

DOCKETED	
Docket Number:	21-SPPE-02
Project Title:	STACK Trade Zone Park
TN #:	243110
Document Title:	Tribal Consultation Letters
Description:	Mailed on May 11, 2022
Filer:	Lisa Worrall
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	5/17/2022 12:04:20 PM
Docketed Date:	5/17/2022

Sacred Lands File & Native American Contacts List Request

Native American Heritage Commission

1550 Harbor Blvd, Suite 100

West Sacramento, CA 95691

916-373-3710

916-373-5471 – Fax

nahc@nahc.ca.gov

Information Below is Required for a Sacred Lands File Search

Project: SVY Backup Generating System and Data Center

County: Santa Clara

USGS Quadrangle Name: Milpitas 7.5-minute

Township: 5 S **Range:** 1 E **Section(s):** Pueblo lands

Company/Firm/Agency: California Energy Commission

Street Address: 715 P Street, MS-40

City: Sacramento **Zip:** 95814

Phone: (916) 237-2544

Fax: N/A

Email: Gabriel.Roark@energy.ca.gov

Project Description:

STACK Infrastructure (STACK) proposes to develop the Trade Zone Boulevard Technology Park (Trade Zone Park) which would include an Advanced Manufacturing Building (AMB), the SVY Data Center (SVYDC), a parking garage, and related utility infrastructure, which together constitute the “project” for CEQA analysis purposes. The Trade Zone Park would be located on two parcels of land at the corner of Trade Zone Boulevard and Ringwood Avenue in San Jose, California. The SVY Backup Generating Facility (SVYBGF) would be an emergency backup generating facility with a generation capacity of up to 90 megawatts (MW) to support the need for the SVYDC to provide uninterruptible power supply for its tenant’s servers. The SVYBGF would consist of thirty-six (36) 3-MW and (2) 1-MW diesel-fired backup generators arranged in two generation yards, each designed to serve one of the two data center buildings (SVYDC 05 and SVYDC 06) that make up the SVYDC. All of the generators would be dedicated to replace the electricity needs of the data center buildings in case of a loss of utility power (with redundancy).



NATIVE AMERICAN HERITAGE COMMISSION

April 25, 2022

Katrina Leni-Konig
California Energy Commission

Via Email to: Katrina.Leni-Konig@energy.ca.gov

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Laura Miranda
Luiseño

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Nomlaki

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COMMISSIONER
Stanley Rodriguez
Kumeyaay

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Raymond C. Hitchcock
Miwok/Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Re: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, SVY Backup Generating System and Data Center Project, Santa Clara County

Dear Ms. Leni-Konig:

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources, (Pub. Resources Code §21084.3 (a)) ("Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.")

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe's areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

The NAHC also recommends, but does not require that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:

- A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE, such as known archaeological sites;
- Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
- Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
- If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:

- Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.

3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative.

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Cody.Campagne@nahc.ca.gov.

Sincerely,

Cody Campagne

Cody Campagne
Cultural Resources Analyst

Attachment

**Native American Heritage Commission
Tribal Consultation List
Santa Clara County
4/25/2022**

Amah Mutsun Tribal Band

Valentin Lopez, Chairperson
P.O. Box 5272
Galt, CA, 95632
Phone: (916) 743 - 5833
vlopez@amahmutsun.org

Costanoan
Northern Valley
Yokut

Amah Mutsun Tribal Band of Mission San Juan Bautista

Irene Zwiernlein, Chairperson
3030 Soda Bay Road
Lakeport, CA, 95453
Phone: (650) 851 - 7489
Fax: (650) 332-1526
amahmutsuntribal@gmail.com

Costanoan

Indian Canyon Mutsun Band of Costanoan

Ann Marie Sayers, Chairperson
P.O. Box 28
Hollister, CA, 95024
Phone: (831) 637 - 4238
ams@indiancanyons.org

Costanoan

Indian Canyon Mutsun Band of Costanoan

Kanyon Sayers-Roods, MLD
Contact
1615 Pearson Court
San Jose, CA, 95122
Phone: (408) 673 - 0626
kanyon@kanyonconsulting.com

Costanoan

Muwekma Ohlone Indian Tribe of the SF Bay Area

Monica Arellano, Vice
Chairwoman
20885 Redwood Road, Suite 232
Castro Valley, CA, 94546
Phone: (408) 205 - 9714
marellano@muwekma.org

Costanoan

Muwekma Ohlone Indian Tribe of the SF Bay Area

Charlene Nijmeh, Chairperson
20885 Redwood Road, Suite 232
Castro Valley, CA, 94546
Phone: (408) 464 - 2892
cnijmeh@muwekma.org

Costanoan

North Valley Yokuts Tribe

Katherine Perez, Chairperson
P.O. Box 717
Linden, CA, 95236
Phone: (209) 887 - 3415
canutes@verizon.net

Costanoan
Northern Valley
Yokut

North Valley Yokuts Tribe

Timothy Perez,
P.O. Box 717
Linden, CA, 95236
Phone: (209) 662 - 2788
huskanam@gmail.com

Costanoan
Northern Valley
Yokut

The Ohlone Indian Tribe

Andrew Galvan,
P.O. Box 3388
Fremont, CA, 94539
Phone: (510) 882 - 0527
Fax: (510) 687-9393
chochenyo@AOL.com

Bay Miwok
Ohlone
Patwin
Plains Miwok

Wuksache Indian Tribe/Eshom Valley Band

Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas, CA, 93906
Phone: (831) 443 - 9702
kwood8934@aol.com

Foothill Yokut
Mono

The Confederated Villages of Lisjan

Corrina Gould, Chairperson
10926 Edes Avenue
Oakland, CA, 94603
Phone: (510) 575 - 8408
cvltribe@gmail.com

Bay Miwok
Ohlone
Delta Yokut

Tamien Nation

Quirina Luna Geary, Chairperson
PO Box 8053
San Jose, CA, 95155
Phone: (707) 295 - 4011
qgeary@tamien.org

Costanoan

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and section 5097.98 of the Public Resources Code.

