

# Appendix A

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Notice of Preparation  
and Public Comments



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY  
PLANNING DEPARTMENT

Chris Bazar  
Agency Director

**Notice of Preparation and Notice of Scoping Meeting  
for an Environmental Impact Report**

Albert Lopez  
Planning Director

**Date:** May 4, 2020

224  
West Winton Ave  
Room 111

**To:** Responsible Agencies, Agencies with Jurisdiction by Law, Trustee Agencies, Involved Federal Agencies, and Agencies/Organizations/ Individuals Requesting Notice

Hayward  
California  
94544

**From:** County of Alameda Community Development Agency, Planning Department

phone  
510.670.5400  
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510.785.8793

**Subject:** Notice of Preparation of an Environmental Impact Report for the Aramis Solar Energy Generation and Storage Project, County Planning Application PLN2017-00174

www.acgov.org/cda/  
planning

The County of Alameda (Lead Agency) will prepare an Environmental Impact Report (EIR) for the proposed Aramis Solar Energy Generation and Storage Project (Project). The Project is an application for a Conditional Use Permit (CUP) to allow construction of a solar energy production (up to 100 megawatts, or MW) facility with associated battery storage using photovoltaic panels over a mostly contiguous 533-acre site, subject to the provisions of the County Zoning Ordinance (Title 17, Section 17.54.130). A parcel map subdivision to separate a roughly 150-acre portion of one Project parcel from the Project development site is also proposed.

This Notice of Preparation (NOP) is being distributed to applicable responsible agencies, trustee agencies, and interested parties as required by the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15082. Comments from agencies and interested parties are requested as to the scope and content of the environmental review in connection with the proposed Project. The County is particularly interested in hearing from public agencies regarding their objectives for environmental information to be included in the EIR that is germane to those public agencies' statutory responsibilities pertaining to the Project, and how such information in the EIR will inform such agencies when considering issuing permits or other approvals for Project-related activities. The purpose of the EIR will be to evaluate the specific environmental effects of the Project as proposed by IP Aramis, LLC, a subsidiary of Intersect Power, LLC.

Due to the time limits mandated by state law, public agencies are requested to send their responses to this Notice to the County at the address and person provided above as soon as possible but not later than 30 days after receipt of this Notice (which the County will assume is no later than May 6, 2020 unless documented otherwise). Members of the public should provide scoping comments by Friday, June 5, 2020, 5:00 p.m. Agencies and organizations are requested to provide a contact name in your organization for any further consultation.

**PROJECT LOCATION**

The site is comprised of large portions of four privately-owned parcels in the unincorporated North Livermore area of Alameda County, approximately 2.25 miles north of the Livermore city limits and Interstate I-580. The Project site is within Sections 16 and 17 of Township 02 South, Range 02 East and unsurveyed land of the Las Positas Land Grant, Mount Diablo Base and Meridian. The Project site is located within the "Tassajara, CA" and "Livermore, CA" USGS 7.5-minute quadrangles. Refer to **Figure 1** for the Project's regional location and **Figure 2** for an aerial photograph of the Project site.

The Project parcels (Assessor’s Parcel Numbers, or APNs) are outlined in a table to the right. The largest parcel (536 acres) bears the address of 1815 Manning Road (903-0006-001-02) and lies directly west of North Livermore Avenue and south of Manning Road where these roads terminate at an L-intersection with each other. Approximately 350 acres of this large parcel is proposed for Project development; an estimated 150 acres to the northwestern is moderately to steeply sloped, and is proposed to be subdivided to legally separate it from the real property affiliated with the proposed Project development. Another estimated 36 acres of this parcel is not suitable for development of Project uses and is thus not included in the overall Project development area. To the south of this parcel is the roughly 101-acre Stanley Ranch at 4400 North Livermore Avenue (APN 903-0006-003-07), of which about 30 acres would be used for the Project. The remainder of the Ranch is used for intensive crop production, some residences and other agricultural operations and structures.

APN	Total Area (acres)	Project Development Area (acres)
903-0006-001-02	536	350
903-0006-003-07	101	30
903-0007-002-01	50	44
902-0001-005-00	60	56
<b>Total</b>	<b>747</b>	<b>580</b>

Directly north and across Manning Road from the large parcel, bordering Manning Road for about 800’ west from North Livermore Avenue, is an approximately 50-acre parcel (APN 903-0007-002-01) with no designated address. The fourth parcel (APN 902-0001-005-00), also with no address is about 60 acres in area and lies approximately 800’ north and east of the terminus of North Livermore Avenue at Manning Road (and east of the 50-acre parcel, with no frontage along on any County road). Small portions of these two parcels are not suited for development due to small stream courses. The total Project development area or ‘envelope’ is therefore approximately 580 acres, or all of the Project parcels excluding only the northwestern 150-acre portion of the large parcel that will be separated by the proposed subdivision, the 36-acre portion that is unsuited for development, and the majority portion of the Stanley Ranch that is not planned for Project use.

The northern three parcels (excluding the Stanley Ranch parcel) are characterized by open pasture type land, used for dryland farming, not irrigated crop production, and not containing other development, including any residence, barn structures or extensive road network. The large parcel, as noted, has a hilly northwestern section, and has only a small number of trees in its level area, near Cayetano Creek.

**GENERAL PLAN LAND USE DESIGNATION AND ZONING**

The majority of the Project site is designated Large Parcel Agriculture (LPA) in the East County Area Plan (ECAP), and all of the site is in the A (Agriculture) zone district of the County Zoning Ordinance (Alameda County General Ordinance Code, Title 17). The northern portions of the two parcels north of Manning Road, an area on both parcels of approximately 23 acres, are designated in the ECAP as Resource Management (RM). Additionally, a 400'-wide corridor centered along Cayetano Creek, an estimated 78 acres, is designated Water Management (WM) within the southern two Project parcels. The ECAP, as amended in November 2000 by voter approval of Measure D, also known as the *Save Agriculture and Open Space Lands Initiative*, amended the definitions of LPA, RM and WM to limit residential and non-residential floor area, and except for infrastructure as provided under Policy 13 of the ECAP (added by Measure D), requires all buildings to be located in development envelopes of no more than two acres unless necessary for agricultural uses. Policy 13 prohibits the County from developing new infrastructure that exceeds the need for development allowed by Measure D, that would be growth-inducing or otherwise result in more capacity than necessary for providing public services and utilities.

Among the allowed uses in the LPA land use designation besides agricultural and residential uses are “public and quasi-public uses, solid waste landfills and related waste management facilities, quarries, windfarms and related facilities, utility corridors, and similar uses compatible with agriculture.” The RM designation “permits agricultural uses, recreational uses, habitat protection, watershed management, public and quasi-public uses, areas typically unsuitable for human occupation due to public health and safety hazards such as earthquake faults, floodways, unstable soils, or areas containing wildlife habitat and other environmentally sensitive features, secondary residential units, active sand and gravel and other quarries, reclaimed quarry lakes, and similar and compatible uses. ... This designation is intended mainly for land designated for long-term preservation as open space but may include low intensity agriculture, grazing, and very low density residential use.” The WM designation specifies that it “provides for sand and gravel quarries, reclaimed quarry lakes, watershed lands, arroyos, and similar and compatible uses”<sup>1</sup>

Within the LPA land use designation, utility-scale solar energy facilities are considered comparable to “windfarms and related facilities, utility corridors, and similar uses compatible with agriculture.” (See further discussion below.) However, the County does not generally consider utility-scale solar energy facilities to be compatible with the RM land use designation and its emphasis on, in addition to agriculture, “recreational uses, habitat protection, watershed management, public and quasi-public uses”, and its intent of preserving open space. Broadly speaking, the County considers the WM designation suited to established quarries with their-highly regulated reclamation plans and specialized permits, and not meant for large solar energy facilities. However, the Project has been proposed to encroach over an estimated 23 acres at the northernmost portions of the northern two parcels designated as RM, and roughly 18 acres of WM-designated land in the southern two parcels.

The A (Agriculture) zone district established by the Zoning Ordinance (Section 17.06) establishes permitted and conditionally permitted uses. The intent of the district is: “to promote implementation of general plan land use proposals for agricultural and other non-urban uses, to conserve and protect existing agricultural uses, and to provide space for and encourage such uses in places where more intensive development is not desirable or necessary.” Among conditionally permitted uses are “Privately owned wind-electric generators”.<sup>2</sup>

Although the ECAP and the Zoning Ordinance do not have provisions permitting solar panels on a utility-production scale such as the proposed Project, Section 17.54.050 of the Ordinance provides a procedure for “uses not listed”, stating that “Whenever there is doubt as to the district classification of a use not listed in any part of this title, the planning department may refer the matter to the planning commission for action pursuant to Section 17.54.060. The referral shall include a detailed description of the proposed use.” Section 17.54.060 directs the planning commission to:

“... make such investigations as are necessary to compare the nature and characteristics of the use in question with those of the listed uses in the various districts. If the use is found to be, in all essentials pertinent to the intent of this title of the same character as a permitted use in any district or districts, or of the same character as a conditional use in any district or districts, the commission shall so determine and the order shall be final, unless a notice of appeal is filed pursuant to [Section 17.54.670](#) within ten days after the date of such an order. The person requesting the determination shall be notified forthwith and the final determination shall become a permanent public record.

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<sup>1</sup> East County Area Plan, a part of the Alameda County General Plan, 1996, as amended by Measure D, Nov. 2000 (as finally adopted and updated May 2002), pp. 47-48.

<sup>2</sup> Alameda County General Ordinance, Title 17, Section 17.06.040.M.

With respect to Section 17.54.050 of the Ordinance it is the County staff's view that there is no "doubt as to the district classification of a use not listed", because the County Planning Commission and other decision-makers have previously made determinations that solar electric facilities would not be contrary to the specific intent clauses or performance standards established for the A District and could be permitted under a CUP. Specifically, in June 2008 the Alameda County Planning Commission made findings pursuant to the aforementioned Sections 17.54.050 and 17.54.060 for a proposed utility-scale solar facility.<sup>3</sup> These findings were reiterated by the County in the approval in December 2011 of another solar facility<sup>4</sup> and the denial by the County Board of Supervisors in early 2012 of an appeal of the same approval.<sup>5</sup> In its consideration of the appeal, the Board affirmed the Planning Department's and prior determination in 2008 that a solar energy facility is allowed as a "public and quasi-public use" consistent with the LPA designation.

The proposed Project parcels are designated as "Grazing Land" by the California Department of Conservation's Farmland Mapping and Monitoring Program. The Stanley Ranch parcel is enrolled in the state's Williamson Act program. The EIR will evaluate the proposed Project's compatibility with the County's Uniform Rules and Procedures Governing Agricultural Preserves and Williamson Act Contracts. The applicant proposes continued agricultural operations co-incident with solar electricity generation, as described under "Operations" below.

*Adjacent Uses.* Surrounding properties are also primarily in the A zone district; two homes along Bel Roma Road are in an R-1 (Single Family Residential) zone district for rural residential uses on typically five-acre lots, about 1,200 feet to the east. Surrounding land uses include grazing, intensive agriculture, the PG&E substation, and residential uses. Another solar energy facility is proposed by an unrelated applicant on the east side of North Livermore Avenue, north of May School Road. The area contains important plant and animal habitat, partly in association with Cayetano Creek, an intermittent waterway.

## **PROJECT OVERVIEW**

The proposed Project includes a parcel subdivision and a utility-scale solar energy generation and battery storage facility, anticipated to generate up to 100 megawatts (MW) using photovoltaic (PV) modules connected in strings mounted onto a single-axis tracker racking system, which would be affixed to steel piles. The module strings would track the sun during the day, from east to west, to optimize power generation of the facility. Modules would be connected by low-voltage underground or under-panel, rack-mounted electrical wiring to a central inverter station or to string inverters located throughout the facility, where the electricity would be converted from direct current (DC) to alternating current (AC). The system would then step up the voltage of the electricity to a medium voltage (MV) of 34.5 kV (or lower suitable voltage) to collect the energy generated to a Project substation. Medium-voltage lines would be buried for a majority of their length, but would emerge above-ground and be mounted on up to 2 overhead wooden utility poles on either side of Manning Avenue and up to 20 additional wooden poles to cross Cayetano Creek and its tributaries, to cross an access driveway, and where a connection to the substation must be overhead. The substation would step up the MV collected energy to the interconnection voltage via one or more step up transformers. The substation would meter Project energy pursuant to the Interconnection Agreement and Power Purchase Agreement(s) with the utility and offtaker(s).

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<sup>3</sup> County of Alameda Planning Commission, June 16, 2008, Meeting Minutes, item D-165, GreenVolts, Inc.

<sup>4</sup> County of Alameda, East County Board of Zoning Adjustments, December 15, 2011, Resolution No. Z-11-72, Conditional Use Permit PLN2011-00009, Cool Earth Solar, Inc.

<sup>5</sup> County of Alameda Board of Supervisors, February 28, 2012, Planning Meeting, Summary Action Minutes.

The maximum height of the modules would be approximately 8 feet. The maximum height of the medium-voltage electrical poles would be approximately 70 feet at the Manning Avenue crossing, and would otherwise be approximately 50 feet tall.

The applicant has designed the facility such that all structures are proposed to be placed outside of the 100-year floodplain of Cayetano Creek as determined through hydrologic modeling, outside areas designated Water Management in the East County Area Plan, and in no case closer than 50 feet from the banks of Cayetano Creek or its tributaries as determined by a qualified biologist.

The applicant proposes, as a part of the large parcel subdivision, to offer dedication of an easement to Alameda County (or the Livermore Parks & Recreation District, which manages open space and trail development in conjunction with the East Bay Regional Parks District) for use as a public hiking trail along Cayetano Creek outside of the Project's development footprint.

### **Project Substation and Gen-Tie Lines**

The Project substation would provide circuit breakers, switches, protection relays, and other necessary equipment to reliably and safely protect the electrical infrastructure.

The proposed Project substation is adjacent to the existing PG&E Cayetano Substation, allowing the gen-tie to be approximately 500 feet and overhead with a possibility of underground construction as well. Overhead lines would be constructed on either tubular steel poles or wood H-fames and may be constructed to be single-circuit or double-circuit. The heights of the overhead poles could vary from 30 to 100 feet, depending on the entry angle required by the interconnecting utility. A limited amount of work inside the Cayetano Substation may also be required by PG&E and would be performed by the utility. Changes to structure heights and number of structures within the substation fence could occur as a result of Project interconnection.

The northern portion of the Project site (north of Manning Road) would be connected to the southern property via medium-voltage distribution lines. Medium voltage distribution lines would be routed either overhead or underground. An encroachment permit would be obtained for the crossing of Manning Avenue, as necessary.

### **Energy Storage**

A lithium ion battery storage system would be located on-site near the PV system transformer, which would be shared with the battery system. The battery storage system will be designed to accept up to 100 MW of electrical generation, and subsequently dispatch stored electricity during times of peak demand. Batteries would be contained in several locking metal electrical enclosures, each with individualized fire suppression systems. Low-voltage wiring from battery enclosures would be underground and converted as a bi-directional inverter station and transformed at the shared transformer. The system would fit in four 100-foot by 180-foot buildings which would be sited near the operations and maintenance (O&M) building.

### **Support Facilities**

The Project components would be enclosed by security fencing. Locked gates would provide two points of ingress/egress and pathways within the fence line would provide access for routine maintenance of the system. A meteorological station would collect site-specific weather data. A fiber optic telecommunications line required by the interconnecting utility would be integrated with the gen-tie line. An electrical

control enclosure would be included on site for the operations electrician to monitor and manage the system.

Shielded, downward directional security lighting would be located at the control enclosure and O&M building for emergency repairs. Night lighting would not be required except during scheduled maintenance periods and emergency repairs.

Signage would be limited to what is required by the interconnecting utility and County and would conform to County guidelines.

### **Project Construction**

The duration of Project construction would be approximately 9 months. Project construction would consist of the installation of interconnection facilities, site preparation, cable installation, pile and skid installation, tracker and module installation, and lastly, site cleanup.

During construction, it is anticipated that up to 50,000 gallons of water would be used daily and that a total of up to 42 acre-feet would be used for construction purposes and dust suppression (including truck wheel washing). Water for dust suppression during construction (and for subsequent panel washing during operations) would be obtained via an onsite well, offsite well, or procured from a local water authority.

During construction, a maximum of 400 construction workers would be on site during the peak work period. During the peak construction period (anticipated to last up to 5 months), workers would travel to and from the site daily, at an average one-way distance of 20 miles. Local labor would be used to the maximum extent practicable.

### **Operations**

The Project would passively generate power during daylight hours 7 days per week, 365 days per year. The facility would be tested, maintained, and inspected daily by a remotely dispatched staff of approximately 4 technicians. Emergency maintenance would occur as needed by remotely dispatched technicians. Depending on the modules ultimately installed, modules would either be washed once annually by a crew of up to 12 technicians using water trucks equipped with backpack sprayers, or be passively cleaned during rainwater events. Water for module washing would be obtained as described above. Maintenance activities would occur only during the daytime, except for the occasional emergency maintenance which may require night dispatch. At the conclusion of Project construction, operations-phase water quality best management practices (BMPs) would be installed to ensure long-term avoidance and minimization of stormwater runoff and sedimentation in Cayetano Creek or its tributaries.

Project operations would adhere to an Agricultural Management Plan (AMP) to ensure consistency of the facility with adjacent agricultural land uses. The AMP would fulfill the following project objectives:

- Promote continued agricultural use of the project site
- Promote wool production
- Promote honey-bee forage vegetation and control invasive weeds
- Promote pollination services and honey production
- Maintain soil capability and minimize agricultural water use

■ Manage onsite fuel load of vegetation

The Project owner would work with commercial beekeepers and sheep operators to both ensure the Project is developed for viable sheep and bee operations and to provide for routine, periodic access to the Project site when forage conditions are favorable.

## **ENVIRONMENTAL TOPICS TO BE EVALUATED IN THE DRAFT EIR**

Based on the Lead Agency's understanding of the environmental issues associated with the proposed Project, the topics anticipated to require analysis in the Draft EIR will include, but not be limited to: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, recreation, transportation and traffic, and utilities and service systems. The Lead Agency will not prepare an Initial Study for this Project.

In accordance with Section 15082(a)(1)(C) of the State CEQA Guidelines, below is a summary of the probable (or potential) environmental effects of the proposed Project for each environmental resource to be analyzed in the Draft EIR:

**Aesthetics:** The proposed Project may result in environmental impacts to aesthetic resources. The EIR will evaluate whether implementation of the Project could result in significant alterations to viewsheds and visual character as well as lighting and glare conditions of the County. Visual simulations of the proposed Project under post-development conditions will be prepared.

**Agricultural Resources:** The proposed Project may result in environmental impacts to agricultural resources. The EIR will evaluate whether implementation of the Project could result in adverse impacts or loss of agricultural resources (temporary and permanent) in the County. The extent of potential resource loss will be identified as well as the extent of potential conflict with agricultural operations based on consultation with the County and agricultural stakeholders.

**Air Quality:** Air quality impacts are anticipated to be limited to construction-related emissions. The EIR will identify current ambient air quality conditions of the County and will review and identify applicable federal, state, Bay Area Air Quality Management District and County policies and regulations. The potential air quality impacts will be described based on the Project-specific technical report to be prepared.

**Biological Resources:** The proposed Project may result in environmental impacts to biological resources. A summary of important biological resources (habitats, known locations of special-status species, movement corridors, etc.) will be mapped and provided in the EIR. The extent of potential impacts will be described based on the Project-specific technical reports to be prepared.

