branch Library located approximately 1.8 miles to the northwest of the SCBGF/SCDC Site just off Monterey Road. The nearest San José library is the Edenvale Branch library located approximately 1.8 miles northwest of the SCBGF/SCDC site.

The City of San José operates 50 community centers within the City limits.¹⁸⁸ The nearest community center is the Southside Community & Senior Center approximately 0.9 mile southwest of the SCBGF/SCDC site.¹⁸⁹

4.15.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire Protection?	☐	☐	☒	☐
b) Police Protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other Public Facilities?	☐	☐	☐	☒

¹⁸⁵ City of San José. "ACTIVATESJ Strategic Plan (2020-2040)." 2020. Accessed March 3, 2026. Page 6.

<https://www.sanjoseca.gov/home/showpublisheddocument/43503/637178743945470000>.

¹⁸⁶ City of San José. "San José Parks Finder." Accessed March 3, 2026.

<https://csj.maps.arcgis.com/apps/webappviewer/index.html?id=93ae7909fe8f4b758daa5a73baa895c3>

¹⁸⁷ San José Public Library. "Locations & Hours Table." Accessed March 9, 2026. <https://www.sjpl.org/locations-table/>.

¹⁸⁸ City of San José. "ACTIVATESJ Strategic Plan (2020-2040)." 2020. Accessed March 3, 2026. Page 6.

<https://www.sanjoseca.gov/home/showpublisheddocument/43503/637178743945470000>.

¹⁸⁹ City of San José. "Community Center." Updated February 10, 2026. Accessed March 9, 2026. <https://gisdata-csj.opendata.arcgis.com/datasets/CSJ::community-center/about>.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in a cumulatively considerable contribution to a cumulatively significant public services impact?	☐	☐	☒	☐

4.15.2.1 *Project Impacts*

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services?

The SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements are infill projects located within an urbanized part of San José that is already served by the San José Fire Department. The steel monopoles to be installed in the hillside area east of the Hellyer Switching Station would be located in unincorporated Santa Clara County in the service area of the Santa Clara County Fire Department. The SCDC would generate a maximum of 45 new employees within the area. The Hellyer Switching Station, PG&E transmission line, off-site multi-modal improvements would not generate new employees in the Project area.

The proposed SCBGF/SCDC would be constructed to meet the City's Municipal and Fire Codes, which would ensure the SCBGF/SCDC would be adequately served by the existing fire services. While the Project may result in an incremental increase in the need for fire protection services due to the increased building area and employment at the SCDC, the Project would not be substantial enough to warrant modification of existing or construction of new fire service facilities beyond what is projected in the General Plan.

In the event that new facilities are required as a result of cumulative growth in the area, the City would conduct additional environmental analysis, based on the location and details of any proposed new public facilities, to determine if significant environmental impacts would occur, and devise adequate measure to mitigate any significant impacts. For these reasons, the Project would not require the construction of new or expanded fire facilities and impacts would be less than significant. **(Less than Significant Impact)**

- b) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection services?

Similar to analysis in checklist question a) above, the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements are infill projects located within an urbanized part of San José that is already served by the San José Police Department. The steel monopoles to be installed in the hillside area east of the Hellyer Switching Station would be located in unincorporated Santa Clara County in the service area of the Santa Clara County Office of the Sheriff. The Project may result in an incremental increase in the need for police services associated due to increased building area and employment at the SCDC.

While the Project may result in an incremental increase in the need for police protection services due to the increased building area and employment at the SCDC, the Project would not be substantial enough to warrant modification of existing or construction of new police service facilities beyond what is projected in the General Plan. Also, the construction of any expanded police department facilities would require environmental review and would not be anticipated to result in significant adverse environmental impacts. For these reasons, the Project would have less than significant impacts on police protection services. **(Less than Significant Impact)**

-
- c) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools?
-

The Project would include the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements. None of these proposed uses would generate new residents or students. Moreover, construction of the SCBGF/SCDC would require the project applicant to pay applicable school impact fees pursuant to SB 50. Therefore, the Project would not require new or expanded school facilities, the construction of which could cause environmental impacts. **(No Impact)**

-
- d) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for parks?
-

The Project would include the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements. None of these proposed uses would generate new residents. Some employees at the SCDC may visit local parks, such as the Coyote Creek Trail; however, this usage would represent a negligible increase and would not create the need for any new facilities or adversely impact the physical condition of existing facilities. **(No Impact)**

-
- e) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities?
-

The Project would include the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements, which are not developments that would generate new residents. Some employees at the SCDC may visit library facilities; however, this would be a negligible use increase and would not create the need for any new facilities or adversely impact the physical condition of existing facilities. **(No Impact)**

4.15.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant public services impact?

The geographic area for cumulative public services impacts is the City of San José. All cumulative projects would be required to be built in conformance with then-current Building and Fire Codes and public safety requirements in the General Plan. The Project would not develop residences, and therefore, would not result in a cumulatively considerable contribution to a cumulative school, library, or park and recreational facility impacts. For this reason, the cumulative projects would result in a less than significant cumulative impact to police, fire, and recreational facilities. **(Less than Significant Cumulative Impact)**

4.16 Recreation

4.16.1 Environmental Setting

4.16.1.1 *Regulatory Framework*

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

Local

Envision San José 2040 General Plan

The following General Plan policies are specific to recreational resources and are applicable to the proposed Project.

Policy	Description
PR-2.4	To ensure that residents of a new project and existing residents in the area benefit from new amenities, spend Park Dedication Ordinance and Park Impact Ordinance fees for neighborhood serving elements (such as playgrounds/tot-lots, basketball courts, etc.) within a ¾ mile radius of the project site that generates the funds.
PR-2.5	Spend, as appropriate, PDO/PIO fees for community serving elements (Such as soccer fields, community gardens, community centers, etc.) within a 3-mile radius of the residential development that generates the PDO/PIO funds.

Greenprint

The Greenprint is a strategic plan to guide the City's expansion of parks, recreation facilities, and community services. The plan was first adopted by City Council in 2000 then updated in 2009.¹⁹⁰ The Greenprint contains strategies to support the overall mission of providing healthy communities through people, parks, and programs. The Greenprint identifies areas of the City that are underserved by park and recreation facilities and includes policies and strategies to correct those deficiencies. The General Plan incorporated the Greenprint 2009 strategies.

¹⁹⁰ City of San José. "Greenprint 2009 Documents." Accessed March 3, 2025. <https://www.sanjoseca.gov/your-government/departments-offices/parks-recreation-neighborhood-services/general-information/policies-reports/residents>.

ActivateSJ Strategic Plan (2020-2040)

The ActivateSJ Strategic Plan is the latest 20-year strategic plan for the City of San José's Department of Parks, Recreation, and Neighborhood Services.¹⁹¹ This plan does not replace the Greenprint 2009 update but instead is a complement to the Greenprint document and focuses more on the daily operations of the Department of Parks, Recreation, and Neighborhood Services. ActivateSJ includes key plan outcomes to support the following guiding principles: stewardship, nature, equity and access, identify, and public life. These guiding principles also align with the specific goals and policies of the General Plan.

4.16.1.2 *Existing Conditions*

The City's Department of Parks, Recreation, and Neighborhood Services is responsible for the development, operation, and maintenance of all City park facilities. The City operates and maintains regional and neighborhood/community-serving parkland, including 206 parks, 50 community centers, and over 61 miles of trails.¹⁹²

The nearest recreational facility is the Coyote Creek Trail approximately 225 feet west of the SCBGF/SCDC site with the Shady Oaks Open Space being further west at 485 feet. The Hellyer Switching Station site is approximately 125 feet southwest of the Silver Creek Valley Trail.¹⁹³

4.16.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒
Would the project result in a cumulatively considerable contribution to a cumulatively significant recreation impact?	☐	☐	☒	☐

¹⁹¹ City of San José. "ACTIVATESJ Strategic Plan (2020-2040)." 2020. Accessed March 3, 2026. Page 2.
<https://www.sanjoseca.gov/home/showpublisheddocument/43503/637178743945470000>

¹⁹² Ibid. Page 6.

¹⁹³ City of San José. "San José Parks Finder." Accessed March 3, 2026.
<https://experience.arcgis.com/experience/4b0ca94482bb4142a208e232ab4e5d37>.

4.16.2.1 *Project Impacts*

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
-

The Project proposes to develop industrial uses and multi-modal improvements (i.e., SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements) with no residential development included. While employees of the SCDC may utilize parks and recreational facilities in the area, such as the Coyote Creek Trail, the Project would not generate demand for neighborhood or regional park facilities, such that substantial physical deterioration of these facilities would occur or be accelerated. **(Less than Significant Impact)**

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?
-

The proposed Project would not include recreational facilities. Some employees of the SCDC may use nearby parks and recreational facilities as mentioned above in checklist question a); however, this would not represent a substantial increase and would not require the construction or expansion of recreational facilities. **(No Impact)**

4.16.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant recreation impact?

Other projects developed in San José (such as residential projects) could increase the use of recreational facilities, including neighborhood and regional parks and community centers, to the point of disrepair. In the San José General Plan Program EIR, the City identified that with expected population growth through 2035 (1,313,811 residences) additional parks and community centers would be required to accommodate the increase in population.¹⁹⁴ Existing City policies and regulations, such as the Parkland Dedication Ordinance and Parkland Impact Ordinance, function to collect fees from new development (or require parkland to be dedicated) for the purpose of maintaining the City's service level objectives. By requiring cumulative projects to adhere to existing policies and regulations, the cumulative impact of future development on recreational facilities would be minimized.

The proposed Project does not include new residential development; therefore, its impact on nearby recreational facilities would be minimal. When combined with other projects in San José,

¹⁹⁴ City of San José. *Integrated Final Program Environmental Impact Report for the Envision San José 2040 General Plan*. SCH# 2009072096. September 2011. Page 619.

the Project would not result in a cumulatively considerable contribution to this already less than significant cumulative recreation impact. **(Less than Significant Cumulative Impact)**

4.17 Transportation

The following discussion is based, in part, on a Transportation Analysis prepared by Hexagon Transportation Consultants, Inc. The Transportation Analysis is included in this SPPE Application as Appendix N. In this report mitigation measures are recommended to reduce impacts. The Applicant has incorporated these recommendations into PDMs as discussed below.

4.17.1 Environmental Setting

4.17.1.1 *Regulatory Framework*

State

Senate Bill 743

SB 743 establishes criteria for determining the significance of transportation impacts using a vehicle miles traveled (VMT) metric intended to promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. Specifically, SB 743 requires analysis of VMT in determining the significance of transportation impacts. Local jurisdictions were required by the Governor's Office of Planning and Research (OPR) to implement a VMT policy by July 1, 2020.

SB 743 did not authorize OPR to set specific VMT impact thresholds, but it did direct OPR to develop guidelines for jurisdictions to utilize. CEQA Guidelines Section 15064.3(b)(1) describes factors that might indicate whether a development project's VMT may be significant. Notably, projects located within 0.50 mile of transit should be considered to have a less than significant transportation impact based on OPR guidance.

Regional and Local

Regional Transportation Plan

MTC is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including Santa Clara County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted Plan Bay Area 2050 in October 2021, which includes a Regional Transportation Plan to guide regional transportation investment for revenues from federal, state, regional and local sources through 2050.

Congestion Management Program

MTA oversees the Congestion Management Program (CMP), which is aimed at reducing regional traffic congestion. The relevant state legislation requires that urbanized counties in California prepare a CMP in order to obtain each county's share of gas tax revenues. State legislation requires

that each CMP define traffic LOS standards, transit service standards, a trip reduction and transportation demand management plan, a land use impact analysis program, and a capital improvement element. VTA has reviewer responsibility for proposed development projects that are expected to affect CMP-designated intersections.

Transportation Analysis Policy (City Council Policy 5-1)

As established in City Council Policy 5-1, Transportation Analysis Policy, the City of San José uses VMT as the metric to assess transportation impacts from new development. According to the policy, residential project's transportation impact would be less than significant if the project VMT is 15 percent or more below the existing average citywide VMT per capita. Screening criteria have been established to determine which projects require a detailed VMT analysis. If a project meets the relevant screening criteria, it is considered to have a less than significant VMT impact.

If a project's VMT does not meet the established thresholds, mitigation measures would be required, where feasible. The policy also requires preparation of a Local Transportation Analysis to analyze non-CEQA transportation issues, including local transportation operations, intersection level of service, site access and circulation, and neighborhood transportation issues such as pedestrian and bicycle access and recommend transportation improvements. The VMT policy does not negate Area Development policies and Transportation Development policies approved prior to adoption of Policy 5-1; however, it does negate the City's Protected Intersection policy as defined in Policy 5-3.

San José Better Bike Plan 2025

The San José Better Bike Plan 2025 defines the City's vision to make bicycling safe and convenient for all ages and abilities in San José. The plan is organized around three primary goals: 1) increasing safety for bicyclists in the City, 2) increasing the number of trips made by bike in San José, and 3) ensuring that the plan serves historically underserved communities.¹⁹⁵ The plan outlines existing conditions, describes the planned bicycle network, and offers details on the implementation strategy required to realize the planned network. The Better Bike Plan 2025 defines clear goals to build off of the successes of Bike Plan 2020.

Envision San José 2040 General Plan

The General Plan includes the following transportation policies applicable to the proposed project.

Policy	Description
TR-1.1	Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).
TR-1.2	Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.

¹⁹⁵ City of San José. San José Better Bike Plan 2025. October 2020. Accessed May 22, 2024.
<https://www.sanjoseca.gov/home/showpublisheddocument/68962/637477999451470000>.

Policy	Description
TR-1.4	Through the entitlement process for new development, fund needed transportation improvements for all transportation modes, giving first consideration to improvement of bicycling, walking and transit facilities. Encourage investments that reduce vehicle travel demand. Development proposals shall be reviewed for their impacts on all transportation modes through the study of Vehicle Miles Traveled (VMT), Envision San José 2040 General Plan policies, and other measures enumerated in the City Council Transportation Analysis Policy and its Local Transportation Analysis. Projects shall fund or construct proportional fair share mitigations and improvements to address their impacts on the transportation systems. The City Council may consider adoption of a statement of overriding considerations, as part of an EIR, for projects unable to mitigate their VMT impacts to a less than significant level. At the discretion of the City Council, based on CEQA Guidelines Section 15021, projects that include overriding benefits, in accordance with Public Resources Code Section 21081 and are consistent with the General Plan and the Transportation Analysis Policy 5-1 may be considered for approval. The City Council will only consider a statement of overriding considerations for (i) market-rate housing located within General Plan Urban Villages; (ii) commercial or industrial projects; and (iii) 100% deed-restricted affordable housing as defined in General Plan Policy IP-5.12. Such projects shall fund or construct multimodal improvements, which may include improvements to transit, bicycle, or pedestrian facilities, consistent with the City Council Transportation Analysis Policy 5-1. Area Development Policy. An “area development policy” may be adopted by the City Council to establish special transportation standards that identifies development impacts and mitigation measures for a specific geographic area. These policies may take other names or forms to accomplish the same purpose.
TR-1.6	Require that public street improvements provide safe access for motorists and pedestrians along development frontages per current City design standards.
TR-2.8	Require new development where feasible to provide on-site facilities such as bicycle storage and showers, provide connections to existing and planned facilities, dedicate land to expand existing facilities or provide new facilities such as sidewalks and/or bicycle lanes/paths, or share in the cost of improvements.
TR-3.3	As part of the development review process, require that new development along existing and planned transit facilities consist of land use and development types and intensities that contribute towards transit ridership. In addition, require that new development is designed to accommodate and to provide direct access to transit facilities.
TR-5.3	Development projects’ effects on the transportation network will be evaluated during the entitlement process and will be required to fund or construct improvements in proportion to their impacts on the transportation system. Improvements will prioritize multimodal improvements that reduce VMT over automobile network improvements.
TR-8.4	Discourage, as part of the entitlement process, the provision of parking spaces significantly above the number of spaces required by code for a given use.
TR-8.6	Allow reduced parking requirements for mixed-use developments and for developments providing shared parking or a comprehensive TDM program, or developments located near major transit hubs or within Villages and Corridors and other growth areas.
TR-8.9	Consider adjacent on-street and City-owned off-street parking spaces in assessing need for additional parking required for a given land use or new development.

4.17.1.2 *Existing Conditions*

The Hellyer Switching Station and PG&E transmissions lines would not generate traffic other than occasional maintenance trips. As a result, the discussion below focuses on the SCBGF/SCDC Site.

Roadway Network

Regional access to the Project Site is provided via United States Highway 101 (US 101). Local access to the site is provided by Blossom Hill Road, Silver Creek Valley Road, and Fontanoso Way. These roadway facilities are described below.

US 101

US 101 is an eight-lane freeway (three mixed-flow lanes and one HOV lane in each direction) in the vicinity of the site. US 101 extends northward through San Francisco and southward through Gilroy. Access to and from the SCBGF/SCDC is provided via a full interchange at Blossom Hill Road/Silver Creek Valley Road.

Blossom Hill Road

Blossom Hill Road is a six-lane divided arterial that runs in an east-west direction from the US 101/Silver Creek Valley Road interchange to the Town of Los Gatos. East of the interchange, Blossom Hill Road becomes Silver Creek Valley Road. In the vicinity of the SCBGF/SCDC site, Blossom Hill Road has a posted speed of 40 miles per hour. Bike lanes and sidewalks are lacking between US 101 and Monterey Road, but a separate shared use path across US 101 is provided on the north side of the interchange. Blossom Hill Road is a designated Main Street west of Snell Avenue and a designated City Connector Street east of Snell Avenue. Blossom Hill Road provides access to the project site via Silver Creek Valley Road.

Silver Creek Valley Road

Silver Creek Valley Road is generally a divided four-lane arterial that extends from the US 101/Blossom Hill Road interchange in the west to Yerba Buena Road in the east. In the vicinity of the proposed project, Silver Creek Valley Road has a posted speed of 45 miles per hour. Silver Creek Valley Road is a designated On-Street Primary Bicycle Facility with striped bike lanes and sidewalks on both sides of the street. East of Hellyer Avenue, Silver Creek Valley Road has a sidewalk on one side of the street only. Access to the project site from Silver Creek Valley Road is via Fontanoso Way.

Fontanoso Way

Fontanoso Way is a two-lane local collector street that runs between Silver Creek Valley Road and Hellyer Avenue. Fontanoso Way has a posted speed limit of 35 miles per hour. Fontanoso Way has sidewalks along both sides of the street. It provides direct access to the project site via a proposed driveway.

Bicycle and Pedestrian Facilities

There are several bike paths and several roadways with striped bike lanes in the vicinity of the Project Site. Bicycle facilities are divided into four classes of relative significance. Class I bikeways are bike paths that are physically separated from motor vehicles and offer two-way bicycle travel on a separate path. Class II bikeways are striped bike lanes on roadways that are marked by signage and pavement markings. Class III bikeways are bike routes and only have signs and/or Sharrows (shared lane markings) to help guide bicyclists on recommended routes to certain locations. Class IV bikeways are on-street bicycle facilities that incorporate physical barriers (e.g., raised curbs, flexible bollards, vehicle parking, grade separation, etc.) to separate bicycles from the flow of vehicular traffic. There are no Class IV bikeways in the Project vicinity. There are Class I shared use paths and Class II bike lanes.

The Class I bikeway is the Coyote Creek trail, which is one of the longest trail systems extending from the San Francisco Bay to the City's southern boundary. The northern portion of the trail system runs from SR 237 to Montague Expressway. A short downtown portion of this trail travels through Selma Olinder Park. The southern portion begins at Tully Road and extends southward through county jurisdiction and reaches Morgan Hill. The closest trail access is provided north of the Piercy Road/Silver Creek Valley Road intersection, approximately 100 feet from the SCBGF/SCDC site.

The Class II bikeways are present on the following roadway segments:

- Hellyer Avenue, between the US 101 northbound ramps and Silicon Valley Road
- Silver Creek Valley Road, between the US 101 northbound ramps and Yerba Buena Road

Pedestrian facilities in the Project area consist of sidewalks and crosswalks in the project vicinity, as well as the Coyote Creek Trail. Crosswalks with pedestrian signal heads and push buttons are located at all the signalized intersections in the study area. In the project vicinity, there are sidewalks along both sides of Fontanoso Way and Silver Creek Valley Road. There are existing crosswalks and accessible ramps at the signalized intersections of Piercy Road/Silver Creek Valley Road, Fontanoso Way/Silver Creek Valley Road, and Fontanoso Way/Hellyer Avenue. A shared use path across US 101 is provided on the north side of the US 101/Blossom Hill Road interchange.

Transit Services

Existing transit services to the Project area are provided by the buses from VTA and the Caltrain.

The SCBGF/SCDC site is served by VTA Local Bus Route 42. Route 42 travels along Silver Creek Valley Road, Hellyer Avenue, and Silicon Valley Boulevard in the project vicinity and provides service between Evergreen Valley College and the Santa Teresa Station. Route 42 runs on 60-minute headways between 5:55 AM and 6:37 PM and provides service to the Blossom Hill Caltrain station. Local Route 42 has stops approximately 500 feet west and 200 feet east of the project site along Silver Creek Valley Road.

Commuter rail service between San Francisco and Gilroy is provided by Caltrain. The Blossom Hill Caltrain Station is located at the Monterey Road/Ford Road intersection, approximately a 1.4-mile walk southwest of the project site. A pedestrian bridge to access the station is provided between Great Oaks Boulevard and Monterey Road. The Blossom Hill Caltrain Station is served by four northbound trains in the morning commute period with 20 to 40-minute headways and four southbound trains in the evening commute period with 20 to 60-minute headways.

4.17.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐
Would the project result in a cumulatively considerable contribution to a cumulatively significant transportation impact?	☐	☐	☒	☐

Note that the Hellyer Switching Station and transmission line would not generate any new operational traffic trips. Only the SCBG/SCDC would generate trips. Therefore, these electrical infrastructure developments are not discussed further in the following impact analysis.

4.17.2.1 Project Impacts

-
- a) Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?
-

Transit Facilities

Although data centers are a low employment use, the proposed SCBG/SCDC would bring new jobs to the area and is anticipated to increase the use of transit facilities in the area, including the VTA Local Bus Route 42 and Blossom Hill Caltrain station. The General Plan EIR concluded that upon implementation of the General Plan, transit ridership throughout the City would increase. The

construction of the SCBGF/SCDC would encourage the use of transit facilities by bringing new jobs to a Planned Growth Area of the City with accessible local and regional transit connections, and by including measures to reduce vehicle trips to and from the site (refer to PDM TRN-1, below). While the proposed SCBGF/SCDC would not generate many transit riders, any increased transit demand could be accommodated by the currently available ridership capacity for both VTA and Caltrain. Additionally, the SCBGF/SCDC would not remove, or inhibit access to, any public transit facilities. For these reasons, the proposed SCBGF/SCDC would not conflict with a program, plan, ordinance, or policy regarding transit facilities.

Bicycle and Pedestrian Facilities

The proposed SCBGF/SCDC would result in the construction of a data center building, backup generating facility, and other associated infrastructure to support the operation of a data center. The SCBGF/SCDC would be in proximity to the Coyote Creek Trail (which can be used by cyclists and pedestrians) and Class II bikeways on Hellyer Avenue and Silver Creek Valley Road. The proposed SCBGF/SCDC would not remove, or inhibit access to, any existing or planned bicycle facilities. Planned bike lanes include Class II bike lanes on Piercy Road (west of Hellyer Avenue) and Coyote Road (south of Continental Drive). In addition, Class IV protected bike lanes are planned for the entire lengths of Silver Creek Valley Road, Blossom Hill Road, and Hellyer Avenue.

The SCBGF/SCDC would include pedestrian pathways that would connect to existing sidewalks along the frontage. The SCBGF/SCDC would not inhibit pedestrian flow through the area by reducing sidewalk width or eliminating sidewalks to accommodate vehicular travel. Furthermore, as described in Section 3.6 Physical Off-Site Multi-Modal Improvements, the Project would be required to implement additional multi-modal improvements to reduce VMT impacts (as described further below under checklist question b) or the Applicant has voluntarily included improvements in the Project design. For these reasons, the proposed Project would not conflict with a program, plan, ordinance or policy regarding bicycle and/or pedestrian facilities. **(Less than Significant Impact)**

-
- b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?
-

As described in Section 4.17.1.1 Regulatory Framework, the City's adopted Transportation Policy (City Council Policy 5-1) sets forth the thresholds of significance and methodology for analyzing the VMT impacts of development projects. The methodology used to determine existing and project VMT and the analysis of the SCBGF/SCDC VMT impacts are described below.

VMT Evaluation Methodology

The effects of the proposed SCBGF/SCDC on VMT were evaluated using the methodology outlined in the City's Transportation Analysis Handbook. VMT is the total miles of travel by personal motorized vehicles a project is expected to generate in a day. Typically, development projects that are farther from other, complementary land uses (such as a business park far from housing) and in

areas without transit or active transportation infrastructure (bike lanes, sidewalks, etc.) generate more driving than development near complementary land uses with more robust transportation options. Therefore, developments located in a central business district or planned growth area with high density and diversity of complementary land uses and frequent transit services are expected to internalize trips and generate shorter and fewer vehicle trips than developments located in a suburban area with low density of residential developments and no transit service in the project vicinity. When assessing an office or industrial project, the project's VMT is divided by the number of employees.

The City of San José's Transportation Policy establishes procedures for determining project impacts on VMT based on project description, characteristics, and/or location. The City's Transportation Policy establishes screening criteria for various land uses; projects which meet the screening criteria would not require a detailed, quantitative assessment of VMT. The City's screening criteria for an industrial project is 30,000 square feet of total gross floor area or less. The Project would result in the construction of an approximately 516,000 square foot data center building, which would generate traffic equivalent to approximately 106,000 square feet of industrial space. Therefore, the proposed SCBGF/SCDC would exceed the screening criterion and a VMT analysis prepared according to the City's Transportation Policy is required.

VMT Evaluation Tool

To determine whether a project would result in transportation impacts related to VMT, the City has developed the San José VMT Evaluation Tool to streamline the analysis for development projects. Based on the APN of a project, the VMT Evaluation Tool identifies the existing average VMT per capita and employee for the project area. Using the following information, the VMT evaluation tool calculates the project generated VMT: project location, type of development, project description, and proposed trip reduction measures.

Projects located in areas where the existing VMT is greater than the established threshold are referred to as being "high-VMT areas." Projects in high-VMT areas are required to include a set of VMT reduction measures that would reduce the project VMT to the greatest extent possible. The VMT evaluation tool evaluates a list of selected VMT reduction measures that can be applied to a project to reduce the project VMT. There are four strategy tiers whose effects on VMT can be calculated with the VMT evaluation tool:

1. Project characteristics (e.g., density, diversity of uses, design, and affordability of housing) that encourage walking, biking and transit uses;
2. Multimodal network improvements that increase accessibility for transit users, bicyclists, and pedestrians;
3. Parking measures that discourage personal motorized vehicle-trips; and
4. Transportation demand management (TDM) measures that provide incentives and services to encourage alternatives to personal motorized vehicle-trips.

Thresholds of Significance

The thresholds of significance for employment uses set forth in the Transportation Analysis Policy are based on the existing regional average VMT per employee. The existing regional average VMT level for industrial employment uses is 16.53 VMT per employee. Projects which exceed this VMT level would result in a significant VMT impact pursuant with the City's policy.

Project-Level VMT Analysis

Based on the results of the VMT Evaluation tool, the VMT generated from the SCBGF/SCDC would be 17.23 VMT per employee, which would exceed the threshold of 16.53 VMT per employee. The following measure is included in the project as an Applicant Proposed PDM to reduce VMT to an acceptable level.

PDM TRN-1: The Project would exceed the industrial VMT employee threshold of 16.53 VMT per employee. Therefore, the Project shall be required to implement the following improvements:

- **Physical Multi-Modal Improvements.** Prior to the issuance of building occupancy permits, the Project Applicant shall implement the following multi-modal improvements to incentivize alternative modes of travel and reduce VMT for the Project Site.
 - Construct a crosswalk on the west leg of the Silver Creek Valley Road and Fontanoso Way intersection. Potential signal and utility modifications would be needed to implement the improvement. This improvement will satisfy VMT reduction strategies for Pedestrian Network Improvement by increasing pedestrian access beyond the project development frontage.
 - Construct a new bus stop along the project frontage at the northwest corner of the Silver Creek Valley Road/Fontanoso Way intersection (as a pair with the existing westbound bus stop) to increase transit accessibility. The final design would require coordination with VTA and the City.

The multi-modal infrastructure improvements shall be part of a Public Improvement Plan that demonstrates how the multi-modal improvements will be implemented and the schedules for completing the improvements. The Public Improvement Plan shall be reviewed and approved by the Director of Public Works or the Director's designee. The implementation of the multi-modal improvements shall be verified by the Director of Public Works or the Director's designee prior to the issuance of building occupancy permits.

Implementation of the physical multi-modal improvements described above in PDM TRN-1 would reduce the Project VMT generated to 15.98 per employee, which does not exceed the significance threshold of 16.53 per employee. **(Less than Significant Impact)**

-
- c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
-

Geometric Design

Site Access

Vehicular access to the project site would be provided via a full access gated driveway along Fontanoso Way, which would be 40-feet wide. The driveway width for the Fontanoso Way driveway would exceed the City of San José Department of Transportation Geometric Design Guidelines' requirement of between 16 to 32 feet wide for commercial driveways; however, the City allows for wider driveways (up to 45 feet) when large trucks will enter and exit the site. In addition, the gated driveway at Fontanoso Way would not result in queuing issues along Fontanoso Way since the driveway will provide approximately 180 feet of stacking space and existing traffic volumes on Fontanoso Way are low. Therefore, vehicles accessing and leaving the site from the SCBGF/SCDC gated driveway would not have operational issues on Fontanoso Way. An emergency-only driveway is also shown along Silver Creek Valley Road. The Silver Creek Valley Road driveway would be 26 feet wide, which meets the City's requirements. Therefore, the proposed driveways would provide adequate access and width for two-way vehicular operations and trucks (such as a WB-67 truck with trailer). **(Less than Significant Impact)**

Sight Distance

Adequate sight distance allows existing vehicles to see pedestrians on the sidewalk, bicycles within the bike lane, and other vehicles traveling on Fontanoso Way. The minimum acceptable sight distance is typically based on American Association of State Highway and Transportation Officials (AASHTO) stopping sight distance, which varies depending on roadway speeds. Fontanoso Way has an assumed speed limit of 35 miles per hour; therefore, the stopping sight distance at the gated Fontanoso Way driveway should be 250 feet. In other words, a driver exiting/entering the proposed project driveway on Fontanoso Way must be able to see 250 feet in the direction with the conflicting movements.

Based on the site plans and field observations, drivers exiting the project driveway along Fontanoso Way would be able to see more than 250 feet in either direction. This is also an adequate sight distance for trucks entering and existing from this driveway. Therefore, adequate stopping sight distance would be provided. **(Less than Significant Impact)**

On-Site Circulation

To provide adequate on-site circulation for all vehicle types, including larger emergency vehicles and garbage trucks, the design of all internal roadways shall adhere to the City of San José design standards and guidelines. The design of the SCBGF/SCDC Project Site must include adequate corner radii along all internal roadways/drive aisles, as well as driveway width, drive aisle width, parking dimensions, and signage that satisfies the design standards. By designing the site in accordance with the City's design standards and guidelines, the project would not substantially increase hazards related to on-site vehicular circulation. As described in the Transportation Analysis, the on-site circulation would be adequate for passenger vehicles and large trucks. All drive aisles measure at least 26 feet in width, which meets City's requirements for minimum widths of 24 feet and provide adequate space for parked vehicles to back out into drive aisles. For these reasons, there would be no significant impacts related to on-site circulation. **(Less than Significant Impact)**

Land Use Compatibility

The SCBGF/SCDC would be located in an area of San José that is developed with similar land uses. The Project Site is located immediately adjacent to existing industrial/commercial uses to the north and east. More industrial/commercial uses are directly south of the SCBGF/SCDC site across Silver Creek Valley Road. Towards the west is the Coyote Creek Trail and Shady Oaks Open Space. None of the adjacent uses would be incompatible with the proposed data center use on the site, and the proximity of the SCBGF/SCDC to these land uses would not result in substantial hazards. Therefore, the Project would not result in a significant impact due to land use incompatibilities. **(Less than Significant Impact)**

d) Would the project result in inadequate emergency access?

Emergency access to the site would be provided by the Silver Creek Valley Road driveway. This driveway will be 26 feet wide, which is a wide enough drive aisle to accommodate emergency vehicles. The SCBGF/SCDC would also be required to comply with the applicable City of San José policies and ordinances requiring adequate emergency access for the Project Site. For these reasons, the proposed Project would not interfere with the emergency response to the Project vicinity. Therefore, the proposed Project would result in a less than significant impact to emergency access to and around the Project Site. **(Less than Significant Impact)**

4.17.2.2 *Cumulative Impacts*

Would the project result in a cumulatively considerable contribution to a cumulatively significant transportation impact?

Projects must demonstrate consistency with the Envision San José 2040 General Plan to address cumulative impacts. Consistency with the City's General Plan is based on the project's density, design, and conformance to the General Plan goals and policies. If a project is determined to be

inconsistent with the General Plan, a cumulative impact analysis is required per the City's Transportation Analysis Handbook.

The Transportation Analysis determined that the Project is consistent with the applicable General Plan goals and policies. The Project would be consistent with the zoning districts in which the site is located, the proposed employment density would be consistent with the General Plan Land Use designation for the site. The Project would also incorporate a PDM TRN-1 to reduce project-generated VMT below the City's threshold of significance. Therefore, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact. **(Less than Significant Cumulative Impact)**

4.18 Tribal Cultural Resources

The discussion in this section is based in part on Cultural Resources Reports (CRR) prepared for the SCBGF/SCDC and Hellyer Switching Station site (April 2026) and PG&E Transmission Line (April 2026) by Chronicle Heritage. A copy of these reports will be docketed with the Commission under a Request for Confidentiality.

4.18.1 Environmental Setting

4.18.1.1 *Regulatory Framework*

State

Assembly Bill 52

AB 52, effective July 2015, established a new category of resources for consideration by public agencies called Tribal Cultural Resources (TCRs). AB 52 requires lead agencies to provide notice of projects to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified. Where a project may have a significant impact on a tribal cultural resource, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource or until it is concluded that mutual agreement cannot be reached.

Under AB 52, TCRs are defined as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either:
 - Included or determined to be eligible for inclusion in the California Register of Historic Resources, or
 - Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).
- A resource determined by the lead agency to be a TCR.

4.18.1.2 *Existing Conditions*

Native Americans occupied Santa Clara Valley and the greater Bay Area for more than 5,000 years. The exact time period of the Ohlone (originally referred to as Costanoan) migration into the Bay Area is debated by scholars. Dates of the migration range between 3000 B.C. and 500 A.D. Regardless of the actual time frame of their initial occupation of the Bay Area and, in particular, Santa Clara Valley, it is known that the Ohlone had a well-established population of approximately 7,000 to 11,000 people with a territory that ranged from the San Francisco Peninsula and the East Bay, south through the Santa Clara Valley and down to Monterey and San Juan Bautista.

