| **DOCKETED** |
|-----------------|------------------|
| **Docket Number:** | 21-SPPE-02 |
| **Project Title:** | STACK Trade Zone Park |
| **TN #:** | 243110 |
| **Document Title:** | Tribal Consultation Letters |
| **Description:** | Mailed on May 11, 2022 |
| **Filer:** | Lisa Worrall |
| **Organization:** | California Energy Commission |
| **Submitter Role:** | Commission Staff |
| **Submission Date:** | 5/17/2022 12:04:20 PM |
| **Docketed Date:** | 5/17/2022 |
Sacred Lands File & Native American Contacts List Request

Native American Heritage Commission
1550 Harbor Blvd, Suite 100
West Sacramento, CA 95691
916-373-3710
916-373-5471 – Fax
nahc@nahc.ca.gov

Information Below is Required for a Sacred Lands File Search

**Project:** SVY Backup Generating System and Data Center

**County:** Santa Clara

**USGS Quadrangle Name:** Milpitas 7.5-minute

**Township:** 5 S  Range: 1 E  Section(s): Pueblo lands

**Company/Firm/Agency:** California Energy Commission

**Street Address:** 715 P Street, MS-40

**City:** Sacramento  Zip: 95814

**Phone:** (916) 237-2544

**Fax:** N/A

**Email:** Gabriel.Roark@energy.ca.gov

**Project Description:**
STACK Infrastructure (STACK) proposes to develop the Trade Zone Boulevard Technology Park (Trade Zone Park) which would include an Advanced Manufacturing Building (AMB), the SVY Data Center (SVYDC), a parking garage, and related utility infrastructure, which together constitute the “project” for CEQA analysis purposes. The Trade Zone Park would be located on two parcels of land at the corner of Trade Zone Boulevard and Ringwood Avenue in San Jose, California. The SVY Backup Generating Facility (SVYBGF) would be an emergency backup generating facility with a generation capacity of up to 90 megawatts (MW) to support the need for the SVYDC to provide uninterruptible power supply for its tenant’s servers. The SVYBGF would consist of thirty-six (36) 3-MW and (2) 1-MW diesel-fired backup generators arranged in two generation yards, each designed to serve one of the two data center buildings (SVYDC 05 and SVYDC 06) that make up the SVYDC. All of the generators would be dedicated to replace the electricity needs of the data center buildings in case of a loss of utility power (with redundancy).
April 25, 2022

Katrina Leni-Konig  
California Energy Commission

Via Email to: Katrina.Leni-Konig@energy.ca.gov

Re: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, SVY Backup Generating System and Data Center Project, Santa Clara County

Dear Ms. Leni-Konig:

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources. (Pub. Resources Code §21084.3 (a)) (“Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.”)

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe’s areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

The NAHC also recommends, but does not require that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
• A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE, such as known archaeological sites;
• Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
• Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
• If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:
   • Any report that may contain site forms, site significance, and suggested mitigation measures.
     All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.

3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative.

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Cody.Campagne@nahc.ca.gov.

