

DOCKETED	
Docket Number:	19-SPPE-05
Project Title:	Mission College Data Center SPPE
TN #:	231370
Document Title:	Request for Agency Participation in the Review of the Mission College Data Center
Description:	N/A
Filer:	Marichka Haws
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	1/3/2020 12:50:52 PM
Docketed Date:	1/3/2020

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street
Sacramento, California 95814

Main website: www.energy.ca.gov

**TO: AGENCY DISTRIBUTION LIST****REQUEST FOR AGENCY PARTICIPATION IN THE REVIEW OF THE MISSION COLLEGE DATA CENTER (19-SPPE-05)**

On November 25, 2019, Oppidan Investment Company (Oppidan or applicant) filed an application with the California Energy Commission (CEC) for a Small Power Plant Exemption (SPPE) for the Mission College Data Center (project) (19-SPPE-05).

PROJECT DESCRIPTION

Oppidan proposes to construct and operate the Mission College Data Center located at 2305 Mission College Boulevard in Santa Clara, California. The project consists of two, three-story data center buildings encompassing a total square footage of 490,000. The maximum electrical load of the project would be 78.1 megawatts (MW). The project will be supplied electricity by Silicon Valley Power (SVP) through a new distribution substation constructed by Oppidan in the northeast corner of the project site and to be owned and operated by SVP. Forty-three 2.5 MW emergency generators would provide backup electricity solely in the rare event that electricity cannot be supplied from SVP and delivered to the data center buildings. The generators and associated electric equipment would be housed in two generator yards, each serving its respective data center building. In addition, the project includes two 600 kilowatt (kW) house power emergency generators.

SMALL POWER PLANT EXEMPTION PROCESS

CEC has the exclusive authority to certify all thermal power plants (50 MW and greater) and related facilities proposed for construction in California. The SPPE process allows applicants with facilities between 50 and 100 MW to obtain an exemption from CEC's jurisdiction and proceed with local approval rather than requiring CEC certification. CEC can grant an exemption if it finds that the proposed facility would not create a substantial adverse impact on the environment or energy resources. In this case, the facility is subject to CEC's licensing authority unless the exemption is granted. Should the exemption be granted, the applicant would still need to secure the appropriate licenses and permits from relevant local, state, and federal agencies.

STAFF EVALUATION OF THE SPPE APPLICATION AND FURTHER STEPS

Public Resources Code section 25519(c) designates CEC as the lead agency, in accordance with the California Environmental Quality Act (CEQA), for all facilities seeking an SPPE. CEQA requires the lead agency to consider the whole of the action; therefore, CEC will include the entire project in its analysis, which includes the construction and operation of the data center building, backup generators, and any associated utility connection facilities.

As lead agency, CEC is required by Public Resources Code section 21080.3 and CEQA Guidelines section 15063(g) to consult with responsible and trustee agencies to ascertain whether a negative declaration or environmental impact report is required. CEC staff (staff) has begun its review of the application and will request the appointment of a Committee of two Commissioners at CEC's January 22, 2020 Business Meeting to oversee the SPPE proceeding. Over the coming months, staff will evaluate the project and prepare an environmental analysis document—for SPPE projects this typically takes the form of an Initial

Study and Proposed Mitigated Negative Declaration. The Initial Study/Proposed Mitigated Negative Declaration will be published and made available for a 30-day public comment period. The assigned Committee will then conduct a hearing to determine whether to propose adoption of the proposed CEQA documents by the full Commission and to determine whether to recommend to the full Commission that the facility be exempt from CEC's power plant certification process. This hearing will provide the public as well as local, state and federal agencies and California Native American tribes the opportunity to provide input on the exemption request. Subsequent steps include issuance of a proposed decision by the Committee, and possible adoption of that decision by CEC at a Business Meeting or hearing. CEC's regulations setting forth the SPPE process are primarily located in Title 20, California Code of Regulations, sections 1934-1947.

PROJECT WEBPAGE AND LISTSERVE

CEC maintains a website for this project at: <https://ww2.energy.ca.gov/sitingcases/missioncollege/>. The SPPE application and related project documents are viewable by clicking the "Documents for this Proceeding (Docket Log)" link located near the upper right corner of the project webpage. The direct link to the project docket log is: <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=19-SPPE-05>.

To receive electronic notices of all project-related activities and documents related to the exemption evaluation, go to CEC's listserve web page (https://ww2.energy.ca.gov/listservers/index_cms.html), and check the "missioncollege" box under "PROJECTS UNDER REVIEW."

