

5. *Comments and Responses*

This chapter includes a reproduction of, and responses to, each comment letter received during the public review period on the Draft EIR. Comments are presented in their original format in Appendix E.

Responses to individual comments are provided in this chapter alongside the text of each corresponding comment. Letters are categorized by:

- Governmental Agencies
- Non-Governmental Organizations and Private Companies
- Members of the Public

Letters are arranged by category, date received, and name. Where the same comment has been made more than once, a response may direct the reader to another numbered comment and response. Where a response requires revisions to the Draft EIR, these revisions are shown in Chapter 3 of this Final EIR. Responses to individual comments are presented in Table 5-1.

Table 5-1 presents comments received on the Draft EIR and responses to each of those comments.

In addition to the comment letters included in Table 5-1, the County received several letters that pertain only to the merits of the proposed project. These letters are listed in Chapter 4 of this Final EIR and are included in Appendix E.

Although comments related to the merits of the proposed project do not require responses in the Final EIR, they do provide important input to the decision-making process. All letters received during the public comment period will be forwarded to decision makers.

COMMENTS AND RESPONSES

5.1 COMMENTS AND RESPONSES

TABLE 5-1 RESPONSES TO COMMENTS RECEIVED ON THE DRAFT EIR

Comment	Comment	Response
A. Governmental Agencies		
GOV1	Governor's Office of Planning and Research, State Clearinghouse Unit	
GOV1-01	<p>The State Clearinghouse would like to inform you that our office will be transitioning from providing a hard copy of acknowledging the close of review period on your project to electronic mail system.</p> <p>Please visit: https://ceganet.oRr.ca.gov/2018092012/4 for full details about your project and if any state agencies submitted comments by close of review period (note: any state agencies in bold, submitted comments and are available).</p> <p>This email acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.</p> <p>Please email the State Clearinghouse at state.clearinghouse@.QRr.ca.gov for any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.</p>	The comment is noted. The comment does not address the adequacy of the Draft EIR.
GOV2	City of Livermore	
GOV2-01	Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for the proposed Livermore Community Solar Farm project. The project would develop a 6-megawatt (MW) solar photovoltaic (PV) facility on a 58.7-acre portion of a 71.64-acre parcel located at the northeast corner of North Livermore Avenue and May School Road. Construction would occur in two phases over a one-year period. The property owner would continue to lease the property to allow livestock grazing underneath and around the solar panels.	The comment serves as an introduction to the comments that follow, and provides a description of the proposed project. The comment does not address the adequacy of the Draft EIR.
GOV2-02	The city's response to the Notice of Preparation dated February 11, 2019 expressed concerns relating to visual impacts, agriculture and Williamson Act, and biological impacts (see attached letter).	The comment references a prior comment letter. The comment does not address the adequacy of the Draft EIR.
GOV2-03	The project description indicates that water for project operation and irrigation would be obtained from a fire hydrant located at the corner of Ames Street and Martingale Lane in the city of Livermore. The City of Livermore recommends the project proponents secure a reliable water source independent of City of Livermore sources. Access to water from the hydrant will require approval by city of Livermore through an agreement that will address timing, amounts and costs.	Subsequent to this comment, the project applicant obtained a permit to use potable water from the City of Livermore. No additional response required.

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GOV2-04	The city continues to support the development of clean energy sources as well as agriculture and biological resources protection. The city looks forward to continued collaboration with the county on these important issues.	The comment provides a conclusion for the comments above. The comment does not address the adequacy of the Draft EIR.
B. Private Companies & Organizations		
ORG1	Sierra Club	
ORG1-01	The Sierra Club appreciates the opportunity to provide comments on the Draft Environmental Impact Report (DEIR) for the proposed Livermore Community Solar Energy Facility. Sierra Club strongly supports solar energy facilities in appropriate locations in Alameda County consistent with applicable law, ordinances, regulations and standards (LORS). The Sierra Club also appreciates that an EIR has been prepared for this project. We requested preparation of an EIR in our October 25, 2018, comment letter on the Initial Study/Mitigated Negative Declaration (IS/MND) for this project.	The comment serves as an introduction to the comments that follow, and provides a description of the proposed project. The comment does not address the adequacy of the Draft EIR.
ORG1-02	In this comment letter, we wish to make three main points: (1) the DEIR does not adequately analyze potential impacts to special status species, including cumulative impacts; (2) the DEIR does not adequately analyze impacts to scenic views, including cumulative impacts; and (3) the DEIR does not adequately analyze the proposed change from cattle grazing to sheep grazing on the project site, including cumulative impacts to cattle grazing in north Livermore. The Sierra Club noted these deficiencies in our comment letter on the IS/MND mentioned above. That letter is attached hereto for reference. Many of the comments made in that letter are repeated here for the record.	The comment introduces the topics that are addressed in more detail in the remainder of the comment letter. Please see responses ORG1-03 through ORG1-12.
ORG1-03	(1)Biological Impacts to Special Status Species Although most special-status species that inhabit north Livermore have not been observed on the project site, dispersal habitat for the California Red-legged Frog (CRLF) and the California Tiger Salamander (CTS) has been noted and mitigations proposed to reduce potential impacts to less than a significant level. The mitigations, however, focus primarily on the construction phase of the project. Very little is said about impacts during operation of the facility. For example, to avoid harm to individual animals, an exclusion fence will be installed prior to the start of construction. The fence will prevent migrating amphibians from entering the site, and it will allow capture and removal of animals from inside the fence line without their being able to reenter the site. This will prevent harm to these amphibians during construction. The DEIR, however, does not say whether the exclusion fence will stay up after construction is completed or if it will come down. If the fence stays up, then a permanent loss of dispersal habitat will occur since CRLF and CTS will not be able to enter the site. If it is removed, then operational impacts to dispersing CRLF and CTS may occur, including from the sheep grazing operation. Neither case is analyzed in the DEIR, much less are potential impacts mitigated for.	Additional detail has been provided to inform the reader of the mitigation measures being implemented to protect CTS and CRLF that may move through or live on the site. For instance, the commenter focuses on how the exclusion fence will be constructed and used. The commenter is referred back to Mitigation Measure BIO-1.1, bullet #1, in which the fence is described as being installed "to enclose the subject property before the onset of fall/winter rains and to remain in place throughout one entire winter rainy season (October through April) after which it will be removed and will not remain a permanent feature. So, the duration of the fences is as follows: The fence stays in place between October and April, the period in which CTSSS and CRFL move from their burrows (rainy season). Operational impacts which may include vehicle collision and excavation during trenching are unlikely except when CTS or CRLF are exiting a breeding pond or moving between hydration habitat and upland refugia. Operations during the winter are also unlikely to impact

