

AI DATA CENTER CAMPUS:

The AI Data Center located at Aten and Clark Road in Imperial County is a state-of-the-art facility dedicated to artificial intelligence and machine learning training operations. This industrial-scale campus includes a high-performance data center core, along with integrated supporting infrastructure essential for uninterrupted operation. The AI Data Center Campus meets the stringent requirements of a Tier 4 facility (26.3 min annual downtime). Key components of the Data Center include:

(1). Primary Building: The 877,500 square foot main building processes the artificial intelligence and machine learning and is designed to support large-scale model training and computational workloads.

(2). Electric Substation: The 330MW grid-supplied electricity is from Imperial Irrigation District and arrives at the Data Center from the 230kV S-Line (250MW) and 92kV R-Line (80MW) and is stepped down by the on-site 330 MW Substation. **The substation is solely for the Data Center**, a necessary component to step down power.

(3). Short-Term Power System: Onsite energy systems include an 862 MWh Battery Energy Storage System (BESS) for short-duration power continuity by providing immediate power coverage (milliseconds) to maintain critical loads. **The BESS will not export electricity to the grid; its use is solely for the Data Center.**

(4). Emergency Blackouts: Onsite backup energy systems include the 330 MW emergency backup generator building. The natural gas generators will operate solely during emergency blackouts. **The generators will not connect to the grid and will not export electricity, their use is solely for the Data Center.** The generators are certified for emergency applications by the EPA, which ensures they meet federal emission standards for backup generators. The generators will be connected to the Southern California Gas Company's high-pressure natural gas lines on Aten Road, ensuring a continuous fuel supply.

Together, these components -- substation, battery backup, and generator backup -- from the integrated supporting infrastructure essential for uninterrupted operation, which is necessary for cutting-edge advanced computational artificial intelligence and machine learning training.

DATA CENTER IS A PERMITTED USE:

The Data Center and supporting infrastructure is situated on M-2 (Medium Industrial) Zone which permits data centers by right as a permitted use. (Zoning Ord.§ 90516.01(w); **“Data Centers” are permitted use in the M-2 Zone**). It is also located on M-1 (Light Industrial)

Zone which also permits data centers by right as a permitted use. (Zoning Ord. § 90515.01(bbb) **“Data Center” are “permitted” as of right in the M-1 Zone.**)

The M-2 (Medium Industrial) Zone’s permitted uses include: “Accessory buildings and/or structures necessary to such use located on the same lot or parcel of land as the primary structure or use.” (Zoning Ord. § 90516.01(w)).

“Accessory Building/Structures” is defined as a “detached structure that is a subordinate building or structure to the primary use/structure, the use of which is **customarily incidental to that of the main building** or to the main use of the land, which is located on the same lot/parcel with the main building or use.” (Zoning Ord. § 91404.11). “Accessory Use” is defined as a “structure/use that is: (a). Subordinate to and serves a primary building or principal use; and (b). Is subordinate in area, extent, or purpose to the principal use; and (c). **Contributes to the comfort, convenience or necessity of the principal building/use;** (d). Is located on the same lot/parcel as the principal use.” (Zoning Ord. § 91404.11).

The substation is exclusively for the data center. The battery backup is also solely for the data center, it will not export electricity to the grid. The emergency backup generators will operate solely during emergency blackouts, they will not connect to the grid and will not export electricity, their use is solely for the data center. Data centers supporting advanced AI are typically built with similar power and redundant backup infrastructure. The supporting infrastructure is essential, no AI-data-centers are without a substation to supply power, or redundant backup components. This is typical of AI-data-center’s throughout the nation.

The substation, battery backup and emergency generator backup support the definition of accessory “structures necessary to such use [data center] located on the same lot or parcel of land as the primary structure or use.” (Zoning Ord. § 90516.01(w)). The substation, battery backup and emergency generator backup also support the definition because they are subordinate “structures to the primary use/structure” and they are “customarily incidental to that of the main building or to the main use of the land, which is located on the same lot/parcel with the main building or use.” (Zoning Ord. § 91404.11).

Said differently, the **data center is a permitted use**, and the **substation, battery backup and emergency generators are permitted accessory uses** because they meet the definition of accessory “structures necessary” for the data center and are “located on the same lot” as the data center (Zoning Ord. § 90516.01(w)). The substation, battery backup and emergency generator backup are subordinate “structures to the primary use/structure” and they are “customarily incidental” to data center’s “or to the main use of the land” and they are “located on the same lot/parcel with” data center (§ 91404.11).

STATUTORY AND CATEGORICAL EXEMPTION FROM CEQA:

Public Res. Code § 21080.1(a) the “lead agency [Imperial County] shall be responsible for determining whether the project is **exempt from** CEQA and that “determination shall be final and conclusive on all persons, including responsible agencies.” If the Data Center is exempt, CEQA inquiry ends. The AI Data Center meets two exemptions:

The ministerial project exemption categorically exempt the Data Center from CEQA review, regardless of potential environmental impacts, because its located on M-1 industrial zoned land in which data center are a permitted use as of right. See 14 Cal. Code Reg. § 15268(a) **“Ministerial projects are exempt from the requirements of CEQA.”** See Imperial Zoning Ordinance § 90515 - 01 sub. bbb; “Data Center” are “permitted in the M-1 Zone” by right.

Pub. Res. Code § 21080.69(a)(4) exempts from CEQA review “projects that consists exclusively of a facility for advanced manufacturing, as defined in Section 26003, if the project is located on a site zoned exclusively for industrial uses.” The Data Center’s main function is artificial intelligence, machine learning, and high-throughput computing which directly aligns with the advanced manufacturing outlined in § 26003(a)(1)(A)(i)-(vi) and § 26003(a)(1)(B). The AI Data Center satisfies both statutory elements : (1) it is exclusively a facility for advanced manufacturing, and (2) it is located in an industrial zone.

California’s new legislation recognizing **AI-enabled data centers as advanced manufacturing exempts from CEQA review**, aligns with federal policies that identify artificial intelligence infrastructure as a matter of national interest.