

**DOCKETED**

<b>Docket Number:</b>	21-SPPE-01
<b>Project Title:</b>	CA3 Backup Generating Facility-Vantage
<b>TN #:</b>	239156
<b>Document Title:</b>	CA3 Tribal Consultation Request Letter
<b>Description:</b>	*** THIS DOCUMENT SUPERSEDES TN 239150 ***
<b>Filer:</b>	susan fleming
<b>Organization:</b>	Native American Heritage Commission
<b>Submitter Role:</b>	Public Agency
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<b>Docketed Date:</b>	8/2/2021

## NATIVE AMERICAN HERITAGE COMMISSION

April 28, 2021

Gabriel Roark, MA  
CA Energy CommissionVia Email to: [Gabriel.roark@energy.ca.gov](mailto:Gabriel.roark@energy.ca.gov)**Re: Vantage CA3 Backup Generating Facility and Data Center Project, Santa Clara County**

Dear Mr. Roark:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were negative. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: [Sarah.Fonseca@nahc.ca.gov](mailto:Sarah.Fonseca@nahc.ca.gov).

Sincerely,

Sarah Fonseca  
Cultural Resources Analyst

Attachment

CHAIRPERSON  
**Laura Miranda**  
LuiseñoVICE CHAIRPERSON  
**Reginald Pagaling**  
ChumashSECRETARY  
**Merri Lopez-Keifer**  
LuiseñoPARLIAMENTARIAN  
**Russell Attebery**  
KarukCOMMISSIONER  
**William Mungary**  
Paiute/White Mountain  
ApacheCOMMISSIONER  
**Julie Tumamait-  
Stenslie**  
ChumashCOMMISSIONER  
[Vacant]COMMISSIONER  
[Vacant]COMMISSIONER  
[Vacant]EXECUTIVE SECRETARY  
**Christina Snider**  
PomoNAHC HEADQUARTERS  
1550 Harbor Boulevard  
Suite 100  
West Sacramento,  
California 95691  
(916) 373-3710  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
NAHC.ca.gov

**Native American Heritage Commission  
Native American Contact List  
Santa Clara County  
4/28/2021**

**Amah Mutsun Tribal Band**

Valentin Lopez, Chairperson  
P.O. Box 5272  
Galt, CA, 95632  
Phone: (916) 743 - 5833  
vlopez@amahmutsun.org

Costanoan  
Northern Valley  
Yokut

**North Valley Yokuts Tribe**

Timothy Perez,  
P.O. Box 717  
Linden, CA, 95236  
Phone: (209) 662 - 2788  
huskanam@gmail.com

Costanoan  
Northern Valley  
Yokut

**Amah Mutsun Tribal Band of Mission San Juan Bautista**

Irene Zwierlein, Chairperson  
789 Canada Road  
Woodside, CA, 94062  
Phone: (650) 851 - 7489  
Fax: (650) 332-1526  
amahmutsuntribal@gmail.com

Costanoan

**The Ohlone Indian Tribe**

Andrew Galvan,  
P.O. Box 3388  
Fremont, CA, 94539  
Phone: (510) 882 - 0527  
Fax: (510) 687-9393  
chochenyo@AOL.com

Bay Miwok  
Ohlone  
Patwin  
Plains Miwok

**Indian Canyon Mutsun Band of Costanoan**

Kanyon Sayers-Roods, MLD  
Contact  
1615 Pearson Court  
San Jose, CA, 95122  
Phone: (408) 673 - 0626  
kanyon@kanyonconsulting.com

Costanoan

**Wuksache Indian Tribe/Eshom Valley Band**

Kenneth Woodrow, Chairperson  
1179 Rock Haven Ct.  
Salinas, CA, 93906  
Phone: (831) 443 - 9702  
kwood8934@aol.com

Foothill Yokut  
Mono

**Indian Canyon Mutsun Band of Costanoan**

Ann Marie Sayers, Chairperson  
P.O. Box 28  
Hollister, CA, 95024  
Phone: (831) 637 - 4238  
ams@indiancanyon.org

Costanoan

**Rumsen Am:a Tur:ataj Ohlone**

Dee Dee Ybarra, Chairperson  
14671 Farmington Street  
Hesperia, CA, 92345  
Phone: (760) 403 - 1756  
rumsenama@gmail.com

Costanoan

**Muwekma Ohlone Indian Tribe of the SF Bay Area**

Monica Arellano, Vice  
Chairwoman  
20885 Redwood Road, Suite 232  
Castro Valley, CA, 94546  
Phone: (408) 205 - 9714  
marellano@muvekma.org

Costanoan

**Tamien Nation**

Johnathan Wasaka Costillas,  
THPO  
PO Box 866  
Clearlake Oaks, CA, 94523  
Phone: (925) 336 - 5359  
thpo@tamien.org

Costanoan

**North Valley Yokuts Tribe**

Katherine Perez, Chairperson  
P.O. Box 717  
Linden, CA, 95236  
Phone: (209) 887 - 3415  
canutes@verizon.net

Costanoan  
Northern Valley  
Yokut

**Tamien Nation**

Quirina Luna Geary, Chairperson  
PO Box 8053  
San Jose, CA, 95155  
Phone: (707) 295 - 4011  
qgeary@tamien.org

Costanoan

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Vantage CA3 Backup Generating Facility and Data Center Project, Santa Clara County.



