

DOCKETED	
Docket Number:	20-SPPE-02
Project Title:	Lafayette Backup Generating Facility
TN #:	233646
Document Title:	Agency Request for Participation Letter
Description:	REQUEST FOR AGENCY PARTICIPATION IN THE REVIEW OF THE LAFAYETTE BACKUP GENERATING FACILITY
Filer:	Susan Fleming
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	6/25/2020 3:19:49 PM
Docketed Date:	6/25/2020



TO: AGENCY DISTRIBUTION LIST

REQUEST FOR AGENCY PARTICIPATION IN THE REVIEW OF THE 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.

Small Power Plant Exemption Process

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. 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. In this case, the LBGF is

subject to CEC's licensing authority unless the exemption is granted. Should the exemption be granted, the applicant would still need to secure the appropriate entitlements for the project from relevant local, state, and federal agencies.

Staff Evaluation of the SPPE Application and Further Steps

Public Resources Code section 25519(c) designates CEC as the 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 demolition, construction and operation of the data center building, backup generating facility, 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 and a Committee of two Commissioners will be appointed at the CEC's July 8, 2020 Business Meeting to oversee the SPPE proceeding.

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 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 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 CEC at a business meeting. CEC's regulations setting forth the SPPE process are primarily located in Title 20, California Code of Regulations, sections 1934-1947.

Project Webpage and Listserve

CEC maintains a website for this project at:

<https://ww2.energy.ca.gov/sitingcases/lafayette/>. The SPPE application and related project documents are viewable by clicking the "Documents for this Proceeding (Docket Log)" link located near the upper right corner of the project webpage. The direct link to the project docket log is:

<https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=20-SPPE-02>.

To receive electronic notices of all project-related activities and documents related to the exemption evaluation, go to CEC's listserve web page (https://ww2.energy.ca.gov/listservers/index_cms.html), and check the "Lafayette Backup Generating Facility" box under "PROJECTS UNDER REVIEW."

Agency Participation

Your agency's participation is encouraged and would consist of identifying and working to resolve issues of concern to your agency in connection with the SPPE proceeding. Pursuant to Title 20, California Code of Regulations, sections 1936(d) and 1714, we request any "analyses, comments, and recommendations" on the exemption application which you wish to provide. Again, please note that should the exemption be granted, the applicant would then be responsible for obtaining all necessary local, state, and federal permits required to construct and operate the project, which may entail additional analysis by relevant permitting authorities.

You may provide comments at any time, however, pursuant to Title 20, California Code of Regulations, sections 1936(d) and 1714, any written comments your agency may have must be filed with CEC prior to the conclusion of the hearing, unless otherwise specified by law or by order of the presiding committee member. The date of this hearing is not yet known, as the Committee to be assigned to oversee the SPPE proceeding has not yet issued a schedule for the major milestones in the proceeding, including publication of staff's initial study. In addition, the CEC will provide separate, advance notice of the hearing via the listserve once it has been scheduled.

You may submit comments electronically. To use CEC's electronic commenting feature, go to CEC's webpage for this proceeding, cited above, click on the "Comment on this Proceeding" link, and follow the instructions in the online form. Be sure to include the project name in your comments. Once filed, you will receive an email with a link to them and the comments will be part of the proceeding's public record.

If you have any questions or need additional information on how to participate in CEC's review of the proposed project, please contact Leonidas Payne, Project Manager, by email to leonidas.payne@energy.ca.gov.

