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CALIFORNIA ENERGY COMMISSION

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December 19, 2019

Mr. Jerry Salamy
Jacobs Engineering
2485 Natomas Park Drive
Suite 600
Sacramento, CA 95833

Re: Data Requests Set #1 for the San Jose City Data Center (19-SPPE-04)

Dear Mr. Salamy:

Pursuant to Title 20, California Code of Regulations, sections 1941 and 1716, the California Energy Commission staff requests the information specified in the enclosed data requests necessary to conduct a complete environmental review of the small power plant exemption (SPPE) application for the San Jose City Data Center.

The requested information in Data Requests Set #1 (Requests 1-31) covers the topic areas of Project Description, Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Transportation, and Tribal Cultural Resources. Staff requests expedited written responses to the enclosed data requests (Set 1) on or before January 9, 2020.

If you are unable to provide the information requested, need additional time, or object to providing the requested information, please send a written notice to me and the Committee. The notification must contain the reasons for not providing the information, the need for additional time, or the grounds for any objections (see Title 20, California Code of Regulations, section 1716(f)).

If you have any questions email me at scott.polaske@energy.ca.gov.

Scott Polaske

Scott Polaske, Planner II
Environmental Office

Enclosure

**SAN JOSE CITY DATA CENTER (19-SPPE-04)
DATA REQUESTS SET 1 (Nos. 1 – 31)**

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PROJECT DESCRIPTION

BACKGROUND

Staff needs clarification on the estimated number of workers for project construction. The Project Description of the SPPE application (application) notes in section 2.4, “Onsite construction is expected to require a maximum of 215 workers (craft and supervisory) per month and an average of 108 workers per month. Maximum and average offsite construction workers are expected to be 72 and 48, respectively. Tables 2-1a and 2-1b presents the construction/demolition workforce by month and classification for onsite and offsite construction.” In Population and Housing the application notes in section 3.14.2, that project construction would “employ an average of 60 workers per month and reach a peak workforce of approximately 129.” Staff has the following associated question:

DATA REQUEST

1. What is the estimated number of project construction workers during peak activities and on average? If necessary, please update Tables 2-1a and 2-1b.

BACKGROUND

On Figure 1-4 (Proposed Construction Laydown) of the application, the number labels that link the graphic to legend are missing. As such, the arrangement of the construction laydown is unclear.

DATA REQUEST

2. Please provide a revised Figure 1-4 with readable labels.

BACKGROUND

Section 2.2 indicates that the project include an onsite 230 kilovolt (kV) substation with two 230 kV electrical supply lines which interconnect to the Pacific Gas and Electric (PG&E) Los Esteros Substation. Understanding of the proposed interconnection to PG&E’s existing facility would assist staff in determining the back-up generators’ potential impacts to the system.

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3. Please clarify Figure 2-6 (Interconnection to PG&E System and One Line Diagram). The transformer rating shown in the figure for the New Microsoft Data Center Substation is 230/13.8 kV. The IC Substation Adder indicates that the transformer rating is 230/21 kV. Which rating is correct?
 - a. Figure 2-6 specifies that 45 MVA transformers would be utilized in the project design. Does this mean both would need to be operating to meet the data center loads?
 - b. Is adding a third transformer an option to prevent the use of back-up diesel generators to supply the full data center loads in the event of regular maintenance or outages?
4. Please provide an updated Figure 2-6 for the proposed onsite data center substation with correct transformer sizes, breaker ratings, protection equipment information and the distribution feeders' interconnection with the load centers. Please identify each data center block, load information and how it would be interconnected with the proposed emergency diesel generators.
5. Please update Figure 2-6 to show all changes and upgrades in the Los Esteros Substation, which are required to interconnect the project. Show the equipment ratings and bay arrangements.
6. Please provide the pole configurations that would be used to support the transmission lines from the Los Esteros Substation to the proposed data center substation. Show proposed pole structure configuration and measurement.
7. Please provide a map showing the proposed transmission line route.
8. Section 2.2 states "the receiving station step voltage down to 60 kV for distribution along the Northwest Loop, which can then provide electricity to facilities interconnected to the loop from either end, making electrical service reliable." How does the 60 kV loop fit into the 230 kV interconnection to the Los Esteros substation?
 - a. If the Northwest Loop is relevant to the project, please provide detailed descriptions and one-line diagrams showing detailed interconnection information of the Northwest Loop transmission segment with the project.