This list is only applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed SVY Backup Generating System and Data Center Project, Santa Clara County.



May 11, 2022

Indian Canyon Mutsun Band of Costanoan
Kanyon Sayers-Roods, MLC Contact
1615 Pearson Court
San Jose, CA, 95122

Dear Kanyon Sayers-Roods,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites Indian Canyon Mutsun Band of Costanoan to consult regarding this project.

This letter provides general information concerning the proposed project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

Background

The CEC has the exclusive authority to certify all thermal power plants (50 megawatts [MW] and greater) and related facilities proposed for construction in California. The small power plant exemption (SPPE) process allows applicants with facilities between 50 and 100 MW to obtain an exemption from 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 facility is subject to CEC's licensing authority unless the exemption is granted. Public Resources Code, section 25519(c) designates the CEC as the lead agency, in accordance with the California Environmental Quality Act, for all facilities seeking an SPPE.

Project Description

In a series of filings dated December 10, 2021; March 8, 2022; March 30, 2022; April 4, 2022; and April 11, 2022; STACK Infrastructure (STACK) filed an application with the CEC seeking an SPPE for the STACK Trade Zone Park (21-SPPE-02). The STACK Trade Zone Park would be built on two industrial parcels encompassing 9.8 acres at the corner



of Trade Zone Boulevard and Ringwood Avenue (2400 Ringwood Avenue and 1849 Fortune Drive) in San Jose.

STACK Trade Zone Park would include an Advanced Manufacturing Building (AMB), the SVY Data Center (SVYDC), the SVY Backup Generating Facility (SVYBGF), a parking garage, and related utility infrastructure, which together constitute the "project" under the California Environmental Quality Act. The SVYBGF would be a diesel-fired emergency backup generating facility with a generation capacity of up to 90 megawatts (MW) to support the need for the SVYDC to provide uninterruptible power supply for its tenant's servers. The SVYBGF would consist of 36 three-MW and two one-MW diesel-fired emergency backup generators (gensets) arranged in two generation yards, each designed to serve one of the two data center buildings (SVYDC 05 and SVYDC 06) that make up the SVYDC. All gensets would be dedicated to replacing the electricity needs of the data center buildings in case of a loss of electrical power from the utility (with redundancy).

CEC staff would like to consult with you to better understand Native American concerns regarding this project. Please respond to this letter in writing within 30 days Indian Canyon Mutsun Band of Costanoan would like to request consultation.

Additionally, over the coming months the CEC may hold public meetings on the project to better understand impacts or concerns that may arise. These meetings will provide the public; local, state, and federal agencies; and tribal governments the opportunity to ask questions about, and provide input on, the proposed project. The CEC will issue notices for these meetings at least 10 days prior to the meeting.

If you would like to be notified by email whenever a public meeting is scheduled or a document is posted to the project website, you may sign up for the project listserv on the CEC main web page listed below. To review the SPPE application and find more information about the project, please visit the project webpage:
<https://www.energy.ca.gov/powerplant/tradezonepark>

Should you request, CEC staff will arrange for a separate consultation meeting to discuss issues that you may wish to hold in confidence from the general public.



CEC staff welcomes your comments and questions. Please do not hesitate to contact Gabriel Roark, Assistant Tribal Liaison, at (916) 237-2544 or by email at Gabriel.Roark@energy.ca.gov.

Sincerely,

A handwritten signature in black ink, reading "Kat Leni-Konig", is positioned below the word "Sincerely,".

Katrina Leni-Konig
California Energy Commission Tribal Liaison
and Deputy Public Advisor

Enclosures (from the SPPE application): Regional Map (Figure 2.2-1), Vicinity Map (Figure 2.2-2), Aerial Photograph and Surrounding Land Uses (Figure 2.2-3), Site Plan (Figure 2.2-4)



May 11, 2022

Amah Mutsun Tribal Band
Valentin Lopez, Chairperson
P.O. Box 5272
Galt, CA, 95632

Dear Honorable Valentin Lopez,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites Amah Mutsun Tribal Band to consult regarding this project.

This letter provides general information concerning the proposed project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

Background

The CEC has the exclusive authority to certify all thermal power plants (50 megawatts [MW] and greater) and related facilities proposed for construction in California. The small power plant exemption (SPPE) process allows applicants with facilities between 50 and 100 MW to obtain an exemption from 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 facility is subject to CEC's licensing authority unless the exemption is granted. Public Resources Code, section 25519(c) designates the CEC as the lead agency, in accordance with the California Environmental Quality Act, for all facilities seeking an SPPE.

Project Description

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STACK Trade Zone Park would include an Advanced Manufacturing Building (AMB), the SVY Data Center (SVYDC), the SVY Backup Generating Facility (SVYBGF), a parking garage, and related utility infrastructure, which together constitute the "project" under the California Environmental Quality Act. The SVYBGF would be a diesel-fired emergency backup generating facility with a generation capacity of up to 90 megawatts (MW) to support the need for the SVYDC to provide uninterruptible power supply for its tenant's servers. The SVYBGF would consist of 36 three-MW and two one-MW diesel-fired emergency backup generators (gensets) arranged in two generation yards, each designed to serve one of the two data center buildings (SVYDC 05 and SVYDC 06) that make up the SVYDC. All gensets would be dedicated to replacing the electricity needs of the data center buildings in case of a loss of electrical power from the utility (with redundancy).