The Ohlone people were hunter/gatherers focused on hunting, fishing, and collecting seasonal plant and animal resources, including tidal and marine resources from San Francisco Bay. The customary way of living, or lifeway, of the Costanoan/Ohlone people disappeared by about 1810 due to disruption by introduced diseases, a declining birth rate, and the impact of the California mission system established by the Spanish in the area beginning in 1777.

SCBGC/SCDC and Hellyer Switching Station Sites

Database Searches

As described in Section 4.5 Cultural Resources, an archaeological literature search was prepared for the Project Components Sites to identify any potential cultural resources present on-site or in adjacent areas. The literature search did not identify any cultural resources within the Project Components Sites.

The NAHC responded to Sacred Lands File request on October 27, 2025 noting that the results of the request were negative.¹⁹⁶ No tribal cultural features, including sites, features, places, cultural landscapes or sacred places were identified on-site.

Native American Outreach

AB 52 requires lead agencies to complete formal consultations with California Native American tribes during the CEQA process to identify tribal cultural resources that may be subject to significant impacts by a project. Where a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document must discuss the impact and whether feasible alternatives or mitigation measures could avoid or substantially lessen the impact. This consultation requirement applies only if the tribes have sent written requests for notification of projects to the lead agency. Chronicle Heritage, the Project's qualified archaeologists, notified Tribes of the Project in letters on December 8, 2025. The following list summarizes the correspondences received during this outreach process:

- On January 6, 2026, Vice Chairperson of the Amah Mutsun Tribal Band responded stating that the Project is outside of their traditional tribal territory.
- On January 7, 2026, Tribal Chairwoman Canyon Sayers-Roods responded recommending cultural training and archaeological and Native American monitoring of all ground disturbance.
- On February 11, 2026, Tamien Nation responded stating that the Project Area is highly sensitive and requested tribal and archaeological monitoring, tribal cultural awareness training, consultation with Tamien Nation, a 100-foot stop work buffer, and continued consultation if resources are discovered.

¹⁹⁶ Chronicle Heritage. *Cultural Resources Assessment Report for the Prologis Data Center Project*. March 2026. Page 33.

It is assumed in this SPPE Application that the Commission, as the Lead Agency, will conduct Tribal Consultation pursuant to the requirements of AB 52 during the EIR preparation process.

PG&E Transmission Towers and Transmission Line

Database Searches

As described above, the archaeological literature search prepared for the Project Site did not identify any potential cultural resources on or within the Project Components Sites.

The NAHC responded to a Sacred Lands File request on March 25, 2026 and responded that the results were negative. No tribal cultural features, including sites, features, places, cultural landscapes or sacred places were identified on-site.

Native American Outreach

Chronicle Heritage sent follow up letters describing the PG&E transmission tower and transmission line work to the Tribes noted above on March 30, 2026. The following list summarizes the correspondences received during this outreach process:

- On March 24, 2026, Councilwoman Shelby Brown of the Amah Mutsun Tribal Band of Mission San Juan Bautista responded with interest to consult on the Project and requested to receive copies of the records associated with cultural resources in the area.
- On March 24, 2026, Chairwoman Quirina Luna Geary of the Tamien Nation responded by email to include Lillian Camarena, Cultural Resources Director, and Tracie Carrasco, Administrative Assistant.
- On March 20, 2026, Tribal Chairwoman Canyon Sayers-Roods of the Indian Canyon Mutsun Band of Costanoan responded that the Project Area is near or intersects a potentially eligible cultural site. Councilwoman Sayers-Roods expressed their interest in consulting on the Project and recommended Native American monitoring and Cultural Sensitivity Training take place during Project activities
- On March 31, 2026, Executive Director Bernadette Quiroz of the Muwekma Ohlone Tribe responded formally requesting to consult on the project and asked to have copies of the CHRIS record search sent.

It is assumed in this SPPE Application that the Commission, as the Lead Agency, will conduct Tribal Consultation pursuant to the requirements of AB 52 during the EIR preparation process.

4.18.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	☐	☐	☒	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐
Would the project result in a cumulatively considerable contribution to a significant cumulative tribal cultural resources impact?	☐	☐	☒	☐

Note that the off-site multi-modal improvements will be located within the existing public-right-of-way of Silver Creek Valley Road (between Piercy Road and Fontanoso Way) and are assumed to have no impact on tribal cultural resources due to this location and minimal construction efforts. These improvements are assumed to occur within an already paved area and would not involve any ground-disturbing work that could result in the discovery of a tribal cultural resources. For this reason, the off-site multi-modal improvements are not discussed further in the following impact analysis.

4.18.2.1 Project Impacts

-
- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?
-

While the NAHC Sacred Lands File record search results were negative and there are no known tribal cultural resources on-site that are listed or eligible for listing in the NRHP or CRHR, the Project Components Sites have a moderate to high sensitivity for archaeological resources (including tribal cultural resources). Therefore, Project activities (particularly grading, trenching, and/or excavating) could damage as-yet unrecorded subsurface resources, including tribal resources. Undiscovered tribal resources at the Project Components Sites could potentially be eligible for listing in local or statewide registers of historical resources. Accordingly, an appropriate process must be followed during site development which would ensure that any resources that are uncovered are properly accounted for and preserved for study.

As identified in Section 4.5 Cultural Resources, the SCBGF/SCDC and Hellyer Switching Station would implement PDM CUL-1.1 through PDM CUL-1.3 which would require an archaeological and Native American monitor be present on-site during ground-disturbance of native soils and implementation of appropriate treatment measures should any resources be discovered. PG&E would be required to implement PG&E programmatic measures (CR-1, CR-2, CR-3, and CR-4) to reduce impacts to undiscovered archaeological resources for the transmission towers and transmission line. Therefore, the proposed Project would have a less than significant impact on tribal cultural resources. **(Less than Significant Impact)**

-
- b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?
-

As discussed above under checklist question a), the Project Components Sites have a moderate to high sensitivity for buried Native American archaeological deposits and buried archaeological deposits. No specific tribal cultural resources were identified during the outreach process or pedestrian survey of the Project Site. With the implementation of PDMs CUL-1.1, CUL-1.2, CUL-1.3, and CUL-2, along with PG&E's programmatic measures, the proposed Project would not result in substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 **(Less than Significant Impact)**

4.18.2.2 *Cumulative Impact*

Would the project result in a cumulatively considerable contribution to a significant cumulative tribal cultural resources impact?

The geographic study area for cumulative impacts to TCRs is the surrounding area (within 1,000 feet of the Project Components Sites). No tribal cultural features, including sites, features, places, cultural landscapes or sacred places have been identified at the site based on available information. However, the Project Site has moderate to high potential for discovering cultural resources, which

includes TCRs. With PDMs CUL-1.1, CUL-1.2, CUL-1.3, and CUL-2, along with PG&E's programmatic measures, any unanticipated TCRs finds would be handled properly by a qualified archaeologist and Native American tribe. As a result, the Project would have a less than significant cumulative impact on TCRs. **(Less than Significant Cumulative Impact)**

4.19 Utilities and Service Systems

4.19.1 Environmental Setting

4.19.1.1 *Regulatory Framework*

State

State Water Code

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of the UWMP, water agencies are required to evaluate and describe their water resource supplies and projected needs over a 20-year planning horizon, water conservation, water service reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The City of San José Municipal Water adopted its most recent UWMP in June 2021.¹⁹⁷

Assembly Bill 939

The California Integrated Waste Management Act of 1989, or AB 939, established the California Integrated Waste Management Board (CIWMB), required the implementation of integrated waste management plans, and mandated that local jurisdictions divert at least 50 percent of solid waste generated (from 1990 levels) by 2000 and thereafter. Projects that would have an adverse effect on waste diversion goals are required to include waste diversion mitigation measures.

Assembly Bill 341

AB 341 sets forth the requirements of the statewide mandatory commercial recycling program. Businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units in California are required to recycle.

Senate Bill 610

SB 610 amended state law, effective January 1, 2002, to improve the link between information on water supply availability and certain land use decisions made by cities and counties. SB 610 requires preparation of a Water Supply Assessment (WSA) containing detailed information regarding water availability to be provided to the decision-makers prior to approval of specified large development projects that also require a General Plan Amendment. This WSA must be included in the administrative record that serves as the evidentiary basis for an approval action by the city or county (or other lead agency) on such projects. Under SB 610, WSAs must be furnished to local governments for inclusion in any environmental documentation for certain projects subject to

¹⁹⁷ City of San José. 2020 Urban Water Management Plan. June 2021.

CEQA. Pursuant to the California Water Code (Section 10912[a]), projects that require a WSA include any of the following:

- A proposed residential development of more than 500 dwelling units;
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space;
- A proposed hotel or motel, or both, having more than 500 rooms;
- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area;
- A mixed-use project that includes one or more of the projects identified in this list; or
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.

Assembly Bill 1826

AB 1826 sets forth the requirements of the statewide mandatory commercial organics recycling program for businesses and multi-family dwellings with five or more units that generate two or more cubic yards of commercial solid waste per week. AB 1826 sets a statewide goal for 50 percent reduction in organic waste disposal by the year 2020.

Senate Bill 1383

SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025. CalRecycle released an analysis titled “Analysis of the Progress Toward the SB 1383 Organic Waste Reduction Goals” in August 2020 (revised November 2020), which recommended maintaining the disposal reduction targets set forth in SB 1383.¹⁹⁸

California Green Building Standards Code Compliance for Construction, Waste Reduction, Disposal and Recycling

In January 2023, the State of California adopted the most recent version of the CALGreen, establishing mandatory green building standards for all new and qualifying remodeled structures in California. CALGreen covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and indoor environmental

¹⁹⁸ CalRecycle. “Analysis of the Progress Toward the SB 1383 Organic Waste Reduction Goals (DRRR-2020-1693).” Accessed May 22, 2024. <https://www2.calrecycle.ca.gov/Publications/Details/1693>.

quality. These standards include the following mandatory set of measures, as well as more rigorous voluntary guidelines, for new construction projects to achieve specific green building performance levels:

- Reducing indoor water use by 20 percent;
- Reducing wastewater by 20 percent;
- Providing readily accessible areas for recycling by occupants.

Local

Envision San José 2040 General Plan

The General Plan contains the following policies which are specific to utilities and service systems and applicable to the proposed project:

Policy	Description
IN-3.3	Meet the water supply, sanitary sewer and storm drainage level of service objectives through an orderly process of ensuring that, before development occurs, there is adequate capacity. Coordinate with water and sewer providers to prioritize service needs for approved affordable housing projects.
IN-3.5	Require development which will have the potential to reduce downstream LOS to lower than “D”, or development which would be served by downstream lines already operating at a LOS lower than “D”, to provide mitigation measures to improve the LOS to “D” or better, either acting independently or jointly with other developments in the same area or in coordination with the City’s Sanitary Sewer Capital Improvement Program.
IN-3.7	Design new projects to minimize potential damage due to stormwaters and flooding to the site and other properties.
IN-3.9	Require developers to prepare drainage plans that define needed drainage improvements for proposed developments per City standards.
MS-3.1	Require water-efficient landscaping, which conforms to the State’s Model Water Efficient Landscape Ordinance, for all new commercial, institutional, industrial, and developer-installed residential development unless for recreation needs or other area functions.
MS-3.2	Promote use of green building technology or techniques that can help to reduce the depletion of the City’s potable water supply as building codes permit.
MS-3.3	Promote the use of drought tolerant plants and landscaping materials for nonresidential and residential uses.
IN-3.10	Incorporate appropriate stormwater treatment measures in development projects to achieve stormwater quality and quantity standards and objectives in compliance with the City’s National Pollutant Discharge Elimination System (NPDES) permit.
EC-5.16	Implement the Post-Construction Urban Runoff Management requirements of the City’s Municipal NPDES Permit to reduce urban runoff from project sites.

In addition to the above-listed San José General Plan policies, new development in San José is also required to comply with programs that mandate the use of water-conserving features and

appliances and the Santa Clara County Integrated Watershed Management (IWM) Program, which minimizes solid waste.

San José Zero Waste Strategic Plan/Climate Smart San José

Climate Smart San José provides a comprehensive approach to achieving sustainability through new technology and innovation. The Zero Waste Strategic Plan outlines policies to help the City of San José foster a healthier community and achieve its Climate Smart San José goals, including 75 percent diversion of waste from the landfill by 2013 and zero waste by 2022. The Climate Smart San José also includes ambitious goals for economic growth, environmental sustainability, and enhanced quality of life for San José residents and businesses.

San José Sewer System Management Plan

The purpose of the Sewer System Management Plan (SSMP) is to provide guidance to the City in the operation, maintenance, and rehabilitation of the sewer assets of the City of San José. The SSMP includes construction standards and specifications for the installation and repair of the collection system and its associated infrastructure.

Private Sector Green Building Policy

The City of San José's Green Building Policy for new private sector construction encourages building owners, architects, developers, and contractors to incorporate meaningful sustainable building goals early in the design process. This policy establishes baseline green building standards for private sector construction and provides a framework for the implementation of these standards. It is also intended to enhance the public health, safety, and welfare of San José residents, workers, and visitors by fostering practices in the design, construction, and maintenance of buildings that will minimize the use and waste of energy, water, and other resources.

San José Construction and Demolition Diversion Deposit Program

The Construction and Demolition Diversion Deposit Program (CDDD) requires projects to divert at least 50 percent of total projected project waste to be refunded the deposit. Permit holders pay this fully refundable deposit upon application for the construction permit with the City if the project is a demolition, alteration, renovation, or a certain type of tenant improvement. The minimum project valuation for a deposit is \$2,000 for an alteration-renovation residential project and \$5,000 for a non-residential project. There is no minimum valuation for a demolition project and no square footage limit for the deposit applicability. The deposit is fully refundable if construction and demolition materials were reused, donated, or recycled at a City-certified processing facility. Reuse and donation require acceptable documentation, such as photos, estimated weight quantities, and receipts from donations centers stating materials and quantities.

California Green Building Standards Code Compliance for Construction, Waste Reduction, Disposal and Recycling

The City of San José requires 75 percent diversion of nonhazardous construction and demolition debris for projects that qualify under CALGreen, which is more stringent than the state requirement of 65 percent (San José Municipal Code Section 9.10.2480).

4.19.1.2 *Existing Conditions*

Water Services

Water service to the Project area is provided by the San José Municipal Water System, which obtains its water supply from a combination of groundwater sources, purchased water from its two wholesale water suppliers, Valley Water and San Francisco Public Utilities Commission, and recycled water. The service area covers both residential and commercial land uses, and approximately 130,000 residents receive their water service through San José Municipal Water System.¹⁹⁹ Based on San José Municipal Water System's actual 2020 water usage, per capita water demand is approximately 181 gallons per day.²⁰⁰

The Project Components Sites consist of undeveloped parcels and public right-of-way along existing roads. As discussed in Section 3.5.8.1, the SCBGF/SCDC Site is served by existing water mains on Fontanoso Way and Silver Creek Valley Road. The Hellyer Switching Station Site is served by an existing water line located in Piercy Road.²⁰¹

Sanitary Sewer/Wastewater Treatment

Wastewater from the City is treated at the San José/ Santa Clara Regional Wastewater Facility (Facility), which is administered and operated by the City's Department of Environmental Services. The Facility provides primary, secondary, and tertiary treatment of wastewater and has the capacity to treat 167 million gallons per day of wastewater. The Facility treats an average of approximately 84 millions of gallons per day of wastewater and serves 1.4 million residents and 17,000 businesses in eight cities and four sanitation districts.²⁰² The Facility has the capacity to treat 167 million gallons of wastewater per day (mgd) during dry weather flow, with the City allocated 108.6 mgd of existing capacity.²⁰³ The City of San José generates approximately 69.8 mgd of dry weather average flow, leaving 38.8 of excess treatment capacity at the Facility for the City's wastewater treatment

¹⁹⁹ City of San José. *2020 Urban Water Management Plan*. June 2021. Page ES-1.

²⁰⁰ Ibid. Page ES-3.

²⁰¹ City of San José. *455 Piercy Road Industrial Warehouse Project Initial Study*. July 2022. <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/negative-declaration-initial-studies/455-piercy-rd-industrial-warehouse>

²⁰² City of San José. "San José-Santa Clara Regional Wastewater Facility." Accessed March 12, 2026. <https://www.sanjoseca.gov/your-government/departments-offices/environmental-services/water-utilities/regional-wastewater-facility>.

²⁰³ San José-Santa Clara Regional Wastewater Facility. "2022 Annual Pollution Prevention Report." August 2020. Page 4. Accessed March 12, 2026. <https://www.sanjoseca.gov/home/showpublisheddocument/99424/638224377363630000>

demands.²⁰⁴ The Facility is currently operating under a 120-mgd weather effluent flow constraint and, in 2022, the average dry weather effluent flow was 60.6 mgd.²⁰⁵

The Project Components Sites do not currently generate wastewater. As described in Section 3.5.8.2 Sanitary Sewer Infrastructure, there is an existing six-inch sanitary sewer stub connecting the SCBGF/SCDC Site to the existing eight-inch sanitary sewer main in Silver Creek Valley Road.

Storm Drainage

The City of San José owns and maintains the municipal stormwater drainage system which serves the Project Site. The Project Components Sites are located within an urbanized area served by an existing storm drainage system. Surface runoff from the Project Site storm drains discharge into the City's storm drain system, which carries runoff into the Coyote Watershed and eventually into the San Francisco Bay. As discussed in section 3.5.7 Stormwater Controls and Features, there are five storm drain laterals stubbed at the eastern and southern property lines of the SCBGF/SCDC Site. There are two storm drain laterals on Fontanoso Way and three laterals on Silver Creek Valley Road. Surface runoff from the Hellyer Switching Station Site flows into an existing 48-inch storm drain line within Piercy Road that ultimately connects to the existing storm drain manhole in Piercy Road.²⁰⁶

Solid Waste

The City of San José generates approximately 1.7 million tons of solid waste annually.²⁰⁷ Most of that waste (approximately 60 percent) is diverted and disposed of at recycling facilities and composting facilities. Solid waste generated within the City is transported to Guadalupe Mines, Kirby Canyon, Newby Island, and Zanker Road landfills. The City has an existing contract with Newby Island Sanitary Landfill (NISL). The NISL has approximately 10.1 million cubic yards (10,139,931 cubic yards) of disposal capacity remaining and an estimated closure date of 2035.²⁰⁸ The City has an annual disposal allocation for 395,000 tons per year. The Project Components Sites do not currently generate solid waste.

²⁰⁴ City of San José. *Integrated Final Program Environmental Impact Report for the Envision San José 2040 General Plan*. SCH# 2009072096. September 2011. Page 648.

²⁰⁵ San José-Santa Clara Regional Wastewater Facility. "2022 Annual Self-Monitoring Report." Page 5. Accessed March 12, 2026. <https://www.sanjoseca.gov/home/showpublisheddocument/94789/638124181781530000>.

²⁰⁶ City of San José. *455 Piercy Road Industrial Warehouse Project Initial Study*. July 2022. <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/negative-declaration-initial-studies/455-piercy-rd-industrial-warehouse>

²⁰⁷ City of San José. *Integrated Final Program Environmental Impact Report for the Envision San José 2040 General Plan*. SCH# 2009072096. September 2011. Page 650.

²⁰⁸ Boccaleoni, Anthony. Republic Services. Personal Communication. May 30, 2025.

4.19.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Be noncompliant with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐
Would the project result in a cumulatively considerable contribution to a cumulatively significant utilities and service systems impact?	☐	☐	☒	☐

Note that the off-site multi-modal improvements will be located within the existing public-right-of-way of Silver Creek Valley Road (between Piercy Road and Fontanoso Way) and are assumed to have no impact on utilities since the assumed construction efforts (e.g., striping, placement of a bus stop sign, installation of bollards and curbs) would not require new utilities or alter existing utilities. Additionally, the off-site multi-modal improvements would not require any utility services, like water or wastewater, once completed. For these reasons, the off-site multi-modal improvements are not discussed further in the following impact analysis.

4.19.2.1 *Project Impacts*

- a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
-

Water Facilities

SCBGF/SCDC

Potable Water

The SCBGF/SCDC would connect to the water mains on Fontanoso Way and Silver Creek Valley Road with 12-inch laterals. The SCBGF/SCDC would not require the construction or expansion of potable water delivery systems or the expansion of the boundaries of the San José Municipal Water System service area. The construction of the new water laterals would be subject to the PDMs identified in this SPPE Application. Therefore, the SCBGF/SCDC would not result in significant environmental effects related to the relocation or construction of new or expanded potable water facilities. **(Less than Significant Impact)**

Recycled Water

The Project does not propose to utilize recycled water and therefore will have no impact on the City's recycled water infrastructure.

Wastewater Treatment Facilities

The SCBGF/SCDC would connect to the City's existing sanitary sewer system. As mentioned in Section 3.5.8.2 Sanitary Sewer Infrastructure, the SCBGF/SCDC will connect to an existing six-inch sewer stub on Silver Creek Valley Road. The existing sewer main on Silver Creek Valley Road is eight-inches in diameter. The construction of new sewer lines would be subject to the PDMs identified in this SPPE Application. Therefore, the Project would not result in significant environmental effects related to the relocation or construction of new or expanded wastewater and sanitary sewer facilities. **(Less than Significant Impact)**

Stormwater Drainage Facilities

As discussed in Section 4.10 Hydrology and Water Quality, the Project would result in an increase of impervious surface and runoff at the Project Components Sites. The SCBGF/SCDC would be required to comply with the MRP and City of San José Policy 6-29, which would remove pollutants and reduce the rate and volume of runoff under the design storm from the Site to levels that are at or below existing conditions. As described under Section 3.5.7, the Project would include the construction of LID bioretention areas totaling approximately 39,500 square feet. These stormwater treatments would promote on-site infiltration and reduce stormwater runoff on-site. The proposed

storm drainage improvements would occur during grading and would be required to implement the PDMs identified in this SPPE Application. **(Less than Significant Impact)**

Hellyer Switching Station and PG&E Transmission Line

Potable Water

The proposed Hellyer Switching Station would not require potable water as the facility would be unmanned. The PG&E transmission line would be located within the public right-of-way along existing roads and would not require potable water.

Wastewater Treatment Facilities

The proposed Hellyer Switching Station would not require sanitary sewer connections as the facility would be unmanned. The PG&E transmission line would be located within the public right-of-way along existing roads and would not require wastewater treatment.

Stormwater Drainage Facilities

PG&E would also be required to comply with Provision C.3 of the MRP for the proposed Hellyer Switching Station. The PG&E transmission line will not result in significant water quality impacts post construction. The transmission line will be either underground or overhead and will be located entirely within the public right of way. **(Less than Significant Impact)**

Electric Power, Natural Gas, and Telecommunication Facilities

As discussed in Section 3.5.4 PG&E Hellyer Switching Station and Transmission Line, the Project would construct a new 115-kV 34.5 kV substation. The substation will connect to PG&E's 115kV electrical distribution system. To service the SCBGF/SCDC, PG&E will be constructing a "looped" transmission interconnection to the proposed Hellyer Switching Station. The Hellyer Switching Station will loop into the existing Metcalf-Evergreen #1 and #2 115-kV transmission line. The proposed Hellyer Switching Station will be designed and constructed in accordance with PG&E standards and will be subject to the PDMs identified in this SPPE Application.

PG&E will also construct a new transmission line to connect the switching station to the Project substation. The potential PG&E transmission line route is located within the public right-of-way along Silver Creek Valley Road, Hellyer Avenue, and Piercy Road. The environmental impacts of electric infrastructure improvements are included the analysis in this SPPE Application. As described throughout this SPPE Application, PG&E would implement PG&E AMMs, BMPs, and programmatic measures to reduce environmental impacts associated with the construction of the transmission line and "looped" transmission interconnection between the proposed Hellyer Switching Station and existing Metcalf-Evergreen #1 and #2 115-kV transmission lines.

The Project would not connect to the existing natural gas lines because the Project Applicant has proposed that no natural gas infrastructure would be constructed. The Project would tie into

existing telecommunication lines and would not require the expansion or construction of new telecommunication facilities.

For these reasons, the Project would not result in significant environmental effects related to the relocation or construction of new or expanded electric, natural gas, or telecommunication facilities since the Project would be subject to the PDMs identified in this SPPE Application to reduce environmental impacts. **(Less than Significant Impact)**

-
- b) Would the project have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
-

SCBGF/SCDC

As described in Section 3.5.2.2, the SCBGF/SCDC will use air-cooled chillers to remove the heat generated in the data center. The air-cooled chillers will not use water for the cooling process. As shown in Table 3.5-1, the SCBGF/SCDC will have a potable water demand of approximately 8,700 gallons per day, which equates to 3,175,562 gallons per year (or 9.73 acre-feet per year). For industrial projects, the CEQA Guidelines define a “Water Demand Project” as an industrial, manufacturing/processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area (or, alternatively, any project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project). The SCBGF/SCDC would not house more than 1,000 persons, occupy more than 40 acres of land, or have more than 650,000 square feet of floor area. Additionally, the estimated water demand of 3,175,526 gallons per year or 9.73 acre-feet per year would be less than a typical 500 residential dwelling unit project, which is estimated to range from 150 to 250 acre-feet per year.²⁰⁹ For these reasons, the proposed Project is not considered a “Water Demand Project” under CEQA Guidelines Section 15155. Therefore, it does not require a project-level WSA.

In 2022, the City of San José prepared and adopted an IS/MND for an industrial warehouse project on the SCBGF/SCDC Site.²¹⁰ The IS/MND concluded that the approximately 226,873 square feet of warehouse space, 10,000 square feet of office space, and approximately 45,000 square feet of manufacturing uses and would use approximately 180,183 gallons per day of water, which is 99 percent more than the SCBGF/SCDC.²¹¹ The IS/MND concluded that the 2022 project’s water demand had been accounted for the water supply assessment prepared for the General Plan; therefore, adequate water would be available to the 2022 project.²¹² Given the SCBGF/SCDC would

²⁰⁹ Based on 0.3-0.5 acre-feet per year per dwelling unit, multiplied by 500 dwelling units. Source: California Department of Water Resources. Guidebook for Implementation of Senate Bill 610 and Senate Bill 221 of 2001. October 8, 2003. Accessed at <https://cawaterlibrary.net/wp-content/uploads/2017/06/guidebook.pdf>.

²¹⁰ City of San José. *5977 Silver Creek Valley Road Warehouse Project 1st Amendment Initial Study*. August 2022. Available at: <https://www.sanjoseca.gov/your-government/departments-offices/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/negative-declaration-initial-studies/5977-silver-creek-valley-road-warehouse-project>

²¹¹ Ibid. Page 140.

²¹² Ibid. Pages 140-141.

generate substantially less water demand than the 2022 project, the Project would have a less than significant impact on the City's water supply.

Hellyer Switching Station and PG&E Transmission Line

Neither the Hellyer Switching Station nor the PG&E transmission line would use water.

As documented above, sufficient water supplies would be available to serve the proposed Project and reasonably foreseeable future development during normal and dry years. **(Less than Significant Impact)**

-
- c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
-

SCBGF/SCDC

As shown in Table 3.5-2, the proposed SCBGF/SCDC would generate approximately 574.1 gallons per day or 3,813,380 gallons per year of wastewater. This would be approximately 0.001 percent of the remaining allocation (38.85 millions of gallons per day) of the Facility.

Hellyer Switching Station and PG&E Transmission Line

Neither the Hellyer Switching Station nor the PG&E transmission line would generate wastewater.

As documented above, the proposed Project would not represent a significant increase in wastewater above existing commitments and would not impact capacity for a wastewater treatment provider to provide wastewater treatment. **(Less than Significant Impact)**

-
- d) Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
-

SCBGF/SCDC

As discussed in Section 4.19.1.2 Existing Conditions, the Newby Island Landfill has approximately 10.1 million cubic yards of capacity remaining. The Project would generate approximately 480 tons²¹³ of solid waste per year, which represents approximately 0.1 percent of the City's annual disposal allocation. The solid waste that would be generated by the Project would be

²¹³ Using a rate of 0.930 tons of solid waste per year per 1,000 square feet. 516,000 square feet of data center building/1,000 square feet = 516 square feet. 516 square feet * 0.930 tons per year = 480 tons of solid waste per year. Source: California Air Pollution Officers Association. "California Emissions Estimator Model (CalEEMod) User Guide Version 2022.1, Appendix G, Default Data Tables." April 2022. G-36. Accessed March 12, 2026. <https://www.caleemod.com/user-guide>.

accommodated by local landfills. Furthermore, each jurisdiction in Santa Clara County has a landfill diversion requirement of 50 percent per year. According to the latest Five-Year Countywide or Regional Agency Integrated Waste Management Plan, the County has adequate disposal capacity beyond 2030.²¹⁴ The Project would be required to conform to City plans and policies and other applicable laws and regulations to reduce solid waste generation and would be served by a landfill with adequate capacity.

Hellyer Switching Station and PG&E Transmission Line

The Hellyer Switching Station and PG&E transmission line would not generate solid waste.

For these reasons, the proposed Project would not exceed the capacity of existing landfills or solid waste disposal infrastructure, nor would it impair the attainment of solid waste reduction goals.

(Less than Significant Impact)

-
- e) Would the project be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste?
-

SCBGF/SCDC

During construction, the SCBGF/SCDC would be required to provide on-site recycling bins, develop a construction waste management plan, salvage at least 75 percent of nonhazardous construction/demolition debris (by weight), and implement other waste reduction measures as per current CALGreen requirements. While the Project would increase solid waste generation compared to existing conditions, the SCBGF/SCDC would conform with City's Zero Waste Strategic Plan. Compliance with the local policy would ensure that the proposed Project would not result in significant impacts on solid waste disposal capacity in excess of state or local standards or in excess of NISL remaining capacity.

Hellyer Switching Station and PG&E Transmission Line

The PG&E switching station and transmission line would not generate any solid waste once operational.

For the reasons documented above, the Project would have a less than significant impact on federal, state, or local management and reduction statutes and regulations related to solid waste.

(Less than Significant Impact)

²¹⁴ Santa Clara County. *Five-Year CIWMP/RAIWMP Review Report*. June 2016.

4.19.2.2 Cumulative Impacts

Would the project result in a cumulatively considerable contribution to a cumulatively significant utilities and service systems impact?

Relocation or Construction of New or Expanded Facilities

The geographic study area for cumulative impacts to utilities and service systems is citywide or within the applicable utility's service area. Except for extensions to existing utility infrastructure located adjacent to the Project Components Sites within existing public rights of way, the Project would not require the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, natural gas, or telecommunications facilities. The Envision San José 2040 General Plan Integrated Final Program EIR found that buildout of the General Plan would not result in impacts related to water supply, wastewater treatment and storm drainage facilities, or solid waste infrastructure. Any proposed new or expanded facilities necessitated by future cumulative development would be subject to environmental review and is not anticipated to result in significant environmental effects. Cumulative PG&E projects would implement PG&E AMMs, BMPs, and programmatic measures to reduce environmental impacts. Therefore, the Project would not result in cumulatively significant effects on the environment related to the relocation or construction of new or expanded facilities.

Water Supply

The geographic area for cumulative water supply is the service area of San José Municipal Water. The General Plan FEIR concluded that San José Municipal Water has sufficient water supply for cumulative development under the General Plan through 2040, assuming water conservation measures are implemented in accordance with Chapter 15.10 of the City's Municipal Code during dry years.²¹⁵ As part of its current UWMP, San José Municipal Water adjusted its water use projections to match the rate of population growth. The UWMP concluded that San José Municipal Water has adequate water supplies in normal water years through 2045.²¹⁶ During a single dry year or multiple dry years, conservation measures would need to be implemented consistent with the General Plan EIR.²¹⁷ Cumulative PG&E projects would have minimal demand for water. For these reasons, there is no significant cumulative water supply impact.

Wastewater Treatment

The geographic area for cumulative wastewater treatment is the service area of the Facility. As discussed under checklist question c), there is sufficient treatment capacity at the Facility for the buildout of the General Plan and the Project. Cumulative PG&E projects would generate minimal

²¹⁵ City of San José. *Integrated Final Program Environmental Impact Report for the Envision San José 2040 General Plan*. SCH# 2009072096. September 2011. Page 665.

²¹⁶ San José Municipal Water. *2020 Urban Water Management Plan*. June 2021. Page ES-4.

²¹⁷ Ibid.

wastewater. As such, the Project would not result in a cumulatively significant impact on wastewater treatment facilities.

Solid Waste

The geographic area for cumulative landfill capacity is Santa Clara County. As discussed under checklist question d), the Envision San José 2040 General Plan Integrated Final Program EIR determined that the increase in waste generated by build out of the General Plan (which includes the Project and future cumulative projects) would not result in an exceedance of capacity at existing landfills or otherwise impair the attainment of solid waste reduction goals. Cumulative projects in the City would be required to conform to City plans and policies to reduce solid waste generation and increase waste diversion, such as the Zero Waste Strategic Plan and General Plan Policies IN-1.5, IN-5.1, IN-5.3, IN-5.4, and IP-3.8. Cumulative PG&E projects would not generate significant quantities of solid waste. As such, the Project would not result in a cumulatively significant solid waste impact.

All cumulative projects are required to adhere to the requirements of the Zero Waste Strategic Plan and General Plan policies, thereby complying with applicable statutes and regulations related to solid waste, including CALGreen, AB 939, AB 341, and local waste diversion requirements. Therefore, the Project would not result in a cumulatively significant impact due to noncompliance with federal, state, or local management and reduction statutes and regulations related to solid waste.

Based on the above, the Project would not result in a cumulatively considerable contribution to a significant cumulative utilities and service systems impact. **(Less than Significant Cumulative Impact)**

4.20 Wildfire

4.20.1 Environmental Setting

4.20.1.1 *Regulatory Framework*

Fire Hazard Severity Zones

CAL FIRE is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. Referred to as FHSZs, these maps influence how people construct buildings and protect property to reduce risk associated with wildland fires. FHSZs are divided into areas where the state has financial responsibility for wildland fire protection, known as state responsibility areas (SRAs), and areas where local governments have financial responsibility for wildland fire protection, known as local responsibility areas (LRAs). Homeowners living in an SRA are responsible for ensuring that their property is in compliance with California's building and fire codes. Only lands zoned for very high fire hazard are identified within LRAs.

California Fire Code Chapter 47

Chapter 47 of the California Fire Code sets requirements for wildland-urban interface fire areas that increase the ability of buildings to resist the intrusion of flame or burning embers being projected by a vegetation fire, in addition to systematically reducing conflagration losses through the use of performance and prescriptive requirements.

California Public Resources Code Section 4442 through 4431

The California Public Resources Code includes fire safety regulations that restrict the use of equipment that may produce a spark, flame, or fire; require the use of spark arrestors on construction equipment that uses an internal combustion engine; specify requirements for the safe use of gasoline-powered tools on forest-covered land, brush-covered land, or grass-covered land; and specify fire suppression equipment that must be provided on-site for various types of work in fire-prone areas. These regulations include the following:

- Earthmoving and portable equipment with internal combustion engines would be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (Public Resources Code Section 4442);
- Appropriate fire suppression equipment would be maintained during the highest fire danger period, from April 1 to December 1 (Public Resources Code Section 4428);
- On days when a burning permit is required, flammable materials would be removed to a distance of 10 feet from any equipment that could produce a spark, fire, or flame, and the construction contractor would maintain appropriate fire suppression equipment (Public Resources Code Section 4427); and
- On days when a burning permit is required, portable tools powered by gasoline-fueled internal combustion engines would not be used within 25 feet of any flammable materials (Public Resources Code Section 4431).