July 1, 2021

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

Dear Honorable Valentin Lopez,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed CA3 Backup Generating Facility (CA3BGF) 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 project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

The CEC received an SPPE application from Vantage Data Centers, LLC. (the applicant) on April 12, 2021 for the proposed CA3BGF (21-SPPE-01). The

CA3BGF would be part of the CA3 Data Center (CA3DC) to be located the city of Santa Clara. Both the CA3BGF and the CA3DC components are collectively the project pursuant to CEQA.

The project would be located at 2590 Walsh Avenue in Santa Clara. The parcel (APN 216-28-112) is zoned for light industrial uses and encompasses 6.69 acres. The irregularly shaped property is bound to the northwest by an existing microelectronics testing facility, to the northeast by a software research and development facility, to the south by an existing railroad line operated by CalTrain, to the east by Walsh Avenue, and the west by Silicon Valley Power's (SVP) Uranium Substation.

The project site is currently developed with an approximately 115,000 square foot single-story concrete, wood, and stucco office building and warehouse combined, with associated ground level parking lot and loading dock. The existing structures would be demolished along with the ancillary improvements, including landscaping, except for existing trees not in conflict with improvement plans. Adjacent land uses are predominantly commercial and industrial to the north and east, and residential to the south and west. The Norman Y. Mineta San Jose International Airport is approximately 1.75 miles southeast of the site.

The applicant proposes to construct a four-story 469,482 square foot data center building, utility substation, a switching station, generator equipment yard (the CA3BGF), surface parking and landscaping, and a recycled water pipeline. The data center building would consist of two main components: the data center suites that house client servers, and the administrative facilities including support facilities such as the building lobby, restrooms, conference rooms, landlord office space, customer office space, loading dock and storage. The data center suite components would have four levels, each containing four data center suites and corresponding electrical/uninterruptable power supply rooms.

The new electrical substation would be located adjacent to the existing SVP Uranium Substation, along the western boundary of the project site. It would have a two-bay design which would allow one of the two transformers to be taken out of service, effectively providing 100 megavolt amperes of total power. The electrical substation would be made up of two halves; Vantage would own the new on-site substation and SVP would own the switching station directly to the south of and adjacent to the substation, providing 60 kilovolt service to the site. The substation would be capable of delivering electricity to the CA3DC from SVP's new adjacent switching station; however, no

electricity generated by the CA3BGF would be allowed to be delivered to the transmission grid.

A recycled water pipeline at the intersection of Walsh Avenue and Northwestern Parkway would be extended approximately 500 feet to the northeast (in Walsh Avenue) to serve as the project's secondary source of water.

The CA3BGF would have a generating capacity of up to 96 MW to support the need for the CA3DC to provide uninterruptible power supply for its servers. The CA3BGF would only be operated for maintenance, testing and during emergency utility power outages. The CA3BGF would consist of forty-four, 2.75-MW diesel-fired emergency backup generators, arranged in a single generation yard designed to serve the data center building that makes up the CA3DC.

Project elements would also include switchgear and distribution cabling to interconnect the two generation yards to their respective portion of the building. Eight of the 40 data center generators would be redundant, yielding the applicant's goal of 99.999 percent reliability factor. The remaining four emergency generators are house generators (two of which are redundant) that would support portions of the administration building and features necessary for emergency response.

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.

Additionally, over the coming months the CEC may hold public meetings on the project to better understand impacts or concerns that may arise. These meetings 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 meetings 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. To review the SPPE application and find more information about the project, please visit the project webpage: <https://ww2.energy.ca.gov/sitingcases/ca3/>

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.

Valentin Lopez  
July 1, 2021  
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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,



Thomas Gates, Ph.D.  
Energy Commission Tribal Liaison

Enclosures: Regional Location Map, Local Vicinity Map, Architectural Site Plan,  
and CA3 Proposed Recycled Water Pipeline Route



July 1, 2021

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

Dear Honorable Irene Zwierlein,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed CA3 Backup Generating Facility (CA3BGF) and invites Amah Mutsun Tribal Band of Mission San Juan Bautista 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.