Sincerely,

Cody Campagne
Cultural Resources Analyst
Attachment
<table>
<thead>
<tr>
<th>Tribal Group</th>
<th>Contact Person</th>
<th>P.O. Box</th>
<th>Address</th>
<th>Phone Number</th>
<th>Email Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amah Mutsun Tribal Band</td>
<td>Valentin Lopez, Chairperson</td>
<td>5272</td>
<td>Galt, CA, 95632</td>
<td>(916) 743 - 5833</td>
<td><a href="mailto:vlopez@amahmutsun.org">vlopez@amahmutsun.org</a></td>
</tr>
<tr>
<td>Amah Mutsun Tribal Band of Mission San Juan Bautista</td>
<td>Irene Zwierlein, Chairperson</td>
<td>3030</td>
<td>Lakeport, CA, 95453</td>
<td>(650) 851 - 7489</td>
<td><a href="mailto:amahmutsuntribal@gmail.com">amahmutsuntribal@gmail.com</a></td>
</tr>
<tr>
<td>Indian Canyon Mutsun Band of Costanoan</td>
<td>Ann Marie Sayers, Chairperson</td>
<td>28</td>
<td>Hollister, CA, 95024</td>
<td>(831) 637 - 4238</td>
<td><a href="mailto:ams@indiancanyons.org">ams@indiancanyons.org</a></td>
</tr>
<tr>
<td>Indian Canyon Mutsun Band of Costanoan</td>
<td>Kanyon Sayers-Roods, MLD</td>
<td></td>
<td>San Jose, CA, 95122</td>
<td>(408) 673 - 0626</td>
<td><a href="mailto:kanyon@kanyonkonsulting.com">kanyon@kanyonkonsulting.com</a></td>
</tr>
<tr>
<td>Muwekma Ohlone Indian Tribe of the SF Bay Area</td>
<td>Monica Arellano, Chairwoman</td>
<td>232</td>
<td>Castro Valley, CA, 94546</td>
<td>(408) 205 - 9714</td>
<td><a href="mailto:marellano@muwekma.org">marellano@muwekma.org</a></td>
</tr>
<tr>
<td>Muwekma Ohlone Indian Tribe of the SF Bay Area</td>
<td>Charlene Nijsme, Chairperson</td>
<td>232</td>
<td>Castro Valley, CA, 94546</td>
<td>(408) 464 - 2892</td>
<td><a href="mailto:cnijmeh@muwekma.org">cnijmeh@muwekma.org</a></td>
</tr>
<tr>
<td>North Valley Yokuts Tribe</td>
<td>Katherine Perez, Chairperson</td>
<td>717</td>
<td>Linden, CA, 95236</td>
<td>(209) 887 - 3415</td>
<td><a href="mailto:canutes@verizon.net">canutes@verizon.net</a></td>
</tr>
<tr>
<td>North Valley Yokuts Tribe</td>
<td>Timothy Perez, Chairperson</td>
<td>717</td>
<td>Linden, CA, 95236</td>
<td>(209) 662 - 2788</td>
<td><a href="mailto:huskanam@gmail.com">huskanam@gmail.com</a></td>
</tr>
<tr>
<td>The Ohlone Indian Tribe</td>
<td>Andrew Galvan, Chairperson</td>
<td>3388</td>
<td>Fremont, CA, 94539</td>
<td>(510) 882 - 0527</td>
<td><a href="mailto:chochenyo@AOL.com">chochenyo@AOL.com</a></td>
</tr>
<tr>
<td>Wukmanda Indian Tribe/Eshom Valley Band</td>
<td>Kenneth Woodrow, Chairperson</td>
<td>1179</td>
<td>Salinas, CA, 93906</td>
<td>(831) 443 - 9702</td>
<td><a href="mailto:kwood8934@aol.com">kwood8934@aol.com</a></td>
</tr>
<tr>
<td>The Confederated Villages of Lisjan</td>
<td>Corrina Gould, Chairperson</td>
<td>10926</td>
<td>Oakland, CA, 94603</td>
<td>(510) 575 - 8408</td>
<td><a href="mailto:cvltribe@gmail.com">cvltribe@gmail.com</a></td>
</tr>
<tr>
<td>Tamien Nation</td>
<td>Quirina Luna Geary, Chairperson</td>
<td>8053</td>
<td>San Jose, CA, 95155</td>
<td>(707) 295 - 4011</td>
<td><a href="mailto:qgeary@tamien.org">qgeary@tamien.org</a></td>
</tr>
</tbody>
</table>

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 Resources Code and section 5097.96 of the Public Resources Code.

This list is only applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed SVY Backup Generating System and Data Center Project, Santa Clara County.
May 11, 2022

Indian Canyon Mutsun Band of Costanoan
Kanyon Sayers-Roods, MLC Contact
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 STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites Indian Canyon Mutsun Band of Costanoan to consult regarding this project.

This letter provides general information concerning the proposed project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

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, for all facilities seeking an SPPE.

Project Description

In a series of filings dated December 10, 2021; March 8, 2022; March 30, 2022; April 4, 2022; and April 11, 2022; STACK Infrastructure (STACK) filed an application with the CEC seeking an SPPE for the STACK Trade Zone Park (21-SPPE-02). The STACK Trade Zone Park would be built on two industrial parcels encompassing 9.8 acres at the corner
of Trade Zone Boulevard and Ringwood Avenue (2400 Ringwood Avenue and 1849 Fortune Drive) in San Jose.

