

DOCKETED

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Project Title:	Martin Backup Generating Facility (MBGF)
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STATE OF CALIFORNIA

Energy Resources
Conservation and Development Commission

In the Matter of:

Application For Small Power Plant
Exemption for the **MARTIN BACKUP
GENERATING FACILITY**

DOCKET NO: 22-SPPE-03

**MARTIN AVENUE PROPERTIES LLC
RESPONSE TO GHG RELATED
MITIGATION MEASURE LANGUAGE**

In previous Environmental Impact Reports prepared by the CEC Staff for projects that required a Small Power Plant Exemption (SPPE) in the City of Santa Clara, California, the CEC Staff included mitigation measures related to the use of renewable diesel as a primary fuel for the backup generators and the use of renewable electricity of equivalent for the data centers.

In its Application for a SPPE for the Martin Backup Generating Facility (MBGF), Martin Avenue Properties LLC (Martin Properties) proposed two Project Design Measures (PDM GHG-1 and PDM GHG-2) to address the use of renewable diesel and the use of renewable electricity for the MBGF. In recent projects Staff has proposed, and other applicants have accepted, revisions to the similar language proposed by Martin Properties. Staff has identified these revisions and requested the applicant review and comment. Martin Properties has reviewed the proposed revisions as identified below and agrees to the proposed revisions.

The first revision was necessary to appropriate capture the name of Silicon Valley Power's (SVP) renewable energy program for the Martin Data Center (MDC) as follows:

The project owner shall participate in SVP's Large Customer Renewable Energy (LCRE) Program or other renewable energy program that accomplishes the same objective as SVP's LCRE Program for 100 percent

carbon-free electricity, or (2) purchase renewable energy credits or similar instruments that accomplish the same goals of 100 percent carbon-free electricity.

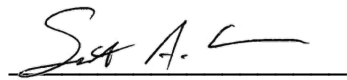
During Operation, the project owner shall provide documentation to the director, or director's designee, of the city of Santa Clara Electric Utility Department of initial enrollment and shall submit annual reporting to the director, or director's designee, of the city of Santa Clara Electric Utility Department documenting either continued participation in SVP's LCRE Program of documentation that alternative measures continue to provide 100 percent carbon-free electricity as verified by an independent third-party auditor specializing in greenhouse gas emissions.

The second proposed revision was to replace a tiered percentage of renewable use over time with a commitment to use renewable diesel for the MBGF with a commitment to use renewable diesel as its primary fuel source with the use of California Air Resources Board diesel only when renewable diesel is not available. The revised measure follows:

The project owner shall use renewable diesel for 100 percent of total energy use by the gensets, and only use ultra-low sulfur diesel (ULSD) as a secondary fuel in the event of supply challenges or disruption in obtaining renewable diesel. The City of Santa Clara Community Development Department (CDD) may grant temporary relief from the 100 percent renewable diesel requirement if the project owner can demonstrate a good faith effort to comply with the requirement and that compliance is not practicable. The project owner shall provide an annual report of the status of procuring and using renewable diesel to the director, or director's designee, of the City of Santa Clara CDD demonstrating compliance with the mitigation measure.

Dated: October 2, 2023

Respectfully Submitted,



Scott A. Galati

Counsel to Martin Avenue Properties LLC