CEC staff would like to consult with you to better understand Native American concerns regarding this project. Please respond to this letter in writing within 30 days if Amah Mutsun Tribal Band would like to request consultation.

Additionally, over the coming months the CEC may hold public meetings on the project to better understand impacts or concerns that may arise. These meetings will provide the public; local, state, and federal agencies; and tribal governments the opportunity to ask questions about, and provide input on, the proposed project. The CEC will issue notices for these meetings at least 10 days prior to the meeting.

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<https://www.energy.ca.gov/powerplant/tradezonepark>

Should you request, CEC staff will arrange for a separate consultation meeting to discuss issues that you may wish to hold in confidence from the general public.



CEC staff welcomes your comments and questions. Please do not hesitate to contact Gabriel Roark, Assistant Tribal Liaison, at (916) 237-2544 or by email at Gabriel.Roark@energy.ca.gov.

Sincerely,

A handwritten signature in black ink, reading "Kat Leni-Konig", is positioned below the word "Sincerely,".

Katrina Leni-Konig
California Energy Commission Tribal Liaison
and Deputy Public Advisor

Enclosures (from the SPPE application): Regional Map (Figure 2.2-1), Vicinity Map (Figure 2.2-2), Aerial Photograph and Surrounding Land Uses (Figure 2.2-3), Site Plan (Figure 2.2-4)



May 11, 2022

Quirina Luna Geary, Chairperson
Tamien Nation
P.O. Box 8053
San Jose, CA, 95155

Dear Honorable Chairperson Geary:

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites the Tamien Nation to consult regarding this project.

This letter provides general information concerning the current project and invites you to participate in CEC consultations, in accordance with the obligations pursuant to Public Resources Code, section 21080.3.1.

Background

The CEC has the exclusive authority to certify all thermal power plants (50 megawatts [MW] and greater) and related facilities proposed for construction in California. The small power plant exemption (SPPE) process allows applicants with facilities between 50 and 100 MW to obtain an exemption from 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 facility is subject to CEC's licensing authority unless the exemption is granted. Public Resources Code, section 25519(c) designates the CEC as the lead agency, in accordance with the California Environmental Quality Act, for all facilities seeking an SPPE.



Project Description

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STACK Trade Zone Park would include an Advanced Manufacturing Building (AMB), the SVY Data Center (SVYDC), the SVY Backup Generating Facility (SVYBGF), a parking garage, and related utility infrastructure, which together constitute the "project" under the California Environmental Quality Act. The SVYBGF would be a diesel-fired emergency backup generating facility with a generation capacity of up to 90 megawatts (MW) to support the need for the SVYDC to provide uninterruptible power supply for its tenant's servers. The SVYBGF would consist of 36 three-MW and two one-MW diesel-fired emergency backup generators (gensets) arranged in two generation yards, each designed to serve one of the two data center buildings (SVYDC 05 and SVYDC 06) that make up the SVYDC. All gensets would be dedicated to replacing the electricity needs of the data center buildings in case of a loss of electrical power from the utility (with redundancy).

CEC staff would like to consult with you to better understand Native American concerns regarding this project. Please respond to this letter in writing within 30 days if the Tamien Nation would like to request consultation.

Additionally, over the coming months the CEC may hold public meetings on the project to better understand impacts or concerns that may arise. These meetings will provide the public; local, state, and federal agencies; and tribal governments the opportunity to ask questions about, and provide input on, the proposed project. The CEC will issue notices for these meetings at least 10 days prior to the meeting.



If you would like to be notified by email whenever a public meeting is scheduled or a document is posted to the project website, you may sign up for the project listserv on the CEC main web page listed below. To review the SPPE application and find more information about the project, please visit the project webpage:
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Should you request, CEC staff will arrange for a separate consultation meeting to discuss issues that you may wish to hold in confidence from the general public.

CEC staff welcomes your comments and questions. Please do not hesitate to contact Gabriel Roark, Assistant Tribal Liaison, at (916) 237-2544 or by email at Gabriel.Roark@energy.ca.gov.

Sincerely,

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Katrina Leni-Konig

California Energy Commission Tribal Liaison
and Deputy Public Advisor

Enclosures (from the SPPE application): Regional Map (Figure 2.2-1), Vicinity Map (Figure 2.2-2), Aerial Photograph and Surrounding Land Uses (Figure 2.2-3), Site Plan (Figure 2.2-4)



May 11, 2022

Kenneth Woodrow, Chairperson
Wuksache Indian Tribe/Eshom Valley Band
1179 Rock Haven Court
Salinas, CA 93906

Dear Honorable Chairperson Woodrow:

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites the Wuksache Indian Tribe/Eshom Valley Band to consult regarding this project.

This letter provides general information concerning the current project and invites you to participate in CEC consultations, in accordance with the obligations pursuant to Public Resources Code, section 21080.3.1.

Background

The CEC has the exclusive authority to certify all thermal power plants (50 megawatts [MW] and greater) and related facilities proposed for construction in California. The small power plant exemption (SPPE) process allows applicants with facilities between 50 and 100 MW to obtain an exemption from 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 facility is subject to CEC's licensing authority unless the exemption is granted. Public Resources Code, section 25519(c) designates the CEC as the lead agency, in accordance with the California Environmental Quality Act, for all facilities seeking an SPPE.



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CEC staff would like to consult with you to better understand Native American concerns regarding this project. Please respond to this letter in writing within 30 days if the Wuksache Indian Tribe/Eshom Valley Band would like to request consultation.

