Santa Clara County
Clerk-Recorder
(408) 299-5688
https://www.clerkrecorder.org

Receipt: 26-175662

Product	Name	Extended
CEQA	ENVIRONMENTAL FILING	$50.00
	# Pages	7
	Document #	ENV26357
	Document Info:	CALIFORNIA PUBLIC UTILITIES COMMISSION
	Filing Type	J
Total		$50.00
Tender (Check)		$50.00

Paid By	KurtLueneburger
Check #	1982254 - VITALCHEK
Paid By	KurtLueneburger

PLEASE KEEP FOR REFERENCE

10/27/26, 4:16 PM PST efader

State of California - Department of Fish and Wildlife

2026 ENVIRONMENTAL DOCUMENT FILING FEE CASH RECEIPT

DFW 753.5a (REV. 01/01/26) Previously DFG 753.5a

RECEIPT NUMBER: ENV26357

STATE CLEARINGHOUSE NUMBER *(If applicable)*

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEAD AGENCY EMAIL	DATE
CALIFORNIA PUBLIC UTILITIES COMMISSION	LISA.WORRALL@ENERGY.CA.GOV	10/27/2026

COUNTY/STATE AGENCY OF FILING	DOCUMENT NUMBER
SANTA CLARA	

PROJECT TITLE

SAN JOSE DATA CENTER

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER
MICHAEL MARTIN	MICHAELMARTIN@VALLEYWATER.	(408)630-3095

PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
5750 ALMADEN EXPRESSWAY	SAN JOSE	CA	95118

PROJECT APPLICANT *(Check appropriate box)*

☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	$4,227.50	$
☐ Mitigated/Negative Declaration (MND)(ND)	$3,043.75	$
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW	$1,437.25	$

☐ Exempt from fee

- ☐ Notice of Exemption (attach)
- ☒ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)	$850.00	$
☒ County documentary handling fee		$ $50.00
☐ Other		$

PAYMENT METHOD:

☐ Cash ☐ Credit ☒ Check ☐ Other **TOTAL RECEIVED** $ $50.00

SIGNATURE	AGENCY OF FILING PRINTED NAME AND TITLE
X Elaine Fader	Elaine Fader, Deputy County Clerk-Recorder

SANTA CLARA COUNTY CLERK
CEQA FILING COVER SHEET

County of Santa Clara - Clerk-Recorder's Office
State of California

File Number: ENV26357

ENVIRONMENTAL FILING
No. of Pages: 7
Total Fees: $50.00
File Date: 10/27/2026
Expires: 11/26/2026

LOUIS CHIARAMONTE, Clerk-Recorder
By: Elaine Fader, Deputy Clerk-Recorder

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Check Document being Filed:

- [x] Environmental Impact Report (EIR)
  - [ ] Filing Fee (new project)
  - [x] Previously Paid F&W **(must attach F&W receipt and project titles must match)**
  - [ ] No Effect Determination **(F&W letter must be attached)**
- [ ] Mitigated Negative Declaration (MND) or Negative Declaration (ND)
  - [ ] Filing Fee (new project)
  - [ ] Previously Paid F&W **(must attach F&W receipt and project titles must match)**
  - [ ] No Effect Determination **(F&W letter must be attached)**
- [ ] Notice of Exemption (NOE)
- [ ] Other (Please fill in type):

1. LEAD AGENCY: California Public Utilities Commission
2. LEAD AGENCY EMAIL: lisa.worrall@energy.ca.gov
3. PROJECT TITLE: San Jose Data Center
4. APPLICANT NAME: Michael Martin PHONE: 408-630-3095
5. APPLICANT EMAIL: michaelmartin@valleywater.org
6. APPLICANT ADDRESS: 5750 Almaden Expressway, San Jose, CA 95118
7. PROJECT APPLICANT IS A: [x] Local Public Agency [ ] School District [ ] Other Special District [ ] State Agency [ ] Private Entity
8. NOTICE TO BE POSTED FOR 30 DAYS.

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

Docusign Envelope ID: 744E41E5-D5AE-8EF0-817C-A30DC7A9928B

NOTICE OF DETERMINATION

Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118
(408) 265-2600

☒ Office of Land Use and Climate Innovation
1400 Tenth Street, Room 121
Sacramento, CA 95814

☒ County of Santa Clara County Clerk
110 West Tasman Drive
San Jose CA 95134

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

Contact Person:	Telephone No:	State Clearinghouse No:
Michael Martin	(408) 630-3095	2021020002

Project Title: San Jose Data Center

Project Applicant: Microsoft Corporation

Project Location: 1657 Alviso-Milpitas Road, San Jose, Santa Clara County

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.

