

DOCKETED

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**CALIFORNIA
ENERGY COMMISSION**



December 18, 2024

Microsoft Corporation
C/O Scott A. Galati
1720 Park Place Drive
Carmichael, California 95608

Data Requests Set 5 for San José Data Center 04(22-SPPE-02)

Dear Scott Galati:

Pursuant to California Code of Regulations, title 14, section 15084(b) and title 20, section 1941, the California Energy Commission (CEC) staff is asking for the information specified in the enclosed Data Requests Set 5, which is necessary for the staff analysis of the revised San José Data Center 04 project (SJDC 04 or project) (22-SPPE-02). SJDC 04 would include components constructed both on APN 101-02-020 and within the offsite infrastructure areas. Together, these constitute the “project” under the California Environmental Quality Act (CEQA).

This Data Requests Set 5 seeks further information relative to Air Quality, Alternatives, Cultural Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use, and Noise and Vibration based on the contents of the application and supplemental filings submitted to date. While CEC staff has made a concerted effort to identify all outstanding data needs, additional data requests may be needed after receipt of the information requested or as necessary for a complete analysis of the project.

To assist staff in timely completing its environmental review and to meet the requirements of CEQA (see Cal. Code Regs., tit. 14, §§15108, 15109), staff is requesting responses to the data requests within 30 days. If you are unable to provide the information requested or need to revise the timeline, please send written notice to me within 10 days of receipt of this letter. If you have any questions, please email me at John.Heiser@energy.ca.gov.

_____/S/_____

John Heiser
Project Manager

Enclosure: Data Requests Set 5

SAN JOSÉ DATA CENTER 04 SPPE DATA REQUESTS SET 5

AIR QUALITY

BACKGROUND: RECONDUCTORING CONSTRUCTION EMISSIONS

AQ Memorandum Revised Construction Analysis - SJ04 (TN 255059) does not include estimated construction emissions for the reconductoring portion of the project. The reconductoring activities will be analyzed in the environmental document as the whole of the project because it appears to be a result of the SJ04 project.

DATA REQUESTS

117. Please provide estimated construction mass emissions for the reconductoring portion of the project.
118. Please provide the updated CalEEMod spreadsheets used to calculate the construction emissions due to reconductoring.

ALTERNATIVES

BACKGROUND: Dimensions of Proposed Genset Assembly

The Alternatives section of the EIR will include a comparative analysis of the Natural Gas Internal Combustion Engine Alternative to the diesel-fueled gensets proposed for SJDC 04. The description of the alternative includes approximate dimensions of the genset assembly and the comparative dimensions for the proposed diesel gensets. Staff reviewed the original and revised project descriptions and data in Appendix A but has not found information listing dimensions of the proposed diesel genset assembly.

DATA REQUEST

119. Please provide dimensions of the genset assembly for the project.

CULTURAL RESOURCES

BACKGROUND: Record and Evaluate the Guadalupe River Channel

Previous Data Request Set 4 DR 106 has not been fully addressed regarding the Guadalupe River Channel, as the revised Cultural Resources Assessment Report (CRAR) does not record and evaluate the Guadalupe River Channel (Sinsky et al. 2024). The Guadalupe River Channel is 45+ years in age, directly adjacent to the Project Area, and a 45+ year old reconductoring line crosses the Guadalupe River Channel within or immediately adjacent to the Project Area. The buildings proposed for construction as part of the SJ04 Campus would be large in surface area and up to 135 feet tall. These buildings will be clearly visible from the Guadalupe River Channel and the channel is clearly within a reasonable visual impact area.

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DATA REQUEST

120. Please assess and evaluate in accordance with CRHR guidelines, the 45+ year old Guadalupe River Channel Levee-Dike as previously requested in Data Request Set 4 DR 106.

BACKGROUND: New Tower Construction Location and Height: Survey of Additional Features as Required

The current project description is vague regarding the construction of new towers, noting that such actions may be necessary but without producing any exact locations. The project description states, "If new towers must be installed, they will likely be installed using the drilled pier method" (DayZenLLC 2024a, page 26).

The applicant also mentions a "new PG&E distribution system to the existing PG&E Trimble Substation and the existing PG&E Newark Substation through a new transmission line with poles up to 125 feet in height" (DayZenLLC 2024b). It is unclear whether the new transmission line is on existing towers up to 125 feet in height, or whether new poles up to 125 feet in height might be constructed.

