

DOCKETED

Docket Number:	20-SPPE-01
Project Title:	Great Oaks South Backup Generating Facility Small Power Plant Exemption
TN #:	233776
Document Title:	Public Comment on Great Oaks South from Santa Clara Valley Transportation Authority
Description:	N/A
Filer:	Lisa Worrall
Organization:	California Energy Commission
Submitter Role:	Commission Staff
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From: "Golem, Ron" <Ron.Golem@vta.org>
Date: Thursday, July 2, 2020 at 4:02 PM
To: "Worrall, Lisa@Energy" <Lisa.Worrall@energy.ca.gov>
Cc: "O'malley solis, Jessie" <Jessie.O'MalleySolis@vta.org>
Subject: Application for small power plant exemption (20-SPPE-01)

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Dear Ms. Worrall, today we received the CEC's notice of receipt of the application for the above action. The Santa Clara Valley Transportation Authority (VTA) Santa Teresa Light Rail Station is located approximately one-block to the west of the site. We also have approximately 30+ acres at that location that the VTA Board of Directors has designated for future Transit-Oriented Development (TOD).

While this area is currently designated for employment uses by the City of San Jose, we and other property owners in the area are interested in creating more mixed-use development in the future that includes employment uses as well as significant residential uses (and just across Santa Teresa Blvd. are extensive existing residential subdivisions). Such mixed-use development would advance economic development, better utilize existing transit investment, and help address the region's desperate housing crisis.

I'm writing in advance of future public comment opportunities to specifically object to the use of diesel-powered equipment for backup power generation:

- Diesel is the dirtiest possible choice, in an area with significant air quality issues that tend to be worst in the summertime, when peak summer electrical loads are most likely to create the need to use back-up power generation.
- There are considerably cleaner and less power polluting alternatives, including natural gas and fuel cells. It is disappointing that cleaner alternatives may not be considered, particularly if this is on the basis of cost.
- It is reasonable to expect future changes in land use in the area that would allow more residential uses adjacent to the Great Oaks Blvd. site. A diesel back-up power generation facility is fundamentally incompatible with such residential uses.

We will participate in future opportunities for public comment. These comments are provided in the hope that the project can be improved before then. Please feel free to reach out to myself, or Ms. Jessie O'Malley Solis, VTA's TOD Manager (cc: on this email) for additional information.

Sincerely,

Ron

Ron Golem

Director of Real Estate & Transit-Oriented Development

Santa Clara Valley Transportation Authority

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NOTICE OF RECEIPT OF AN APPLICATION FOR A SMALL POWER PLANT EXEMPTION FOR GREAT OAKS SOUTH BACKUP GENERATING FACILITY

On March 19, 2020, SV1, LLC, a wholly owned subsidiary of Equinix, LLC (SV1 or applicant) filed an application with the California Energy Commission (CEC) seeking an exemption from the CEC's jurisdiction (Small Power Plant Exemption, or SPPE) for the Great Oaks South Backup Generating Facility (GOSBGF) (20-SPPE-01). The GOSBGF would be part of the Great Oaks South Data Center (GOSDC) to be located in the City of San Jose. The project was approved by the city on February 1, 2017. Since its approval, SV1, LLC has made project design changes and is now seeking approval of an SPPE for the GOSBGF.

Project Description

The GOSDC would consist of three 182,350 square foot, two-story data center buildings. The approximately 18-acre project site is associated with three addresses (123, 127, and 131 Great Oaks Boulevard) in the City of San Jose.

The GOSBGF would consist of 36 3.25-megawatt (MW) diesel fired generators in six generation yards that would each be separately electrically interconnected to the three data center buildings. The GOSBGF would be used exclusively to provide backup generation and uninterruptible power supply for the GOSDC, and other than for routine maintenance and testing, would only operate in the event of a failure of the electrical service from Pacific Gas and Electric Company (PG&E) to the data center. In addition, the GOSBGF would include three life safety diesel fired generators, each capable of generating 0.50 MW. GOSBGF would have a generating capacity of up to 99.0 MW.

The GOSDC would connect to a new PG&E substation via five new 21 kilovolt (kV) distribution feeders that would extend underground along Via Del Oro to the project site. The California Public Utilities Commission has granted PG&E approval to construct the new substation, which is called the "Santa Teresa Substation".

CEC Jurisdiction and SPPE Process

The 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 proposing to construct thermal power plants between 50 and 100 MW to obtain an exemption from the CEC's jurisdiction and proceed with local permitting rather than requiring CEC certification. The 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. Public Resources Code section 25519(c) designates the CEC as lead agency, in accordance with 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 buildings, backup generators, and the electric distribution feeders.

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 has begun its review of the application. 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 of two Energy Commissioners will then conduct a hearing to determine whether to propose that the full Commission adopt the proposed CEQA documents and to determine whether to recommend to the full Commission that the facility should be exempt from the 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 the CEC at a Business Meeting or hearing. Should the exemption be granted, the applicant would still need to secure the appropriate licenses and permits from relevant local, regional, state, and federal agencies to construct and operate the proposed project. The CEC's regulations setting forth the SPPE process are primarily located in Title 20, California Code of Regulations, sections 1934-1947.