California Public Resources Code Section 4291

The California Public Resources Code requires owners of property in mountainous, forest, brush, or grass-covered areas to maintain 100 feet of defensible space (split into two 50-foot zones) around all structures. This law aims to reduce fire hazards by clearing flammable vegetation, with non-compliance potentially resulting in fines, particularly for repeat offenses.

California Public Resources Code Section 4292 through 4293

The California Public Resources Code provides regulations to enhance safety with regard to the operation and management of electrical transmission lines. These include, but are not limited to, the following:

- PRC Section 4292: This section requires the clearing of flammable vegetation around specific structures that support certain connectors or types of electrical apparatus. An approximately 10-foot radius around such structures must remain clear of vegetation for the entirety of the fire season.
- PRC Section 4293: This section requires specific clearance between conductors and vegetation. As the line voltage increases, the clearance radius also increases. In addition, some trees must be removed if they pose the potential to fall on an electrical transmission line and cause damage.

California Public Resources Code Section 8387

Under subsection (a) of PRC Section 8387, each local publicly owned electric utility will construct, maintain, and operate its electrical lines and equipment in a manner that will minimize the risk of wildfire posed by those electrical lines and equipment. Under subsection (b)(1) of PRS Section 8387, the local publicly owned electric utility will prepare a wildfire management plan before January 1, 2020. After January 1, 2020, a local publicly owned electric utility will prepare a wildfire management plan annually and will submit the plan to the California Wildfire Safety Advisory Board on or before July 1 of that calendar year. The plan will be updated annually and submitted to the California Wildfire Safety Advisory Board by July 1 of each year. At least once every three years, the submission will be a comprehensive revision of the plan.

California Code of Regulations Title 14

The California Board of Forestry and Fire Protection has adopted regulations, known as SRA Fire Safe Regulations, which apply basic wildland fire protection standards for building, construction, and development occurring in a SRA. The future design and construction of structures, subdivisions and developments in SRAs are required to provide for the basic emergency access and perimeter wildfire protection measures discussed in Title 14.

Fire Management Plans

CAL FIRE has developed an individual Unit Fire Management Plan for each of its 21 units and six contract counties. CAL FIRE has developed a strategic fire management plan for the Santa Clara Unit, which covers the project area and addresses citizen and firefighter safety, watersheds and water, timber, wildlife and habitat (including rare and endangered species), unique areas (scenic, cultural, and historic), recreation, range, structures, and air quality. The plan includes stakeholder contributions and priorities and identifies strategic areas for pre-fire planning and fuel treatment as defined by the people who live and work with the local fire issues.

CPUC General Order 95

CPUC General Order (G.O.) 95 Rules for Overhead Line Construction provides general standards for the design and construction of overhead electric transmission lines. These requirements are intended to ensure safety to workers engaged in the construction, operation and maintenance and use of electrical facilities. The regulations are also intended to ensure the general reliability of the State's utility infrastructure and services. Rule 35 of G.O. 95 establishes minimum clearances between line conductors and nearby vegetation for fire prevention purposes. These minimum clearances must be maintained through tree trimming prior to construction and throughout operation and maintenance of utility facilities.

CPUC Decision (D.) 17-12-024

On December 21, 2017, the CPUC issued Decision (D.) 17-12-024, which adopted regulations to enhance fire-safety in the High Fire-Threat District (HFTD). On January 19, 2018, the CPUC adopted the final CPUC Fire-Threat Map. The adopted CPUC Fire-Threat Map, together with the map of Tier 1 High Hazard Zones (HHZs) in the U.S. Forest Service-California Department of Forestry and Fire Protection's (CAL FIRE) joint map of tree mortality HHZs, form the HFTD Map where stricter fire-safety regulations apply.

PG&E Wildfire Mitigation Plan

PG&E's Wildfire Mitigation Plan is a comprehensive strategy to reduce ignitions by implementing mitigations designed to minimize the likelihood of catastrophic wildfires, while also maintaining the reliability of the electric system and limiting disruptions to customers arising from our wildfire mitigation efforts. The framework of PG&E's wildfire mitigation portfolio includes four categories of mitigations to disrupt the wildfire sequence: (1) comprehensive monitoring and data collection; (2) operational mitigations; (3) system resilience; and (4) community support. Some of the strategies identified in the Wildfire Mitigation Plan include:

- Grid design and system hardening
- Automated equipment
- Asset inspections of overhead transmission lines via aerial method (drone, helicopter, or aerial lift) paired with desktop image review or by an inspector on the ground

- Routine inspections for substations and switchyards via ground-based inspections, infrared inspections, and drone-based aerial inspections
- Equipment maintenance and repair

Local

Envision 2040 General Plan

The following policies in the City's General Plan have been adopted for the purpose of reducing or avoiding impacts related to wildfire.

Policy	Description
EC-8.1	Minimize development in very high fire hazard zone areas. Plan and construct permitted development so as to reduce exposure to fire hazards and to facilitate fire suppression efforts in the event of a wildfire.
EC-8.2	Avoid actions which increase fire risk, such as increasing public access roads in very high fire hazard areas, because of the great environmental damage and economic loss associated with a large wildfire.
EC-8.3	For development proposed on parcels located within a very high fire hazard severity zone or wildland-urban interface area, implement requirements for building materials and assemblies to provide a reasonable level of exterior wildfire exposure protection in accordance with City-adopted requirements in the California Building Code.

San José Fire Department Wildland-Urban Interface Fire Conformance Policy

Buildings proposed to be built within the SJFD WUI shall comply with all WUI materials and construction methods per CBC Chapter 7A and CRC Section R337.²¹⁸ The applicant shall, prior to construction, provide sufficient detail to demonstrate that the building proposed to be built complies with this policy. Building Permit Plans are also to be approved by the SJFD.

4.20.1.2 *Existing Conditions*

The Project area is located in the Wildland Urban Interface (WUI).^{219,220} The SCBG/SCDC Site is not located in a Hazard Severity Zone (FHSZ) per the CAL FIRE map.²²¹ The Hellyer Switching Station Site (including the associated steel monopoles to be installed in the hillside area to the east) and portions of the PG&E transmission line route are located in the High FHSZ.

²¹⁸ San José Fire Department. *Wildland-Urban Interface (WUI) Fire Conformance Policy*. January 1, 2017. <https://www.sanjoseca.gov/Home/ShowDocument?id=9345>.

²¹⁹ City of San José. *Public GIS Viewer*. Accessed March 4, 2026. <https://gis.sanjoseca.gov/maps/publicgisviewer/>

²²⁰ Wildland-urban interface areas are areas that have a history of wildfire and are vulnerable to wildfire given their proximity to vegetative fuels. They are typically transitional areas, where structures and other human development meet or intermingle with undeveloped wildland.

²²¹ California Department of Forestry and Fire Protection. *Fire Hazard Severity Zone Viewer*. Accessed March 4, 2026. <https://experience.arcgis.com/experience/6a9cb66bb1824cd98756812af41292a0>

4.20.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐
Would the project result in a cumulatively considerable contribution to a cumulatively significant wildfire impact?	☐	☐	☒	☐

4.20.2.1 Project Impacts

The Hellyer Switching Station Site (including the associated steel monopoles to be installed in the hillside area to the east) and portions of the PG&E transmission line route are located in the High FHSZ. The Project area is located in the WUI. Factors that contribute to the risk of wildland fire include dense and fire-prone vegetation, poor access to firefighting equipment because of slopes or inadequate roads, and lack of adequate water pressure and service in fire-prone locations.

-
- a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?
-

SCBGF/SCDC

Construction and operation of the SCBGF/SCDC and the off-site multi-modal improvements, which would be done in accordance with City building and fire codes and regulations, would not impair implementation of or physically interfere with the City's adopted EOP, which is not tied to access

onto or through the Site. In addition, the SCBGF/SCDC would be constructed in accordance with current building and fire codes and would be required to be maintained in accordance with applicable City policies identified in the General Plan FEIR to avoid unsafe building conditions. Therefore, the SCBGF/SCDC would be consistent with existing emergency response plans and emergency evacuation plans.

Hellyer Switching Station and PG&E Transmission Line

PG&E will operate and maintain the Hellyer Switching Station and transmission line in accordance with PG&E's Wildfire Mitigation Plan (refer to Section 4.20.1.1. Regulatory Framework). Additionally, G.O. 95 from the CPUC regulates all aspects of design, construction, and operations and maintenance of electrical power lines and fire safety hazards for utilities subject to its jurisdiction. The Hellyer Switching Station and PG&E transmission line would not impair implementation of or physically interfere with the City's adopted EOP, which is not tied to access onto or through the Sites. Roadways adjacent to Hellyer Switching Station Site, and roadways in which the PG&E Transmission Line would be located, that may be temporarily affected during project construction are not considered evacuation routes. As a result, any temporary road closures would not impair emergency evacuation activities.

For these reasons, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. **(Less than Significant Impact)**

-
- b) Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
-

SCBGF/SCDC Site

The SCBGF/SCDC Site and the off-site multi-modal improvements are relatively flat. According to a study on the "Influence of Slope on Fire Spread Rate" conducted by the USDA Forest Service²²², slopes of zero to 10 degrees do not contribute to acceleration of fire. The SCBGD/SCDC would avoid exacerbating wildfire risks by complying with the standards set forth in the California Public Resources Code Section 4442 through 4431, which include restrictions on the type of equipment that can be used in fire prone areas to reduce the risk of causing wildfire during construction activities (refer to Section 4.20.1.1 Regulatory Framework). As discussed in checklist question a), the SCBGF/SCDC would be constructed in accordance with current building and fire codes and would be required to be maintained in accordance with applicable City policies identified in the General Plan FEIR to avoid unsafe building conditions.

²²² B.W. Butler, W.R. Anderson, and E.A. Catchpole. Influence of Slope on Fire Spread Rate. USDA Forest Service Proceedings RMRS-P-46CD. 2007. Accessed February 16, 2024. <https://research.fs.usda.gov/treesearch/28552>.

Hellyer Switching Station Site and PG&E Transmission Line

While the Hellyer Switching Station Site and portions of the PG&E transmission line are located in a CAL FIRE High FHSZ, they are not located in a CPUC designated HFTD.²²³ The Hellyer Switching Station Site is situated near the base of a hillside where the Silver Creek Hills transition to the valley bottom. Approximately one half (southwest one half) of the site is nearly level but with minor terracing from previous grading activities. Lowland portions of the site have been graded to three pads that decrease in elevation to the southwest.²²⁴ PG&E's existing Metcalf-Evergreen #1 and #2 115-kV transmission lines are located east of the Hellyer Switching Station Site in the hillside. The Hellyer Switching Station will loop into the Metcalf-Evergreen #1 and #2 115-kV transmission lines via three new steel monopoles. The monopoles will be installed at the eastern fenceline of the Hellyer Switching Station Site in a relatively flat area, and the three steel monopoles will replace two existing lattice steel towers and will be installed within the existing PG&E right of way in the hillside area east of the Hellyer Switching Station Site. The Project would replace and modernize existing PG&E infrastructure in the hillside area and, therefore, would not exacerbate wildfire risks. Additionally, PG&E operates and maintains its facilities in accordance with its Wildfire Mitigation Plan and CPUC G.O. 95, further reducing wildfire risks.

Therefore, the Project would not, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to increased risk from pollutant concentrations due to a wildfire or the uncontrolled spread of a wildfire. **(Less than Significant Impact)**

-
- c) Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
-

The Project involves construction of the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements. The construction of these improvements would comply with the standards set forth in the California Public Resources Code Section 4442 through 4431. As discussed in checklist question a), the SCBGF/SCDC would be constructed in accordance with current building and fire codes and would be required to be maintained in accordance with applicable City policies identified in the General Plan FEIR to avoid unsafe building conditions. PG&E will operate and maintain the Hellyer Switching Station and Transmission Line in accordance with PG&E's Wildfire Mitigation Plan. Additionally, G.O. 95 from the CPUC regulates all aspects of design, construction, and operations and maintenance of electrical power lines and fire safety hazards for utilities subject to its jurisdiction. Thus, the installation and maintenance of the proposed infrastructure would not exacerbate fire risk or result in temporary or ongoing impacts to the environment. **(Less than Significant Impact)**

²²³ California Public Utilities Commission. *CPUC High Fire Threat District (HFTD) App*. Accessed March 10, 2026. <https://experience.arcgis.com/experience/7dfb589984a442e79b1441e791341db0>

²²⁴ City of San José. *Piercy Road Industrial Warehouse Project Initial Study*. July 2022. Appendix D.

-
- d) Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?
-

SCBGF/SCDC Site

As discussed in Section 4.7 Geology and soils, the SCBGF/SCDC Site and the off-site multi-modal improvements are located in a relatively flat area and not adjacent to any steep slopes. Further, the SCBGF/SCDC Site and the off-site multi-modal improvements are located within the FEMA Flood Zone D, which is a zone that does not contain the 100-year floodplain. As a result, the Project would not expose people or structures on the SCBGF/SCDC Site to significant risks associated with downslope hazards from wildfires.

Hellyer Switching Station Site and PG&E Transmission Line

The Hellyer Switching Station Site is located within a State designated Landslide Zone. However, it has been determined that the large-scale landslide mapped on this portion of the slope is interpreted as a dormant landslide and is unlikely to move in the future.²²⁵ Hellyer Switching Station Site is situated near the base of a hillside where the Silver Creek Hills transition to the valley bottom. PG&E's existing Metcalf-Evergreen #1 and #2 115-kV transmission lines are located east of the Hellyer Switching Station Site in the hillside. The Hellyer Switching Station and PG&E Transmission Line are located within the FEMA Flood Zone D, which is a zone that does not contain the 100-year floodplain. The Hellyer Switching Station and PG&E Transmission Line will be operated remotely via automated monitoring, and consist of electrical equipment, not occupied structures. Therefore, the Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. **(Less than Significant Impact)**

4.20.2.2 Cumulative Impacts

Would the project result in a cumulatively considerable contribution to a cumulatively significant wildfire impact?

The geographic area for cumulative wildfire impacts are adjacent parcels in the wildfire hazard zone.

Cumulative development would be required to comply with City building and fire codes and regulations and would not impair implementation of or physically interfere with the City's adopted EOP. In addition, cumulative development would be constructed in accordance with current building and fire codes and would be required to be maintained in accordance with applicable City policies identified in the General Plan FEIR to avoid unsafe building conditions. Cumulative PG&E

²²⁵ City of San José. *Piercy Road Industrial Warehouse Project Initial Study*. July 2022.

infrastructure projects would be built, operated, and maintained in accordance with its Wildfire Mitigation Plan and CPUC G.O. 95.

The majority of the area in the vicinity of the Project Area is relatively flat. Through compliance with the standards set forth in the California Public Resources Code Section 4442 through 4431, cumulative development would avoid exacerbating wildfire risk.

Cumulative development in the vicinity would likely consist of typical infill development that would not require the installation of any major new infrastructure. In the event cumulative projects required new infrastructure, the construction of these improvements would comply with the standards set forth in the California Public Resources Code Section 4442 through 4431.

Cumulative projects could occur in areas of combined threats of wildfire and landslide susceptibility. The City's General Plan and Municipal Code require that all new developments be built using standard engineering and seismic safety design techniques. In addition, the City requires that all new developments implement standard permit conditions related to geologic hazards during construction (refer to Section 4.7 Geology and Soils).

As documented above, cumulative projects in the general vicinity of the Project would be constructed in accordance with current building and fire codes and would be required to be maintained in accordance with applicable City policies identified in the General Plan FEIR to avoid wildfire impacts. Therefore, the Project would result in a less than significant cumulative wildfire impact **(Less than Significant Cumulative Impact)**

4.21 Environmental Justice

4.21.1 Environmental Setting

4.21.1.1 *Regulatory Framework*

Federal

Executive Order (EO) 12898 has been rescinded pursuant to EO 14173, and EO 14096 has been rescinded pursuant to EO 14148. There is currently no federal guidance on environmental justice.

State

Pursuant with the California Code, Government Code Section 65040.12 and Public Resources Code Section 72000, the State defines environmental justice as the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies Environmental Justice includes, but is not limited to, all of the following:

- (A) The availability of a healthy environment for all people.
- (B) The deterrence, reduction, and elimination of pollution burdens for populations and communities experiencing the adverse effects of that pollution, so that the effects of the pollution are not disproportionately borne by those populations and communities.
- (C) Governmental entities engaging and providing technical assistance to populations and communities most impacted by pollution to promote their meaningful participation in all phases of the environmental and land use decision making process.
- (D) At a minimum, the meaningful consideration of recommendations from populations and communities most impacted by pollution into environmental and land use decisions.

Senate Bill 535 Disadvantaged Communities

SB 535 was established in 2012 requiring that 25 percent of the funds in the Greenhouse Gas Reduction Fund (or Cap-and-Trade program) received under the Global Warming Solutions Act of 2006 (AB 32) be allocated to projects that benefit disadvantaged communities. Under the 2016 AB 1550, the minimum funding levels are as follows:

- At least 25 percent of funds must be allocated toward disadvantaged communities
- At least 5 percent must be allocated toward projects within low-income communities or benefiting low-income households
- At least 5 percent must be allocated toward projects within and benefiting low-income communities, or low-income households, which are outside of a CalEPA-defined disadvantaged communities but within ½ mile of a disadvantaged community.

CalEPA designates disadvantaged communities as follows:

1. Census tracts receiving the highest 25 percent of overall scores in CalEnviroScreen 4.0
2. Census tracts lacking overall scores in CalEnviroScreen 4.0 due to data gaps but receiving the highest 5 percent of CalEnviroScreen 4.0 cumulative pollution burden scores.
3. Census tracts identified in the 2017 DAC designation as disadvantaged, regardless of their scores in CalEnviroScreen 4.0.
4. Lands under the control of federally recognized Tribes. For purposes of this designation, a Tribe may establish that a particular area of land is under its control even if not represented as such on CalEPA's DAC map and therefore should be considered a DAC by requesting a consultation with the CalEPA Deputy Secretary for Environmental Justice, Tribal Affairs and Border Relations at TribalAffairs@calepa.ca.gov.²²⁶

The listed designations were effective as of July 1, 2022.

California Natural Resources Agency

The California Natural Resources Agency is a state agency that is responsible for protecting natural, historical, and cultural resources in California. The California Natural Resources Agency fulfills this mission by overseeing and supporting more than 26 distinct departments, conservancies, and commissions. The California Energy Commission is overseen by the California Natural Resources Agency and therefore required to consider environmental justice in their decision-making process if their actions have an impact on the environment, environmental laws, or policies. Such actions that require environmental justice consideration may include:

- Adopting regulations
- Enforcing environmental laws or regulations
- Making discretionary decisions or taking actions that affect the environment
- Providing funding for activities affecting the environment
- Interacting with the public on environmental issues

It is also the policy of the California Natural Resources Agency to consider the fair treatment of all races, cultures, and incomes during the planning, decision-making, development and implementation of all Resources Agency programs, policies and activities. Environmental justice efforts include, but are not limited to, the following:

- Identifying relevant populations that might be adversely affected by programs or projects submitted by outside parties, as appropriate.
- Seeking out and consulting with community groups and leaders to encourage communication and collaboration prior to taking actions that may have an impact on the environment, environmental laws or policies.

²²⁶ Office of Environmental Health Hazard Assessment. "SB 535 Disadvantaged Communities." Accessed April 17, 2025. <https://oehha.ca.gov/calenviroscreen/sb535>

- Broadly distributing public information, in multiple languages if appropriate, to encourage participation in public processes.
- Ensuring that public documents and notices relating to environmental issues that may have an impact on human health are concise, understandable, and readily accessible to the public, printed in multiple languages if appropriate.
- Holding required public meetings, hearings, and workshops at times and in locations that encourage meaningful public participation by members of affected communities.
- Working in conjunction with other federal, state, regional, and local agencies to ensure consideration of disproportionate impacts on relevant populations.
- Fostering broad access to existing and proposed data sets and technology to better identify, analyze, and respond to environmental justice issues.
- Providing appropriate training to staff on environmental justice issues so that recognition and consideration of such issues are incorporated into daily program activities.²²⁷

California Environmental Protection Agency

CalEPA works with CARB, CalRecycle, the Department of Pesticide Regulation, DTSC, the Office of Environmental Health Hazard Assessment (OEHHA), and the SWRCB to implement environmental justice principles and collect data about communities throughout California. Efforts to achieve environmental justice include listening to community concerns from environmental justice liaison, distributing environmental justice grants, and identifying disadvantaged communities that are most impacted by pollution (air quality and GHG emissions). The most recent Disadvantaged Communities Designation was finalized on May 3, 2022.²²⁸

CalEnviroScreen

CalEnviroScreen is a mapping modeling tool developed by CalEPA Office of Environmental Health Hazard Assessment to identify and address California communities that are disproportionately burdened by multiple sources of pollution.²²⁹ The mapping tool includes information about geographics boundaries, air pollution, hazardous threats, sensitive populations, socioeconomic percentiles, and race/ethnicity percents.²³⁰ The latest version of this model is CalEnviroScreen 4.0, which was released on May 1, 2023.

CalEPA has the model provide a CalEnviroScreen score to represent the cumulative pollution burden impact for a census tract based on (1) the average of exposures and environmental effects (i.e., Pollution Burden) multiplied by the average of sensitive populations and socioeconomic factors

²²⁷ California Resources Agency. "Environmental Justice Policy." Accessed March 12, 2026.

<https://www.conservation.ca.gov/Documents/Environmental%20Justice%20Policy%20-%20CNRA.pdf>.

²²⁸ California Environmental Protection Agency. "Environmental Justice Program." Accessed March 12, 2026.

<https://calepa.ca.gov/envjustice/>.

²²⁹ Ibid.

²³⁰ Office of Environmental Health Hazard Assessment. "CalEnviroScreen 4.0 Data Dashboard and User Guide." December 2022. Accessed March 12, 2026. <https://storymaps.arcgis.com/stories/92100e3cfd4a4b0697db157ed507ab68>.

(i.e., Population Characteristics).²³¹ The pollution burden is calculated using the following factors: cleanup sites, DPM, drinking water contaminants, groundwater threats, hazardous waste impaired waters, lead risk from housing, pesticide use, solid waste sites, traffic impacts, and toxic release from facilities. The population characteristics are based on asthma, cardiovascular disease, education, housing burden, linguistic isolation, low birth weight, poverty, and unemployment. The Pollution Burden and Population Characteristics scores range from 0.1 to 10.²³² The CalEnviroScreen scores range from 0 to 100 with 100 being the highest score.²³³

4.21.1.2 *Existing Conditions*

The environmental justice existing conditions and methodology are based on the OEHHA CalEnviroScreen tool due to the EPA terminating the federal environmental justice guidance.²³⁴ For the purposes of this analysis, an environmental justice community is defined as a SB 535 Disadvantaged Community. The SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements Project Components Sites are not within a designated SB 535 disadvantaged community or a SB 535 designated Federal tribal area. The nearest SB 535 disadvantaged community is approximately 3.8 miles northwest of the SCBGF/SCDC Site across Lewis Street. The nearest federal tribal area is Lytton Rancheria in the city of San Pablo over 55 miles northwest of the Project Site.²³⁵ Refer to Figure 4.21-1.

The Project Components Sites are located within Census Tract 6085512001 as shown in Figure 4.21-2. This census tract has an overall CalEnviroScreen 4.0 score of 39, which indicates a lower burden and vulnerability in this census tract community.²³⁶

The population in this tract is approximately 6,868 people. Some of the population characteristics of this tract are summarized below and the percentile for the Project Area is shown in Figure 4.21-3.²³⁷

²³¹ Office of Environmental Health Hazard Assessment. "Scoring & Model." Accessed March 12, 2026.

<https://oehha.ca.gov/calenviroscreen/scoring-model>

²³² Office of Environmental Health Hazard Assessment. *CalEnviroScreen 4.0 Report*. October 2021. Pages 148 and 198.

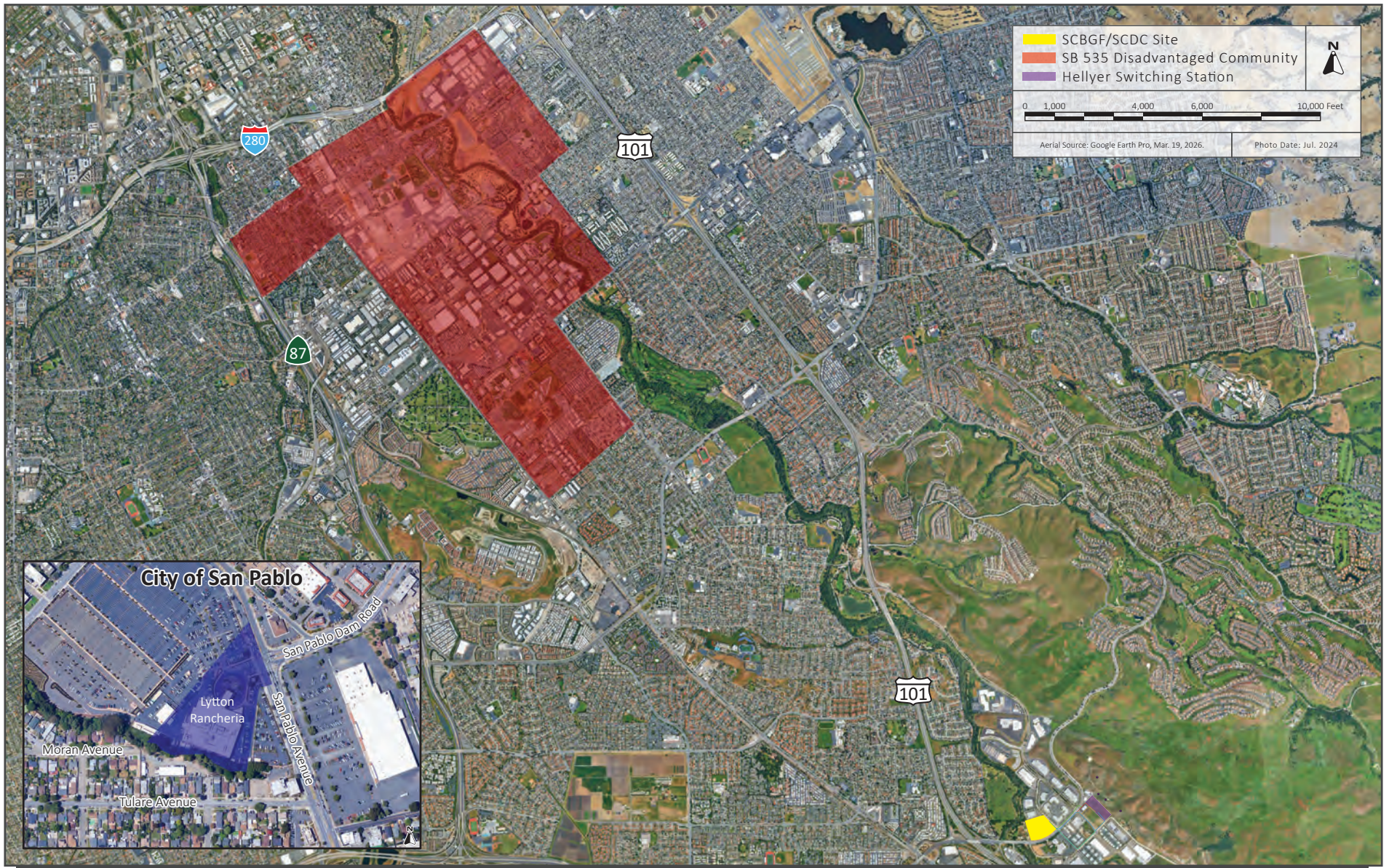
²³³ Ibid. Page 200.

²³⁴ United States Environmental Protection Agency. "EPA Terminates Biden's Environmental Justice, DEI Arms of Agency." March 12, 2025. Updated March 14, 2025. Accessed May 14, 2025. <https://www.epa.gov/newsreleases/epa-terminates-bidens-environmental-justice-dei-arms-agency>.

²³⁵ Office of Environmental Health Hazard Assessment. "SB 535 Disadvantaged Communities 2022 (Tribal Update 2024)." Updated September 27, 2024. Accessed March 12, 2026. <https://gis.data.ca.gov/maps/OEHHA::sb-535-disadvantaged-communities-2022-tribal-update-2024/about>.

²³⁶ Office of Environmental Health Hazard Assessment. "CalEnviroScreen 4.0 Data Dashboard." Accessed March 12, 2026. https://experience.arcgis.com/experience/11d2f52282a54ceebcac7428e6184203/page/CalEnviroScreen-4_0

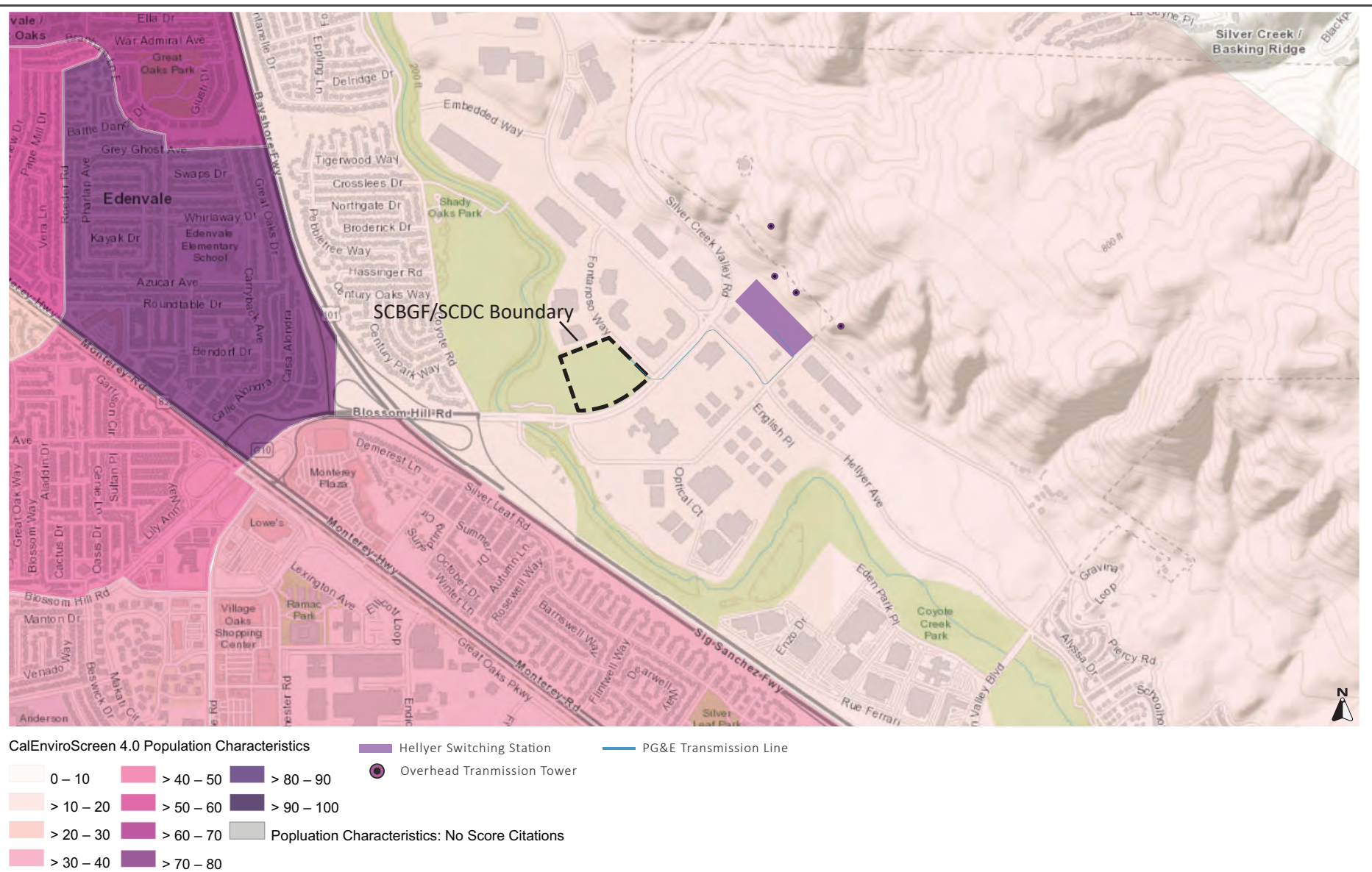
²³⁷ Office of Environmental Health Hazard Assessment. "CalEnviroScreen 4.0 Data Dashboard." Accessed March 12, 2026. https://experience.arcgis.com/experience/11d2f52282a54ceebcac7428e6184203/page/CalEnviroScreen-4_0.



SB 535 DISADVANTAGED COMMUNITIES

FIGURE 4.21-1





POPULATION CHARACTERISTICS PERCENTILE

FIGURE 4.21-3

- Age
 - o 12.07 percent of the population is 10 years or younger
 - o 77.52 percent of the population is 10 to 64 years
 - o 10.41 percent of the population is 65 years or older
- Race/Ethnicity
 - o 3.90 percent of the population is Other
 - o 23.59 percent of the population is Hispanic
 - o 24.87 percent of the population is White
 - o 47.55 percent of the population is Asian American

Additionally, approximately six percent of the people in this census tract are living below twice the federal poverty level (a measurement of poverty), which is a relatively low poverty percentage.²³⁸

The overall population characteristics, which represent physiological traits, health status, or community characteristics that can result in increased vulnerability to pollution, of this tract are within the 12th percentile, which indicates that the population characteristics in this census tract have lower vulnerability to pollution.

The pollution burden, which represents the potential exposures to pollutants and the adverse environmental conditions caused by pollution, of this census tract are summarized below with the overall pollution burden at the 38th percentile, which represents a lower potential of exposure to pollutants and adverse environmental conditions caused by pollution.²³⁹ Refer to Figure 4.21-4 for the pollution burden percentile at the Project Site and surrounding area.

