



NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

This Notice of Intent is provided to inform the public, responsible and trustee agencies, and county clerk that the California Energy Commission (CEC) staff proposes for adoption an Initial Study (IS)/ Mitigated Negative Declaration (MND) for the AVAIO Pittsburg Backup Generating Facility (PBGF). The PBGF would supply emergency power to the proposed Pittsburg Data Hub (PDH). The environmental effects of the PBGF and the PDH are collectively analyzed as the "project" in the IS/MND.

The CEC is responsible for reviewing, and ultimately approving or denying, all thermal electric power plants, 50 megawatts (MW) and greater, proposed for construction in California. The Small Power Plant Exemption (SPPE) process allows applicants with facilities between 50 and 100 MW to obtain an exemption from the CEC's jurisdiction and proceed with local approval rather than requiring certification by the CEC. AVAIO Infrastructure filed an application on February 29, 2024, requesting an SPPE for the AVAIO Pittsburg Backup Generating Facility. The CEC can grant an exemption if it finds that the proposed facility would not create a substantial adverse impact on the environment or energy resources.

Section 25519(c) of the Public Resources Code designates the CEC as the California Environmental Quality Act (CEQA) lead agency, as provided in section 21165 of the Public Resources Code, for all facilities that seek an exemption from the CEC's power plant certification process.

Project Title: AVAIO Pittsburg Backup Generating Facility (24-SPPE-01)

Project Location: The project site is located at 2232 Golf Club Road in the city of Pittsburg, Contra Costa County, California. The project site is approximately 22.31 acres and consists of two contiguous parcels (APNs 095-160-001 and 095-160-002) bounded by West Leland Road and existing residential development on the north, an existing Pacific Gas and Electric Company transmission easement on the east, and Contra Costa Canal on the south and west.

Hazardous Materials: The project site is not listed on the California Hazardous Waste and Substances Sites List (also known as the Cortese List), published under Government Code section 65962.5 or a list of hazardous waste facilities, hazardous waste property, or hazardous waste disposal site.

Project Description: AVAIO Infrastructure (applicant) is proposing to construct and operate the AVAIO Pittsburg Backup Generating Facility to provide emergency backup power to the proposed Pittsburg Data Hub. Collectively, the PBGF and the PDH comprise the "project." The main component of the PDH

would be a three-story 347,740 square foot data center building that would house computer servers for private clients in a secure and environmentally controlled structure. The data center building would consist of two main components; the data center suites that would house client servers, and the administrative facilities including support facilities such as the building lobby, restrooms, conference rooms, landlord office space, customer office space, loading dock and storage. The data center suite components would consist of three levels of data center space. Each level would contain two (2) data center suites and corresponding electrical/uninterruptible power supply rooms. The data center is being designed with an average rack power rating of 10 kilowatts (kW). The data center is expected to have between 20 and 30 employees and 12-15 visitors (including deliveries) visit the site per day. The PBGF would be an emergency backup generating facility with a generation capacity of up to 92 MW to support the need for the data center to provide uninterruptible power supply for its tenants' servers. The PBGF would consist of thirty-seven (37) 3-MW diesel-fired backup generators arranged in a generation yard located on the west side of the PDH. Thirty-six (36) of the generators would be dedicated to replace the electricity needs of the data center in case of a loss of utility power, and one of the generators would be used to support general office loads along with building and life safety services (house generator).

Availability of Initial Study/Mitigated Negative Declaration: The IS/MND for the AVAIO Pittsburg Backup Generating Facility has been filed in the CEC's docket for this project, which can be found on the AVAIO Pittsburg Backup Generating Facility webpage at the following link: [AVAIO Pittsburg Backup Generating Facility \(PBGF\) | California Energy Commission](#). Click Docket Log (24-SPPE-01) to find the IS/MND and all other documents filed in the proceeding. The docket can also be found at this link: <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=24-SPPE-01>.

In addition, the CEC's Docket Unit has all documents filed in this proceeding. If you would like to obtain a physical copy of a document, please contact the Docket Unit and specify you are looking for documents associated with proceeding 24-SPPE-01:

Docket Unit
California Energy Commission 715 P Street
Sacramento, CA 95814
(916) 654-5076

This Notice of Intent has been mailed to a list of nearby property owners compiled in accordance with CEQA Guidelines section 15072(b). Additionally, this

Notice of Intent has been provided to responsible agencies, trustee agencies, the Contra Costa County Clerk, and organizations and individuals who have previously requested such notice. The IS/MND was submitted to the State Clearinghouse for review by state agencies.

Staff Conclusions: CEC staff has completed an independent review of the AVAIO Pittsburg Backup Generating Facility and concludes that the project, as mitigated, would not have a significant impact on the environment. Staff finds that compliance with the mitigation measures detailed in the IS would be sufficient to ensure there would be no significant impacts from construction and operation of the proposed project.

IS/MND Public Review Period: The public review period for the IS/MND begins on October 14, 2025. Written comments will be accepted until 5:00 p.m. on November 13, 2025.

To use the CEC's electronic commenting feature, go to the CEC's webpage for this proceeding (identified above), click on the "Submit eComment" link, and follow the instructions in the online form. If you have a file you would like to submit, then use the "Submit e-filing" link. Be sure to include the project name in your comments. Once filed, you will receive an email with a link to them and the comments will be part of the proceeding's public record.

Interested parties may also subscribe via the project webpage (linked above) to receive electronic notices of all project-related activities and documents related to the CEC's evaluation of the application—look for the box with the words "Subscribe AVAIO Pittsburg Backup Generating Facility (PBGF)" to add your subscription email. Alternatively, you can go to the CEC's subscription page (<https://www.energy.ca.gov/subscriptions>) under "Power Plants Licensing and Projects" and check the "AVAIO Pittsburg Backup Generating Facility (PBGF)" box under "Projects Under Review Topics."

Next Steps and Business Meeting: Following the 30-day comment period, CEC staff will consider all public comments received on the IS/MND and schedule a decision on the MND and SPPE at a future publicly noticed CEC Business Meeting.