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The project would be located at 2590 Walsh Avenue in Santa Clara. The parcel (APN 216-28-112) is zoned for light industrial uses and encompasses 6.69 acres. The irregularly shaped property is bound to the northwest by an existing microelectronics testing facility, to the northeast by a software research and development facility, to the south by an existing railroad line operated by CalTrain, to the east by Walsh Avenue, and the west by Silicon Valley Power's (SVP) Uranium Substation.

The project site is currently developed with an approximately 115,000 square foot single-story concrete, wood, and stucco office building and warehouse combined, with associated ground level parking lot and loading dock. The existing structures would be demolished along with the ancillary improvements, including landscaping, except for existing trees not in conflict with improvement plans. Adjacent land uses are predominantly commercial and industrial to the north and east, and residential to the south and west. The Norman Y. Mineta San Jose International Airport is approximately 1.75 miles southeast of the site.

The applicant proposes to construct a four-story 469,482 square foot data center building, utility substation, a switching station, generator equipment yard (the CA3BGF), surface parking and landscaping, and a recycled water pipeline. The data center building would consist of two main components: the data center suites that house client servers, and the administrative facilities including support facilities such as the building lobby, restrooms, conference rooms, landlord office space, customer office space, loading dock and storage. The data center suite components would have four levels, each containing four data center suites and corresponding electrical/uninterruptable power supply rooms.

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The CA3BGF would have a generating capacity of up to 96 MW to support the need for the CA3DC to provide uninterruptible power supply for its servers. The CA3BGF would only be operated for maintenance, testing and during emergency utility power outages. The CA3BGF would consist of forty-four, 2.75-MW diesel-fired emergency backup generators, arranged in a single generation yard designed to serve the data center building that makes up the CA3DC.

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Irene Zwielerlein  
July 1, 2021  
Page 4

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". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Thomas Gates, Ph.D.  
Energy Commission Tribal Liaison

Enclosures: Regional Location Map, Local Vicinity Map, Architectural Site Plan,  
and CA3 Proposed Recycled Water Pipeline Route



July 1, 2021

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

Dear Kanyon Sayers-Roods,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed CA3 Backup Generating Facility (CA3BGF) and invites Indian Canyon Mutsun Band of Coastanoan to consult regarding this project.

#### Background

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Sincerely,

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Thomas Gates, Ph.D.  
Energy Commission Tribal Liaison

Enclosures: Regional Location Map, Local Vicinity Map, Architectural Site Plan,  
and CA3 Proposed Recycled Water Pipeline Route



July 1, 2021

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

Dear Honorable Ann Marie Sayers,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed CA3 Backup Generating Facility (CA3BGF) and invites Indian Canyon Mutsun Band of Coastanoan to consult regarding this project.

#### Background

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Sincerely,

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Thomas Gates, Ph.D.  
Energy Commission Tribal Liaison

Enclosures: Regional Location Map, Local Vicinity Map, Architectural Site Plan,  
and CA3 Proposed Recycled Water Pipeline Route



July 1, 2021

Monica Arellano, Vice Chairwoman  
Muwekm Ohlone Indian Tribe of the SF Bay Area  
20885 Redwood Road, Suite 232  
Castro Valley, CA 94546

Dear Honorable Monica Arellano,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed CA3 Backup Generating Facility (CA3BGF) and invites Muwekm Ohlone Indian Tribe of the SF Bay Area 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 project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

The CEC received an SPPE application from Vantage Data Centers, LLC. (the applicant) on April 12, 2021 for the proposed CA3BGF (21-SPPE-01). The CA3BGF would be part of the CA3 Data Center (CA3DC) to be located the city of Santa Clara. Both the CA3BGF and the CA3DC components are collectively the project pursuant to CEQA.

The project would be located at 2590 Walsh Avenue in Santa Clara. The parcel (APN 216-28-112) is zoned for light industrial uses and encompasses 6.69 acres. The irregularly shaped property is bound to the northwest by an existing microelectronics testing facility, to the northeast by a software research and development facility, to the south by an existing railroad line operated by CalTrain, to the east by Walsh Avenue, and the west by Silicon Valley Power's (SVP) Uranium Substation.

The project site is currently developed with an approximately 115,000 square foot single-story concrete, wood, and stucco office building and warehouse combined, with associated ground level parking lot and loading dock. The existing structures would be demolished along with the ancillary improvements, including landscaping, except for existing trees not in conflict with improvement plans. Adjacent land uses are predominantly commercial and industrial to the north and east, and residential to the south and west. The Norman Y. Mineta San Jose International Airport is approximately 1.75 miles southeast of the site.

The applicant proposes to construct a four-story 469,482 square foot data center building, utility substation, a switching station, generator equipment yard (the CA3BGF), surface parking and landscaping, and a recycled water pipeline. The data center building would consist of two main components: the data center suites that house client servers, and the administrative facilities including support facilities such as the building lobby, restrooms, conference rooms, landlord office space, customer office space, loading dock and storage. The data center suite components would have four levels, each containing four data center suites and corresponding electrical/uninterruptable power supply rooms.