**Cultural Resources:** The proposed Project may result in environmental impacts to cultural resources. The Cultural Resources section of the EIR will describe the known resources on the Project site and vicinity, if any, and potential for impacts to those resources. If necessary, mitigation and monitoring measures will be described. This section will be based on a Cultural Resources Technical Report to be prepared.

Assembly Bill (AB) 52 involves formal consultation by the County with the potentially affected tribes. Formal notification by the County to California Native American tribes that have requested such notification of the Project offering consultation under AB 52 was sent on April 8, 2020.

**Energy:** The proposed Project may result in environmental impacts to energy resources. As part of the preparation of the Project-specific Air Quality, Greenhouse Gas, and Energy Technical Report, energy consumed by the development of the proposed Project and generated by the operation of the proposed Project will be estimated and assessed.

**Geology and Soils/Mineral Resources:** The proposed Project may result in environmental impacts to geology and soils but is not anticipated to result in environmental impacts to mineral resources. However, the EIR will provide mapping and technical information on geologic and seismic stability of renewable sites and transmission corridors including information on soil conditions. This will also include the identification of important mineral resource sites (if any).

**Greenhouse Gases:** The proposed Project is anticipated to benefit the County and state efforts to reduce greenhouse gas (GHG) emissions during construction and has the potential for GHG emissions to be reduced as a result of renewable energy production. Nonetheless, the Project-specific Air Quality, Greenhouse Gas, and Energy Technical Report cited above will assess the greenhouse gas emissions that may be associated with Project construction and operation.

**Hazards/Hazardous Materials:** The proposed Project may result in environmental impacts with regard to hazards and hazardous materials. The extent of exposure of County residents to be exposed to hazards and hazardous materials will be addressed in the EIR. The EIR will identify and address both natural and man-made hazards (e.g., wildland fires, hazardous materials and exposure to contamination, and potential aviation impacts).

**Hydrology and Water Quality:** The proposed Project may result in environmental impacts to hydrology and water quality resources. The extent of the solar energy site's impact to surface water features and groundwater resources of the County will be analyzed. Any areas where groundwater resources are limited and additional demand may result in overdraft concerns will be identified. Applicable federal, state, and County policies and regulations (e.g., implementation of National Pollutant Discharge Elimination System [NPDES] permit requirements to protect water quality) will be identified and addressed.

**Land Use and Planning:** The proposed Project may result in environmental impacts to land use and planning. This section of the EIR will address whether the Project and development of the Project would result in conflicts with the County's General Plan and associated land use plans and ordinances that could result in physical impacts to the environment. The section will also include the identification of any land use conflicts associated with the Project's proximity to adjacent land uses.

**Noise:** The proposed Project may result in environmental impacts regarding noise during construction. Project construction would adhere to current County noise standards and policies. The extent of potential noise impacts will be described based on the conclusions of Project-specific Noise Analysis Technical Letter.

**Population and Housing:** The Project is not expected to result in any significant changes to population or housing in the County.

**Public Services/Recreation/Utilities:** The proposed Project may result in environmental impacts to public services and utilities but is not anticipated to have impacts to recreation resources. The EIR will

identify where transmission facilities and associated capacity is available for use by the Project. The EIR will also address potential public service and utility demands of the proposed Project (i.e., fire protection, law enforcement, water supply) based on consultation with applicable service providers. Potential conflicts with existing and planned recreational uses and activities will also be identified (if any).

**Transportation/Circulation:** Potential traffic impacts are anticipated to be limited to construction activities. The extent of potential traffic impacts will be described in the EIR based on the conclusions of Project-specific Transportation Impact Study.

## **POTENTIAL ALTERNATIVES TO BE EVALUATED IN THE DRAFT EIR**

In accordance with Section 15126.6 of the State CEQA Guidelines, an EIR must “describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain most of the basic objectives of the Project, but would avoid or substantially lessen any of the significant effects of the Project, and evaluate the comparative merits of the alternatives.” As required by CEQA, the Draft EIR will evaluate a No Project Alternative. Aside from the No Project Alternative, the County has not yet determined what additional alternatives to the Project will be evaluated in the Draft EIR. An alternative location is not presently under consideration, nor is it expected to be evaluated other than within the brief discussion of alternatives that were rejected. Comments on this Notice of Preparation may lead to consideration of other alternatives. Once selected, the alternatives will be analyzed at a qualitative level of detail in the Draft EIR for comparison against the impacts identified for the proposed Project, consistent with the requirements of CEQA. As required by CEQA Guidelines Section 15126.6 (e)(2) the Draft EIR will identify the environmentally superior alternative, including one other than the No Project Alternative.

## **INTENDED USES OF THE DRAFT EIR**

The Draft EIR will evaluate the environmental effects associated with the implementation of the Aramis Renewable Energy Project. The Draft EIR is intended for public participation and disclosure, and ultimately for consideration by the County in making a decision about whether or not to approve the CUP and parcel subdivision, as well as for use by other agencies, as needed. Upon incorporation of public and agency comments on the Draft EIR, the County anticipates preparing and publishing a Final EIR. The East County Board of Zoning Adjustments will then determine whether to certify the EIR in compliance with the CEQA Statute and Guidelines, and the County and other agencies, as needed, will determine whether to issue permits for the Project. It is expected that these approvals could include, but are not limited to, the following:

### **County of Alameda**

- Conditional Use Permit to operate a solar photovoltaic and electricity storage facility; and
- Subdivision of APN 903-0006-001-02 to modify the eastern boundary of legal parcel of the proposed solar facility and create a distinct parcel.
- Other local approvals that may be required:
  - Grading permits;
  - Encroachment permits;
  - Building permits; and,
  - Other State or Local Agencies as Required

**NOTICE OF SCOPING MEETING AND REQUEST FOR WRITTEN COMMENTS**

The Lead Agency solicits comments regarding the scope and content of the EIR from all interested parties requesting notice, responsible agencies, agencies with jurisdiction by law, trustee agencies, and involved agencies. Comments should focus on discussion of possible impacts on the physical environment, ways in which potential adverse effects might be minimized, and alternatives to the proposed Project in light of the EIR’s purpose to provide useful and accurate information about such factors. In addition, comments may be provided at the meeting indicated below.

State CEQA Guidelines set the review and comment period for an NOP to end 30 days after publication. Therefore, the County requests comments on this NOP be received no later than the close of business (5:00 p.m.) on Friday, June 5, 2020. Please send written comments to:

Andrew Young, Senior Planner  
Alameda County Planning Department  
224 West Winton Avenue, Room 111  
Hayward, California 94544  
E-mail: [andrew.young@acgov.org](mailto:andrew.young@acgov.org)

Scoping Meeting: Given the current Executive Order N-33-20 by the Governor of the State of California and the State of Emergency regarding the COVID-19 crisis, a scoping meeting is tentatively scheduled for the Project via teleconference and video conference on Thursday, May 21, 2020 at 1:30 p.m. Final scheduling and instructions for joining the teleconference and video conference will be provided on the County website, at <http://www.acgov.org/cda/planning/>, and mailed by postcard to area residents.

**ALL INTERESTED PARTIES ARE INVITED TO SUBMIT WRITTEN COMMENTS ON THE SCOPE OF THE EIR TO ASSIST IN IDENTIFYING ISSUES TO BE ADDRESSED IN THE EIR.**

X  \_\_\_\_\_ Date: May 4, 2020  
Andrew Young, Senior Planner

**NOTICE OF VIRTUAL PUBLIC HEARING  
TO RECEIVE COMMENTS ON THE SCOPE OF AN  
ENVIRONMENTAL IMPACT REPORT**

**The EAST COUNTY BOARD OF ZONING ADJUSTMENTS  
and the  
ALAMEDA COUNTY PLANNING DEPARTMENT**

**Will hold a Public Scoping Hearing on**

**ARAMIS SOLAR ENERGY GENERATION AND STORAGE PROJECT, CONDITIONAL USE PERMIT PLN2018-00117** – application to allow construction of a solar energy production facility (up to 100 megawatts, or MW) with associated battery storage using photovoltaic panels over a mostly contiguous 533-acre site, in the A (Agriculture) District, located partly at 1815 Manning Road and 4400 North Livermore Avenue, both south of Manning Road and immediately west of North Livermore Avenue, and partly on two other parcels without street addresses north of Manning Road at its intersection with North Livermore Avenue, bearing four Assessor's Parcel Numbers: 903-0006-001-02, 903-0006-003-07, 903-0007-002-01, and 902-0001-005-00.

The purpose of this hearing is only to receive comments on the scope of the Environmental Impact Report (EIR), to be prepared pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines. The County will prepare an EIR, which is intended to assess the potentially significant environmental impacts of the project, and identify mitigation measures and alternatives to the project that may avoid, reduce or mitigate such effects. Among the basic purposes of CEQA is to inform decision makers and the public about the potential effects of proposed projects subject to approval by government agencies, and to disclose to the public the reasons why a project may be approved if significant environmental impacts may result.

A notice of preparation of the EIR was provided to local, state and federal agencies and interested parties on May 8, 2020, providing a 30-day period in which such agencies and organizations may advise the County regarding their objectives for environmental information to be included in the EIR, for those agencies' statutory responsibilities and to inform them when they consider issuing permits or other approvals for project-related activities. A *Scoping Meeting* is required by CEQA for projects that meet specific criteria as having statewide, regional or areawide significance, and although it is not yet demonstrated that the subject project meets this criteria, there is a potential that the project may substantially affect sensitive wildlife habitats associated with Cayetano Creek that traverses the majority of the project site, thus meeting the criteria for areawide significance. This notice is intended to comply with CEQA notification requirements for the scoping meeting.

The notice of preparation and an updated project description is provided online on the Alameda County website – [www.acgov.org/cda/planning](http://www.acgov.org/cda/planning) – select “Pending Land Use Projects” – “Current Development Projects” – and under the heading “Ongoing Land Use Projects”, see “Aramis Solar Energy Generation and Storage Project, PLN2018-00117”.

The scoping hearing is scheduled to take place as part of the meeting agenda of the East County Board of Zoning Adjustments, after its deliberations on other matters, scheduled as follows:

**Date and Time: Thursday, May 28, 2020, 1:30 p.m.** At the time of the meeting, and within ten minutes prior to the start, you may connect on a computer, tablet or smart phone to the Zoom website or to the application. Installing the application is not required, but may improve your experience. You may use the following as a direct link: <https://us02web.zoom.us/j/92158285462>, or for audio only you may call 1-(669) 900-9128 (not a toll-free number), using Webinar ID# 921-5828-5462. For connecting a smart phone use this link [16699009128](tel:16699009128), [92158285462](https://us02web.zoom.us/j/92158285462) (audio only). For readers of this print notice, simply connect to **Zoom.us** and see *Join a Meeting* and enter the Webinar ID - # 921-5828-5462.

The County website – [www.acgov.org/cda/planning](http://www.acgov.org/cda/planning) provides Teleconferencing Guidelines for Public Hearings for additional information on County webinar meetings and hearings.

You may contact Andrew Young at 510-670-5400 or by e-mail at [andrew.young@acgov.org](mailto:andrew.young@acgov.org) for more information.

**From:** Horvath, Cindy, CDA <cindy.horvath@acgov.org>

**Sent:** Friday, June 5, 2020 1:56 PM

**To:** Young, Andrew, CDA <andrew.young@acgov.org>

**Cc:** Leander Hauri <dbdecoteau@cityoflivermore.net>

**Subject:** Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the Aramis Solar Energy Generation and Storage Project, County Planning Application PLN2017-00174

**Importance:** High

Dear Andy,

Thank you for the opportunity to provide comments on the proposed project. I've reviewed the information provided in the NOP, and offer these comments for consideration as the Environmental Review commences.

The Project is an application for a Conditional Use Permit (CUP) to allow construction of a solar energy production (up to 100 megawatts, or MW) facility with associated battery storage using photovoltaic panels over a mostly contiguous 533-acre site, subject to the provisions of the County Zoning Ordinance (Title 17, Section 17.54.130). A parcel map subdivision to separate a roughly 150-acre portion of one Project parcel from the Project development site is also proposed.

The project location is approximately 3 miles from the runways of the Livermore Municipal Airport. In order to fully evaluate potential impacts to aviation operations, the Alameda County Airport Land Use Commission (ALUC) requests that the applicant contact the FAA to request an Airspace Evaluation for a solar farm at this location. Here is a link to the form: <http://www.acgov.org/cda/planning/generalplans/documents/FAA-Form-7460-1-Notice-of-Proposed-Alteration-and-Construction.pdf>. Additionally, I've attached an FAA Guidance Document for siting Solar Facilities on or near airports for the consultant team to use in their analysis.

Please do not hesitate to contact me during the EIR process as this project moves forward. Please note that this project will need a hearing before the Airport Land Use Commission at a regularly scheduled meeting prior to final action by the County.

Cindy Horvath | Senior Transportation Planner  
Staff, Alameda County Airport Land Use Commission

510.670.6511 | [cindy.horvath@acgov.org](mailto:cindy.horvath@acgov.org) | [www.acgov.org/cda](http://www.acgov.org/cda)  
Airport Land Use Compatibility Plans can be accessed here:  
<http://www.acgov.org/cda/planning/generalplans/airportlandplans.htm>

CONFIDENTIALITY NOTICE: \*Please note that any and all communication in this email is subject to public review under the provisions of the California Public Records Act, Government Code Sections 6250-6276.48.\*



June 8, 2020

Andrew Young  
Alameda County Planning Department/Community Development Agency  
Community Development Agency  
224 West Winton Ave. Rm. 111  
Hayward, CA 94544-1215

**RE:** Notice of Preparation and Notice of Scoping Meeting for an Environmental Impact Report for the Aramis Solar Energy Generation and Storage Project, County Planning Applications PLN2017-00174 and PLN2018-00117.

Dear Mr. Young:

The East Bay Regional Park District ('District') appreciates the opportunity to comment on the County of Alameda's (County's) Notice of Preparation (NOP) and Notice of Scoping Meeting (NOS) for an Environmental Impact Report for the Aramis Solar Energy Generation and Storage Project, County Planning Applications PLN2017-00174 and PLN2018-00117. Please note that the County's May 4, 2020 NOP (PLN2017-00174) requests comments by June 5, 2020, while the East County Board of Zoning Adjustments Wednesday, May 28, 2020 Regular Meeting Agenda sates the NOP for this project (PLN2018-00117) will circulate until June 8, 2020.

The Aramis Solar Energy Generation and Storage Project (Project) as proposed will entail the construction of a solar energy production facility of up to 100 megawatts (MW) on approximately 533 acres in the A (Agriculture) District, located on various parcels of privately owned land situated at 1815 Manning Road and 4400 North Livermore Avenue, and other parcels located north of Manning Road at its intersection with North Livermore Avenue.

The District supports renewable energy development in a responsible manner that balances the need for renewable energy production with the protection of natural, cultural, and visual resources in our region (see <https://www.ebparks.org/climatesmart.htm>). In addition, District Staff have an extensive record of conducting research with collaborators aimed at reducing the impacts of renewable energy generation on volant animals (birds and bats), including but not limited to changing grazing practices to redistribute raptor prey species, conducting avian and bat flight behavior observations and satellite tracking of golden eagles to inform collision hazard maps (risk maps) that inform micro-siting of wind turbines, and numerous carcass searcher and scavenger removal studies to better estimate avian and bat fatality rates in wind farms.

As Wildlife Program Manager for the East Bay Regional Park District, I recommend the Environmental Impact Report (EIR) include consideration of the following items:

- I. Zoning laws. The project is proposed for land that is zoned A (Agriculture) and is designated Large Parcel Agriculture (LPA) by the East County Area Plan (ECAP). The District supports agricultural land uses for the cultural and natural resource values they provide. Dryland crops and grazing (both current uses of many of the Project's parcels), provide habitat for wildlife that would basically be lost due to

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General Manager

construction of the project. The County should consider if the Project is compatible with existing zoning laws.

2. Direct and indirect impacts of industrial-scale solar energy projects on wildlife. In addition to direct impacts on wildlife and habitat related to the Project's construction, impacts associated with the Project's operation over its estimated lifespan of 50 years need to be addressed. Operational impacts would include impact trauma and mortality to volant animals striking solar arrays as well as stranding of water birds caused by attraction to the photovoltaic cells (Smith and Dwyer 2016). Indirect impacts include habitat loss, displacement, avoidance and shifts in species assemblages (Hernandez et al. 2014, Smith and Dwyer 2016, Dwyer et al. 2018). As an example of indirect impacts due to potential habitat loss, Fig. 1 (page 3) depicts satellite locations of an adult golden eagle (*Aquila chrysaetos*) that overlap the Project's footprint. Other golden eagles use the Project site as well (Bell 2017a, b). The Project would reduce golden eagle foraging habitat in the region. Many other species of raptors, grassland birds and non-volant animals such as state and federally listed amphibians will be impacted by the Project. The EIR should give full consideration of direct and indirect impacts to all potential animal and plant species occurring in the region.
3. Given direct impacts to volant animals, the EIR should include an avian and bat fatality monitoring plan to assess volant animal mortality resulting from interaction with the Project's infrastructure, similar to fatality studies that have been developed for wind projects in the Altamont Pass Wind Resource Area (APWRA) and that are reviewed by the County's Technical Advisory Committee.

Thank you for this opportunity to comment on the Notice of Preparation and Notice of Scoping Meeting for an Environmental Impact Report for the Aramis Solar Energy Generation and Storage Project, County Planning Applications PLN2017-00174 and PLN2018-00117.

Sincerely yours,

*Douglas A Bell*

Douglas A. Bell, Ph.D.  
Wildlife Program Manager

[dbell@ebparks.org](mailto:dbell@ebparks.org)

### Literature Cited

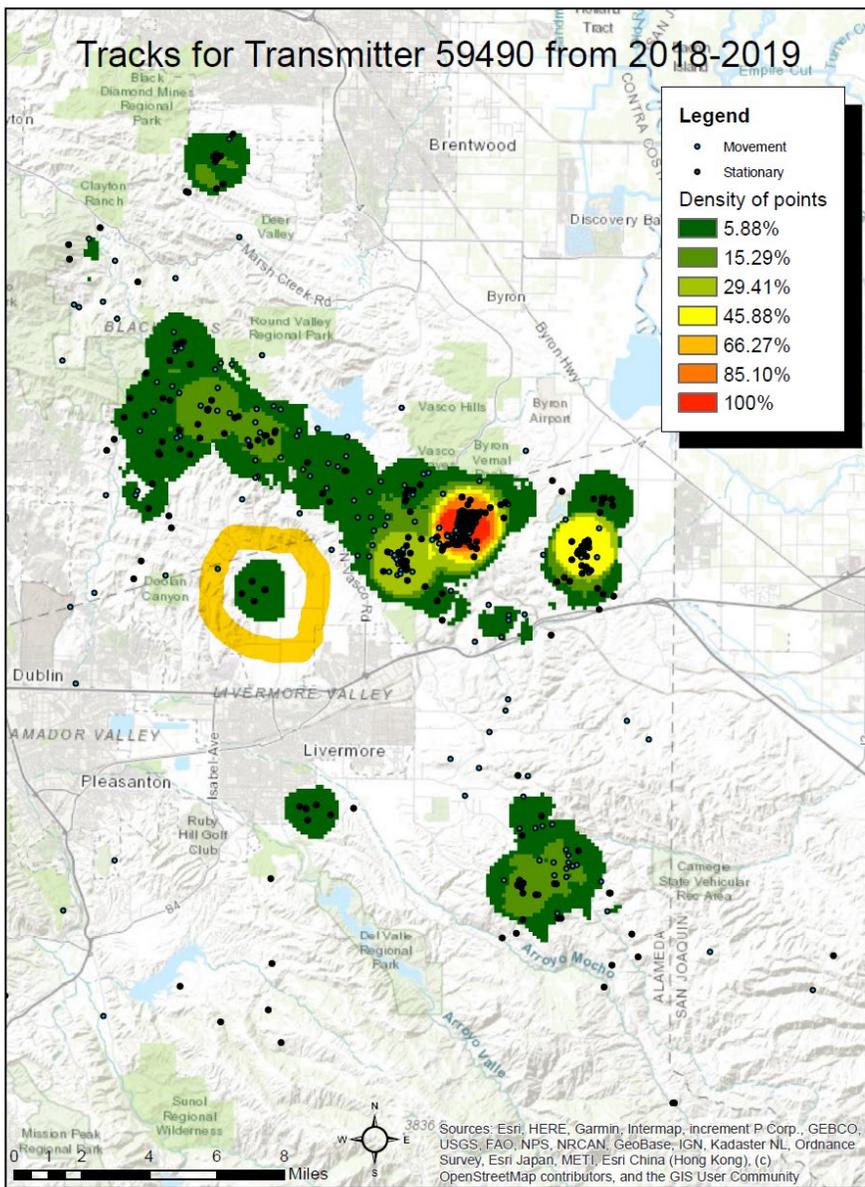
Bell, D. A. 2017a. GPS Satellite Tracking of Golden Eagles (*Aquila chrysaetos*) in the Altamont Pass Wind Resource Area (APWRA) and the Diablo Range: Final Report for Phases 1 and 2 of the NextEra Energy Settlement Agreement. Main Report - Active Birds. East Bay Regional Park District, Oakland, California.

