

## California Environmental Quality Act (CEQA)

### NOTICE OF DETERMINATION

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**TO:** Santa Clara County  
Clerk-Recorder's Office  
110 West Tasman Drive, First Floor  
San Jose, CA 95134

**FROM:** Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, CA 94105

**SUBJECT:** FILING OF NOTICE OF DETERMINATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 21152(a) AND CEQA GUIDELINES SECTION 15094.

**PROJECT TITLE:** STACK Trade Zone Park, (State Clearinghouse #2022060141) – Issuance of Authority to Construct for Emergency Backup Diesel Generators, sources S-35 through S-73. (Air District Permit Application 696975).

**Public Agency Approving Project (Lead Agency):** California Energy Commission (CEC); Contact Person: Lisa Worrall, CEQA Lead Project Manager, 715 P Street MS-40, Sacramento CA 95814. Telephone: (916) 661-8367; Email: [Lisa.worrall@energy.ca.gov](mailto:Lisa.worrall@energy.ca.gov)

**Public Agency (Responsible Agency) Approving Project (Issuance of Authority to Construct):** Bay Area Air Quality Management District (Air District), 375 Beale St, Suite 600, San Francisco, CA 94105. Contact Person: Cameron Fee, Air Quality Engineer, Telephone: (415) 749-4709; Email: [cfee@baaqmd.gov](mailto:cfee@baaqmd.gov)

**Project Applicant and Entity Carrying Out Project:** STACK Infrastructure.

**Project Applicant Mailing Address:** 2001 Fortune Drive, San Jose, CA 95131.

**Project Applicant Contact Person:** Satiya Taeidi, Project Manager - Construction, STACK Americas, 2001 Fortune Drive, San Jose, CA 95131. Telephone: (408) 642-8775; Email: [staeidi@stackinfra.com](mailto:staeidi@stackinfra.com)

**Project Location:** 2400 Ringwood Avenue, 1849 Fortune Drive, and 2000 Trade Zone Boulevard, San Jose, Santa Clara County, CA 95131. Nearest Cross Street: Trade Zone Blvd & Ringwood Ave.

**Date of Approval by Lead Agency:** April 12, 2023.

**Date of Approval at Issue by Responsible Agency:** January 16, 2025.

**Project Description:**

STACK Infrastructure submitted an application to the California Energy Commission (CEC) for a small powerplant exemption for the proposed Trade Zone Park in San Jose, California. The Applicant proposed to build one office building, two data center buildings and a 91 MW backup generating facility to provide uninterruptible power supply for its tenant's servers.

The Application was submitted to the CEC pursuant to Public Resources Code Section 25541. Section 25541 allows the CEC to exempt thermal powerplants with a generating capacity of up to 100 MW from its exclusive permitting authority under the Warren-Alquist State Energy Resources Conservation and Development Act (Warren-Alquist Act) to approve or deny, applications for the construction and operation of thermal powerplants that will generate 50 MW or more of electricity. This exemption is referred to as a Small Power Plant Exemption (SPPE).

It was found that the Backup Generators constitute the thermal powerplant at issue, they have a combined generating capacity of 99 MW, and no substantial adverse impact on the environment or energy resources will result from the construction or operation of the Backup Generators or the Data Center.

The project includes the installation of thirty-six 4,423 HP, two 1,474 HP, and one 315 HP, a total of thirty-nine, emergency backup power generators to support data storage equipment. The proposed 39-standby generators will be in two generation yards, each designed to serve one of the two data center buildings.

**Notice of Determination:**

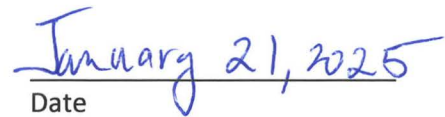
The Air District has issued an Authority to Construct for the thirty-nine new emergency backup generators pursuant to District Regulation 2-1-301. In issuing the Authority to Construct, the Air District has reviewed and considered the environmental effects of the entire project as discussed in the CEC's Environmental Impact Report (EIR) and supporting analyses. Based on this review, the Air District has determined that with the mitigation measures imposed by the CEC, there will be no significant environmental impacts. As the project will not have any significant impacts, the Air District has not imposed any mitigation measures (beyond the conditions the Air District has imposed to ensure compliance with air quality regulations) and has therefore not adopted a mitigation monitoring plan or program.

**Availability of Documents for Public Review:**

The CEC's EIR is available for public review at the CEC's Docket Unit at 715 P Street, Sacramento CA 95814 or online at: <https://www.energy.ca.gov/powerplant/tradezonepark>. The Air District record of project approval is available for review at the Air District office at 375 Beale Street, Suite 600, San Francisco, CA, 94105 (Air District Permit Application 696975). The assigned State Clearinghouse Number for this project is 2022060141 (Docket #21-SPPE-02).

 for

Pamela J. Leong  
Director of Engineering  
Bay Area Air Quality Management District

  
Date