

<b>DOCKETED</b>	
<b>Docket Number:</b>	20-SPPE-02
<b>Project Title:</b>	Lafayette Backup Generating Facility
<b>TN #:</b>	233645
<b>Document Title:</b>	Notice of Receipt of an Application for SPPE
<b>Description:</b>	NOTICE OF RECEIPT OF AN APPLICATION FOR A SMALL POWER PLANT EXEMPTION FOR LAFAYETTE BACKUP GENERATING FACILITY
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<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	6/25/2020 3:11:45 PM
<b>Docketed Date:</b>	6/25/2020



## **NOTICE OF RECEIPT OF AN APPLICATION FOR A SMALL POWER PLANT EXEMPTION FOR LAFAYETTE BACKUP GENERATING FACILITY**

On May 20, 2020, Digital Realty (applicant) filed an application with the California Energy Commission (CEC) seeking an exemption from the CEC's jurisdiction (Small Power Plant Exemption, or SPPE) for the Lafayette Backup Generating Facility (LBGF) (20-SPPE-02). The LBGF would be part of the Lafayette Data Center (LDC) to be located in the City of Santa Clara. Both the LDC and LBGF components are collectively referred to as the project.

### **Project Description**

The approximately 15.45-acre project site is located at 2825 Lafayette Street in Santa Clara. The property is zoned Heavy Industrial. The site is currently developed with two two-story office buildings that would be demolished to construct a three-story 576,120 square foot data center building, generator equipment yard, surface parking, and landscaping. The LDC would be supplied electricity by Silicon Valley Power (SVP) through a new distribution substation to be constructed on the project site as part of the LDC. The substation would be owned and operated by SVP.

The LBGF would provide uninterruptible power for the LDC tenant's servers in the event electricity cannot be supplied from SVP and delivered to the LDC building. LBGF would consist of 44 3-megawatt (MW) diesel-fired backup generators, and one 0.8 MW emergency generator for the administrative/office areas of the LDC. The maximum generating capacity of the LBGF would be limited to 99.8 MW by the maximum load for the LDC building. Project elements also include switchgear and distribution cabling to interconnect the generators to the LDC. The LBGF would not be electrically interconnected to SVP's electrical transmission grid.

### **CEC Jurisdiction and SPPE Process**

The CEC has the exclusive authority to certify all thermal power plants (50 MW and greater) and related facilities proposed for construction in California. The SPPE process allows applicants proposing to construct thermal power plants between 50 and 100 MW to obtain an exemption from the CEC's jurisdiction and proceed with local permitting rather than requiring CEC certification. The CEC can grant an exemption if it finds that the proposed facility would not create a substantial

adverse impact on the environment or energy resources. Public Resources Code section 25519(c) designates the CEC as lead agency, in accordance with the California Environmental Quality Act (CEQA), for all facilities seeking an SPPE. CEQA requires the lead agency to consider the whole of the action; therefore, CEC will include the entire project in its analysis, which includes the construction and operation of the data center building, backup generators, and electric distribution substation.

As lead agency, CEC is required by Public Resources Code section 21080.3 and CEQA Guidelines section 15063(g) to consult with responsible and trustee agencies to ascertain whether a negative declaration or environmental impact report is required. CEC staff has begun its review of the application. Over the coming months, staff will evaluate the project and prepare an environmental analysis document—for SPPE projects this typically takes the form of an Initial Study and Proposed Mitigated Negative Declaration (IS/PMND). The environmental analysis document will be published and made available for a 30-day public comment period. The assigned Committee of two Energy Commissioners will then conduct a hearing to determine whether to propose that the full Commission adopt the proposed CEQA documents and to determine whether to recommend to the full Commission that the facility should be exempt from the CEC's power plant certification process. This hearing will provide the public as well as local, state, and federal agencies and California Native American tribes the opportunity to provide input on the exemption request. Subsequent steps include issuance of a proposed decision by the Committee, and possible adoption of that decision by the CEC at a Business Meeting. Should the exemption be granted, the applicant would still need to secure the appropriate entitlements from relevant local, regional, state, and federal agencies to construct and operate the proposed project. The CEC's regulations setting forth the SPPE process are primarily located in Title 20, California Code of Regulations, sections 1934-1947.

### **Public Participation**

The CEC welcomes public participation in the SPPE review process. A copy of the SPPE application as well as other project information, can be found on the CEC website at: <https://ww2.energy.ca.gov/sitingcases/lafayette/>. To stay informed about this project and receive notice of upcoming meetings and workshops, please subscribe to the project list serve, which can be accessed on the same project webpage. The list serve sends out email notifications when documents and notices are posted to the project webpage.

