DOCKETED	
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STACK Trade Zone Park (21-SPPE-02)

Public Scoping Meeting and Staff Workshop

November 1, 2022

Lisa Worrall, Project Manager, Siting and Environmental Branch
Siting, Transmission and Environmental Protection Division

Housekeeping

- Public workshop held remotely.
- Workshop being recorded.
- Mute your line when not speaking.
- Public comments will be at the end of meeting as follows:

1. Online: Click “Raise Hand” in workshop controls, host will call on you, after speaking mute yourself.
2. Phone: Dial *9 to “Raise hand,” host will call on you to speak, then dial *6 to mute and unmute .
3. State your name and affiliation, if any, before speaking

STACK Trade Zone Park SPPE

Project Details

- Advanced manufacturing building
- Data center (two buildings)
- Backup generating facility (91 megawatts)
- Electrical substation
- Parking garage

Located in city of San Jose at:

- 2400 Ringwood Avenue
- 1849 Fortune Drive

SPPE Process

- Staff reviews SPPE application and conducts discovery
  - **Staff conducts a Public Scoping Meeting**
- Staff prepares environmental assessment document
- Committee conducts hearings and prepares Proposed Decision
- If CEC exempts, applicant may seek project approval and permits

Environmental Issues

- Air Quality
- Biological Resources
- Cultural and Tribal Cultural Resources
- Energy and Energy Resources
- Environmental Justice
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Land Use
- Noise
- Transportation

TN 243460, Notice of Preparation of Draft Environmental Impact Report and Agency Request for Participation

Air Quality

Location:

- Santa Clara County in the San Francisco Bay Area Air Basin under the jurisdiction of the Bay Area Air Quality Management District.

San Francisco Area Air Basin:

- A non-attainment for ozone and particulate matter ambient air quality standards.

Project Gensets:

- Emissions of diesel particulate matter and ozone precursors (oxides of nitrogen [NOx] and reactive organic gases).

NOx emissions:

- Need to be fully offset through the permitting process with the Bay Area Air Quality Management District.

Air Quality Analysis

Impact Analysis:

- Cumulatively considerable net increase of criteria air pollutant(s) for which SFBAAB is in non-attainment under applicable federal/ state ambient air quality standards.
- Conflict with/ obstruct implementation of applicable air quality plan?
- Expose sensitive receptors to substantial pollutant concentrations, including impacts from criteria air pollutants and toxic air contaminants
- Other emissions, such as those leading to odors, adversely affecting a substantial number of people.

Mitigation:

- If air quality/ public health impacts determined to be significant, mitigation factors will be identified to reduce impacts to less than significant level, as feasible.

Biological Resources

Trees:

- 156 existing trees to be removed.
- 54 trees along transmission line route and 26 neighboring trees may be negatively impacted by construction activities and may need to be removed.

Community Forest:

- Trees protected as community forest under city of San Jose Municipal Code, sections 13.28 and 13.32.
- Of the 156 trees to be removed, over half of are ordinance trees, and permit from city of San Jose required to remove them.

Tree Preservation and Replacement Ordinances:

- Potential conflict with local policies or ordinances could arise if satisfactory provisions are not made for replacement of trees that are removed and protection for trees that remain on the site.

Biological Resources Analysis

Impact Analysis:

- Possible direct or indirect disturbance of existing trees during construction, including removal of trees and vegetation clearing during breeding season for protected birds (February to August), have potential to cause direct destruction of active nests of protected birds such as raptors.
- Potentially significant impacts due to possible direct or indirect disturbance of nesting bird habitat, including raptors, during project construction.

Mitigation:

- Could be reduced to less than significant with design measures as modified by staff and agreed to by applicant.

Coordination:

- Working with California Department of Fish and Wildlife and Santa Clara Valley Habitat Agency to ensure applicant-proposed mitigation measures meet agencies' requirements and mitigate impacts to less than significant.

Cultural and Tribal Cultural Resources

Project Study Area: Three cultural resources might be present: an informal archaeological resource (C-1414) and two historic-age buildings.

Consultation with California Native American Tribes: In progress to identify any additional cultural resources and potential impacts.

Historical, Unique Archaeological, or Tribal Cultural Resources: Ground disturbance could encounter and damage buried resources that meet this CEQA criteria. Impacts would likely be significant under CEQA.

Impact Analysis:

- Not enough information to conclude if significant impacts and whether they could be mitigated to less than significant.
- Analysis consistent with CEQA criteria for cultural and tribal cultural resources identified in Appendix G of the CEQA Guidelines.

Mitigation: Analyzing applicant's two proposed mitigation measures to reduce severity of impacts.

