

**DOCKETED**

<b>Docket Number:</b>	20-SPPE-03
<b>Project Title:</b>	Gilroy Backup Generating Facility
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<b>Submission Date:</b>	6/8/2021 8:20:39 AM
<b>Docketed Date:</b>	6/8/2021



May 7, 2021

Valentin Lopez, Chairperson  
Amah Mutsun Tribal Band  
P.O. Box 5272  
Galt, California 95632

Dear Honorable Valentin Lopez,

The California Energy Commission (CEC) is responsible for preparing a environmental impact analysis for the proposed Gilroy Backup Generating Facility and Data Center (GBGF) and invites Amah Mutsun Tribal Band to consult regarding this project.

### Background

The CEC has the exclusive authority to certify all thermal power plants (50 megawatts [MW] and greater) and related facilities proposed for construction in California. The small power plant exemption (SPPE) process allows applicants with facilities between 50 and 100 MW to obtain an exemption from CEC's jurisdiction and proceed with local permitting 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. Public Resources Code, section 25519(c) designates the CEC as the lead agency, in accordance with the California Environmental Quality Act (CEQA), for all facilities seeking an SPPE.

### Project Description

This letter provides general information concerning the proposed GBGF and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy. The CEC received an SPPE application from Amazon Data Services, Inc. (the applicant) on December 17, 2020 for the proposed GBGF (20-SPPE-03). The GBGF would include fifty 2.5-MW diesel-fired backup generators to provide

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uninterruptible power to data servers in the proposed Gilroy Data Center in the event electricity cannot be supplied to the data center from Pacific Gas and Electric Company (PG&E).

Additionally, there would be two house power, 600-kilowatt (kW) diesel-fired generators to provide backup electricity for the data center's administrative and office areas, as well as a 175-kW emergency diesel generator to serve the security building. The generators would exclusively be interconnected to the Gilroy Data Center, which has a maximum capacity of 96 MW, and would not be electrically interconnected to the electrical transmission grid. In the event that the proposed project requires intermittent electrical supply before full buildout, PG&E would route underground conduit to the proposed project from the Llagas Substation, using existing utility structures wherever feasible. The applicant would also tie a recycled water line into existing City of Gilroy infrastructure located about one mile south of the proposed project.

The approximately 57-acre proposed project site, located east of Arroyo Circle in the city of Gilroy (Assessor's Parcel Number 841-69-039), is in an area zoned for General Industrial uses. The proposed project site was until recently in agricultural production (tomatoes). The applicant proposes to build up to two, single-story data buildings (each totaling 218,000 square feet), a utility substation, a generator equipment yard for each data center building, surface parking spaces, a 2500-square-foot security building, and landscaping. The applicant also proposes to remove 18 trees from the project site, to be replaced by the new landscaping. New landscaping consisting of trees, large and medium shrubs, and groundcover, would be installed along the property boundaries, building perimeters, and storm water treatment facilities. The applicant proposes to construct storm water treatment areas consisting of bioretention areas along the eastern and southern margins of the project site.

CEC staff would like to consult with you to better understand Native American concerns regarding this project. Please respond to this letter in writing within 30 days if Amah Mutsun Tribal Band would like to request consultation.

Over the coming months, the CEC may hold public workshops on the project to better understand impacts or concerns that may arise. These workshops will provide the public; local, state, and federal agencies; and tribal governments, the opportunity to ask questions about, and provide input on, the proposed project. The CEC will issue notices for these workshops at least 10 days prior to the meeting. If you would like to be notified by email whenever a public meeting is scheduled or a document is posted to the project website, you may sign up for the project listserv on the CEC's main web page listed below.

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Should you request, CEC staff will arrange for a separate consultation meeting to discuss issues that you may wish to hold in confidence from the general public.

CEC staff welcomes your comments and questions. Please do not hesitate to contact Gabriel Roark at (916) 237-2544 or by email at [Gabriel.Roark@energy.ca.gov](mailto:Gabriel.Roark@energy.ca.gov).