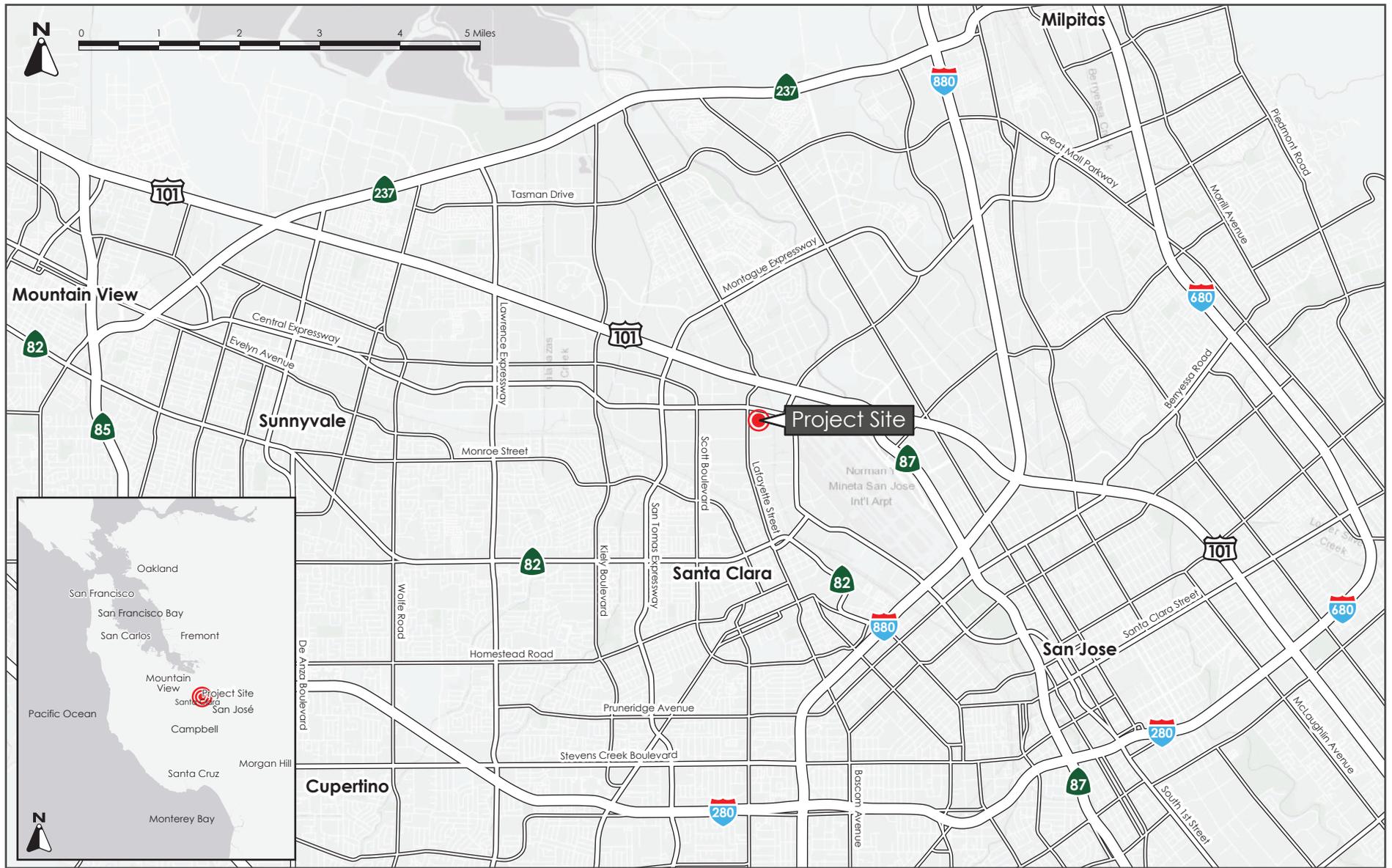
Attachments (Figures are from the SPPE application):

Regional Map (Figure 1.2-1)

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

Site Plan (Figure 2.3-1)