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BIOLOGICAL RESOURCES

BACKGROUND

Volume 2, Appendix 1-A to Appendix 3-5-A of the application states that “The following evaluation of biological resources onsite and within areas to be temporarily affected by utility installation is based primarily upon a biologic report prepared by Live Oak Associates in March 2017. Field surveys, including a protocol-level burrowing owl survey, were conducted in June and October 2016, as stated in the biologic report. An evaluation of the impacts of the potential stormwater outfall to Coyote Creek was evaluated by H.T. Harvey & Associates, Ecological Consultants. A tree survey was completed by HMM Engineers, in October 2015. These reports are provided in Appendices C, D, and E, respectively.” Referenced appendices are missing from this filing, and all subsequent filings (TN# 230765, #230770).

DATA REQUEST

9. Please provide the three biological reports (prepared by Live Oak Associates, HT Harvey & Associates, and HMM Engineers) as referenced above.

BACKGROUND

The California Department of Fish and Wildlife, the U.S. Fish and Wildlife Service, and the Santa Clara Valley Habitat Agency/City of San Jose Planning Office should be contacted to confirm special-status species lists, potential impacts, and appropriate mitigation. The materials provided to this point do not state whether such contacts have been made.

DATA REQUEST

10. Please provide names and contact information of any relevant agencies consulted during the preparation of the application.

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CULTURAL RESOURCES

BACKGROUND

The Cultural Resources Investigation (Alonso et al. 2019) submitted as Appendix 3.5A of the application lists previous studies and recorded resources within 1 mile of the project site as identified from a literature search of the Northwest Information Center (NWIC) on May 23, 2019. In order to complete an independent analysis of the proposed project's potential to impact cultural resources, staff requires copies of the reports retrieved by way of the literature search.

DATA REQUESTS

11. Please provide copies of the reports and records identified in the following tables in the Cultural Resources Investigation (Alonso et al. 2019):
 - a. Table 4-1
 - b. Table 4-2
 - c. Table 4-3.
12. Please provide a copy of the May 23, 2019, NWIC literature search maps.
13. Please provide copies of the previous studies noted in section 4.1, page 18, and listed in Table A-1: Cultural Resources Studies within the Project Area (Alonso et al. 2019, Appendix A).

The applicant shall submit the documentation requested in items 11–13 in digital format under a Request for Confidentiality.

BACKGROUND

Section 3.5.3.2 of the application describes the built environment results of a literature search conducted at the NWIC on May 23, 2019. Specifically, the third paragraph on page 3.5-8 states that “a complete discussion of the 22 historical built environment resources identified in the 1-mile buffer may be found in Appendix 3.5A, *Cultural Resources Investigation in Support of the San Jose Data Center (SJC02) Project.*” Staff has been unable to locate the referenced discussion in the Appendix 3.5A.

DATA REQUEST

14. The discussion referenced above appears to be missing from the Cultural Resources Investigation. Please provide the missing material. If the discussion was not completed as referenced, please state why the material was not included.

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BACKGROUND

CR Figure 3 (Alonso et al. 2019) depicts the Architectural (Built Environment) Survey Area. The southern boundary of the survey area is difficult to distinguish on the graphic provided. It is also unclear as to property or parcel boundaries within the survey area.

DATA REQUESTS

15. Please clarify the Architectural (Built Environment) Survey Area boundary outline in CR Figure 3. Staff suggests a bolder line weight to make clear the boundaries of the survey.
16. Please identify the parcel numbers (APN) surveyed for built environment resources within the graphic provided.

BACKGROUND

The archaeological survey coverage map indicates that two portions of proposed utility lines remain unexamined for cultural resources because of “lack of accessibility” (Jacobs 2019, p.3.5-6, Figure 3.5-1). The application does not describe the accessibility issue(s). These unexamined utility lines total between 1.75 and 2.00 miles long. Their potential to contain cultural resources remains unaddressed.

DATA REQUESTS

17. Please describe the accessibility issue(s) that prevented archaeological survey of the unexamined linears.
18. Please describe the efforts to secure access for the archaeological and built-environment surveyors.
19. Please provide a schedule for completing the archaeological survey of the linears.

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HAZARDS AND HAZARDOUS MATERIALS

BACKGROUND

The project design calls for a separate diesel fuel tank for each emergency generator. Each diesel engine would be readiness tested on a regular schedule, consuming a portion of its fuel.

DATA REQUEST

20. Please provide the fuel tank replenishment strategy and frequency, and the estimated frequency of fuel trucks needing to visit the facility for refueling.

BACKGROUND

Stored diesel fuel is subject to degradation over time, which can render it unsuitable for use and potentially requiring it to be changed-out for fresh fuel.

DATA REQUEST

21. Please describe what measures are planned to maintain adequate quality of the stored fuel. How often might the stored fuel need to be changed-out for new? If needed, how would this be accomplished? How many fuel truck visits would be required?