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ORG1-04	<p>If the exclusion fence stays up resulting in a permanent loss of dispersal habitat, then the East Alameda County Conservation Strategy (EACCS) recommends either a 3:1 or 3.5:1 mitigation ratio for the CRLF depending on whether the mitigation habitat is located within the same or in a different CRLF mitigation area (EACCS, Chapter 3, Table 3-7 and Figure 3-9). For CTS, the mitigation ratio ranges from 3:1 to 4:1 depending on whether the mitigation habitat is located north or south of I-580 and east or west of I-680 (EACCS, Chapter 3, Table 3-8 and Figure 3-10). None of this is discussed in the DEIR.</p>	<p>CTS or CRLF as movements are typically made at night during rain showers or nighttime periods of high humidity. Maintenance and repair of the arrays will not take place at night thereby avoiding moving CTS and CRLF. Daytime maintenance and repair activities will be limited to maintenance roads. Off-road activity day or night during rainy periods will be prohibited. In these ways CTS and CRLF will be avoided during operation. There are no breeding ponds on or adjacent to the site so impacts due to operation of the facility are unlikely to occur. Sheep and cattle are not considered threats to CTS and CRLF and numerous studies have documented the benefits of moderate to high levels of livestock grazing for both species.¹ Sheep may have a lesser impact on the ground due to their smaller size as compared to cattle, but stocking rates are also a consideration. Regardless, ground squirrel burrows are deep and resistant to caving in, especially during the dry months when grazing would occur.</p> <p>See Response ORG1-03 above. The exclusion fence period of operation has been identified and the removal of the fence has been explicitly added to the measure. The exclusion fence is "to enclose the subject property before the onset of fall/winter rains and to remain in place throughout one entire winter rainy season (October through April) after which it will be removed and will not remain a permanent feature.</p>

¹ Bobzien, S. and J.E. DiDonato. 2007. The status of the California tiger salamander (*Ambystoma californiense*), California red-legged frog (*Rana draytonii*), foothill yellow-legged frog (*Rana boylei*), and other aquatic herpetofauna in the East Bay Regional Park District, California. Annual report to U.S. Fish and Wildlife Service; DiDonato, J. 2006. Endangered Amphibian Research within Grazed Grasslands. CAL-PAC Society for Range Management Symposium – Grazing for Biological Conservation. June 23, 2006; Ford, L.D., P.A. Van Hoorn, D.R. Rao, N.J. Scott, P.C. Trenham, and J.W. Bartolome. 2013. Managing Rangelands to Benefit California Red-Legged Frogs & California Tiger Salamanders. Prepared for the Alameda County Resource Conservation District. Livermore, California. September 2013; United States Fish and Wildlife Service (USFWS) 2004. Endangered and threatened wildlife and plants; determination of threatened status for the California tiger Salamander; and special rule exemption for existing routine ranching activities; Final Rule. Federal Register 69: 47212.

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ORG1-05	<p>If the exclusion fence comes down, which the EACCS calls for (“Barrier fencing will be removed within 72 hours of completion of work.” Chapter 3, Table 3-3, Species Specific Avoidance and Mitigation Measure AMPH-2, third bullet), then amphibian dispersal onto the site is possible and operational impacts must be accounted for. Will maintenance and repair personnel be trained to identify and avoid impacts to CRLF, CTS, and to their burrows? Will a qualified biologist be retained to locate and mark for avoidance prior to commencement of work burrows inhabited by these amphibians? What about the grazing regime? Currently, the DEIR states, “15-30 cattle graze the site intermittently over 2 to 4 months per year.” Once the facility is operational, the DEIR states the parcel “would support 500-600 sheep grazing on the property for up to 60 days per year, depending on the rainy season and vegetation growth.” (DEIR, P. 4.2-5) To be blunt, 15-30 cattle translate into 60-120 hooves on the ground; 500-600 sheep translate into 2,000-2,400 hooves on the ground. It is hard to imagine no significant increased loss of amphibian life from trampling or burrow collapse owing to this huge increase in the number of animals grazing the site. This impact is neither discussed nor mitigated for.</p>	<p>Please see responses ORG1-03 and ORG1 -04 for a discussion of operational impacts and the issue of when CTS and CRLF are expected to be vulnerable to take especially during periods of aboveground activity. As discussed in Mitigation BIO-1.1, a qualified biologist will be present during initial ground disturbance, when it is most likely to encounter CTS or CRLF on a site without an adjacent breeding pond. This biologist will also conduct environmental awareness training for the workers. Operational personnel will also be given environmental awareness training prior to starting work onsite.</p>
ORG1-06	<p>The problem compounds when considering cumulative impacts. The DEIR states, “Based on the likelihood of additional solar PV projects in the Livermore Valley in the near future, the proposed Project could result in a significant cumulative impact to biological resources.” (P. 4.4-23) But it then goes on to say, “The EACCS was developed to address anticipated impacts to biological resources from projected future development in eastern Alameda County. Therefore, with implementation of the proposed mitigation measures discussed above, which are based on the EACCS, development of the proposed Project would result in less than significant cumulative impacts to biological resources.” (P. 4.4-23 – 4.4-24, emphasis in original)</p>	<p>Although impacts to sensitive species and habitats are inevitable with Development in the East County area, applying measures developed as part of a regional strategy is more likely to reduce cumulative impacts compared to analyzing individual projects. The EACCS addresses the need for appropriately managed livestock grazing on preserved lands for grassland communities that CTS and CRLF depend on (see Grassland Conservation Actions GRA-5 and GRA-6). These actions recognize the need for grazing management plans based on scientific evidence and onsite conditions. Requirements for a grazing or grassland management plan is discussed in the response to Comment ORG4-09.</p>
ORG1-07	<p>The problem is that the DEIR does not fully analyze potential impacts to CRLF and CTS as we describe above, much less does it implement all the proposed EACCS mitigation measures for those impacts. To the extent future solar PV projects potentially covering thousands of acres in habitat-rich north Livermore are designed, analyzed, and approved in the same way as this DEIR proposes, the cumulative impacts to protected species in Alameda County will be devastating, including by this project.</p>	<p>See ORG1-03 and ORG1-05 for a discussion of impacts and mitigation for listed CTS and CRLF. The commenter's opinion regarding the future of solar projects in the area is noted.</p>
ORG1-08	<p>The DEIR analysis of potential impacts to special status plants is incomplete and inadequate. The California Native Plant Society East Bay Chapter will be submitting comments on these deficiencies. The Sierra Club associates itself with the CNPS comments.</p>	<p>The comment introduces additional comments to be made by another organization which the Sierra Club associates itself. Please see responses ORG1-03 through ORG1-12.</p>