List of Agencies Receiving Notice



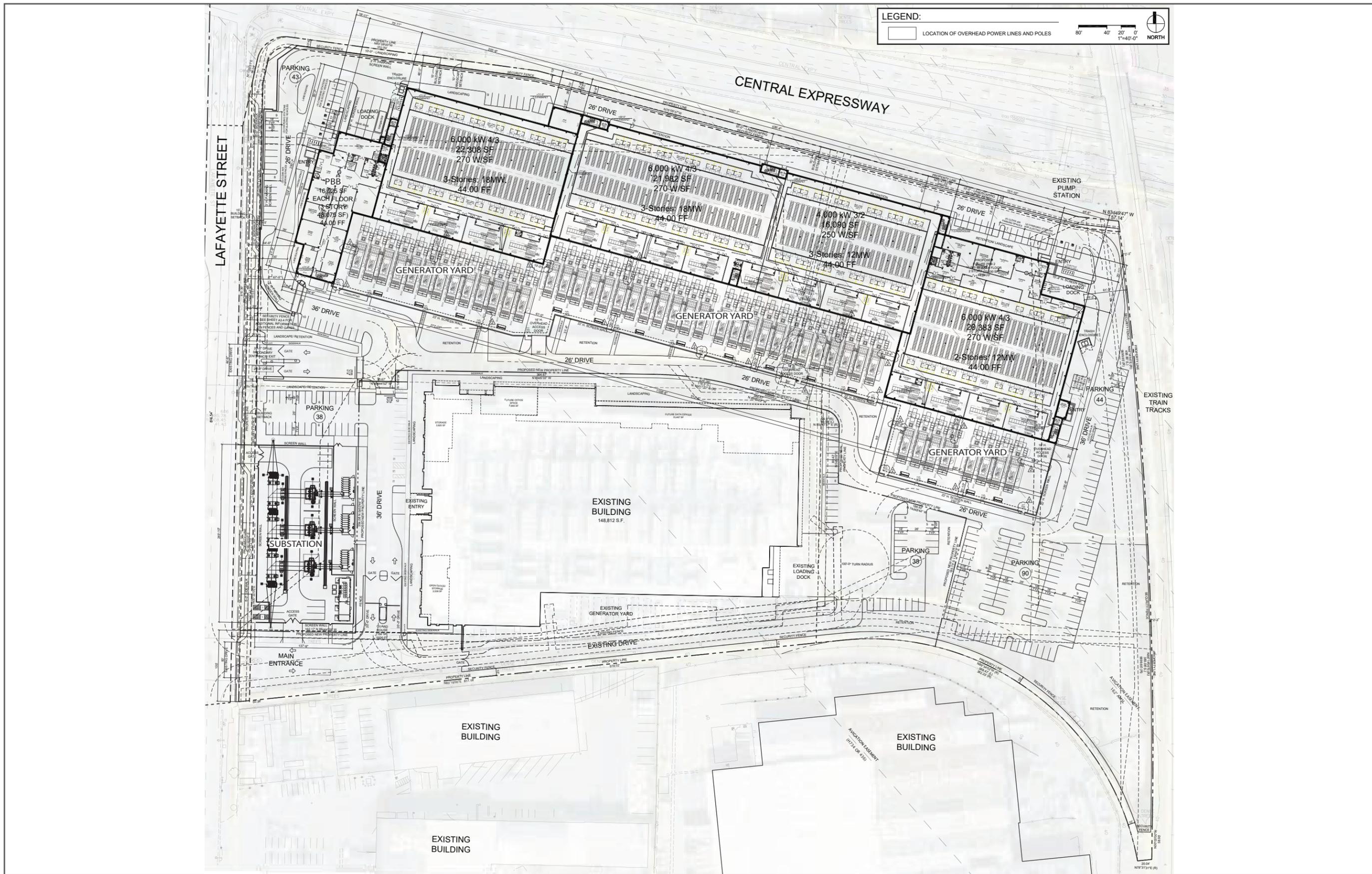
REGIONAL MAP

FIGURE 1.2-1



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 1.2-3



STIE PLAN

FIGURE 2.3-1

List of Agencies receiving the "Request for Participation" Letter

FIRST	LAST	TITLE/UNIT	AGENCY	ADDRESS	CITY	ST	ZIP
Ariana	Husain	Permit Engineer	Bay Area Air Quality Management District (BAAQMD)	375 Beale Street, Suite 600	San Francisco	CA	94105
Greg	Stone	Supervising Air Quality Engineer	Bay Area Air Quality Management District (BAAQMD)	375 Beale Street, Suite 600	San Francisco	CA	94105
Debby	Fernandez	Associate Planner	CITY OF SANTA CLARA PLANNING DIVISION	1500 WARBURTON AVENUE	SANTA CLARA	CA	95050
Gloria	Sciara	Development Review Officer	CITY OF SANTA CLARA PLANNING DIVISION	1500 WARBURTON AVENUE	SANTA CLARA	CA	95050
Roy	Molseed	Senior Environmental Planner	Santa Clara Valley Transportation Authority	3331 North First Street	San Jose	CA	95134-1927
Aruna	Bodduna	Associate Transportation Planner	County of Santa Clara Roads and Airport Department	101 Skyport Drive	San Jose	CA	95110
Mark	Connolly	Planner	Santa Clara County Airport Land Use Commission	70 West Hedding Street; East Wing, 7th Floor	San Jose	CA	95110
Gwen	Goodman	Key Customer Service Representative	Silicon Valley Power	1500 Warburton Avenue	Santa Clara	CA	95050
Kathrin	Turner	Assistant Engineer II	Santa Clara Valley Water District--Community Projects Review Unit	5750 Almaden Expressway	San Jose	CA	95118
YEN	CHEN	Staff Liaison/Associate Planner	HISTORICAL AND LANDMARKS COMMISSION	1500 WARBURTON AVENUE	SANTA CLARA	CA	95047
		COMMUNITY DEVELOPMENT DEPT	CITY OF SANTA CLARA PLANNING DIVISION	1500 WARBURTON AVENUE	SANTA CLARA	CA	95048
DEVON	TODA	COMPLIANCE MANAGER	CITY OF SANTA CLARA	1500 WARBURTON AVENUE	SANTA CLARA	CA	95049
DIANE	FORONDA	WATER RESOURCE PLANNER	CITY OF SANTA CLARA	1500 WARBURTON AVENUE	SANTA CLARA	CA	95050