Energy and Energy Resources and Environmental Justice

Energy and Energy Resources

- Will evaluate project's impacts associated with construction and operation of the project specific to energy and energy resources.
- If project construction or operation results in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy, or if it conflicts with or obstructs a state or local plan for renewable energy or energy efficiency, the CEC staff will draft mitigation.
- Mitigation may include the employment of more efficient equipment and more use of renewable, cleaner sources of electricity.

Environmental Justice

- Determined there is the presence of EJ population within vicinity of project site using currently available 2020 Census and California Department of Education data.
- Will analyze whether project would result in any potentially significant disproportionate impacts to EJ population.
- Topic areas include aesthetics, air quality (public health), cultural and tribal resources, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, transportation, and utilities and service systems.

Geology and Soils

Project Site: Santa Clara Valley, known to have scientifically significant but widespread or intermittent fossil discoveries.

Surficial Sediment:

- Generally, not sensitive for paleontological resources because biological remains younger than 10,000 years not usually considered fossils.
- The Pleistocene age (2.6 million to 11,700 years before present) sediments may be present at or near surface.
- Although unlikely, paleontological resources could be encountered during construction that requires earth moving (grading, trenching for utilities, excavation for foundations, and installation of support structures) where native soil disturbed.

Impact Analysis: Potentially significant impacts due to possible direct or indirect destruction of unique paleontological resource if discovered during project construction.

Mitigation: Craft mitigation measure(s) to reduce impacts to less than significant.

Greenhouse Gas Emissions

Greenhouse Gas (GHG) Emissions: the project would result in GHG emissions from three categories of activities:

- Direct emissions from construction/demolition
- Direct “stationary source” emissions from the operation of the diesel gensets
- Indirect and “non-stationary source” emissions from the operation of the project

Direct emissions: from construction are likely temporary and will be adequately addressed through best management practices.

Direct emissions: from testing and maintenance of the diesel gensets could result in potentially significant quantities of GHG emissions that may be mitigated by switching to renewable diesel or by establishing a plan to phase out the use of conventional petroleum diesel.

Indirect emissions: majority are from electricity consumed by project.

Indirect emissions: could be addressed from project’s data center’s electricity use. Assess whether mitigation necessary and what options are available.

Hazards and Hazardous Materials

Project site contamination:

- The 1849 Fortune Drive parcel has a history of environmental contamination
- Both parcels have a history of agricultural use;
- Presence of unknown soils or groundwater contamination not ruled out for the project.

Project use: hazardous materials during project construction and operation.

- Operation: store large quantity of diesel fuel in integrated fuel tanks (approximately 237,500 gallons for all gensets).

Impact Assessment: Hazards and hazardous material

- Hazards (aviation, emergency response and/or evacuation, and wildfire) and
- Hazardous materials (transport, use, disposal, upset or accidental release exposure of sensitive receptors).

Mitigation: Craft mitigation measures to mitigate impacts to less than significant.

Land Use

Project site:

- Industrial Park (IP)
- General Plan designation of Transit Employment Center (TEC)

Surrounding land use:

- Commercial and industrial uses to the south, east, and west
- Residential uses to the north

Impact Analysis:

- To the surrounding community and compatibility with adjacent land uses
- Conflict with land use plan, policy, or regulation adopted for purpose of avoiding or mitigating an environmental effect

Mitigation: Propose feasible mitigation measures to reduce or eliminate impacts.

Noise

Impact Assessment:

- Potential short-term noise associated with project construction,
- Temporary intermittent noise impacts associated with the yearly testing of gensets, and likelihood for increased noise levels resulting from project operation.
- Determine if project would increase ambient noise levels.
- Require and use applicant's noise modeling and noise study to evaluate proposed structures and component layout.

Mitigation:

- Draft mitigation, including noise attenuation and other measures, if potential significant adverse impacts on sensitive receptors are identified.
- Noise levels associated with construction would be mitigated via the implementation of a construction noise plan.

Transportation

Impact Analysis:

- Potentially significant impacts from vehicle miles traveled (VMT).
- Project-generated 15.07 vehicle miles traveled per employee projected is greater than city of San Jose's threshold of 14.37 VMT per employee for industrial uses.
- Transportation analysis report in accordance with City Council Policy 5-1 and the San Jose VMT Evaluation Tool

Mitigation:

- Identify appropriate mitigation to reduce transportation impacts to less than significant.

Public Comment Instructions

Rules
- 3 minutes per person

Zoom
- Click “raise hand”

Telephone
- Press *9 to raise hand
- Press *6 to (un)mute

When called upon
- Unmute, spell name, state affiliation, if any

3-MINUTE TIMER