Additionally, over the coming months the CEC may hold public meetings on the project to better understand impacts or concerns that may arise. These meetings will provide the public; local, state, and federal agencies; and tribal governments the opportunity to ask questions about, and provide input on, the proposed project. The CEC will issue notices for these meetings at least 10 days prior to the meeting.

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<https://www.energy.ca.gov/powerplant/tradezonepark>



Should you request, CEC staff will arrange for a separate consultation meeting to discuss issues that you may wish to hold in confidence from the general public. CEC staff welcomes your comments and questions. Please do not hesitate to contact Gabriel Roark, Assistant Tribal Liaison, at (916) 237-2544 or by email at Gabriel.Roark@energy.ca.gov.

Sincerely,

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Katrina Leni-Konig

California Energy Commission Tribal Liaison
and Deputy Public Advisor

Enclosures (from the SPPE application): Regional Map (Figure 2.2-1), Vicinity Map (Figure 2.2-2), Aerial Photograph and Surrounding Land Uses (Figure 2.2-3), Site Plan (Figure 2.2-4)



May 11, 2022

North Valley Yokuts Tribe
Katherine Perez, Chairperson
P.O. Box 717
Linden, CA, 95236

Dear Honorable Katherine Perez,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites North Valley Yokuts Tribe to consult regarding this project.

This letter provides general information concerning the proposed project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

Background

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CEC staff would like to consult with you to better understand Native American concerns regarding this project. Please respond to this letter in writing within 30 days North Valley Yokuts Tribe would like to request consultation.

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Sincerely,

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Katrina Leni-Konig
California Energy Commission Tribal Liaison
and Deputy Public Advisor

Enclosures (from the SPPE application): Regional Map (Figure 2.2-1), Vicinity Map (Figure 2.2-2), Aerial Photograph and Surrounding Land Uses (Figure 2.2-3), Site Plan (Figure 2.2-4)



May 11, 2022

Amah Mutsun Tribal Band
of Mission San Juan Bautista
Irene Zwierlein, Chairperson
3030 Soda Bay Road
Lakeport, CA, 95453

Dear Honorable Irene Zwierlein,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites Amah Mutsun Tribal Band of Mission San Juan Bautista to consult regarding this project.

This letter provides general information concerning the proposed project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

Background

The CEC has the exclusive authority to certify all thermal power plants (50 megawatts [MW] and greater) and related facilities proposed for construction in California. The small power plant exemption (SPPE) process allows applicants with facilities between 50 and 100 MW to obtain an exemption from 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 facility is subject to CEC's licensing authority unless the exemption is granted. Public Resources Code, section 25519(c) designates the CEC as the lead agency, in accordance with the California Environmental Quality Act, for all facilities seeking an SPPE.

Project Description

In a series of filings dated December 10, 2021; March 8, 2022; March 30, 2022; April 4, 2022; and April 11, 2022; STACK Infrastructure (STACK) filed an application with the CEC seeking an SPPE for the STACK Trade Zone Park (21-SPPE-02). The STACK Trade Zone Park would be built on two industrial parcels encompassing 9.8 acres at the corner



of Trade Zone Boulevard and Ringwood Avenue (2400 Ringwood Avenue and 1849 Fortune Drive) in San Jose.

STACK Trade Zone Park would include an Advanced Manufacturing Building (AMB), the SVY Data Center (SVYDC), the SVY Backup Generating Facility (SVYBGF), a parking garage, and related utility infrastructure, which together constitute the "project" under the California Environmental Quality Act. The SVYBGF would be a diesel-fired emergency backup generating facility with a generation capacity of up to 90 megawatts (MW) to support the need for the SVYDC to provide uninterruptible power supply for its tenant's servers. The SVYBGF would consist of 36 three-MW and two one-MW diesel-fired emergency backup generators (gensets) arranged in two generation yards, each designed to serve one of the two data center buildings (SVYDC 05 and SVYDC 06) that make up the SVYDC. All gensets would be dedicated to replacing the electricity needs of the data center buildings in case of a loss of electrical power from the utility (with redundancy).

CEC staff would like to consult with you to better understand Native American concerns regarding this project. Please respond to this letter in writing within 30 days if Amah Mutsun Tribal Band of Mission San Juan Bautista would like to request consultation.

Additionally, over the coming months the CEC may hold public meetings on the project to better understand impacts or concerns that may arise. These meetings will provide the public; local, state, and federal agencies; and tribal governments the opportunity to ask questions about, and provide input on, the proposed project. The CEC will issue notices for these meetings at least 10 days prior to the meeting.

If you would like to be notified by email whenever a public meeting is scheduled or a document is posted to the project website, you may sign up for the project listserv on the CEC main web page listed below. To review the SPPE application and find more information about the project, please visit the project webpage:
<https://www.energy.ca.gov/powerplant/tradezonepark>

Should you request, CEC staff will arrange for a separate consultation meeting to discuss issues that you may wish to hold in confidence from the general public.



CEC staff welcomes your comments and questions. Please do not hesitate to contact Gabriel Roark, Assistant Tribal Liaison, at (916) 237-2544 or by email at Gabriel.Roark@energy.ca.gov.

Sincerely,

A handwritten signature in black ink, reading "Kat Leni-Konig", is positioned below the word "Sincerely,".

Katrina Leni-Konig
California Energy Commission Tribal Liaison
and Deputy Public Advisor

Enclosures (from the SPPE application): Regional Map (Figure 2.2-1), Vicinity Map (Figure 2.2-2), Aerial Photograph and Surrounding Land Uses (Figure 2.2-3), Site Plan (Figure 2.2-4)



May 11, 2022

The Confederated Villages of Lisjan
Corrina Gould, Chairperson
10926 Edes Avenue
Oakland, CA, 94603

Dear Honorable Corrina Gould,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites The Confederated Villages of Lisjan to consult regarding this project.

