

California Environmental Quality Act (CEQA)

NOTICE OF DETERMINATION

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: Great Oaks South Backup Generating Facility (SV18), (State Clearinghouse ID #2020100431) - Issuance of Authority to Construct for six Emergency Backup Diesel Generators, sources S-23 through S-28. (Air District Application 738296).

Public Agency Approving Project (Lead Agency): California Energy Commission, Lisa Worrall, Senior Environmental Planner, 715 P Street, MS 40, Sacramento, CA 95814. Telephone: (916) 661-8367; Email: Lisa.worrall@energy.ca.gov.

Public Agency (Responsible Agency) Approving Project (Issuance of Authority to Construct): Bay Area Air Quality Management District, 375 Beale St, Suite 600, San Francisco, CA 94105. Contact Person: Sadeqh Sadeghipour, Air Quality Engineer, Telephone: (415) 749-4672; Email: ssadeghipour@baaqmd.gov

Project Applicant and Entity Carrying Out Project: SV1, LLC (a wholly owned subsidiary of Equinix, LLC)

Project Applicant Mailing Address: One Lagoon Drive, 4th Floor, Redwood City, CA 94065.

Project Applicant Contact Person: Masoud Zafaripour, Director – Construction Management, Equinix LLC, One Lagoon Drive, 4th Floor, Redwood City, CA 94065. Telephone: (408) 594-9547; Email: mzafaripour@equinix.com.

Project Location: 123, 127, and 131 Great Oaks Blvd, San Jose, Santa Clara County, CA 95119. Nearest Cross Street: Via del Oro Junction.

Date of Approval by Lead Agency: The project was initially approved by the CEC on December 8, 2021; on October 19, 2022, the City of San Jose approved the modified project as reflected in the Addendum to the FEIR for the Great Oaks Backup Generating Facility.

Date of Approval at Issue by Responsible Agency: 4/28/2026

Project Description:

The Bay Area Air Quality Management District (Air District) has issued an Authority to Construct for the Great Oaks South Backup Generating Facility (Generating Facility) for seven backup diesel generators. The Generating Facility provides emergency backup power for the Great Oaks South Data Center (Data Center). The Data Center consists of three 182,350 square foot, two-story data center buildings (SV12, SV18, and SV19) at 123, 127, and 131 Great Oaks Boulevard in San Jose. The Generating Facility consists of thirty-six (36) 3.35-MW diesel-fired generators to provide emergency backup power for the three data center buildings' servers in

the event of a power outage and three additional generators for each building to provide emergency power for fire suppression and other life safety systems. The six backup diesel generators in Application 738296 will be for Building SV18.

The Air District has already issued Authority to Construct for fifteen backup diesel engines supporting Building SV12 and seven backup diesel engines supporting Building SV18. This Authority to Construct authorizes Equinox to install six additional emergency backup power generators supporting Building SV18. These generators will be operated only for emergency purposes, plus up to 20 hours per year for testing, maintenance and reliability purposes. They will not be used for routine data center operations.

Notice of Determination:

The California Energy Commission (CEC) was the lead agency for the Great Oaks South Backup Generating Facility project which included 39 diesel backup generators. It adopted a Final Environmental Impact Report (FEIR) for the project on July 28, 2021, finding that, with the implementation of the project design measures and proposed mitigation measures potentially significant impacts would be avoided or reduced to less than significant levels. The proposed mitigation measures concerning air quality are implementing the Air District's recommended best management practices and utilizing the cleanest available diesel construction equipment during the construction phase. The lead agency designation was pursuant to the CEC's authorizing statute relating to its exclusive permitting jurisdiction over thermal power plants. SV1, LLC subsequently applied for, and the CEC granted a Small Power Plant Exemption to the Generating Facility on December 8, 2021.

In 2022, the applicant proposed revisions to the size and placement of mechanical equipment on the project site, including backup generators and heating, ventilation, and air conditioning (HVAC) equipment to the City of San Jose. The thirty-six (36) proposed 3.25-MW backup generators would be substituted with thirty-six (36) 3.35-MW backup generators. The three proposed 500-kW backup generators would be substituted with three 1,105-kW backup generators, and each 1,105-kW generator would be equipped with a selective catalytic reduction system to reduce NOx emissions. Additionally, instead of each data center building having 12 backup generators for data center uses and one smaller life safety backup generator (12+1 generators), SV12 would have 14+1 generators and SV18 and SV19 would each have 11+1 generators. The project would also relocate four total rooftop chillers from SV18 and SV19 to SV12. All other components of the project would remain unchanged. Because the changes to the size and distribution of the generators could potentially increase emissions and associated impacts, a supplemental air quality analysis was completed.

For the proposed revisions, the City of San Jose adopted an Addendum to the 2021 FEIR for the revisions on October 19, 2022. The Addendum determined that no substantive revisions are needed to the 2021 FEIR because no new significant impacts or impacts of substantially greater severity would result from the project.

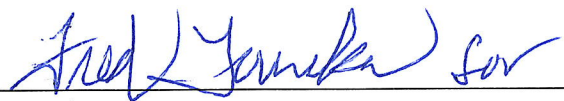
The Air District is a CEQA responsible agency for the project. It issued an Authority to Construct on 4/28/2026. The record of the Air District's approval is available for review at the Air District's address shown above.

The Air District has reviewed and considered the CEC's environmental analysis and City of San Jose's Addendum to the FEIR in connection with its decision to issue the Authority to Construct referenced above. Based on that review, the Air District finds that the proposed revisions to the project do not result in any new significant impacts or any increase in the severity of previously identified significant impacts anticipated by the 2021 FEIR. The Air District additionally finds that there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the 2021 FEIR was adopted that shows that:

- a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Accordingly, the Air District finds no subsequent or supplemental EIR is required for the modified project pursuant to CEQA section 21166 or CEQA Guidelines section 15162.

CEC's FEIR and associated documents are available for public review at <https://www.energy.ca.gov/powerplant/backup-generating-system/great-oaks-south-generating-facility>. City of San Jose's Addendum to the FEIR and associated documents are available for public review in the Department of Planning, Building and Code Enforcement (PBCE) at San José City Hall, 200 East Santa Clara Street, 3rd Floor, during normal business hours.



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

May 5, 2020
Date