The new electrical substation would be located adjacent to the existing SVP Uranium Substation, along the western boundary of the project site. It would have a two-bay design which would allow one of the two transformers to be taken out of service, effectively providing 100 megavolt amperes of total power. The electrical substation would be made up of two halves; Vantage would own the new on-site substation and SVP would own the switching station directly to the south of and adjacent to the substation, providing 60 kilovolt service to the site. The substation would be capable of delivering

electricity to the CA3DC from SVP's new adjacent switching station; however, no electricity generated by the CA3BGF would be allowed to be delivered to the transmission grid.

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Sincerely,

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Thomas Gates, Ph.D.  
Energy Commission Tribal Liaison

Enclosures: Regional Location Map, Local Vicinity Map, Architectural Site Plan,  
and CA3 Proposed Recycled Water Pipeline Route



July 1, 2021

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

Dear Honorable Katherine Perez,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed CA3 Backup Generating Facility (CA3BGF) and invites North Valley Yokuts Tribe to consult regarding this project.

#### Background

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Thomas Gates, Ph.D.  
Energy Commission Tribal Liaison

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July 1, 2021

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Timothy Perez  
July 1, 2021  
Page 4

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A handwritten signature in blue ink that reads "Thomas Gates". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Thomas Gates, Ph.D.  
Energy Commission Tribal Liaison

Enclosures: Regional Location Map, Local Vicinity Map, Architectural Site Plan,  
and CA3 Proposed Recycled Water Pipeline Route



July 1, 2021

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

Dear Andrew Galvan,

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#### Background

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Andrew Galvan  
July 1, 2021  
Page 4

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Thomas Gates, Ph.D.  
Energy Commission Tribal Liaison

Enclosures: Regional Location Map, Local Vicinity Map, Architectural Site Plan,  
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July 1, 2021

Dee Dee Ybarra, Chairperson  
Rumsen Am:a Tur:ataj Ohlone  
14671 Farmington Street  
Hesperia, CA 92345

Dear Honorable Dee Dee Ybarra,

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Dee Dee Ybarra  
July 1, 2021  
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July 1, 2021

Jonathan Wasaka Costillas, THPO  
Tamien Nation  
P.O. Box 866  
Clearlake Oaks, CA 94523

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The project site is currently developed with an approximately 115,000 square foot single-story concrete, wood, and stucco office building and warehouse combined, with associated ground level parking lot and loading dock. The existing structures would be demolished along with the ancillary improvements, including landscaping, except for existing trees not in conflict with improvement plans. Adjacent land uses are predominantly commercial and industrial to the north and east, and residential to the south and west. The Norman Y. Mineta San Jose International Airport is approximately 1.75 miles southeast of the site.

The applicant proposes to construct a four-story 469,482 square foot data center building, utility substation, a switching station, generator equipment yard (the CA3BGF), surface parking and landscaping, and a recycled water pipeline. The data center building would consist of two main components: the data center suites that house client servers, and the administrative facilities including support facilities such as the building lobby, restrooms, conference rooms, landlord office space, customer office space, loading dock and storage. The data center suite components would have four levels, each containing four data center suites and corresponding electrical/uninterruptable power supply rooms.

The new electrical substation would be located adjacent to the existing SVP Uranium Substation, along the western boundary of the project site. It would have a two-bay design which would allow one of the two transformers to be taken out of service, effectively providing 100 megavolt amperes of total power. The electrical substation would be made up of two halves; Vantage would own the new on-site substation and SVP would own the switching station directly to the south of and adjacent to the substation, providing 60 kilovolt service to the site. The substation would be capable of delivering electricity to the CA3DC from SVP's new adjacent switching station; however, no

electricity generated by the CA3BGF would be allowed to be delivered to the transmission grid.

A recycled water pipeline at the intersection of Walsh Avenue and Northwestern Parkway would be extended approximately 500 feet to the northeast (in Walsh Avenue) to serve as the project's secondary source of water.

The CA3BGF would have a generating capacity of up to 96 MW to support the need for the CA3DC to provide uninterruptible power supply for its servers. The CA3BGF would only be operated for maintenance, testing and during emergency utility power outages. The CA3BGF would consist of forty-four, 2.75-MW diesel-fired emergency backup generators, arranged in a single generation yard designed to serve the data center building that makes up the CA3DC.

Project elements would also include switchgear and distribution cabling to interconnect the two generation yards to their respective portion of the building. Eight of the 40 data center generators would be redundant, yielding the applicant's goal of 99.999 percent reliability factor. The remaining four emergency generators are house generators (two of which are redundant) that would support portions of the administration building and features necessary for emergency response.

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 Tamien Nation would like to request consultation.

