

### 3. Revisions to the Draft EIR

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This chapter presents changes to the Draft EIR that resulted from preparation of responses to comments or were staff-directed changes including corrections and clarifications. In each case, the page and location on the page in the Draft EIR is presented, followed by the text or graphic revision. Underline text represents language that has been added to the EIR; text with ~~strike through~~ has been deleted from the EIR. The revisions in this chapter do not require recirculation of the Draft EIR because they do not constitute “significant new information” under Section 15088.5 of the CEQA Guidelines. All changes to Draft EIR Table 1-1, Summary of Impacts and Mitigation Measures, are included in Chapter 1 of this Final EIR.

#### CHAPTER 1 – EXECUTIVE SUMMARY

The bullet list on page 1-4 of the Draft EIR is hereby amended as follows:

- Perimeter swale with a maximum bottom width of 1-foot along the inside perimeter of the existing fence to retain rainwater for groundwater recharge
  - ~~2 water tanks (5,000 gallons each)~~
  - 2 subsurface water storage tanks (20,250 gallons each)

#### CHAPTER 3 PROJECT DESCRIPTION

The bullet list on the bottom of page 3-21 of the Draft EIR is hereby amended to include the following:

- Agreement to address timing, amounts, and costs to access City of Livermore hydrants – (City of Livermore)

#### CHAPTER 4.4 BIOLOGICAL RESOURCES

Mitigation Measure BIO-1.3 on page 4.4-19 of the Draft EIR is hereby amended as follows:

**Mitigation Measure BIO-1.3:** A qualified botanist shall conduct up to three appropriately timed rare plant surveys during late April and early May to confirm the status of special-status plant species not detectable on the parcel during the October 2017 survey. Exact timing of the surveys will depend on environmental conditions in the year of the survey. The surveys shall focus on the special-status plant species for which suitable habitat occurs on the subject property. The surveys shall be completed, and a report of findings submitted to the County before the onset of initial ground-disturbing activity or construction associated with Project implementation. If special-status plant species are found on the

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subject property, the plant populations will be avoided by establishing a buffer around the plant populations that will be maintained throughout Project implementation. The buffer shall be determined on a case by case basis and shall be adequate to prevent direct and indirect effects from construction and operation (e.g., dust, changes in hydrology, shading, weed abatement and wildfire fuel modification) on the avoided plant populations and will be determined by a qualified botanist. Project implementation means from the start of ground disturbance until the facility becomes operational. Once operational, avoided plant populations preserved onsite will have permanent avoidance areas established around the preserved plants. A qualified botanist will determine the preserved area with approval from CDFW. The preserved area shall at minimum preserve the plant population and a sufficient portion of its watershed to ensure long term viability of the plants. A Long-term Management Plan shall also define long-term vegetation management activities and performance criteria such as livestock grazing standards (season of use, livestock type, seasonal and residual cover requirements, etc.) required to promote the continued presence of the identified rare plants on the property. The Long-term Management Plan shall be approved by CDFW and Alameda County and implemented by the operator.

If special-status plants are found during the rare plant surveys and avoidance is not feasible, a qualified botanist/biologist or certified range manager will prepare a detailed rare plant mitigation and monitoring plan. The plan will recognize grazing as a management tool and will use grazing regimes to sustain rare plant populations and control of vegetation. The plan shall only be required if a listed species or those with a ranking of 1A, 1B, or 2 of the California Native Plant Society (CNPS) Inventory or locally rare species as listed in the CNPS East Bay database are found during the rare plant surveys. The site will be monitored for 5 years to ensure the continued presence of the special-status plant populations. Rare plant populations will be mapped. Plant populations will be monitored, and the population size and number will be recorded. Plant populations shall either be stable or increasing during the monitoring period as compared to pre-project condition. A monitoring report will be prepared and submitted by the end of the year to the County. The plan will include details on seed collection and propagation, techniques to avoid the introduction of plant pathogens to the preserved area, preparing the preserved area for planting, revegetation monitoring plan, success criteria, and reporting requirements. The planting area within the preserved area will be similar in size to the area occupied by the impacted plant on the subject property. After replanting, the preserved area will be monitored for a minimum of five years. Based on standard practices, minimum success criteria would be presence and continued reproductive success of the plant within the preserved area and with less than 80 percent areal coverage of the impacted rare plant at the end of the five-year monitoring period. Annual reports, with interim success criteria to ensure the plan is on track to meet the mitigation goals, will be prepared. At the end of each monitoring year, a report shall be prepared evaluating the success of the mitigation program and recommending remedial measures as necessary. If the success criteria have not been met at the conclusion of the five-year monitoring period, continued monitoring will be conducted until the success criteria have been achieved.

1. If the success criteria have not been met at the conclusion of the five-year monitoring period, monitoring may be extended for an additional period or another population of the affected special-status plant species may be preserved. The preserved population shall provide for permanent protection of an existing population in Alameda County, which is equal or larger than that impacted on the parcel (minimum 1:1 replacement). Preservation may occur through land acquisition or use of

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a conservation easement. Off-site mitigation lands shall include establishment of a management endowment as necessary to provide for long-term management of the preserved population. Offsite preserved mitigation land under MM BIO-1.3 may be “stacked” with other mitigation obligations identified in this chapter.

### CHAPTER 4.2 AGRICULTURE AND FORESTRY RESOURCES

The last paragraph on page 4.2-4 of the Draft EIR is hereby amended as follows:

Outside of areas proposed as locations for access roads, equipment pad, and water detention basins, the proposed Project would not grade or remove topsoil. Panels would be supported by pile-driven post supports, with 10 supports per row. The solar panels, which are mounted on single-axis trackers supported by the posts, are in motion throughout the daylight hours; the height and pivoting movement of the panels throughout the day allow for sunlight, air circulation, and vegetation growth on all ground areas except the relatively small acreage occupied by the posts themselves, and allow for continued grazing use of these areas, such that the agricultural use of nearly the entire solar panel array area remains intact. After equipment installation, the existing vegetation would be retained, and where disturbed, would be reseeded. The total non-agricultural area ~~occupied by impervious surfaces~~ would be about 6.53 acres, and about 65 acres would remain in use for grazing, with the property continuing to provide some tangible gross annual revenue from agricultural production.

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