



**BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT**

March 10, 2023

Ms. Ann Crisp  
Senior Environmental Planner  
California Energy Commission (CEC)  
715 P Street, MS 40  
Sacramento, CA 95814

Re: Bowers Back-Up Generating Facility Notice of Preparation of Draft Environmental Impact Report

Dear Ms. Crisp:

Bay Area Air Quality Management District (Air District) staff has reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Bowers Back-Up Generating Facility (Project). The Project entails construction of a four-story 244,068 square foot data center building (Bowers Data Center) including a utility substation, emergency backup generating facilities, surface parking, landscaping and utility pipeline connections on a currently developed 5.12-acre site at 2805 Bowers Street in the city of Santa Clara. Silicon Valley Power (SVP) will supply electricity to the Bowers Data Center through a new 72 mega volt-ampere electrical substation that will be constructed adjacent to the site as part of the Project. The Project components also include switchgear and distribution cabling to interconnect the generators to the Bowers Data Center. To ensure reliability, the Bowers Data Center will be supported by uninterruptible power supplied to the Project during a utility outage via thirty-two (32) 2.75-megawatt (MW) Tier 4 diesel-fired emergency backup generators.

The Project is in an area that is disproportionately impacted by air pollution and identified as a disadvantaged community according to the Air District’s Community Air Risk Evaluation (CARE) program and State of California Senate Bill 535. The Air District continues to work to improve air quality to protect the health of the Bay Area public including Santa Clara County. We are concerned about the operation of this Project as it may have significant criteria pollutants, toxic air contaminants (TAC) and greenhouse gas (GHG) impacts on the nearby community.

Air District staff recommends the EIR include the following information and analysis:

- **The Project area is currently impacted by air pollution, which highlights the urgency of avoiding additional air pollution in the community.** Increases in air pollution exposure in areas that are already overburdened would be of concern;

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Dr. Philip Fine  
EXECUTIVE OFFICER/APCO

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therefore, the EIR should fully evaluate potential significant impacts and implement all feasible measures to minimize air quality impacts to the greatest extent possible.

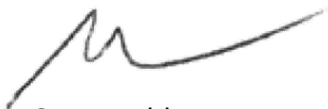
- **The EIR should estimate and evaluate the potential health risk to existing and sensitive populations near the Project area from toxic air contaminants (TAC) and fine particulate matter (PM2.5) as a result of the Project's construction and operation.** Air District staff recommends that the EIR evaluate potential cumulative health risk impacts of TAC and PM2.5 emissions on sensitive receptors near the Project area.
- **The Climate Impacts (GHG emissions) analysis should include a discussion of how the Project will implement land use and design elements to achieve the State's 2045 climate target.** The Air District's current recommended land use project thresholds of significance for climate impacts are based on the State's climate target of achieving carbon neutrality by 2045. If the CEC chooses to use the Air District's recommended thresholds for climate impacts, the EIR should demonstrate how the Project a) will incorporate the recommended design elements to do its fair share to achieve the goal of carbon neutrality by 2045; or b) is consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b). Further information on the recently updated climate impacts thresholds of significance can be found here: <https://www.baaqmd.gov/ceqa-guidelines>. The recommended design elements are:
  1. The Project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
  2. The Project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.
  3. The Project will achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA.
  4. The Project will achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.
- **The EIR should include various scenarios of backup power generation operations beyond routine testing and maintenance.** Air District staff recommends that the EIR include GHG, criteria pollutant and TAC impacts due to the non-testing/non-maintenance operations of backup power generators. Various scenarios should be considered for non-testing/non-maintenance operations, including non-zero hours of operation and concurrent generator operations.

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- **The EIR should evaluate all feasible measures, both onsite and offsite, to reduce air quality impacts to a less-than-significant level.** The EIR should prioritize onsite mitigation measures, followed by offsite mitigation measures, within the Project area. Examples of potential emission reduction measures that should be evaluated and considered include, but are not limited to:
    - Prohibit or minimize the use of diesel fuel, consistent with the Air District's Diesel Free By '33 initiative (<http://dieselfree33.baaqmd.gov/>)
    - Require construction vehicles to operate with Tier 4 or zero-emission engines as commercially available
    - Use grid power for construction activities whenever possible; if grid power is not available, use alternative power such as battery storage, hydrogen fuel cells, or renewable fuels. If no other options are available, use Final Tier 4 diesel generators
    - Prohibit trucks from idling for more than two minutes or prohibit idling altogether
    - Implement a program that incentivizes construction workers and building tenants to carpool, use EVs, or use public transit to commute to and from the site. The program may include the following features, as feasible:
      - Provide a shuttle service to and from BART
      - Provide preferential parking to carpool vehicles, vanpool vehicles, and EVs
      - Schedule work shifts to be compatible with the schedules of local transit services
    - Install electric vehicle charging infrastructure
    - Install outdoor electrical receptacles for charging or powering of electric landscape equipment
  - **Implement green infrastructure and fossil fuel alternatives in the development and operation of the Project, such as solar photovoltaic (PV) panels, electric heat pump water heaters, and solar PV back-up generators with battery storage capacity, and commit to pursue carbon-free electricity service if on-site renewables do not meet the full electricity demand.**
  - **The EIR should evaluate the Project's consistency with the Air District's 2017 Clean Air Plan (2017 CAP).** The EIR should discuss 2017 CAP measures relevant to the Project and show the Project's consistency with the measures. The 2017 CAP can be found on the <https://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>.

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- **The Air District's CEQA website contains several tools and resources to assist lead agencies in analyzing air quality impacts.** These tools include guidance on quantifying local emissions and exposure impacts. The tools can be found on the Air District's website: <https://www.baaqmd.gov/ceqa-resources>.
  - **Certain aspects of the Project will require a permit (Authority to Construct/Permit to Operate) from the Air District.** Please contact Barry Young, Senior Advanced Projects Advisor, at (415) 749-4721 or [byoung@baaqmd.gov](mailto:byoung@baaqmd.gov) to discuss permit requirements. Any applicable permit requirements should be discussed in the EIR.

We encourage the CEC to contact Air District staff with any questions and/or to request assistance during the environmental review process. If you have questions regarding these comments, please contact Andrea Gordon, Senior Environmental Planner, (415) 749-4940, [agordon@baaqmd.gov](mailto:agordon@baaqmd.gov).

Sincerely,



Greg Nudd  
Deputy Air Pollution Control Officer

Cc: BAAQMD Director Margaret Abe-Koga  
BAAQMD Director Otto Lee  
BAAQMD Director Sergio Lopez  
BAAQMD Director Vicki Veenker