This letter provides general information concerning the proposed project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

Background

The CEC has the exclusive authority to certify all thermal power plants (50 megawatts [MW] and greater) and related facilities proposed for construction in California. The small power plant exemption (SPPE) process allows applicants with facilities between 50 and 100 MW to obtain an exemption from 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 facility is subject to CEC's licensing authority unless the exemption is granted. Public Resources Code, section 25519(c) designates the CEC as the lead agency, in accordance with the California Environmental Quality Act, for all facilities seeking an SPPE.

Project Description

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of Trade Zone Boulevard and Ringwood Avenue (2400 Ringwood Avenue and 1849 Fortune Drive) in San Jose.

STACK Trade Zone Park would include an Advanced Manufacturing Building (AMB), the SVY Data Center (SVYDC), the SVY Backup Generating Facility (SVYBGF), a parking garage, and related utility infrastructure, which together constitute the "project" under the California Environmental Quality Act. The SVYBGF would be a diesel-fired emergency backup generating facility with a generation capacity of up to 90 megawatts (MW) to support the need for the SVYDC to provide uninterruptible power supply for its tenant's servers. The SVYBGF would consist of 36 three-MW and two one-MW diesel-fired emergency backup generators (gensets) arranged in two generation yards, each designed to serve one of the two data center buildings (SVYDC 05 and SVYDC 06) that make up the SVYDC. All gensets would be dedicated to replacing the electricity needs of the data center buildings in case of a loss of electrical power from the utility (with redundancy).

CEC staff would like to consult with you to better understand Native American concerns regarding this project. Please respond to this letter in writing within 30 days. The Confederated Villages of Lisjan would like to request consultation.

Additionally, over the coming months the CEC may hold public meetings on the project to better understand impacts or concerns that may arise. These meetings will provide the public; local, state, and federal agencies; and tribal governments the opportunity to ask questions about, and provide input on, the proposed project. The CEC will issue notices for these meetings at least 10 days prior to the meeting.

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Should you request, CEC staff will arrange for a separate consultation meeting to discuss issues that you may wish to hold in confidence from the general public.



CEC staff welcomes your comments and questions. Please do not hesitate to contact Gabriel Roark, Assistant Tribal Liaison, at (916) 237-2544 or by email at Gabriel.Roark@energy.ca.gov.

Sincerely,

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Katrina Leni-Konig
California Energy Commission Tribal Liaison
and Deputy Public Advisor

Enclosures (from the SPPE application): Regional Map (Figure 2.2-1), Vicinity Map (Figure 2.2-2), Aerial Photograph and Surrounding Land Uses (Figure 2.2-3), Site Plan (Figure 2.2-4)



May 11, 2022

Muwekma Ohlone Indian Tribe of the SF Bay Area
Charlene Nijmeh, Chairperson
20885 Redwood Road, Suite 232
Castro Valley, CA, 94546

Dear Honorable Charlene Nijmeh,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites Muwekma Ohlone Indian Tribe of the SF Bay Area to consult regarding this project.

This letter provides general information concerning the proposed project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

Background

The CEC has the exclusive authority to certify all thermal power plants (50 megawatts [MW] and greater) and related facilities proposed for construction in California. The small power plant exemption (SPPE) process allows applicants with facilities between 50 and 100 MW to obtain an exemption from 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 facility is subject to CEC's licensing authority unless the exemption is granted. Public Resources Code, section 25519(c) designates the CEC as the lead agency, in accordance with the California Environmental Quality Act, for all facilities seeking an SPPE.

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CEC staff would like to consult with you to better understand Native American concerns regarding this project. Please respond to this letter in writing within 30 days. Muwekma Ohlone Indian Tribe of the SF Bay Area would like to request consultation.

Additionally, over the coming months the CEC may hold public meetings on the project to better understand impacts or concerns that may arise. These meetings will provide the public; local, state, and federal agencies; and tribal governments the opportunity to ask questions about, and provide input on, the proposed project. The CEC will issue notices for these meetings at least 10 days prior to the meeting.

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CEC staff welcomes your comments and questions. Please do not hesitate to contact Gabriel Roark, Assistant Tribal Liaison, at (916) 237-2544 or by email at Gabriel.Roark@energy.ca.gov.

Sincerely,

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Katrina Leni-Konig
California Energy Commission Tribal Liaison
and Deputy Public Advisor

Enclosures (from the SPPE application): Regional Map (Figure 2.2-1), Vicinity Map (Figure 2.2-2), Aerial Photograph and Surrounding Land Uses (Figure 2.2-3), Site Plan (Figure 2.2-4)



May 11, 2022

Indian Canyon Mutsun Band of Costanoan
Ann Marie Sayers, Chairperson
P.O. Box 28
Hollister, CA, 95024

Dear Honorable Ann Marie Sayers,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites Indian Canyon Mutsun Band of Costanoan to consult regarding this project.

This letter provides general information concerning the proposed project and invites you to participate in CEC consultations, pursuant to its Tribal Consultation Policy.

Background

The CEC has the exclusive authority to certify all thermal power plants (50 megawatts [MW] and greater) and related facilities proposed for construction in California. The small power plant exemption (SPPE) process allows applicants with facilities between 50 and 100 MW to obtain an exemption from 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 facility is subject to CEC's licensing authority unless the exemption is granted. Public Resources Code, section 25519(c) designates the CEC as the lead agency, in accordance with the California Environmental Quality Act, for all facilities seeking an SPPE.

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CEC staff would like to consult with you to better understand Native American concerns regarding this project. Please respond to this letter in writing within 30 days Indian Canyon Mutsun Band of Costanoan would like to request consultation.

