

DOCKETED

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**CALIFORNIA
ENERGY COMMISSION**



**CALIFORNIA
natural
resources
AGENCY**

October 6, 2021

Vantage Data Centers
C/O Scott A. Galati
1720 Park Place Drive
Carmichael, California 95608

Data Requests Set 4 for CA3 Backup Generating Facility (21-SPPE-01)

Dear Mr. Galati:

Pursuant to Title 20, California Code of Regulations, sections 1941 and 1716, California Energy Commission (CEC) staff is asking for the information specified in the enclosed Data Request Set 4, which is necessary for the staff analysis of the CA3 Backup Generating Facility (CA3BGF) and associated CA3 Data Center (CA3DC), collectively the "project" under the California Environmental Quality Act (CEQA). This Data Request Set 4 seeks further information in the areas of biological resources and cultural resources, based on the contents of the application submitted thus far. Staff may submit subsequent data requests in these and other resource areas, based on further information received or as necessary for a complete analysis of the project.

Responses to the data requests are due to staff within 30 days. If you are unable to provide the information requested, need additional time, or object to providing the requested information, please send written notice to me and the Committee within 20 days of receipt of this letter. Such written 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, please email me at eric.veerkamp@energy.ca.gov

Eric Veerkamp
Project Manager

Enclosure: Data Request Set 4

CA3 BACKUP GENERATING FACILITY SPPE DATA REQUESTS SET 4

BIOLOGICAL RESOURCES

BACKGROUND: Landscape Plan, Tree Inventory and Tree Removal

Staff needs clarifying information regarding the project's potential impacts from loss of protected trees as well as clarifications on the proposed landscape plan to complete its CEQA analysis. The site configuration included on the Revised Landscape Plan (TN 238970) does not match the site configuration on the Revised General Arrangement and Site Layout (TN 238970) or the Existing Tree Inventory/Removal Plan (TN 239148) which have been updated to include the modified general arrangement based on comments from the City of Santa Clara Project Clearance Committee. Staff requires that a corrected full Landscape Drawing Set be submitted with the modification to the site layout reflected in all drawings.

The applicant changed the tree numbering on the L1.1 Existing Tree Inventory / Removal Plan (TN 239148) from the original tree numbering in the SPPE Application Appendix C. Tree Inventory Report including Exhibit 2 - 2590 Walsh Avenue Inventory Matrix, which has all the health data on each tree listed by a tree identification number given by the arborist. Biological resources staff needs this numbering to be consistent to be able to discuss the proposed protected tree removal as tree health is a factor of protection for trees listed in City of Santa Clara General Policy 5.10.1-P4. In addition, it is unclear how many trees the applicant has proposed to plant as the quantities are not listed on the Landscape Plan. Staff needs the corrected full Landscape Drawing Set to include this information.

General Plan Policy 5.3.1-P10 calls for new development to provide street trees and conflict with this part of the policy would be a significant impact. Staff is unable to determine if any of the trees proposed on the Landscape Plan would qualify as street trees. Staff requires clarifying information on the contents of the preliminary Landscape Drawing Set as there is some missing and/or inaccurate information. Please provide the following additional information:

DATA REQUESTS

1. Please provide a corrected full Landscape Drawing Set that matches the current site plan with the reconfigured generator yard.
2. Please confirm that the tree numbering on the Existing Tree inventory/Removal Plan matches the original tree numbering in the arborist report in the SPPE application. If it does not, please make the necessary conforming changes and docket it.
3. Clearly indicate which trees on the proposed Landscape Plan are proposed to be planted as street trees.

CA3 BACKUP GENERATING FACILITY SPPE DATA REQUESTS SET 4

4. Please update the Plant List box to list the quantities for each tree species proposed to be planted and included on the Landscape Plan.

CULTURAL RESOURCES

BACKGROUND

Per CEC staff Data Request 3 of Set 1, dated June 7, 2021, the applicant provided staff with a revised cultural resources assessment report for the proposed project (Ngo and DePietro, 2021). The report was submitted with a request for confidentiality which was granted by the CEC's Executive Director. The revised cultural resources assessment, however, contains several unclear statements and missing citations. The revised cultural resources assessment also left a previous cultural resources study off the records search map or neglected to label it. Staff marked up a PDF of the revised cultural resources assessment with questions and comments for the applicant and has provided that document under separate cover.

DATA REQUEST

5. Please address the comments and questions that staff embedded in the revised Cultural Resources Assessment.

REFERENCE CITED

Ngo and DePietro 2021—Ti Ngo and Dana D. DePietro, Phase I Cultural Resource Assessment for CA3-2590 Walsh Avenue, City of Santa Clara, Santa Clara County. Prepared for Vantage Data Centers, Sterling, VA. Prepared by FirstCarbon Solutions, Walnut Creek, CA. Revised August 18, 2021.