DATA REQUESTS

121. Please clarify whether the new reconducted transmission line is on existing towers up to 125 feet in height, or that new towers up to 125 feet in height may be constructed to carry the new reconducted transmission line.
122. Please provide the known locations of any newly proposed towers regardless of height.
123. If there are any existing known new tower installation locations, please survey and evaluate any 45+-year old built environment features within a one-building/parcel-band and a reasonable visual impact area surrounding each tower installation location as these are above-ground project related construction features. In addition, if the new tower installation footprint exceeds the area previously surveyed for archaeological resources, then please conduct an archaeological survey of all additional areas, as necessary.

The recommended conducting of new field surveys and evaluation of 45+-year old built environment features within a one-building/parcel-band and a reasonable visual impact area does not apply to reconducting on existing towers unless the height of an existing tower is raised.

REFERENCES

- CEC 2024 – California Energy Commission (CEC). (TN 249643). Data Requests Set 4, July 23, 2024. Available online at:
<https://efiling.energy.ca.gov/GetDocument.aspx?tn=259670&DocumentContentId=95811>

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DayZenLLC 2024a – DayZenLLC (DayZenLLC). (TN 258029) Microsoft Second Revised Project Description - SJ04 – redline. Submitted to California Energy Commission, Submitted by Scott Galati, July 26, 2024. Available online at: <https://efiling.energy.ca.gov/GetDocument.aspx?tn=258029&DocumentContentId=93955>

DayZenLLC 2024c – DayZenLLC (DayZenLLC). (TN 259670) Replacement Page 13 of Revised Project Description - T-Line Pole Heights – SJ04. Submitted to California Energy Commission, Submitted by Scott Galati, August 23, 2024. Available online at: <https://efiling.energy.ca.gov/GetDocument.aspx?tn=259670&DocumentContentId=95811>

Sinsky et al. 2024 – Katherine Sinsky, Hannah Goldman, Carlos Van Onna, Ashley Garrett, and Carrie Chasteen (Sinsky et al.). Cultural Resource Assessment Report for the San José 04 Data Center (SJO4) Project, City of San José, Santa Clara County, California. Confidential report prepared for David J. Powers and Associates, Inc., San José, CA. Technical Report No: 23-111. Prepared by PaleoWest, LLC dba Chronicle Heritage, Walnut Creek, CA. August 30, 2024.

HAZARDS AND HAZARDOUS MATERIALS

BACKGROUND: Fuel Vapor Monitoring for Interior Fuel supply system

The July 2024 Revised Project Description identifies the addition of two new diesel engine fire pumps (one inside each of the two data center buildings). No further information is provided about the fuel source or location of these two new diesel engine fire pumps.

DATA REQUESTS

124. Please provide information about the onsite fuel source for the two new diesel engine fire pumps. Would these pumps have integrated fuel tanks, or would the diesel fuel be stored in other onsite tanks? What would be the location and capacity of the fuel tanks for the fire pump engines? How often would they need to be refilled?
125. Please provide an updated building layout showing the location of these two new diesel engine fire pumps.

LAND USE

BACKGROUND: Building Heights

In March 2024, the applicant submitted a revised project description along with Federal Aviation Administration (FAA) Final Notices of Determination of No Hazard to Air Navigation for each of eight points on the two data center buildings (TN 255061). For each final FAA notice, the building height is stated as 135 feet above ground level (AGL).

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The applicant's April 2024 building elevation drawings for the project show that the roof high point for the data center buildings, including the parapet walls, would be 135 feet 6 inches above the Level 1 slab (i.e., building height AGL) (TN 255411), which is 6 inches greater in height than is stated in the final FAA notices. (As described in the revised project description, the parapet walls would extend to a height approximately 40 feet above the roof high point.)

DATA REQUEST

126. Staff requests information explaining the reason for the 6-inch difference between the data center building heights in the applicant's elevation drawings and the building heights AGL stated in the FAA Final Notices of Determination of No Hazard to Air Navigation. If the final FAA notices incorrectly show building heights of 135 feet AGL, please explain when new FAA notices will be provided.

NOISE AND VIBRATION

BACKGROUND: RECONDUCTORING CONSTRUCTION HELICOPTER USE

The SJDC04 Revised Project Description (TN# 255161, Section 3.5.2.10 Helicopter Use) discusses the use of helicopters to access towers located on marshland and open-water habitat.

Reconductoring activities would include the use of helicopters, two light duty Hughes 500 or similar and one medium- or heavy-duty Bell Ranger UE205.

DATA REQUESTS

127. Provide the time of day/night flights would occur.
128. Provide the time of day/night flights would occur.
129. How long (number of hours/days) would any noise sensitive receptor located along the flight path be affected by helicopter noise?
130. Provide the noise level of the helicopters' flyover at the project's noise sensitive receptors at the ground level nearest to the flight path?