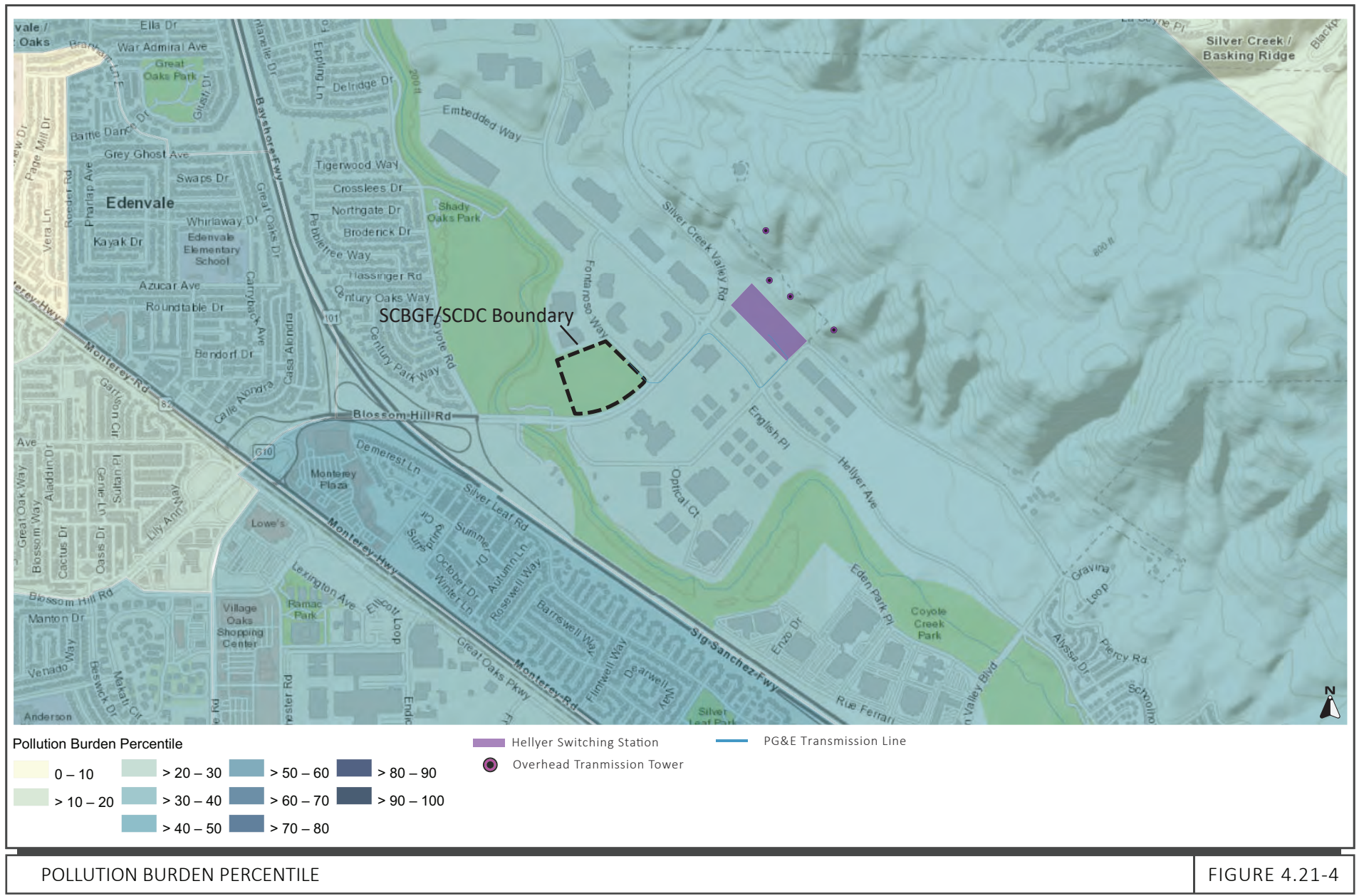
- Exposure Indicators
 - o 27th percentile for ozone exposure
 - o 12th percentile for PM_{2.5} exposure
 - o 33rd percentile for DPM exposure
 - o 43rd percentile for drinking water contamination
 - o 22nd percentile for toxic release
 - o 85th percentile for traffic exposure

²³⁸ Office of Environmental Health Hazard Assessment. "CalEnviroScreen 4.0 Indicator Maps – Population Characteristics." Accessed March 12, 2026.

https://experience.arcgis.com/experience/ed5953d89038431dbf4f22ab9abfe40d/page/Indicators?views=Population-Characteristics#data_s=id%3AdataSource_42-17c3da33767-layer-1~dataSource_36-17c3dc448ec-layer-5~dataSource_25-17c3d89e7e2-layer-1%3A1323%2Cid%3Awidget_306_output_0%3A0.

²³⁹ Office of Environmental Health Hazard Assessment. "CalEnviroScreen 4.0 Indicator Maps – Pollution Burden." Accessed March 12, 2026.

https://experience.arcgis.com/experience/ed5953d89038431dbf4f22ab9abfe40d/page/Indicators?views=Pollution-Burden#data_s=id%3AdataSource_42-17c3da33767-layer-1~dataSource_36-17c3dc448ec-layer-5~dataSource_25-17c3d89e7e2-layer-1%3A1323%2Cid%3Awidget_306_output_0%3A0.



- Environmental Effects Indicators
 - o 84th percentile for cleanup site
 - o 0 percentile for groundwater threats
 - o 97th percentile for hazardous waste
 - o 33rd percentile for impaired water
 - o 0th percentile for solid waste sites

Since the Project Components Sites are not located within a census tract that is designated as a disadvantaged community pursuant with SB 535 and does not have a score within the top 25 percent of CalEnviroScreen 4.0, the Project Components Sites are not in an area defined as an environmental justice community.

4.21.2 Impact Discussion

The following resource areas discuss impacts to environmental justice populations: Aesthetics, Air Quality, Cultural and Tribal Cultural Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Transportation and Traffic, and Utilities and Service Systems.

Aesthetics

Environmental justice populations may experience disproportionate visual impacts if the siting of visually intrusive or degrading projects, particularly industrial facilities, occurs within or near environmental justice communities to a greater extent than within the community at large.

As depicted in Figure 4.21-1 the Project Site is not located in a disadvantaged community. As discussed in Section 4.1 Aesthetics, the proposed Project is located within an urbanized area of San José which already experiences light and/or glare from the surrounding development. The Project would be reviewed for consistency with the City's Design Guidelines, and other applicable codes, policies, and regulations to ensure that the Project would not adversely affect the visual quality of the Project Area and would conform to existing architectural and landscaping standards. The proposed Project would be required to comply with the City's Outdoor Lighting on Private Development Policy (Policy 4-3). Furthermore, residents in nearby SB 535 disadvantaged communities are over 3.8 miles northwest of the Project Site and would not be directly impacted by the new light and/or glare from the Project. Implementation of the proposed Project would not substantially degrade the existing visual quality or character of the site or its surrounding area. Therefore, the proposed Project would not have the potential to affect high minority populations.
(Less than Significant Impact)

Air Quality

The Air Quality analysis for the Project (refer Section 4.3 Air Quality) noted that no sensitive receptors were within 1,000 feet of the project site (the typical buffer distance for health risk modeling). Instead, health risk modeling was completed for the nearest sensitive receptor to the

Project Site as identified in Table 4.3-19. The analysis determined that no off-site receptors (including the nearest resident, worker, and school attendees) would experience any acute or chronic cancer or non-cancer effects of health significance during construction and operation of the Project. Refer to Table 4.3-22, Table 4.3-24, and Table 4.3-25 for the health risk results at off-site receptors. While the Air Quality health risk modeling did not specifically model receptors in a SB 535 disadvantaged community (refer to Figure 4.21-1), the modeling results identified in the mentioned tables show that people residing and working in these areas would not be exposed to public health risks from the project due to the distance.

Both construction and operational emissions from the Project would not cause or contribute to a violation of any state or federal ambient air quality standard, or conflict with applicable plans and programs to attain or maintain ambient air quality. Additionally, air quality emissions generated from the construction of the Project would be further reduced with the incorporation of PDM AIR-1. Based on these conclusions, the Project would not cause disproportionate air quality impacts for sensitive populations like the environmental justice population represented in Figure 4.21-1. **(Less than Significant Impact)**

Cultural and Tribal Cultural Resources

There are no SB 535 disadvantaged community federal tribal areas within proximity to the Project Site as mentioned above in Section 4.21.1.2 Existing Conditions. The nearest federal tribal area is in the city of San Pablo over 55 miles northwest of the Project Site. At this distance, the Project would have no impact on the identified disadvantaged community federal tribal areas. **(No Impact)**

Hazards and Hazardous Materials

Environmental Justice populations may experience disproportionate hazards and hazardous materials impacts if the storage and use of hazardous materials within or near SB 535 disadvantaged communities occur to a greater extent than within the community at large. The possibility of a disproportionate impact upon a SB 535 disadvantaged community due to the planned storage and use of hazardous materials on the site is low based on the distance of the Project Site to the nearest SB 535 disadvantaged community (over 3.8 miles northwest of the Project Site).

The Project would contain diesel fuel, a hazardous material, to run the emergency generators. As discussed in Section 4.9 Hazards and Hazardous Materials, each generator unit and its integrated fuel tanks would be designed with double walls. The interstitial space between the walls of each tank would be continuously monitored electronically for the existence of liquids. This monitoring system would be electronically linked to an alarm system in the engineering office that would alert personnel if a leak were detected. Additionally, the standby generator units would be housed within a self-sheltering enclosure that prevents the intrusion of storm water. Therefore, the likelihood of a spill of sufficient quantity to impact the surrounding community and environmental justice population would be very unlikely and is considered less than significant. Further,

implementation of PDMs would ensure potential existing soil and groundwater contamination on the site would not be released into the environment. **(Less than Significant Impact)**

Hydrology and Water Quality

A disproportionate hydrologic or water quality impact on an environmental justice population could occur if a project required substantial groundwater resources or contributed significantly to surface water or groundwater quality degradation.

As discussed in Section 4.10 Hydrology and Water Quality, the Project is not located within a designated groundwater recharge zone and therefore would not require substantial groundwater resources. The Project is not expected to significantly contribute to surface water degradation, as it would include stormwater quality BMPs, such as directing site runoff into bioretention areas. The Project would be required to comply with the Clean Water Act by controlling the discharge of pollutants in storm water during its construction and operation phases. Additionally, implementation of PDMs would reduce hydrology impacts to less than significant levels. Additionally, implementation of the City's Standard Permit Conditions would reduce impacts from construction activities to less than significant levels. The Project's hydrology and water quality impacts would be reduced to less than significant for all the area's population, including the environmental justice population. Therefore, the Project is not expected to negatively impact water quality or flood hazards and would not result in a disproportionate impact to the local SB 535 disadvantaged communities population. **(Less than Significant Impact)**

Land Use and Planning

A disproportionate land use impact on an environmental justice population could occur if a project would physically divide the established community of an environmental justice population or if a project near an environmental justice population would conflict with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating environmental impacts on a population.

As discussed in Section 4.11 Land Use and Planning, the Project would not divide an existing community, as the site is on land designated and zoned for industrial uses and is generally surrounded by industrial uses and commercial uses. The SCBGF/SCDC and Hellyer Switching Station Project Components Sites are designated IP under the City's General Plan and would be consistent with the land use designation. The transmission line route would be located in the public right-of-way.

There would be no conflicts with plans, policies, or related land use regulations due to the construction and operation of the Project. Therefore, the Project would not pose significant individual impacts relating to land use and planning, and no disproportionate impacts on the environmental justice population would occur either. **(No Impact)**

Noise and Vibration

Environmental justice populations may experience disproportionate noise impacts if the siting of unmitigated industrial facilities occurs within or near environmental justice communities to a greater extent than within the community at large. As shown in Figure 4.21-3, the SCBGF/SCDC Project Site is not located within an area of low-income and high minority populations.

Construction activities would increase existing noise levels at the adjacent land uses, but they would be temporary and intermittent. As discussed in Section 4.13 Noise and Vibration, implementation of measures incorporated into the Project design would reduce construction noise impacts to less than significant levels (PDM NOI-1). Operational noise from the SCBGF/SCDC would also be further reduced with the implementation of PDM NOI-2, which requires that noise reduction measures be included in the mechanical equipment design. Furthermore, the nearest environmental justice community is over 3.8 miles northwest of the SCBGF/SCDC Site and construction and operational noise at the distance would not be perceptible. Therefore, potential noise effects related to construction and operation would not result in a significant noise impact on the Project Area's population, including the environmental justice population.

Additionally, the noise from operation of the SCBGF/SCDC would not exceed the City's noise limits at the nearest land uses with implementation of PDM NOI-2. Therefore, SCBGF/SCDC Project's noise would comply with the city's noise limits, and thus, its noise impacts would be reduced to less than significant for all the area's population, including the environmental justice population. **(Less than Significant Impact)**

Population and Housing

The potential for population and housing impacts to an environmental justice population is predominantly driven by the temporary influx of non-local construction workers seeking lodging closer to a Project Site. For the Project, the construction workers would be drawn from the greater Bay Area and would not likely seek temporary lodging closer to the Project Site. The Project would be a low employment-generating use once constructed due to the nature of a data center. Therefore, approval of the Project would not substantially increase jobs in the City. The operations workers are also anticipated to be drawn from the greater Bay Area and would not likely seek housing closer to the Project Site. If some operations workers were to relocate closer to the Project Site, there would be sufficient housing in the Project area.

A population and housing impact could disproportionately affect an environmental justice population if the Project were to displace minority or low-income residents from where they live, causing them to find housing elsewhere. If this occurs, an environmental justice population may have a more difficult time finding replacement housing due to racial biases and possible financial constraints. As discussed in Section 4.14 Population and Housing, the Project would not displace any residents or remove any housing; therefore, there would be no disproportionate impact to environmental justice populations from this Project. **(No Impact)**

Transportation and Traffic

Significant reductions in levels of service have the potential to significantly impact environmental justice populations. In particular, an impact to bus transit, pedestrian facilities, or bicycle facilities could cause disproportionate impacts to low-income communities, as low-income residents more often use these modes of transportation. However, as discussed in Section 4.17 Transportation, all transportation and traffic impacts, including impacts to alternative transportation, would be less than significant, and therefore, would cause less than significant impacts to environmental justice populations. Likewise, transportation and impacts would not be disproportionate. **(Less than Significant Impact)**

Utilities and Service Systems

A disproportionate utility or service system impact on an environmental justice population could occur if a project required substantial water resources or significantly impacted wastewater treatment facility and landfill capacity. As determined in Section 4.19 Utilities and Service Systems, adequate water supply is available to serve the Project. The Project would, therefore, not result in a disproportionate impact to the local environmental justice population. There is also significant remaining capacity at the local landfill and wastewater treatment facilities that would be utilized by the Project. No changes or expansion to the landfill or wastewater treatment facility would be needed to accommodate the Project. The Project would also be required to comply with state and local regulations that apply to construction and operation waste. These regulations would require that waste be managed to meet waste diversion goals and protect public health and safety. Therefore, the Project's Utilities and Service Systems impacts would be less than significant for all the area's population, including the environmental justice population. **(Less than Significant Impact)**

Section 5.0 Growth-Inducing Impacts

The CEQA Guidelines require that an EIR identify the likelihood that a proposed project could “foster” or stimulate “economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment” (Section 15126.2(d)). This section of the SPPE Application is intended to evaluate the impacts of such growth in the surrounding environment.

The SCBGF/SCDC is proposed on an infill site in San José. The SCBGF/SCDC Site is vacant and undeveloped but surrounded by industrial and commercial uses to the north, south, and east. The Coyote Creek Trail and Shady Oaks Open Space are adjacent to the western boundary of the SCBGF/SCDC site. The proposed transmission line would be located within the existing roadway right-of-way. The off-site multi-modal improvements would be located within Silver Creek Valley Road. The Hellyer Switching Station located at 455 Piercy Road will be constructed on an infill vacant parcel also within the City of San José boundaries; however, the proposed transmission towers that will connect the existing Metcalf-Evergreen #1 and #2 115-kV transmission lines to the proposed Hellyer Switching Station and provide power to the project are located outside the city limits and within the City’s sphere of influence. The sphere of influence are service areas designated by the Santa Clara County Local Agency Formation Commission that the City is expected to serve in the future.²⁴⁰ Furthermore, the transmission towers will be located in an area where transmission towers and transmission lines already exist. In addition, the new electrical connections to the proposed Hellyer Switching Station will be built and constructed to serve the SCBGF/SCDC as part of Prologis’s request for electricity from PG&E. The Hellyer Switching Station and the associated specific components will be PG&E’s responsibility to serve the SCBGF/SCDC. The components of the Hellyer Switching Station will solely serve the SCBGF/SCDC. Any future projects that PG&E could serve would require additional upgrades within the Hellyer Switching Station. Therefore, neither the SCBGF/SCDC nor the Hellyer Switching Station would induce growth. For these reasons, the Project will not include the expansion of the existing infrastructure that would facilitate growth in the Project vicinity or other areas of the City. Therefore, the Project would not have a significant growth inducing impact. **(Less than Significant Impact)**

²⁴⁰ City of San José. *Envision San José 2040 General Plan*. Adopted November 1, 2011. Chapter 5, Page 21.

Section 6.0 Significant and Irreversible Environmental Changes

This section was prepared pursuant to CEQA Guidelines Section 15126.2(c), which requires a discussion of the significant irreversible changes that would result from the implementation of a proposed Project. Significant irreversible changes include the use of nonrenewable resources, the commitment of future generations to similar use, irreversible damage resulting from environmental accidents associated with the Project, and irretrievable commitments of resources. Applicable environmental changes are described in more detail below.

6.1 Use of Nonrenewable Resources

The proposed Project, during construction and operation, would require the use and consumption of nonrenewable resources. Unlike renewable resources, nonrenewable resources cannot be regenerated over time. Nonrenewable resources include fossil fuels and metals. Renewable resources, such as lumber and other wood byproducts, could also be used.

Energy would be consumed during both the construction and operational phases of the Project, which includes the SCBGF/SCDC Site, Hellyer Switching Station Site, PG&E transmission line route, and the off-site multi-modal improvements. The construction phase would require the use of nonrenewable construction material, such as concrete, metals, and plastics, and glass.

Nonrenewable resources and energy would also be consumed during the manufacturing and transportation of building materials, preparation of the site, and construction of the buildings and intersection improvements. The operational phase would consume energy for multiple purposes including, but not limited to, building cooling, lighting, appliances, and electronics in the SCBGF/SCDC. Energy, in the form of fossil fuels, would be used to fuel vehicles traveling to and from the Project Components Sites. The SCBGF/SCDC has also committed to either purchase or participate in a program that would achieve the same objective of carbon-free electricity use during operations and the use of renewable diesel (See Sections 3.7 Project Design Measures and 4.8 Greenhouse Gas Emissions – PDM GHG-1 and PDM GHG-2). The SCBGF/SCDC would also be subject to the standard California Code of Regulations Title 24 Part 6 and CALGreen energy efficiency requirements. For these reasons, the Project would not result in a substantial increase in demand for nonrenewable resources.

Section 7.0 Significant and Unavoidable Impacts

A significant unavoidable impact is an impact that cannot be mitigated to a less than significant level if the project is implemented as it is proposed. The Project, with incorporation of Project Design Measures and PG&E programmatic measures described in multiple resource topic sections in Section 4.0, would not result in significant unavoidable impacts.

Section 8.0 Alternatives

8.1 Evaluation Criteria

The primary goal of the SCDC is to be a state-of-the-art data center that provides greater than 99.999 percent reliability. The SCDC has been designed to reliably meet the increased demand of digital infrastructure, its customers, and its continued growth. The SCDC'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 of power could lead to server damage or corruption of the data and software stored on the servers by Prologis' clients. The SCDC will be supplied electricity by PG&E through a new switching station (i.e., Hellyer Switching Station) owned and operated by PG&E.

To ensure no interruption of electricity service to the servers housed in the SCDC building, the servers will be connected to UPS systems that store energy and provide near-instantaneous protection from input power interruptions. 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 SCBGF provides that backup power generation source.

The SCDC's Project Objectives are as follows:

- Develop a state-of-the-art data center large enough to meet the need for large data centers;
- Develop the SCDC on land that is zoned to allow data center use at a location acceptable to the City of San José;
- Incorporate the most reliable and flexible form of backup electric generating technology into the SCBGF considering the following evaluation criteria.
 - **Reliability**. The selected backup electric generation technology must be extremely reliable in the case of an emergency loss of electricity from the utility.
 - The SCBGF must provide an extremely reliable form of energy production in order for the SCDC to achieve an overall reliability equal to or greater than 99.999 percent.
 - The SCBGF 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 resilience so if any of the backup unit fails due to external or internal failure, the system will have redundancy to continue to operate without interruption.
 - The SCDC must have on-site means to sustain power to the data center full load 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 operational within a reasonable timeframe where permits and approvals are required.

- o **Technical Feasibility**. The selected backup electric generation technology must utilize systems that are compatible with one another.

As part of the preliminary planning and design of the SCDC and the SCBGF, Prologis considered alternatives to the proposed backup generators and use of a smaller capacity system.

8.2 Reduced Capacity System

Prologis considered a backup generating system with fewer emergency generators, but like the No Project Alternative discussed below, any generating capacity less than the total demand of the data center at maximum occupancy would not allow Prologis to provide the critical electricity that would be needed during an emergency. It is important to note that in addition to the electricity that is directly consumed by the servers themselves, the next largest load of the data center is related to cooling the rooms where the servers are located. In order for the servers to function reliably, they must be kept within temperature tolerance ranges. The industry standard is to design and operate a building that can meet those ranges even during a loss of electricity provided by the existing electrical service provider. Therefore, in order for Prologis to provide the reliability required by its clients it was necessary to provide a backup generating system that could meet the maximum load of the SCDC during full occupancy and include redundancy as described in Section 3.3.1 Generating Capacity. A reduced capacity system would not fulfill the basic project objectives of the SCBGF.

8.3 Backup Electric Generation Technology Alternatives

Prologis considered using potentially available alternative technologies: gas-fired turbines; flywheels; gas-fired reciprocating internal combustion engines, batteries; fuel cells; and alternative fuels. As discussed below, none of the technologies considered could meet the overall Project Objectives because they were commercially or technically infeasible and/or would not meet the necessary standard of reliability during an emergency.

8.3.1 Flywheels

Flywheel energy storage systems use electric energy input which is stored in the form of kinetic energy. Kinetic energy can be described as “energy of motion,” in this case the motion of a spinning mass, called a rotor. The rotor spins in a nearly frictionless enclosure. When short-term backup power is required because utility power fluctuates or is lost, the inertia allows the rotor to continue spinning and the resulting kinetic energy is converted to electricity.

Prologis has concluded that flywheel technology would not be a viable option and could not meet the Project Objectives for the following reasons:

- Flywheel technology does not perform within the required reliability levels of Prologis and is prone to system failure.
- Flywheel technology requires an extensive amount of maintenance to keep each energy storage system functioning.
- Flywheel systems cannot provide sufficient time duration (e.g., 24 hours or more) as a backup generation as the fly wheel motion can typically only sustain 10-30sec outages at a time.

8.3.2 Gas-Fired Turbines

Prologis considered using natural gas-fired turbines instead of diesel generators to supply backup power for the SCDC. This technology option was rejected because it would not meet the project objectives. Natural gas turbines have the advantage of better emissions of NO_x and CO than diesel. However, as an emergency backup choice, it has the following deficiencies:

- 1) The gas infrastructure is more likely to experience fuel curtailments during natural disasters and other emergency loss of utility power than liquid fuel sources.
- 2) On-site storage or delivery of natural gas to address the curtailment issues during an emergency is impossible to support long duration of backup (24 hours or longer time) due to the volume required.
- 3) The natural gas turbine is better suited for continuous operation instead of standby mode, which makes maintenance challenging.
- 4) The natural gas turbine needs minimum loads (30 percent), so additional load banks are required on site resulting in more use of fuel than is necessary and wasting of electricity through the load bank.
- 5) Typical turbine engines have larger system sizes (4-MW to 50-MW), while the smaller ones such as micro-turbines of 2.5-MW will use twice the physical footprint and cost twice as much as the proposed generation technology.

Therefore, natural gas turbines are not considered reliable enough to meet the extremely high reliability requirements of a mission critical data center like the SCDC. A fixed fuel source such as a natural gas pipeline introduces another potential point of failure or load curtailment. Taking into account the natural gas outages from maintenance and repair by the utility, interruption due to construction accidents within the system, long-term damage and interruption during an earthquake, or outages caused by problems within the greater distribution system are higher probability occurrences than being able to obtain diesel fuel for longer than 24-hour outages. Therefore, this alternative was rejected as not being able to meet the Project Objectives.

8.3.3 Gas-Fired Reciprocating Engines

Prologis considered using natural gas-fired reciprocating engines instead of diesel generators to supply emergency backup power for the SCDC. This technology option was rejected because it would not meet the Project Objectives. While natural gas engines could achieve start up times

sufficient to work with the UPS systems design and there are 2.5-MW/3.1-MW engines available, they lack sufficient resilience to accept large block transfer of load associated with restart sequences when transferring from utility grid to backup generation. As discussed above, storage of sufficient natural gas on site to maintain emergency backup electricity demands of the SCDC during an outage would not be tenable given the volume of natural gas that would be required. Therefore, natural gas reciprocating engines are not considered technically feasible or reliable enough to meet the industry standard or needs of the SCDC site.

8.3.4 Battery Storage

Prologis considered using batteries alone as a source of emergency backup power. The primary reason batteries alone were rejected was the limited duration of battery power. Batteries can provide power quickly, which is the reason Prologis has incorporated them into the overall backup electrical system design through the use of the UPS. As described in Section 3.4.1.3 Uninterruptible Power Supply System, batteries in the UPS System would be initiated at the first sign of electricity interruption. However, the current state of battery technology does not allow for very long durations of discharge at building loads as high as planned for the SCDC. Maximum discharging time is about five hours when doubled up from one ISO container to two, which needs more physical space. In addition, lithium-ion batteries have more restrictive California fire code regulations. Renewable non-lithium-ion batteries, such as ZnMnO₂, are not commercially feasible for data centers yet. Once the standalone batteries are completely discharged, the only way they can be recharged without on-site generation is if the utility electrical system is back up and running. Since it is not possible to predict the duration of an electricity outage, batteries are not a viable option for emergency electrical power.

The proposed diesel generators provide 24 hours of backup electricity without the need for refueling. In order to provide for the same 24-hour capacity, approximately 10 ISO containers representing approximately ten times the amount of real estate would be required. The SCDC Site will not accommodate the number of batteries necessary.

Therefore, because battery storage cannot provide the duration that may be necessary during an emergency and the site cannot accommodate the space necessary for adequate battery storage, this technology option was rejected as technically and commercially infeasible and unable to allow the SCDC to meet its Project Objectives.

8.3.5 Fuel Cells – Backup Replacement

Prologis considered fuel cells as a backup generating technology. Fuel cells can provide both primary and off grid power. The fuel cells utilized by Bloom Energy and others are Solid Oxide Fuel Cells that operate in high temperature of 750 degrees Celsius, and they need to stay hot to provide power. As a choice of backup, fuel cells need to run continuously in dual modes, as a primary source, or a standby mode when the grid is off (islanding mode). The fuel cells have additional ultra-capacitors to cope with the 10 to 20 second load transfer time to match up with diesel generation technology.

The fuel cell has the following technical issues that negatively affect its ability to be utilized as an emergency backup generation option.

- 1) It needs to run continuously to provide base load electricity to stay hot. This is why some large data centers (e.g., Equinix, Apple, Yahoo) use Bloom Energy as primary source and maintain their existing emergency diesel generation fleet as backup.
- 2) Fuel cells require approximately three times more space than the emergency generators proposed for the SCBGF and stacking is challenging and difficult and expensive to design to applicable codes.
- 3) Fuel cells rely on natural gas as feed stock, so the issues with natural gas infrastructure and on-site storage described above also limit reliability.

There are fuel cell technologies (Proton Exchange Membrane) that utilize liquid hydrogen as a fuel. This type of fuel cell is mostly used for mobile sources and can start cold quicker similar to a combustion engine. Prologis understands that there are pilot programs to scale this type of fuel cell to larger sizes. However, the issues that affect the Project Objectives of this technology include:

- 1) The technology is not yet commercially available at sizes necessary for a large data center.
- 2) The footprint is projected to be about twice the size of the proposed emergency generators.
- 3) On-site storage of 24 hours of liquid hydrogen will take significant additional space not available at the site.
- 4) The potential for on-site and off-site impacts of a large release of liquid hydrogen which would be stored at pressure (6,000 pounds per square inch) at the SCDC Site would be likely unacceptable within the City of San José and liquid hydrogen is not as readily available as renewable or CARB diesel when needed during an emergency.

8.3.6 Fuel Cells – Primary Generation/Grid Backup

Prologis has evaluated generating primary electricity with fuel cells on-site and relying on the electricity grid for emergency backup electricity. There are two primary reasons that this solution cannot achieve the Project Objectives. The first is that it is unlikely that PG&E would procure and reserve the amount of electricity necessary to power the SCDC in perpetuity as a backup source on a moment's notice. The magnitude of electricity for such an event after full buildout of the SCDC would render such an option infeasible.

As currently designed, the SCBGF will provide a 2N protection scheme for the SCDC. In other words, the primary electricity will be provided by the extremely reliable PG&E electric system and if that system fails, the diesel-fired emergency generators would provide the electricity the SCDC requires. Utilizing fuel cells as the primary generation and relying on the grid as backup in the event of fuel cell failure would also provide a 2N protection scheme. However, this alternative would provide lower reliability during an earthquake - the design natural disaster for California projects. During an earthquake, it is possible that the natural gas system cannot deliver the fuel to the fuel cells at the same time that the PG&E electrical system is experiencing an outage. In that case, in order to

provide the same reliability as the proposed design, emergency backup generators would still be necessary 3N to provide electricity to the SCDC during the design natural disaster case. Therefore, in order to have the same reliability, the same number and size of emergency backup generators would be required.

Therefore, the use of fuel cells as primary generation would not replace the proposed emergency backup generators in order to meet the Project Objectives.

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The analysis in this Environmental Impact Report is based on the professional judgement and expertise of the environmental specialists preparing this document, based upon review of the site, surrounding conditions, site plans, and the following references:

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Illingworth & Rodkin, Inc.
Noise and Vibration Consultants
Kleinfelder
Geotechnical Consultants
Partner Engineering and Science, Inc.
Hazardous Materials Consultants

Section 11.0 Acronyms and Abbreviations

AB	Assembly Bill
ABAG	Association of Bay Area Governments
AC	Alternating Current
ACM	asbestos-containing material
AFC	Power Plant Licensing Application for Certification
AI	Artificial Intelligence
Air District	Bay Area Air District
ALUC	Airport Land Use Commission
APN	Assessor Parcel Number
Appendix B	California Code of Regulations Title 20, Division 2, Chapter 5, Appendix B
ATCM	Airborne Toxic Control Measures
BAAD	Bay Area Air District
BACT	Best Available Technology
Basin Plan	Water Quality Control Plan for the San Francisco Bay Basin
Bay Area	San Francisco Bay Area
bgs	below ground surface
bhp	Brake horsepower
BMP	Best Management Practice
BPIP-PRIME	Plume Rise Model Enhancements to the EPA Building Profile Input Program
Btu	British thermal unit
CAAQS	California Ambient Air Quality Standards
CAL FIRE	California Department of Forestry and Fire Protection
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health
CalARP	California Accidental Release Prevention
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CALGreen	California Green Building Standards
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CARE	Community Air Risk Evaluation

CBC	California Building Standards Code
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFC	chlorofluorocarbon
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH ₄	methane
CI	Compression Ignition
CIC	Combined Industrial/Commercial
CLUP	Comprehensive Land Use Plan
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
CO ₂	Carbon Dioxide
CO ₂ e	Carbon Dioxide Equivalents
Commission	California Energy Commission
Construction General Permit	National Pollutant Discharge Elimination System General Construction Permit
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Resources
CUPA	Certified Unified Program Agency
dBA	A-weighted decibel
DC	Data Center
DEF	Diesel Exhaust Fluid
DNL	Day/Night Average Sound Level
dpf	Diesel particulate filter
DPM	Diesel Particulate Matter
DTSC	California Department of Toxic Substances Control
EIR	Environmental Impact Report
EO	Executive Order
EPA	United States Environmental Protection Agency
ESA	Environmental Site Assessment

EV	Electric Vehicle
FAA	Federal Aviation Administration
Facility	San José/Santa Clara Regional Wastewater Facility
FAR	Federal Aviation Regulations
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zone
FMMP	Farmland Mapping and Monitoring Program
General Plan	Envision San José 2040 General Plan
GHG	Greenhouse Gases
GHGRS	Greenhouse Gas Reduction Strategy
GWh	gigawatt hour
GWP	Global Warming Potential
Habitat Plan	Santa Clara Valley Habitat Plan
HAC	Hot Ailse Containment
HCP	Habitat Conservation Plan
HMCD	Santa Clara County Hazardous Materials Compliance Division
HSP	Health and Safety Plan
HSWA	Hazardous and Solid Waste Amendments
HVO	Hydrogenated (or Hydrotreated) Vegetable Oil
ibid	Same source as previous footnote
IGBT	Insulated Gate Bipolar Transistor
IP	Industrial Park
IP(PD)	Industrial Park(Planned Development)
IT	Information Technology
kV	Kilovolt
LBP	lead-based paint
lbs	pounds
LEED	Leadership in Energy and Environmental Design
L_{eq}	Energy-Equivalent Sound/Noise Descriptor
LID	Low Impact Development
L_{max}	Maximum A-weighted noise level during a measurement period
LORS	Laws, Ordinances, Regulations, and Standards

LORS	Laws, Ordinances, Regulations, and Standards
LOS	Level of Service
LRA	Local Responsibility Area
MBTA	Migratory Bird Treaty Act
MEIR	Maximum Exposed Individual Residential Receptor
MEIS	Maximum Exposed Individual Sensitive Receptor
MEIW	Maximum Exposed Individual Worker Receptor
mgd	Million gallons per day
MLD	Most Likely Descendant
MMTCO ₂ e	million metric tons of carbon dioxide equivalent
MND	Mitigated Negative Declaration
mpg	miles per gallon
MRP	Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit
MSL	mean sea level
MTC	Metropolitan Transportation Commission
MVA	Mega Volt-Ampere
MW	Megawatt
N ₂ O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCP	National Contingency Plan
NESHAP	National Emission Standards for Hazardous Air Pollutants
NHPA	National Historic Preservation Act of 1966
NO ₂	Nitrogen Dioxide
NO ₂	nitrogen dioxide
NOA	naturally occurring asbestos
NOD	Notice of Determination
NO _x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NSJFMP	North San José Floodplain Management Policy

NSPS	New Source Performance Standards
NWIC	Northwest Information Center
O ₃	Ozone
PCB	polychlorinated biphenyls
PCR	Public Resources Code
PDA	Priority Development Areas
PDM	Project Design Measure
PFC	perfluorocarbon
PG&E	Pacific Gas & Electric Company
PM	particulate matter
PM ₁₀	particulate matter with a diameter of 10 microns or less
PM _{2.5}	particulate matter with a diameter of 2.5 microns or less
PMI	Point of Maximum Impact
PPV	Peak Particle Velocity
PUE	Power Utilization Efficiency Factor
R&D	Research and Development
RAP	Removal Action Plan
RCRA	Resource Conservation and Recovery Act
ROG	reactive organic gases
RTP	Regional Transportation Plan
RWQCB	San Francisco Bay Regional Water Quality Control Board
SB	State Bill
SCBGF	Silver Creek Backup Generating Facility
SCDC	Silver Creek Data Center
SCR	Selective Catalytic Reduction
SCS	Sustainable Communities Strategy
SF ₆	sulfur hexafluoride
SFBAAB	San Francisco Bay Area Air Basin
SHMA	Seismic Hazards Mapping Act
SJCE	San José Clean Energy
SMARA	Surface Mining and Reclamation Act
SMGB	State Mining and Geology Board

SMP	Site Management Plan
SO ₂	Sulfur Dioxide
SO _x	Sulfur Oxides
SPCC	Spill Prevention, Control, and Countermeasure Plan
SPPE	Small Power Plan Exemption
SR	State Route
SRA	State Responsibility Area
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
TCR	Tribal Cultural Resource
Title 24	Title 24, Part 6 of the California Code of Regulations
tpy	Tons per year
TSCA	Toxic Substances Control Act
UPS	Uninterruptible Power Supply
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
USGBC	US Green Building Council
Valley Water	Santa Clara Valley Water District
VMT	Vehicle Miles Traveled
VRF	Variable Refrigerant Flow
VTa	Santa Clara Valley Transportation Authority
Williamson Act	California Land Conservation Act
WUI	wildland-urban interface
ZNE	zero net carbon emission

Section 12.0 List of Property Addresses for Notices

The Applicant has requested this information from the City of San José, but it was not complete at the time of this submittal and will be submitted separately.