Sincerely,



Thomas Gates, Ph.D.  
Energy Commission Tribal Liaison

Enclosures: Regional Map, Proposed Project and Related Facilities, Site Plan



May 7, 2021

Irenne Zwierlein, Chairperson  
Amah Mutsun Tribal Band of  
Mission San Juan Bautista  
789 Canada Road  
Woodside, California 94062

Dear Honorable Irenne Zwierlein,

The California Energy Commission (CEC) is responsible for preparing a environmental impact analysis for the proposed Gilroy Backup Generating Facility and Data Center (GBGF) and invites Amah Mutsun Tribal Band of Mission San Juan Bautista to consult regarding this project.

### Background

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Energy Commission Tribal Liaison

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May 7, 2021

Kanyon Sayers-Roods, MLD Contact  
Indian Canyon Mutsun Band of Costanoan  
1615 Pearson Court  
San Jose, California 95122

Dear Ms. Sayers-Roods,

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Kanyon Sayers-Roods  
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Sincerely,



Thomas Gates, Ph.D.  
Energy Commission Tribal Liaison

Enclosures: Regional Map, Proposed Project and Related Facilities, Site Plan



May 7, 2021

Ann Marie Sayers, Chairperson  
Indian Canyon Mutsun Band of Costanoan  
P.O. Box 28  
Hollister, California 95024

Dear Honorable Ann Marie Sayers,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed Gilroy Backup Generating Facility and Data Center (GBGF) and invites Indian Canyon Mutsun Band of Costanoan to consult regarding this project.

### Background

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Honorable Ann Marie Sayers  
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Sincerely,



Thomas Gates, Ph.D.  
Energy Commission Tribal Liaison

Enclosures: Regional Map, Proposed Project and Related Facilities, Site Plan



May 7, 2021

Monica Arellano  
Muwekma Ohlone Indian Tribe of the SF Bay Area  
20885 Redwood Road, Suite 232  
Castro Valley, California 94546

Dear Ms. Arellano,

The California Energy Commission (CEC) is responsible for preparing a environmental impact analysis for the proposed Gilroy Backup Generating Facility and Data Center (GBGF) and invites Muwekma Ohlone Indian Tribe of the SF Bay Area to consult regarding this project.

### Background

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Monica Arellano  
May 7, 2021  
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Sincerely,



Thomas Gates, Ph.D.  
Energy Commission Tribal Liaison

Enclosures: Regional Map, Proposed Project and Related Facilities, Site Plan





May 7, 2021

Katherine Perez, Chairperson  
North Valley Yokuts Tribe  
P.O. Box 717  
Linden, California 95236

Dear Honorable Katherine Perez,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed Gilroy Backup Generating Facility and Data Center (GBGF) and invites North Valley Yokuts Tribe to consult regarding this project.

### Background

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May 7, 2021

Timothy Perez, MLD Contact  
North Valley Yokuts Tribe  
P.O. Box 717  
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Sincerely,



Thomas Gates, Ph.D.  
Energy Commission Tribal Liaison

Enclosures: Regional Map, Proposed Project and Related Facilities, Site Plan



May 7, 2021

Andrew Galvan  
The Ohlone Indian Tribe  
P.O. Box 3388  
Fremont, California 94539

Dear Mr. Galvan,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed Gilroy Backup Generating Facility and Data Center (GBGF) and invites The Ohlone Indian Tribe to consult regarding this project.

#### Background

The CEC has the exclusive authority to certify all thermal power plants (50 megawatts [MW] and greater) and related facilities proposed for construction in California. The small power plant exemption (SPPE) process allows applicants with facilities between 50 and 100 MW to obtain an exemption from CEC's jurisdiction and proceed with local permitting 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. Public Resources Code, section 25519(c) designates the CEC as the lead agency, in accordance with the California Environmental Quality Act (CEQA), for all facilities seeking an SPPE.

#### Project Description

This letter provides general information concerning the proposed GBGF and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy. The CEC received an SPPE application from Amazon Data Services, Inc. (the applicant) on December 17, 2020 for the proposed GBGF (20-SPPE-03). The GBGF would include fifty 2.5-MW diesel-fired backup generators to provide

uninterruptible power to data servers in the proposed Gilroy Data Center in the event electricity cannot be supplied to the data center from Pacific Gas and Electric Company (PG&E).

