

DOCKETED

Docket Number:	19-SPPE-03
Project Title:	Sequoia Data Center
TN #:	231491
Document Title:	Email - Applicant Acceptance of Mitigation Measure Language
Description:	Applicant's email response confirming agreement to staff's proposed mitigation measures as presented in TN 231455.
Filer:	Steve Kerr
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	1/14/2020 3:43:52 PM
Docketed Date:	1/14/2020

From: [Scott Galati](#)
To: Payne, Leonidas@Energy
Subject: RE: Sequoia Mitigation Measure language
Date: Monday, January 13, 2020 2:13:24 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Lon,

C1-Santa Clara, LLC has reviewed these mitigation measures and accepts them as written.



Scott A. Galati
President
1720 Park Place Drive
Carmichael, CA 95608
Direct Line (916) 441-6574
Mobile (916) 505-6570
www.dayzenllc.com

NOTE: This e-mail may contain material that is confidential, privileged and/or attorney work product solely for the use of the intended recipient(s).

Any review, reliance or distribution by others or forwarding without express written permission is strictly prohibited.

From: Payne, Leonidas@Energy [mailto:leonidas.payne@energy.ca.gov]
Sent: Friday, January 10, 2020 3:33 PM
To: Scott Galati
Subject: Sequoia Mitigation Measure language

Scott:

Before a proposed mitigated negative declaration can be released for public review, California Environmental Quality Act (CEQA) requires that "[r]evisions in the project plans or proposals [are] made by *or agreed to* by the applicant" which avoid or mitigate all potentially significant effects (Cal. Code Regs., tit. 14, 15070(b)(1)). Once CEC staff and the applicant have found consensus on the proposed mitigation measures necessary for the determination of Mitigated Negative Declaration (MND), staff will ensure that the agreed-upon mitigation measures are incorporated into the Initial Study. Staff will publish the MND and Initial Study and submit them to the State Clearinghouse for a 30 day public review period.

In its Initial Study, CEC staff will be including four new mitigation measures in the technical area of Biological Resources (MM BIO-1 through 4) which would supersede Bio APMs 1 and 2, and a new mitigation measure (MM GEO-1) in the technical area of Geology and Soils which would supplement Geo APMs 1 and 2. Staff believes these measures are necessary to address potential impacts to burrowing owls and nesting birds, issues related to tree replacement, and impacts to potential paleontological resources. At this time, these are the only two technical areas where staff believes

such mitigation language is necessary. We have attached near-final drafts of the relevant technical sections so you can see the mitigation language in context.

With this email, CEC staff seeks the applicant's acceptance of the attached mitigation measures for Biology and Geology. We will be docketing this email and the attachments. Please docket your response at your earliest convenience so we can reference your docketed response in our Initial Study. If this mitigation language is not acceptable, we will proceed with noticing a public workshop or phone call to resolve the language and seek agreement.

Leonidas Payne—Project Manager
California Energy Commission