APPENDIX A

Staff AFC Data Adequacy Worksheets

DATA ADEQUACY WORKSHEET

Completeness: Complete ☐ Incomplete ☐ Revision No. Date:
 Technical Area: **Air Quality** Project: Technical Staff:
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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT INCLUDING
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	Section 4.3.3.1 Significance Thresholds page 4.3-13. Section 4.3.3.3 Project Emissions, Air Quality Impact Analysis and Health Risk Assessment pages 4.3-16 through 4.3-46.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	N/A		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference.	References relevant to Air Quality analysis are included in the Tables as footnotes or within Section 4.3.3.3 pages 4.3-16 through 4.3-46.		

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Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation. Describe the approach, list or projection or a combination, used to develop the cumulative setting for the proposed project. Include any reference materials used such as general plan or other adopted local, regional, or statewide plan.	Section 4.3.1 Environmental Setting page 4.3-1. Section 4.3.3 Impact Discussion pages 4.3-13 through 4.3-47.		
Appendix B (g) (8) (A)	The information necessary for the air pollution control district where the project is located to complete a Determination of Compliance.	N/A		The project does not require a Determination of Compliance from the Bay Area Air District.
Appendix B (g) (8) (B)	The heating value and chemical characteristics of the proposed fuels, the stack height and diameter, the exhaust velocity and temperature, the heat rate and the expected capacity factor of the proposed facility.	Appendix F: Air Quality and Greenhouse Gas Emissions Assessment, SubAppendix AQ1 and SubAppendix AQ2		
Appendix B (g) (8) (C)	A description of the control technologies proposed to limit the emission of criteria pollutants.	Section 4.3.2 pages 4.3-9 through 4.3-13. Appendix F: Air Quality and Greenhouse Gas Emissions Assessment, SubAppendix AQ2.		

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Appendix B (g) (8) (D)	A description of the cooling system, the estimated cooling tower drift rate, the rate of water flow through the cooling tower, and the maximum concentrations of total dissolved solids.	N/A		
Appendix B (g) (8) (E)	The emission rates of criteria pollutants and greenhouse gases (CO2, CH4, N2O, and SF6) from the stack, cooling towers, fuels and materials handling processes, delivery and storage systems, and from all on-site secondary emission sources.	Section 4.3.3.3 Project Emissions, Air Quality Impact Analysis and Health Risk Assessment pages 4.3-16 through 4.3-47.		
Appendix B (g) (8) (F)(i)	A description of typical operational modes, and start-up and shutdown modes for the proposed project, including the estimated frequency of occurrence and duration of each mode, and estimated emission rate for each criteria pollutant during each mode.	Appendix F: Air Quality and Greenhouse Gas Emissions Assessment, SubAppendix AQ3.		
Appendix B (g) (8) (F)(ii)	A description of the project's planned initial commissioning phase, which is the phase between the first firing of emissions sources and the commercial operations date, including the types and durations of equipment tests, criteria pollutant emissions, and monitoring techniques to be used during such tests.	N/A		This level of detail is necessary for a CEQA analysis.

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Appendix B (g) (8) (G)	The ambient concentrations of all criteria pollutants for the previous three years as measured at the three Air Resources Board certified monitoring stations located closest to the project site, and an analysis of whether this data is representative of conditions at the project site. The applicant may substitute an explanation as to why information from one, two, or all stations is either not available or unnecessary.	Section 4.3.3.3 Project Emissions, Air Quality Impact Analysis and Health Risk Assessment pages 4.3-16 through 4.3-47.		
Appendix B (g) (8) (H)	One year of meteorological data collected from either the Federal Aviation Administration Class 1 station nearest to the project or from the project site, or meteorological data approved by the California Air Resources Board or the local air pollution control district.	Section 4.3.3.3 Project Emissions, Air Quality Impact Analysis and Health Risk Assessment pages 4.3-16 through 4.3-47.		
Appendix B (g) (8) (H) (i)	If the data is collected from the project site, the applicant shall demonstrate compliance with the requirements of the U.S. Environmental Protection Agency document entitled "On-Site Meteorological Program Guidance for Regulatory Modeling Applications" (EPA - 450/4-87-013 (August 1995)), which is incorporated by reference in its entirety.	N/A		

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Appendix B (g) (8) (H) (ii)	The data shall include quarterly wind tables and wind roses, ambient temperatures, relative humidity, stability and mixing heights, upper atmospheric air data, and an analysis of whether this data is representative of conditions at the project site.	N/A		
Appendix B (g) (8) (I)	An evaluation of the project's direct and cumulative air quality impacts, consisting of:	Section 4.3.3.3 Project Emissions, Air Quality Impact Analysis and Health Risk Assessment pages 4.3-16 through 4.3-47.		
Appendix B (g) (8) (I) (i)	A screening level air quality modeling analysis, or a more detailed modeling analysis if so desired by the applicant, of the direct criteria pollutant impacts of project construction activities on ambient air quality conditions, including fugitive dust (PM ₁₀) emissions from grading, excavation and site disturbance, as well as the combustion emissions [nitrogen oxides (NO _x), sulfur dioxide (SO ₂), carbon monoxide (CO), and particulate matter less than 10 microns in diameter (PM ₁₀) and particulate matter less than 2.5 microns in diameter (PM _{2.5}) from construction-related equipment;	Section 4.3.3.3 Project Emissions, Air Quality Impact Analysis and Health Risk Assessment pages 4.3-16 through 4.3-46. Appendix F: Air Quality and Greenhouse Gas Emissions Assessment, SubAppendix AQ4.		

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Appendix B (g) (8) (I) (ii)	A screening level air quality modeling analysis, or a more detailed modeling analysis if so desired by the applicant, of the direct criteria pollutant (NO _x , SO ₂ , CO, PM ₁₀ , and PM _{2.5}) impacts on ambient air quality conditions of the project during typical (normal) operation, and during shutdown and startup modes of operation. Identify and include in the modeling of each operating mode the estimated maximum emissions rates and the assumed meteorological conditions;	Section 4.3.3.3 Project Emissions, Air Quality Impact Analysis and Health Risk Assessment pages 4.3-16 through 4.3-47. Appendix F: Air Quality and Greenhouse Gas Emissions Assessment, SubAppendix AQ3		
Appendix B (g) (8) (I) (iii)	A protocol for a cumulative air quality modeling impacts analysis of the project's typical operating mode in combination with other stationary emissions sources within a 6-mile radius that have received construction permits but are not yet operational or are in the permitting process. The cumulative inert pollutant impact analysis should assess whether estimated emissions concentrations will cause or contribute to a violation of any ambient air quality standard; and	Section 4.3.3.3 Project Emissions, Air Quality Impact Analysis and Health Risk Assessment pages 4.3-16 through 4.3-47.		
Appendix B (g) (8) (I) (iv)	An air dispersion modeling analysis of the impacts of the initial commissioning phase emissions on state and federal ambient air quality standards for NO _x , SO ₂ , CO, PM ₁₀ , and PM _{2.5} .	N/A		
Appendix B (g) (8) (J)	If an emission offset strategy is proposed to mitigate the project's impacts under (g)(1), provide the following information:			

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Appendix B (g) (8) (J) (i)	The quantity of offsets or emission reductions that are needed to satisfy air permitting requirements of local permitting agencies (such as the air district), state and federal oversight air agencies, and the California Energy Commission. Identify by criteria air pollutant, and if appropriate, greenhouse gas; and	Section 4.3.3.3 Project Emissions, Air Quality Impact Analysis and Health Risk Assessment pages 4.3-16 through 4.3-47.		
Appendix B (g) (8) (J) (ii)	Potential offset sources, including location, and quantity of emission reductions;	N/A		Not required for a CEQA analysis.
Appendix B (g) (8) (K)	A detailed description of the mitigation, if any, which an applicant may propose, for all projects impacts from criteria pollutants that currently exceed state or federal ambient air quality standards but are not subject to offset requirements under the district's new source review rule.	Section 4.3.3.3. Project Emissions, Air Quality Impact Analysis and Health Risk Assessment pages 4.3-16 through 4.3-47. Section 3.6 PDM AIR-1 pages 3-22 through 3-23.		
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and			For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.

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Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies that would have permit approval or enforcement authority, but for the exclusive authority of the Commission to certify sites and related facilities.	Section 10.1 page 10-1.		For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1 Agency Contacts page 10-1.		
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3.1 page 1-4.		

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Technical Area: **Alternatives** Project: _____

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Project Manager: _____ Docket: _____

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
Appendix B (f) (1)	A discussion of the range of reasonable alternatives to the project, or to the location of the project, including the no project alternative, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and an evaluation of the comparative merits of the alternatives. In accordance with Public Resources Code section 25540.6(b), a discussion of the applicant's site selection criteria, any alternative sites considered for the project, and the reasons why the applicant chose the proposed site.	Section 8, Alternatives pages 8-1 through 8-6.		The Alternative Analysis focuses on alternative backup generation technology, since the findings necessary for the Commission to grant an SPPE are limited to the thermal power plant and not to the data center and its related facilities.
Appendix B (f) (2)	An evaluation of the comparative engineering, economic, and environmental merits of the alternatives discussed in (f)(1).	Section 8, Alternatives pages 8-1 through 8-6.		

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document;	4.4 Biological Resources: referencing and incorporating Arborist Reports and a Biological Resources Evaluation (Appendices G and H), which explain the scope, analyses, literature research relied upon, and conclusions and recommendations. The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions. This includes a description of the existing setting Regulatory Framework - Section 4.4.1.1 pages 4.4-1 through 4.4-14, Existing Conditions – Section 4.4.1.2 pages 4.4-14 through 4.4-20, an impact discussion consistent with the CEQA Guidelines’ list of pertinent questions as described in Section 4.4.2		

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		Impact Discussion pages 4.4-21 through 4.4-38.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	Arborist Reports and a Biological Resources Evaluation (Appendices G and H).		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference.	Arborist Reports and a Biological Resources Evaluation (Appendices G and H).		
[OPT-IN ONLY] Cal. Code Regs., tit. 20, § 1877 (a)	If the applicant is seeking incidental take authorization as described in California Fish and Game Code section 2081(b), the application shall include the information required in California Code of Regulations, title 14, section 783.2(a)(1)-(a)(10). If the applicant is seeking lake and streambed alteration authorization under Fish and Game Code section 1602, the application shall include the information required in California Fish and Game Code section 1602(a)(1)(A)-(F).	N/A		
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation and maintenance of the project, the	4.4.1.2 Existing Conditions pages 4.4-14 through 4.4-22.		

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	measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation. Describe the approach, list or projection or a combination, used to develop the cumulative setting for the proposed project. Include any reference materials used such as general plan or other adopted local, regional, or statewide plan.	Arborist Reports and a Biological Resources Evaluation (Appendices G and H). 4.4.2.1 Impact Discussion pages 4.4-22 through 4.4-38 including measures proposed as Project Design Measures (PDMs) pages 3-22 through 3-27 and identified APMs for the PG&E facilities. Section 4.4.2.2 Cumulative Impacts pages 4.4-37 through 4.4-38.		
Appendix B (g) (13) (A)	A regional overview and discussion of terrestrial and aquatic wildlife resources, with particular attention to sensitive biological resources within 10 miles of the project. In the discussion include a list of the USGS topographic quadrangle(s) utilized to search records from the California Natural Diversity Database (CNDDDB), and a citation which includes the date the CNDDDB was accessed. Include a map at a scale of 1:6,000 (under confidential cover) and at 1:350,000 (for public) showing sensitive biological resource location(s)	Appendix H: Biological Resources Report Maps provided as Figures 4 and 5, filed under Request For Confidentiality.		

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	in relation to the project site and related facilities and any boundaries of a local Habitat Conservation Plan or similar open space land use plan or designation. Label the biological resources and survey areas as well as the project facilities. Sensitive biological resources include:			
Appendix B (g) (13) (A) (i)	species listed under state or federal Endangered Species Acts;	Appendix H: Biological Resources Report.		
Appendix B (g) (13) (A) (ii)	species receiving consideration during environmental review under CEQA Guidelines 14 CCR Section 15380;	Appendix H: Biological Resources Report.		
Appendix B (g) (13) (A) (iii)	species identified as state Fully Protected;	Appendix H: Biological Resources Report.		
Appendix B (g) (13) (A) (iv)	species covered by Migratory Bird Treaty Act;	Appendix H: Biological Resources Report.		
Appendix B (g) (13) (A) (v)	species and habitats identified by local, state, and federal agencies as needing protection, including but not limited to those identified by the CNDDDB, California Fish and Game Code, Title 14 of the California Code of Regulations, or where applicable, in Local Coastal Programs or in relevant decisions of the California Coastal Commission or other responsible agency;	Appendix H: Biological Resources Report.		
Appendix B (g) (13) (A) (vi)	locally significant species that are rare or uncommon in a local context such as county or region or is so designated in	Appendix H: Biological Resources Report.		

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
	local or regional plans, policies, or ordinances;			
Appendix B (g) (13) (A) (vii)	plant species listed as rare under the California Native Plant Protection Act;	Appendix H: Biological Resources Report.		
Appendix B (g) (13) (A) (viii)	established native resident or migratory wildlife corridors or wildlife nursery sites.	Appendix H: Biological Resources Report.		
Appendix B (g) (13) (B)	Include a list of the species and habitat(s) observed and those with a potential to occur within 1 mile of the project site and 1,000 feet from the outer edge of linear facility corridors. Maps or aerial photographs shall include the following:	Appendix H: Biological Resources Report.		
Appendix B (g) (13) (B) (i)	Detailed maps at a scale of 1:6,000 or color aerial photographs taken at a recommended scale of 1-inch equals 500 feet (1:6,000) with a 30 percent overlap (provided under confidential cover) and 1:350,000 (for public viewing) that show the proposed project site and related facilities, biological resources including, but not limited to, those found during project-related field surveys and in records from the CNDDb, and the associated areas where biological surveys were conducted. Label the biological resources and survey areas as well as the project facilities.	Appendix H: Biological Resources Report.		
Appendix B (g) (13) (B) (ii)	Provide an aerial map of the isopleth graphic depicting modeled nitrogen deposition rates. The geographical			A nitrogen deposition analysis is underway but was not available at the time of the filing of this SPPE Application. It will be

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	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 Modeling parameters and files shall be provided.			provided under separate cover as soon as available.
Appendix B (g) (13) (B) (iii)	An aerial photo depicting state and federal jurisdictional features including state waters and wetlands delineated on maps at a scale of (1:2,400) showing any potential jurisdictional features delineated out to 250 feet from the edge of disturbance if wetlands occur within 250 feet of the project site and/or related facilities that would be included with the U.S. Army Corps of Engineers Section 404 Permit application, Regional Water Quality Control Board (RWQCB) application, or California Department of Fish and Wildlife Section 1600 et seq. permit requirements. For projects proposed to be located within the coastal zone, also provide aerial photographs or maps as described above that identify wetlands as defined by the Coastal Act and under the jurisdiction of the California Coastal Commission.	N/A		
Appendix B (g) (13) (B) (iv)	Provide Geographic Information System (GIS) data (shape and/or geodatabase files) for all data mapped for biological resources.			This information will be transmitted electronically to Staff.

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Completeness: Complete ___ Incomplete ___

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
Appendix B (g) (13) (C)	A discussion of the biological resources at the proposed project site and related facilities. Related facilities include, but are not limited to, laydown and parking areas, gas and water supply pipelines, transmission lines, and roads. The discussion shall address the distribution of vegetation community types, denning or nesting sites, population concentrations, migration corridors, breeding habitats, and other appropriate biological resources including the following:	Section 4.4.1.2 Existing Conditions pages 4.4-14 through 4.4-21.		
Appendix B (g) (13) (C) (i)	A list of sensitive species and habitats with a potential to occur (defined in (A) above) and include status (state, federal, California Native Plant Society, global rank, state rank, etc.)	Appendix H: Biological Resources Report - Table 1, Section 5.2 and Appendix C.		
Appendix B (g) (13) (C) (iii)	Perform nitrogen deposition modeling including the complete citation for references used in determining deposition rates and location. 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. Describe habitat and species potentially affected.			A nitrogen deposition analysis is underway but was not available at the time of the filing of this SPPE Application. It will be provided under separate cover as soon as available.
Appendix B (g) (13) (D)	A description and results of all field studies and specialized surveys (e.g., focused and protocol) used to provide	Appendix H: Biological Resources Report.		

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	biological baseline information about the project site and associated facilities. Include copies of the CNDDDB records and field survey forms completed by the applicant's biologist(s). Identify the date(s) the surveys were completed, methods used to complete the surveys, and the name(s) and qualifications of the biologists conducting the surveys. Include:			
Appendix B (g) (13) (D) (i)	Current biological resources surveys conducted using appropriate field survey protocols (include references) during the appropriate season(s). State and federal agencies with jurisdiction shall be consulted for field survey protocol guidance prior to surveys if a protocol exists.	Appendix H: Biological Resources Report.		
Appendix B (g) (13) (D) (ii)	If the project or any related facilities could impact federal or state jurisdictional wetland, provide completed Army Corps of Engineers wetland delineation forms or determination of wetland status pursuant to Coastal Act or CDFW requirements, as applicable to the location, name(s) and qualifications of biologist(s) completing the delineation, the results of the delineation and a table showing jurisdictional features including state waters and wetland acreage amounts to be impacted.	N/A		

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
Appendix B (g) (13) (E)	Impacts discussion of all impacts (direct, indirect, and cumulative) to biological resources from project site preparation, construction activities, plant operation, maintenance, closure, and decommissioning. Discussion shall also address sensitive species habitat impacts from air emissions (i.e., nitrogen deposition);	Section 4.4.2 Impact Discussion pages 4.4-21 through 4.4-38.		
Appendix B (g) (13) (F)	A discussion of all feasible mitigation measures and an evaluation of their anticipated efficacy in reducing the level of impacts, including, but not limited to the following:	Section 4.4.2 Impact Discussion pages 4.4-21 through 4.4-38.		
Appendix B (g) (13) (F) (i)	All measures proposed to avoid and/or reduce adverse impacts to biological resources.	Section 4.4.2 Impact Discussion pages 4.4-21 through 4.4-38.		
Appendix B (g) (13) (F) (ii)	All off-site habitat mitigation such as habitat improvement or compensation including management, and an identification of appropriate agency contacts for coordination and verification of proposed habitat mitigation measures.	Section 4.4.2 Impact Discussion pages 4.4-21 through 4.4-38.		
Appendix B (g) (13) (F) (iii)	Educational programs to enhance employee awareness during construction and operation to protect biological resources.	Section 4.4.2 Impact Discussion pages 4.4-21 through 4.4-38.		
Appendix B (g) (13) (G)	A discussion of compliance and monitoring programs to ensure the effectiveness of impact avoidance and mitigation measures incorporated into the project.	Section 4.4.2 Impact Discussion pages 4.4-21 through 4.4-38.		

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Docket:

Technical Senior:

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
Appendix B (g) (13) (H)	Submit copies of any preliminary correspondence between the project applicant and state and federal resource agencies regarding whether federal or state permits from other agencies such as the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the U.S. Army Corps of Engineers, the CDFW, and the RWQCB will be required for the proposed project.	N/A		
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	4.4.1.1 Regulatory Framework pages 4.4-1 through 4.4-14 contains the level of discussion of relevant federal, state and local statutes and regulations. As identified in Section 2 page 2-1, the only relevant permits are the permits for the generators by the BAAD and the land use entitlements by the City of San Jose.		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies that would have permit approval or enforcement authority, but for the	N/A		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.

DATA ADEQUACY WORKSHEET

Completeness: Complete ____ Incomplete ____

Revision No. ____ Date: ____

Technical Area: **Biological Resources**

Project: _____

Technical Staff: _____

Project Manager: _____

Docket: _____

Technical Senior: _____

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
	exclusive authority of the Commission to certify sites and related facilities.			
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1: Agency Contacts, page 10-1.		
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3.1, page 1-4.		

DATA ADEQUACY WORKSHEET

Completeness: Complete ☐ Incomplete ☐ Revision No. 0 Date: _____

Technical Area: **Cultural Resources and Tribal Cultural Resources** Project: _____ Technical Staff: _____

Project Manager: _____ Docket: _____ Technical Senior: _____

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A), 1877(a)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document;	4.5 Cultural Resources pages 4.5-1 through 4.5-16: referencing and incorporating Confidential Cultural Resources Reports (CRRs) filed under Request For Confidentiality, which explains the scope, analyses, literature research relied upon, and conclusions and recommendations. The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions. This includes a description of the existing setting (Regulatory Framework - Section 4.5.1.1 pages 4.5-1 through 4.5-6, Existing Conditions – Section 4.5.1.2 pages 4.5-7 through 4.5-10; an impact discussion consistent with the CEQA Guidelines' list of pertinent questions as described in Section 4.5 pages 4.5-10 through 4.5-16.		

DATA ADEQUACY WORKSHEET

Completeness: Complete Incomplete

Revision No. 0 Date: _____

Technical Area: **Cultural Resources and Tribal Cultural Resources**

Project: _____

Technical Staff: _____

Project Manager: _____

Docket: _____

Technical Senior: _____

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	CRRs filed under Request For Confidentiality.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference.	CRRs filed under Request For Confidentiality.		
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation. Describe the approach, list or projection or a combination, used to develop the cumulative setting for the proposed project. Include any reference materials used such as general plan or other adopted local, regional, or statewide plan.	4.5.1.2 Existing Conditions pages 4.5-7 through 4.5-10 and CRRs. 4.5.2 Impact Discussion pages 4.5-10 through 4.5-16 including measures proposed as Project Design Measures (PDMs) Section 3.7 pages 3-27 through 3-29. Section 4.5.2.2 Cumulative Impacts pages 4.5-15 through 4.5-16.		
Appendix B (g) (2)	Cultural resources and tribal cultural resources together comprise objects, buildings, structures, sites, features,	CRRs		

DATA ADEQUACY WORKSHEET

Completeness: Complete ☐ Incomplete ☐

Revision No. 0 Date: _____

Technical Area: **Cultural Resources and Tribal Cultural Resources**

Project: _____

Technical Staff: _____

Project Manager: _____

Docket: _____

Technical Senior: _____

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
	areas, places, records, sacred places, cultural landscapes, or manuscripts, all of which may have significance according to criteria outlined in sections 21074 and 21084.2 of the Public Resources Code.			
Appendix B (g) (2) (A)	A summary of the ethnology, prehistory, and history of the region with emphasis on the area within no more than a 5-mile radius of the project location. This regional summary must address the potential for buried cultural resources and tribal cultural resources to occur in the project area. The summary, together with literature search results, must inform the field methods employed for identifying cultural resources and tribal cultural resources in the project area.	CRRs		
Appendix B (g) (2) (B)	The results of a literature search to identify cultural resources and tribal cultural resources within an area not less than a 1-mile radius around the project site and not less than one-quarter (0.25) mile on each side of the linear facilities. Identify any cultural resources or tribal cultural resources listed pursuant to ordinance by a city or county or recognized by any local historical or archaeological society or museum. Literature searches to identify the above cultural resources and tribal cultural resources must be completed	CRRs		

DATA ADEQUACY WORKSHEET

Completeness: Complete ☐ Incomplete ☐ Revision No. 0 Date: _____

Technical Area: **Cultural Resources and Tribal Cultural Resources** Project: _____ Technical Staff: _____

Project Manager: _____ Docket: _____ Technical Senior: _____

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
	by, or under the direction of, individuals who meet the Secretary of the Interior's Professional Standards for the technical area addressed. Copies of California Department of Parks and Recreation (DPR) 523 forms (Title 14 CCR §4853) shall be provided for all cultural resources and tribal cultural resources (ethnographic, architectural, historical, and archaeological) identified in the literature search as being 45 years or older or of exceptional importance as defined in the National Register Bulletin Guidelines, (36CFR60.4(g)). A copy of the 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 number shall be provided. Copies also shall be provided of all technical reports whose survey coverage is wholly or partly within 0.25 mile of the area surveyed for the project under section (g)(2)(C), or which report on any archaeological excavations or architectural surveys within the literature search area.			
Appendix B (g) (2) (C)	The results of new cultural resource and tribal resource surveys or surveys less than 5 years old shall be provided if	CRRs		

Completeness: Complete ☐ Incomplete ☐ Revision No. 0 Date: _____

Technical Area: **Tribal Cultural Resources** Project: _____ Technical Staff: _____

Project Manager: _____ Docket: _____ Technical Senior: _____

Cultural Resources and Tribal Cultural Resources – DA-5

DATA ADEQUACY WORKSHEET

Completeness: Complete ☐ Incomplete ☐ Revision No. 0 Date: _____

Technical Area: **Cultural Resources and Tribal Cultural Resources** Project: _____ Technical Staff: _____

Project Manager: _____ Docket: _____ Technical Senior: _____

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
	("windshield survey") in urban and suburban areas shall be conducted along the routes of all linear facilities to identify, inventory, and characterize structures and districts that appear to be older than 45 years or that are exceptionally significant, whatever their age. A technical report of the results of the new surveys, conforming to the Archaeological Resource Management Report format (CA Office of Historic Preservation Feb 1990), which is incorporated by reference in its entirety, shall be separately provided and submitted (under confidential cover if archaeological resource or other sensitive resource locations are included). Information included in the technical report shall also be provided in the application, other sensitive resources, or areas of religious significance) shall be submitted under a request for confidentiality pursuant to California Code of Regulations, title 20, section 2501 et seq. At a minimum, the technical report shall include:			

DATA ADEQUACY WORKSHEET

Completeness: Complete Incomplete

Revision No. 0 Date: _____

Technical Area: **Cultural Resources and Tribal Cultural Resources**

Project: _____

Technical Staff: _____

Project Manager: _____

Docket: _____

Technical Senior: _____

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
Appendix B (g) (2) (C) (i)	The summary from Appendix B (g)(2)(A) and the literature search results from Appendix B (g)(2)(B);	CRRs		
Appendix B (g) (2) (C) (ii)	The survey procedures and methodology used to identify cultural and tribal cultural resources and a discussion of the cultural and tribal resources identified by the survey;	CRRs		
Appendix B (g) (2) (C) (iii)	Copies of all new and updated DPR 523(A) forms. If a cultural resource or tribal cultural resource may be impacted by the project, also include the appropriate DPR 523 detail form for each such resource;	CRRs		
Appendix B (g) (2) (C) (iv)	A map at a scale of 1:24,000 (U.S. Geological Survey topographic quadrangle) depicting the locations of all previously known and newly identified cultural and tribal cultural resources compiled through the research required by Appendix B (g)(2)(B) and Appendix B (g)(2)(C) (ii); and	CRRs – See Results of CHRIS Search.		
Appendix B (g) (2) (C) (v)	The names and qualifications of the cultural resources specialists who contributed to and were responsible for literature searches, surveys, and preparation of the technical report.	CRRs Section 5.		
Appendix B (g) (2) (D) (i)	A copy of the applicant's request to the Native American Heritage Commission (NAHC) for information on Native American sacred sites and lists of Native Americans interested in the project	CRRs Appendix A.		

DATA ADEQUACY WORKSHEET

Completeness: Complete ☐ Incomplete ☐
Cultural Resources and Tribal Cultural Resources
 Technical Area: **Cultural Resources and Tribal Cultural Resources**
 Project Manager: _____

Revision No. 0 Date: _____
 Project: _____ Technical Staff: _____
 Docket: _____ Technical Senior: _____

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
	vicinity, and copies of any correspondence received from the NAHC.			
Appendix B (g) (2) (D) (ii)	A copy of all correspondence sent to Native American individuals and groups listed by the NAHC and copies of all responses. Notification to Native Americans shall include a project description and map.	CRRs Appendix B.		
Appendix B (g) (2) (D) (iii)	A written summary of any oral responses.	CRRs Appendix B. Tribal Cultural Section 4.18.2.2 page 4.18-5.		
Appendix B (g) (2) (E)	Include in the discussion of proposed mitigation measures required by (g)(1):	Section 4.5.2.1 Project Impacts page 4.5-10: Proposed Design Measures PDM Cul 1.1 – PDM Cul 1.3, pages 4.5-11 through 4.5-14.		
Appendix B (g) (2) (E) (i)	A discussion of measures proposed to mitigate project impacts to known cultural and tribal cultural resources;	Section 4.5.2.1 Project Impacts: Proposed Design Measures PDM Cul 1.1 – PDM Cul 1.3, pages 4.5-11 through 4.5-14.		
Appendix B (g) (2) (E) (ii)	A set of contingency measures proposed to mitigate potential impacts to previously unknown cultural and tribal cultural resources and any unanticipated impacts to known cultural or tribal cultural resources; and	Section 4.5.2.1 Project Impacts Proposed Design Measures PDM Cul 1.1 – PDM Cul 1.3, pages 4.5-11 through 4.5-14.		
Appendix B (g) (2) (E) (iii)	Educational programs to enhance employee awareness during construction	Section 4.5.2.1 PDM Cul 1.1 page 4.5-11.		

DATA ADEQUACY WORKSHEET

Completeness: Complete ☐ Incomplete ☐

Revision No. 0 Date: _____

Technical Area: **Cultural Resources and Tribal Cultural Resources**

Project: _____

Technical Staff: _____

Project Manager: _____

Docket: _____

Technical Senior: _____

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
	and operation to protect cultural and tribal cultural resources.			
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	Section 4.5.1.1 Regulatory Framework pages 4.5-1 through 4.5-6 contains the level of discussion of relevant federal, state and local statutes and regulations. As identified in Section 2 page 2-1, the only relevant permits are the permits for the generators by the BAAD and the land use entitlements by the City of San Jose.		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the Commission to certify sites and related facilities.	N/A		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1: Agency Contacts, page 10-1.		

DATA ADEQUACY WORKSHEET

Completeness: Complete ☐ Incomplete ☐ Revision No. 0 Date: _____

Technical Area: **Cultural Resources and Tribal Cultural Resources** Project: _____ Technical Staff: _____

Project Manager: _____ Docket: _____ Technical Senior: _____

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3.1, page 1-4.		

DATA ADEQUACY WORKSHEET

Completeness: Complete ☐ Incomplete ☐

Revision No. Date:

Technical Area: **Efficiency, Energy and**

Project:

Technical Staff:

Project Manager:

Docket:

Technical Senior:

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions. This includes a description of the existing setting (Regulatory Framework Section 4.6.1.1 pages 4.6-1 to 4.6-3, Existing Conditions Section 4.6.1.2 Existing Conditions pages 4.6-4 to 4.6-5); an impact discussion guided by the CEQA list of pertinent questions as described in Section 4.6.2 pages 4.6-5 to 4.6-10.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	No major studies or research efforts were undertaken or relied upon to complete the CEQA analysis for Energy and Efficiency.		

DATA ADEQUACY WORKSHEET

Completeness: Complete ☐ Incomplete ☐

Revision No. Date:

Technical Area: **Efficiency, Energy and**

Energy Resources

Project:

Technical Staff:

Project Manager:

Docket:

Technical Senior:

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference;	Section 4.6.1.1 pages 4.6-1 to 4.6-3 discusses consistency with the City of San Jose Municipal Code, Federal, State and Local standards as well as the Impact Discussion Section 4.6.2 pages 4.6-5 to 4.6-11.		
Appendix B (h) (4) (A)	Heat and mass balance diagrams for design conditions for each mode of operation.	N/A		
Appendix B (h) (4) (B)	Annual fuel consumption in BTUs for each mode of operation, including hot restarts and cold starts.	The annual fuel consumption estimate for testing and maintenance of the backup generators is included 4.6.2.1 Project Impacts page 4.6-7 to 4.6-8.		
Appendix B (h) (4) (C)	Annual net electrical energy produced in MWh for each mode of operation including starts and shutdowns.	N/A		This information is not necessary to address the CEQA Guidelines questions to determine potential significant impacts
Appendix B (h) (4) (D)	Number of hours the plant will be operated in each design condition in each year.	Section 4.6.2 page 4.6-6 through 4.6-7 for testing and maintenance. Prediction of hours of operation during emergencies is speculative and not able to be accurately predicted.		
Appendix B (h) (4) (E)	If the project will be a cogeneration facility, calculations showing	N/A the project is not a cogeneration facility.		

DATA ADEQUACY WORKSHEET

Completeness: Complete ☐ Incomplete ☐

Revision No. Date:

Technical Area: **Efficiency, Energy and**

Energy Resources

Project:

Technical Staff:

Project Manager:

Docket:

Technical Senior:

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
	compliance with applicable efficiency and operating standards.			
Appendix B (h) (4) (F)	A discussion of alternative generating technologies available for the project, including the projected efficiency of each, and an explanation why the chosen equipment was selected over these alternatives.	Section 8, Alternatives page 8-1.		
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	Section 4.6.1.1 Regulatory Framework page 4.6-1 through 4.6-3 contain the level of discussion of relevant federal, state and local statutes and regulations applicable to Efficiency and Energy Resources.		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits; and therefore, LORS Tables are not provided in this application.
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies which would	Section 1.3 page 1-3.		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits; and therefore, LORS Tables are not provided in this application.

DATA ADEQUACY WORKSHEET

Completeness: Complete ☐ Incomplete ☐ Revision No. Date:

Technical Area: **Efficiency, Energy and Energy Resources** Project: Technical Staff:

Project Manager: Docket: Technical Senior:

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
	have permit approval or enforcement authority, but for the exclusive authority of the Commission to certify sites and related facilities.			
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1 Agency Contacts page 10-1.		
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the Commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3, page 1-4.		

DATA ADEQUACY WORKSHEET

Completeness: Complete ___ Incomplete ___

Revision No. _____ Date: _____

Technical Area: **Executive Summary**

Project: _____

Technical Staff: _____

Project Manager: _____

Docket: _____

Technical Senior: _____

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
Cal. Code Regs. Tit. 20 § 1704, (a) (4)	Each principal subject area covered in a notice or application shall be set forth in a separate chapter or section, each of which shall identify the person or persons responsible for its preparation.	Section 1.1 Executive Summary page 1-1.		Since there are not evidentiary hearings requiring individual expert testimony for each subject area, the list of preparers of the SPPE Application is not broken out by section.
Appendix B (a) (1) (A)	A general description of the proposed site and related facilities, including the location of the site or transmission routes, the type, size and capacity of the generating or transmission facilities, fuel characteristics, fuel supply routes and facilities, water supply routes and facilities, pollution control systems, and other general characteristics.	Section 1.1 Executive Summary page 1-1. Section 3.0 Project Description: 3.2 Generating page 3-1, 3.5 SCDC Data Center Facilities Description page 3-8 through 3-9. Figures: 3.5-2: Overhead Transmission Tower Locations page 3-13. 3.5-3: Proposed Transmission Line Routes page 3-14.		This information is included in Section 3 of the SPPE Application which is more consistent with the format of a CEQA document
Appendix B (a) (1) (B)	Identification of the location of the proposed site and related facilities by section, township, range, county, and assessor's parcel numbers.	Introduction & Purpose: Section 1.1 Executive Summary page 1-1. Project Information: Sections 2.3 & 2.4: Project Location & APN page 2-1.		