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Comment	Comment	Response
ORG1-09	<p>(2) Aesthetic Impacts to Scenic Vistas. The DEIR accurately describes the scenic character of the area surrounding the proposed project. There are unobstructed, virtually 360° views of open range lands, extending to the beautiful hills and mountains framing the entire Livermore Valley. The County has designated North Livermore Avenue as a Scenic Rural-Recreation Route attesting to this scenic beauty. In our opinion, the DEIR incorrectly concludes that with proposed mitigations (plantings at the perimeter of the project to conceal 23,316 iridescent blue solar modules), the impact on scenic views will be Less Than Significant. As commentators on the Initial Study/Mitigated Negative Declaration for this project pointed out and with which we agree, the 5-year planting simulations, DEIR Figures 4.1-12 and 4.1-14, show significant obstruction to and loss of views of the surrounding viewshed. Figure 4.1-12, just from the particular angle shown, shows a significant obstruction of Mount Diablo and the Collier Canyon ridgeline. Indeed, in Figure 4.1-12, if one imagines moving slightly west along May School Road, the simulated trees planted at the perimeter of the project would almost entirely obscure Mount Diablo. Similarly for the views south along N. Livermore Avenue to the southern Livermore hills (Figure 4.1-14), those hills are almost entirely obscured from various positions along this designated scenic corridor. Residents of Bel Roma Road have noted that the plantings designed to shield the solar modules from their direction will significantly obstruct the views to the west from their properties. While the plantings surrounding the project will screen views of the solar modules themselves, the long continuous lines of plants surrounding the project site, when fully grown on top of 5-foot berms to a height of 15 feet, will significantly degrade the open space views of the surrounding beautiful countryside from public rights-of-way.</p>	<p>Please refer to impact discussion AES-1 ON PAGE 4.1-14 of the draft EIR, which acknowledges that, "Drivers, bicyclists and pedestrians travelling on North Livermore Avenue and Bel Roma road would experience filtered views of the designated scenic ridgelines above Collier Canyon, Vasco Road, Brushy Peak, Doolan, and ridgelines above the vineyards south of Livermore, as the berm plantings reach maturity (within approximately 5-years). However, the filtered ridgeline views would not be considered a substantial adverse effect as the viewer travels through the corridors, as any obstruction of views that may occur would be intermittent, and would only be obstructed by native landscaping found along other portions of the corridor, and not by the solar array itself." In addition, obstruction of views from private property is not considered an impact under CEQA.</p>
ORG1-10	<p>Moreover, the cumulative impact of multiple additional solar projects will significantly change the visual character of the area. The DEIR states, "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) Proximity to PG&E's Cayetano substation appears to be an important siting criterion in north Livermore. If so, then it can be expected that additional solar facilities will fan out from the corner of N. Livermore Avenue and May School Road where the substation is located. Cumulatively, these additional facilities together with the current project will significantly change the visual character of the area. From open views of pastures, rolling hills, and distant mountains, views from public rights-of-way will be constrained by planted barriers that screen solar arrays. Wide, open space views will be converted to narrow view corridors just as if large private estates bordered by high hedges screening concrete walls occupied the area. While beauty may be in the eye of the beholder, this change in visual character of the area will be significant and unavoidable, and the current project will contribute significantly to this impact.</p>	<p>Please refer to impact discussion AES-5 on page 4.1-24 of the Draft EIR for a discussion of cumulative impacts, which included the nearby Aramis solar facility, and concluded that the cumulative aesthetics impacts of the two projects would be less than significant with compliance with ECAP policies 114 and 115 requiring landscaping to screen views of the solar arrays. With the low height of the solar facilities, proposed landscaped berms which are set back from the property lines, wire fencing (as opposed to tall concrete walls referenced in the comment), the proposed project would not result in narrow corridor views as described in the comment.</p>