For questions about the project please contact Leonidas Payne, Project Manager, at (916) 651-0966 or by email at [leonidas.payne@energy.ca.gov](mailto:leonidas.payne@energy.ca.gov).

The CEC Public Advisor's Office is available to provide information on, and assistance with, public participation in CEC proceedings. The Public Advisor's Office can be reached at (916) 654-4489 or toll free in California at (800) 822-6228, and can also be contacted by email at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov).

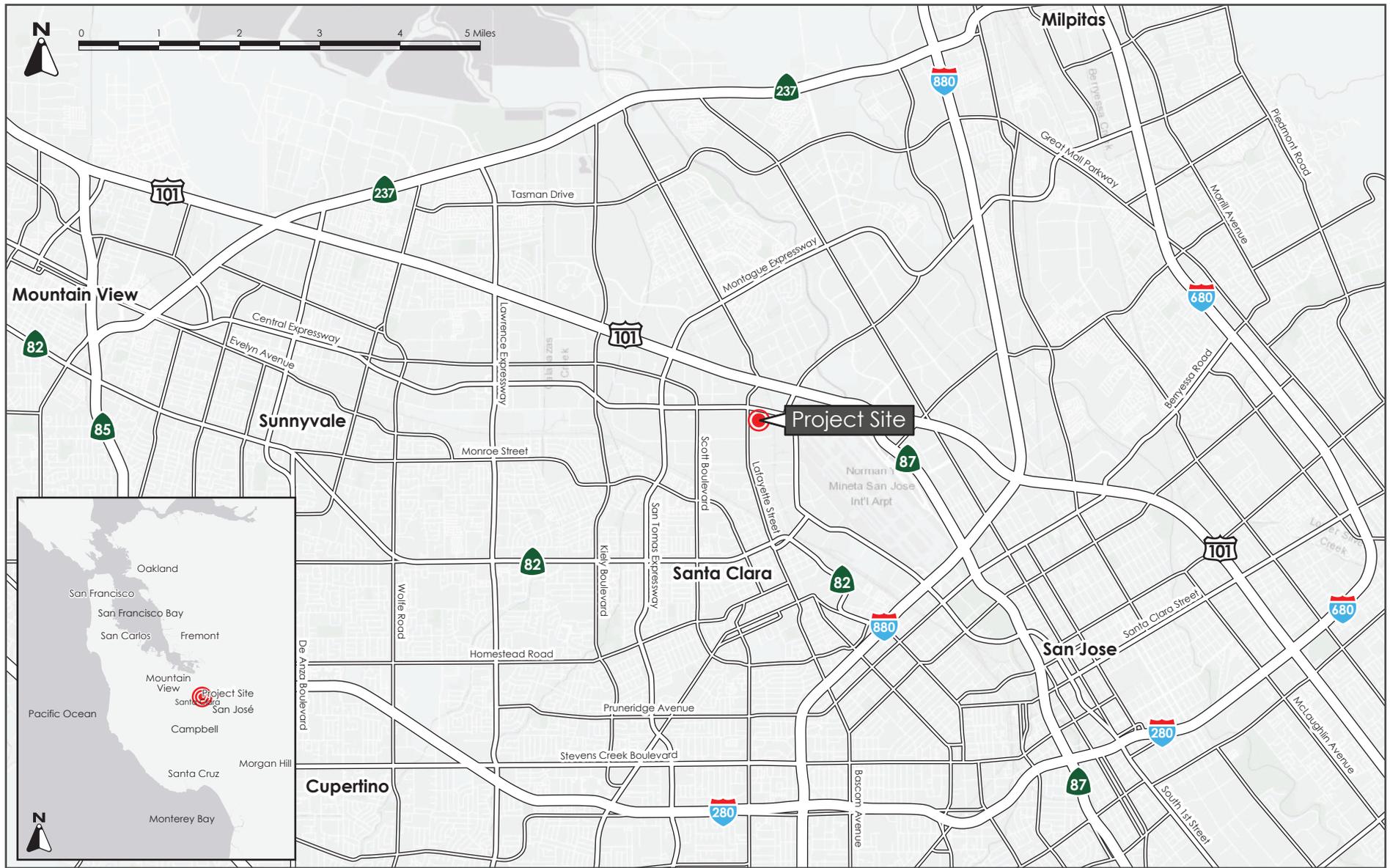
Media questions should be directed to the CEC's Media Office at (916) 654-4989 or by email at [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov).

