

DOCKETED

Docket Number:	19-SPPE-05
Project Title:	Mission College Data Center SPPE
TN #:	232673
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 232551.
Filer:	Steve Kerr
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	4/6/2020 12:07:29 PM
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From: Scott Galati <sgalati@dayzenllc.com>

Sent: Friday, April 3, 2020 12:02 PM

To: Payne, Leonidas@Energy <leonidas.payne@energy.ca.gov>

Subject: RE: Seeking applicant agreement to mitigation measures for Mission College project

Lon,

Oppidan has reviewed Staff's proposed and modified mitigation measures for the Mission College and agrees to accept them. Thank you

Scott



Scott A. Galati

President

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From: Payne, Leonidas@Energy [<mailto:leonidas.payne@energy.ca.gov>]

Sent: Thursday, March 26, 2020 8:55 AM

To: Scott Galati

Subject: Seeking applicant agreement to mitigation measures for Mission College project

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 for the Mission College Data Center project, CEC staff will be including new mitigation measures in two technical areas. In the technical area of Biological Resources, MM BIO-1 and 2 would replace PD BIO-1 included in the Project Description chapter of the application. In the technical area of

Geology/Soils, MM GEO-1 would augment the applicant proposed measures for Geology/Soils in order to mitigate potentially significant effects to paleontological resources. At this time, CEC staff believes these are the only two technical areas which will require mitigation beyond the measures identified in the application.

We have attached near-final drafts of the Bio and Geo/Soils technical sections so you can see the new mitigation language in context.

With this email, CEC staff seeks the applicant's acceptance of the attached mitigation measures for Biological Resources and Geology/Soils. 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