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Comment	Comment	Response
ORG1-11	<p>(3)Impacts to Agricultural Resources</p> <p>The DEIR concludes that there will be No Impact on agriculture because sheep grazing will occur among the solar modules for a portion of the year. In truth, the land will be converted from open pasture for cattle grazing to a solar electric power plant. The California Department of Conservation apparently recognizes this fact because in its scoping comments for this DEIR, it suggests that “the applicant file for non-renewal of the current Williamson Act contract, and wait until the contract’s non-renewal status has ended and the contract has expired before moving forward with the proposed development of the land.” Alternatively, the Department suggests the applicant “consider contract cancellation” should it wish to proceed before contract expiration occurs. The Department understands that this project is not a bona fide agricultural use.</p>	<p>Solar electric power generation is a compatible use under the adopted Uniform Rules for property under Williamson Act contract. Project equipment would remove from agricultural production an area amounting to less than 10% of the parcel area, with land around the solar modules available for grazing.</p>
ORG1-12	<p>In combination with presumably similar changes in grazing regimes by expected nearby solar energy facilities, cattle grazing in this area will be substantially reduced. At some point, ranchers will determine that the north Livermore area is no longer hospitable to cattle ranching, and they will move their herds elsewhere. This would be a significant change in the agricultural character of the area and could lead to further conversion of true farms to primarily non-agricultural uses. A critical mass of agriculture may be necessary for agricultural uses to survive in north Livermore. We would also note that according to state 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 is likely to exacerbate the loss of agriculture in the county.</p>	<p>The conversion of one type of agricultural use to another is not an impact under the CEQA Guidelines. Almost all of the acreage used for grazing would remain and the long-term agricultural productivity of the property would continue.</p>
ORG1-13	<p>In closing, the Sierra Club appreciates the opportunity to comment on the Draft Environmental Impact Report for the Livermore Community Solar Energy Facility. We expect that the County will respond to these comments in the Final EIR.</p>	<p>The comment serves as a conclusion to the comment letter. The comment does not address the adequacy of the Draft EIR.</p>
ORG2	Greenan, Peffer, Sallander & Lally LLP	
ORG2-01	<p>This law firm represents Robert Howe and John Bowles, each owners of residences located on Bel Roma Road adjacent to the proposed Livermore Community Solar Farm project (the "Project"). Reference is made to the Alameda County Livermore Community Solar Farm DRAFT EIR dated March 2020 (the "DRAFT EIR" or "Report").</p> <p>We note that the Draft EIR appears deficient in several aspects. We note the following:</p>	<p>The comment serves as an introduction to the comments that follow. Please see responses ORG2-01 through ORG2-08.</p>
ORG2-02	<p>1.Williamson Act Analysis On page 4.2-4 of the Draft EIR, the Report concludes that "The proposed Project would not conflict with existing zoning for agricultural use, or a Williamson Act Contract." The applicable Williamson Act rule is set forth in the Alameda County Uniform Rules and Procedures (the "Uniform Rules")</p> <p>The Uniform Rules specifically provide that commercial or private solar panels are deemed compatible with agricultural use, only if:</p>	<p>Placement of impervious structures or objects would be limited to equipment pads, support poles and other project infrastructure, and would be limited to less than 10% of the parcel area. Array installation on temporary supports, enabling panels to rotate continuously, would allow for the growth and production of grazing forage on close to 90% of the parcel area, allowing the land</p>

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	<p>"a. They are installed on roofs of permitted structures, or, they are installed on the ground by means of removable mountings such that there is no permanent alteration to the ground, e.g. by significant grading, paving, or removal of top soil. b.If installed on the ground, the area covered by the solar panels is calculated as part of the cumulative total of acreage allowed for compatible non-agricultural uses (see Section I.B.3.c. of this Rule)." (Emphasis added. Alameda County Uniform Rules and Procedures, Uniform Rule 2.11.E.3)</p> <p>Section I.B.3.c of the Uniform Rules provides that: "Compatible non-agricultural uses that do not qualify as buildings (for example, solar panels and uncovered horse training arenas) may be located outside the 2-acre building envelope but shall be cumulatively restricted to no more than 10% of contracted property, or 10 acres, whichever is less." (Emphasis added. Alameda County Uniform Rules and Procedures, Uniform Rule 2.1.B.3.c)</p>	<p>under contract to remain agriculturally productive during the project lifetime. Based on past deliberation by the Alameda County Board of Supervisors, County Planning staff has determined that the scale of the proposal would be a compatible use under the Williamson Act uniform Rule 2.</p>
<p>ORG2-02 (cont'd)</p>	<p>The Report provides an analysis on page 4.2.-5, Section AG-2, that because solar panels on the Project are mounted on tracker posts, and rotate throughout the day. The Report appears to then conclude that the posts themselves occupy a relatively small acreage. The Report then concludes that the area occupied by "impervious surfaces" would be 6.53 acres, which would fall under the 10% maximum require under Uniform Rule 2.1.B.3.c (the "10% Rule")</p>	<p>The support poles for the array panels are screwed into the native soil without the use of concrete or other impervious materials. The remaining area is not permanently altered and remains available for agricultural production. As the solar panels rotate throughout the day there is a variation in both the coverage and actual areas shaded. Limiting analysis of coverage to the new area occupied by the support poles, rather than the moving panels, is appropriate under Rule 2.1.B.3.c. The 6.35 acres, referred in the comment and found on page 4.2-5 of the Draft EIR, was incorrectly described as <i>impervious surface area</i>, and should have been described as the <i>total area of non-agricultural land use</i> on the project site.</p>
<p>ORG2-03</p>	<p>The Draft EIR should clarify how it has arrived at the 6.53 acre figure. It is unclear what the term "impervious surface" refers to in the context of this analysis. The Report should clarify whether it is only counting the area occupied for the posts of the solar panels with respect to its calculation of qualification for the 10% Rule.</p>	<p>The term "impervious surfaces" refers to portions of the project that are covered with materials that would not allow water to penetrate through the ground. The total amount of impervious surfaces is 1,370 square feet for the four concrete electrical pads. (Draft EIR, page 1-4). As described on page 3-9 of the Draft EIR, ground screws would be used to support the metal frames holding the solar arrays. All of the area under the solar arrays are defined as pervious, allowing stormwater to drain through the soils. As noted in response ORG2-02, the 6.53 acre metric refers to the total amount on non-agricultural land use on the project site.</p>