AGENCY PARTICIPATION

Your agency's participation is encouraged and would consist of identifying and working to resolve issues of concern to your agency in connection with the SPPE proceeding. Pursuant to Title 20, California Code of Regulations, section 1936(d), we request any "analyses, comments, and recommendations" on the exemption application which you wish to provide. Again, please note that should the exemption be granted, the applicant would then be responsible for obtaining all necessary local, state, and federal permits required to construct and operate the project, which may entail additional analysis by relevant permitting authorities.

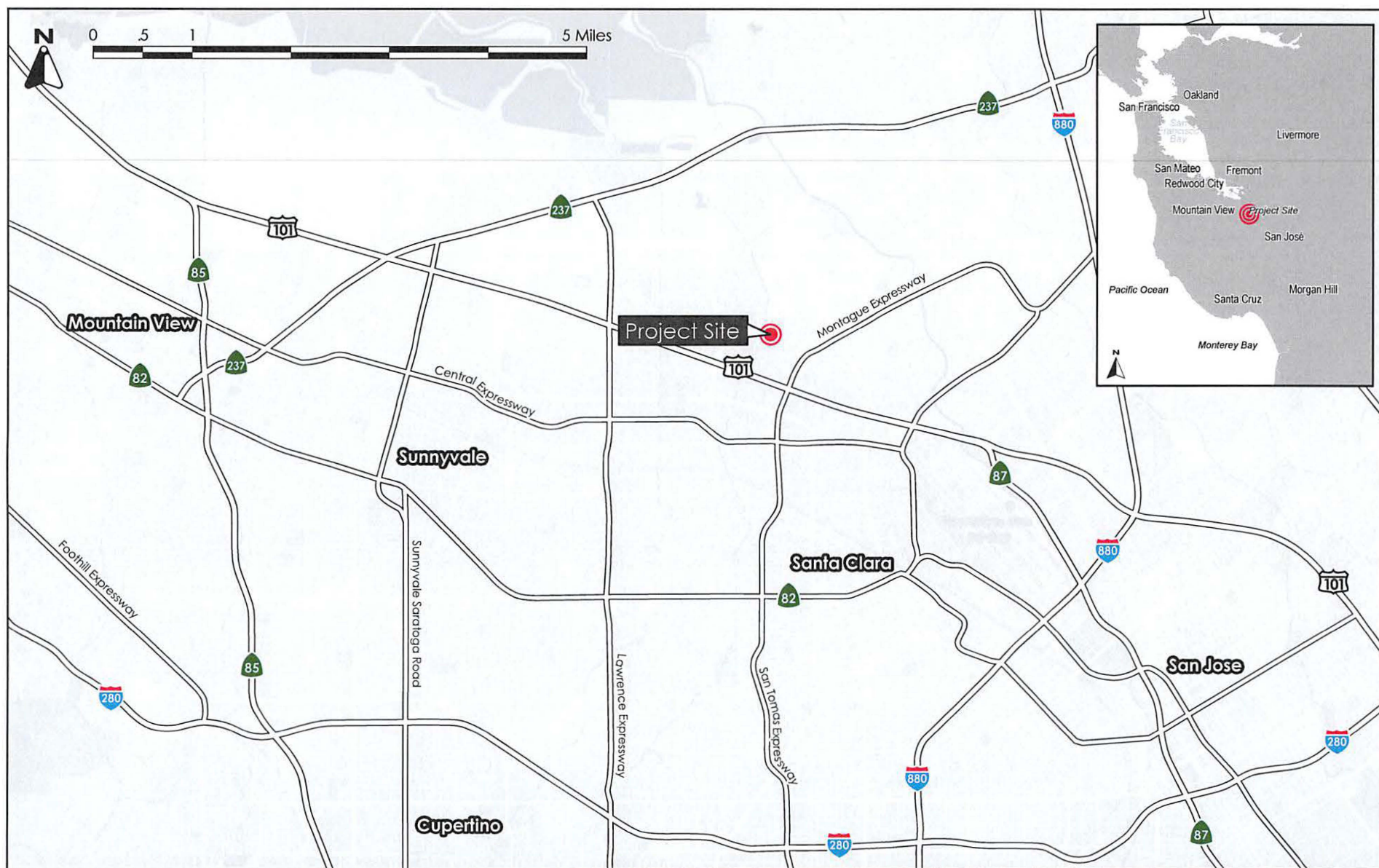
You may provide comments at any time, however, pursuant to Title 20, California Code of Regulations, section 1936(d), any written comments your agency may have must be filed with CEC prior to the conclusion of the hearing, unless otherwise specified by law or by order of the presiding committee member. The date of this hearing is not yet known, but pursuant to Title 20, California Code of Regulations, section 1944(b) it should be held no later than March 4, 2020 unless otherwise directed by the presiding member. CEC will provide advance notice of the hearing via the listserve once it has been scheduled.