DATA ADEQUACY WORKSHEET

Completeness: Complete ___ Incomplete ___

Revision No. _____ Date: _____

Technical Area: **Executive Summary**

Project: _____

Technical Staff: _____

Project Manager: _____

Docket: _____

Technical Senior: _____

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
Appendix B (a) (1) (C)	A description of and maps depicting the region, the vicinity, and the site and its immediate surroundings.	Figures- 2.3-1: Regional Map page 2-2. 2.3-2: Vicinity Map page 2-3. 2.3-3: Aerial & Surrounding Land Use Maps page 2-4.		
Appendix B (a) (1) (D)	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.	N/A		This information is not necessary for Staff to prepare its CEQA document and has not been required for prior data center backup generating facilities SPPE Applications. Project renderings are provided in Appendix B.
Appendix B (a) (1) (E)	In an appendix to the application, 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 powerplant 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	Section 12, To be submitted under separate cover.		Prologis has requested this information from the City of San Jose, but it was not received by the time of the filing of this SPPE Application.

DATA ADEQUACY WORKSHEET

Completeness: Complete ____ Incomplete ____

Revision No. ____ Date: ____

Technical Area: **Executive Summary**

Project: _____

Technical Staff: _____

Project Manager: _____

Docket: _____

Technical Senior: _____

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
	showing the parcels in the notice area.			
Appendix B (a) (2)	Project Schedule: Proposed dates of initiation and completion of construction, initial start-up, and full-scale operation of the proposed facilities.	Section 1.3.1 Data Center Facilities page 1-3 through 1-4.		
Appendix B (a) (3) (A)	A list of all owners and operators of the site(s), the power plant facilities, and, if applicable, thermal host, the geothermal leasehold, the geothermal resource conveyance lines, and the geothermal re-injection system, and a description of their legal interest in these facilities.	Section 1.1 Executive Summary page 1-1.		
Appendix B (a) (3) (B)	A list of all owners and operators of the proposed electric transmission facilities.	Section 1.1 Executive Summary page 1-1.		
Appendix B (a) (3) (C)	A description of the legal relationship between the applicant and each of the persons or entities specified in (a)(3)(A) and (B).	Section 1.2 Project Objectives page 1-2.		

DATA ADEQUACY WORKSHEET

Completeness: Complete ☐ Incomplete ☐
 Technical Area: **Facility Design**
 Project Manager: _____

Project: _____
 Docket: _____

Revision No. _____ Date: _____
 Technical Staff: _____
 Technical Senior: _____

SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	N/A		The SPPE Application does not follow the same section format for an AFC. Instead, the SPPE includes the sections required for a legally sufficient CEQA review pursuant to the CEQA Guidelines. Therefore, for the relevant information requested for Facility Design, refer to the Data Completeness Worksheet for Project Description in Section 3.
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	N/A		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference;	N/A		
Appendix B (h) (1) (A)	A description of the site conditions and investigations or studies conducted to determine the site conditions used as the basis for developing design criteria. The descriptions shall include, but not be limited to, seismic and other geologic hazards, adverse conditions that could affect the project's foundation, adverse meteorological and climatic conditions, and flooding hazards, if applicable.	Appendix I, Geotechnical Engineering Report discussed in Section 4.7 page 4.7-1; Appendix K, Phase I ESA as discussed in Section 4.9 page 4.9-1; Flooding addressed in Sections 4.10.1.2 Existing Conditions page 4.10-5 and Section 4.10.2.1 Project Impacts, Subsection c)		

DATA ADEQUACY WORKSHEET

Completeness: Complete ☐ Incomplete ☐ Revision No. Date:
 Technical Area: **Facility Design** Project: Technical Staff:
 Project Manager: Docket: Technical Senior:

		page 4.10-12 through 4.10-13.		
Appendix B (h) (1) (B)	A discussion of any measures proposed to improve adverse site conditions.	N/A		
Appendix B (h) (1) (C)	A description of the proposed foundation types, design criteria (including derivation), analytical techniques, assumptions, loading conditions, and loading combinations to be used in the design of facility structures and major mechanical and electrical equipment.	Foundation type is included in Section 3.5.9 Construction page 3-19, Project Description Section 3.0 page 3-1.		The specific foundation design parameters requested is not required for the CEC to perform a CEQA analysis. The final design will be reviewed by the City of San Jose during the building permit process.
Appendix B (h) (1) (D)	For each of the following facilities or systems, provide a description including drawings, dimensions, surface-area requirements, typical operating data, and performance and design criteria for protection from impacts due to adverse site conditions:	N/A		Ibid
Appendix B (h) (1) (D) (i)	The power generation system;	Section 3.2 Project Description page 3-1.		
Appendix B (h) (1) (D) (ii)	The heat dissipation system;	The Data Center Cooling System is described in Section 3.5.2.2 page 3-11.		
Appendix B (h) (1) (D) (iii)	The cooling water supply system, and, where applicable, pre-plant treatment procedures;	N/A		Neither the SCBGF nor the SCDC use water for cooling.
Appendix B (h) (1) (D) (iv)	The atmospheric emission control system;	Section 3.4.2 Project Description page 3-5 through 3-6, Section 4.3.3.3 Air Quality page 4.3-16.		
Appendix B (h) (1) (D) (v)	The waste disposal system and on-site disposal sites;	Section 3.4.6 page 3-7, Section 3.5.8.2 Sanitary Sewer Infrastructure page 3-18, Table 3.5-2 page 3-20.		

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Appendix B (h) (1) (D) (vi)	The noise emission abatement system;	Appendix M, Noise Analysis.		
Appendix B (h) (1) (D) (vii)	The geothermal resource conveyance and re-injection lines (if applicable);	N/A		
Appendix B (h) (1) (D) (viii)	Switchyards/transformer systems; and	Section 3.5.3 Project Substation page 3-11 and 3.5.4 Switching and Transmission page 3-12.		
Appendix B (h) (1) (D) (ix)	Other significant facilities, structures, or system components proposed by the applicant.	Section 3 Project Description page 3-1.		
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	N/A		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the Commission to certify sites and related facilities.	N/A		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within	Section 10.1: Agency Contacts page 10-1.		

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	each agency, and provide the name of the official who will serve as a contact person for Commission staff.			
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3.1 Scope page 1-4.		Section 1.3.1

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	Section 4.7 Geology and Soils page 4.7-1 referencing and incorporating Geotechnical Report in Appendix I, which explains the scope of the field investigation, laboratory analyses, literature research relied upon, and conclusions and recommendations. The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions. This includes a description of the existing setting (Section 4.7.1.1, Regulatory Framework page 4.7-1, Section 4.7.1.2 Regional and Site Specific Geologic Conditions page 4.7-3); an impact discussion consistent with the CEQA Guidelines' list of pertinent questions as described in Section 4.7.2 page 4.7-7.		

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Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	Section 4.7 Geology and Soils page 4.7-1 referencing and incorporating Geotechnical Report in Appendix I. There are no ongoing research activities underway that were relied upon in this Application.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference;	Section 4.7 Geology and Soils Page 4.7-1 referencing and incorporating Geotechnical Report in Appendix I.		
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation. Describe the approach, list or projection or a combination, used to develop the cumulative setting for the proposed project. Include any reference materials used such as	Section 4.7.1.2 Existing Conditions page 4.7-3. Section 4.7.2 Impact Discussion page 4.7-7. Measures proposed as Project Design Measures (PDMs) Section 3.7 pages 3-29 through 3-31. The description of the development of the cumulative setting is contained in Section 4.0 page 4-1 and Table 4.0-1 page 4-3 and cumulative impacts are addressed in Section 4.7.2.2 page 4.7-14 through 4.7-15.		PDM GEO 2.1 proposes a Worker Environmental Awareness Program (WEAP) for Paleontological Resources (standard language for prior SPPEs). Unlike an AFC CEC Staff does not require a draft of the WEAP in order to support the preparation of its CEQA document. Including the PDM as a Mitigation Measure in the Mitigation, Monitoring and Reporting Plan (MMRP) is sufficient for the CEQA document to conclude that the City of San Jose would enforce the preparation and implementation of the WEAP.

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	general plan or other adopted local, regional, or statewide plan.			
Appendix B (g) (17) (A)	A summary of the geology, seismicity, and geologic resources of the project site and related facilities, including linear facilities.	4.7.1.2 Existing Conditions page 4.7-3.		
Appendix B (g) (17) (B)	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 project site and along proposed facilities. Include an analysis of the likelihood of ground rupture, seismic shaking, mass wasting and slope stability, liquefaction, subsidence, tsunami runup, and expansion or collapse of soil structures at the plant site. Describe known geologic hazards along or crossing linear facilities.	Section 4.7.1.2 Existing Conditions page 4.7-3 and 4.7.2 page 4.7-7. Figure 3 of the Geotechnical Report in Appendix I.		
Appendix B (g) (17) (C)	A map and description of geologic resources of recreational, commercial, or scientific value which may be affected by the project. Include a discussion of the techniques used to identify and evaluate these resources.	Figure 3 of the Geotechnical Report in Appendix I; Section 4.12 Mineral Resources page 4.12-1.		
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land	Section 4.7.1.1 Regulatory Framework page 4.7-1 contains the level of		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local

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	use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	discussion of relevant federal, state and local statutes and regulations. As identified in Section 3.0, page 3-1 the only relevant permits are the permits for the generators by the BAAD and the land use entitlements by the City of San Jose.		permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the commission to certify sites and related facilities.	Section 10.1: Agency Contacts page 10-1.		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1: Agency Contacts page 10-1.		
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has	Section 1.3.1 page 1-4.		

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	taken or plans to take to obtain such permits.			
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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	Section 4.9 Hazards and Hazardous Materials page 4.9-1 referencing and incorporating Phase I Environmental Site Assessments (ESA) in Report in Appendix K, which explains the scope of the field investigation, laboratory analyses, literature research relied upon, and conclusions and recommendations. The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions. This includes a description of the existing setting (Regulatory Framework Section 4.9.1 page 4.9-1, Regional and Local Section 4.9.1.1 page 4.9-1, Existing Conditions Section 4.9.1.2 page 4.9-6); an impact discussion consistent with the CEQA		

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
		Guidelines' list of pertinent questions as described in Section 4.9.2 page 4.9-8.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	Section 4.9 Hazards and Hazardous Materials pages 4.9-1 through 4.9-17 referencing and incorporating Phase I Environmental Site Assessments (ESA) in Report in Appendix K. There are no ongoing research activities underway that were relied upon in this Application.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference;	Section 4.9 Hazards and Hazardous Materials pages 4.9-1 through 4.9-17 referencing and incorporating Phase I Environmental Site Assessments (ESA) in Report in Appendix K.		
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to	Section 4.9.1.2 Existing Conditions pages 4.9-6 through 4.9-8		

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
	mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation. Describe the approach, list or projection or a combination, used to develop the cumulative setting for the proposed project. Include any reference materials used such as general plan or other adopted local, regional, or statewide plan.	Section 4.9.2 Impact Discussion pages 4.9-8 through 4.9-17; Measures proposed as Project Design Measures (PDMs) Section 3.7 pages 3-32 to 3-33. The description of the development of the cumulative setting is contained in Section 4.0 and Table 4.0-1 page 4-3 and cumulative impacts are addressed in Section 4.9.2.2 pages 4.9-16 through 4.9-17.		
Appendix B (g) (10) (A)	A list of all materials used or stored on-site which are hazardous or acutely hazardous, as defined in California Code of Regulations, title 22, § 66261.20 et seq., and a discussion of the toxicity of each material.	List of hazardous materials on-site during construction and operations as well as discussion of the toxicity are provided in Section 4.9.2.1 page 4.9-9.		
Appendix B (g) (10) (B)	A map at a scale of 1:24,000 depicting the location of schools, hospitals, daycare facilities, and long-term health care facilities, within the area potentially affected by any release of hazardous materials.	Appendix F, SubAppendix AQ-3, Figure AQ3-3.		

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
Appendix B (g) (10) (C)	A discussion of the storage and handling system for each hazardous material used or stored at the site.	Storage for hazardous materials is addressed in Section 4.9.2.1. page 4.9-9 and Section 3.4.7 page 3-7.		
Appendix B (g) (10) (D)	The protocol that will be used in modeling potential consequences of accidental releases that could result in off site impacts. Identify the model(s) to be used, a description of all input assumptions, including meteorological conditions. The results of the modeling analysis can be submitted after the application is complete.	N/A		This information is only applicable to hazardous materials subject to the California Accidental Release Prevention (CalARP) Program and that would trigger the requirement for an offsite consequences analysis and a Risk Management Plan (RMP). Neither the SCDC nor the SCBGF store, use or handle hazardous materials subject to CalARP.
Appendix B (g) (10) (E)	A discussion of whether a risk management plan (Health and Safety Code § 25531 et seq.) will be required, and if so, the requirements that will likely be incorporated into the plan.	Section 4.9.2.1, Hazardous Materials, page 4.9-9.		
Appendix B (g) (10) (F)	A discussion of measures proposed to reduce the risk of any release of hazardous materials.	PDM HAZ-1.2 page 3-32.		
Appendix B (g) (10) (G)	A discussion of the fire and explosion risks associated with the project.	N/A		
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the	Section 4.7.1.1 Regulatory Framework page 4.7-1 contains the level of discussion of relevant federal, state and local statutes and regulations.		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.

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	application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	As identified in Section 2.0 page 2-1, the only relevant permits are the permits for the generators by the BAAD and the land use entitlements by the City of San Jose.		
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies that would have permit approval or enforcement authority, but for the exclusive authority of the Commission to certify sites and related facilities.	Section 10.1 page 10-1.		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1: Agency Contacts page 10-1.		
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3.1 page 1-4.		

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions. This includes a description of the existing Land Use setting (Section 4.11.1.1, Regulatory Framework page 4.11-1, Section 4.11.1.2 Existing Conditions page 4.11-2); an impact discussion guided by the CEQA list of pertinent questions as described in Section 4.11.2 page 4.11-3.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	No major studies or research efforts were undertaken or relied upon to complete the CEQA analysis for Land Use.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the	Section 4.11.2.1 Land Use page 4.11-3 discusses consistency with the City of San Jose General Plan and		

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	relevance of each such reference;	Municipal Code, the Santa Clara Valley Habitat Plan and whether the project is compatible with the Comprehensive Land Use Plans for the two relevant airports in the region.		
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation. Describe the approach, list or projection or a combination, used to develop the cumulative setting for the proposed project. Include any reference materials used such as general plan or other adopted local, regional, or statewide plan.	Section 4.11.1.1 and 4.11.1.2 Land Use Regulatory Framework and Existing Conditions pages 4.11-1 to 4.11-2. Section 4.11.2 Land Use Impact Discussion pages 4.11-3 through 4.11-4. No measures to mitigate impacts were proposed as Project Design Measures because no significant impacts requiring mitigation were identified.		
Appendix B (g) (3) (A)	A discussion of existing land uses, general plan land use designations, and current zoning districts (including any overlay districts) at the site, land uses and land use patterns within one mile of the proposed site and within one-quarter mile of any	Section 4.11.1.2 Land Use Existing Conditions page 4.11-2. Section 2 Project Information Figure 2.3-2 page 2-3.		

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	project-related linear facilities. Include:			
Appendix B (g) (3) (A) (i)	An identification of residential, commercial, industrial, recreational, scenic, agricultural, natural resource protection, natural resource extraction, educational, religious, cultural, and historic areas, and any other area of unique land uses;	Section 4.11.1.2 Land Use Existing Conditions page 4.11-2.		
Appendix B (g) (3) (A) (ii)	A discussion of any recent or proposed zone changes and/or general plan amendments; noticed by an elected or appointed board, commission, or similar entity at the state or local level;	None.		
Appendix B (g) (3) (A) (iii)	Identification of all discretionary reviews by public agencies initiated or completed within 18 months prior to filing the application for those changes or developments identified in subsection (g)(3)(A)(ii); and	None.		
Appendix B (g) (3) (A) (iv)	Legible maps of the areas identified in subsection (g)(3)(A) potentially affected by the project, on which existing land uses, jurisdictional boundaries, general plan designations, specific plan designations, and zoning have been clearly delineated.	Section 2 Project Information Figure 2.3-3 page 2-4.		
Appendix B (g) (3) (B)	A discussion of the compatibility of the proposed project with	Land Use Sections:		

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	present and expected land uses, and conformity with any long-range land use plans and policies adopted by any federal, state, regional, or local planning agencies. The discussion shall identify the need, if any, for land use decisions by another public agency or as part of the commission's decision that would be necessary to make the project conform to adopted federal, state, regional, or local coastal plans, land use plans, or zoning ordinances. Examples of land use decisions include general plan amendments, zoning changes, lot line adjustments, parcel mergers, subdivision maps, Agricultural Land Conservation Act contracts cancellation, and Airport Land Use Plan consistency determinations.	4.11.1.2 Existing Conditions page 4.11-2. 4.11.2.1 Project Impacts page 4.11-3.		
Appendix B (g) (3) (C)	A discussion of the legal status of the parcel(s) on which the project is proposed. If the proposed site consists of more than one legal parcel, describe the method and timetable for merging or otherwise combining those parcels so that the proposed project, excluding linears and temporary laydown or staging area, will be located on a single legal parcel. The merger need not	Section 4.11.1.2 Land Use Existing Conditions page 4.11-2.		

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	occur prior to a decision on the Application but must be completed prior to the start of construction.			
Appendix B (g) (3) (D)	A map at a scale of 1:24,000 and written description of agricultural land uses found within all areas affected by the proposed project. The description shall include:	Section 4.2 pages 4.2-1 through 4.2-5 discusses agricultural resources and since the project will not affect any agricultural land no map was provided.		
Appendix B (g) (3) (D) (i)	Land classifications as shown on the California Department of Conservation's Farmland Mapping and Monitoring Program's Important Farmland maps, crop types, irrigation systems, and any special cultivation practices;	Section 4.2.1.2 Existing Conditions page 4.2-2.		
Appendix B (g) (3) (D) (ii)	Whether agricultural land affected by the project was historically classified Farmland as defined by the California Department of Conservation (Prime Farmland, Farmland of Statewide Importance, or Unique Farmland) as specified in Public Resources Code section 21060.1; and	Section 4.2.2.1 Project Impacts page 4.2-4.		
Appendix B (g) (3) (D) (iii)	Direct, indirect, and cumulative effects on agricultural land uses. If the proposed site or related facilities are subject to an Agricultural Land Conservation contract, provide a written copy and a discussion of the status of	Section 4.2.2.1 Project Impacts page 4.2-4.		

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	the expiration or canceling of such contract.			
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	Section 4.11.1.1 Land Use Regulatory Framework page 4.11-1 and Agriculture Section 4.2.1.1 page 4.2-1 contain the level of discussion of relevant federal, state and local statutes and regulations applicable to Land Use and Agricultural Resources. As identified in Section 2 page 2-1, the only relevant permits are the permits for the generators by the BAAD and the land use entitlements by the City of San Jose.		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies that would have permit approval or enforcement authority, but for the exclusive authority of the Commission to certify sites and related facilities.	Section 1.3 pages 1-3 through 1-4.		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each	Section 10.1 Agency Contacts page 10-1.		

DATA COMPLETENESS WORKSHEET

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	agency, and provide the name of the official who will serve as a contact person for Commission staff.			
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3 page 1-4.		

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	Section 4.13 Noise page 4.13-1 referencing and incorporating Noise and Vibration Assessment in Appendix M, which explains the scope of the field investigation, laboratory analyses, literature research relied upon, and conclusions and recommendations. The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions. This includes a description of the existing setting (Section 4.13.1.2, Regulatory Framework page 4.13-2, Section 4.13.1.3 Regional and Site Specific Conditions page 4.13-5); an impact discussion consistent with the CEQA Guidelines' list of pertinent questions as described in Section 4.13.2 pages 4.13-7 through 4.13-22.		

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Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	Section 4.13 Noise page 4.13-1 referencing and incorporating Noise and Vibration Assessment in Appendix M. There are no ongoing research activities underway that were relied upon in this Application.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference;	Section 4.13 Noise page 4.13-1 referencing and incorporating Noise and Vibration Assessment in Appendix M.		
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation. Describe the approach, list or projection or a combination, used to develop the cumulative setting for the proposed project. Include any reference materials used such as general plan or	Noise Sections: 4.13.1.3 Existing Conditions page 4.13-5; 4.13.1.2 Regulatory Framework page 4.13-2; 4.13.2 Impact Discussion, pages 4.13-7 through 4.13-22. Section 3.7 Project Design Measures (PDMs) PDM NOI-1 and PDM NOI-2 pages 3-34 through 3-36. Noise and Vibration Assessment in Appendix M.		

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	other adopted local, regional, or statewide plan.	Tables 4.13-1 through 4.13-6 pages 4.13-4 through 4.13-21.		
Appendix B (g) (4) (A)	A land use map which identifies residences, hospitals, libraries, schools, places of worship, or other facilities where quiet is an important attribute of the environment within the area impacted by the proposed project. The area potentially impacted by the proposed project is that area where, during either construction or operation, there is a potential increase of 5 dB(A) or more, over existing background levels.	Figure 4.13-1 Noise Measurement Locations page 4-13.4. Noise and Vibration Assessment in Appendix M.		
Appendix B (g) (4) (B)	A description of the ambient noise levels at those sites identified under subsection (g)(4)(A) which the applicant believes provide a representative characterization of the ambient noise levels in the project vicinity, and a discussion of the general atmospheric conditions, including temperature, humidity, and the presence of wind and rain at the time of the measurements. The existing noise levels shall be determined by taking noise measurements for a minimum of 25 consecutive hours at a minimum of one site. Other sites may be monitored for a	Section 4.13.1.3 Noise Existing Conditions pages 4.13-5 through 4.13-7. Noise and Vibration Assessment in Appendix M.		

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	lesser duration at the applicant's discretion, preferably during the same 25-hour period. The results of the noise level measurements shall be reported as hourly averages in Leq (equivalent sound or noise level), Ldn (day-night sound or noise level) or CNEL (Community Noise Equivalent Level) in units of dB(A). The L ₁₀ , L ₅₀ , and L ₉₀ values (noise levels exceeded 10 percent, 50 percent, and 90 percent of the time, respectively) shall also be reported in units of dB(A).			
Appendix B (g) (4) (C)	A description of the major noise sources of the project, including the range of noise levels and the tonal and frequency characteristics of the noise emitted.	Section 4.13.2.1 Noise Project Impacts pages 4.13-8 through 4.13-22 Noise and Vibration Assessment in Appendix M.		
Appendix B (g) (4) (D)	An estimate of the project noise levels, during both construction and operation, at residences, hospitals, libraries, schools, places of worship or other facilities where quiet is an important attribute of the environment, within the area impacted by the proposed project.	Section 4.13.2.1 Noise Project Impacts pages 4.13-8 through 4.13-22. Noise and Vibration Assessment in Appendix M.		
Appendix B (g) (4) (E)	An estimate of the project noise levels within the project site boundary during both construction and operation and the impact to the workers at the site due to the estimated noise levels.	Section 4.13.2.1 Noise Project Impacts pages 4.13-8 through 4.13-22. Noise and Vibration Assessment in Appendix M.		

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Appendix B (g) (4) (F)	The audible noise from existing switchyards and overhead transmission lines that would be affected by the project and estimates of the future audible noise levels that would result from existing and proposed switchyards and transmission lines. Noise levels shall be calculated at the property boundary for switchyards and at the edge of the rights-of-way for transmission lines.	Section 4.13.2.1 Noise Project Impacts pages 4.13-8 through 4.13-22. Noise and Vibration Assessment in Appendix M.		
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	Section 4.13.1.2 Noise Regulatory Framework Page 4.13-2 contains the level of discussion of relevant federal, state and local statutes and regulations. As identified in Section 2 page 2-1, the only relevant permits are the permits for the generators by the BAAD and the land use entitlements by the City of San Jose.		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies that would have permit approval or enforcement authority, but for the exclusive	Section 10.1, page 10-1.		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.

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	authority of the Commission to certify sites and related facilities.			
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1, Agency Contacts page 10-1.		
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the Commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3.1 page 1-4.		

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	4.7 Geology & Soils page 4.7-1 referencing the Geotechnical Investigation Report in Appendix I, which explains the scope of the field investigation, laboratory analyses, literature research relied upon, and conclusions and recommendations. The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions. This includes a description of the existing setting (Regulatory Framework Section 4.7.1.1 pages 4.7-1 through 4-7.3 and Existing Conditions Section 4.7.1.2 page 4.7-3); an impact discussion consistent with the CEQA Guidelines' list of pertinent questions as described in		

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		Section 4.7.2.1 pages 4.7-8 through 4.7-14.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	Section 4.7 Geology & Soils page 4.7-1 referencing the Geotechnical Investigation Report in Appendix I. There are no ongoing research activities underway that were relied upon in this Application.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference;	Section 4.7 Geology & Soils page 4.7-1 referencing the Geotechnical Investigation Report in Appendix I.		
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation. Describe the approach, list or projection or a combination, used to develop the cumulative setting for the proposed project. Include any reference materials used such as general plan or	Section 3.7 PDM GEO-2.1 & GEO-2.2 Paleontological WEAP & Stop Work pages 3-29 through 3-31. Section 4.7.2.1 & 4.7.2.2 Project Impacts pages 4.7-8 through 4.7-15.		

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
	other adopted local, regional, or statewide plan.			
Appendix B (g) (16) (A)	Identification of the physiographic province and a brief summary of the geologic setting, formations, and stratigraphy of the project area. The size of the paleontological study area may vary depending on the depositional history of the region.	Section 4.7 Geology & Soils page 4.7-1 referencing the Geotechnical Investigation Report in Appendix I. San Jose General Plan page 4.7-2.		
Appendix B (g) (16) (B)	A discussion of the sensitivity of the project area described in subsection (g)(16)(A) and the presence and significance of any known paleontological localities or other paleontological resources within or adjacent to the project. Include a discussion of sensitivity for each geologic unit identified on the most recent geologic map at a scale of 1:24,000. Provide rationale as to why the sensitivity was assigned.	4.7.1.2 Existing Conditions pages 4.7-3 through 4.7-7.		
Appendix B (g) (16) (C)	A summary of all local museums, literature searches and field surveys used to provide information about paleontological resources in the project area described in (g)(16)(A). Identify the dates of the surveys, methods used in completing the surveys, and the names and qualifications of the individuals conducting the surveys.	Section 4.7 Geology & Soils page 4.7-1 referencing the Geotechnical Investigation Report in Appendix I.		

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Appendix B (g) (16) (D)	Information on the specific location of known palaeontologic resources, survey reports, locality records, and maps at a scale of 1:24,000, showing occurrences of fossil finds, if known, within a 1-mile radius of the project and related facilities shall be included in a separate appendix to the Application and submitted to the Commission under a request for confidentiality, pursuant to California Code of Regulations, title 20, section 2501 et seq.	A map was not available at the time of filing of this SPPE Application. The map is being prepared and will be submitted under a Request For Confidentiality.		A map has not been required for previous data center backup generating facility SPPE Applications in the past. However, Prologis has agreed to prepare and provide this map which will be submitted under a Request For Confidentiality once completed.
Appendix B (g) (16) (E)	A discussion of any educational programs proposed to enhance awareness of potential impacts to paleontological resources by employees, measures proposed for mitigation of impacts to known palaeontologic resources, and a set of contingency measures for mitigation of potential impacts to unknown paleontological resources.	PDMs: GEO-2.1 WEAP for Paleontological Resources and GEO-2.2: Stop Work for Paleontological Resources Section 3.7 pages 3-29 through 3-31.		
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both	4.7.1.1 Regulatory Framework pages 4.7-1 through 4.7-3 contains the level of discussion of relevant federal, state and local statutes and regulations. As identified in Section 2 page 2-1, the only relevant permits are the permits for the		For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
	construction and operation of the facility is discussed; and	generators by the BAAD and the land use entitlements by the City of San Jose.		
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies that would have permit approval or enforcement authority, but for the exclusive authority of the Commission to certify sites and related facilities.	Section 10.1 page 10-1.		For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1 Agency Contacts page 10-1.		
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3.1 page 1-4.		

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
Appendix B (b) (1)	In a section entitled, "Generation Facility Description, Design, and Operation" provide:	Section 3.2 Generating Facility Description, Construction and Operation page 3-1.		
Appendix B (b) (1) (A)	Maps at a scale of 1:24,000 (1" = 2000'), (or appropriate map scale agreed to by staff) along with an identification of the dedicated leaseholds by section, township, range, county, and county assessor's parcel number, showing the proposed final locations and layout of the power plant and all related facilities;	Figures: 2.3-1 Regional Map page 2-2. 2.3-2 Vicinity Map page 2-3. 2.3-3 Aerial and Surrounding Land Use Map, page 2-4. Appendix B: Site Development Permit Site Plan Package.		
Appendix B (b) (1) (B)	Scale plan and elevation drawings depicting the relative size and location of the power plant and all related facilities to establish the accuracy of the photo simulations required in sections (a)(1)(D) and (g)(6)(F);	Appendix B: SCDC Development Permit Site Plan Package.		Photo simulations not required, see Visual Resources DA Worksheet.
Appendix B (b) (1) (C)	A detailed description of the design, methods of construction (include depth of excavations and other ground disturbances) and operation of the facilities, specifically including the power generation, cooling, water supply and treatment, waste handling and control, pollution control, fuel handling, and safety, emergency and auxiliary	Section 3.4 Backup Electrical System Design pages 3-3 through 3-8. Section 3.5 SCDC Facilities Description pages 3-8 through 3-19.		

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
	systems, and fuel types and fuel use scenarios; and			
Appendix B (b) (1) (D)	A description of how the site and related facilities were selected, and the consideration given to engineering constraints, site geology, environmental impacts, water, waste and fuel constraints, electric transmission constraints, and other factors considered by the applicant.			This information is relevant to supporting an AFC to support the type of Alternative analysis Staff performs in its Staff Assessment, but is not required for a CEQA analysis
Appendix B (b) (2)	In a section titled, "Transmission Lines Description, Design, and Operation" provide:	Section 3.5.3 Project Substation page 3-11. Section 3.5.4 PG&E Hellyer Switching Station and Transmission Lines page 3-12. Figures: 3.5-1 Proposed Hellyer Switching Station Location page 3-10. 3.5-2 Proposed Overhead Transmission Tower Locations and Disturbance Areas page 3-13. 3.5-3 Proposed Transmission Line Routes from the Hellyer Switching Station to the SCBGF/SCDC page 3-14.		The SPPE Application does not include a section titled "Transmission Lines Description, Design and Operation" in order to avoid confusion. This SPPE Application is for the backup generating facility (SCBGF) which does not include transmission lines because the generators are not interconnected to the transmission grid. The data center (SCDC) is served by transmission lines and utility facilities, which are outside the permitting jurisdiction of the CEC because these facilities are not "related facilities" to the SCBGF. The transmission lines and facilities that are being constructed by PG&E to serve the SCDC are described in Section 3.5.4 in order to support Staff's CEQA analysis.

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
Appendix B (b) (2) (A)	Maps at a scale of 1:24,000 (or appropriate map scale agreed to by staff) of each proposed transmission line route, showing the settled areas, parks, recreational areas, scenic areas, and existing transmission lines within one mile of the proposed route(s);	Figures: 3.5-1 Proposed Hellyer Switching Station Location page 3-10. 3.5-2 Proposed Overhead Transmission Tower Locations and Disturbance Areas page 3-13. 3.5-3 Proposed Transmission Line Routes from the Hellyer Switching Station to the SCBGF/SCDC page 3-14.		
Appendix B (b) (2) (B)	A full-page color photographic reproduction depicting a representative above ground section of the transmission line route prior to construction and a full-page color photographic simulation of that section of the transmission line route after construction.			As described in the Visual Resources DA Worksheet, visual simulations are not required for Staff's CEQA analysis.
Appendix B (b) (2) (C)	A detailed description of the design, construction, and operation of any electric transmission facilities, such as power lines, substations, switchyards, or other transmission equipment, which will be constructed or modified to transmit electrical power from the proposed power plant to the load centers to be served by the facility. Such description shall include the width of rights-of-way and the physical and electrical	Section 3.5.3 Project Substation page 3-11. Section 3.5.4 PG&E Hellyer Switching Station and Transmission Lines pages 3-12 through 3-17.		The SPPE Application does not include a section titled "Transmission Lines Description, Design and Operation" in order to avoid confusion. This SPPE Application is for the backup generating facility (SCBGF) which does not include transmission lines because the generators are not interconnected to the transmission grid. The data center (SCDC) is served by transmission lines and utility facilities, which are outside the permitting jurisdiction of the CEC

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
	characteristics of electrical transmission facilities such as towers, conductors, and insulators.			because these facilities are not "related facilities" to the SCBGF. The transmission lines and facilities that are being constructed by PG&E to serve the SCDC are described in Section 3.5.4 in order to support Staff's CEQA analysis.
Appendix B (b) (2) (D)	A description of how the route and additional transmission facilities were selected, and the consideration given to engineering constraints, environmental impacts, resource conveyance constraints, and electric transmission constraints; and	N/A		The SPPE Application does not include a section titled "Transmission Lines Description, Design and Operation" in order to avoid confusion. This SPPE Application is for the backup generating facility (SCBGF) which does not include transmission lines because the generators are not interconnected to the transmission grid. The data center (SCDC) is served by transmission lines and utility facilities, which are outside the permitting jurisdiction of the CEC because these facilities are not "related facilities" to the SCBGF. The transmission lines and facilities that are being constructed by PG&E to serve the SCDC are described in Section 3.5.4 in order to support Staff's CEQA analysis.
Appendix B (b) (2) (E)	A completed System Impact Study or signed System Impact Study Agreement with the California Independent System Operator and proof of payment. When not connecting to the California Independent System Operator controlled grid, provide the executed System Impact Study agreement and proof of payment to the interconnecting utility.	N/A		The SCBGF does not interconnect to the electric transmission grid and therefore this request is not applicable

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	If the interconnection and operation of the proposed project will likely impact a transmission system that is not controlled by the interconnecting utility (or California Independent System Operator), provide evidence of a System Impact Study or agreement and proof of payment (when applicable) with/to the impacted transmission owner or provide evidence that there are no system impacts requiring mitigation.			
Appendix B (b) (3)	Applications for geothermal facilities shall contain the following additional information:	N/A		
Appendix B (b) (3) (A)	Maps at a scale of 1:24,000 (or appropriate map scale agreed to by staff) showing the location of the geothermal leaseholds, along with a description by section, township, range, county, and assessor's parcel numbers of the leaseholds;	N/A		
Appendix B (b) (3) (B)	Full-page color photographic reproductions of the geothermal leaseholds;	N/A		
Appendix B (b) (3) (C)	A description of the process by which the geothermal leasehold was selected and the consideration given to engineering constraints, site geology, environmental impacts, water, steam, waste and fuel constraints, electric transmission constraints, and any other	N/A		

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
	factors considered by the applicant. Include references to any environmental documents which address steam field development;			
Appendix B (b) (3) (D)	A detailed description of the type, quality, and characteristics of the geothermal resource, including pressure and temperature flow rates, constituents and concentrations of non-condensable gases, and constituent concentrations of dissolved solids, and descriptions and concentrations of any substances potentially harmful to public health and safety or to the environment;	N/A		
Appendix B (b) (3) (E)	Proposed locations of production and re-injection wells for the project. Include the applicant's assessment of geothermal resource adequacy, including the production history of those wells within the leaseholds dedicated to the project, including pressure decline curves as available; and	N/A		
Appendix B (b) (3) (F)	A discussion of the potential impacts on the temperature, mineral content, and rate of flow of thermal springs affected by the project.	N/A		
Appendix B (e) (1)	A discussion of how facility closure will be accomplished in the event of premature or unexpected cessation of operations.	N/A		This requirement is applicable to AFCs and not required for the CEQA analysis performed for an SPPE.