Bell, D. A. 2017b. GPS Satellite Tracking of Golden Eagles (*Aquila chrysaetos*) in the Altamont Pass Wind Resource Area (APWRA) and the Diablo Range: Final Report for Phases 1 and 2 of the NextEra Energy Settlement Agreement. Supplement - Inactive Birds. East Bay Regional Park District, Oakland, California.

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Hernandez R.R., Easter S.B., Murphy-Mariscal M.L., et al. 2014. Environmental impacts of utility-scale solar energy. *Renew Sustain Energy Rev* 29:766–779.

Figure 1. Density of location points of an adult golden eagle outfitted with satellite transmitter #59490. Note overlap of density points with the Project’s footprint, as roughly highlighted in the yellow ring. Unpublished data, EBRPD.





State of California – Natural Resources Agency

DEPARTMENT OF FISH AND WILDLIFE

Bay Delta Region

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**GAVIN NEWSOM, Governor**

**CHARLTON H. BONHAM, Director**



May 27, 2020

Mr. Andrew Young, Planner  
Alameda County Community Development Department  
224 West Winton, Room 111  
Hayward, CA 94544  
[andrew.young@acgov.org](mailto:andrew.young@acgov.org)

Subject: Aramis Solar Energy Generation and Storage Project PLN2017-00174,  
Notice of Preparation of an Environmental Impact Report, SCH #2020059008,  
Alameda County

Dear Mr. Young:

The California Department of Fish and Wildlife (CDFW) has reviewed Alameda County's (County) Notice of Preparation (NOP) for an Environmental Impact Report (EIR) for Aramis Solar Energy Generation and Storage Project (Project). The Project is an application for a Conditional Use Permit (CUP) to allow construction of a solar energy production (up to 100 megawatts, or MW) facility with associated battery storage using photovoltaic panels over a mostly contiguous 533-acre site (of which 350 acres would be developed as part of the Project). The purpose of the EIR will be to evaluate the specific environmental effects of the Project as proposed by IP Aramis, LLC, a subsidiary of Intersect Power, LLC (Aramis).

CDFW is therefore submitting comments on the NOP to inform the County, as the Lead Agency, of our concerns regarding potentially significant impacts to sensitive resources associated with the proposed Project. CDFW is providing these comments and recommendations regarding those activities involved in the Project that are within CDFW's area of expertise and relevant to its statutory responsibilities (Fish and Game Code, § 1802), and/or which are required to be approved by CDFW (CEQA Guidelines, §§ 15086, 15096 and 15204).

## **CDFW ROLE**

CDFW is a Trustee Agency with responsibility under the California Environmental Quality Act (CEQA; Pub. Resources Code, § 21000 et seq.) pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources. CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as a permit issued under the California Endangered Species Act (CESA), the Lake and Streambed Alteration (LSA) Program, or other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

## **REGULATORY REQUIREMENTS**

### *California Endangered Species Act*

Please be advised that a CESA Permit must be obtained if the Project has the potential to result in "take" of plants or animals listed under CESA, either during construction or over the life of the

Mr. Andrew Young  
Alameda County Community Development Department  
May 27, 2020  
Page 2

Project. Issuance of a CESA Permit is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species. (Pub. Resources Code, §§ 21001, subd. (c), 21083; CEQA Guidelines, §§ 15380, 15064, and 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code section 2080.

#### *Lake and Streambed Alteration*

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et. seq., for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. CDFW will consider the CEQA document for the Project and may issue an LSA Agreement. CDFW may not execute the final LSA Agreement [or Incidental Take Permit (ITP)] until it has complied with CEQA as a Responsible Agency.

## **PROJECT DESCRIPTION SUMMARY**

**Proponent:** IP Aramis, LLC, a subsidiary of Intersect Power, LLC

**Description and Location:** The Project includes construction and operation of a mixed-use renewable energy project using photovoltaic panels capable of generating, storing, and dispatching clean energy on up to 539 acres located in unincorporated Alameda County in the North Livermore area. The site is composed of large portions of four privately-owned parcels in the unincorporated North Livermore area of Alameda County, approximately 2.25 miles north of the Livermore city limits and Interstate 580.

The largest parcel (536 acres) bears the address of 1815 Manning Road (903-0006-001-02) and lies directly west of North Livermore Avenue and south of Manning Road where these roads terminate at an L-intersection with each other. Approximately 350 acres of this large parcel is proposed for Project development; an estimated 150 acres to the northwestern is moderately to steeply sloped, and is proposed to be subdivided to legally separate it from the real property affiliated with the proposed Project development. Another estimated 36 acres of this parcel is not suitable for development of Project uses and is thus not included in the overall Project development area. To the south of this parcel is the roughly 101-acre Stanley Ranch at 4400 North Livermore Avenue (APN 903-0006-003-07), of which about 30 acres would be used for the Project. The remainder of the Ranch is used for intensive crop production, some residences and other agricultural operations and structures.

Mr. Andrew Young  
Alameda County Community Development Department  
May 27, 2020  
Page 3

The NOP, p. 5, states, that Aramis has designed the facility such that all structures are proposed to be placed outside of the 100-year floodplain of Cayetano Creek as determined through hydrologic modeling, outside areas designated Water Management in the East County Area Plan, and no closer than 50 feet from the banks of Cayetano Creek or its tributaries as determined by a qualified biologist.

The NOP also states that Aramis proposes, as a part of the large parcel subdivision, to offer dedication of an easement to Alameda County (or the Livermore Parks and Recreation District, which manages open space and trail development in conjunction with the East Bay Regional Park District) for use as a public hiking trail along Cayetano Creek outside of the Project's development footprint.

## **COMMENTS AND RECOMMENDATIONS**

CDFW offers the below comments and recommendations to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

### *General Avian and Bat Impacts*

The EIR should evaluate the cumulative effects of loss of habitat as an indirect cause of avian mortality for grassland birds. Breeding Bird Surveys (BBS) conducted by the U.S. Geological Survey Biological Resources Division and volunteers throughout the country show that grassland birds, as a group, have declined more than other groups, such as forest and wetland birds (Brennan and Kuvlesky 2005; NRCS 1999). The BBS shows that in California, grassland birds such as western meadowlark (*Sturnella neglecta*), State Species of Special Concern northern harrier (*Circus cyaneus*), horned lark (*Eremophila alpestris praticola*), and State Species of Special Concern western burrowing owl (*Athene cunicularia*), have shown population declines since 1966 (Sauer et al. 2017). CDFW recommends at a minimum an equal amount of land with primary purpose of habitat conservation should be enhanced and conserved elsewhere to offset the loss of habitat for grassland birds.

In addition, although avian interactions with photovoltaic facilities are not well researched, the primary threats appear to be from collisions and electrocutions. Collisions with photovoltaic equipment can include direct collisions into guy wires or transmission lines. Other collisions are less understood such as the "lake effect", first described in Horvath et al. (2009). Utility-scale photovoltaic facilities may attract migrating waterfowl and shorebirds through the "lake effect", where birds and/or insects can mistake a reflective solar facility for a water body and collide with the structures as they attempt to land on the panels. Injuries from collisions with collectors/reflectors may result in immediate death due to fatal blunt trauma (Kagan et al. 2014), or stranding. Stranding can occur when an individual is injured by collision impact and is unable to take off or when they require a running start on the water's surface. The EIR should include measures to reduce the risks of avian collisions such as adding special patterns to the photovoltaic panels.

Linear features such as generator-tie lines, collector lines, and interior and perimeter fences present collision hazard to birds, and electric lines represent a potential electrocution hazard (Huso, et al. 2016). The EIR should include measures that require all powerlines to be placed

Mr. Andrew Young  
Alameda County Community Development Department  
May 27, 2020  
Page 4

underground, if feasible. All aboveground lines should be fitted with bird flight diverters or visibility enhancement devices. When lines cannot be placed underground, appropriate avian protection designs should be employed. As a minimum requirement, the collection system should conform with the most current edition of the Avian Power Line Interaction Committee guidelines to prevent electrocutions.

The EIR should include a requirement for weekly or twice-weekly avian mortality surveys to meet the following objectives:

- Estimate the total number of birds and bats killed at the Project site within a specified time period.
- Determine whether there are spatial or temporal/seasonal patterns of total bird fatality.
- Evaluate species composition and which taxonomic groups may be at risk.
- Provide results that allow comparisons with other solar sites and to evaluate changes in fatality due to adaptive management.

The EIR should include a requirement to develop an Avian and Bat Protection Plan or Bird and Bat Conservation Strategy (BBCS) in coordination with the U.S. Fish and Wildlife Service (USFWS) and CDFW. The purpose of the BBCS is to:

- Describe baseline conditions for bird and bat species present within the Project site, including results of site-specific surveys;
- Assess potential risk to birds and bats based on the proposed activities
- Specify conservation measures that will be employed to avoid, minimize, and/or mitigate any potential adverse effects to these species;
- Describe the incidental monitoring and reporting that will take place during construction; and provide details for post-construction monitoring; and specify the adaptive management process that will be used to address potential adverse effects on avian and bat species.

#### *East Alameda County Conservation Strategy*

The Project site is located within the Conservation Zone 4 of the Eastern Alameda County Conservation Strategy (EACCS). The EACCS provides a baseline inventory of biological resources and conservation priorities to be utilized by local agencies and resource agencies during project-level planning and environmental permitting. It was designed to convey project-level permitting and environmental compliance of the federal and state endangered species acts, CEQA, the National Environmental Policy Act, and other applicable laws for all projects within the study area with impacts on biological resources. The EACCS was a joint effort including, but not limited to, the cities of Pleasanton, Dublin, and Livermore; Zone 7, Alameda County, East Bay Regional Park District, USFWS and CDFW. The EACCS is intended support and streamline the permitting process. EACCS does not create new regulations or change the process by which a project applicant obtains permits for authorization to impact biological resources, but it has, in fact, been accepted as a guidance document by several agencies including USFWS and CDFW.

Mr. Andrew Young  
Alameda County Community Development Department  
May 27, 2020  
Page 5

Several of the species potentially impacted by this Project are included as focal species in the EACCS, such as the federally threatened and State Species of Special Concern California red-legged frog (*Rana draytonii*), the federally and State threatened California tiger salamander (*Ambystoma californiense*), western burrowing owl, the federally endangered and State threatened San Joaquin kit fox (*Vulpes macrotis mutica*), and the State Species of Special concern American badger (*Taxidea taxus*). The EACCS mitigation guidance sections (Chapter 3), for grassland, California tiger salamander, western burrowing owl, California red-legged frog, San Joaquin kit fox, and American badger all include mitigation in the form of habitat conservation for the loss of species habitat when it cannot be avoided. To be consistent with the EACCS and to offset permanent habitat loss or conversion, the EIR should include permanent habitat conservation as an enforceable mitigation measure.

#### *California red-legged frog*

The Project Description in the NOP includes avoidance and minimization measures for California red-legged frog, but provides no mitigation for loss of habitat. The avoidance and minimization measures include pre-construction surveys to ensure that California red-legged frog is “not actively using the project site as a dispersal corridor” by surveying all suitable aquatic habitat on the Project site. California red-legged frog are not limited to use of aquatic habitat. The USFWS Recovery Plan for California Red-Legged Frog (USFWS 2002) beginning on p. 12 describes a variety of habitats used by the California red-legged frog such as upland areas used as important dispersal, estivation and summer habitat for this species. During periods of wet weather, starting with the first rains of fall, some individuals may make overland excursions through upland habitats. They have been observed to make long-distance movements (up to 1.7 miles) that are straight-line, point to point migrations rather than using corridors for moving in between habitats. California red-legged frog are also known to use small mammal burrows and moist leaf litter as refuge (USFWS 2002). Because the actual movement patterns of California red-legged frog are generally not known and there are known occurrences of California red-legged frog on adjacent lands, the entire Project site should be considered suitable habitat for the species. Given their wide variety of habitat usage during different times of the year, it is highly unlikely all California red-legged frogs would be located during pre-construction surveys. The EIR should therefore assume presence and, in addition to including avoidance and minimization measures, should include compensatory mitigation for loss of suitable California red-legged frog habitat in accordance with the EACCS for California Red-legged frog section 3.5.3.5.

#### *Western Burrowing Owl*

The EIR should evaluate the potential for burrowing owls to be present within and adjacent to the Project area by documenting the extent of fossorial mammals that may provide burrows used by owls during the nesting and/or wintering seasons. Based on our records, burrowing owls have been documented less than one mile from the Project site. Burrowing owls may also use unnatural features such as debris piles, culverts and pipes for nesting, roosting or cover. If suitable burrowing owl habitat is present, CDFW recommends that surveys be conducted following the methodology described in Appendix D: Breeding and Non-breeding Season Surveys of the CDFW Staff Report on Burrowing Owl Mitigation (Staff Report), which is available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843>.

Mr. Andrew Young  
Alameda County Community Development Department  
May 27, 2020  
Page 6

Burrowing owl surveys should be conducted by a qualified CDFW-approved biologist. In accordance with the Staff Report, a minimum of four survey visits should be conducted within 500 feet of the Project area during the owl breeding season which is typically between February 1 and August 31. A minimum of three survey visits, at least three weeks apart, should be conducted during the peak nesting period, which is between April 15 and July 15, with at least one visit after June 15. Pre-construction surveys should be conducted no-less-than 14 days prior to the start of construction activities with a final survey conducted within 24 hours prior to ground disturbance.

Please be advised that CDFW does not consider exclusion of burrowing owls or “passive relocation” as a “take” avoidance, minimization or mitigation method, and considers exclusion as a significant impact. The long-term demographic consequences of exclusion techniques have not been thoroughly evaluated, and the survival rate of evicted or excluded owls is unknown. All possible avoidance and minimization measures should be considered before temporary or permanent exclusion and closure of burrows is implemented in order to avoid “take”.

The EIR should also include measures to avoid or minimize loss of burrowing owl foraging habitat, and mitigation for loss of habitat that cannot be fully avoided. The EACCS Mitigation Guidance (p.3-66) for burrowing owl recommends mitigating the loss of habitat by protecting habitat in accordance with the mitigation guidelines outlined in Table 3-10 (BUOW-3) through acquiring parcels, through fee title purchase or conservation easement, where known nesting sites occur or where nesting sites have occurred in the previous three nesting seasons (BUOW-1 and BUOW-2).

#### *California Tiger Salamander*

The Project site is located within dispersal distance of at least nine known and/or potential California tiger salamander breeding ponds. Based on our records, California tiger salamanders have been found less than one mile from the proposed Project site on properties both east and west of the Project site. California tiger salamander are known to be able to travel 1.3 miles from upland habitat to breeding ponds. Given the historical and extant California tiger salamander detections within 1.3 miles of the Project site, and without evidence such as protocol-level presence/negative finding surveys, the EIR should assume presence.

Due to the potential presence of this listed species and the potential for Project-related take, including but not limited to, installation of exclusion fencing, grading, trenching, and use of water trucks, CDFW advises that the Project proponent obtain a CESA Permit (pursuant to Fish and Game Code Section 2080 et seq.) in advance of Project implementation. Issuance of a CESA Permit is subject to CEQA documentation; therefore, the CEQA document should specify impacts, mitigation measures, and fully describe a mitigation, monitoring and reporting program. If the proposed Project will impact any CESA-listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit. More information on the CESA permitting process can be found on the CDFW website at <https://www.wildlife.ca.gov/Conservation/CESA>.

#### *Pollinators*

The EIR should include measures to increase use by pollinators such as dual use farming. The Project should be designed to optimize a balance between electrical generation and agricultural

Mr. Andrew Young  
Alameda County Community Development Department  
May 27, 2020  
Page 7

production (Jossi 2018) or native plants. Solar sites can be planted with deep-rooted native flowers and grasses that capture and filter storm water, build topsoil, and provide abundant and healthy food for bees and other insects that provide critical services to our food and agricultural systems as described on the Fresh Energy website at <https://fresh-energy.org/beeslovesolar/>.

## FILING FEES

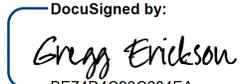
The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs., tit. 14, § 753.5; Fish and Game Code, § 711.4; Pub. Resources Code, § 21089).

## CONCLUSION

CDFW appreciates the opportunity to comment on the IS/MND to assist the County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Ms. Marcia Grefsrud, Environmental Scientist, at (707) 644-2812 or [Marcia.Grefsrud@wildlife.ca.gov](mailto:Marcia.Grefsrud@wildlife.ca.gov); or Ms. Brenda Blinn, Senior Environmental Scientist (Supervisory), at (707) 944-5541 or [Brenda.Blinn@wildlife.ca.gov](mailto:Brenda.Blinn@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
BE74D4C93C604EA  
Gregg Erickson  
Regional Manager  
Bay Delta Region

cc: State Clearinghouse, SCH# 2018092012  
Ryan Olah, U.S. Fish and Wildlife Service – [Ryan.Olah@fws.gov](mailto:Ryan.Olah@fws.gov)

## REFERENCES

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Mr. Andrew Young  
Alameda County Community Development Department  
May 27, 2020  
Page 8

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**June 3, 2020**

**To:** Andrew Young, Planner  
Alameda County Community Development Agency, Planning Department

**From:** James & Maria De Luz, 4270 N Livermore Ave., Livermore, CA 94551  
(510) 468-6341, mdeluz14@yahoo.com

**Re: Concerns with proposed Aramis Solar Energy Generation & Storage Project**

The Aramis Solar Energy Generation & Storage Project (Aramis Project) being proposed by Intersect Power is located adjacent to our property located at 4270 N. Livermore Ave. In response to the Scoping Meeting for the Environmental Impact Report (EIR) of May 28, 2020, we have the following concerns and questions regarding the proposed Aramis Project:

1. The access road to our home and property, bridge (over Cayetano Creek) and gate located at 4270 N. Livermore Ave. (access road granted by right of easement in perpetuity) border the southern limitations of the proposed Aramis Project location, and a portion of our north property line is coincident to the southerly limit of the Aramis Project. We share responsibility for the maintenance of the road, bridge and gate with the owners of the Stanley Ranch. Below are our concerns on these topics:
  - a. Given that our road is the only existing access road at the southern border of the proposed Aramis Project, and is a shared road with the Stanley Ranch and our property, we are concerned that it may become an access road for ingress and egress to the project site. If that is the case, will Intersect Power be responsible for the maintenance costs of the road, bridge and gate?
  - b. Will Intersect Power need to use our road for construction and the operation of the Aramis solar facility and any other related uses of the site? For example, will heavy construction equipment/vehicles, maintenance equipment, emergency vehicles, Aramis Project employees, and any type of possible public access use our road for ingress and egress? This will potentially cause tremendous damage and great expense to maintain the road in a usable, all-weather condition.
  - c. Will our road be used for possible emergency vehicle access, i.e., the State Division of Forestry (Cal Fire requirements/operation procedures), law enforcement access, and any other related similar activities, both during construction and after the project is completed?
  - d. If the road is used as described above (items a, b, c) will Intersect Power be responsible for the maintenance and repair of the bridge over Cayetano Creek? This bridge is located on our road and will be affected by any increased use beyond what exists now.
  - e. A section of our northern property line abuts the southerly portion of the Aramis Project. We have installed a new cattle fence on our property lines within the last year and the fence is solely owned by us. Our fence is a cattle fence and not meant for any security needs that may be necessary for a solar project. Will security fencing be a requirement of the project? If so, Intersect Power must install any type of security fencing where necessary and shall be solely responsible for the maintenance.
  - f. Our gate is a locked security gate used solely by ourselves and the Stanley Ranch as needed for access to their barn and land, and we are responsible for its maintenance and operation. Our gate is locked and the access code is not shared with the public. We have great concerns about our gate being used by Intersect Power employees for the Aramis Project and by the general public. This will not only increase the necessity of additional maintenance on the gate, but will negatively affect the security of our home and property.