Additionally, there would be two house power, 600-kilowatt (kW) diesel-fired generators to provide backup electricity for the data center's administrative and office areas, as well as a 175-kW emergency diesel generator to serve the security building. The generators would exclusively be interconnected to the Gilroy Data Center, which has a maximum capacity of 96 MW, and would not be electrically interconnected to the electrical transmission grid. In the event that the proposed project requires intermittent electrical supply before full buildout, PG&E would route underground conduit to the proposed project from the Llagas Substation, using existing utility structures wherever feasible. The applicant would also tie a recycled water line into existing City of Gilroy infrastructure located about one mile south of the proposed project.

The approximately 57-acre proposed project site, located east of Arroyo Circle in the city of Gilroy (Assessor's Parcel Number 841-69-039), is in an area zoned for General Industrial uses. The proposed project site was until recently in agricultural production (tomatoes). The applicant proposes to build up to two, single-story data buildings (each totaling 218,000 square feet), a utility substation, a generator equipment yard for each data center building, surface parking spaces, a 2500-square-foot security building, and landscaping. The applicant also proposes to remove 18 trees from the project site, to be replaced by the new landscaping. New landscaping consisting of trees, large and medium shrubs, and groundcover, would be installed along the property boundaries, building perimeters, and storm water treatment facilities. The applicant proposes to construct storm water treatment areas consisting of bioretention areas along the eastern and southern margins of the project site.

CEC staff would like to consult with you to better understand Native American concerns regarding this project. Please respond to this letter in writing within 30 days if The Ohlone Indian Tribe would like to request consultation.

Over the coming months, the CEC may hold public workshops on the project to better understand impacts or concerns that may arise. These workshops will provide the public; local, state, and federal agencies; and tribal governments, the opportunity to ask questions about, and provide input on, the proposed project. The CEC will issue notices for these workshops at least 10 days prior to the meeting. If you would like to be notified by email whenever a public meeting is scheduled or a document is posted to the project website, you may sign up for the project listserv on the CEC's main web page listed below.



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To review the Gilroy Backup Generating Facility and find more information about the project, please visit the project webpage:

<https://ww2.energy.ca.gov/sitingcases/gilroybackupgen/>.

Should you request, CEC staff will arrange for a separate consultation meeting to discuss issues that you may wish to hold in confidence from the general public.

CEC staff welcomes your comments and questions. Please do not hesitate to contact Gabriel Roark at (916) 237-2544 or by email at Gabriel.Roark@energy.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Thomas Gates".