List of Agencies receiving the "Request for Participation" Letter

FREDERIC K	CHUN	ASSOCIATE FIRE MARSHAL/Hazardous Materials Manager	City of Santa Clara--FIRE PREVENTION/HAZARDOUS MATERIALS	1675 LINCOLN STREET	SANTA CLARA	CA	95050
			Santa Clara Fire Department, Fire Station 8	2400 Agnew Road	Santa Clara	CA	95050
Ruben	Torres	Fire Chief	Santa Clara Fire Department, Fire Station No. 1 /Fire Administration	777 Benton Street	Santa Clara	CA	95050
Kevin	Keating	Electric Division Manager	Silicon Valley Power (City of Santa Clara)	1500 Warburton Avenue	Santa Clara	CA	95050
Katherine	Kennedy	Airport Planner	Federal Aviation Administration (FAA)	1000 Marina Boulevard, Suite 220	Brisbane	CA	94005
		Administrative Offices, Airport Department	Norman Y. Mineta San José International Airport	1701 Airport Boulevard, Suite B- 1130	San Jose	CA	95110- 1206
		Environmental Review, Planning Division	Department of Planning, Building, and Code Enforcement	200 E. Santa Clara Street	San Jose	CA	95113
Cary	Greene	Airport Planner	City of San Jose Airport Department	1701 Airport Boulevard, Suite B- 1130	San Jose	CA	95510
Jennifer	Norris		USFWS - Sacramento Fish and Wildlife Office	2800 Cottage Way, Room W-2605	Sacramento	CA	95825
GERRY	HAAS		SANTA CLARA VALLEY HABITAT AGENCY	535 ALKIRE AVENUE	MORGAN HILL	CA	95307
RICHARD	MACEDO	BRANCH CHIEF	CDFW Habitat Conservation Planning Brach	PO BOX 944209	SACRAMENTO	CA	94244- 2090
			San Francisco Bay-Delta Fish and Wildlife	650 Capitol Mall, Suite 8-300	Sacramento	CA	95814
Kristin	Garrison	Environmental Scientist	CA. Department of Fish and Wildlife, Bay Delta Region	2825 Cordelia Road, Suite 100	Fairfield	CA	94534
GREGG	ERICKSON	REGIONAL MANAGER	CDFW, BAY DELTA REGION (REGION 3)	2825 CORDELIA ROAD, SUITE 100	FAIRFIELD	CA	94534

List of Agencies receiving the "Request for Participation" Letter

Karen	Magliano	Director, Office of Community Air Protection	California Air Resources Board	1001 I Street	Sacramento	CA	95812
Laura	Miranda	Commissioner	Native American Heritage Commission	1550 Harbor Blvd, Suite 100	West Sacramento	CA	95691
Robert	Schlipf	Water Resource Control Engineer	San Francisco Bay Area Regional Water Quality Control Board (RWQCB)	1515 Clay Street, Suite 1400	Oakland	CA	94612
Simon	Baker	Deputy Director, Energy Division	California Public Utilities Commission	505 Van Ness Avenue	San Francisco	CA	94102
Neil	Millar	Vice President, Transmission Planning and Infrastructure Development	California Independent System Operator	250 Outcropping Way	Folsom	CA	95630
		Bay Resources Division	San Francisco Bay Conservation & Development Commission	375 Beale Street, Suite 510	San Francisco	CA	94105