2. Our concerns regarding storm water drainage from the Aramis Project site, and the possible effect on potability of ground water quality are as follows:
  - a. The Aramis Project will create a disproportional increase in water runoff, created by the installation of solar panels over such a large area. The panels are impermeable and the runoff water must discharge into the existing culvert system along North Livermore Ave., which will substantially increase water flow rates. The increased water volume will negatively impact the existing system that can no longer handle storm water along North Livermore Ave. This in turn causes the existing culverted driveways to become impassable during winter storms. That, along with the County Road Department Maintenance System's inability to maintain open culverts and piped driveway culverts causes multiple failures every year during winter storms. This huge increase in water flow will only exacerbate drainage problems that affect property owners along North Livermore Ave.
  - b. Ground water may be affected due to the huge quantities of water needed to maintain the solar panels. The amount of water combined with the cleaning agents will have nowhere else to go but to percolate into the existing ground water system, which may affect water potability of any existing or new wells in the area.
3. The water for our property (house and land) is provided from a well located on the Stanley Ranch and piped to our property for which we pay a monthly fee. We are greatly concerned that our water will be affected in some way:
  - a. How shall we be assured that our water supply will not be interrupted during construction and after the solar project begins operation? What provisions, if any, are under consideration by Intersect Power at this time regarding water conveyance systems and assurance of water during the life of the Aramis Project?
  - b. How shall any possible maintenance issues be addressed in the future and shall provisions be provided for unobstructed maintenance and repair work between the well on the Stanley Ranch and our home?
  - c. If water conveyance piping must be relocated, shall provisions within the project development provide for pipe relocation and maintenance?
  - d. Will provisions for conveyance of water to our property be included in the project? As a requirement of the project approval will easements or non-buildable corridors designated to insure that access for water conveyance and for maintenance purposes shall be unobstructed within the approved project area for the life of the project?
4. We have concerns regarding parking, vehicular access, lighting, dust control and site security during the construction of the Aramis Project and after project completion:
  - a. Where will employee and visitor parking be located within the project site and how will it be accessed?
  - b. Where will the points of vehicular and construction equipment access be located within the project site?
  - c. Will there be a detailed lighting plan provided which shall indicate the location of any residences or other sources sensitive to night lighting?
  - d. It is indicated in the material supplied by Intersect Power for the Aramis Project, that the project will provide 400 jobs during construction. The required parking for a project for that size will require a temporary or permanent lighting and drainage plan. How will this be addressed by Intersect Power? Will an all-weather surface material, either permanent or temporary, be provided for the employees during the project construction? Where will the drainage drain to within the temporary parking area?
  - e. Will dust control be provided within the temporary parking area and within any areas that must be graded or filled to reduce/control dust and any other airborne particulates?

5. In material provided by Intersect Power for the Aramis Project, a proposed Hiking and Recreation trail is indicated west of Cayetano Creek. Our property at 4270 N. Livermore Ave., is located directly west of Cayetano Creek.
  - a. With the information provided, there is no indication of either a pedestrian or vehicular access to the creek trail, nor is there any indication of parking or recreational facilities within the public access area. We request additional information to better review the impact the hiking and related uses will have on our property, such as crop planting, livestock grazing, fencing, access, and how security will be handled in this secluded area, eight tenths of a mile west of North Livermore Ave.
  - b. To better analyze this proposed hiking and recreation trail, we ask that a comprehensive plan of the trail proposal and all other related infrastructure be prepared by the East Bay Regional Park District indicating the hiking trails within their jurisdiction that relate to the proposed Cayetano Creek hiking and recreation area. This should include the area of eastern Alameda County where detailed information has been compiled regarding trail locations, picnic areas, and related recreational facilities such as rest rooms and overnight camping areas.
  - c. In order to access the hiking/recreation trail area, we assume there must be a staging area (or areas) and parking facilities. As previously stated in item a above, how will this affect our property?

## Young, Andrew, CDA

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**From:** Maria De Luz <mdeluz14@yahoo.com>  
**Sent:** Friday, June 5, 2020 1:15 PM  
**To:** Marisa Mitchell; Young, Andrew, CDA  
**Subject:** Water Well Agreement for Our Property

Hello Marisa & Andrew,

Please consider this email as an addendum to our previous discussions about the well and water conveyance to our property at 4270 N Livermore Ave, and to comments submitted in response to the scoping meeting for the draft EIR about the Aramis Solar Energy Generation & Storage Project (Aramis Project).

The Easement Agreement between Richard Stanley and Mary Street (previous owner of 4270 N Livermore Ave) included a Water Well Agreement which allowed Mrs. Street to drill a well within or up to 300 feet from the property line into the Stanley Ranch parcel. If a viable source of water was not achieved, then water would be provided by the owners of the Stanley Ranch in exchange for a monthly fee. A viable well was not achieved by Mrs. Street and the water source and water conveyance provided by the Stanley Ranch is what we continue to have in place for our property.

When we purchased the property, the Water Well Agreement and other easements "came with the property". Conversations with Mr. Richard Stanley and review of the original Easement Agreement documentation have confirmed that we are legally entitled to pursue drilling a well at any time within the described parameters of the agreement. This is an improvement we plan to pursue in the future.

We are concerned that the footprint of the Aramis Project will make it impossible to drill a well within the above described parameters of the Water Well Agreement in our Easement Agreement. How will this be addressed in the plan so that our legal water options are not restricted and/or compromised in the future?

Regards,  
Jim and Maria De Luz

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## Young, Andrew, CDA

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**From:** Lauren de Vore <ldv9600@gmail.com>  
**Sent:** Tuesday, June 2, 2020 7:19 PM  
**To:** Young, Andrew, CDA  
**Subject:** Opposition to Aramis and SunWalker Energy projects in north Livermore

Andrew Young  
Senior Planner  
Alameda County Planning Department

I am writing to express my strong opposition to the Aramis and SunWalker Energy solar projects that have been proposed for parcels on North Livermore Avenue. While I recognize the state's and the county's need for more renewable energy, I believe the scope and scale of these projects makes them unsuitable for their proposed location. The parcels involved are prime agricultural land, land that residents of Livermore have repeatedly voted (over the past 40 years) to preserve for agriculture. The projects are in conflict with the recently voter-approved Measure D development restrictions. They are also contrary to the Save Agriculture and Open Space Lands Initiative and the Scenic Route element of the General Plan. The proposed projects, with their enormous number of solar panels, 100-foot-high overhead lines, large battery storage buildings, perimeter fencing and other related structures, will drastically disturb the natural habitat and native wildlife, which includes a number of threatened/endangered species. It will render the land permanently unusable for future agricultural use. It will also completely and negatively alter the visual aesthetics and rural character of the area and thereby depreciate the value of nearby properties. If these facilities were built, they would increase the traffic load on already-overcrowded county roads that were never built to carry heavy trucks or intended to serve as commute routes. Compounding my concerns is the fact that this land is very fire-prone, and projects involving large concentrations of electrical equipment and the storage of large numbers of batteries pose major fire hazards (and the likelihood of toxic contamination as a result of a fire). Although the land proposed for these projects is rural, it is not remote and thus will be an eyesore for those who lives nearby and everyone who drives, bicycles, walks or runs along North Livermore Avenue, May School Road, and Manning Road. I urge you to reject the North Livermore Valley for the location of these (and any other such) projects.

Sincerely,  
Lauren de Vore  
40+ year resident of Livermore

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## Young, Andrew, CDA

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**From:** Emile Meylan <emeylan@sercotech.com>  
**Sent:** Friday, June 5, 2020 12:59 PM  
**To:** Young, Andrew, CDA  
**Cc:** Marjie Kusic; Brenda Morris; Cheryl Johnson  
**Subject:** Aramis project  
**Attachments:** view.jpg; emeylan.vcf

Dear Andrew,

I live on Morgan Territory Road just above Manning road.

I do not agree with this project. This is in conflict with approved Measure D development restrictions, the Save Agriculture and Open Space Lands Initiative and Scenic Route element of the General Plan. Not only will these projects destroy wildlife and use valuable resources these facilities "will significantly change the visual character of the area and exacerbate the loss of agriculture in the county as farmland is supplanted by solar panels.

We pay a lot of money to live here because the plan from the County was to save agriculture, and now you want to destroy it.

My family and I are 100% against this project.

There are a lot of ground and space in California to do this, and there is no reason to choose the Bay Area which is already over crowded.

Best regards,

--

Emile Meylan  
12520 Morgan Territory Road  
Livermore, CA 94550

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CALIFORNIA  
NATIVE PLANT SOCIETY

East Bay Chapter, [www.ebcnps.org](http://www.ebcnps.org)  
PO Box 5597, Elmwood Station, Berkeley, CA 94705

June 4, 2020

Andrew Young, Senior Planner  
Alameda County Planning Department  
224 West Winton Avenue, Room 111  
Hayward, California 94544

Via e-mail: [andrew.young@acgov.org](mailto:andrew.young@acgov.org)

RE: Notice of Preparation (NOP) for the proposed Aramis Solar Energy Generation and Storage Project

Dear Mr. Young,

The California Native Plant Society East Bay Chapter (EBCNPS) appreciates the opportunity to comment on the Notice of Preparation of an Environmental Impact Report for the Aramis Solar Energy Generation and Storage Project.

The California Native Plant Society is a statewide non-profit organization that works to protect California's native plant heritage and preserve it for future generations. The Society's mission is to increase the understanding and appreciation of California's native plants and to preserve them in their natural habitat. We promote native plant appreciation, research, education, and conservation through our five statewide programs and 33 regional chapters in California. The East Bay Chapter covers Alameda and Contra Costa Counties and represents some 1,000 members.

In line with our mission to support conservation of California's native plant species and habitats, CNPS submits the following comments and recommendations:

1. The EIR should include well-timed, comprehensive, and floristic surveys of special status plants, locally rare plants, and sensitive natural plant communities within the project area:

The EIR should include well-timed, comprehensive floristic surveys for special status plants, locally rare plants, and Sensitive Natural Communities following CDFW botanical survey protocols.<sup>1</sup> Surveys should cover all 4 parcels within the total 580 acre project area since areas outside of the direct construction impacts may be subject to construction staging, storage, or other future uses.

Consistent with CDFW protocols, the locations of special status, locally rare, and sensitive natural plant communities should be clearly marked on a project area map.

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<sup>1</sup> Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities, California Department of Fish and Wildlife, March 20, 2018

2. The proposed Project should address environmental impacts to land use and planning.

The EIR should describe the proposed Project's compliance with the County General Plan and associated land use plans and ordinances, especially since the project area is designated specifically for Large Parcel Agriculture (LPA), Resource Management (RM), and Water Management (WM) uses. This section should also identify any land use conflicts associated with the Project's proximity to adjacent land uses.

The "East County Area Plan" (as amended by Alameda County Initiative Measure D) includes several policy statements that express the intent of the LPA, RM and WM land uses. For LPA designations the County shall give priority to agriculture and agricultural support and visitor services.<sup>2</sup> Policy 51 states that "The County shall work with East County cities to preserve a continuous open space system outside the Urban Growth Boundary with priority given to the permanent protection of the Resource Management area between Dublin and North Livermore and the area north of the Urban Growth Boundary in North Livermore, as established through Program 19." Policy 53 states that "the County shall preserve a continuous band of open space consisting of a variety of plant communities and wildlife habitats to provide comprehensive, rather than piecemeal, habitat conservation for all of East County. This open space should, as much as possible, be outside of the Urban Growth Boundary and contiguous to large open space areas of Contra Costa, Santa Clara, and San Joaquin Counties."

Further, the NOP states that, "the County does not generally consider utility-scale solar energy facilities to be compatible with the RM (Resource Management) land use designation and its emphasis on, in addition to agriculture, "recreational uses, habitat protection, watershed management, public and quasi-public uses", and its intent of preserving open space." The NOP also states that "the County considers the WM designation suited to established quarries with their-highly regulated reclamation plans and specialized permits, and not meant for large solar energy facilities."

The current Project alternative does not appear to conform to land use designations and planning policies for Large Parcel Agriculture. In addition, the NOP notes that the proposed Project would encroach into an estimated 23 acres at the northernmost portions of the northern two parcels designated as Resource Management land, and 18 acres of Water Management-designated land in the southern two parcels.

Please describe, analyze, and mitigate for the proposed Project's impacts on land use and planning, including the development of alternatives that significantly lessen these impacts.

3. The EIR needs to conform with goals and objectives of the Eastern Alameda Habitat Conservation Plan (EAHCP) and the East Bay Regional Conservation Investment Strategy (EBRCIS)

The project area lies within the Eastern Alameda Habitat Conservation Plan (EAHCP) and East Bay Regional Conservation Investment Strategy areas. As such, it should conform to the goals and objectives of each of these documents<sup>3</sup> for native plants and natural habitats.<sup>3</sup> The EAHCP

<sup>2</sup> East County Area Plan, Alameda County Planning Department, Amended Nov. 2000 by Ala. County Initiative Measure D.

<sup>3</sup> Eastern Alameda Habitat Conservation Plan: <http://eastalco-conservation.org/documents.html> and East Bay Regional Conservation Investment Strategy: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=166109&inline>

provides a comprehensive list of focal plant species that should be considered as part of the project analysis. The EBRCIS document provides extensive information on natural habitats, focal plant species and mitigation guidance.

4. The EIR needs to address cumulative impacts

The NOP describes the adjacent uses on the properties surrounding the proposed Project as a combination of agricultural, grazing, and very low-density residential. The NOP also mentions a second proposed solar project on the east side of North Livermore Avenue, north of May School Road, in an area that contains important plant and animal habitat partly in association with Cayetano Creek. According to CEQA Guideline § 15355 Cumulative Impacts: “Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” The EIR should fully describe, evaluate, and mitigate for cumulative impacts to the special-status plants, locally-rare plants, sensitive natural plant communities, and wildlife.

In addition, The EIR should describe, analyze, and specify mitigations for cumulative impacts from the siting of this proposed Project at this location, including, but not limited to: aesthetics, agricultural resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, and public services, recreation, and utilities.

5. The EIR should include alternatives and an analysis of alternatives, including siting energy production services to significantly lessen environmental impacts.

The proposed Project is intended to supply alternative energy and thereby reduce greenhouse gas emissions. However, the NOP states that the Project is proposed to be sited within an area that the citizens of Alameda County voted be dedicated to agriculture and its related support and visitor services and for specific resource and water management uses. According to CEQA Article 9 Guideline § 15126.6(a) “Consideration and Discussion of Alternatives to the Proposed Project,” the EIR “shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.”

Please develop and analyze a Project alternative or alternatives to obtain most of the basic objectives of this energy supply project and that would substantially lessen any of the significant effects, including alternative siting of the project.

Thank you for the opportunity to comment on the Environmental Impact Report Notice of Preparation for the Aramis Solar Energy Generation and Storage Project and for addressing these comments in the Environmental Impact Report.

Sincerely,

Jim Hanson, Chair, Conservation Committee

Andrew Young, Senior Planner  
Alameda County Planning Department  
224 West Winton Avenue, Room 111  
Hayward, California 94544  
E-mail: andrew.young@acgov.org

Public Comments on the scope of the Environmental Impact Report (EIR)

Thank you for giving the public the opportunity to comment on the scope of the EIR on the Aramis Solar proposal in North Livermore.

Please include the following for the scope of the Environmental Impact Report (EIR) of the Aramis Solar Energy Generation and Storage Project, CUP PLN2018-0017

### **Resource Management and Water Management areas**

Study how both the Resource Management and Water Management areas might be affected by the building and operation of the project.

### **Protected Species**

Study the effect on Endangered, Threatened and Sensitive species including, but not limited to, the California red-legged frog, California tiger salamander, burrowing owls, white-tailed kites, Livermore tarplant and Palmate bracted bird's beak on these and other north Livermore properties.

### **Cayetano Creek**

The Cayetano Creek runs through the area. The flood plain must be protected. 100-year floods are coming more often. Will the panels affect the watershed of the creek? Study any effects the panels might have on the creek and the animals and plants that are affected by the creek.

### **Viewshed**

The viewshed is very important in this scenic area. On a recent Wednesday morning, there were many bicyclists enjoying the countryside. The view of the area from the higher western part of Manning Road and from Morgan Territory Road will not be shielded by the proposed vegetation buffer. What effect will the 30- and 100-foot poles have on the scenic area?

### **Traffic**

North Livermore Avenue is a two-lane road with bicycle lanes on both sides. Manning Road is two-lane with no bicycle lanes. Morgan Territory Road is essentially a single lane road with no bicycle lanes. This is dangerous with so many bicycles. This will especially be a problem during construction with the 400 construction workers traveling to the site.

### **Water**

Study the source of the up to 50,000 gallons of water per day needed during the 5 - 9-month construction period. Evaluate the effect on the aquifer if from onsite. Evaluate the traffic impact if brought from offsite. Effect of water on the area including Cayetano Creek. Study the effect of the proposed annual cleaning of the panels.

### **Agriculture Value**

Will the land maintain its agricultural value? The effect of the panels on the sunlight and rain for there to be sufficient forage to support sheep for continued agricultural use of the site.

The effects of the panels on the forage when they are at their varying angles following the sun from early morning through the day until late in the afternoon.

### **Williamson Act**

Evaluate the proposed Project's compatibility with the Williamson Act Contract on the Stanley Property.

### **Hiking Trail**

Give more details and study the environmental impact of a public hiking trail along Cayetano Creek including impact on the creek area itself and also additional traffic and parking.

### **Distribution Lines**

Evaluate both overhead and underground voltage distribution lines.

### **Potential alternative**

Consider a potential alternative of placing solar panels on rooftops and parking lots.

Lee Younker

Chair Friends of Livermore



June 4, 2020

VIA EMAIL

Andrew Young, Senior Planner  
Alameda County Planning Department  
224 West Winton Avenue, Room 111  
Hayward, California 94544  
E-mail: [andrew.young@acgov.org](mailto:andrew.young@acgov.org)

Dear Mr. Young:

Friends of Open Space and Vineyards (FOV) is a non-profit organization, founded in 1985. Our mission is to protect and preserve the agricultural, viticultural and open space resources of the Tri-Valley. FOV requests that the County consider the following comments in response to the Notice of Preparation issued for the Aramis Solar Energy Generation and Storage Project / PLN2017-00174.