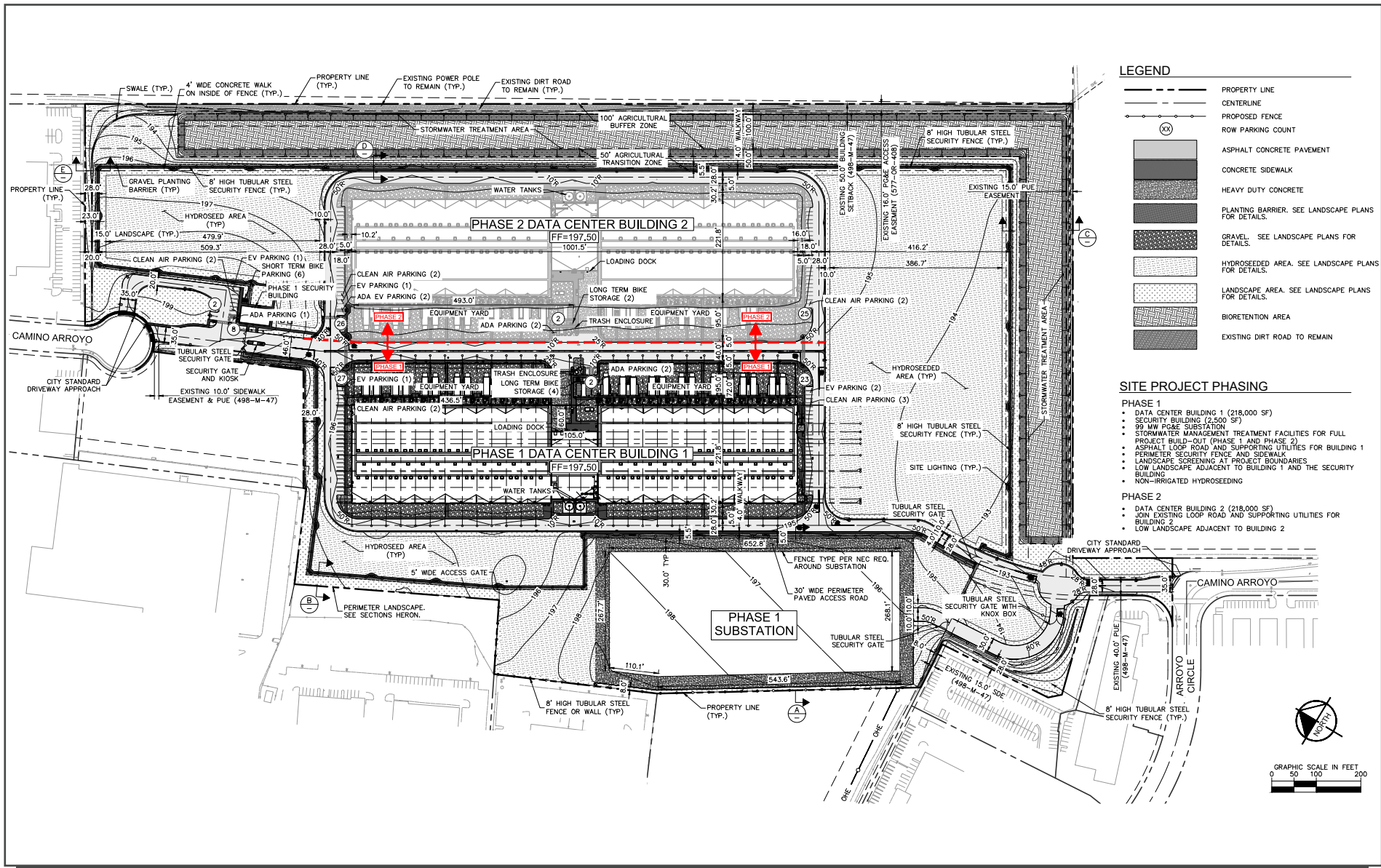
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REGIONAL MAP

FIGURE 3.2-1



**LEGEND**

	PROPERTY LINE
	CENTERLINE
	PROPOSED FENCE
	ROW PARKING COUNT
	ASPHALT CONCRETE PAVEMENT
	CONCRETE SIDEWALK
	HEAVY DUTY CONCRETE
	PLANTING BARRIER. SEE LANDSCAPE PLANS FOR DETAILS.
	GRAVEL. SEE LANDSCAPE PLANS FOR DETAILS.
	HYDROSEEDED AREA. SEE LANDSCAPE PLANS FOR DETAILS.
	LANDSCAPE AREA. SEE LANDSCAPE PLANS FOR DETAILS.
	BIORETENTION AREA
	EXISTING DIRT ROAD TO REMAIN