Public Participation

The CEC welcomes public participation in the SPPE review process. A copy of the SPPE application as well as other project information, can be found on the CEC website at: <https://ww2.energy.ca.gov/sitingcases/greatoakssouth/>. To stay informed about this project and receive notice of upcoming meetings and workshops, please subscribe to the project list serve, which can be accessed on

the same project webpage. The list serve sends out e-mail notifications when documents and notices are posted to the project webpage.

For questions about the project, please contact, Lisa Worrall, Senior Environmental Planner, at (916) 654-4545 or by email at lisa.worrall@energy.ca.gov.

The CEC's Public Advisor's Office is available to provide information on, and assistance with, public participation in CEC proceedings. The Public Advisor's Office can be reached at (916) 654-4489 or toll free in California at (800) 822-6228, and can also be contacted by email at publicadvisor@energy.ca.gov.

Media questions should be directed to the CEC's Media Office at (916) 654-4989 or by email at mediaoffice@energy.ca.gov.

Attachments (from the SPPE application):

Regional Map (Figure 1.1-1)

Aerial Photograph and Surrounding Land Uses (Figure 1.1-3)

Site Plan (Figure 2.2-1)

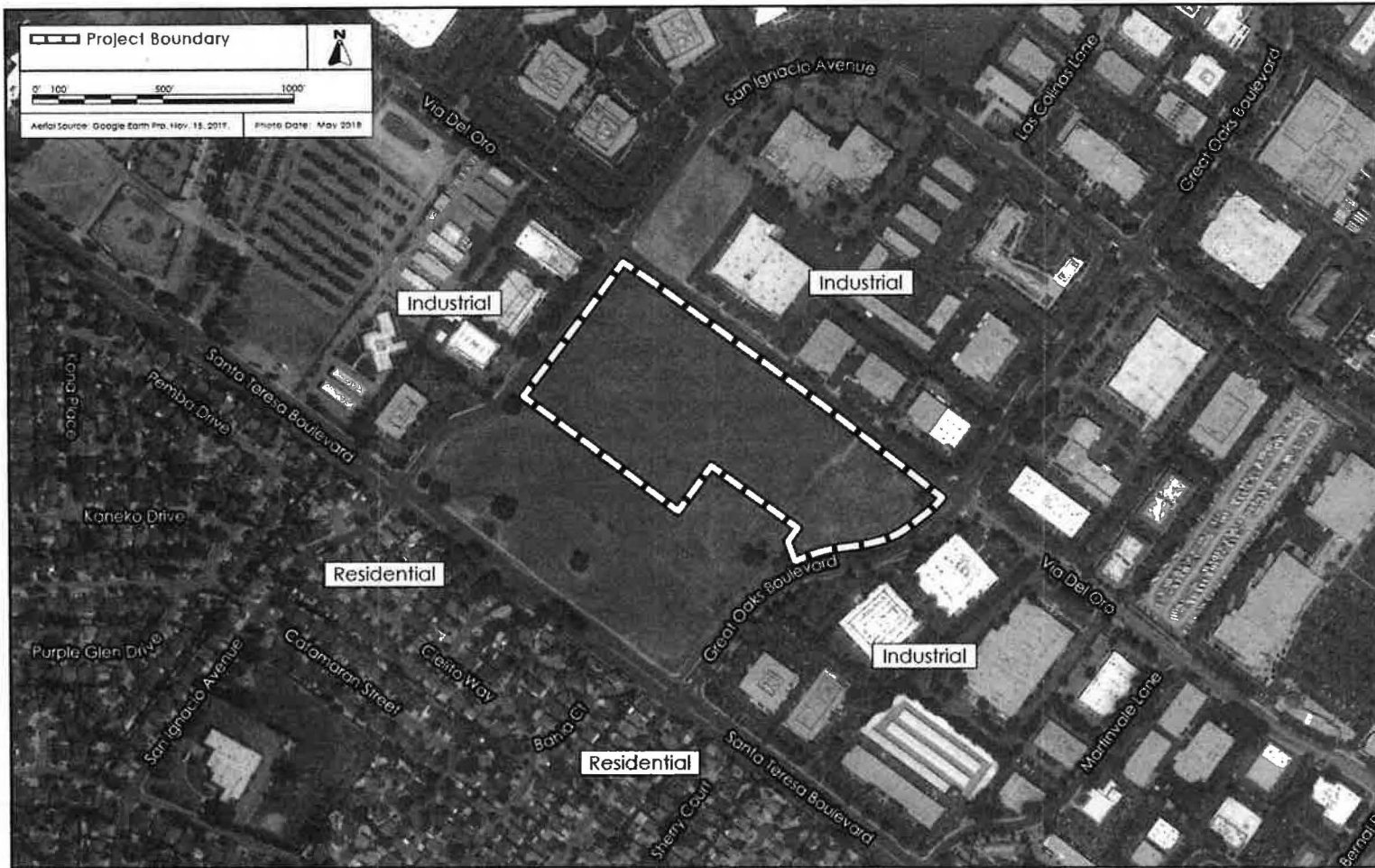


Figure 1.1-3
Aerial Photograph and
Surrounding Land Uses

Sources: SV1 2020a