FOV supports the use of renewable energy, including solar, to reduce the use of fossil fuels and counter the affects on global warming. We also believe that we must be prudent in where these facilities are located. We do not believe that the proposed site is an appropriate location for these solar facilities.

The primary concern we have with this project is the loss of agricultural land. This area north of Livermore is one of the last open areas in Alameda County that can support agriculture. It is worth noting that according to the state department of Conservation statistics, between 1984 and 2016, over 16,000 acres of grazing land in Alameda County was converted to non-agricultural uses. Measure D was intended to mitigate this kind of loss of agriculture.

The purpose of enacting Measure D was to preserve agricultural land through restrictions imposed outside of the urban growth boundary. These restrictions were imposed by the citizens of Alameda County and have limited the footprint of development. The development of solar farms was not anticipated at the time Measure D was written. Measure D did allow utilities the use of corridors and the intent of the corridors was for moving

utility products from one point to another. It was not intended as a physical plant for generation or storage of electricity. At the time the common corridor use for electricity was high-voltage power lines which have crisscrossed the valley for decades. This corridor use for generating and storing electricity is more industrial in nature than transitioning a corridor. This is contrary to the intent of Measure D. Indeed, Measure D, which amended the former East County Area Plan (ECAP), specifically deleted language from the ECAP that permitted “other industrial uses appropriate for remote areas and determined to be compatible with agriculture”. This change indicates that a land use such as a utility-scale solar energy facility was not contemplated under Measure D.

We would therefore request that the Environmental Impact Report for the Aramis Project analyze the cumulative impacts of the loss of agricultural land due to the proposed project and other planned and future potential projects, including, but not limited to, the Livermore Community Solar Farm. There is a concern that continued placement of non-agricultural uses in North Livermore will harm the future potential of the agricultural economy of the area, causing fewer ranchers to continue their operations. This is of particular concern where the area is a prime candidate for agritourism due to the presence of open space, the Livermore Wine Country, and outdoor recreational opportunities in the area. The loss of agricultural land diminishes the potential for growth of agritourism in the Livermore area.

The EIR should address the presence of rare or special status plants within the project site, and mitigation measures to protect those identified. This should include locally identified rare plant species as well as those that are recognized as Federal, State, and CNPS statewide special status plants. Analysis of the environmental impacts of the change from cattle to sheep grazing on the proposed project site should also be addressed. Sheep graze closer to the ground than cows, and the EIR should analyze the impacts of sheep grazing on any special status and rare plants which may be found on the project site.

As to other biological impacts, the Aramis Updated Project Description discusses mitigation measures to be implemented during the construction phase of the project for protection of California Red Legged Frog (CRLF) which is known to have dispersal habitat in the area. The EIR should also discuss environmental impacts and potential mitigation for protection of the CRLF during the operation phase of the project in addition to the construction phase. The East Alameda County Conservation Strategy (EACCS) should be discussed in conjunction with the analysis of the impacts during both the construction and operational phases of the project.

Cumulative impacts of the proposed project on identified biological species, both plant and animal, should be considered in light of the potential for other solar projects to be located in North Livermore, including, but not limited to the pending application for the Livermore Community Solar Farm.

The aesthetics analysis described in the Notice of Preparation should address the affect of the project on scenic vistas both at ground level in terms of screening as well as the impact on the view-shed of the surrounding area. Cumulative impacts of this and future solar projects should also be addressed due to the potentially drastic change of the landscape and aesthetic qualities of the area.

With respect to project alternatives, in addition to a no-project alternative, FOV recommends that the EIR address the potential for locating solar facilities outside of agricultural land in North Livermore, particularly focusing on urban settings in the area that would allow for the placement of solar.

We reiterate that this is not an appropriate location for a solar power plant. It seems that the county is attempting to circumvent the intent of Measure D for this application. First the county declared that solar projects are the equivalent of wind farms. They are not. The footprint of a wind farm is far different from a solar field. The affects on absorption of rainfall, the amount of vegetation that will grow are obviously fundamentally different. We submit that the only similarity is that both produce renewable energy. That is far from being equivalent. We understand the county's desire to promote the building of these types of solar fields. We can understand that the operational efficiency and cost savings with its proximity to the electrical power stations and the flat terrain at this location make it desirable. That does not alter the fact that we believe the footprint will far exceed that allowed by the Measure D FAR.

We believe this single project is in violation of the Measure D constraints but have concerns beyond this project. We are aware of the pending application for the Livermore Community Solar Farm for which a DEIR was recently issued. We believe there are at least two other proposals that are in process but not as mature. If this project is approved, in the absence of an overall guiding policy, we believe it is likely that subsequent large projects will come forward and be approved since this approval will provide a precedent. This approval will indicate that: a) solar farms are equivalent to wind-farms; b) there is not substantial harm to deny them, c) since there is no policy to adhere to, the solar companies have nothing to be in violation of; d) given the severe need to replace fossil fuel energy generation, more the better. We believe that this can easily result in virtually all of the flat area north of I-580 being used for solar farms.

If North Livermore is going to become a center for solar power generation in the near future, then it is necessary to consider the implications of all such development. Under the California Environmental Quality Act (CEQA), projects having such broad long-term impacts cannot be considered on a piecemeal-basis. The current application should not be approved without consideration of the environmental impacts of additional solar development in North Livermore.

It is especially important that Alameda County not approve individual solar power generating plants without first developing a comprehensive policy for solar development that takes Measure D requirements into account. Yes, we believe in renewable energy but we need to make sure we locate it where it makes sense and does not substantially diminish our other core values.

We thank you for the opportunity to comment on the proposed project.

Sincerely,

A handwritten signature in cursive script that reads "Tamara Reus". The signature is written in black ink and is positioned above the typed name.

Tamara Reus  
President

**To: Andrew Young, Senior Planner, Alameda County;  
Scott Haggerty, Supervisor; Shawn Wilson, Chief of Staff**  
**From: Carol Gerich, North Livermore resident**  
**Subject: Proposal by Aramis Solar Energy regarding PLN20128-00117**  
**Date: June 6, 2020**

As a 33-year resident of Morgan Territory Road and an over 50-year resident of Livermore, I am writing to protest the audacity of Aramis Solar Energy to propose an immense “**Sea of Solar**” in our beautiful North Livermore Valley. I strongly urge you to deny their application.

The view along North Livermore Road, which serves as the major corridor in this area, is along exceptionally beautiful rural scenery, dotted with majestic oaks and backed by stately Mount Diablo. The Aramis proposal would destroy this lovely rural scenery, threaten its many wildlife, add noise and construction, and erase the calming views.

In 1993, through Measure D, residents of Alameda County soundly defeated a proposal by Pardee Homes to fill this target area with homes. Yet, this unpopulated piece of land is still **catnip** to the developers. Now we have an Oregon company ready to fill the almost-1000 acres with shiny, boxy black solar panels. A real contrast to the lovely rural scenery colored in restful natural shades of green and blue.

This project would not benefit many (25,000) and maybe not even local residents— instead primarily others who live outside the Valley. The solar sea of panels would be ugly. It would not provide more needed agriculture. It would not protect Cayetano Creek and the wildlife that depends on its water. It would not be ecologically friendly— just a way to produce more power for more outside residents. While there is a local landowner, Gene Broadman, behind this project, he is not a climate change advocate but truly a developer wanting to make Big Money again.

I believe in solar. I believe in its ability to provide clean, inexpensive energy. But please do not forget the North Livermore rural residents who will gain little and lose huge!

We have already been saddled with approvals for **three cannabis farms** in the very same northern end of our rural Valley. Plus a huge **cell-phone tower** still looms. Please find another location that does not threaten our scenic area and place an unfair burden on the same long-time rural community members.

**Thank you,  
Carol Gerich  
12885 Morgan Territory Road  
Livermore, CA 94551**

To: Andrew, Senior Planner  
Alameda County Planning Department  
224 West Winton Avenue, Room 111  
Hayward, CA 94544

From: Nancy Howe  
4767 Bel Roma Rd  
Livermore, CA 94551

Date: June 5, 2020.

Subject: Written Comments for NOP of Environmental Impact Report Aramis Solar Energy  
Generation and Storage Project Planning Application  
PLN2017-00117

I am writing in comments on behalf of my husband Greg Howe and I. We live on 4767 Bel Roma Rd, our land includes an orchard of over 50 mature walnut trees, a well-established Pinot Syrah vineyard, apple trees, pear trees, plum trees, concord grapes, fig trees. It is also home to a variety of wildlife including wild owls that actively hunt the area and reside in owl boxes we had made to further promote a harmonious connection to the preservation of nature and the environment. We do not spray herbicides or pesticides for this matter. We use alternative means including but not limited to using beneficial nematodes, vinegar for weed abatement as well as regular rototilling and manual removal of obnoxious plants.

It is very concerning that as a young couple, we decided to parallel Alameda County's commitment to wildlife and open space, investing in improving land for wildlife, utilizing alternatives that can at times be less than convenient. As well as promoting a means of agriculture that is self-sustainable, creating an eco-system to aid in the process, while the county decides to take such a lax approach to the projected plan. It does not only lie on us to preserve the future from land being developed for something other than open space, it is also the county's responsibility stemming from multiple voter approved funds indicating the strong desire to keep Alameda County in direct relationship with the protection of agricultural lands and wildlife.

We have a variety of issues that arise with the promoted Aramis Solar Project.

## AESTHETICS

The proposed chain link fence surrounding the area of May School Rd and N Livermore Ave, covered in vines is not only indicant that the proposed plan did not sufficiently survey the area to mitigate risks but also calls into question how this parallels the advice of the Alameda County Vector Control, which states that, ‘Roof rats are found throughout Alameda County, especially in suburban areas. They are nocturnal like other rats, but have a unique preference for heights. They have a sense of security traveling on utility lines, tree branches, fence tops, etc. They nest in dense vegetation such as the tops of palm trees or vines and are the most common rodent species found in attics. The population density and their range of travel is determined by the amount of available food in the area. They normally forage in a 100 to 200 foot radius. In the wild rats eat vegetables, fruit, nuts, seeds, snails and cereal grains.’<sup>1</sup>

I find it concerning that an entire section encroaching our surrounding area will be covered in vines that will no doubt be a host to a variety of rats nests. This area already being the subject to pests because of an array of vegetation. It is irresponsible to try to mitigate an issue by implying that vines on a chain link fence can possibly be a good idea. Furthermore, if the project were to propose mitigation in the form of rodenticide<sup>2</sup> this would further be detrimental to the wildlife currently existing. Like the owls that depend on them for their food source. Some of them currently being on the endangered species list. The California Department of Fish and Wildlife also echo my sentiments on using prevention as the most effective rodent control stating, ‘The most effective rodent control program uses exclusion techniques (sealing the places where rodents enter your home) and sanitation (removing plants and objects that attract rodents and potential habitat such as ivy or wood piles’<sup>3</sup>

I URGE you to please reconsider your proposed plan for these reasons stated.

## HYDROLOGY/GROUND WATER

Another concern I have with this project is the risk of irreparable damage to our already compromised groundwater. While the projects states that this is a minor area of concern, I implore you to carefully evaluate the risks within the project. According to a United States Geological Survey ‘scientists conclude that there is a 70% probability of at least one magnitude 6.7 or greater quake, capable of causing widespread damage, striking the San Francisco Bay

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<sup>1</sup> <https://acvcsd.org/programs-services/rodents/roof-rat/>

<sup>2</sup> <https://wildlife.ca.gov/Living-with-Wildlife/Rodenticides>

<sup>3</sup> <https://wildlife.ca.gov/Living-with-Wildlife/Rodenticides#2206098-can-i-control-rodent-pests-without-using-poison-baits>

region before 2030<sup>4</sup>. IF you look into the proposed plan site, and with reference to the Association of Bay Area Governments, you will see that the proposed project site will be subject to VERY HIGH shaking amplification.<sup>5</sup> In the event of a magnitude 6.8 earthquake on the Northern Calaveras Fault, the site would be subject to VERY STRONG shaking intensity.<sup>6</sup> In the event of a 6.9 magnitude earthquake on the Greenville Fault, the site would be subject to VIOLENT shaking intensity. I find it very concerning that the proposed project gave very little risk to damaged panels from inclement weather. North Livermore being in area of high winds, risk of quakes and wildfires. Chemicals from solar panels can leech out and contaminate ground via fire damage. A report from the U.S Department of Energy, Office of Scientific and Technical Information states that, 'In commercial-scale applications, the risk may be larger because of the quantities of materials present and the increased probability of a fire occurring'<sup>7</sup>. This region is already subject and at present risk to brushfires and wildfires. With a singular groundwater source, is the county outweighing the risk to our livelihoods over the temporary lease of open space land for the purpose of economic gain and not the preservation of open space which is quickly diminishing in the Alameda County area?

#### PRESERVATION OF AGRICULTURAL/OPEN SPACE

A proposed policy from Alameda County dating 2011, stated that, 'Unlike urbanized land, undeveloped lands in the rural areas of Alameda County have numerous inherent natural resource and agricultural values; and soil productivity and prime agricultural land, biological resources, open space visual values, watershed and natural landforms are generally important in this area. These types of resources are vulnerable to development, and construction of large-scale solar energy facilities, the kind that can produce large amounts of energy for general supply to the electrical grid, would utilize large amounts of land that frequently bear one or more of these valuable characteristics. The impacts associated with larger facilities may result in unavoidable adverse impacts for years to come as hundreds of acres become unavailable for other uses important to East County residents, such as for agriculture and natural resource protection.'<sup>8</sup>

While the need for cleaner energy is very much needed. More insight needs to happen on large scale solar facilities to ensure that Alameda County is not rushing into something that can be detrimental to the future of our wildlife/open space.

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<sup>4</sup> <https://pubs.usgs.gov/fs/old.1999/fs152-99/>

<sup>5</sup> <http://lpc1.clpccd.cc.ca.us/lpc/hanna/Earthquake/livermoreearthquakemaps.htm>

<sup>6</sup> <http://lpc1.clpccd.cc.ca.us/lpc/hanna/Earthquake/livermoreearthquakemaps.htm>

<sup>7</sup> <https://www.osti.gov/etdeweb/biblio/6675499>

<sup>8</sup> [https://www.acgov.org/cda/planning/landuseprojects/documents/Proposed\\_Solar\\_Policies.pdf](https://www.acgov.org/cda/planning/landuseprojects/documents/Proposed_Solar_Policies.pdf)

Thank you for the opportunity to voice my concerns.

Sincerely,

A handwritten signature in blue ink that reads "Nancy Howe". The signature is written in a cursive style with a large initial 'N' and a long, sweeping tail.

Nancy Howe

June 5, 2020

Andrew Young, Senior Planner  
Alameda County Planning Department  
224 West Winton Avenue, Room 111  
Hayward, California 94544  
E-mail: [andrew.young@acgov.org](mailto:andrew.young@acgov.org)

Public Comments on the scope of the Environmental Impact Report (EIR) on the Aramis Solar proposal in North Livermore.

Mr. Young

These lands are in the A (Agriculture) zone district.  
On page 9 of the staff report it states:, A (Agriculture) - "...agricultural and other non-urban uses, to conserve and protect existing agri-cultural uses ..."

I believe the lands are presently used for cattle grazing and hay production. Are these existing uses being protected? Also, there is no mention of goat grazing.

Thank you for your consideration of my concerns.

Jean King  
Livermore CA

**From:** Marjie Kasic <homes@marjiekasic.com>  
**Sent:** Wednesday, June 3, 2020 11:02 AM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>  
**Subject:** Against Proposed Aramis Renewable Energy Project

Dear Mr. Young,

### Proposed Aramis Renewable Energy Project

We are 100% against the proposed Aramis Renewable Energy Project to be located along North Livermore Ave and Manning Rd. This project is in conflict with voter approved Measure D development restrictions, the Save Agriculture and Open Space Lands Initiative and Scenic Route element of the General Plan. Not only will these projects destroy wildlife and use valuable resources these facilities "will significantly change the visual character of the area and exacerbate the loss of agriculture in the county as farmland is supplanted by solar panels" as quoted by Dick Schneider, chairman of the Tri-Valley's Sierra Club and co-author of Measure D. The voters of Alameda County said a resounding 'No' to development and it was not their intent to allow hundreds of acres of agricultural land to be covered by solar panels, 72,000 sq.ft. buildings and up to 100' tall power lines to provide energy for distant San Francisco. This supposedly "green technology", uses hazardous chemicals and materials to manufacture and then once no longer usable in 20 years or so is shipped to 3<sup>rd</sup> world countries because no other countries want to dispose of the hazardous waste.

Thank you for listening and addressing these concerns.

Sincerely,

Marjorie and Thomas Kasic  
12601 Morgan Territory Rd  
Livermore, CA 94551

## Young, Andrew, CDA

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**From:** Susan Frost <smfrost@cityoflivermore.net>  
**Sent:** Monday, June 8, 2020 2:00 PM  
**To:** Young, Andrew, CDA  
**Cc:** spriley@cityoflivermore.net; scstewart@cityoflivermore.net  
**Subject:** NOP for County Planning Application PLN17-00174, Aramis Solar Energy Generation project

Andrew,

Thank you for the opportunity to review the Notice of Preparation of an Environmental Impact Report for the proposed Aramis Solar Energy Generation and Storage Project. The proposed project is located in the North Livermore area on a 533-acre site and will produce up to 100 megawatts (MW) using photovoltaic modules. The NOP identifies the environmental topics to be evaluated in the Draft EIR.

The City of Livermore has the following comment regarding topics for evaluation in the DEIR. The proposed solar project should complete a FAA 7460 Notice of Proposed Construction or Alteration to confirm no ocular impact from glare for aircraft in the pattern or final approach.

Websites for instructions and information:

1) For Instructions and Guidance on how to register and "E-File" Form 7460-1 with the FAA:

<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

2) For Technical Guidance for Evaluating Selected Solar Technologies on Airports:

[https://www.faa.gov/airports/environmental/policy\\_guidance/media/FAA-Airport-Solar-Guide-2018.pdf](https://www.faa.gov/airports/environmental/policy_guidance/media/FAA-Airport-Solar-Guide-2018.pdf)

For additional information, please contact David Decoteau, A.A.E., C.A.E., Airport Division Manager, at (925) 960-8220, or at [dbdecoteau@cityoflivermore.net](mailto:dbdecoteau@cityoflivermore.net).

We look forward to reviewing the Draft EIR when available. Thank you.

Susan Frost  
Special Projects Coordinator  
Livermore Planning Division  
(925) 960-4434  
[smfrost@cityoflivermore.net](mailto:smfrost@cityoflivermore.net)

Sent from [Mail](#) for Windows 10

**\*\* This email was sent from an external source. If you do not know the sender, do not click on links or attachments. \*\***

May 18, 2020

Mr. Andrew Young, Senior Planner  
Alameda County Planning Department  
224 West Winton Avenue, Rm. 111  
Hayward, CA 94544

Dear Mr. Young:

Subject: Notice of Preparation for EIR – Aramis Solar Energy Project

The following are my comments and concerns regarding the subject proposed Project. These concerns are being submitted to be reviewed for the EIR. I am a resident on Bel Roma Road and I am requesting that these concerns be addressed in the forthcoming EIR. The concerns of the residents of Bel Roma Road must be addressed.