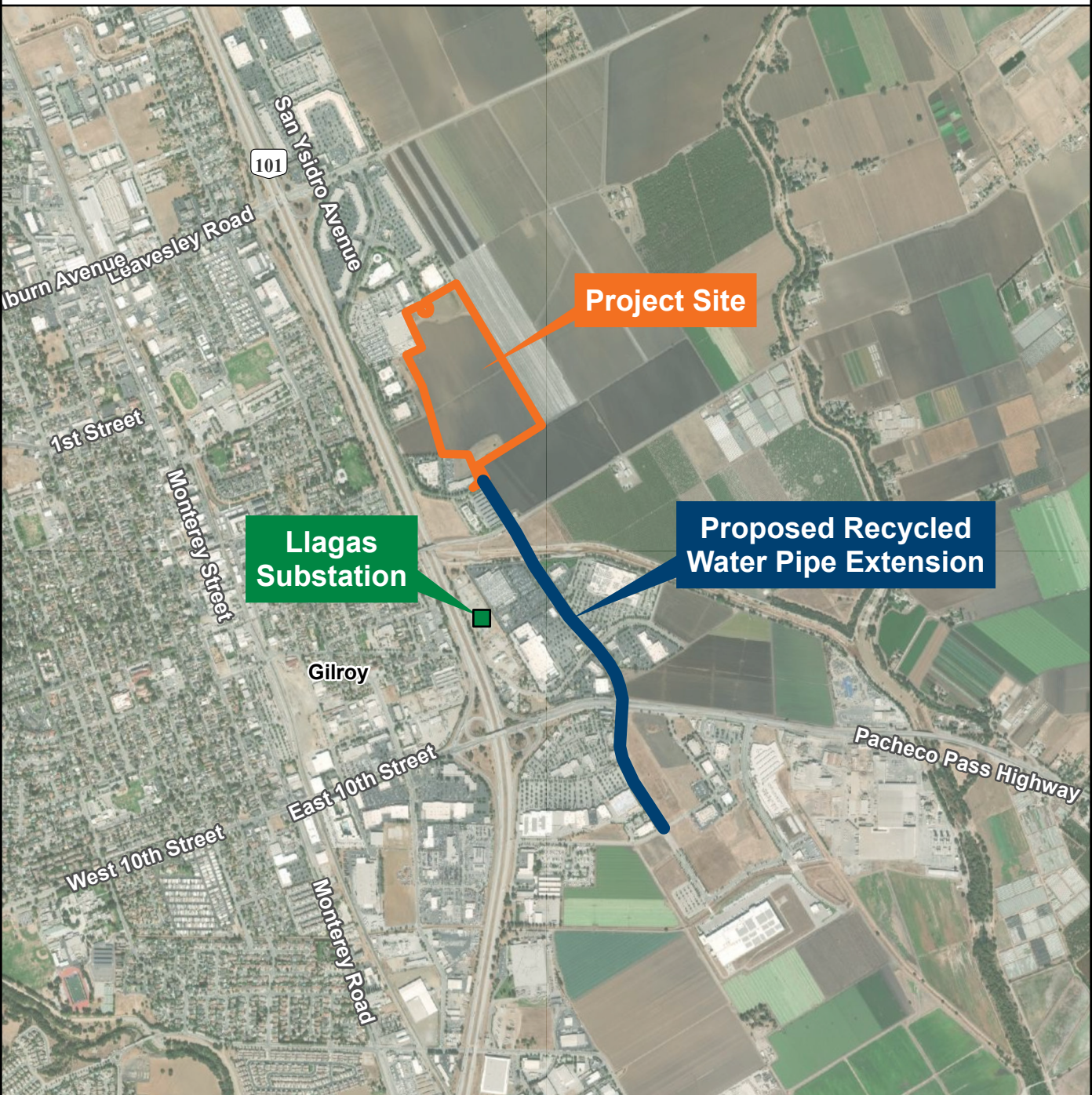
- SITE PROJECT PHASING**
- PHASE 1**
- DATA CENTER BUILDING 1 (218,000 SF)
  - SECURITY BUILDING (2,500 SF)
  - 99 MW PG&E SUBSTATION
  - STORMWATER MANAGEMENT TREATMENT FACILITIES FOR FULL PROJECT BUILD-OUT (PHASE 1 AND PHASE 2)
  - ASPHALT LOOP ROAD AND SUPPORTING UTILITIES FOR BUILDING 1
  - PERIMETER SECURITY FENCE AND SIDEWALK
  - LANDSCAPE SCREENING AT PROJECT BOUNDARIES
  - LOW LANDSCAPE ADJACENT TO BUILDING 1 AND THE SECURITY BUILDING
  - NON-IRRIGATED HYDROSEEDING
- PHASE 2**
- DATA CENTER BUILDING 2 (218,000 SF)
  - JOIN EXISTING LOOP ROAD AND SUPPORTING UTILITIES FOR BUILDING 2
  - LOW LANDSCAPE ADJACENT TO BUILDING 2




SITE PLAN

FIGURE 3.2-4



# Proposed Project and Related Facilities



-  Gilroy Backup Generating Facility
-  Proposed Recycled Water Pipe Extension
-  Llagas Substation