Additionally, over the coming months the CEC may hold public meetings on the project to better understand impacts or concerns that may arise. These meetings 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 meetings 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. To review the SPPE application and find more information about the project, please visit the project webpage: <https://ww2.energy.ca.gov/sitingcases/ca3/>

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". The signature is written in a cursive style.

Thomas Gates, Ph.D.  
Energy Commission Tribal Liaison

Enclosures: Regional Location Map, Local Vicinity Map, Architectural Site Plan,  
and CA3 Proposed Recycled Water Pipeline Route



July 1, 2021

Quirina Luna Geary, Chairperson  
Tamien Nation  
P.O. Box 8053  
San Jose, CA 95155

Dear Honorable Quirina Luna Geary,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed CA3 Backup Generating Facility (CA3BGF) and invites Tamien Nation 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 project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

The CEC received an SPPE application from Vantage Data Centers, LLC. (the applicant) on April 12, 2021 for the proposed CA3BGF (21-SPPE-01). The

CA3BGF would be part of the CA3 Data Center (CA3DC) to be located the city of Santa Clara. Both the CA3BGF and the CA3DC components are collectively the project pursuant to CEQA.

The project would be located at 2590 Walsh Avenue in Santa Clara. The parcel (APN 216-28-112) is zoned for light industrial uses and encompasses 6.69 acres. The irregularly shaped property is bound to the northwest by an existing microelectronics testing facility, to the northeast by a software research and development facility, to the south by an existing railroad line operated by CalTrain, to the east by Walsh Avenue, and the west by Silicon Valley Power's (SVP) Uranium Substation.

The project site is currently developed with an approximately 115,000 square foot single-story concrete, wood, and stucco office building and warehouse combined, with associated ground level parking lot and loading dock. The existing structures would be demolished along with the ancillary improvements, including landscaping, except for existing trees not in conflict with improvement plans. Adjacent land uses are predominantly commercial and industrial to the north and east, and residential to the south and west. The Norman Y. Mineta San Jose International Airport is approximately 1.75 miles southeast of the site.

The applicant proposes to construct a four-story 469,482 square foot data center building, utility substation, a switching station, generator equipment yard (the CA3BGF), surface parking and landscaping, and a recycled water pipeline. The data center building would consist of two main components: the data center suites that house client servers, and the administrative facilities including support facilities such as the building lobby, restrooms, conference rooms, landlord office space, customer office space, loading dock and storage. The data center suite components would have four levels, each containing four data center suites and corresponding electrical/uninterruptable power supply rooms.

The new electrical substation would be located adjacent to the existing SVP Uranium Substation, along the western boundary of the project site. It would have a two-bay design which would allow one of the two transformers to be taken out of service, effectively providing 100 megavolt amperes of total power. The electrical substation would be made up of two halves; Vantage would own the new on-site substation and SVP would own the switching station directly to the south of and adjacent to the substation, providing 60 kilovolt service to the site. The substation would be capable of delivering electricity to the CA3DC from SVP's new adjacent switching station; however, no

electricity generated by the CA3BGF would be allowed to be delivered to the transmission grid.

A recycled water pipeline at the intersection of Walsh Avenue and Northwestern Parkway would be extended approximately 500 feet to the northeast (in Walsh Avenue) to serve as the project's secondary source of water.

The CA3BGF would have a generating capacity of up to 96 MW to support the need for the CA3DC to provide uninterruptible power supply for its servers. The CA3BGF would only be operated for maintenance, testing and during emergency utility power outages. The CA3BGF would consist of forty-four, 2.75-MW diesel-fired emergency backup generators, arranged in a single generation yard designed to serve the data center building that makes up the CA3DC.

Project elements would also include switchgear and distribution cabling to interconnect the two generation yards to their respective portion of the building. Eight of the 40 data center generators would be redundant, yielding the applicant's goal of 99.999 percent reliability factor. The remaining four emergency generators are house generators (two of which are redundant) that would support portions of the administration building and features necessary for emergency response.

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 Tamien Nation would like to request consultation.

Additionally, over the coming months the CEC may hold public meetings on the project to better understand impacts or concerns that may arise. These meetings 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 meetings 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. To review the SPPE application and find more information about the project, please visit the project webpage: <https://ww2.energy.ca.gov/sitingcases/ca3/>

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.

Quirina Luna Geary  
July 1, 2021  
Page 4

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". The signature is written in a cursive, flowing style.

Thomas Gates, Ph.D.  
Energy Commission Tribal Liaison

Enclosures: Regional Location Map, Local Vicinity Map, Architectural Site Plan,  
and CA3 Proposed Recycled Water Pipeline Route



July 1, 2021

Kenneth Woodrow, Chairperson  
Wuksache Indian Tribe/Eshom Valley Band  
1179 Rock Haven Court  
Salinas, CA 93906

Dear Honorable Chairperson Woodrow:

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed CA3 Backup Generating Facility (CA3BGF) and invites the Wuksache Indian Tribe/Eshom Valley Band to consult regarding this project.