1. The Notice stated that the solar project is comparable to windfarms, utility corridors and similar uses compatible with agriculture. I herewith question how the solar project can be compatible with agriculture.
2. The EIR must address the impacts of the Project proposed to cover 23 acres of Resource Management land and 13 acres of Water Management land.
3. The proposed Project will apply for a Conditional Use Permit. The Agricultural District provisions intent is to promote agriculture and other non-urban uses, conserve and protect agricultural uses, and provide space for such uses in places where more intensive development is not desirable. My question is: Is the proposed Solar Project not considered intensive development? My concerns are that the proposed Project is classified as intensive development and must be strictly reviewed in the EIR.
4. The ECAP and the Zoning Ordinance does not have provisions for solar panels on a utility production scale and therefore this issue must be intensively reviewed.

5. It is stated that the County views solar electric facilities not contrary to standards of the A District. There must be extensive explanations of why the Solar Project is compatible in the A District.

6. The Project proposes continued agricultural operations with the solar electricity generation. If the current agricultural operation is grazing, or dry farming, how can the proposed solar project not interfere with these uses?

7. The Project will install a Battery Storage Facility and a Substation. Will this create a fire hazard?

8. The Project will install four 100 ft x 180 ft buildings for Energy Storage. What impacts will this have on the aesthetics of the open space area?

9. The Project will take 9 months for construction and will require 50,000 gallons of water to be used daily. This calculates to 1,500,000 gallons monthly and 13,500,000 gallons for the entire construction time. The Project will obtain water from an onsite well, or offsite well, or local water authority. **I am asserting herewith that the EIR must examine extensively the impacts this will have on the groundwater in the May Sub Basin.** The proposed Project is to be situated over the May Sub Basin. The residents of Bel Roma Road rely solely on the quality and quantity of the groundwater from the May Sub Basin.

10. The Project states that there will be modules washed once per year by using water obtained from onsite wells. The EIR must address the impacts of this activity to the quantity and quality of the ground water of the May Sub Basin. If there will be chemicals used, this must be addressed in the EIR.

11. The proposed Project states there will be control of invasive weeds. The EIR must review how this will be done in relation to the use of pesticides and the impact upon the ground water in the May Sub Basin.

12. The EIR must examine thoroughly the impacts to the viewsheds and the visual character of the area. The installation of massive amounts of solar panels, poles and buildings will definitely impact the open space characteristic of the land.

13. The EIR must examine the Project's impact and conflict with adjacent land uses. In particular, extensive examination must be done regarding the impacts to the existing Bel Roma residential area and other existing landowners. The

EIR must not only address the special status species and then ignore the impacts to existing residences.

Please accept the above concerns to be applied to the EIR and the County Planning Commission.

Yours truly,

*Lona Lee McCallister*

Lona Lee McCallister  
4700 Bel Roma Road  
Livermore, CA 94551-9196



## MCR Ranch

2024-2028 Manning Rd.  
Livermore CA 94551

May 27, 2020

Mr. Andrew Young, Senior Planner  
Alameda County Planning Department  
224 W Winton Ave Room 111  
Hayward CA 94544

Via E-Mail

RE: Draft Environmental Impact Report Comments-Aramis Solar Development - Conditional use permit Application PLN 2018-00117

Dear Mr. Young:

First and foremost, the planned Aramis solar project encompassing some 533 acres will destroy the designated scenic corridor of North Livermore. There are no mitigation measures the applicant could do to change that outcome.

The proposed project is not consistent with Measure D (Save Agriculture and Open Space Initiative). The applicant states they will bring sheep to graze the lands so its an Agricultural use. Everyone knows this is just a ploy. This is an industrial scale project not a farm.

We do not agree this use conforms to zoning. It should not be given conditional use classification. Solar use is not supported by the text of the zoning ordinance. A general plan amendment should be required as a first stop, not a conditional use application.

Further, the interpretation that arrays of solar panels do not count as Floor Area Ratio is not logical. This solar array will in effect be a roof over 533 acres.

This intrusive development of the lands will have a significant effect on wildlife habitat in North Livermore. The Sierra Club has been quite clear stating it "will be devastating" to habitat in North Livermore.

Like others in this rural area we moved here and spent heavily developing our ranch. Both Cattle are grazed on our ranch and it is farmed with Oat Hay annually. We moved here because of the scenic beauty and what we believed was the Agricultural zoning and open space designation that would protect us from intrusive development. This project will destroy the areas beautiful character forever. It will also devalue our homes and property.

The applicant is for profit corporation and wants to develop these lands versus other just as easily developed lands which don't destroy scenic corridors due to these lands being adjacent to the PG&E substation. Their bottom line is improved by not having to transport their power generation any distance. So, you are asked to approve one environmental use (Solar) at the expense of destroying other environmental uses; specifically the scenic corridor, open space and habitat rich lands.

There is president of significant measures being done to protect this scenic corridor and at substantial cost. Several years back PG&E proposed high power over head transmission lines north and south on North Livermore Ave. and east and west on Manning Road. They also planned their substation at the corner of N. Livermore Ave and Manning Rd. Their governing body the CPUC recognized the special beauty and scenic quality of North Livermore and directed PG&E to locate its substation south of this corner and that PG&E underground these high-powered transmission lines, as to not disturb the scenic views. The change from overhead lines to underground cost the utility many, many more millions of dollars. The CPUC which does not answer to the public or Alameda County did this only because they recognized the importance of protecting the area.

Finally we also note these lands are encumbered by the Williams Act. It is noteworthy that the California Department of Conservation recognizes this use is in no way agricultural as they support that the proponent file for non-renewal of the Williamson Act Contract, and wait until the contract renewal status has ended before moving forward with an application

Thank you,  
Christopher & Margaret OBrien  
2024-2028 Manning Rd.  
Livermore, Ca. 94551

ATTN: Andrew Young  
Senior Planner  
Alameda County Planning Department  
224 West Winton Avenue, Room 111  
Hayward, Ca. 94544

FROM: Charles and Lisa Ott  
4757 Bel Roma Road  
Livermore, Ca. 94551

RE: Aramis Solar, PLN2018-00117  
North Livermore Avenue and Manning Road, Livermore

Mr Young,

We live on Bel Roma Road, within close proximity to this project.

This letter is in response to the above listed project and the impact that it will have on our "neighborhood". In short, we are completely against allowing something of this size in our back yard.

Alameda County Board of Supervisors, the Planning Department, East Bay Zoning Board and all other related County offices should ultimately finalize a plan for allowable solar in this region, the North Livermore Valley area in specific. It has been an ongoing lack of leadership to decide on whether or not solar facilities, especially ones of this size and magnitude, are to be an "allowable" function and an approved or not condition of use in an Agricultural Zoned area.

This application is simply too big to ignore and take lightly for zoning purposes and the lives of the residents of North Livermore and the agricultural community at large. To lose 733 acres to agriculture, approximately 580 acres to 320,000 solar panels is an overwhelmingly large change to the landscape of the North Livermore Valley.

To allow a solar facility of this magnitude along with the smaller one across the street that is on a separate application process at this time is a gross negligence of leadership of County Officials. If the North Livermore corridor has been classified as a "scenic Corridor" by the County and by the City of Livermore (based on sphere of influence), then we feel that this project is not in line with the current agricultural and future uses / growth of the area.

At this point in time, we ask that the powers that be with the Alameda County Planning Department and the Board of Supervisors take great care to evaluate the current wording and allowances for conditional use permits in Ag zoned areas and in particular to how this potential zoning /conditional use permit can affect such a large open space as North Livermore Valley. Making a bad decision now will affect the next generations for years beyond our time here. The Board of Supervisors have the ability to stop this and not allow it as a acceptable conditional use permit, same as has been done with the other previous projects in the East County.

ADD

The resources, open space, grazing lands and one of the last remaining open spaces is in jeopardy because of projects like this one. What is to stop the 3<sup>rd</sup> application? What is to stop the entire North Livermore Valley in becoming a solar farm? Measure "D" has stalled any future development in North Livermore, unincorporated Alameda County, but if this conditional use permit application is allowed, the County will have absolutely NO WAY of stopping the entire valley from becoming one huge area of solar panels, thousands of acres.

Please carefully consider this application and the long term impact on North Livermore. Make a once and for all final determination of what is an acceptable allowance is for conditional use permit in ag zoned North Livermore Valley specifically. Please protect the future, a scenic corridor designated area and the open space for us residents and our future generations.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles and Lisa Ott", with a long horizontal flourish extending to the right.

Charles and Lisa Ott  
4757 Bel Roma Road  
Livermore, Ca. 94551

## REVISED FINAL

To: Andrew Young, Senior Planner  
Alameda County Planning Department  
224 West Winton Avenue, Room 111  
Hayward, CA 94544

Submitted via email  
[andrew.young@acgov.org](mailto:andrew.young@acgov.org)

From: Merlin Newton Sr.  
4742 Bel Roma Road  
Livermore CA 94551

Date: June 7, 2020

Subject: Written Comments for NOP of Environmental Impact Report Aramis Solar  
Energy Generation and Storage Project County Planning Application  
PLN2018-00117

My wife and I live across the street from the proposed Aramis Solar Facility and adjacent to the proposed SunWalker Energy Solar Facility. I have several concerns with the Aramis Solar Facility and will be addressing some of those concerns below.

### Hydrology/Groundwater

The Aramis Solar Facility is in direct conflict with “The Alameda County Department of Environmental Health (ACDEH)” and “Alameda County Public Works Agency” Clean Water Program. Alameda County either has a Clean Water Program or it does not.

The Alameda County Clean Water Program was implemented to reduce or eliminate the pollution of receiving waters, including creeks and the San Francisco Bay; and protect and enhance the water quality in county water bodies, including watercourses, wetlands, creeks, and flood control facilities.

The Aramis Solar Facility does not reduce or eliminate pollution and does not protect or enhance the water quality, but rather increases water pollution. The proposed project may result in environmental impacts to hydrology and water quality resources. Currently, the May School Road groundwater basin is already on Alameda County and Zone 7’s list as an area of special concern due to high nitrates. The already compromised groundwater should not be further compromised PERIOD.

One of the Alameda County’s Clean Water Programs is to protect rain runoff from roof tops and other surfaces from entering the storm drains which eventually lead to the bay. The Alameda County Clean Water Program also discourages residents from washing their cars and prefer residents utilize commercial car washes to prevent runoff from entering storm drains.

The following are directly from Alameda County's Clean Water Program concerning washing cars and stormwater washing off roof tops:

### *"The Best Way to Wash Your Car"*

*"ALWAYS USE A COMMERCIAL CAR WASH. YOU'LL PREVENT POLLUTION AND SAVE WATER TOO."*

*"Fred Frog and Izzy Egret want you to know that soapy, dirty, grimy water hurts. When you wash your car on the street or in your driveway, all that dirty, grimy, soapy water runs down the storm drain and into creeks and the Bay. Even biodegradable soap is harmful. Egrets, herons, red-legged frogs, turtles, seagulls, trout, stilts....all birds, fish and amphibians are at risk."*

### *Stormwater*

*"When stormwater washes off our roofs, streets, driveways and gardens, it carries the dirt and pollutants from these surfaces into the storm drains and then into creeks, wetlands and eventually, the Bay."*

*"Our local waterscapes are one of the reasons why living in Alameda County is so special. Keeping our water free from pollution is key to maintaining the beauty of our water and helping the plants, birds, fish and insects that live there to thrive."*

Despite Alameda County's Clean Water Program concerning stormwater runoff from roofs and the washing of cars, Alameda County is ignoring its own Clean Water Program when it comes to protecting our "groundwater". Unlike city water, which is monitored and treated, the only thing separating our groundwater from contaminants is the ground above. Some of the materials used to construct the solar facility consist of, but are not limited to; concrete materials, metal materials, electrical materials, and not to mention dangerous materials used in the construction of the panels themselves, such as aluminum, glass, silver, lead chromium and cadmium. How is stormwater runoff from solar panels and the washing of literally thousands and thousands of solar panels (nearly 320,000), over more than 700 hundred acres of agricultural land, any different from washing a car or stormwater runoff from roofs.

Although, Alameda County and Zone 7 currently recognize the May School Groundwater as an area of special concern, the solar facility being proposed will be constructed above the groundwater, also known as the Arroyo Las Positas Watershed/Aquifer, which the North Valley Rural Community relies on for human consumption, animals, crops etc.

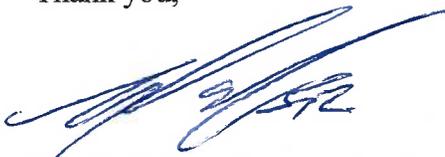
I find it very troubling in the 21<sup>st</sup> Century I am having to fight to protect our already compromised groundwater, from being further compromised, especially since the project is in direct conflict with the Alameda County Clean Water Program. The solar facility must be relocated to an area of less conflict and should not be constructed over any rural community's groundwater. City Officials as responsible for protecting their communities drinking water and we should expect the same from our County Officials.

### Aesthetics

The proposed site for the Aramis Solar Facility is being proposed on agricultural land along North Livermore Avenue which Alameda County identified as a Scenic Rural-Recreational Route. This route was adopted in 1966 for the protection and enhancement of scenic values "along" designated routes.

The proposed solar facility expects to install nearly 320,000 solar arrays, overhead lines from 30 to 100 feet tall, approximately 2.6 miles of cyclone fencing and occupy more than 700 acres of agricultural land, just to name a few. These industrial structures will do nothing to enhance or protect the Scenic Rural-Recreation Route and will have a major impact on the natural habitat, preventing ingress and egress into to the area, not to mention the overhead flying habitat. Not only is the area desirable for cattle grazing and the natural habitat, but many walkers, joggers, cyclists, artists, and photographers can be seen enjoying the scenic views along the Scenic Rural-Recreational Route on a daily basis. The Scenic Rural-Recreational Route has been protected for more than 54 years. If the solar facility is allowed to move forward, it will dramatically alter and transform the landscape, scenic views, and the natural habitat environment now and for future generations.

Thank you,



Merlin Newton Sr.

CC: Honorable Scott Haggerty, Supervisor  
4501 Pleasanton Ave., Pleasanton, CA 94566

Shawn Wilson, Chief of Staff for Supervisor Scott Haggerty  
1221 Oak Street, Suite 536, Oakland, CA 94612  
Shawn.Wilson@acgov.org

**SELNA PARTNERS LLP**

**70 Washington Street, Suite 303  
Oakland, CA 94607 (415) 601-5385**

June 5, 2020

Andrew Young, Senior Planner  
Alameda County Planning Department  
224 West Winton Ave. Rm. 111  
Hayward, CA 94544

Dear Mr. Young:

I am an attorney representing Chris and Margaret O'Brien, homeowners at 2028 Manning Road in North Livermore. I am writing to submit comments on the Draft EIR ("DEIR") scope for a 580-acre, industrial scale, solar-electric plant proposed by the private developer Intersect Power ("Intersect proposal"). I am writing on behalf of the O'Briens and myself, as a resident of Alameda County.

I understand that the County specifically seeks comments on the DEIR scope and content. However, the County's May 4, 2020 Notice of Preparation and Notice of Scoping Meeting for an Environmental Impact ("NOP"), which invites the DEIR comment and sets the context for the public's understanding the Intersect proposal, makes representations that must first be addressed.

The NOP (p.4) claims that an industrial scale, solar-electric plant is appropriate in the project area's LPA zoning because "the County Planning Commission...previously made determinations that solar-electric facilities would not be contrary to the specific intent clauses or performance standards established for the A District and could be permitted under a CUP." The NOP goes on to list two projects that were never completed – Green Volts and Cool Earth.

Documents necessary to fully evaluate the Planning Commission's purported determinations are not readily available. If, in fact, a proper process led to determinations that Green Volts and Cool Earth were appropriate for LPA zoning, the details of those projects are relevant to determining whether the Intersect proposal also is consistent with the LPA zoning. Most notably, Green Volts and Cool Earth were envisioned to be dramatically smaller in size and intensity than the Intersect proposal. Green Volts was proposed for 62 acres Cool Earth was proposed for 140 acres. At 580 acres, the Intersect Proposal is roughly four times the size of Cool Earth and is the equivalent of **28,000 football fields.**

Concluding that a 140-acre solar-electric plant is consistent with LPA zoning may not be reasonable. Claiming that an industrial scale, solar-electric plant occupying 28,000 football fields of open Ag land is consistent with the LPA zoning, borders on the absurd. The enormous size

and intensity of the Intersect proposal places it in different use category than Green Volts and Cool Earth. Asserting that the smaller projects are the same use as Intersect's industrial scale, solar-electric plant proposal is akin claiming that a single-family home use is the same as an 100-foot tall condominium project. Given the glaring difference between the smaller projects and the Intersect proposal, the Planning Department and Commission must address anew the question of whether the Intersect proposal is indeed consistent with the LPA zoning. It appears clear that it is not.

In addition, specifically with respect to Green Volts, the East County Board of Zoning Adjustments ("ECBZA") 2008 resolution authorizing the project's conditional use permit, found that the 62-acre project was allowed under Ag zoning, in part, because the use would be "mitigated with the adoption of a requirement to maintain and cultivate on and/or off-site areas designated as Prime Farmland at a 1:1 ratio...." Which "would conserve and protect the predominant agriculture uses elsewhere on the site and in the vicinity." (p. 3). The resolution indicates that the ECBZA may not have concluded that the project was suitable for LPA zoning were it not for the specific requirement to protect farmland.

With respect to the scope of the DEIR, it is clear, and should be stated unambiguously as such in the DEIR, that the Intersect proposal would impose significant environmental impacts that simply cannot be mitigated. I summarize those impacts and the implications for the DEIR scope below. In addition, I have attached a letter from environmental specialist Doug Herring to provide more detail.

- **Aesthetics:** Intersect proposes to construct their project on a County-designated Scenic Rural Recreation Route in the line of site of several scenic ridgelines. Adding insult to injury, Intersect plans to include overhead lines and poles. This runs directly counter to the point of designating the scenic route and cannot be mitigated. Fencing and landscaping cannot mitigate will only exaggerate the blight. The massive size of the Intersect proposal makes this negative aesthetic impact even more egregious. The DEIR must reflect the reality that the Intersect proposal violates the purpose of the Scenic Rural Recreational Route and cannot be mitigated into compatibility.
- **Agricultural Resources:** The Intersect proposal would convert open pastureland will to a solar electric plant. Sheep grazing to keep weeds under solar panels at bay is not agriculture and is a cynical attempt to make the project pass as Ag. The NOP perpetuates Intersect's false narrative by stating that the proposal would adhere to the Ag Management Plan. In this vein, the DEIR must study the cumulative impacts of converting ag land to non-ag uses – which is happening at an alarming rate – in Livermore, Alameda County and statewide. These impacts cannot be mitigated and the DEIR must indicate as such.
- **Biological Resources:** As Mr. Herring's attached report and previous submissions by the Sierra Club have shown, the North Livermore area is rich in special status and threatened flora and fauna. In addition to the wildlife species noted in Mr. Herring's attached letter the DEIR must also examine the Intersect proposal's impacts on the conservancy fairy shrimp. The DEIR must review not just the Intersect proposal's negative impact on

biological resources, but also, the impact on biological resources of the loss of pasture lands in North Livermore and around the state due to solar-electric plants and other uses.

In addition to concluding that the Intersect proposal includes numerous environmental impacts that cannot be mitigated, the DEIR must thoroughly explore project alternatives, in addition to a No Project Alternative. The NOP indicates that the County has not yet determined that additional alternatives to the Intersect proposal will be evaluated in the DEIR. "An alternative location is not presently under consideration, nor is it expected to be evaluated other than with the brief discussion of alternatives that were rejected." (p. 9). The County's stated approach to (not) seeking alternatives fails as patently lacking initiative and effort. There are numerous alternatives throughout Alameda County and the state where industrial-scale solar would not destroy 580 acres of open space, and the County must review any and all such alternatives.