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Sincerely,

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Katrina Leni-Konig
California Energy Commission Tribal Liaison
and Deputy Public Advisor

Enclosures (from the SPPE application): Regional Map (Figure 2.2-1), Vicinity Map (Figure 2.2-2), Aerial Photograph and Surrounding Land Uses (Figure 2.2-3), Site Plan (Figure 2.2-4)



May 11, 2022

The Ohlone Indian Tribe
Andrew Galvan
P.O. Box 3388
Freemont, CA, 94539

Dear Andrew Galvan,

The California Energy Commission (CEC) is responsible for preparing an environmental impact analysis for the proposed STACK Trade Zone Boulevard Park (STACK Trade Zone Park) and invites The Ohlone Indian Tribe to consult regarding this project.

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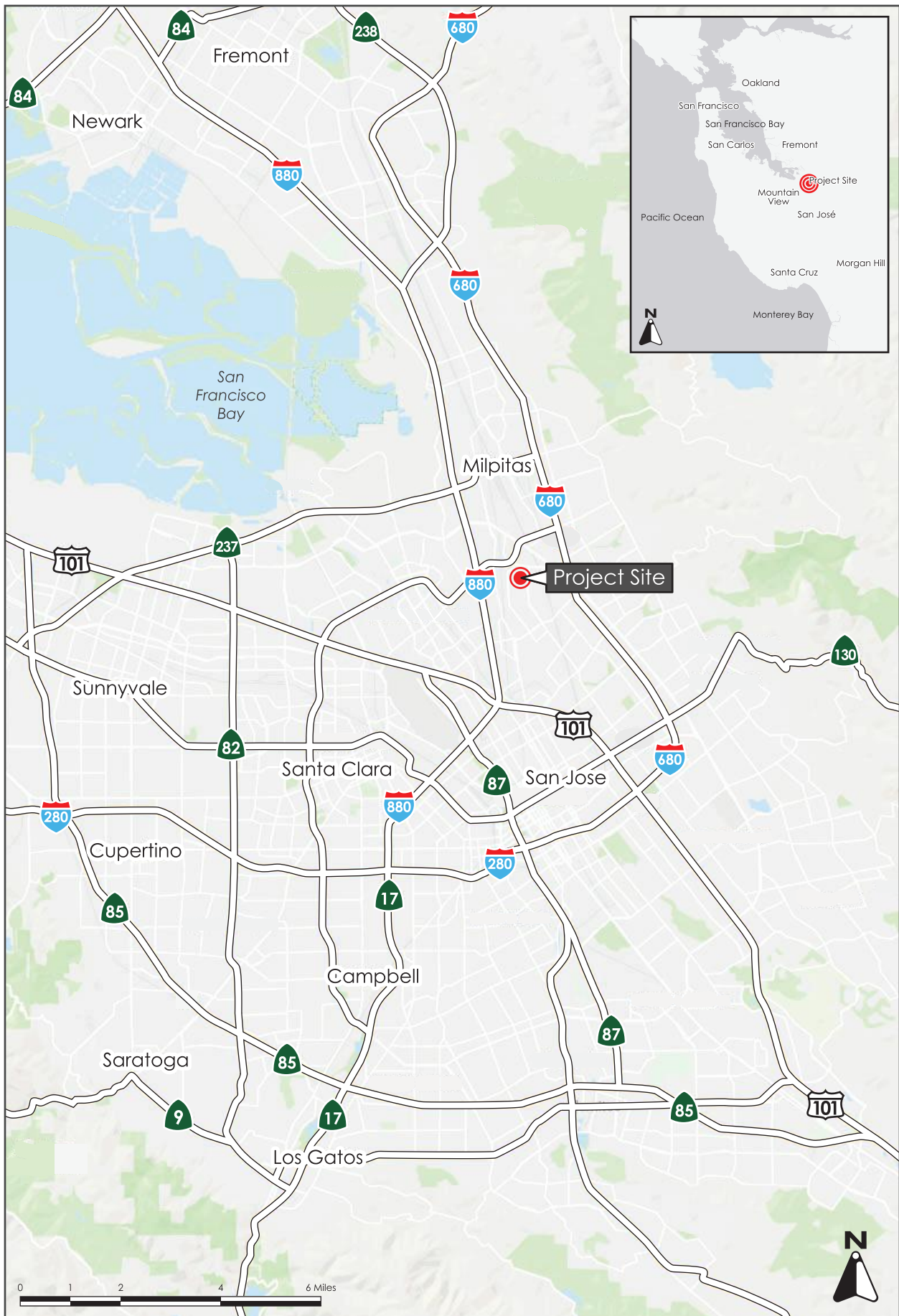
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Sincerely,

A handwritten signature in black ink, reading "Kat Leni-Konig". The signature is written in a cursive style with a large, stylized "K" and "L".