Valley Water is approving an encroachment permit to install 315 linear feet of a 12-inch diameter HDPE pipe from their property into Coyote Creek. The piping will be used to discharge treated groundwater from the Applicant's property to support construction of the San Jose Data Center. Piping would be installed along the surface on the applicant's property and run through an existing pipe culvert through the western levee for Coyote Creek approximately 1400 feet north of Alviso-Milpitas Road. On the floodplain side of the levee the piping will continue along the ground surface along Valley Water property approximately 240 feet into Coyote Creek and terminate at an existing corrugated steel outfall. Where the pipe crosses the Coyote Creek maintenance road the pipe will be protected with a Road Crossing system. To install the pipe, the Applicant will access the Valley Water maintenance road to deliver the pipe. No ground disturbance or vegetation removal is required for the installation of the pipe. Discharge of groundwater will be continuous over a year-long period. Groundwater will be discharged at a rate of 100-200 gallons per minute. A monitoring system will be installed at the discharge site to monitor water quality. Applicant or Applicant's contractor requires pedestrian access to sample Coyote Creek upstream and downstream of the discharge point. Two people will enter Coyote Creek to conduct sampling by hand. The samples will be taken daily for the first week of the discharge and then weekly thereafter. Samples will be transported off site to a laboratory for analysis. If evidence of erosion is observed, additional erosion controls including straw mats, waddles, or sandbags may be used.

Docusign Envelope ID: 744E41E5-D5AE-8EF0-817C-A30DC7A9928B

The lead agency, California Public Utilities Commission, certified the Environmental Impact Report and approved the project on July 13, 2022.

This is to advise that the Santa Clara Valley Water District, acting as a responsible agency, has considered the Environmental Impact Report as prepared by the lead agency, and approved an Encroachment Permit on October 20, 2026, and made the following determinations regarding the above 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 program [☒ 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 provision of CEQA.

This is to certify that the final Environmental Impact Report with comments and responses and record of project approval is available to the General Public at: https://www.energy.ca.gov/powerplant/backup-generating-system/san-jose-data-center or

California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Copies of additional information regarding Valley Water's responsible agency environmental documentation and record of approval for the Encroachment Permit may be examined at:

Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118

Signature (Public Agency):	Title:	Date:
Signed by: Glenn Micko 4D8091BD129E446...	Permit Authority	10/22/2026

Notice of Determination

Appendix D

To:

☒ Office of Planning and Research

U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

Street Address:
1400 Tenth St., Rm 113
Sacramento, CA 95814

☐ County Clerk
County of: _____
Address: _____

From:
Public Agency: California Energy Commission
Address: 715 P Street, MS 40
Sacramento, CA 95814
Contact: Lisa Worrall
Phone: 916-661-8367

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): 2021020002

Project Title: San Jose Data Center

Project Applicant: Microsoft Corporation

Project Location (include county): 1657 Alviso-Milpitas Road, San Jose, Santa Clara County

Project Description:

See Attachment A

This is to advise that the California Energy Commission has approved the above
(☒ Lead Agency or ☐ Responsible Agency)

described project on July 13, 2022 (date) and has made the following determinations regarding the above 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:
https://www.energy.ca.gov/powerplant/reciprocating-engine/san-jose-data-center

Signature (Public Agency): Shawn Pittard Title: Deputy Director, STEP Division

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

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2011

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.

State of California - Department of Fish and Wildlife

2022 ENVIRONMENTAL DOCUMENT FILING FEE CASH RECEIPT

DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

Print [redacted] Save

RECEIPT NUMBER:
59 — 07/18/2022 — 077

STATE CLEARINGHOUSE NUMBER *(If applicable)*
2021020002

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY	LEADAGENCY EMAIL	DATE
California Energy Commission		07/18/2022

COUNTY/STATE AGENCY OF FILING	DOCUMENT NUMBER
OPR/SCH	

PROJECT TITLE

San Jose Data Center

PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER
Lisa Worrall	lisa.worrall@energy.ca.gov	(916) 661-8367

PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
715 P Street, MS 40	Sacramento	CA	95814

PROJECT APPLICANT *(Check appropriate box)*

☐ Local Public Agency ☐ School District ☐ Other Special District ☑ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

☑ Environmental Impact Report (EIR)	$3,539.25	$	3,539.25
☐ Mitigated/Negative Declaration (MND)(ND)	$2,548.00	$	0.00
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW	$1,203.25	$	0.00

☐ Exempt from fee
- ☐ Notice of Exemption (attach)
- ☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)	$850.00	$	0.00
☐ County documentary handling fee		$	
☐ Other		$	

PAYMENT METHOD:

☐ Cash ☐ Credit ☑ Check ☐ Other **TOTAL RECEIVED** $ 3,539.25

SIGNATURE	AGENCY OF FILING PRINTED NAME AND TITLE
X Meng Heu Digitally signed by Meng Heu Date: 2022.07.18 14:53:50 -07'00'	SCH

ORIGINAL - PROJECT APPLICANT COPY - CDFW/ASB COPY - LEAD AGENCY COPY - COUNTY CLERK DFW 753.5a (Rev. 01012022)

State of California - Department of Fish and Wildlife

2022 ENVIRONMENTAL DOCUMENT FILING FEE CASH RECEIPT

DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars ($50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- ☐ Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should he made payable to the county.)*
- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- ☐ Mail filing fees for **CRP** document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address balow made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also.

- ☐ Attach No Effect Determination to NOD *(no environmental filing fee is due).*

Filing Notice of Exemption (NOE) *(Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))*

- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt to NOE *(no environmental filing fee is due).*

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
The next eight digits automatically populate when a date is entered.
The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:
California Department of Fish and Wildlife
Accounting Services Branch
P.O. Box 944209
Sacramento, California 94244-2090