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Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	4.3 Air Quality page 4.3-1 referencing and incorporating Air Quality Analyses in Appendix F, which explains the scope of the field investigation, laboratory analyses, literature research relied upon, and conclusions and recommendations. The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions. This includes a description of the existing setting (Section 4.3.1 Environmental Setting pages 4.3-1 through 4.3-8, Section 4.3.2 Regulatory Background pages 4.3-9 through 4.3-13); an impact discussion consistent with the CEQA Guidelines' list of pertinent questions as described in Section 4.3.3 pages 4.3-13 through 4.3-47.		Public Health is not a technical subject that is required for a legally sufficient CEQA analysis. The public health analysis for the backup generators is addressed in Section 4.3 Air Quality. Therefore, references will be to those Sections.

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Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	4.3 Air Quality page 4.3-1 referencing and incorporating Air Quality Analyses in Appendix F. There are no ongoing research activities underway that were relied upon in this Application.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference;	4.3 Air Quality page 4.3-1 referencing and incorporating Air Quality Analyses in Appendix F.		
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation. Describe the approach, list or projection or a combination, used to develop the cumulative setting for the proposed project. Include any reference materials used such as general plan or other adopted local, regional, or statewide plan.	4.3.1 Environmental Setting pages 4.3-1 to 4.3-9. 4.3.3 Impact Discussion pages 4.3-13 through 4.3-48. Measures proposed as Project Design Measures (PDMs) PDM AIR-1, pages 3-21 through 3-22. The description of the development of the cumulative setting is contained in Section 4.0 and Section 4.3.3 pages 4.3-13 through 4.3-47.		

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Appendix B (g) (9) (A)	An assessment of the potential risk to human health from the project's hazardous air emissions using the Air Resources Board Hotspots Analysis and Reporting Program (HARP) (Health and Safety Code §§44360-44366) or its successor and Approved Risk Assessment Health Values. These values should include the cancer potency values and noncancer reference exposure levels approved by the Office of Environmental Health Hazard Assessment (OEHHA Guidelines, Cal-EPA 2005).	Section 4.3 Air Quality page 4.3-1 referencing and incorporating Air Quality Analyses in Appendix F, which explains the scope of the field investigation, laboratory analyses, literature research relied upon, and conclusions and recommendations. The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions. This includes a description of the existing setting (Section 4.3.1 Environmental Setting pages 4.3-1 through 4.3-8, Section 4.3.2 Regulatory Background pages 4.3-9 through 4.3-13); an impact discussion consistent with the CEQA Guidelines' list of pertinent questions as described in Section 4.3.3 pages 4.3-13 through 4.3-47.		
Appendix B (g) (9) (B)	A listing of the input data and output results, in both electronic and print formats, used to	Air Quality Section 4.3.3.4 page 4.3-45 through 4.3-47. Appendix F: AQ5.		

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	prepare the HARP health risk assessment.			
Appendix B (g) (9) (C)	Identification of available health studies through the local public health department concerning the potentially affected population(s) within a six-mile radius of the proposed power plant site related to respiratory illnesses, cancers or related diseases.	Table 4.3-6 pages 4.3-14. Air Quality Section 4.3.3 Impact Discussion pages 4.3-13 through 4.3-47. Section 4.3.3 Impact Discussion page 4.3-36.		
Appendix B (g) (9) (D)	A map showing sensitive receptors within the area exposed to the substances identified in subsection (g)(9)(A).	Appendix F: Sub Appendix AQ5.		
Appendix B (g) (9) (E)	For this section, the following definitions apply:	Section 4.3: Air Quality Section 4.3.1 Environmental Setting pages 4.3-1 through 4.3-8, Section 4.3.3 Impact Discussion pages 4.3-13 through 4.3-47, and Air Quality Analyses in Appendix F.		
Appendix B (g) (9) (E) (i)	A sensitive receptor refers to infants and children, the elderly, and the chronically ill, and any other member of the general population who is more susceptible to the effects of the exposure than the population at large;	Section 4.3: Air Quality Section 4.3.1 Environmental Setting pages 4.3-1 through 4.3-8, Section 4.3.3 Impact Discussion pages 4.3-13 through 4.3-47, and Air Quality Analyses in Appendix F.		

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Appendix B (g) (9) (E) (ii)	An acute exposure is one that occurs over a time period of less than or equal to one (1) hour; and	Section 4.3: Air Quality Section 4.3.1 Environmental Setting pages 4.3-1 through 4.3-8, Section 4.3.3 Impact Discussion pages 4.3-13 through 4.3-47, and Air Quality Analyses in Appendix F.		
Appendix B (g) (9) (E) (iii)	A chronic exposure is one that is greater than twelve (12) percent of a lifetime of seventy (70) years.	Section 4.3: Air Quality Section 4.3.1 Environmental Setting pages 4.3-1 through 4.3-8, Section 4.3.3 Impact Discussion pages 4.3-13 through 4.3-47, and Air Quality Analyses in Appendix F.		
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	Section 4.3.2 Regulatory Background Framework pages 4.3-9 through 4.3-13 contains the level of discussion of relevant federal, state and local statutes and regulations. As identified in Section 2, page 2-1 the only relevant permits are the permits for the generators by the BAAD and the land use entitlements by the City of San Jose.		For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.

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Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies that would have permit approval or enforcement authority, but for the exclusive authority of the Commission to certify sites and related facilities.	Section 10.1 page 10-1.		For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1 Agency Contacts page 10-1.		
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3.1 page 1-4.		

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Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	N/A		Reliability is not a technical subject that is required for a legally sufficient CEQA analysis. The reliability of the data center and its backup generating technology is a key factor in the Project Objectives and therefore is discussed in the context of Section 1 Executive Summary and Section 8, Alternative generation technology.
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	N/A		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference;	N/A		
Appendix B (h) (3) (A)	A discussion of the sources and availability of the fuel or fuels to be used over the estimated service life of the facilities.	Section 4.6 Energy, page 4.6-4 through 4.6-5.		
Appendix B (h) (3) (B)	A discussion of the anticipated service life and	N/A		

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	degree of reliability expected to be achieved by the proposed facilities on consideration of:			
Appendix B (h) (3) (B) (i)	Expected overall availability factor, and annual and lifetime capacity factors;	N/A		
Appendix B (h) (3) (B) (ii)	The demonstrated or anticipated feasibility of the technologies, systems, components, and measures proposed to be employed in the facilities, including the power generation system, the heat dissipation system, the water supply system, the reinjection system, the atmospheric emission control system, resource conveyance lines, and the waste disposal system;	N/A		
Appendix B (h) (3) (B) (iii)	Geologic and flood hazards, meteorologic conditions and climatic extremes, and cooling water availability;	Geology and Soils Sections 4.7, page 4.7-1, and Hydrology and Water Quality Section 4.10, page 4.10-1.		
Appendix B (h) (3) (B) (iv)	Special design features adopted by the applicant or resource supplier to ensure power plant reliability including equipment redundancy; and	N/A		
Appendix B (h) (3) (B) (v)	For technologies not previously installed and operated in California, the	N/A		

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	expected power plant maturation period.			
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	N/A		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies that would have permit approval or enforcement authority, but for the exclusive authority of the Commission to certify sites and related facilities.	N/A		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (2)	The name, title, phone number, address (required),	Section 10.1: Agency Contacts page 10-1.		

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	and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.			
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the Commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3.1 page 1-4.		

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Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	The SPPE does not include a section specifically for Socioeconomics. The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions. Additionally, there is a Section for Environmental Justice which addresses similar topics. This includes a description of the existing setting (Environmental Justice Regulatory Framework Section 4.21.1.1 and Existing Conditions Section 4.21.1.2 pages 4.21-1 through 4.21-9 and an impact discussion consistent with the CEQA Guidelines' list of pertinent questions as described in Section 4.21.2 pages 4.21-10 to 4.21-14.		There are multiple Data Completeness Worksheets the Commission reviews for an AFC that are not required in a CEQA analysis. Some of the requested AFC information is addressed in different SPPE sections. These can include: Population and Housing Section 4.14, Public Services Section 4.15, Recreation Section 4.16, and Environmental Justice Section 4.21.
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to	There are no ongoing research activities underway that were relied upon in this Application.		Research efforts that were relied upon for Socioeconomics are specified in the footnotes of various SPPE sections including: Population and Housing

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	provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and			Section 4.14, Public Services Section 4.15, Recreation Section 4.16, and Environmental Justice Section 4.21.
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference;	Section 9.0 References page 9-1 and footnotes throughout the SPPE.		
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation. Describe the approach, list or projection or a combination, used to develop the cumulative setting for the proposed project. Include any reference materials used such as general plan or other adopted local, regional, or statewide plan.	This information is contained in the following CEQA portions of various SPPE sections including: Population and Housing Section 4.14 page 4.14-3, Public Services Section 4.15 page 4.15-5, Recreation Section 4.16 page 4.16-2, and Environmental Justice Section 4.21 page 4.21-10.		
Appendix B (g) (7) (A)	A description of the socioeconomic circumstances of the vicinity and region affected by construction and operation of the project. Include:	Section 5.0 Growth Inducing Impacts page 5-1 and Section 4.21 Environmental Justice page 4.21-15.		

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Appendix B (g) (7) (A) (i)	The economic characteristics, including the economic base, fiscal resources, and a list of the applicable local agencies with taxing powers and their most recent and projected revenues;	N/A		This level of detailed information is not required for a legally sufficient CEQA review and has not been requested in previous SPPE Applications for data center backup generating facilities.
Appendix B (g) (7) (A) (ii)	The social characteristics, including population and demographic and community trends;	Section 4.14 Population and Housing Section 4.14.1.2 Existing Conditions page 4.14-2. Section 4.21 Figures: Figure 4.21-1 page 4.21-5, Figure 4.21-2 page 4.21-6, Figure 4.21-3 page 4.21-7, Figure 4.21-4 page 4.21-9.		
Appendix B (g) (7) (A) (iii)	Existing and projected unemployment rates;	Section 4.21 Environmental Justice page 4.21-4.		This level of detailed information is not required for a legally sufficient CEQA review and has not been requested in previous SPPE Applications for data center backup generating facilities. However, unemployment is a factor used in the CalEnviro Screening analysis in Section 4.21.
Appendix B (g) (7) (A) (iv)	Availability of skilled workers by occupation required for construction and operation of the project;	Section 4.14 Population and Housing Impact Discussion 4.14.2 pages 4.14-3 through 4.14-4.		.
Appendix B (g) (7) (A) (v)	Availability of temporary and permanent housing and current vacancy rate; and	Section 4.14.2.1 Population and Housing Project Impacts, pages 4.14-3 to 4.14-4.		
Appendix B (g) (7) (A) (vi)	Capacities, service standards, existing and expected use levels, and planned expansion of utilities (gas, water, and waste) and public	Section 4.15 Public Services pages 4.15-3 through 4.15-7. Section 4.16 Recreation		

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	services, including fire protection, law enforcement, emergency response, medical facilities, other assessment districts, school districts, parks and recreation facilities, libraries, and other public facilities. For projects outside metropolitan areas with a population of 500,000 or more, information for each school district shall include current enrollment and yearly expected enrollment by grade level groupings, excluding project-related changes for the duration of the project schedule.	pages 4.16-2 through 4.16-4. Section 4.19 Utilities and Service Systems pages 4.19-5 through 4.19-14.		
Appendix B (g) (7) (B)	A discussion of the socioeconomic impacts caused by the construction and operation of the project (note year of estimate, model, if used, and appropriate sources), including:	Section 4.15 Public Services pages 4.15-5 through 4.15-7.		
Appendix B (g) (7) (B) (i)	An estimate of the number of workers to be employed each month by occupation during construction, and for operations, an estimate of the number of permanent operations workers during a year;	Section 3.4.9 SCBGF Facility Operation page 3-8. Section 3.5.4.2 PG&E Transmission pages 3-15 through 3-17. Section 4.21 Environmental Justice Environmental Impacts page 4.21-13.		This level of detailed information is not required for a legally sufficient CEQA review and has not been requested in previous SPPE Applications for data center backup generating facilities.
Appendix B (g) (7) (B) (ii)	An estimate of the percentage of non-local workers who will relocate to the project area to work during	4.21.2 Environmental Justice Impacts Discussion page 4.21-13.		

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	the project construction and operation;			
Appendix B (g) (7) (B) (iii)	An estimate of the potential population increase caused directly and indirectly by the project;	Population and Housing Sections 4.14.2.1 and 4.14.2.2 Project Impacts pages 4.14-3 and 4.14-4. Environmental Justice Section 4.21.2 Impacts Discussion page 4.21-13.		
Appendix B (g) (7) (B) (iv)	The potential impact of population increase on housing during the construction and operations phases;	Population and Housing Sections 4.14.2.1 and 4.14.2.2 Project Impacts pages 4.14-3 and 4.14-4. Section 4.21.2 Environmental Justice Impacts Discussion pages 4.21-12 through 4.21-13.		
Appendix B (g) (7) (B) (v)	The potential impacts, including additional costs and ability to meet local service standards, on utilities (gas, water, and waste) and public services, including fire, law enforcement, emergency response, medical facilities, other assessment districts, and school districts. Include response times to hospitals and for police protection, fire projection, emergency services, parks and recreation facilities, libraries, and other public facilities. For projects outside metropolitan areas with a population of 500,000 or more, information on schools	Section 4.8.1.1 Greenhouse Gas Emissions Background Information page 4.8-1. Section 4.9.1.1 Hazardous Materials Regulatory Framework page 4.9-5. 4.15 Public Services Section 4.15.1.2 Existing Conditions page 4.15-3 and Section 4.15.2.1 Project Impacts pages 4.15-5 through 4.15-7. 4.17 Transportation Section 4.17.2.2 Cumulative Impacts		

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	shall include project-related enrollment changes by grade level groupings and associated facility and staffing impacts by school district during the construction and operating -phases;	pages 4.17-11 through 4.17-12. 4.20.2.1 Wildfire Project Impacts pages 4.20-5 through 4.20-6.		
Appendix B (g) (7) (B) (vi)	An estimate of applicable school impact fees;	Section 4.15.2.1 Public Services Impact Discussion page 4.15-6.		
Appendix B (g) (7) (B) (vii)	An estimate of the total construction payroll and separate estimates of the total operation payroll for permanent and short-term (contract) operations employees;	N/A		This level of detailed information is not required for a legally sufficient CEQA review and has not been requested in previous SPPE Applications for data center backup generating facilities.
Appendix B (g) (7) (B) (viii)	An estimate of the expenditures for locally purchased materials for the construction and operation phases of the project;	N/A		This level of detailed information is not required for a legally sufficient CEQA review and has not been requested in previous SPPE Applications for data center backup generating facilities.
Appendix B (g) (7) (B) (ix)	An estimate of the capital cost (plant and equipment) of the project;	N/A		This level of detailed information is not required for a legally sufficient CEQA review and has not been requested in previous SPPE Applications for data center backup generating facilities.
Appendix B (g) (7) (B) (x)	An estimate of sales taxes generated during construction and separately during an operational year of the project;	N/A		This level of detailed information is not required for a legally sufficient CEQA review and has not been requested in previous SPPE Applications for data center backup generating facilities.
Appendix B (g) (7) (B) (xi)	An estimate of property taxes generated during an operational year of the project;	N/A		This level of detailed information is not required for a legally sufficient CEQA review and has not been requested in previous SPPE Applications for data center backup generating facilities.

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Appendix B (g) (7) (B) (xii)	The expected direct, indirect, and induced income and employment effects due to construction and operation of the project; and	Section 4.21.2 Environmental Justice Impacts Discussion pages 4.21-10 through 4.21-14.		
Appendix B (g) (7) (B) (xiii)	A discussion of impacts to environmental justice populations by technical areas and whether any impacts would disproportionately affect the environmental justice populations.	Section 4.21.2 Environmental Justice Impacts Discussion pages 4.21-10 through 4.21-14.		
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	As identified in Section 2 page 2-1, the only relevant permits are the permits for the generators by the BAAD and the land use entitlements by the City of San Jose. As mentioned earlier, there are multiple SPPE sections that address Socioeconomics, and the Regulatory Framework in each of these sections could be appropriate and contain the level of discussion of relevant federal, state and local statutes and regulations. These Sections could include: Population and Housing Section 4.14 page 4.14-1, Public Services Section 4.15 page 4.15-1, Recreation Section 4.16 page 4.16-1, and Environmental Justice Section 4.21 page 4.21-1.		For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.

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Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies that would have permit approval or enforcement authority, but for the exclusive authority of the Commission to certify sites and related facilities.	Section 10.1 page 10-1.		For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1 Agency Contacts page 10-1.		
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the Commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3.1 page 1-4.		

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Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	4.7 Geology & Soils page 4.7-1 referencing the Geotechnical Investigation Report in Appendix I, which explains the scope of the field investigation, laboratory analyses, literature research relied upon, and conclusions and recommendations. The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions. This includes a description of the existing setting (Regulatory Framework Section 4.7.1.1 pages 4.7-1 through 4-7.3 and Existing Conditions Section 4.7.1.2 page 4.7-3 through 4.7-6); an impact discussion consistent with the CEQA Guidelines' list of pertinent questions as described in Section 4.7.2.1 page 4.7-7 through 4.7-15.		

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Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	Section 4.7 Geology & Soils page 4.7-1 referencing the Geotechnical Investigation Report in Appendix I. There are no ongoing research activities underway that were relied upon in this Application.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference;	Section 4.7 Geology & Soils page 4.7-1 referencing the Geotechnical Investigation Report in Appendix I.		
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation. Describe the approach, list or projection or a combination, used to develop	Section 4.7.1.2 Existing Conditions pages 4.7-3 through 4.7-7. Section 4.7.2 Impact Discussion pages 4.7-7 through 4.7-15. Measures proposed as Project Design Measures (PDMs) Section 3.7 pages 3-29 through 3-31. The description of the development of the cumulative setting is contained in Section 4.0;		

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	the cumulative setting for the proposed project. Include any reference materials used such as general plan or other adopted local, regional, or statewide plan.	Tables 4.0-1 page 4-3, the Geotechnical Investigation Report in Appendix I and cumulative impacts are addressed in Section 4.7.2.2 pages 4.7-14 through 4.7-15.		
Appendix B (g) (15) (A)	A map at a scale of 1:24,000 and written description of soil types and all agricultural land uses that will be affected by the proposed project. The description shall include:	Geotechnical Investigation Report in Appendix I. Section 4.7.1.2 Existing Conditions pages 4.7-3 through 4.7-7.		
Appendix B (g) (15) (A) (i)	The depth, texture, permeability, drainage, erosion hazard rating, and land capability class of the soil;	Geotechnical Investigation Report in Appendix I. Section 4.7.1.2 Existing Conditions pages 4.7-3 through 4.7-7.		
Appendix B (g) (15) (A) (ii)	An identification of other physical and chemical characteristics of the soil necessary to allow an evaluation of soil erodibility, permeability, re-vegetation potential, and cycling of pollutants in the soil-vegetation system;	Geotechnical Investigation Report in Appendix I. Section 4.7.1.2 Existing Conditions pages 4.7-3 through 4.7-7.		

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Appendix B (g) (15) (A) (iii)	The location of any proposed fill disposal or fill procurement (borrow) sites; and	Geotechnical Investigation Report in Appendix I.		
Appendix B (g) (15) (A) (iv)	The location of any contaminated soils that could be disturbed by project construction.	Geotechnical Investigation Report in Appendix I. Section 4.9.1.2 Hazardous Materials Existing Conditions & Phase I Appendix K.		
Appendix B (g) (15) (B)	An assessment of the effects of the proposed project on soil resources and agricultural land uses. This discussion shall include:	Section 4.2.2 Impact Discussion pages 4.2-3 through 4.2-5.		
Appendix B (g) (15) (B) (i)	The quantification of accelerated soil loss due to wind and water erosion; and	Section 4.7.2 Impact Discussion page 4.7-7.		
Appendix B (g) (15) (B) (ii)	The effect of power plant emissions on surrounding soil-vegetation systems.	Geotechnical Investigation Report in Appendix I.		
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall	4.7.1.1 Regulatory Framework pages 4.7-1 through 4.7-3 contains the level of discussion of relevant federal, state and local statutes and regulations. As identified in Section 2.0 page 2-1, the only relevant permits are the		For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.

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	explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	permits for the generators by the BAAD and the land use entitlements by the City of San Jose.		
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies that would have permit approval or enforcement authority, but for the exclusive authority of the Commission to certify sites and related facilities.	Section 10.1 page 10-1.		For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1 Agency Contacts page 10-1.		
Appendix B (i) (3)	A schedule indicating when permits outside the authority	Section 1.3.1 page 1-4.		

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	of the Commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.			

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Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	Section 4.17 Transportation Page 4.17-1 referencing and incorporating Transportation Analysis in Appendix N, which explains the scope, analyses, literature research relied upon, and conclusions and recommendations. The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions including those specifically relate to Vehicle Miles Traveled (VMT). This includes a description of the existing setting (Regulatory Framework - Section 4.17.1.1 page 4.17-1, Existing Conditions – Section 4.17.1.2 page 4.17-4); an impact discussion consistent with the CEQA Guidelines’ list of pertinent questions as described in Section 4.17.2.1 pages 4.17-6 through 4.17-12.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts	Section 4.17 Transportation page 4.17-1 referencing and		

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	undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	incorporating Transportation Analysis in Appendix N. There are no ongoing research activities underway that were relied upon in this Application.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference;	Section 4.17 Transportation 4.17-1 referencing and incorporating Transportation Analysis in Appendix N.		
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation. Describe the approach, list or projection or a combination, used to develop the cumulative setting for the proposed project. Include any reference materials used such as general plan or other adopted local, regional, or statewide plan.	Section 4.17.1.2 Existing Conditions page 4.17-4. Section 4.17.2.1 Impact Discussion page 4.17-6. Section 3.7 Measures proposed as Project Design Measures (PDMs) pages 3-36 through 3-37. Cumulative Impacts – Section 4.17.2.2 pages 4.17-11 through 4.17-12. Section 4.17 Transportation page 4.17-1 referencing and incorporating Transportation Analysis in Appendix N.		PDM TRN-1.1: proposes a Transportation Demand Management (TDM) Plan. Unlike an AFC, CEC Staff does not require a draft of the TDM in order to support the preparation of its CEQA document. Including the PDM as a Mitigation Measure in the Mitigation, Monitoring and Reporting Plan (MMRP) is sufficient for the CEQA document to conclude that the City of San Jose would enforce the preparation and implementation of the TDM.
Appendix B (g) (5) (A)	A regional transportation setting, on topographic maps (scale of 1:250,000), identifying the project location and major	Refer to Transportation Analysis in Appendix N.		

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	transportation facilities. Include a reference to the transportation element of any applicable local or regional plan.			
Appendix B (g) (5) (B)	If the proposed project including any linear facility is to be located within four miles of an airport, a planned or proposed airport runway, or an airport runway under construction, discuss the project's compliance with the applicable sections of the current Federal Aviation Regulation Part 77 – Safe, Efficient Use, and Preservation of the Navigable Airspace, specifically any potential to obstruct or impede air navigation generated by the project during construction or operation; such as, a thermal plume, a visible water vapor plume, glare, electrical interference, or surface structure height. The discussion should include:	N/A		Project is not within four miles of an airport, therefore not applicable. Thus, the remaining data requested for Appendix B (g) (5) (B) is also not applicable.
Appendix B (g) (5) (B) (i)	A map at a scale of 1:24,000 that displays the airport or airstrip runway configuration, the airport influence area including all safety zones, and the proposed power plant site and related facilities.	N/A		
Appendix B (g) (5) (B) (ii)	A thermal plume analysis that describes the plume's velocity;	N/A		
Appendix B (g) (5) (B) (iii)	A discussion of the project's conformance with applicable	N/A		

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	Airport Land Use Compatibility Plan policies; and			
Appendix B (g) (5) (B) (iv)	Copies of FAA Form 7460-1, Notice of Proposed Construction or Alteration, that were submitted or approved for any project component requiring notice.	N/A		
Appendix B (g) (5) (C)	An evaluation of the project's potential impacts related to vehicle miles traveled (VMT) that may include:	VMT is addressed in the Transportation Analysis as provided in Appendix N. Additionally, it is included in the following: Regulatory Framework Section 4.17.1.1 page 14.17-1, Project Impacts Section 4.17.2.1 pages 14.17-6 through 4.17-11.		
Appendix B (g) (5) (C) (i)	The local jurisdiction's thresholds of significance;	Project Impacts Section 4.17.2.1 page 4.17-9.		
Appendix B (g) (5) (C) (ii)	Methodologies (such as local VMT Evaluation Tool);	VMT is addressed in the Transportation Analysis as provided in Appendix N.		
Appendix B (g) (5) (C) (iii)	VMT heat maps; and	VMT is addressed in the Transportation Analysis as provided in Appendix N.		
Appendix B (g) (5) (C) (iv)	Transportation demand management plans and any documents supporting the project applicant's CEQA determination.	VMT is addressed in the Transportation Analysis as provided in Appendix N. Additionally, the Transportation Demand Management Plan is a proposed measure: PDM TRN-1 page 3-36.		PDM TRN-1.1: proposes a Transportation Demand Management (TDM) Plan. Unlike an AFC, CEC Staff does not require a draft of the TDM in order to support the preparation of its CEQA document. Including the PDM as a Mitigation Measure in the Mitigation, Monitoring and Reporting Plan (MMRP) is sufficient for the CEQA document to conclude that the City of San

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				Jose would enforce the preparation and implementation of the TDM.
Appendix B (g) (5) (D)	An identification, on topographic maps at a scale of 1:24,000, and a description of existing and planned roads, rail lines, (including light rail), bike trails, airports, bus routes serving the project vicinity, pipelines, and canals in the project area affected by or serving the proposed facility. For each road identified, include the following, where applicable:	N/A		CEQA no longer requires a level of service traffic analysis and therefore any analysis that may be required by the City of San Jose will be associated solely with the implementation of their LORS and therefore unnecessary for the CEC CEQA analysis.
Appendix B (g) (5) (D) (i)	Road classification and design capacity;	N/A		Ibid
Appendix B (g) (5) (D) (ii)	Current daily average and peak traffic counts;	N/A		Ibid
Appendix B (g) (5) (D) (iii)	Current and projected levels of service before project development, during construction, and during project operation;	N/A		Ibid
Appendix B (g) (5) (D) (iv)	Weight and load limitations;	N/A		Ibid
Appendix B (g) (5) (D) (v)	Estimated percentage of current traffic flows for passenger vehicles and trucks; and	N/A		Ibid
Appendix B (g) (5) (D) (vi)	An identification of any road features affecting public safety.	N/A		Ibid
Appendix B (g) (5) (E)	An assessment of the construction and operation impacts of the proposed project on the transportation facilities identified in (g)(5)(D). Also	Transportation Analysis as provided in Appendix N.		

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	include anticipated project specific traffic, estimated changes to daily average and peak traffic counts, levels of service, and traffic/truck mix, and the impact of construction of any facilities identified in (g)(5)(D). Include:			
Appendix B (g) (5) (E) (i)	Estimated one-way trip lengths for workers, deliveries, and truck haul trips generated by the construction of the project.	Transportation Analysis as provided in Appendix N.		
Appendix B (g) (5) (E) (ii)	Description of public roadways and intersections temporarily or permanently altered by construction and operation including the duration of activities.	Transportation Analysis as provided in Appendix N.		
Appendix B (g) (5) (F)	A discussion of project-related hazardous materials to be transported to or from the project during construction and operation of the project, including the types, estimated quantities, estimated number of trips, anticipated routes, means of transportation, and any transportation hazards associated with such transport.	Transportation Analysis as provided in Appendix N.		
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the	Section 4.17.1.1 Regulatory Framework, page 4.17-1 contains the level of discussion of relevant federal, state and local statutes and regulations. As identified in Section 2 page 2-1, the only		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.

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	applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	relevant permits are the permits for the generators by the BAAD and the land use entitlements by the City of San Jose.		
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies that would have permit approval or enforcement authority, but for the exclusive authority of the Commission to certify sites and related facilities.	Section 10.1, Agency Contacts page 10-1.		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1: Agency Contacts, page 10-1.		
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the Commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3.1, page 1-4.		

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Technical Area: **Transmission System**

Project Manager: **Design**

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Technical Staff:

Docket:

Technical Senior:

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Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	N/A		This section is not required for a legally sufficient CEQA analysis. As described in Sections 1 and 3, the SCBGF will only interconnect to the onsite SCDC. While the SCDC will require a Project Substation, and PG&E serving facilities, those facilities are described in Section 3 in sufficient detail for a CEQA analysis to be performed.
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	N/A		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference.	N/A		
Appendix B (h) (2) (A)	A discussion of the need for the additional electric transmission lines, substations, or other equipment, the basis for selecting principal points of junction with the existing electric transmission system, and the capacity and voltage levels of the proposed lines, along with the basis for selection of the capacity and voltage levels.	Section 3.5.3 Project Substation page 3-11. Section 3.5.4 PG&E Hellyer Switching Station and Transmission Lines pages 3-12 through 3-18.		

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Appendix B (h) (2) (B)	A discussion of the extent to which the proposed electric transmission facilities have been designed, planned, and routed to meet the transmission requirements created by additional generating facilities planned by the applicant or any other entity.	N/A		
Appendix B (b) (2) (C)	A detailed description of the design, construction, and operation of any electric transmission facilities, such as power lines, substations, switchyards, or other transmission equipment, which will be constructed or modified to transmit electrical power from the proposed power plant to the load centers to be served by the facility. Such description shall include the width of rights of way and the physical and electrical characteristics of electrical transmission facilities such as towers, conductors, and insulators.	N/A		The level of detail requested is not required for a CEQA analysis.
Appendix B (b) (2) (D)	A description of how the route and additional transmission facilities were selected, and the consideration given to engineering constraints, environmental impacts, resource conveyance constraints, and electric transmission constraints.	N/A		The route and transmission facilities serve the data center and were selected by PG&E and not the Applicant and therefore, this information is within the scope of a third party and not available to the Applicant.
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed	N/A		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.

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	project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and			
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies that would have permit approval or enforcement authority, but for the exclusive authority of the Commission to certify sites and related facilities.			For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1: Agency Contacts page 10-1.		
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the Commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3.1 page 1-4.		

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Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions. This includes a description of the existing setting (Section 4.1.1.1, Regulatory Framework, page 4.1-1, Section 4.1.1.2 Existing Conditions, page 4.1-2); and an impact discussion guided by the CEQA list of pertinent questions as described in Section 4.1.2, pages 4.1-5 through 4.1-6.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	No major studies or research efforts were undertaken or relied upon to complete the CEQA analysis for Land Use.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents,	Section 4.1.2.1 page 4.1-6.		

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	along with brief discussions of the relevance of each such reference;			
Appendix B (g) (1)	... provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation, and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation. Describe the approach, list or projection (or a combination of) used to develop the cumulative setting for the proposed project. Include any reference materials used such as general plan or other adopted local, regional, or statewide plan.	4.1.1.2 Existing Conditions page 4.1-2. 4.1.2 Impact Discussion page 4.1-5. 4.1.2.1 Project Impacts (d) pages 4.1-9 through 4.1-10. Section 4.0 page 4-1 and Table 4.0-1 page 4-3. No measures to mitigate impacts were proposed as Project Design Measures because no significant impacts requiring mitigation were identified.		
Appendix B (g) (6) (A)	Provide a description of the existing landscape (built or natural) where the proposed project is to be sited and the vicinity, and along the proposed routes for any aboveground project-related linear facilities. Include:	4.1.1.2 Existing Conditions page 4.1-2.		
Appendix B (g) (6) (A) (i)	Show on a map(s) (pinpoint) any designated or recognized scenic vista and scenic resource within a five-mile radius of the project and	Figures and pages below:		

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	one-mile radius of a project-related linear facility. Include:			
Appendix B (g) (6) (A) (i) a.	Any designated scenic vista and scenic resource in an adopted federal, state, county, or city government planning document, plan, or regulation.	Section 4.1.1.2 Existing Conditions – Scenic View & Corridors pages 4.1-2 through 4.1-6.		
Appendix B (g) (6) (A) (i) b.	A natural feature or object that is a part of the land, such as a geologic distinguishing characteristic (e.g., laccolith), geomorphologic feature (e.g., gorge), or other terrain feature (e.g., a water body, open space, or a tree recognized for its aesthetic, botanical and ecological value, or age, rarity, and size).	Section 4.1.2.1 Project Impacts pages 4.1-6 through 4.1-10.		
Appendix B (g) (6) (A) (i) c.	A man-made feature or object that embodies elements of architecture or engineering design, detail, materials or craftsmanship that represent a significant innovation or is unique, such as the California State Capitol, Golden Gate Bridge, or Hollywood Sign.	Section 4.1.2.1 Project Impacts pages 4.1-6 through 4.1-10.		
Appendix B (g) (6) (A) (i) d.	Explain does the project eliminate or obstruct the public view (the visible area from a location where the public has a legal and physical right of access to real property) of a scenic vista and scenic resource? Is the project situated so that it changes the visual	Section 4.1.1.2 Existing Conditions – Scenic View & Corridors pages 4.1-2 through 4.1-6.		

