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Valley Water

NOTICE OF DETERMINATION

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

Lead Agency:
California Energy Commission
715 P Street, MS 40
Sacramento, CA 95814
Lisa Worrell, (916) 661-8367

☒ Office of Land Use and Climate Innovation
1400 Tenth Street, Room 121
Sacramento, CA 95818

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

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

Contact Person: Elise Latedjou-Durand	**Telephone No:** (408) 680-3205	**State Clearinghouse No:** **2021020002**

Project Title: San Jose Data Center Project

Project Location: The approximate 64.5-acre data center project site is located at 1657 Alviso-Milpitas Road in San Jose (Santa Clara County). The data center site is bounded by the San Jose-Santa Clara Regional Wastewater Facility dewatering facility to the north, Alviso-Milpitas Road to the south, Coyote Creek to the east, and the Pacific Gas & Electric Los Esteros Substation, the Los Esteros Critical Energy Facility, the Silicon Valley Advanced Water Purification Center, and undeveloped grassland to the west. The supporting infrastructure improvement areas for the proposed utilities and roadway infrastructure consist of approximately 6.7 linear miles of improvements located on undeveloped land west of the data center site along Zanker Road and McCarthy Lane.

Project Background
On July 13, 2022, the California Energy Commission (CEC), as the lead agency, considered and certified the San Jose Data Center (SJDC) Final Environmental Impact Report (EIR), filed a Notice of Determination and approved the SJDC Project. The SJDC Project is proposed by Microsoft Corporation (Microsoft) and involves the construction of a data center facility and related supporting infrastructure improvement areas located on approximately 64.5 acres of land at 1657 Alviso-Milpitas Road in the City of San Jose.

Since the Final EIR was certified, the City of San Jose (City), as the responsible agency and local land use agency, has requested modifications to the supporting roadway improvements and utility infrastructure (City Modified Project) included in the SJDC Project. Given the location of the proposed modifications in relation to Santa Clara Valley Water District (Valley Weter) facilities and the data center facility, certain changes would be required to the Silicon Valley Advanced Water Purification Center (Valley Water Purification Center), including relocating the parking lot facilities and the modular visitor center. The City analyzed these modifications to Valley Water facilities in an Addendum and determined that the modifications to the City Modified Project would not result in any new significant environmental impacts or a substantial increase in the severity of the impacts analyzed in the EIR. The City adopted a resolution approving the Modified Project and filed a Notice of Determination (NOD) to the Final EIR on April 9, 2025.

Valley Water is entering into an agreement, referred to herein as Site Works Agreement (Agreement), with Microsoft and the City. Entering into the Agreement would authorize the modifications to Valley Water Purification Center's parking lot and modular visitor center. These project modifications were analyzed in the City's Addendum.

Project Description: The CEC Project would involve the construction and operation of an approximately 396,914 gross square foot data center facility with a maximum electrical load of 99 MW on a 64.5-acre undeveloped site at 1657 Alviso-Milpitas Road in San Jose. In addition, the Modified project would include the following supporting infrastructure improvements west of the data center site:
- Extension of McCarthy Lane by approximately 1,150 feet to act as the primary access roadway to the data center site;
- Construction of a new Santa Clara Valley Water Purification Visitor Center parking lot;
- Relocation of the Santa Clara Valley Water Purification Visitor Center onto the new proposed

parking lot;
• Widening of Zanker Road and construction of new multimodal facilities (e.g., sidewalks and bike lanes) along Zanker Road; and
• Construction of new utility connections (potable water, fire water, recycled water, sanitary sewer, and storm drain) to support the proposed data center site.

The approval of the Agreement would authorize the above modifications to the Valley Water Purification Center's parking lot and modular visitor center.

The lead agency, CEC, certified the SJDC Project Final EIR in July 2022, made the CEQA required findings, and adopted a Mitigation Monitoring Reporting Program per Resolution No. 472 on December 8, 2015. The City, as responsible agency, approved the Addendum to the Final EIR on April 9, 2025, and adopted the CEC's mitigation measures.

This is to advise that Valley Water, as a responsible agency, has considered the Final EIR and addendum as prepared respectively by CEC and the City, concurs with the findings by the CEC and City as it relates to the environmental review of the SJDC and the City Modified Project and finds the EIR and Addendum and the mitigation measures adopted therein adequate to address the potential environmental effects of the SJDC and the City Modified project. As a result, no additional alternatives or mitigation measures are necessary.

\Valley Water approved the Agreement on July 14, 2026 and has made the following determinations regarding the Project:

1. The Agreement ☐ will, ☒ will not, have a significant effect on the environment.
2. ☒ Environmental Impact Report and Addendum were prepared for the SJDC Project pursuant to the provisions of CEQA.
   ☐ A Mitigated 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 records of the CEC Final EIR and the City Addendum are available at:

San Jose Addendum
https://url.us.m.mimecastprotect.com/s/tRMACVOKxRs5qMWAHyiBUE3kKe?domain=sanjoseca.gov
Final EIR Part 1
https://efiling.energy.ca.gov/GetDocument.aspx?tn=241977-1&DocumentContentId=75659
Final EIR Part 2
https://efiling.energy.ca.gov/GetDocument.aspx?tn=241977-2&DocumentContentId=75660

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

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

Melanie Richardson, P.E. - Interim Chief Executive Officer	Date:
Signed by: Melanie Richardson F08F305217A24A4...	7/15/2026