BACKGROUND:

The application mentions that the Phase 1 Environmental Site Assessment and a Phase 1 Environmental Site Assessment Update were included with the Draft Environmental Impact Report as Appendices I and J and attached to Appendix 1A. The two reports were not included in Appendix 1A.

DATA REQUEST

22. Please provide the Phase 1 Environmental Site Assessment and the update.

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TRANSPORTATION

BACKGROUND

Section 2.4 Project Construction of the application, states the project would require a maximum of 215 onsite construction workers and a maximum of 72 offsite construction workers per month. Tables 2-3 Onsite/Offsite Construction Trip Generation and 3.17-4 Construction Trip Generation includes 215 worker trips traveling to the site during the AM and PM hours but does not include the 72 offsite workers. The application also states a geotechnical investigation was conducted and suggests 3 to 4 feet of imported fill would be required to address liquefaction/lateral spreading and expansive soils. However, the number of truck trips generated from the delivery of imported fill is not provided.

DATA REQUESTS

23. Please clarify if offsite construction worker trips are included in Table 3.17-4 Construction Trip Generation. If they are not included, please provide a revised table that includes offsite construction traffic trips (i.e. offsite construction workers and delivery haul). If offsite construction trips are included please disclose how many of the 215 trips are offsite worker trips.
24. How many cubic yards of imported fill would be required for the project?
25. Please provide the maximum and average number of daily trips for the delivery of imported fill.

BACKGROUND

Section 3.17.5c (page 3.17-19) states project construction and operations would not permanently alter any public roadways or intersections.

DATA REQUEST

26. Would project construction (onsite and offsite) or operations temporarily alter any public roadways or intersections? If so, please identify which roadway and/or intersection would be affected, describe the alteration, and provide the duration of activities on the affected roadway and/or intersection.

BACKGROUND

Section 3.17.5d (page 3.17-20) states "Emergency access to the site will continue to be provided from the existing driveways along Alviso-Milpitas Road". Figure 2-1 Site Plan shows and identifies the site entrance/exit would be constructed off a road extension from Zanker Road to the northern portion of the project site and identifies a secondary

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site entrance/exit at a new driveway east of the existing driveway along Alviso-Milpitas Road, with the existing driveway being removed. There is no discussion of the site entrance/exit at the northern portion of the site or the construction of the road to it, nor the new secondary entrance/exit along Alviso-Milpitas Road.

DATA REQUEST

27. Please provide a detailed discussion and a schedule for the construction of the new road and the site entrance/exit, and the secondary entrance/exit, respectively identified as 8 and 9 on the Figure 2-1 Site Plan.

BACKGROUND

Appendix 3.17A provides the VMT results per the San Jose VMT Evaluation Tool; however, the number of proposed vehicle and bicycle parking spaces were not provided. In addition, the total square footage of approximately 479,000 square feet for the two buildings provided in Section 2.1 Project Description conflicts with the 484,000 square feet provided in Appendix 3.17A.

The SPPE application discusses the city's municipal code requirements related to bicycle parking spaces however, the number of spaces is unclear because conflicting numbers were provided. For example, the second paragraph on page 3.11-5 states, "Based on the square footage of the office/meeting/technician work space area, as well as computer equipment spaces, the project will be required to provide 15 bicycle parking spaces. The project will be required to comply with the bicycle parking requirement by providing 35 bicycle parking spaces, as shown in the site plan." It is unclear to staff what number of bicycle parking spaces the project includes.

Furthermore, on page 3.11-4 the application discusses the city's vehicle parking requirements including the anticipated use of a Development Exception Permit. However, there is not a discussion of the standard amount of parking spaces required by Section 20.90.060 (Number of Parking Spaces Required) of the San Jose Municipal Code nor is there any discussion of the number of parking spaces required under the less stringent Development Exception Permit under Municipal Code Section 20.100.1300(8)(1)(d).

To develop an accurate VMT estimate for the project, bicycle and vehicle parking numbers are required as well as the proposed square footage.

DATA REQUESTS

28. Please provide the project's proposed number of vehicle and bicycle parking spaces.

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29. Please provide a table that breaks down the square footage by use (e.g. office/meeting/technician workspace, and computer equipment space).

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TRIBAL CULTURAL RESOURCES

BACKGROUND

The application states that the Northern Valley Yokuts Tribe asked for official consultation with the lead agency and a site visit (Jacobs 2019, Table 3.18-1). The application does not describe the applicant's follow-up on these two requests.

DATA REQUESTS

30. Did the applicant conduct a site visit with the Northern Valley Yokuts Tribe?
Please describe.
31. What did the applicant advise the Northern Valley Yokuts Tribe regarding lead agency consultation?