This letter provides general information concerning the current project and invites you to participate in CEC consultations, in accordance with the obligations pursuant to Public Resources Code, section 21080.3.1.

#### CA3BGF 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.

#### CA3BGF Description

The CEC received an SPPE application from Vantage Data Centers, LLC. (the applicant) on April 12, 2021 for the proposed CA3BGF (21-SPPE-01). The CA3BGF would be part of the CA3 Data Center (CA3DC) to be located in the city of Santa Clara. Both the CA3BGF and CA3DC components collectively are referred to as the project pursuant to CEQA.

The project would be located at 2590 Walsh Avenue in Santa Clara. The parcel (APN 216-28-112) is zoned for light industrial uses and encompasses 6.69 acres. The irregularly shaped property is bound to the northwest by an existing microelectronics testing facility, to the northeast by a software research and development facility, to the south by an existing railroad line operated by CalTrain, to the east by Walsh Avenue, and the west by Silicon Valley Power's (SVP) Uranium Substation.

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The applicant proposes to construct a four-story 469,482 square foot data center building, a utility substation, a switching station, generator equipment yard (the CA3BGF), surface parking and landscaping and a recycled water pipeline. Recycled water would be used for cooling when it is available, although potable water will also be available on site. The data center building would consist of two main components: the data center suites that house client servers, and the administrative facilities including support facilities such as the building lobby, restrooms, conference rooms, landlord office space, customer office space, loading dock and storage. The data center suite components would have four levels, each containing four data center suites and corresponding electrical/uninterruptable power supply rooms.

The proposed 100-megavolt-ampere electrical substation would be located adjacent to the existing SVP Uranium Substation along the western boundary of the project site. It would have a two-bay design which would allow one of the two transformers to be taken out of service, effectively providing 100 megavolt amperes of total power. The electrical substation would be made up of two halves; Vantage would own the new on-site substation and SVP would own the

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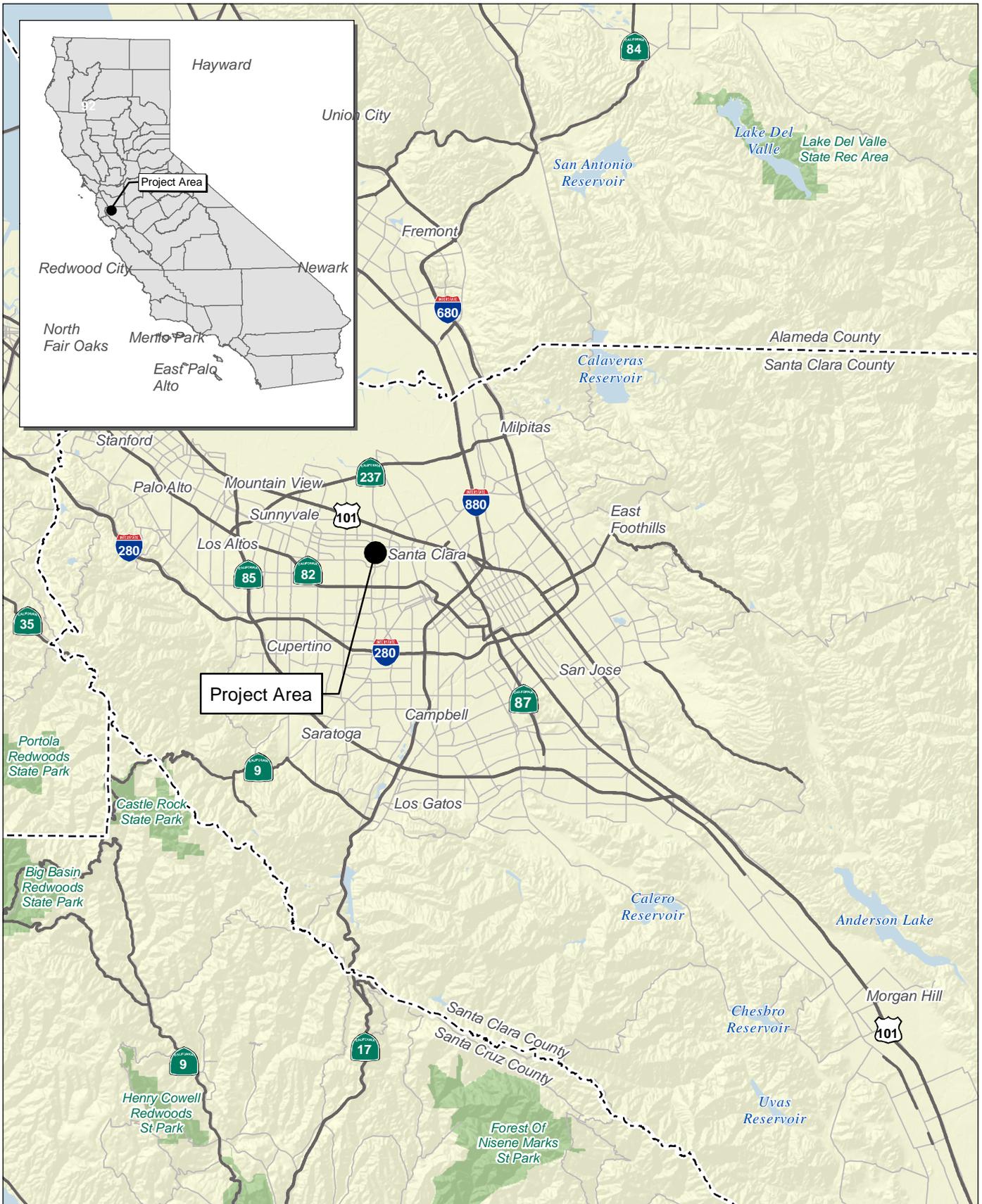
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Sincerely,