You may submit comments electronically. To use CEC's electronic commenting feature, go to CEC's webpage for this proceeding, cited above, click on the "Comment on this Proceeding" link, and follow the instructions in the online form. Be sure to include the project name in your comments. Once filed, you will receive an e-mail with a link to them and the comments will be part of the proceeding's public record.

If you have any questions or need additional information on how to participate in CEC's review of the proposed project, please contact Leonidas Payne, Project Manager, by email to leonidas.payne@energy.ca.gov.

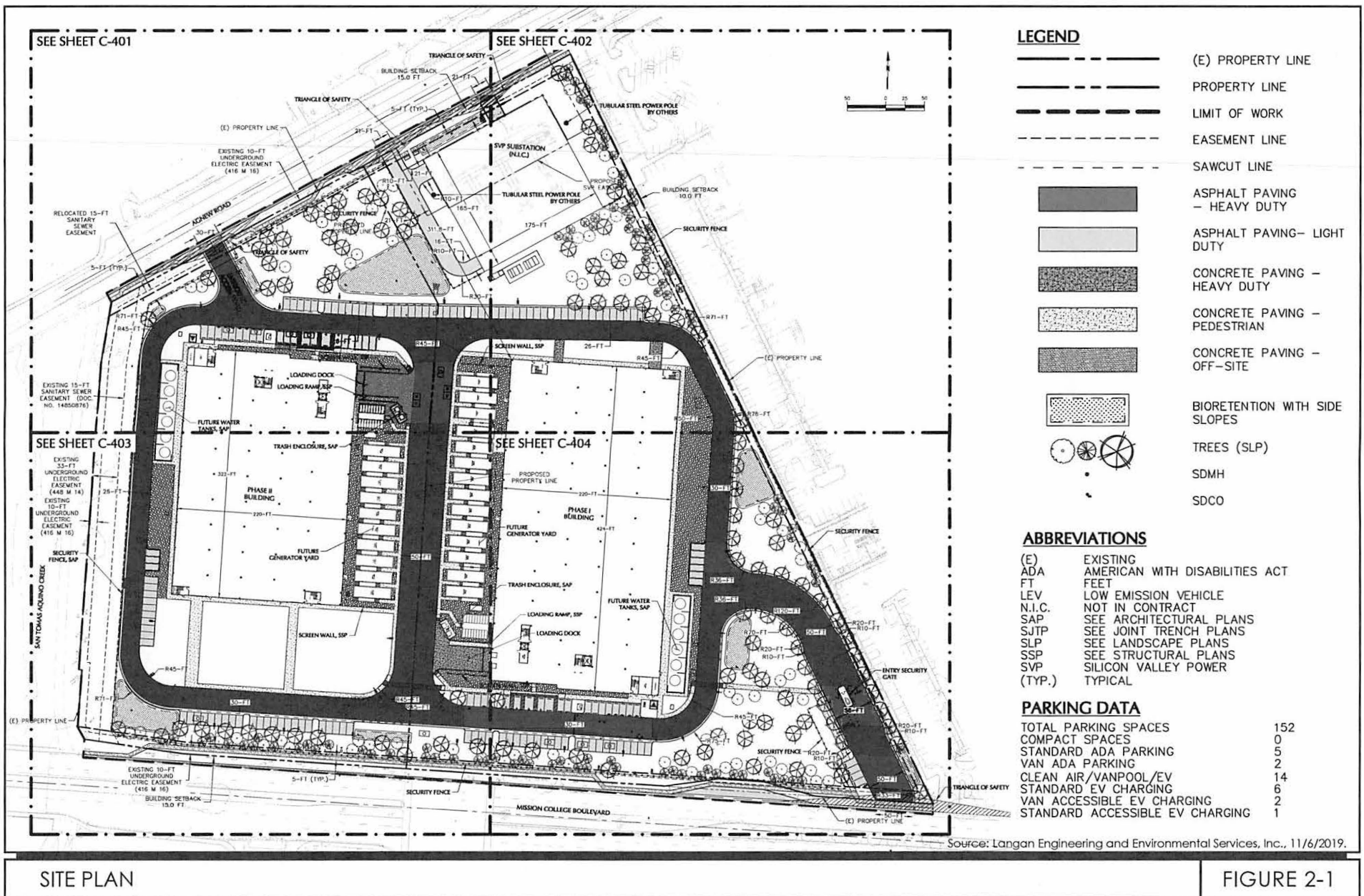
Attachments:

