

DOCKETED

Docket Number:	19-SPPE-03
Project Title:	Sequoia Data Center
TN #:	230437
Document Title:	Communication About FAA Notification and City of San Jose Aviation Easement
Description:	Conversation between Andrea Koch of the CEC and Cary Greene of the City of San Jose Airport Department
Filer:	Marichka Haws
Organization:	California Energy Commission
Submitter Role:	Commission Staff
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**Siting, Transmission
 and Environmental
 Protection Division**

FILE: n/a

PROJECT TITLE: Sequoia Data Center **Docket:** 19-SPPE-03

TECHNICAL AREA(s): Transportation			
<input checked="" type="checkbox"/> Telephone	<input checked="" type="checkbox"/> Email	<input type="checkbox"/> Meeting Location: N/A	
NAME(s):	Andrea Koch, Planner II, Energy Commission	DATE: 10/4/19, 10/15/19	TIME:
WITH:	Cary Greene, Airport Planner, City of San Jose Airport Department		
SUBJECT:	Communication about FAA Notification and City of San Jose Avigation Easement		

COMMENTS:

Telephone call- 10/4/19

Andrea Koch, Planner II for the Energy Commission, communicated with Cary Greene, Airport Planner for the City of San Jose Airport Department, regarding his comments on another project. This led to a general discussion of Federal Aviation Administration (FAA) notification. Mr. Greene explained that even if project heights are below the FAA obstruction surfaces referenced in Figure 6 of the County of Santa Clara Comprehensive Land Use Plan for the San Jose International Airport, it is still important to notify the FAA if required under Title 14, Part 77.9 of the Code of Federal Regulations, Construction or Alteration Requiring Notice. FAA notification ensures the most accurate evaluation of whether or not a project would obstruct airspace because in certain circumstances, protected FAA airspace is lower than the published FAA obstruction surfaces.

E-mail- 10/15/19

In response to an e-mail from Andrea Koch soliciting feedback, Cary Greene reviewed the application for the Sequoia Data Center and provided the following comments:

The "Memo to Open New Docket" describes the project as having a maximum height of 99 feet above grade, with the main parapet being at a height of 85 feet above grade. Such heights may exceed the maximum elevations set by the Avigation Easement that the City of San Jose legally holds over the subject site (Santa Clara County Document #8327513 recorded in 1985). However, if the FAA issues "determinations of no hazard" clearances for the proposed structure (required anyway under federal regulations), San Jose would be amenable to a request from the property owner to grant a new Avigation Easement to replace the existing.

These aviation-related regulations and local land use policies are typically identified in the project CEQA document, with subsequent project approval conditioned upon completion of compliance with these regulations/policies.

CALIFORNIA ENERGY COMMISSION
REPORT OF CONVERSATION Page 2 of 2



cc:	Signed: s _____
	Name: Andrea Koch, Planner II