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Comment	Comment	Response
ORG2-04	<p>The Draft EIR should be revised to provide statutory or precedential support for its theory that the 10% Rule calculation should only consider "impervious surfaces" These appears to conflict with the specific interpretations of solar panel coverage shown in the Uniform Rules. Uniform Rule Section II.E.3.b provides that "If installed on the ground, the area covered by the solar panels is calculated as part of the cumulative total of acreage allowed for compatible non-agricultural uses (see Section I.B.3.c. of this Rule). (emphasis added).</p> <p>Accordingly, the DRAFT EIR should analyze the area covered by the Solar Panels, and not just the "impervious surface" which the Report currently uses. The Report should also specify that there does not appear to be an exception under the Uniform Rules for rotating Solar Panels where daytime rotation exempts a panel from being deemed as "covering" a specific area of the property.</p> <p>Furthermore, the Report should specify whether the solar panels will rotate at nighttime -or whether they will cover the property. The Report should then analyze total solar panel coverage at day time and at nighttime, and provide authority for calculation of a solar panel coverage based analysis of the Project's qualification under the 10% Rule, and not use the "impervious surfaces" analysis unless the Report can provide support for such a standard.</p> <p>Since the standard for calculation under the 10% Rule appears to be solar panel coverage, the Report should calculate the proposed Project's solar panel coverage to analyze whether or not the Project violates the 10% Rule.</p>	Please see response ORG2-02 above.
ORG2-05	<p>2. Assumption Regarding Water Delivery; Other Water Issues</p> <p>Section 1.3 (Project Summary) and other portions of the Report refer to the use of 10,000 gallon water trucks to transport water to the Project 80 times per year. The Report should identify specific water transportation companies and service providers who own such vehicles. It is our understanding that most water transportation vehicles range from 500 to 5,000 gallons in capacity. The Report must analyze whether the assumptions of the 10,000 gallon water trucks is realistic and feasible. Estimates of only 80 trips should be revised to find that 160 trips or more may be necessary if 10,000 gallon water trucks are not readily available to water transportation companies likely to serve the Project's water needs. The revision of this estimate should be analyzed and updated in all other sections relying on the water transportation assumptions provided herein (eg. Noise, Traffic, Pollution, impact on roadways).</p> <p>We would like the Report to provide details regarding the storage of Water on the Project. Specifically we would like the Report to address standing or still water moats, ponds, or other open storage of water which may invite mosquitos.</p>	<p>The project intends to use larger sized water tanker trucks in order to minimize the number of annual truck trips. In general, projects that generate less than 100 trips per day are not evaluated for congestion related impacts, and given the relatively low traffic volumes on the roadways adjoining the project site, even with a doubling of trips, additional evaluation would not be warranted. Details about on-site water storage can be found in Section 3.3.5, on page 3-19, Project Description, of the Draft EIR. Stormwater collected on site would either be pumped into the 20,250 gallon water storage tanks, or left in the retention ponds to percolate into the ground.</p>

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ORG2-06	3.Aesthetics; Ridgeline View	Please see response ORG1-09 above.
	<p>As noted in page 4.1-2 of the Report, East County Area Plan (ECAP) Policy 105 lists the ridgelines above the vineyards south of Livermore as a major visually-sensitive ridgeline (the "Ridgeline"). As noted on page 4.1-4, North Livermore Avenue, designated as a Scenic Rural-Recreation Route, lies immediately adjacent to the property (the "Scenic Route"). Figure 4.1-6 shows 1 angle of the view of the Ridgeline form the Scenic Route. It should be noted that such view is presently available along numerous points along the Scenic Route where the Scenic Route lies adjacent to the Project property.</p>	
	<p>The Report concludes in Section AES-1 that the Project would not have a substantial adverse effect on a scenic vista, and in Section AES-2 that the Project would not substantially damage scenic resources. The Report's visual simulation of the Project (Figure 4.1-14) appears to show significant coverage of the Ridgeline view by the berm and vegetation to be installed on the Project after only 5 years. By comparison, approximately 5 0% of the Ridge line shown in Figure 4 .1-6 is visible on Figure 4 .1-14. It appears that the Report only included 1 simulation from 1 angle along the entire Property line in its analysis of this issue.</p>	
	<p>Given that the view of the Ridgeline form the Scenic Route is already shown as substantially diminished in Figure 4.1-14, the Report should include a more thorough analysis of this issue. First, the Report should show simulations from multiple locations along the Scenic Route which lie adjacent to the Project, including locations on the east side of the Scenic Route and locations all along the Scenic Route as it lies adjacent to the Project.</p>	
ORG2-06 (cont'd)	<p>Furthermore, the Report should include an analysis of continued growth of vegetation beyond 5 years after planting. At a bare minimum, the Report should include simulations of the effects of the Ridgeline view from the Scenic Route, at multiple angles and locations along the Scenic Route, at 5, 8, 10, and 15 years from such plantings so that the Report accurately depicts the effects of the Project on the Ridgeline View from the Scenic Route.</p>	<p>The intent of showing vegetation growth at the five year period was to demonstrate the effectiveness of the landscaped berm in masking the solar arrays from public views. Please see response ORG1-09 for the response to scenic vistas and ridgeline views.</p>
ORG2-07	4.Noise	<p>Given the low volume of operational traffic on the project site additional evaluation of noise impacts is not warranted. The 10 trips per day figure was assessed for the temporary, short term construction period, and not associated with operational trips. Vegetation maintenance would include pruning activity as needed, and replanting of dead and moribund plants, and would not include use of equipment that would result in noise impacts that would exceed County thresholds.</p>
	<p>We would like to see a greater analysis of the on-going noise impacts in the Operational Section in page 4.8-8 of the Report with water transportation and delivery, including without limitation, a more reasonable assumption with respect to the number of trips per year (as identified above in item 2). We note that the Report identifies the possibility of 10 trips per day in some instances. We would like to see an analysis of the noise impacts of the distribution of water from such tanks onto the Project.</p>	
	<p>Furthermore, we would like to see the noise impacts associated with the maintenance of the Project's plant-life and vegetative plantings.</p>	