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	aspect of a scenic resource by being different or in sharp contrast?			
Appendix B (g) (6) (A) (ii)	Describe the existing nighttime lighting on the project site and in the vicinity.	4.1.1.2 Existing Conditions – Light & Glare pages 4.1-2 through 4.1-6.		
Appendix B (g) (6) (B)	In accordance with CEQA Guidelines as found in 14 CCR Division 6, Chapter 3, Appendix G Environmental Checklist Form, I. Aesthetics c, if the project is to be constructed within an “urbanized area” as defined in Public Resources Code section 21071, explain the project’s conformance with the city/county General Plan, and city municipal code or county government code (e.g., zoning) governing scenic quality.	4.1.1.2 Existing Conditions Surrounding Uses Pages 4.1-2 through 4.1-6. 4.1.2.1 Project Impacts page 4.1-6.		
Appendix B (g) (6) (C)	In accordance with CEQA Guidelines as found in 14 CCR Division 6, Chapter 3, Appendix G Environmental Checklist Form, I. Aesthetics c, if the project is to be constructed within a non-urbanized area provide the following:	Not Applicable. Project would be developed in an urbanized area. Section 4.1.2.1 Project Impacts Urbanized Area pages 4.1-8 through 4.1-9.		
Appendix B (g) (6) (C) (i)	Show on a map the pinpoint location of the key observation point(s) (KOP) for the project. A KOP is a fixed position in a publicly accessible location where a public view of the project is analyzed and/or evaluated in the landscape.	N/A		

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	Objects of aesthetic significance are the primary focus in the KOP selection.			
Appendix B (g) (6) (C) (ii)	If an object of aesthetic significance is not in the vicinity of the project, a KOP is to be selected based on importance to stakeholders, visibility, direct public selection, worst-case scenario, or other reason. Explain the reason the KOP was chosen. At a minimum two KOPs are to be selected.	N/A		
Appendix B (g) (6) (C) (iii)	Provide a color photograph(s) showing an actual line of sight at eye level during daytime and clear weather from the KOP to the project site prior to any alteration (existing condition). The photographer at the KOP is to use a standard lens. For each photograph provide the following information: camera type, lens focal length, viewing angle; date and time the photograph was taken, and the distance to the project site.	N/A		
Appendix B (g) (6) (C) (iv)	Using the photograph from the KOP provide a spatially accurate and realistically photo manipulated computer simulated image of the project (photo-realistic simulation) one-year after completion of	N/A		

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	construction (existing condition plus proposed project).			
Appendix B (g) (6) (C) (v)	The KOP photograph and the photo-realistic simulation are to be capable of 11" x 17" color print by a printer capable at a minimum 600 dots per inch output resolution.	N/A		
Appendix B (g) (6) (C) (vi)	Provide a copy of the KOP photograph(s) and photo-realistic simulation(s) in an electronic file.	N/A		
Appendix B (g) (6) (D)	Show and describe the project in the landscape.	Appendix B.		
Appendix B (g) (6) (D) (i)	Provide an 8.5" x 11" sized scaled elevation(s) of project buildings, structures, and major equipment; a table listing their dimensions (height, length, width, diameter).	Appendix B.		
Appendix B (g) (6) (D) (ii)	Provide a table and description of the exterior surface treatments and finishes for the buildings, structures, major equipment (e.g., colors, flat and/or textured finishes), and structural materials.			This level of detail is not necessary for a CEQA level of analysis and therefore is not provided.
Appendix B (g) (6) (D) (iii)	Describe project specific architectural treatment or design technique mitigation unique to the project's siting at the location (e.g., camouflage, disguise, screen), if any.			This level of detail is not necessary for a CEQA level of analysis and therefore is not provided.
Appendix B (g) (6) (D) (iv)	Provide a project specific conceptual landscape design plan that conforms with the city	Appendix B.		

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	municipal code or county government code. Include:			
Appendix B (g) (6) (D) (iv) a.	the type of plant and/or tree species, location, quantity, size, spacing at installation/planting, expected growth rates, and expected heights at one-year, five years, and maturity. Specify irrigation system components and show their locations.			
Appendix B (g) (6) (D) (iv) b.	the calculated total pervious surface amount for the project site; include the surface to be replaced, the new surface, and the total area to be landscaped.	Section 4.10.2.1 page 4.10-9 describes how compliance with Provision C.3 of the MRP, enforced by the City of San Jose, will ensure the project will not create new sources of polluted runoff. Appendix B.		
Appendix B (g) (6) (D) (v)	Provide a project specific conceptual outdoor lighting control and management plan (lighting plan) and explain the control of reflectance from exterior surfaces offsite that conform with the city municipal code or county government code.	Section 4.1.2.1 Light or Glare pages 4.1-6 through 4.1-10.		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore compliance with the City of San Jose Municipal Code is not necessary for the CEC's CEQA document. The CEC can simply rely on the City of San Jose enforcing its LORS related to lighting at the time of the issuance of building permits.
Appendix B (g) (6) (D) (v) a.	Provide a list of the project-specific luminaires, identify the design (e.g., full cutoff, semi cutoff, non cutoff) and indicate if the luminaires have the International Dark-Sky Association	N/A		This level of detail is not necessary for the CEC to conduct its CEQA analysis. The CEC can simply rely on the City of San Jose enforcing its LORS related to lighting at the time of the issuance of building permits.

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	Fixture Seal of Approval to the extent feasible consistent with safety and security considerations. Show the project-specific luminaires locations on a diagram or elevation.			
Appendix B (g) (6) (D) (v) b.	Describe reflectance, the intensity of the specular reflectance from the exterior surface of the project's large buildings, structures, and major equipment offsite to the surrounding area (e.g., the light reflected from the shiny surface). The reflectance of the object—how bright it shines—depends on the intensity of the light striking it and the materials from which it is made (e.g., glass, reinforced concrete, structural steel).	N/A		This level of detail is not necessary for the CEC to conduct its CEQA analysis. The CEC can simply rely on the City of San Jose enforcing its LORS related to lighting at the time of the issuance of building permits.
Appendix B (g) (6) (E)	If the project is to use a cooling tower emitting a publicly visible water vapor plume (visible plume) in the atmosphere provide the following information:	N/A		
Appendix B (g) (6) (E) (i)	Provide the cooling tower's number of fan cells, the fan cell stack height and diameter, the exhaust mass flow rate, heat rejection rate, and exhaust temperature.	N/A		
Appendix B (g) (6) (E) (ii)	Provide fogging curves specific to the cooling tower's exhaust discharge for at least three	N/A		

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	ambient air temperature conditions (a low, average, and high temperature condition).			
Appendix B (g) (6) (E) (iii)	Explain if the project's forecasted visible plume emitted in the atmosphere by the cooling tower would eliminate or obstruct an existing public view of a designated or recognized scenic vista, scenic resource, and the existing visual character or quality of public views of the site and its surroundings.	N/A		
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	N/A		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and	Section 1.3 page 1-3.		For an SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.

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	federal land use plans, and agencies which would have permit approval or enforcement authority, but for the exclusive authority of the commission to certify sites and related facilities.			
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and also provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1 Agency Contacts page 10-1.		

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
Cal. Code Regs., tit. 20, § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	N/A		Waste Management is not a technical subject that is required for a legally sufficient CEQA analysis. The waste management for the data center and its backup generating technology are addressed in the Sections for Utility & Service System 4.19 pages 4.19-1 through 4.19-14, and Public Services Section 4.15 pages 4.15-1 to 4.15-7. Therefore, references will be to those Sections.
Cal. Code Regs., tit. 20, § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	N/A		
Cal. Code Regs., tit. 20, § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference;	N/A		
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans	Public Services Section 4.15: Existing Conditions 4.15.1.2 pages 4.15-3 through 4.15-4. Impact Discussion 4.15.2 pages 4.15-4 through 4.15-7.		

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	proposed to verify the effectiveness of the mitigation. Describe the approach, list or projection or a combination, used to develop the cumulative setting for the proposed project. Include any reference materials used such as general plan or other adopted local, regional, or statewide plan.	Utility & Service Systems Section 4.19: Existing Conditions 4.19.1.2 pages 4.19-5 through 4.19-6. Impact Discussion 4.19.2 pages 4.19-7 through 4.19-14.		
Appendix B (g) (12) (A)	A Phase I Environmental Site Assessment (ESA) for the proposed power plant site using methods prescribed by the American Society for Testing and Materials (ASTM) document entitled "Standard Practice for Environmental Site Assessments: Phase 1 Environmental Site Assessment Process" (Designation: E 1527-93, May 1993), which is incorporated by reference in its entirety; or an equivalent method agreed upon by the applicant and the CEC Staff that provides similar documentation of the potential level and extent of site contamination. The Phase I ESA shall have been completed no earlier than one year prior to the filing of the application.	Phase I Environmental Site Assessments (ESA) in Report in Appendix K, which explains the scope of the field investigation, laboratory analyses, literature research relied upon, and conclusions and recommendations. The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions.		
Appendix B (g) (12) (B)	A description of each waste stream estimated to be generated during project construction and operation, including origin, hazardous or nonhazardous classification pursuant to Title 22, California Code of Regulations, § 66261.20 et seq.,	Section 4.19.2.1 Project Impacts, Solid Waste page 4.19-11 through 4.19-12. 4.9 Hazards and Hazardous Materials Section 4.9.2 Impact		

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	chemical composition, estimated annual weight or volume generated, and estimated frequency of generation.	Discussion pages 4.9-8 through 4.9-17.		
Appendix B (g) (12) (C)	A description of all waste disposal sites which may feasibly be used for disposal of project wastes. For each site, include the name, location, classification under California Code of Regulations, Title 23, section 2530 et seq., the daily or annual permitted capacity, daily or annual amounts of waste currently being accepted, the estimated closure date and remaining capacity, and a description of any enforcement action taken by local or state agencies due to waste disposal activities at the site.	4.19.2.1 Environmental Impacts pages 4.19-7 through 4.19-14.		
Appendix B (g) (12) (D)	A description of management methods for each waste stream, including methods used to minimize waste generation, length of on- and off-site waste storage, re-use and recycling opportunities, waste treatment methods used, and use of contractors for treatment.	4.19.2.1 Environmental Impacts pages 4.19-7 through 4.19-14.		
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the	The Regulatory Frameworks for Utility & Service System Section 4.19 pages 4.19-1 through 4.19-5 and Public Services Section 4.15, pages 4.15-1 through 4.15-4 contains the level of discussion of relevant federal, state and local statutes and		For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.

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	application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	regulations. As identified in Section 2 page 2-1, the only relevant permits are the permits for the generators by the BAAD and the land use entitlements by the City of San Jose.		
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies that would have permit approval or enforcement authority, but for the exclusive authority of the Commission to certify sites and related facilities.	Section 10.1 Agency Contacts page 10-1.		For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1 Agency Contacts page 10-1.		
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the Commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3.1 page 1-4.		

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SITING REGULATIONS	AFC INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS <i>JUSTIFICATION FOR NOT PROVIDING AFC</i>
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	Section 4.10 Hydrology & Water Resources pages 4.10-1 through 4.10-14 referencing and incorporating Phase I Environmental Site Assessments (ESA) in Report in Appendix K, which explains the scope of the field investigation, laboratory analyses, literature research relied upon, and conclusions and recommendations. The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions. This includes a description of the existing setting (Regulatory Framework Section 4.10.1 pages 4.10-1 through 4.10-5, and Existing Conditions Section 4.10.1.2 pages 4.10-5 through 4.10-7); an impact discussion consistent with the CEQA Guidelines'		

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		list of pertinent questions as described in Section 4.10.2 page 4.10-8.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	Section 4.10 Hydrology and Water Quality pages 4.10-1 through 4.10-14, referencing and incorporating Phase I Environmental Site Assessments (ESA) in Report in Appendix K. There are no ongoing research activities underway that were relied upon in this Application.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference;	Section 4.10 Hydrology and Water Quality pages 4.10-1 through 4.10-14 referencing and incorporating Phase I Environmental Site Assessments (ESA) in Report in Appendix K.		
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation. Describe the approach, list or	Section 4.10.1.2 Existing Conditions pages 4.10-5 through 4.10-7; Section 4.10.2 Impact Discussion pages 4.10-8 through 4.10-14; Measures proposed as Project Design Measures (PDMs) PDM HYD-1.1 pages 3-33 through 3-34. The description of the development of the		

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	projection or a combination, used to develop the cumulative setting for the proposed project. Include any reference materials used such as general plan or other adopted local, regional, or statewide plan.	cumulative setting is contained in Section 4.0 and Tables 3.5-1 & 3.5-2 on pages 3-19 and 3-20 and Project Impacts are addressed in Section 4.10.2 pages 4.10-9 through 4.10-14. Section 4.19.1.1 Utilities and Service Systems Regulatory Framework pages 4.19-1 through 4.19-5.		
Appendix B (g) (14) (A)	All the information required to apply for the following permits, if applicable, including:			The SPPE does not follow the same format as an AFC. Instead, the SPPE includes the sections required for a legally sufficient CEQA review pursuant to the CEQA Guidelines. The cumulative impacts section 4.10.2 addresses this request. All necessary permits will be addressed and obtained at a local level.
Appendix B (g) (14) (A) (i)	Waste Discharge Requirements; National Pollutant Discharge Elimination System Permit; and/or a Section 401 Certification or Waiver from the appropriate Regional Water Quality Control Board (RWQCB);	Section 4.10.2 Project Impacts pages 4.10-8 through 4.10-14.		
Appendix B (g) (14) (A) (ii)	Construction and Industrial Waste Discharge or Industrial Pretreatment permits from wastewater treatment agencies;	Section 4.10.2 Project Impacts pages 4.10-8 through 4.10-14.		
Appendix B (g) (14) (A) (iii)	Nationwide Permits and/or Section 404 Permits from the U.S. Army Corps of Engineers; and	Section 4.10.2 Project Impacts pages 4.10-8 through 4.10-14.		

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Appendix B (g) (14) (A) (iv)	Underground Injection Control Permit(s) from the U.S. Environmental Protection Agency, California Division of Oil and Gas, and RWQCB.	Section 4.10.2 Project Impacts pages 4.10-8 through 4.10-14.		
Appendix B (g) (14) (B)	A detailed description of the hydrologic setting of the project. The information shall include a narrative discussion and on maps at a scale of 1:24,000 (or appropriate scale approved by staff), describing the chemical and physical characteristics of the following nearby water bodies that may be affected by the proposed project:	Section 4.10.1.2 Existing Conditions pages 4.10-5 through 4.10-7.		The inclusion of a large scale map of water bodies is not necessary for a legally sufficient CEQA analysis and has not been required for prior data center backup generating facilities SPPE Applications. The project has identified that it will use minimal water for the data center supplied by the City of San Jose public water system and will discharge minimal wastewater into the City of San Jose municipal wastewater system.
Appendix B (g) (14) (B) (i)	Ground water bodies and related geologic structures;	Section 4.10.1.2 Existing Conditions pages 4.10-5 through 4.10-7. Section 4.10.2 Project Impacts pages 4.10-8 through 4.10-14. The Project will not alter the course of a stream or river since no waterways are on-site.		
Appendix B (g) (14) (B) (ii)	Surface water bodies;	Section 4.10.1.2 Existing Conditions pages 4.10-5 through 4.10-7. Section 4.10.2 Project Impacts pages 4.10-8		

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		through 4.10-14. The Project will not alter the course of a stream or river since no waterways are on-site.		
Appendix B (g) (14) (B) (iii)	Water inundation zones, such as the 100-year flood plain and tsunami run-up zones;	Section 4.10.1.2 Existing Conditions pages 4.10-5 through 4.10-7. The Project is outside of the 100-year flood plain and there are no bodies of water that would affect the site in the event of a tsunami. Section 4.10.2 Project Impacts pages 4.10-8 through 4.10-14.		
Appendix B (g) (14) (B) (iv)	Flood control facilities (existing and proposed); and	Section 4.10.1.2 Existing Conditions pages 4.10-5 through 4.10-7. The existing Site is undeveloped vacant land with five storm drain laterals stubbed at the eastern and southern property lines for future use. There are two storm drain laterals on Fontanoso Way and three		

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		laterals on Silver Creek Valley Road. Project Description: Section 3.5.7 Stormwater Controls pages 3-17 through 3-18.		
Appendix B (g) (14) (B) (v)	Groundwater wells within ½ mile if the project will include pumping.	N/A. The project will not include groundwater wells.		
Appendix B (g) (14) (C)	A description of the water to be used and discharged by the project. This information shall include:	Hydrology & Water Quality: Section 4.10.2.1 Project Impacts pages 4.10-9 through 4.10-14. Utilities and Service Systems: Section 4.19.1.2 Existing Conditions pages 4.19-5 through 4.19-6.		
Appendix B (g) (14) (C) (i)	Source(s) of the primary and back-up water supplies and the rationale for their selection;	Hydrology & Water: Section 4.10.2.1 Project Impacts pages 4.10-9 through 4.10-14. Utilities and Service Systems: Section 4.19.1.2 Existing Conditions pages 4.19-5 through 4.19-6; Section 4.19.2.1 Project Impacts pages 4.19-8 through 4.19-14.		
Appendix B (g) (14) (C) (ii)	The expected physical and chemical characteristics of the source and discharge water(s) including identification of both organic and	N/A		The level of detail requested is not necessary for a legally sufficient CEQA analysis and has not been required for prior data center backup generating facilities

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	inorganic constituents before and after any project-related treatment. For source waters with seasonal variation, provide seasonal ranges of the expected physical and chemical characteristics. Provide copies of background material used to create this description (that is, laboratory analysis);			SPPE Applications. The project has identified that it will use minimal water for the data center supplied by the City of San Jose public water system and will discharge minimal wastewater into the City of San Jose municipal wastewater system.
Appendix B (g) (14) (C) (iii)	Average and maximum daily and annual water demand and waste water discharge for both the construction and operation phases of the project;	Hydrology & Water: Section 4.10.2.1 Project Impacts pages 4.10-9 through 4.10-14. Utilities and Service Systems: Section 4.19.2.1 Project Impacts pages 4.19-8 through 4.19-14. Project Description: Section 3.4.5 page 3-7.		
Appendix B (g) (14) (C) (iv)	A detailed description of all facilities to be used in water conveyance (from primary source to the power plant site), water treatment, and wastewater discharge. Include a water mass balance diagram;	Hydrology & Water: Section 4.10.2.1 Project Impacts pages 4.10-9 through 4.10-14. Utilities and Service Systems: Section 4.19.2.1 Project Impacts pages 4.19-8 through 4.19-14. Project Description: Section 3.5.7 Stormwater Controls and Features pages 3-17 through 3-18.		A water balance diagram is not necessary for a CEQA analysis.

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		Section 3.5.8 Utility Interconnections page 3-18.		
Appendix B (g) (14) (C) (v)	For all water supplies intended for industrial uses to be provided from public or private water purveyors, a letter of intent or will-serve letter indicating that the purveyor is willing to serve the project, has adequate supplies available for the life of the project, and any conditions or restrictions under which water will be provided. If a will-serve letter or letter of intent cannot be provided, identify the most likely water purveyor and discuss the necessary assurances from the water purveyor to serve the project;	N/A		The amount of water used by the data center is minimal, provided by a municipal utility and does not trigger a Water Supply Assessment nor the requirement for will serve letter.
Appendix B (g) (14) (C) (vi)	For all water supplied which necessitates transfers and/or exchanges at any point, identify all parties and contracts/agreements involved, the primary source for the transfer and/or exchange water (that is, surface water, groundwater), and provide the status of all appropriate agencies' approvals for the proposed use, environmental impact analysis on the specific transfers or exchanges required to obtain the proposed supplies, a copy of any agency regulations that govern the use of the water, and an explanation of how the project complies with the agency regulation(s);	Hydrology & Water: Section 4.10.2.1 Project Impacts pages 4.10-9 through 4.10-14. Utilities and Service Systems: Section 4.19.2.1 Project Impacts pages 4.19-8 through 4.19-14.		The amount of water used by the data center is minimal, provided by a municipal utility and does not trigger a Water Supply Assessment nor the requirement for will serve letter and is not necessary for a CEQA analysis.

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Appendix B (g) (14) (C) (vii)	Provide water mass balance and heat balance diagrams for both average and maximum flows that include all process or ancillary water supplies and wastewater streams. Highlight any water conservation measures on the diagram and the amount that they reduce water demand; and	Hydrology & Water: Section 4.10.2.1 Project Impacts pages 4.10-9 through 4.10-14. Utilities and Service Systems: Section 4.19.2.1 Project Impacts pages 4.19-8 through 4.19-14.		Water mass balance and heat balance diagram are not necessary for a CEQA analysis and has not been required for prior data center backup generating facilities SPPE Applications.
Appendix B (g) (14) (C) (viii)	For all projects which have a discharge, provide a copy of the will-serve letter, permit or contract with the public or private entity that will be accepting the wastewater and contact storm water from the project. The letter, permit or contract, if possible, shall identify the discharge volumes and the chemical or physical characteristics under which the wastewater and contact storm water will be accepted. In the event that a will-serve letter, permit, or contract cannot be provided, identify the most likely wastewater/storm water entity and discuss why the applicant was unable to secure the necessary assurances to serve the project's wastewater/storm water needs. Also, discuss the term of the wastewater service to the project, whether the wastewater entity has	Most likely wastewater/storm water entity at Utilities and Service Systems: Section 4.19.1.2 Existing Conditions pages 4.19-5 through 4.19-6. Hydrology & Water: Section 4.10.2.1 Project Impacts pages 4.10-9 through 4.10-14.		The amount of wastewater discharged by the data center is minimal, provided by a municipal utility and does not trigger the need for will serve letter for a CEQA analysis.

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	adequate permit capacity for the volume of wastewater from the project and has adequate permit levels for the chemical/physical characteristics of the project's wastewater and storm water for the life of the project, and any issues or conditions/restrictions the wastewater entity may impose on the project.			
Appendix B (g) (14) (D)	Identify all project elements associated with stormwater drainage, including a description of the following:			
Appendix B (g) (14) (D) (i)	Monthly and seasonal precipitation and stormwater runoff and drainage patterns for the proposed site and surrounding area that may be affected by the project's construction and operation;	Utilities and Service Systems: Section 4.19.1.2 Existing Conditions pages 4.19-5 through 4.19-6. Hydrology & Water: Section 4.10.2.1 Project Impacts pages 4.10-9 through 4.10-14.		This level of detail is not necessary for a CEQA analysis.
Appendix B (g) (14) (D) (ii)	Drainage facilities and the design criteria used for the plant site and ancillary facilities, including but not limited to capacity of designed system, design storm, and estimated runoff;	Hydrology & Water: Section 4.10.1.2 Existing Conditions pages 4.10-5 through 4.10-7. Section 4.10.2.1 Project Impacts pages 4.10-9 through 4.10-14. Utilities and Service Systems:		

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		Section 4.19.1.2 Existing Conditions pages 4.19-5 through 4.19-6. Section 4.19.2.1 Project Impacts pages 4.19-8 through 4.19-14.		
Appendix B (g) (14) (D) (iii)	All assumptions and calculations used to calculate runoff and to estimate changes in flow rates between pre- and post-construction; and			This level of detail is not necessary for a CEQA analysis and has not been required for prior data center backup generating facilities SPPE Applications.
Appendix B (g) (14) (D) (iv)	A copy of applicable regional and local requirements regulating the drainage systems, and a discussion of how the project's drainage design complies with these requirements.	Hydrology and Water: Section 4.10.1.1 Regulatory Framework pages 4.10-1 through 4.10-2. Section 4.10.2.1 Project Impacts pages 4.10-9 through 4.10-14. Utilities and Service Systems: Section 4.19.1.1 Regulatory Framework pages 4.19-1 through 4.19-6. Section 4.19.2.1 Project Impacts pages 4.19-8 through 4.19-14.		
Appendix B (g) (14) (E)	An impacts analysis of the proposed project on water resources and a discussion of conformance with water-related LORS and policy. This discussion shall include:	Hydrology and Water: Section 4.10.2.1 Project Impacts pages 4.10-9 through 4.10-14. Utilities and Service Systems:		For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.

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		Section 4.19.2.1 Project Impacts pages 4.19-8 through 4.19-14.		
Appendix B (g) (14) (E) (i)	The effects of project demand on the water supply and other users of this source, including, but not limited to, water availability for other uses during construction or after the power plant begins operation, consistency of the water use with applicable RWQCB basin plans or other applicable resource management plans, and any changes in the physical or chemical conditions of existing water supplies as a result of water use by the power plant;	Hydrology and Water: Section 4.10.2.1 Project Impacts pages 4.10-9 through 4.10-14. Utilities and Service Systems: Section 4.19.2.1 Project Impacts pages 4.19-8 through 4.19-14.		
Appendix B (g) (14) (E) (ii)	If the project will pump groundwater, an estimation of aquifer drawdown based on a computer modeling study shall be conducted by a professional geologist and include the estimated drawdown on neighboring wells within 0.5 mile of the proposed well(s), any effects on the migration of groundwater contaminants, and the likelihood of any changes in existing physical or chemical conditions of groundwater resources shall be provided;	N/A		Project will not be pumping groundwater.
Appendix B (g) (14) (iii)	The effects of construction activities and plant operation on water quality and to what extent these effects could be mitigated by best management practices;	Hydrology and Water: Section 4.10.2.1 Project Impacts pages 4.10-9 through 4.10-14.		

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		Project Design Measures: PDM HYD-1.1 Stormwater Best Management Practices pages 3-33 through 3-34.		
Appendix B (g) (14) (iv)	If not using a zero liquid discharge project design for cooling and process waters, include the effects of the proposed wastewater disposal method on receiving waters, the feasibility of using pre-treatment techniques to reduce impacts, and beneficial uses of the receiving waters. Include an explanation why the zero liquid discharge process is "environmentally undesirable," or "economically unsound;"	N/A		The backup generating facility does not use water and the data center will employ air-cooled chillers.
Appendix B (g) (14) (v)	If using fresh water, include a discussion of the cumulative impacts, alternative water supply sources and alternative cooling technologies considered as part of the project design. Include an explanation of why alternative water supplies and alternative cooling are "environmentally undesirable," or "economically unsound;"	N/A		The backup generating facility does not use water and the data center will employ air-cooled chillers.
Appendix B (g) (14) (vi)	The effects of the project on the 100-year flood plain, flooding potential of adjacent lands or water bodies, or other water inundation zones; and	Hydrology and Water: Section 4.10.2.1 Project Impacts pages 4.10-9 through 4.10-14. Utilities and Service Systems: Section 4.19.2.1 Project Impacts pages 4.19-8 through 4.19-14.		

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Appendix B (g) (14) (vii)	All assumptions, evidence, references, and calculations used in the analysis to assess these effects.	Hydrology and Water: Section 4.10.2.1 Project Impacts pages 4.10-9 through 4.10-14. Utilities and Service Systems: Section 4.19.2.1 Project Impacts pages 4.19-8 through 4.19-14.		
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	Hydrology and Water: Section 4.10.1.1 Regulatory Framework pages to 4.10-1 to 4.10-5 contains the level of discussion of relevant federal, state and local statutes and regulations. As identified in Section 2 page 2-1, the only relevant permits are the permits for the generators by the BAAD and the land use entitlements by the City of San Jose.		For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies that would have permit approval or enforcement authority, but for the exclusive	Section 10.1 page 10-1.		For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.

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	authority of the Commission to certify sites and related facilities.			
Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1: Agency Contacts page 10-1.		
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the Commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3.1 page 1-4.		

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS OR JUSTIFICATION FOR NOT PROVIDING
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	The methodology employed for evaluating the potential adverse effects resulting from the Project include application of long standing CEQA principles and the CEQA list of pertinent questions. This includes a description of the existing setting (Regulatory Framework - Section 4.20.1.1 pages 4.20-1 through 4.20-4, Existing Conditions - Section 4.20.1.2 page 4.20-4); and an impact discussion guided by the CEQA list of pertinent questions as described in Impact Section 4.20.2 pages 4.20-5 through 4.20-9.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	No major studies or research efforts were undertaken or relied upon to complete the CEQA analysis for Wildfire.		

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Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference;	Section 4.20.1.1 Regulatory Framework pages 4.20-1 through 4.20-4 discusses consistency with the City of San Jose General Plan and Municipal Code, CALFIRE, and other regulatory requirements including the High Fire Hazard Severity Zone for portions of the PG&E transmission line routes.		
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation. Describe the approach, list or projection or a combination, used to develop the cumulative setting for the proposed project. Include any reference materials used such as general plan or other adopted local, regional, or statewide plan.	4.20.1.1 Regulatory Framework and 4.20.1.2 Existing Conditions pages 4.20-1 through 4.20-4. 4.20.2 Impact Discussion pages 4.20-5 through 4.20-9. No measures to mitigate impacts were proposed as Project Design Measures because no significant impacts requiring mitigation were identified.		
Appendix B (g) (19) (A)	A map showing State Responsibility Areas (SRA,) as defined in Public Resources	N/A		The SPPE Application acknowledges that portions of the PG&E infrastructure to support the data center are in an SRA.

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	Code section 4102, relative to the proposed project.			A map is not necessary for CEQA analysis.
Appendix B (g) (19) (B)	A map showing state Fire Hazard Severity Zones, as defined in 14 CCR section 1280.01, relative to the proposed project.	N/A		The SPPE Application acknowledges that portions of the PG&E infrastructure to support the data center are in an HRSZ. A map is not necessary for CEQA analysis.
Appendix B (g) (19) (C)	If the project would be in the vicinity of an SRA or a Very High Fire Hazard Severity Zone, as defined in 14 CCR section 1265.00, provide:	Section 4.20.1.2 Existing Conditions page 4.20-4.		
Appendix B (g) (19) (C) (i)	Local emergency response or evacuation plans and a description of how the proposed project could influence their effectiveness.	Section 4.20.2.1 Project Impacts pages 4.20-6 through 4.20-9.		
Appendix B (g) (19) (C) (ii)	A discussion of how potential project pollutants could be contained onsite during a wildfire event.	Section 4.9.2.1 Project Impacts page 4.9-9. Section 3.4.7 Project Description page 3-7.		
Appendix B (g) (19) (C) (iii)	A description of infrastructure that would be built or maintained (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate the risk of wildfire.	Not Applicable. However, the cumulative impacts are addressed in Section 4.20.2.2 pages 4.20-8 through 4.20-9.		
Appendix B (g) (19) (C) (iv)	Describe people or structures downslope or downstream of the proposed project that could be impacted by flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.	Not Applicable. However, the cumulative impacts are addressed in Section 4.20.2.2 pages 4.20-8 through 4.20-9.		

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SITING REGULATIONS	INFORMATION	APPLICATION SECTION NUMBER AND PAGE NUMBER	COMPLETE YES OR NO	INFORMATION REQUIRED TO MAKE APPLICATION CONFORM WITH REGULATIONS
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (A)	Descriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document.	The SPPE does not include a section specifically for Worker Safety. The methodology employed for evaluating the potential adverse effects resulting from the project include application of long standing CEQA principles and the CEQA list of pertinent questions. Additionally, there is a Section Hazards and Hazardous Materials which addresses similar topics. This includes a description of the existing setting (Regulatory Framework Section 4.9.1.1 pages 4.9-1 through 4.9-8 and an impact discussion consistent with the CEQA Guidelines' list of pertinent questions as described in Section 4.9.2 pages 4.9-8 through 4.9-16.		CEQA does not require an analysis of Worker Safety. The only CEQA related areas that would also provide information related to the safety of workers or worker training are Section 4.9 Hazardous Materials, Section 4.3 Air Quality, Section 4.4 Biology, and Section 4.5 Cultural Resources (related to Worker Environmental Awareness Program).
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (B)	Descriptions, including methodologies and findings, of all major studies or research efforts undertaken and relied upon to provide information for the document; and a description of ongoing research of significance to the project (including expected completion dates; and	4.9 Hazards and Hazardous Materials page 4.9-1 referencing and incorporating Phase I Environmental Site Assessments (ESA) in Report in Appendix K.		

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		There are no ongoing research activities underway that were relied upon in this Application.		
Cal. Code Regs. Tit. 20 § 1704, (a) (3) (C)	A list of all literature relied upon or referenced in the documents, along with brief discussions of the relevance of each such reference.	4.9 Hazards and Hazardous Materials pages 4.9-13 through 4.9-16 referencing and incorporating Phase I Environmental Site Assessments (ESA) in Report in Appendix K.		
Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect, and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation. Describe the approach, list or projection or a combination, used to develop the cumulative setting for the proposed project. Include any reference materials used such as general plan or other adopted local, regional, or statewide plan.	4.9.1.2 Existing Conditions pages 4.9-6 through 4.9-8; 4.9.2 Impact Discussion pages 4.9-8 through 4.9-16; Measures proposed as Project Design Measures (PDMs) starting on page 3-21. The description of the development of the cumulative setting is contained in Section 4.0 page 4-1, and Table 4.0-1 page 4-3 and cumulative impacts are addressed in Section 4.9.2.2 pages 4.9-16 through 4.9-17.		
Appendix B (g) (11) (A)	A description of the safety training programs that will be required for construction and operation personnel.	Section 3.7 Project Design Measures: PDM HAZ-1.2 page 3-32 plus Worker Environmental Awareness Programs for Biology PDM		

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		BIO-1.6 page 3-23, Cultural PDM CUL-1.1 page 3-27.		
Appendix B (g) (11) (B)	A complete description of the fuel handling system and the fire suppression system.	Fuel System Section 3.4.3 page 3-6. Fuel Suppression: Public Services page 4.15-2; Wildfire pages 4.20-1 and 4.20-4; PG&E Programmatic Measures page 3-37.		CEQA does not require an analysis of fire suppression. However the project's evaluation of its potential effects on Wildfire and Public Services are provided in Sections 4.15 Public Services and 4.20 Wildfire
Appendix B (g) (11) (C)	Provide draft outlines of the Construction Health and Safety Program and the Operation Health and Safety Program, as follows:	Project Design Measures HAZ-1.2 Health and Safety Plan (HSP) page 3-32.		Unlike an AFC, CEC Staff does not require a draft of the Construction Health and Safety Program Plans in order to support the preparation of its CEQA document. Including the Plan as a Mitigation Measure in the Mitigation, Monitoring and Reporting Plan (MMRP) is sufficient for the CEQA document to conclude that the City of San Jose would enforce the preparation and implementation of the plan.
	Construction Health and Safety Program:			
	• Injury and Illness Prevention Plan (8 Cal. Code Regs., § 1509);			
	• Fire Protection and Prevention Plan (8 Cal. Code Regs., section 1920);			
	• Personal Protective Equipment Program (8 Cal. Code Regs., §§ 1514-1522)			
	Operation Health and Safety Program:			

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	- Injury and Illness Prevention Program (8 Cal. Code Regs., §3203); - Fire Prevention Plan (8 Cal. Code Regs., § 3221); - Emergency Action Plan (8 Cal. Code Regs., § 3220); - Personal Protective Equipment Program (8 Cal. Code Regs., §§3401-3411).			
Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	4.9.1.1 Regulatory Framework pages 4.9-1 through 4.9-5 contains the level of discussion of relevant federal, state and local statutes and regulations. As identified in Section 2 page 2-1, the only relevant permits are the permits for the generators by the BAAD and the land use entitlements by the City of San Jose.		For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.
Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies that would have permit approval or enforcement authority, but for the exclusive authority of the Commission to certify sites and related facilities.	Section 10.1 page 10-1.		For a SPPE, there is no need for the CEC to conduct a LORS analysis or to issue a License in lieu of all other state or local permits and therefore LORS Tables are not provided in this application.

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Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Section 10.1 Agency Contacts page 10-1.		
Appendix B (i) (3)	A schedule indicating when permits outside the authority of the Commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Section 1.3.1 page 1-4.		