STACK Trade Zone Park would include an Advanced Manufacturing Building (AMB), the SVY Data Center (SVYDC), the SVY Backup Generating Facility (SVYBGF), a parking garage, and related utility infrastructure, which together constitute the “project” under the California Environmental Quality Act. The SVYBGF would be a diesel-fired emergency backup generating facility with a generation capacity of up to 90 megawatts (MW) to support the need for the SVYDC to provide uninterruptible power supply for its tenant’s servers. The SVYBGF would consist of 36 three-MW and two one-MW diesel-fired emergency backup generators (gensets) arranged in two generation yards, each designed to serve one of the two data center buildings (SVYDC 05 and SVYDC 06) that make up the SVYDC. All gensets would be dedicated to replacing the electricity needs of the data center buildings in case of a loss of electrical power from the utility (with redundancy).

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 Indian Canyon Mutsun Band of Costanoan 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 main web page listed below. To review the SPPE application and find more information about the project, please visit the project webpage: https://www.energy.ca.gov/powerplant/tradezonepark

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, Assistant Tribal Liaison, at (916) 237-2544 or by email at Gabriel.Roark@energy.ca.gov.

Sincerely,

Katrina Leni-Konig
California Energy Commission Tribal Liaison and Deputy Public Advisor

Enclosures (from the SPPE application): Regional Map (Figure 2.2-1), Vicinity Map (Figure 2.2-2), Aerial Photograph and Surrounding Land Uses (Figure 2.2-3), Site Plan (Figure 2.2-4)
May 11, 2022

Amah Mutsun Tribal Band  
Valentin Lopez, Chairperson  
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 STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites Amah Mutsun Tribal Band to consult regarding this project.

This letter provides general information concerning the proposed project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

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, for all facilities seeking an SPPE.

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Sincerely,

Katrina Leni-Konig
California Energy Commission Tribal Liaison and Deputy Public Advisor

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May 11, 2022

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

Dear Honorable Chairperson Geary:

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites the Tamien Nation 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.

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, for all facilities seeking an SPPE.
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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 Tamien Nation would like to request consultation.

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Katrina Leni-Konig
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May 11, 2022

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 STACK Trade Zone Boulevard Park (STACK Trade Zone Park) 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.

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Sincerely,

Katrina Leni-Konig
California Energy Commission Tribal Liaison and Deputy Public Advisor

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May 11, 2022

North Valley Yokuts Tribe
Katherine Perez, Chairperson
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 STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites North Valley Yokuts Tribe to consult regarding this project.

This letter provides general information concerning the proposed project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

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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 North Valley Yokuts Tribe would like to request consultation.

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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, Assistant Tribal Liaison, at (916) 237-2544 or by email at Gabriel.Roark@energy.ca.gov.

Sincerely,

Katrina Leni-Konig
California Energy Commission Tribal Liaison and Deputy Public Advisor

Enclosures (from the SPPE application): Regional Map (Figure 2.2-1), Vicinity Map (Figure 2.2-2), Aerial Photograph and Surrounding Land Uses (Figure 2.2-3), Site Plan (Figure 2.2-4)
May 11, 2022

Amah Mutsun Tribal Band
of Mission San Juan Bautista
Irene Zwierlein, Chairperson
3030 Soda Bay Road
Lakeport, CA, 95453

Dear Honorable Irene Zwierlein,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites Amah Mutsun Tribal Band of Mission San Juan Bautista to consult regarding this project.

This letter provides general information concerning the proposed project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

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, for all facilities seeking an SPPE.

Project Description

In a series of filings dated December 10, 2021; March 8, 2022; March 30, 2022; April 4, 2022; and April 11, 2022; STACK Infrastructure (STACK) filed an application with the CEC seeking an SPPE for the STACK Trade Zone Park (21-SPPE-02). The STACK Trade Zone Park would be built on two industrial parcels encompassing 9.8 acres at the corner
of Trade Zone Boulevard and Ringwood Avenue (2400 Ringwood Avenue and 1849 Fortune Drive) in San Jose.

STACK Trade Zone Park would include an Advanced Manufacturing Building (AMB), the SVY Data Center (SVYDC), the SVY Backup Generating Facility (SVYBGF), a parking garage, and related utility infrastructure, which together constitute the “project” under the California Environmental Quality Act. The SVYBGF would be a diesel-fired emergency backup generating facility with a generation capacity of up to 90 megawatts (MW) to support the need for the SVYDC to provide uninterruptible power supply for its tenant’s servers. The SVYBGF would consist of 36 three-MW and two one-MW diesel-fired emergency backup generators (gensets) arranged in two generation yards, each designed to serve one of the two data center buildings (SVYDC 05 and SVYDC 06) that make up the SVYDC. All gensets would be dedicated to replacing the electricity needs of the data center buildings in case of a loss of electrical power from the utility (with redundancy).