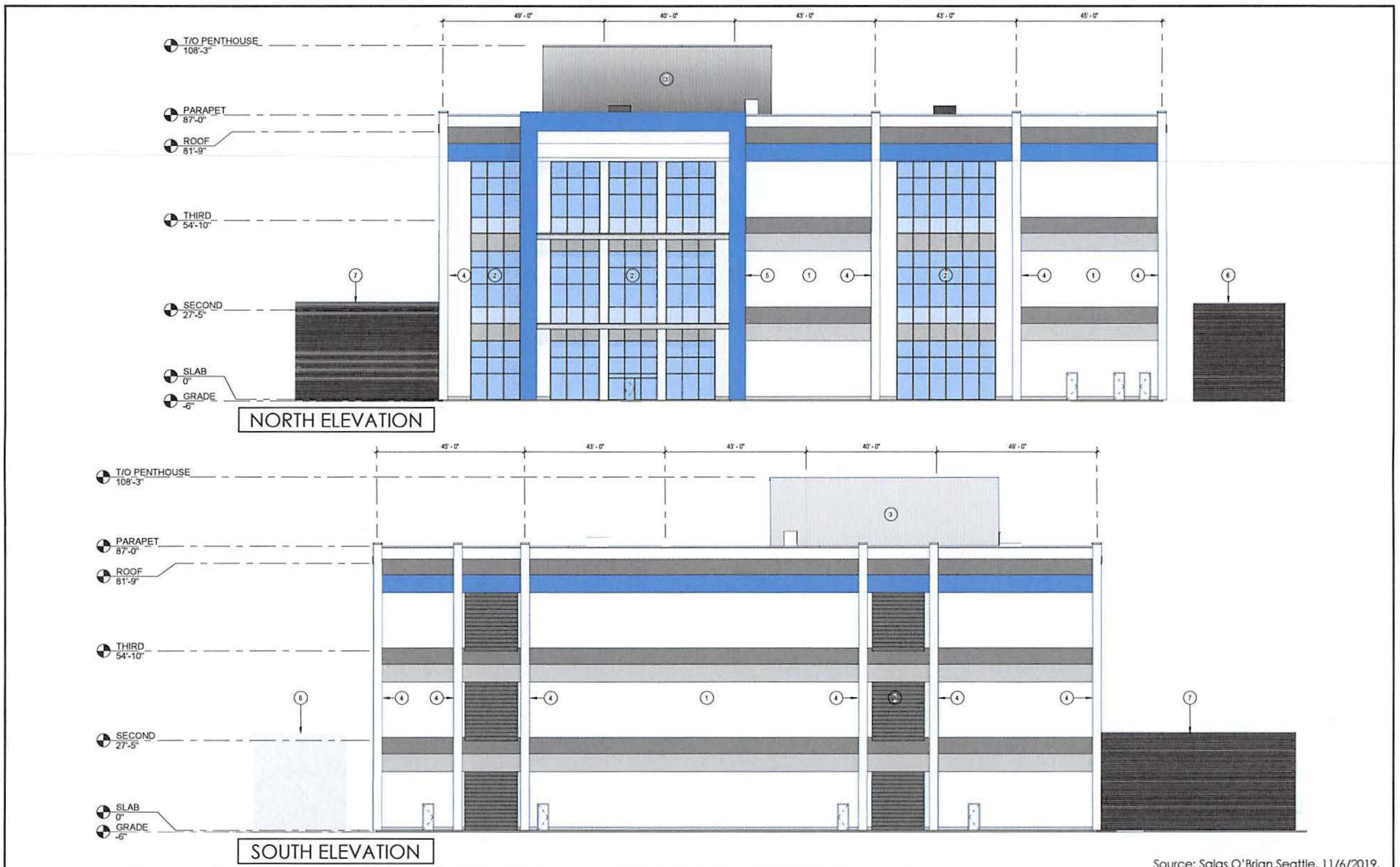
Project Location Figure from SPPE Application
Site Plan Figure from SPPE Application
Project Rendering Figures from SPPE Application



REGIONAL MAP

FIGURE 1-1





Source: Salas O'Brian Seattle, 11/6/2019.

NORTH AND SOUTH BUILDING ELEVATIONS

FIGURE 2-2



Source: Salas O'Brian Seattle, 11/6/2019.

EAST AND WEST BUILDING ELEVATIONS

FIGURE 2-3