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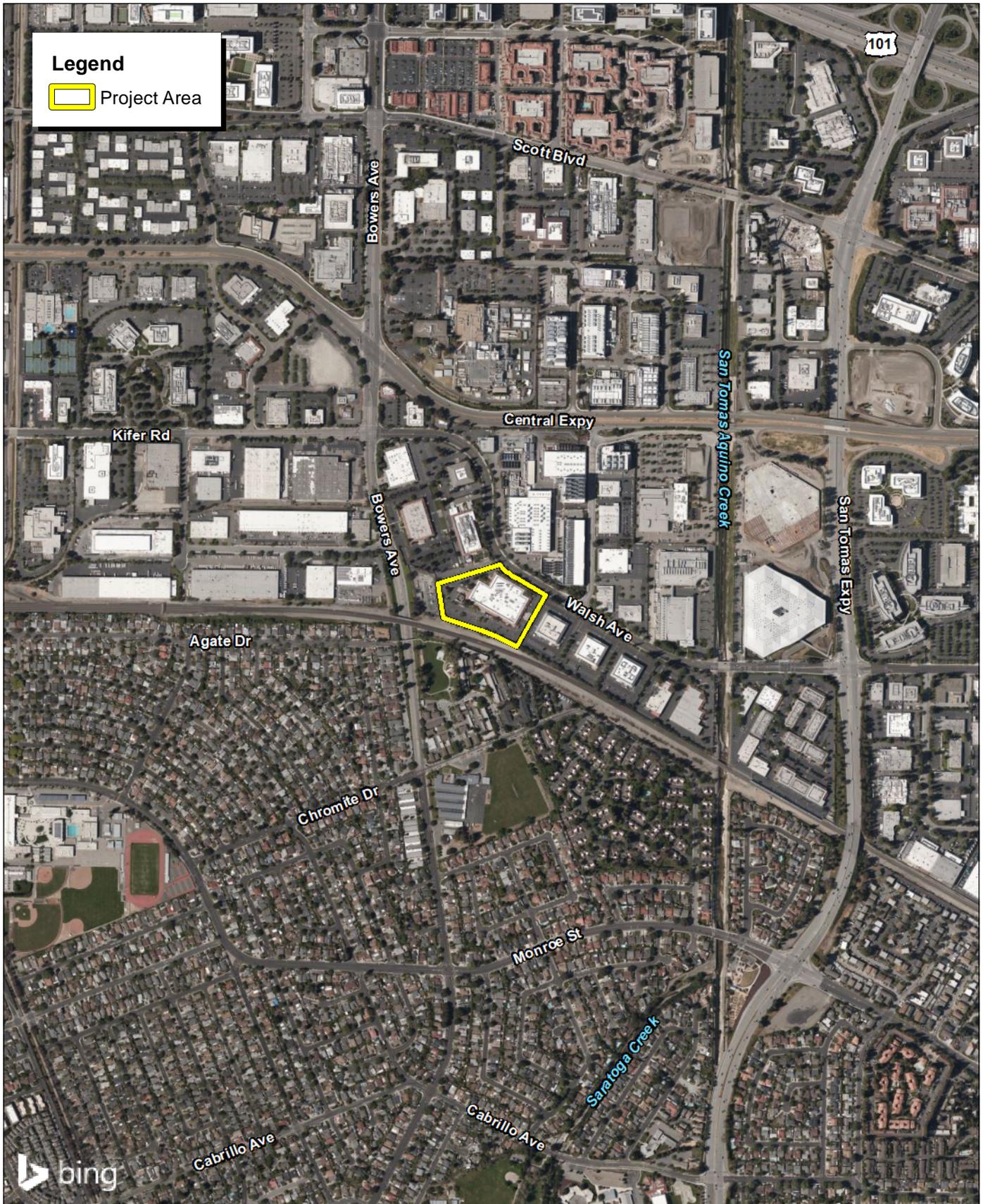
Thomas Gates, Ph.D.  
California Energy Commission Tribal  
Liaison

Enclosure: Regional Location Map, Local Vicinity Map, Architectural Site Plan, and CA3 Proposed Recycled Water Pipeline Route



Source: Census 2000 Data, The California Spatial Information Library (CaSIL).