**Attachments** (from the SPPE application):

Regional Map (Figure 1.2-1)

Aerial Photograph and Surrounding Land Uses (Figure 1.2-3)

Site Plan (Figure 2.3-1)



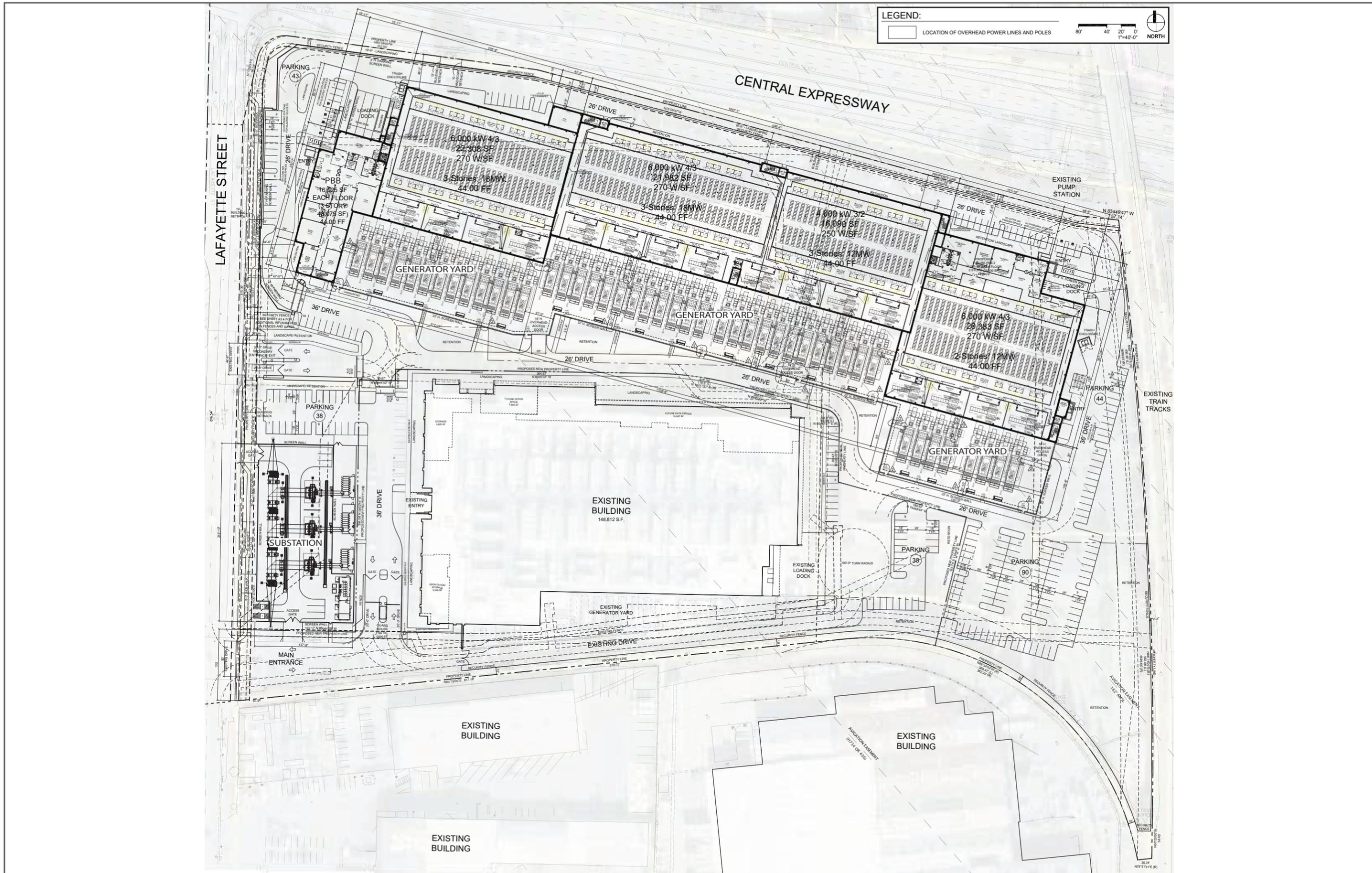
REGIONAL MAP

FIGURE 1.2-1



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 1.2-3



STIE PLAN

FIGURE 2.3-1