

DOCKETED

Docket Number:	22-SPPE-01
Project Title:	Bowers Backup Generating Facility
TN #:	250959
Document Title:	Report of Conversation - City of Santa Clara City Code Chapter 12 35
Description:	Conversation between Ann Crisp, Project Manager from the CEC and Nimisha Agrawal, Senior Planner at the City of Santa Clara's Community Development Department
Filer:	Marichka Haws
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	7/6/2023 3:28:20 PM
Docketed Date:	7/6/2023



Siting, Transmission and Environmental Protection Division

FILE: n/a

PROJECT TITLE: Bowers Backup Generating Facility **Docket: 22-SPPE-01**

TECHNICAL AREA(s): Biological Resources			
<input type="checkbox"/> Telephone	<input checked="" type="checkbox"/> Email	<input type="checkbox"/> Meeting Location: N/A	
NAME:	Ann Crisp, Project Manager	DATE:	June 15, 21, 23, 28, 2023 TIME: n/a
WITH:	Nimisha Agrawal, Senior Planner at the City of Santa Clara’s Community Development Department		
SUBJECT:	City of Santa Clara City Code Chapter 12.35		

COMMENTS:

Ann Crisp contacted Nimisha Agrawal, Senior Planner at the City of Santa Clara’s Community Development Department, to inquire about compliance with Santa Clara City Code (City Code) Chapter 12.35 during project construction. Specifically, staff inquired about guidance on the City’s enforcement of City Code Chapter 12.35 to address tree replacement requirements and protection of trees to remain on site as part of the project approval by the City.

Nimisha Agrawal confirmed that past guidance from the City was still applicable specifically that the approved landscape plans would include any measures recommended in the arborist report to avoid impacts including any requirements for fencing to establish tree-protection zones to ensure the trees are not damaged during demolition or construction. Nimisha Agrawal replied that for the existing trees, applicants add the City’s Arborist Notes for tree protection to the approved landscape plan (see attached Version R2012-08). If there are additional trees to be removed that were not included at the time of planning entitlement, they are approved administratively as a minor amendment to the approved project per Chapter 12.35 of the City Code.

Nimisha Agrawal stated that the City currently does not have the provision to collect in-lieu fees for off-site tree planting and has required projects to upsize the trees for mitigation, which has greater on-site benefits. The City is working to make off-site planting a provision in the future. Per the City’s recently adopted Tree Ordinance, specifically City Code, section 12.35.090(c)(8), the mitigation ratio is an alternative means of replacement, subject to the Director of Community Development’s approval. If trees are large or good specimens, the replacement ratio would be higher. Mitigation ratios would be enforced through Architectural Review. Nimisha Agrawal stated that the applicant for the Bowers

CALIFORNIA ENERGY COMMISSION

REPORT OF CONVERSATION

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Backup Generating Facility would be required to mitigate for 48 trees, even though 1 of the 48 trees is in poor health.

cc: Eric Knight, Office Manager CEC	Signed: _____ s _____ Name: Ann Crisp, Project Manager
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