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 of Mission San Juan Bautista 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.

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

Sincerely,

Katrina Leni-Konig
California Energy Commission Tribal Liaison and Deputy Public Advisor

Enclosures (from the SPPE application): Regional Map (Figure 2.2-1), Vicinity Map (Figure 2.2-2), Aerial Photograph and Surrounding Land Uses (Figure 2.2-3), Site Plan (Figure 2.2-4)
May 11, 2022

The Confederated Villages of Lisjan
Corrina Gould, Chairperson
10926 Edes Avenue
Oakland, CA, 94603

Dear Honorable Corrina Gould,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites The Confederated Villages of Lisjan to consult regarding this project.

This letter provides general information concerning the proposed project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

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, for all facilities seeking an SPPE.

Project Description

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of Trade Zone Boulevard and Ringwood Avenue (2400 Ringwood Avenue and 1849 Fortune Drive) in San Jose.

STACK Trade Zone Park would include an Advanced Manufacturing Building (AMB), the SVY Data Center (SVYDC), the SVY Backup Generating Facility (SVYBGF), a parking garage, and related utility infrastructure, which together constitute the “project” under the California Environmental Quality Act. The SVYBGF would be a diesel-fired emergency backup generating facility with a generation capacity of up to 90 megawatts (MW) to support the need for the SVYDC to provide uninterruptible power supply for its tenant’s servers. The SVYBGF would consist of 36 three-MW and two one-MW diesel-fired emergency backup generators (gensets) arranged in two generation yards, each designed to serve one of the two data center buildings (SVYDC 05 and SVYDC 06) that make up the SVYDC. All gensets would be dedicated to replacing the electricity needs of the data center buildings in case of a loss of electrical power from the utility (with redundancy).

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 The Confederated Villages of Lisjan 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.

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

Sincerely,

Katrina Leni-Konig
California Energy Commission Tribal Liaison and Deputy Public Advisor

Enclosures (from the SPPE application): Regional Map (Figure 2.2-1), Vicinity Map (Figure 2.2-2), Aerial Photograph and Surrounding Land Uses (Figure 2.2-3), Site Plan (Figure 2.2-4)
May 11, 2022

Muwekma Ohlone Indian Tribe of the SF Bay Area  
Charlene Nijmeh, Chairperson  
20885 Redwood Road, Suite 232  
Castro Valley, CA, 94546

Dear Honorable Charlene Nijmeh,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites Muwekma Ohlone Indian Tribe of the SF Bay Area to consult regarding this project.

This letter provides general information concerning the proposed project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

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, for all facilities seeking an SPPE.

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of Trade Zone Boulevard and Ringwood Avenue (2400 Ringwood Avenue and 1849 Fortune Drive) in San Jose.

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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 Muwekma Ohlone Indian Tribe of the SF Bay Area 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.

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

Sincerely,

Katrina Leni-Konig
California Energy Commission Tribal Liaison and Deputy Public Advisor

Enclosures (from the SPPE application): Regional Map (Figure 2.2-1), Vicinity Map (Figure 2.2-2), Aerial Photograph and Surrounding Land Uses (Figure 2.2-3), Site Plan (Figure 2.2-4)
May 11, 2022

Indian Canyon Mutsun Band of Costanoan
Ann Marie Sayers, Chairperson
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 STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites Indian Canyon Mutsun Band of Costanoan to consult regarding this project.

This letter provides general information concerning the proposed project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

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, for all facilities seeking an SPPE.

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Sincerely,

Katrina Leni-Konig  
California Energy Commission Tribal Liaison and Deputy Public Advisor

Enclosures (from the SPPE application): Regional Map (Figure 2.2-1), Vicinity Map (Figure 2.2-2), Aerial Photograph and Surrounding Land Uses (Figure 2.2-3), Site Plan (Figure 2.2-4)
May 11, 2022

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

Dear Andrew Galvan,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites The Ohlone Indian Tribe to consult regarding this project.

This letter provides general information concerning the proposed project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

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Sincerely,

Katrina Leni-Konig  
California Energy Commission Tribal Liaison and Deputy Public Advisor

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