One need look no further than along the 580 corridor for parcels that abut freeway or other industrial/commercial uses that would be more suitable than North Livermore pasture land in a Scenic Rural Recreational Route. The test for alternatives, according to the NOP is those, which would "feasibly attain most of the basic objectives of the Project, but would avoid or substantially lessen any of the significant effects..." The pure economic interests of a privately-owned industrial scale solar-electric plant developer cannot be one of the basic objectives.

In addition to parcels that are either industrial, or abut industrial land, there are millions of square feet of space available on warehouse rooftops and other commercial buildings throughout California, conveniently situated near power substations. Intersect should – and the County and the DEIR must – must explore these and other alternatives. Intersect's convenience and profits must not be allowed to pit one environmental benefit (solar power) against others (the preservation of open space, ag land, and scenic routes) at the public's expense.

The NOP fails to acknowledge that the Intersect proposal belongs in a different zoning use category than previous solar projects reviewed by the County and perpetuates the myth that industrial-scale solar is agriculture. Even if one accepts that some industrial-scale solar projects may not be contrary to LPA zoning (and I am not suggesting that one should), the massive scale of the Intersect proposal puts it in a distinct use category, which the ECBZA must review anew to determine consistency with LPA zoning. The much smaller, previous solar approvals are neither persuasive nor precedent for evaluating the Intersect proposal.

The Intersect proposal will translate to negative environmental impacts that simply cannot be mitigated and the DEIR must review the proposal and project alternatives in that light.

Sincerely,

A handwritten signature in blue ink, appearing to read "Randy Selna", written in a cursive style.

Selna Partners, LLP



## *Douglas Herring & Associates*

*Environmental, Policy, and Planning Services*

May 29, 2020

Andrew Young, Senior Planner  
Alameda County Planning Department  
224 West Winton Avenue, Room 111  
Hayward, CA 94544

Subject: Notice of Preparation of an Environmental Impact Report for the  
Aramis Solar Energy Generation and Storage Project,  
County Planning Application PLB2017-00174

Dear Mr. Young:

Thank you for the opportunity to comment on the scope of the environmental review for the proposed Aramis Solar Energy Generation and Storage Project in the North Livermore area of unincorporated Alameda County. I am submitting this comment letter in response to the County's May 4, 2020 Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the project on behalf of Chris O'Brien, a property owner in the vicinity of the proposed project.

The proposed project would entail construction of a solar energy production facility with photovoltaic panels providing up to 100 megawatts (MW) of output capacity, and would include onsite battery storage and an onsite substation for voltage conversion. The project would require approval of a Conditional Use Permit (CUP) to operate a solar photovoltaic and electricity storage facility. It would also require approval of parcel map subdivision to separate approximately 150 acres from one of the project parcels and exclude it from project development.

The project site would be comprised of large portions of four mostly contiguous, privately-owned parcels totaling 747 acres. Approximately 580 acres of level land would be developed with the proposed solar generation facility. The project parcels are located at or near the northern end of North Livermore Avenue, approximately 2.2 miles north of Interstate 580. The area consists predominantly of large agricultural parcels used for livestock grazing and cultivation of row crops.

The largest parcel is located on the west side of North Livermore Avenue where it terminates at Manning Road, which extends toward the west. Manning Road forms the northern boundary of this 536-acre parcel. While the majority of the parcel is flat,

approximately 150 acres of the parcel is moderately to steeply sloped and supports sensitive habitat; this northwestern portion of the parcel would be excluded from the proposed development and a proposed subdivision would legally separate the area from the proposed development site. The County's NOP states that another approximately 36 acres of this parcel is not suitable for development with solar arrays, and would also be excluded from the project.

The third project parcel is on the 101-acre Stanley Ranch property located immediately south of the larger parcel described above. Approximately 30 acres of this parcel would be developed with the proposed project, while the rest of the parcel would remain in its current state, which is occupied by ranch buildings or used for crop production. The other two contiguous parcels, encompassing approximately 50 and 60 acres, respectively, are located on the northern side of the L-intersection of North Livermore Avenue and Manning Road; one is west of North Livermore Avenue and the other is to the east. A stream crosses both of these parcels and would be excluded from development, reducing the development footprint by about 6 and 4 acres, respectively.

There are a number of environmental issues related to development of a utility-scale solar energy project in the North Livermore area. We are writing to request that the EIR thoroughly address the following issues of concern:

- 1) The property is crossed by Cayetano Creek, where water quality could be adversely affected by both construction and operational activities. The EIR should thoroughly evaluate these potential impacts and identify an adequate mitigation strategy for ensuring such impacts are minimized to the greatest extent possible. The EIR needs to clearly delineate the creek's location relative to proposed facilities as well as the required area of disturbance during project construction. Adequate buffers should be maintained throughout construction.
- 2) The project area is an environmentally sensitive area, where a number of special-status plant and wildlife species could be adversely affected by development of the project. For example, Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*), which is included on the rare plant inventory (List 1B) maintained by the California Native Plant Society (CNPS), is known to be present in the immediate area, and is likely to be present on the project site. Additionally, three plants listed as *endangered* by the U.S. Fish and Wildlife Service (USFWS) could potentially occur in the grassland habitat on the property, including large-flowered fiddleneck (*Amsinckia grandiflora*), Contra Costa goldfields (*Lasthenia conjugens*), and palmate-bracted bird's-beak (*Cordylanthus palmatus*).

Other special-status plants with the potential to be present include alkali milk-vetch (*Astragalus tener* var. *tener*), heartscale (*Atriplex cordulata*), crownscale (*Atriplex coronata* var. *coronata*), brittlescale (*Atriplex depressa*), San Joaquin spearscale (*Atriplex joaquiniana*), hispid bird's-beak (*Cordylanthus mollis* ssp.

*hispidus*), Livermore tarplant (*Deinandra bacigalupii*), diamond-petaled California poppy (*Eschscholzia rhombipetala*), hairless popcornflower (*Plagiobothrys glaber*), saline clover (*Trifolium depauperatum var. hydrophilum*), and caper-fruited tropidocarpum (*Tropidocarpum capparideum*).

Focused plant surveys should be conducted at the appropriate times during preparation of the EIR to determine whether or not any of these species is present. While avoidance of any special-status plant species identified on the site would be preferable, if avoidance is not practicable, a mitigation plan must be presented to reduce the project's impact on each affected species detected on the site to a less-than-significant level, if such mitigation is possible.

- 3) The California red-legged frog (*Rana aurora draytonii*), listed as *threatened* by USFWS, is known to occur in Cayetano Creek, and is therefore presumed present in the reach of the creek crossing the property, and is expected to use upland areas on the site for foraging and dispersal. The potential impacts to this sensitive species must be thoroughly evaluated and mitigated, if such mitigation is possible.
- 4) Another special-status wildlife species that may be present on the site is the California tiger salamander (*Ambystoma californiense*), listed as *threatened* by USFWS. Although Cayetano Creek does not provide suitable breeding habitat for this species, because the high-flow volume and velocity in the creek after storms in winter would wash away any salamander eggs that might be present, the tiger salamander could breed in temporary ponds that could be present on the site, such as vernal pools or human-made ponds that provide water for at least three months of the year; they will also utilize permanent ponds provided that aquatic vertebrate predators are not present. The upland habitat on the project property could be used by the salamander for aestivation (summer hibernation) during the hot, dry months of the year. The EIR should determine whether or not the tiger salamander is present on or near the site and evaluate potential impacts to this species. Potentially significant impacts to this species must be mitigated, if such mitigation is possible.
- 5) The western pond turtle (*Emys marmorata*), a California Species of Special Concern, has previously been observed in Cayetano Creek, and it may nest in upland areas adjacent to the creek. Potential impacts to this species must be evaluated and mitigated, if appropriate.
- 6) Another California Species of Special Concern that may be present on the site is the burrowing owl (*Athene cunicularia*), a small terrestrial owl that favors open annual and perennial grasslands on flat or gently sloped terrain, typically with sparse or nonexistent tree or shrub canopies. This species has been recorded in a number of locations in the North Livermore area, and given the suitability of

habitat on the project site, the potential for occurrence of burrowing owls on the project site is high. Surveys for the burrows of California ground squirrels that are favored by burrowing owls for shelter and nesting should be performed and documented in the EIR to further characterize the potential for their occurrence on the project site, and to inform the development of a suitable mitigation strategy.

- 7) The EIR should evaluate the potential for the proposed facilities to result in increased bird mortality from collisions with the solar arrays, transmission towers, transmission lines, and other equipment. The potential for electrocution should be included in the evaluation.
- 8) The project site is adjacent to the Caetano Creek Mitigation Habitat and to a private mitigation bank on 1,000 acres immediately west of the project site that is used as mitigation habitat for impacts to San Joaquin kit fox, California tiger salamander, Congdon's tarplant, and other sensitive species. There is at least one other mitigation bank in the vicinity, and the project site is within the Springtown Botanical Priority Protection Area and near the Springtown Wetlands Preserve. The latter includes sensitive alkali soils that are known to be endemic to just seven locations in the State of California. These soils support the endangered palmate-bracted bird's-beak previously referenced. The EIR should evaluate potential project impacts on these areas, including cumulative habitat loss and interference with migration corridors and foraging behaviors.
- 9) Conversion of approximately 580 acres of agricultural land to a non-agricultural use may conflict with policies promulgated in the *East County Area Plan* (ECAP). There is potential for the project to conflict with other ECAP policies, such as those protecting sensitive viewsheds and biological resources. The EIR needs to provide a detailed policy consistency analysis for all relevant ECAP policies.
- 10) North Livermore Avenue is identified as a Scenic Route in the Scenic Route Element of the General Plan. The EIR should evaluate the potential project conflicts with adopted policies the Scenic Route Element, including a policy stating that overhead transmission towers and lines should not be located within scenic corridors, and another stating that unsightly features should not be located within scenic corridors.
- 11) In addition to evaluating the project's consistency with the Alameda County General Plan and *East County Area Plan*, the EIR should include a discussion of applicable policies and other provisions of the *North Livermore Specific Plan*, *East Alameda County Conservation Strategy*, and any other planning documents that encompass the project site. Conflicts with policies that were adopted for purposes of avoiding or reducing adverse environmental effects would

constitute a significant impact under CEQA. These impacts should be identified and mitigated, if such mitigation is possible.

- 12) A quantified assessment of nighttime glare and light trespass from security lighting should be performed, as well as a daytime glare assessment from the solar arrays, including the potential for interference with aviation.
- 13) The EIR should evaluate the water supply impact from the estimated consumption of 42 acre-feet of water during project construction.
- 14) With up to 400 construction workers traveling to and from the project site each day for five to nine months, most of them likely driving their own vehicles, the traffic impact of this travel should be evaluated, and this travel should be factored into the assessment of air quality and greenhouse gas impacts during project construction.

Thank you for the County's consideration of these comments on the scope of the EIR for the proposed Aramis solar energy project. We look forward to reviewing the requested information in the Draft EIR when it is published.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Herring". The signature is written in a cursive, flowing style.

Doug Herring

121 Twin Oaks Lane  
Livermore CA 94551  
June 2, 2020

Alameda County Planning Department  
Attn: Andrew Young, Senior Planner  
224 W. Winton Avenue, Room 111  
Hayward CA 94544

submitted via e-mail  
andrew.young@acgov.org

**Re: Preparation of Environmental Impact Report  
Aramis Solar Energy Generation and Storage Project  
County Planning Application PLN2017-00174**

Dear Mr. Young and Members of Planning Board:

We would like to comment on the Aramis Solar Energy Generation and Storage Project proposed for the North end of the Livermore Valley. Specifically, the application for a Conditional Use Permit to allow construction of a 100 MW (megawatt) facility and associated battery storage on 533 acres. In addition, our comments also apply to the Conditional Use Permit PLN2016-00049, where comments were requested by April 22, and that proposal is part of what makes an even larger facility.

First, a word about us. We have lived here at the South end of Morgan Territory Road, within a mile of the Alameda County line, for 29 years. We have lived in the Tri-Valley for 52 years. We use Manning Road and N. Livermore Avenue daily.

We moved to this area because we appreciated the aesthetic beauty of the surrounding hills, valleys, and wildlife. One contributing factor to the beauty, was the fact that there were few power lines and no high voltage power lines in the area, unlike the South Livermore Valley. These 2 projects on either side of N. Livermore Avenue and Manning Road, as proposed will change the area irrevocably. We will drive next to it every day.

We should say that Susan is an artist, with Revolutionary War ancestors, who is retired from the travel business. Robert is a scientist with a Ph.D., who has worked in the energy research and development field for over 45 years and is still actively involved. For 22 of those years he managed a government funded research and development program at a large national laboratory managed by the University of California. The research budgets amounted to well over \$100 million per year (1990 dollars). Among other activities, he was asked to provide input to the President's Committee of Advisors on Science and Technology as part of their studies of energy issues in the 21<sup>st</sup> century. He subsequently became the Director of Studies at the World Energy Council, headquartered in London, conducting, along with the national energy associations of almost 100 countries, assessments of the impact of technology on energy development and

standards of living throughout the world. One of the things that was/is abundantly clear is that people worldwide want less and less intrusion on the environment from energy production and distribution. Robert also served as a Director on the County Zone 7 Water Board in the 1980s.

Rather than focus on the many issues dealing with the environmental and health aspects of the N. Livermore Valley and the impact of these proposals, which our neighbors are already addressing and, by the way includes County Measure D (Urban Boundary Limit), we want to focus here on just one aspect of the proposed project, which we believe will be a great detriment to the visual and aesthetic properties of this beautiful and scenic area. The proposal mentions overhead lines on poles that "could vary between 30 and 100 feet" and that the northern part of the Aramis project would cross Manning Road "either overhead or underground." Relevant to this, around the year 2000 PG&E had proposed a series of high-voltage transmission line towers to run across the northern part of the Valley for electrical service to and from what became the substation at N. Livermore and May School Road. This was to serve San Ramon and Dublin. At that time, we suggested to the PUC that PG&E put the power wires underground for a number of aesthetic and technical (future superconducting transmission cables) reasons. To its great credit, PG&E did exactly that and thus preserved the beauty of this valley.

These two proposals, with towers up to 100 feet tall (the height of a 90 story building), as well as tree plantings along the solar panels perimeter, and having to electrically cross both Manning Road and N. Livermore Avenue, will severely impact the scenic character of the area (a County designated Scenic Rural Recreation Route). And there will be inconvenience during and after construction. At a minimum, these overhead lines, and there will be many, will be extremely significant. In 2000, PG&E placed their electrical lines underground and we suggest that this project do likewise for all their connections, to be in keeping with this standard. At our house we have an in-ground solar generation system and the electrical connection are all run underground, thus preserving the natural beauty of the surrounding country-side. In the case of these proposed developments, having towers up to 100 feet high and 15-foot-high plantings at the perimeter to conceal 34,974 solar panels (23,316 plus 11658) on 591 acres (533 plus 58) will significantly obstruct the now expansive views from anywhere in this part of the N. Livermore Valley. This would make the perspective of this section of the rural N. Livermore Valley just like a fully developed urban area and we did not move here to live in the city.

Thank you for listening to and addressing these concerns, as well as the larger issue of a project of this size and extent, in what is a truly unique rural area with biking, driving, walking and scenic parks now utilized by all the residents of Alameda and surrounding counties. Please contact us if you have any questions.

   
Robert and Susan Schock

cc.

Honorable Scott Haggerty  
Supervisor  
4501 Pleasanton Avenue  
Pleasanton CA 94566

Shawn Wilson, Chief of Staff  
Supervisor Scot Haggerty  
1221 Oak Street, Suite 536  
Oakland CA 94612



## San Francisco Bay Chapter

Serving Alameda, Contra Costa, Marin and San Francisco counties  
2530 San Pablo Avenue, Suite I  
Berkeley, CA 94702

June 8, 2020

Alameda County Planning Department  
Attention: Andrew Young  
224 W. Winton Ave., Room 111  
Hayward, CA 94544

submitted via e-mail

### **Re.: Environmental Impact Report scoping comments for the Aramis Solar Energy Generation and Storage Project, County Planning Application PLN2018-00117**

Dear Andy,

The Sierra Club appreciates the opportunity to submit scoping comments for the Environmental Impact Report of the Aramis utility scale solar energy facility proposed for the west side of North Livermore Avenue at May School Road. Our comments fall into five categories: biological impacts, aesthetic impacts, agricultural impacts, project alternatives, and miscellaneous. The first three categories include cumulative impacts.

**Biological impacts:** The East Alameda County Conservation Strategy (EACCS) and other studies document both the presence of and suitable habitat for numerous special status species on and in the vicinity of the project site. The EACCS analyzed 19 focal species that are known or likely to occur in eastern Alameda County. Focal species are sensitive species that would be adversely affected or their habitats adversely affected by activities or projects in the area. Of the 19 focal species in the entire east Alameda County study area, nine focal species, nearly half of all focal species analyzed, occur or have the potential to occur in the Aramis project site based on mapping in the EACCS. Nevertheless, the documents accompanying the project proposal discuss only one species, the California red-legged frog. The eight other EACCS focal species are not mentioned, much less are potential impacts to them detailed. This is a remarkable oversight. The eight other focal species are the Callippe silverspot butterfly, California tiger salamander, Foothill yellow-legged frog, Golden eagle, Tricolored blackbird, Western burrowing owl, American badger, and San Joaquin kit fox. Potential harm to these species or their habitats must be analyzed in the EIR.

Impacts both from construction and operation of the facility should be included in the analysis, and mitigations both for construction and operational impacts should be proposed. The EACCS sets forth various mitigation factors for impact to the focal species it evaluated. That is a good starting point for the Aramis EIR. Nevertheless, the EACCS is now 10 years old. Newer research should be reviewed to determine if additional species should be evaluated and if the mitigation measures for the EACCS focal species remain adequate. One particular operational impact should be evaluated fully. The project proponent indicates that sheep grazing will replace cattle grazing as the agricultural activity on the

project site. Sheep are very different animals from cattle; sheep will undoubtedly have different impacts. Sheep grazing must be specifically evaluated for its impacts to both special status plants and animals. Just the difference in number of grazers when switching from cattle to sheep could lead to significant impacts. Such impacts must be evaluated and mitigated for.

The Aramis project is proposed to operate for at least 50 years. Considerable change in climatic and other conditions may occur in north Livermore over this period. These changes could influence the biological range of plants and animals in the area including species protected under state and federal law. To the extent possible, impacts to biological resources over this time scale should be evaluated. Range changes over the past 20-30 years may give some indication of potential future changes and therefore what additional environmental impacts might occur in the future. Periodic ongoing environmental evaluations and appropriate additional mitigations should be a condition of approval in any CUP.

Cumulative impacts to biological resources must be fully evaluated. PG&E's Cayetano substation clearly is ground zero for the targeting of utility-scale solar energy facilities (SEFs) in north Livermore. The zone for additional environmental impacts will radiate away from the substation like the blast zone of a bomb. The DEIR for the Livermore Community Solar Energy Facility proposed directly east across N. Livermore Avenue from the substation is quite explicit about the potential for more utility-scale SEFs. "The Livermore Valley provides ideal physical conditions for the development of solar photovoltaic (PV) facilities, having extensive level areas of undeveloped land and a climate with an abundance of sunny days...[I]t is likely that in the near future other solar PV projects will be proposed and built in the Livermore Valley." (DEIR, P. 4.4-23, emphasis added.)