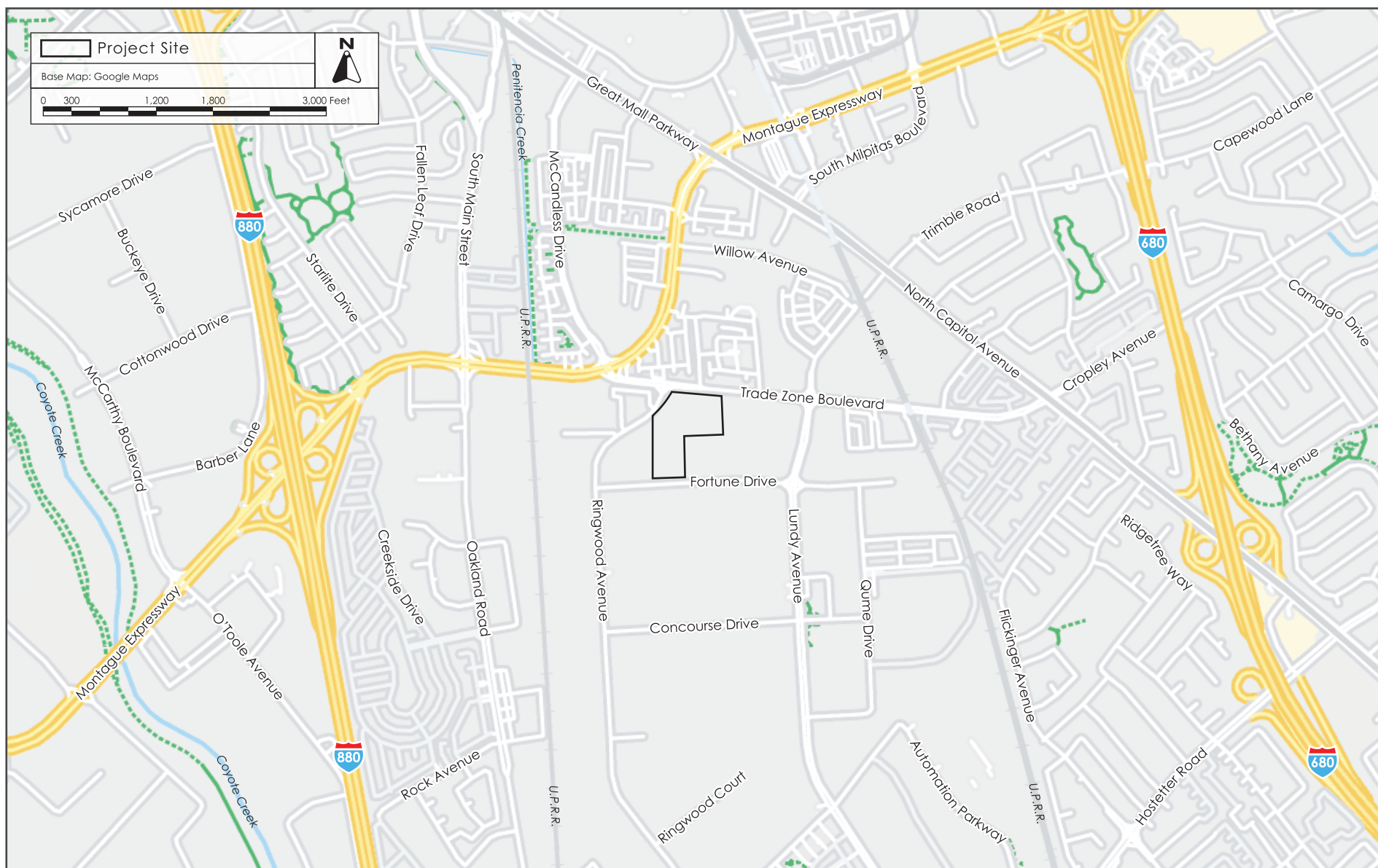
Katrina Leni-Konig
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and Deputy Public Advisor

Enclosures (from the SPPE application): Regional Map (Figure 2.2-1), Vicinity Map (Figure 2.2-2), Aerial Photograph and Surrounding Land Uses (Figure 2.2-3), Site Plan (Figure 2.2-4)



