

Notice of Determination

Appendix D

To:

Office of Planning and Research
U.S. Mail: _____ *Street Address:* _____
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk
 County of: _____
 Address: _____

From:

Public Agency: _____
 Address: _____

 Contact: _____
 Phone: _____

Lead Agency (if different from above): _____
 Address: _____

 Contact: _____
 Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): _____

Project Title: _____

Project Applicant: _____

Project Location (include county): _____

Project Description:

This is to advise that the _____ has approved the above
 (Lead Agency or Responsible Agency)

described project on _____ and has made the following determinations regarding the above
 (date)
 described project.

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

 Signature (Public Agency): *Shawn Pittard* Title: _____

Date: 07/18/22 Date Received for filing at OPR: _____

Attachment A to Notice of Determination

Microsoft Corporation (Microsoft or applicant) was granted a Small Power Plant Exemption (SPPE) from the California Energy Commission's (CEC) jurisdiction to proceed with local approval rather than requiring certification by the CEC for the San Jose Data Center (SJDC or project).

Project Description:

The applicant proposes to construct and operate a 396,914 square foot data center, located at 1657 Alviso-Milpitas Road in San Jose, California near an existing power plant and wastewater treatment facility. The project would consist of two single-story data center buildings. To provide reliable operation of the project in the event of loss of electrical service from the local electric utility provider, Pacific Gas and Electric Company (PG&E), the project includes 224 renewable natural gas (natural gas) generators each rated at 0.45 MW output capacity to provide electrical power to support the data center uses during utility outages, certain onsite electrical equipment interruptions or failure, and for load shedding, demand response and behind-the-meter resource adequacy ancillary services. The maximum electrical load of the project would be 99 MW, although the estimated load is 77 MW, inclusive of information technology (IT) equipment, ancillary electrical/ telecommunications equipment, and other electrical loads (administrative, heat rejection, and safety/ security). In addition, the project includes two Tier 4 diesel-powered generators (designated as administrative generators), with a 1.25 MW standby generator for the northern building and a 0.5 MW standby generator for the southern building. The project also includes an onsite 115 kilovolt (kV) substation located in the northwestern corner of the project site with two 115 kV underground electrical supply lines (approximately 0.2 mile) that would connect to PG&E's Los Esteros Substation, located adjacent to the site. The project would require offsite linears for potable water, reclaimed water, stormwater, sanitary sewer, natural gas, and electrical.