**Aesthetic Impacts** – North Livermore is scenic agricultural open space with views in all directions of surrounding pasturelands, rolling hills and distant mountains. The County has designated North Livermore Avenue as a Scenic Recreational Rural Route. Bicyclists, motorcyclists and sightseeing drivers frequent this area because of its scenic character. Impacts to scenic views must be honestly evaluated. The Aramis project alone will contain some 320,000 solar collectors spread across the landscape. Even when stowed, the project description indicates they will be 8 feet high. In operation, they are likely to be considerably higher. These industrial structures will blanket a large area of approximately 420 acres and be visible from a great distance. Without a doubt, they will change the visual character of the area from open farmland to a large-scale solar power plant. Any mitigations proposed to screen this vast array of collectors will themselves lead to changes in the visual character of the area since they will have to be continuous as well as tall enough to hide the arrays, and will cover large stretches of area. The environmental impact report should be an honest document so that the public and decision makers know exactly the visual changes that are being proposed for this area, and whether the impacts to visual resources will be significant and unavoidable even after mitigation.

Cumulative impacts from the Aramis project together with the neighboring Livermore Community SEF, as well as other likely projects should be evaluated. While a single project might from a distance look tolerably like a man-made lake as the project proponent suggests, north Livermore is not a lake district. It is dry farmland, lushly green in the winter and early spring, and golden brown for the remainder of the year. The sky is blue; north Livermore is not. The cumulative change to the visual character of the area from potentially many hundreds of thousands of solar collectors covering perhaps several thousand acres of farmland must be evaluated.

**Agricultural Impacts** – The impact of the Aramis project on agriculture should be evaluated. The project proposes to replace cattle grazing with sheep grazing and bee keeping. Do these agricultural activities currently exist to any great degree in north Livermore? Are the proposed substitutes for cattle grazing truly viable or are they pretenses to obscure the change from agriculture to large-scale industrial power production? In most cases where non-owner grazing occurs, the land is leased out. Will the Aramis parcels actually be leased out and generate real revenue from the grazing tenant, or will the landowner accept a token payment with the sheep in effect used mainly as a form of weed control among the solar collectors? How will the sheep grazing lease compare to nearby cattle leases? The California Department of Conservation does not consider solar electric facilities to be genuine agriculture consistent with the Williamson Act. Why should the County and the public believe this is real agriculture being proposed even for the land not under the Williamson Act?

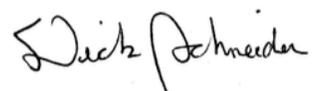
Cumulative impacts to county agriculture should be evaluated. The current agricultural production in north Livermore consists mainly of dry land farming and cattle grazing. A critical mass of agriculture may be necessary for these agricultural uses to survive. As land is taken out of production for these activities, will this lead to more land being converted to primarily non-agricultural uses? According to Department of Conservation statistics, between 1984 and 2016, over 16,000 acres of grazing land in Alameda County were converted to non-agricultural uses. This is already an alarming trend and the proposed project together with others is likely to exacerbate the cumulative loss of agriculture in the county. This impact should be evaluated.

**Project Alternatives** – The staff report for this EIR indicates that a No Project alternative will be evaluated, but that no other alternatives have been selected. In particular, an alternative location “is not presently under consideration.” We believe that a distributed energy generation alternative should be evaluated. Distributed generation means electricity that is produced in already developed areas where the energy will be consumed. Distributed generation is generally believed to produce fewer environmental impacts than large-scale central station generation. Moreover, East Bay Community Energy, Alameda County’s community choice aggregation authority, prepared an analysis showing that over 650 MW of technical solar siting potential exist on built areas of the county, and that 30% of the total comes parking lots and parking garages. The latter sites alone have the potential to generate 195 MW of solar power, very nearly twice what the Aramis project would produce. If some of these sites are not viable, there still could be the possibility of generating as much solar energy as Aramis without the environmental impacts to biological, agricultural and scenic resources.

**Miscellaneous impacts** – The project proposes 100 MW of lithium ion battery storage in four 100-ft x 180-ft buildings occupying 72,000 square feet of building area (1.65 acres of buildings). The EIR must analyze the environmental impact of this project component. What are the toxic substances in lithium ion batteries and associated electrical equipment? What happens to them in the event of a catastrophic fire? Do they vaporize and present an air pollution hazard to nearby residents or even for more distant Tri-Valley residents downwind? Can a large fire at a lithium ion battery facility be extinguished with water delivered by area fire trucks? What toxic materials might leach into groundwater as a result of contaminated fire-fighting water? What impact might those toxic substances have on nearby residents who derive their drinking water from wells in the vicinity? What impacts to wildlife and plants from catastrophic fires that release toxic materials. There are impacts that need to be presented in the EIR.

We hope the above comments will help lead to a thorough environmental impact review of the project. We look forward to reviewing the Draft Environmental Impact Report when it is released for public comment.

Respectfully submitted,

A handwritten signature in black ink that reads "Dick Schneider". The signature is written in a cursive style with a large initial "D".

Dick Schneider, Sierra Club Tri-Valley Group

[Richs59354@aol.com](mailto:Richs59354@aol.com)

(510) 926-0010

## Young, Andrew, CDA

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**From:** Carol Silva <7silva@comcast.net>  
**Sent:** Friday, June 5, 2020 4:54 PM  
**To:** Young, Andrew, CDA  
**Subject:** EIR Scoping Comments for the Proposed Aramis Solar Generation Project

Dear Mr. Young,

I live in north Livermore and I have the following concerns about the proposed Aramis Solar Generation project:

Large-scale solar power plants raise local temperatures, creating a solar heat island effect according to the findings of three different desert ecosystems in Arizona that demonstrated that temperatures around a solar power plant were 5.4-7.2 degrees Fahrenheit warmer than nearby wildlands. The study was conducted by Mitchell A. Pavao-Zuckerman, an assistant professor from the University of Maryland's College of Agriculture and Natural Resources, with colleagues from the University of Arizona, University of Madison-Wisconsin, and the Nevada Center of Excellence. Reference a PHYS Org website: <https://phys.org/news/2016-11-solar-island-effect-large-scale-power.html> In addition to the increased temperatures, can reflective surfaces of solar farms shoot sunlight back into the air and prevent clouds from forming or dissipate clouds that are there? Livermore already has very hot seasons in spring, summer, and fall, with minimal rainfall. The location of the proposed project is on agricultural land which has several arroyos that wind through the area containing much wildlife and endangered native plants. In one of my environmental publications, I had read about a solar power plant located in one of the California deserts, which due to the increased temperatures from the solar project, caused nearby animals and native plants to die. Increased temperatures in north Livermore could easily dry up the arroyos, kill wildlife, dry the vegetation, increase the likelihood of fire, make drought conditions much, much worst, cause dust storms (there are numerous days in which north Livermore is very, very windy; that's why there are windmills nearby), etc. And how will the aquifer be impacted by this proposed project? Livermore residents depend upon the water from the aquifer.

Please have all possible impacts of this project thoroughly reviewed. Thank you.

Carol Silva  
Livermore, CA

**\*\* This email was sent from an external source. If you do not know the sender, do not click on links or attachments. \*\***

June 4, 2020

Alameda County Community Development Planning Department  
Attn: Andy Young  
224 West Winton Avenue, Room 111  
Hayward, CA 94544

RE: Written comments for NOP of Environmental Impact Report  
Aramis Solar Energy Generation and Storage Project  
Application # PLN2018-00117

Dear Mr. Young:

We would like to enter the following into the record regarding the proposed environmental impact report for the Aramis solar energy generation and storage project conditional use permit #PLN2018-00117. While we understand the need for alternative energy sources and own solar panels for our residence, an industrial size facility needs to be evaluated for the impact from numerous perspectives.

- I. Aesthetics. This proposed change to an otherwise picturesque landscape is a visual assault. The solar edifice will have a substantial adverse effect on the scenic vista of North Livermore. The visual character of the natural environment would be permanently degraded at the site, as well as spoil the beauty of the surrounding area. While the project description from Intersect Power states "From a distance, the project would appear as a muted, dark field of panels, similar to a body of water, and would exhibit minimal glint and glare in comparison to a body of water", there are no bodies of water in the area. Lighting and signage of the utility is another concern. The solar facility would appear unnatural and alter the agricultural essence of the area. There are no mitigations that could protect the aesthetics of the area from the industrial energy generation facility. See attachment A for a current view from our deck.
- II. Traffic. Aesthetics aside, one of our primary concerns is safety regarding the traffic. The planned access points off North Livermore or Manning Roads are not clearly defined in the proposal and could be hazardous during construction from either of the two roads. Both North Livermore Avenue and Manning Road are heavily traveled by commuters and bicyclists. The addition of construction vehicles would be hazardous to anyone traveling the road regardless of the distance of the entry point to the roads. The corner of N. Livermore Avenue and Manning has limited visibility at some points, and is already the location of numerous collisions, both vehicle and bicycle, as is the intersection of Manning and Morgan Territory Road. The single lane roads are designed for agriculture, not production facilities.

- III. Climate. The impact of weather should be another factor studied under the EIR. All power transmission to the PG&E substation should be underground due to high winds experienced in the area, as well as the fire potential of broken or down wires in dry grass. The westside of North Livermore Avenue floods during rainy weather and should also be examined before adding more traffic or submerging power lines.
- IV. Wildlife. The proposed area is inhabited by a variety of wildlife, as well as serves as a migration corridor. The area and waterway associated with Cayetano Creek is essential to native plant and animal habitat. The proposal by the applicant to add a public hiking trail along Cayetano Creek will further disturb the natural plants and wildlife, as well as increase vehicle traffic.
- V. Watershed. Groundwater sources are limited in the area. We are expressly concerned with the additional demand on a precious resource, as well as the potential contamination of outside water introduced to the area and run off from panel cleaning.
- VI. Compatibility with Williamson Act. While the proposed operational plan is to be coincidental with agriculture, the sheep proposed to be housed with the solar are not currently in production on the site or anywhere on North Livermore Avenue. The proposal is to convert open grazing land to an industrial size energy production facility and add sheep to the site to claim "agricultural" use. The project is not truly an agricultural operation.

We appreciate the opportunity to comment. Thank you for your consideration in addressing these concerns in the EIR. Please contact us if you have questions.

*Steve & Susan Springer*

Steve & Susan Springer  
9017 Doubletree Lane  
Livermore, CA 94551  
925-449-5481

Attachment A (photo)



Timothy P Ryan  
3333 Rice St., Apt. 203  
Miami, FL 33133  
Owner: 13285 Morgan Territory Rd.  
Livermore, CA 94551  
TimSueRyan@aol.com  
786 – 999 – 5096

June 4, 2020

Andrew Young, Senior Planner  
Alameda County Planning Department  
224 W. Winton Avenue, Room 111  
Hayward, CA 94544  
[Andrew.young@acgov.org](mailto:Andrew.young@acgov.org)

Subject: **Aramis Renewable Energy Project (County Planning Application: PLN 2017-00174)**

Dear Mr. Young:

Pursuant to your request, I would like to reemphasize and add the following information to the information that you've already prepared. In doing so, it seems to me that you have asked for the preparation of many of the items of which I would have requested if I had been in your position. Therefore, let me address the following:

1. First, I am not in favor of this project as it goes against the intent of all the previous planning regarding the north Livermore area. It is an agricultural area and has been maintained as such for many, many years including several elections which have re-emphasized this effort. This project goes against that community intent and the General Plan and Land Use Planning.
2. It is my understanding that this property is in the Williamson Act which also re-emphasizes its agricultural intent.
3. The possibility of adverse biological impacts seems imminent to include water contamination, air quality concerns (greenhouse gases), traffic increases, and other contaminations yet to be determined.
4. Along with all of this is the need to maintain the esthetic value of the pasturelands as it now is evident.

It seems to me that the best location for this project is in the Altamont Pass hills where there is already windmills for power development. It should be in this area so that it would avoid its potential unsightly appearance and accomplish the same measures.

Thank you for your attention to this matter.

Sincerely,  
(Signed)  
Timothy P. Ryan

Cc: Richard Ryan (Rybrew1@gmail.com)

## Young, Andrew, CDA

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**From:** tracy.wood589@gmail.com  
**Sent:** Friday, June 5, 2020 6:58 PM  
**To:** Young, Andrew, CDA  
**Cc:** Haggerty, Scott, Supv BOS Dist 1; Wilson, Shawn, BOS Dist 1; tracy.wood589@gmail.com  
**Subject:** Re: Aramis Solar Energy PLB2018-00017  
**Attachments:** Aramis Solar Energy PLB2018-00017.pdf

Date: June 5, 2020

Submitted via email

[andrew.young@acgov.org](mailto:andrew.young@acgov.org)

To: Andrew Young Senior Planner  
Alameda County Planning Department  
224 West Winton Avenue, Room 111  
Hayward, Ca. 94554

From: Tracy Wood  
100 Twin Oaks Lane  
Livermore, Ca. 94551

Subject: Aramis Solar Energy Generation and Storage Project, County Planning Application PLB2018-00017

Dear Mr. Young:

Thank you for the opportunity to comment on the scope of the environmental review for the proposed Aramis Solar Energy Generation and Storage Project in the North Livermore area of unincorporated Alameda County. I am submitting this comment letter in response to the County's Map May 4, 2020 Notice of Preparation (NOP) of an Environmental Impact Report (EIR).

The proposed unsightly project would entail construction of a massive solar energy production facility with photovoltaic panels providing up to 100 megawatts of output capacity and include on site battery storage and an onsite substation for voltage conversion across four privately-owned parcels estimated at 580 acres of beautiful, scenic rural grazing land, the equivalent of 25,797 football fields.

This project would impose significant environmental impacts on NLVRC area.

- **Aesthetics:** Our North Livermore Valley Rural Community area is designated as Scenic Rural Recreational Route, having 580 acres littered with Solar Panels will remove the scenic view and instead be replaced with ugly, glaring, heat generating fire boxes. Fencing and landscaping will not negate the ugliness of the project. And one need look no further than the poorly designed landscaping of the Cayetano Creek Project to see what our city of Livermore validates as aesthetically appealing.
- **Agricultural Resources:** According to the Intersect proposal, open pastureland will be converted to a solar electric plant. A proposal for sheep grazing to keep weeds down is not agriculture and is a creepy attempt to make the project pass as ag, people are smarter than this. The DEIR must study the cumulative impacts of converting ag land to no-ag uses – which is happening at an alarming rate – in Livermore, Alameda County and statewide. These impacts cannot be mitigated, and the DEIR must indicate as such.
- **Biological Resources:** There are too many to name – starting with losing grazing land to industry which is happening at an alarming rate throughout our city and state. Multiple wildlife species would be impacted in a negative manner, including but not limited too black tail deer, wild turkey, red legged frog, tiger salamander, western pond turtle, burrowing owl, red tail hawk, squirrels, badger, black crows, coyote, and turkey vultures.
- **Hydrology/Groundwater:** This project is in direct conflict with the ACDEH and Alameda County Public Works Agency – Clean Water Program. It is interesting when tax dollars come into light that environmental issues seem to go the wayside.

The Aramis Solar Facility does not reduce or eliminate pollution and does not protect or enhance water quality, but rather increase water pollution, runoff goes directly into our drinking water, aquifers and storm drains which eventually lead to our ocean.

I find it very troubling that we now have two major initiatives on the docket that will impact our environment in the NLVRC area. The solar facility does not belong in our scenic area and must be relocated to an area that is more appropriate and one that will not impact the environment or ground water.

Lastly, has the DEIR consulted with the Chief of Fire Department to determine the impact of a fire starting and all those acres of solar panels (plastic) becoming a fire box to burn down the valley and move straight into downtown Livermore and neighboring cities (Paradise Camp Fire).

Thank you for the County's consideration of our concerns and impact on our scenic NLVRC.

Thank you,

Tracy Wood

CC: Scott Haggerty, Supervisor  
Shawn Wilson Chief of Staff for Supervisor Scott Haggerty

Tracy Wood  
O 925-371-6132  
C 925-667-7954

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## Young, Andrew, CDA

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**From:** Laura Mercier <lmercier@trivalleyconservancy.org>  
**Sent:** Monday, June 8, 2020 2:46 PM  
**To:** Young, Andrew, CDA  
**Cc:** Mark Triska; David Kent; Steve & Sue Springer; Tammy Reus  
**Subject:** Case No. PLN2018-00117, Solar Energy Facility (SEF) comments

Hello Andy,

This email is in response to the Notice of Preparation for the EIR for Case No. PLN2018-00117, Solar Energy Facility (SEF).

Tri-Valley Conservancy believes the prepared Environmental Impact Report for the proposed Aramis Solare Energy Generation and Storage Project should address the following items.

1. **Aesthetics:** prove that this solar facility does not impact the rural “feel” and bucolic view shed.
2. **Agriculture:** this land currently considered Grazing land is equally important to the agriculture in this valley. Please address how this is being mitigated in addition to any environmental mitigation required.
3. **Alternatives sites:** adequate alternatives should be presented including existing developed areas such as covers for parking lots. The goal is to support solar facilities at the same time locations selected are where potential impacts can be minimized.
4. **Decommissioning and Restoration Plan:** include how the applicant will provide a Financial Assurance in the form of a sufficient bond with escalators for inflation prior to commencing construction for the SEF.
5. **Wildlife:** Identify, be specific and clear on all mitigation required is in compliance with the **East Alameda County Conservation Strategy (EACCS)**. If the species is not identified in the EACCS then provide the tool used for calculating mitigation requirements.
6. **Williamson Act:** State of California does not accept solar projects on lands under the Williamson Act. This project includes some land that is under the Williamson act; identify the proposed method to **extinguish** the Williamson Act.

Thank you,

Laura

Laura Mercier  
Executive Director  
Tri-Valley Conservancy

925-449-8706: Office  
925-989-3508: Cell

[www.trivalleyconservancy.org](http://www.trivalleyconservancy.org)

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**From:** Chris & Diana Wyland <chrisdianawyland@gmail.com>

**Sent:** Thursday, May 21, 2020 2:21 PM

**To:** Young, Andrew, CDA <andrew.young@acgov.org>

**Subject:** Solar Panel Field on N. Livermore Ave.

Dear Andrew,

I'm writing to let you know that my family and I oppose the Solar Panel project proposed on N. Livermore Ave / Manning. We have lived on Morgan Territory Rd for 10 years and love the countryside. We moved here and bought our property for this reason - the countryside. Having a huge Solar Panel farm installed is not natural, not the natural landscape that brings so much beauty and peace to our area. The wildlife, landscape, and cows grazing that everyone drives by is gorgeous. Having solar panels is not gorgeous, and to profit PG&E is not popular. Livermore has grown a lot over the 20 years that we have lived here, and a big part of it's charm are the cow pastures - countryside in the North and also vineyards - wineries in the South, as well as the vibrant downtown and caring residents.

Possibly the land owners want something to bring them more income than cattle or hay, however, their land is zoned agricultural, with other measures in place to protect that. I wonder if another land conservancy organization can purchase the land and keep it open space? I'm sure everyone would love that solution. Similar to other properties nearby in Doolan Canyon - Tri Valley Conservancy, and the land near us - that Save Mt Diablo purchased.

I am the Next Door Lead for Morgan Territory and have shared the email with the information to contact you. I posted it in a neutral fashion to encourage comments, but know that most of us will oppose this project.

Please know that regular residents of Livermore are probably not aware of what's going on and so may not be able to comment. My guess is that they would be opposed also. Property values will go down if Livermore becomes known as the town with the huge solar panel farm on the outskirts. Thank you for listening to my opinion, and we look forward to a positive outcome for us all.

Please let me know if you need any other info, or have anything for me to share to my neighbors, I am happy to help.

Thank you.

Sincerely,  
Diana & Chris Wyland  
10580 Morgan Territory Rd.  
Livermore, CA 94551