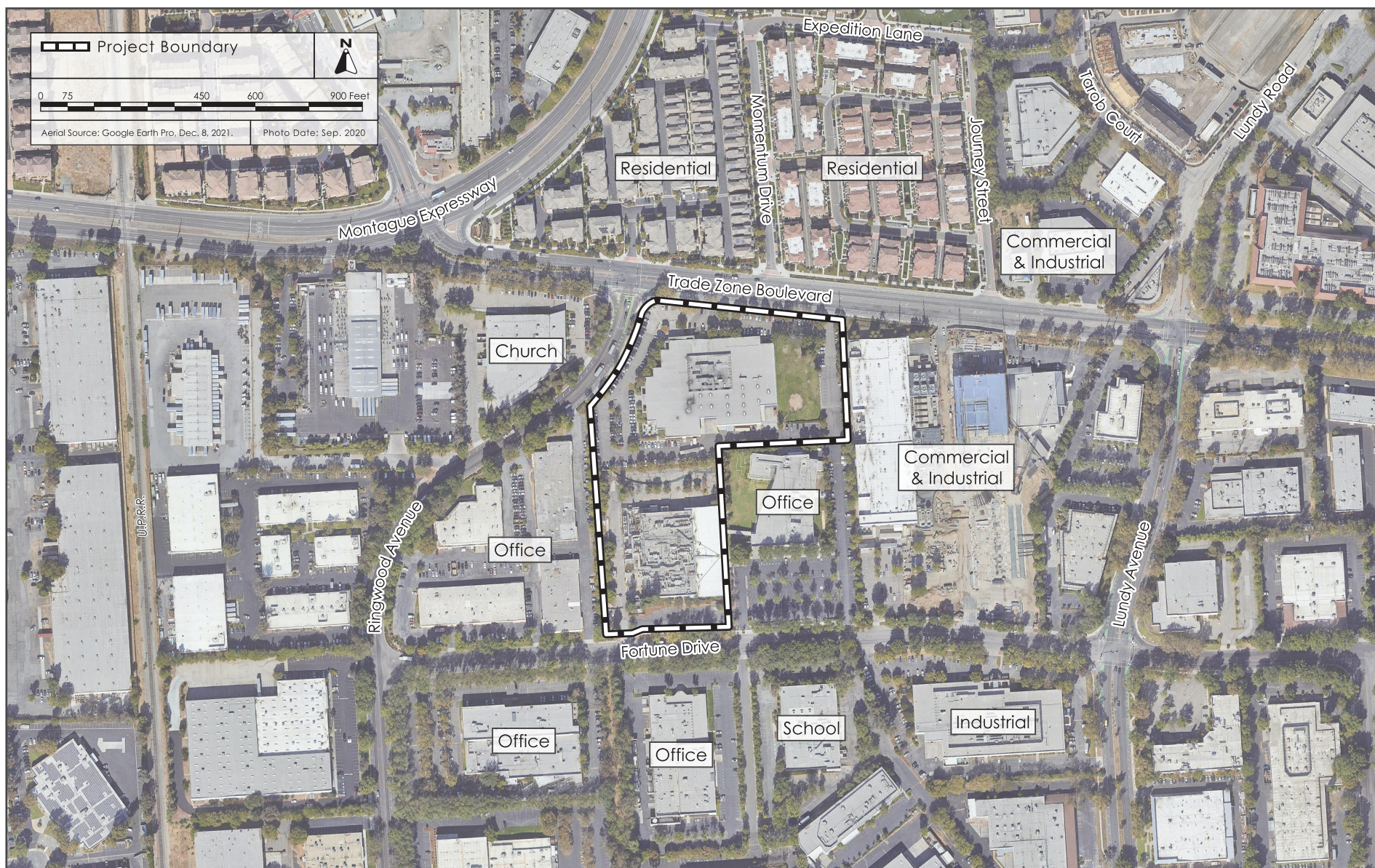
REGIONAL MAP

FIGURE 2.2-1



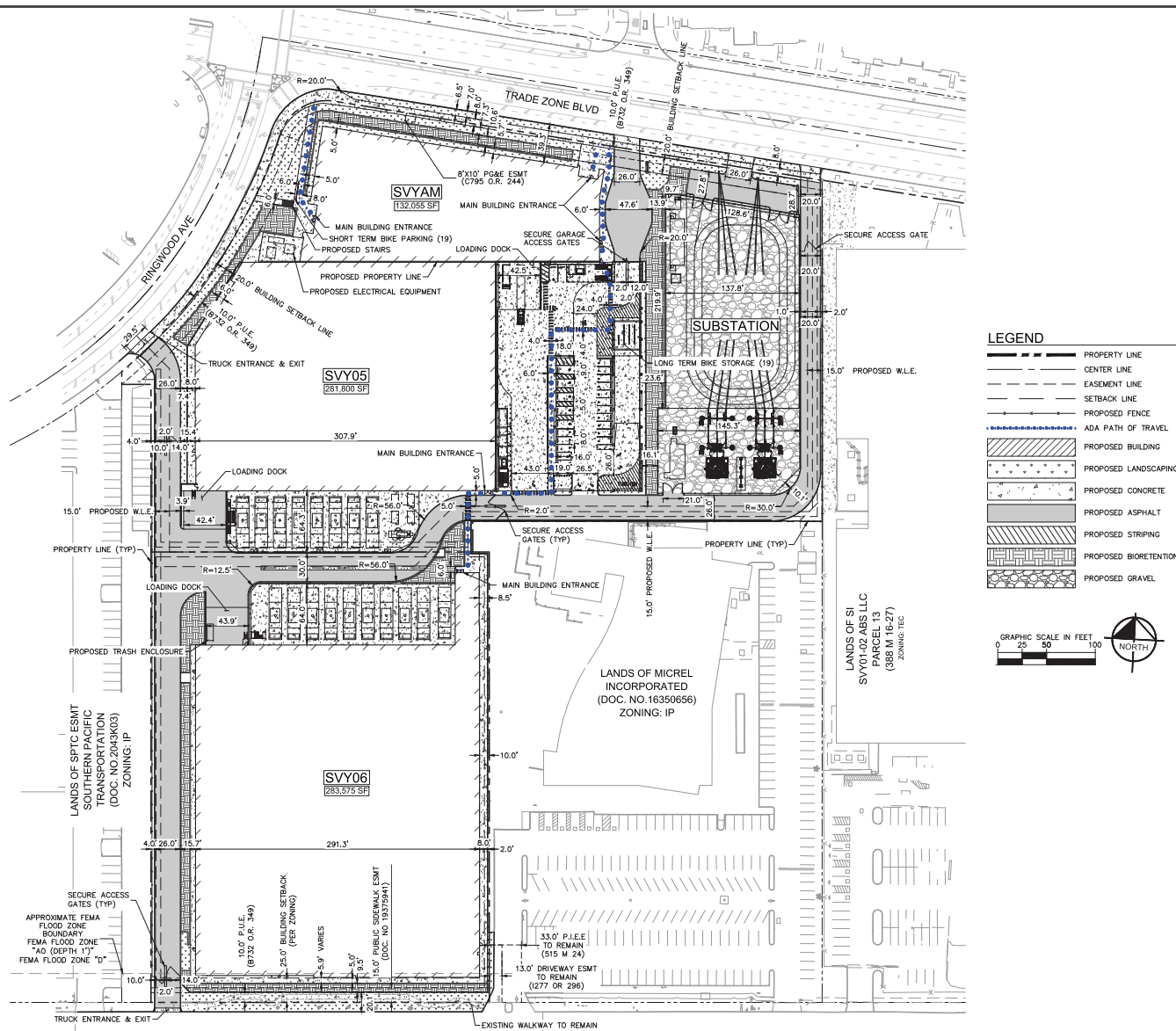
VICINITY MAP

FIGURE 2.2-2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 2.2-3



GENERAL ARRANGEMENT AND SITE PLAN OF THE PROJECT

FIGURE 2.2-4