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Comment	Comment	Response
ORG2-08	<p>5. Biological Resources and Related issues.</p> <p>The Report only appears to analyze the effects of the Project on 3 bird species (See Table 4.4.1). We do not see any analysis of the effects of the Project on many types of native raptors and other birds of prey. Specifically the Report does not seem to address the Project's effects on red tail hawks, golden eagles, or owls (except for burrowing owls). The Report should analyze the effects that solar panels will have on predatory birds who hunt from above which may be obstructed by solar panels.</p>	<p>The commenter is referred to the following sections of the Draft EIR, on p. 4.4-7 for a discussion of impacts to native birds: Special-status Animals (Golden eagle, bald eagle, Swainson's hawk), Burrowing Owls, and Nesting Birds (All native birds, their nests, eggs, and young). These sections discuss the occurrence, avoidance, and protection of birds on the site, including nesting birds.</p>
ORG3 Pacific Gas and Electric		
ORG3-01	<p>Thank you for the opportunity to comment on the DEIR for the Conditional Use Permit, 2016-00049. The project proponent should be aware of existing high voltage underground cables traversing along the north side of May School Road. The project proponent should coordinate with PG&E to ensure any access over the lines do not impact the integrity of our facilities.</p>	<p>The comment provides a description of the conditions near the project site. The comment does not address the adequacy of the Draft EIR.</p>
ORG4 California Native Plant Society		
ORG4-01	<p>The East Bay Chapter of the California Native Plant Society (CNPS) formally submits the following comments on the abovementioned project. This project has the potential to negatively impact special-status species plants because baseline surveys have not been completed. The DEIR does not contain adequate alternatives analysis, as it does not account for differences in project sizes.</p>	<p>The comment serves as an introduction to the comments that follow and states that the Draft EIR is not adequate in its analysis of alternatives. Please see Responses ORG4-02 through ORG4-14.</p>
ORG4-02	<p>The California Native Plant Society (CNPS) is a non-profit organization of nearly 10,000 laypersons and professional botanists organized into 34 chapters throughout California. Our local East Bay chapter (EBCNPS) covers Alameda and Contra Costa Counties, and represents about 1,000 members. The mission of CNPS is to increase the understanding and appreciation of California's native plants and to preserve them in their natural habitat through scientific activities, education, and conservation.</p>	<p>The comment provides background on the commenter's organization. The comment does not address the adequacy of the Draft EIR.</p>
Below are our comments:		
ORG4-03	<p>1. Mitigation measure Bio 1.3, one of the major measures for mitigating impacts to special status plants is inadequate, as it does not contain special-status plant survey results, does not adequately describe how special-status plant species found on the subject property will be avoided or sustained, and does not contain adequate compensation for any impacts to these species.</p>	<p>Appendix D of this Draft EIR includes the Oct 2017 plant list. CEQA Guidelines recognize it is often not practical to develop and conduct complete surveys and precise mitigation measures at the early stages of project approval. Thus, CEQA permits some deferral of some studies and associated mitigation measures or elements of mitigation measures under certain circumstances. Deferred mitigation is allowed where the adopted mitigation measure commits the agency to a realistic performance standard or criterion that will ensure the significant effect is avoided or reduced to less-than-significant, or lists alternative means of mitigating an impact that must be considered, analyzed, and possibly</p>

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Comment	Comment	Response
ORG4-04	1a. Comprehensive, appropriately-timed plant surveys need to be done now and adequate analysis and mitigation measures (as necessary) need to be described in the FEIR. Mitigation measure Bio 1.3 states that “a qualified botanist shall conduct appropriately timed rare plant surveys during late April and early May to confirm the status of special-status plant species not detectable on the site during the October 2017 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” (italics added).	adopted in the future. The State CEQA Guidelines section 15126.4(a)(1)(B) states that “measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way.” Measure BIO-1.3 is revised to better clarify the need for preparation of a long-term management plan to sustain avoided rare plant populations if present.
ORG4-05	Botanical field surveys provide information used to determine the potential environmental effects of proposed projects on special status plants and sensitive natural communities as required by law (e.g., CEQA, CESA, and federal Endangered Species Act (ESA)). The CDFW definition of special status plants for botanical surveys includes “locally significant plants, that is, plants that are not rare from a statewide perspective but are rare or uncommon in a local context such as within a county or region (CEQA Guidelines, § 15125, subd. (c)), or as designated in local or regional plans, policies, or ordinances (CEQA Guidelines, Appendix G). Examples include plants that are at the outer limits of their known geographic range or plants occurring on an atypical soil type.”	Consistent with CEQA requirements, Mitigation Measure BIO-1-3 is revised to provide additional detail regarding plant mitigation for plants that are documented to occur onsite. Based on surveys of the site to date, possible management species include Congdon's tarplant and hispid bird's beak.
ORG4-06	The DEIR considers Federal, State, and CNPS statewide special status plants, but does not survey, analyze, or provide mitigation for locally rare plants. The CNPS East Bay Chapter Rare, Unusual and Significant Plants of Alameda and Contra Costa Counties database lists over 100 locally rare “A1” and “A2” plants for the Livermore Valley area. The inventory of plant impacts and mitigations should be augmented to include appropriately-timed surveys for locally rare plants.	Mitigation Measure BIO-1.3 is revised to include locally rare species in the preconstruction surveys and will include them in the management plan for the site (See ORG4-10).
ORG4-07	avoiding special status plants that may be on site. 1b. Mitigation measure Bio 1.3 does not adequately describe how special-status plant species found on the subject property will be avoided or sustained long term. Mitigation measure Bio 1.3 states that “if special-status plant species are found on the subject property, the plant populations will be avoided by establishing a buffer around the plant populations that will be maintained throughout Project implementation.”	Mitigation Measure BIO-1.3 is revised to better clarify how special-status plant species found on the project site will be avoided or sustained, as necessary.
ORG4-08	This mitigation measure does not provide specific enough information to describe the buffer set-back distance or how the buffer area is protected, such as from heavy equipment traffic during construction. It is unclear what maintenance “throughout Project implementation” means, in terms	Please see responses ORG4-7 and ORG4-10

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Comment	Comment	Response
ORG4-09	<p>of the time-frame and the type of monitoring and specific maintenance that will be provided. The measure also fails to include mitigation for locally rare plants that may be potentially on site.</p> <p>Furthermore, DEIR page 4.2-5 states that “a commercial livestock operator has been identified who will continue the commercial grazing use of the subject property. According to the operator, the current capacity of the parcel would support 500 to 600 sheep grazing on the property for up to 60 days per year, depending on the rainy season and vegetation growth. This future grazing use will provide the same or greater yield as the current agricultural productivity, where 15 to 30 cattle graze intermittently over 2 to 4 months per year.” The grazing intensity, duration, and frequency as described here is likely effective to meet site vegetation control objectives. However, the DEIR does not adequately describe the development and implementation of a grazing management plan by a certified Range Manger to sustain on-site sensitive rare plant populations during construction and over the same long-term timeframe as described for off-site mitigation.</p>	<p>Standard methods of developing a grazing management plan will be employed in the preparation of the plan: The plan author must be a qualified range manager or botanist with range experience. The sampling program will be compatible with the site and species to be sampled. Sampling will be conducted at least once a year. Sampling results will be reported to the County by the end of each monitoring year. The Table of Contents for a sample grassland management plan is included in Appendix X of this FEIR to demonstrate the range of information to be included in the grassland management plan.</p>
ORG4-10	<p>This management approach can problematic as sheep and cows have different types of jaws and thus graze differently. A simple google search (e.g., seehttps://forages.oregonstate.edu/nfgc/eo/onlineforagecurriculum/instructormaterials/availabletopics/grazing/livestock) on the effectiveness of sheep vs. cow grazing shows that sheep graze closer to the ground than cows, and there is a concern that this type of grazing may hinder the development of special status native forbs. Please provide an analysis in the FEIR that determines if sheep grazing will impact special status and rare plants on the project site, and provide effective mitigation measures as appropriate.</p>	<p>As noted, sheep and cattle do graze differently, but in general sheep, due to their size have lesser impact on the soil than heavier cattle. Sheep also tend to avoid grazing in wet areas (wetlands, vernal pools), allowing wetland plants the opportunity to grow that they might not have with cattle grazing. Developing an appropriate grazing plan is key to making sure that the grazing is appropriate for the species that are being managed. To add clarity to the measure, Mitigation Measure BIO-1.3 is revised to include grazing as a management tool through grazing regimes to sustain rare plant populations and control vegetation.</p>
ORG4-11	<p>1c. Mitigation measure Bio 1.3 inadequately mitigates for impacts to special status plants</p> <p>Mitigation measure Bio 1.3 states that “if special-status plants are found during the rare plant surveys and avoidance is not feasible, a qualified botanist/biologist will prepare a detailed rare plant mitigation and monitoring plan. 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 are found during rare plant surveys.”</p> <p>The measure fails to include mitigation for locally rare plants. Also, mitigation is proposed at the same size as the original population, or 1:1. The mitigation ratio by area, or by number of special status, plants should be at 2:1.</p>	<p>Please see response ORG4-10.</p>