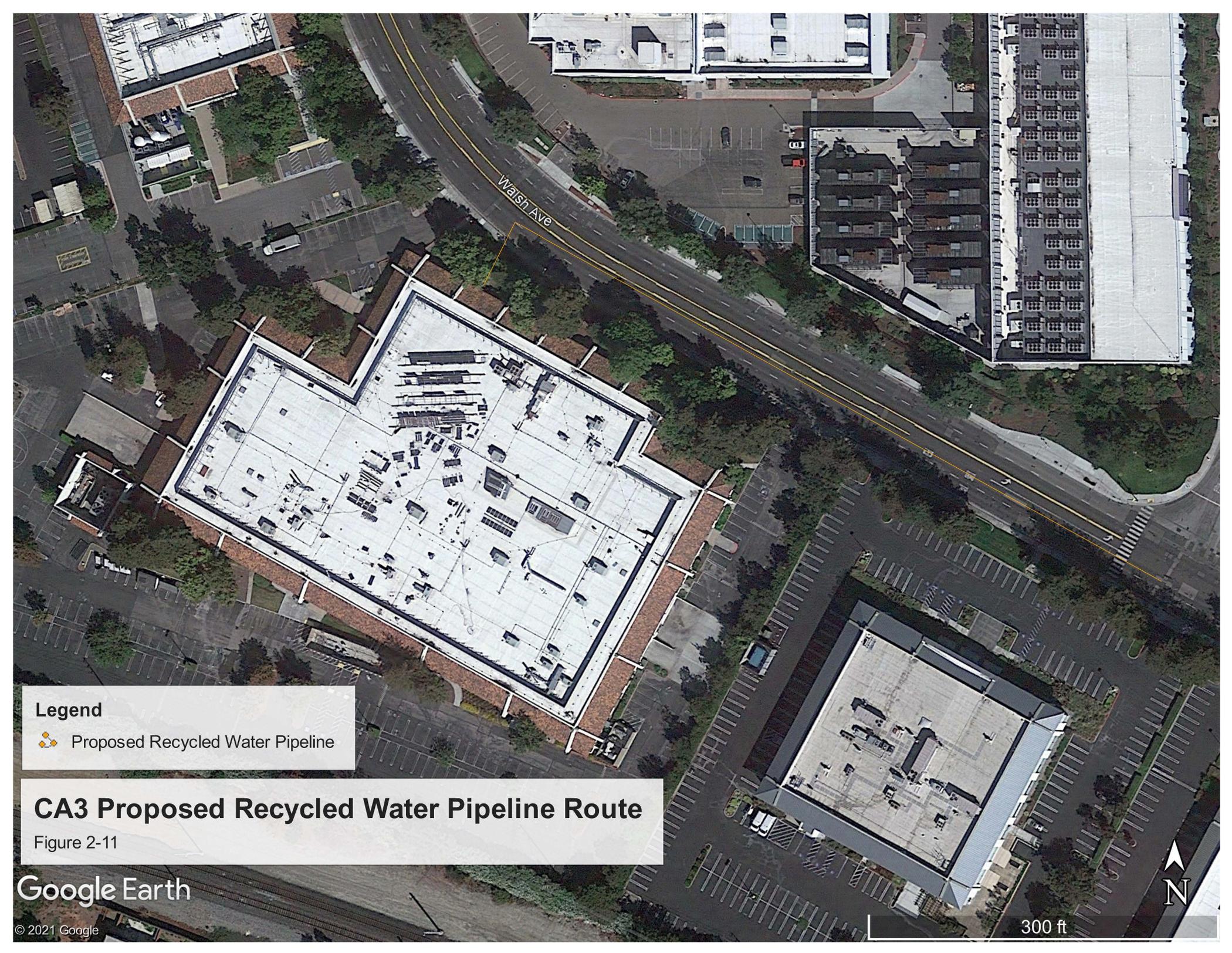
Source: Bing Aerial Imagery.

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## Exhibit 2 Local Vicinity Map





**Legend**

 Proposed Recycled Water Pipeline

**CA3 Proposed Recycled Water Pipeline Route**

Figure 2-11

Google Earth

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300 ft