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Comment	Comment	Response
ORG4-12	<p>2.The DEIR comparison of the proposed Project and Reduced Size Alternative is inadequate because it does not account for differences based on project sizes.</p> <p>The DEIR’s discussion of alternatives states that, “as discussed in Chapter 4.4, Biological Resources, of this Draft EIR, the proposed (project) could result in a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.” The DEIR also states that “The Reduced Size Alternative would involve the same construction activity, with the same potential for significant biological resource impacts.” This comparison of the proposed project and the reduced project is inadequate because it does not account nor discuss the following differences.</p> <p>a.The Reduced Size Alternative is smaller than the proposed project, and therefore could result in reduced impacts.</p> <p>The Reduced Size Alternative would have a 375-foot setback along the eastern property line, and includes a 25-foot setback of the perimeter swale to avoid impacts to the 414 square foot wetland near the rural residential dwelling on the parcel. As such, it would reduce the area that would be impacted by development activity. This point needs to be thoroughly discussed in the FEIR.</p>	<p>The Draft EIR recognizes that the Reduced Size Alternative will have reduced impacts on biological resources largely as a result of the lower affected acreage and avoidance of the potential rare plant population cluster identified in the eastern portion of the property. However, the requirements for avoidance of rare plants as required under revised mitigation measure BIO-1.3 would accomplish the same protection of the potential rare plant population as the Proposed Project and only limited reductions in effects to other resources.</p> <p>With respect to the Reduced Alternative analysis, the Draft EIR noted that although the Reduced Alternative would result in a smaller footprint for the project, the portion of the site that would be avoided would be the south side of the parcel that was the less suitable habitat area for CTS and CRLF as there were fewer ground squirrel burrows in the south end of the site. Since the disturbance to the north end of the site was similar in both the project and reduced project, the impacts to CTS and CRLF was determined to be similar under both scenarios.</p>
ORG4-13	<p>b. The DEIR notes the presence of native plants and potential presence of rare plants on the east side of the parcel, but does not adequately account for the differing impacts between the Proposed Project and the Reduced Size Project. The FEIR needs to include this analysis.</p> <p>A botanical survey reports that “one plant species was observed that may be hispid bird’s-beak (<i>Chloropyron molle</i> subsp. <i>hispidum</i>), a CNPS 1B.1 species.” The location of the observation is shown in Figure 3 of Appendix D (note: located at east side of parcel). All individuals encountered were in an advanced state of senescence, which reduced the number of diagnostic characters available to use for identification. The project site is within the known range of hispid bird’s-beak, and there is documented occurrence of this species within 2 miles. The vegetation within the project site has been extensively disturbed, but the presence of saltgrass and other halophytic species (e.g. alkali mallow) indicate that the site is somewhat saline and could therefore provide suitable habitat for hispid bird’s-beak” (Sunwalker Energy Livermore Community Solar Farm Congdon’s Tarplant Survey, LSA, October 25, 2017).</p> <p>Similarly, the Congdon’s Tarplant Survey reports that “one small area on the eastern side of the site where yellow star thistle had not invaded supported a small patch of white hayfield tarplant</p>	<p>Mitigation Measure BIO-1.3 is revised in order to ensure that surveys for the special-status species and locally rare species are adequately surveyed for the appropriate time periods.</p>

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Comment	Comment	Response
	<p>(Hemizonia congesta subsp. luzulifolia).” The location of currently known native and rare plant diversity is not considered in the analysis of alternatives. Furthermore, information that would describe minor site topographic, hydrologic, or soil variations of the east side of the property has not been provided to justify a claim that the characteristics of the proposed Project alternative and the smaller Reduced Size Alternative are indistinguishable.</p>	
ORG4-14	<p>Thank you for the opportunity to comment on the Livermore Community Solar Farm Draft Environmental Impact Report. We look forward to the resolution of these comments in the Final EIR.</p>	<p>The comment serves as a conclusion to the comment letter. The comment does not address the adequacy of the Draft EIR.</p>
ORG5	Friends of Livermore	
ORG5-1	<p>Thank you for the opportunity to submit comments on the Livermore Community Solar Facility Draft Environmental Impact Report (DEIR).</p>	<p>The comment serves as an introduction to the comment letter. The comment does not address the adequacy of the Draft EIR.</p>
ORG5-2	<p>The DEIR does not adequately address the cumulative effects, of solar operations in North Livermore. Before any facilities are approved, a study should evaluate the environmental impact of solar panels on the agriculture lands in all of North Livermore.</p>	<p>The DEIR's analysis of the cumulative impacts of the Livermore Community Solar project and the Aramis project also under review found no impact.</p>
ORG5-3	<p>Land is being converted from its present designation as Large Parcel Agriculture with cattle grazing to solar power plants. The California Department of Conservation recognizes that the Williamson Act would no longer apply to these lands as agriculture if they have solar panels.</p>	<p>The subject parcel would remain under the Large Parcel Agriculture land use designation. Solar electric power generation is a compatible use under the Williamson Act Uniform Rules, and the use of the property for grazing would continue with the operation of the solar electric power generation facility.</p>
ORG5-4	<p>North Livermore Avenue is designated by the County as a Scenic Rural-Recreational Route. These panels and the 15-foot berms and plantings will obstruct many views of Mount Diablo, Collier Canyon ridges and the southern Livermore hills. This facility may be the first of many proposed facilities that will completely change the scenic character of North Livermore.</p>	<p>Please see response ORG1-9 above.</p>
ORG5-5	<p>The special biological diversity of the area must be considered also. California Red-legged Frog and the California Tiger Salamander are in the area and must be protected during construction and operation. Again, this project must not be considered by itself but how it fits into the area as a whole.</p>	<p>Biological diversity is not, in itself, a CEQA issue for which a significance threshold has been established. A site may have great biological diversity composed of all common species. Another site may have few species but most being rare or of limited distribution. The DEIR does analyze the potential impacts of the project on CTS and CRLF which are known to live in the vicinity of the project site. The project site however, does not support key habitat elements such as breeding ponds or creeks that can provide breeding and development habitat, corridors for movement in the wet season and hydration habitat in the dry season. Such features would</p>

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Comment	Comment	Response
ORG5-6	The Final EIR should consider the cumulative effects of these concerns for the total area in more detail.	make the site more valuable to CTS and CRLF, rather than mainly providing grassland to move through between sites with better quality habitat. The comment does not provide information on where the cumulative analyses are inadequate. No additional response is required.
C. Public Comments		
PUB1	Lona Lee McCallister	
PUB1-01	(1)I want more information about the recycled water being used from the hydrant located at Ames Street and Martingale Lane in the City of Livermore. I want information as to whether this water will have an impact on the groundwater basin in the area.	The water from this hydrant is not recycled.
PUB1-02	(2)The recycled water will be delivered 80 times a year and the delivery will be by 10,000 gallon water trucks. This continuous delivery of water will have an impact on the surrounding residential homes that will have to put up with the constant noise and traffic situation of the water trucks 2 times per week.	The comment does not address the adequacy of the Draft EIR. Information regarding noise and transportation impacts and mitigation measures is provided in Chapters 4.10, Noise and 4.13, Transportation and Traffic. The water from the hydrant is not recycled.
PUB1-03	(3)The project will receive as much water as 1 acre of land or 326,000 gallons and they will receive 800,000 gallons every year (67,000 gallons per month).All of this water will be for the project and I want to know the impact of irrigating the proposed landscape with the continuous application of the recycled water and how it will impact the groundwater basin.	The comment does not address the adequacy of the Draft EIR. Information regarding irrigation, water, and groundwater impacts and mitigation measures is provided in Chapter 4.8, Hydrology and Water Quality.
PUB1-04	(4)I want to know the impacts of the cadmium and lead in the panels upon the environment in the surrounding area.	The panels are sealed modules. No water would enter the modules, so there is minimal risk of contamination from the components inside the modules.
PUB1-05	(5)The proposed project states that there will be continuous agricultural uses such as sheep or cattle grazing in the area. I want to know, how can the project support the existence of cattle grazing in the project that will have immense conditions of solar panels?	Please see response ORG2-02 above.
PUB1-06	(6)The Urban Growth Boundary has policies that define uses that are limited infrastructure but the project, in my opinion, is not defined as limited infrastructure. The placement of thousands of solar panels on the project area and its impact upon surrounding areas is not limited infrastructure.	The comment states an opinion. The comment does not address the adequacy of the Draft EIR.
PUB1-07	(7)I want to know the impacts of the 20,250 gallon Raintanks will have on my property since one tank will be located adjacent to my property line.	There are no off-site impacts associated with installation of the rain tanks.
PUB1-08	(8)I want to know the impacts of the construction of this project will have on my property since we will have to endure both Phase 1 and Phase 2 continuously since our property is right in the middle of the area where Phase 1 ends and then Phase 2 begins. We will have to endure the impacts of the construction of the project through the whole process in comparison with other residents who will only be impacted by one Phase.	Construction period impacts for both phases of the project are addressed in each environmental topic section in Chapter 4 of the Draft EIR.

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Comment	Comment	Response
PUB1-09	(9)The issue of the aesthetics of the project is that it is not compatible with the existing character of the surrounding land. The proposed berms are not compatible as well as the plan to put in a lot of vegetation, as well as the solar panels. The existing character of the land is grazing and open space, not complex shrubbery. This takes away the existing character of the area. It also interferes with the open space views that are characteristic of the North Livermore area.	The comment states an opinion. The comment does not address the adequacy of the Draft EIR. Please see response ORG1-9 above for a discussion of impacts on open space views.
PUB2 Merlin and Linda Newton		
PUB2-01	First, the DEIR failed to address my concerns regarding the already "Compromised May School Groundwater Basin" in which the Solar Project will be built over. The May School Groundwater Basin had been designated by Alameda County and Zone 7 as "Area of Special Concern" due to high nitrate concentration, which is one purpose for the development of the Onsite Water System Ordinance and Regulations (OWTS) by Alameda County. Coincidentally, as I was preparing to write this letter in response to the (Full) DEIR, I was unable to find the AlamedaCounty website (https://www.acgov.org/aceh/landuse/areas_of_concern.htm) I had previously referenced in my letter dated January 28, 2019 regarding the initial EIR which I noted the May School Groundwater as an area of concern. I conducted a search of Alameda County's current website and I was unable to find any reference to the May School Groundwater Basin as an area of concern, although Zone 7 still lists the May School Groundwater as an area of special concern. I don't understand why the May School Groundwater no longer appears on Alameda County's website since the status of the concern for the May School Groundwater has not changed.	As described in Section 3.3.5 of Chapter 3, Project Description of the Draft EIR, the proposed project will not use the existing groundwater supply, including wells for construction or operation of the proposed project, and the only water stored in the proposed retention basin would be stormwater (page 3-19). The comment on the classification of groundwater resources on May School Road does not address the adequacy of the EIR, and no further response is required.
PUB2-02	The planned solar project will cover approximately 58.9 acres of land with solar panels which is equivalent to 44 football fields. The material used to build the solar project will consist of, but not limited to, large amounts of concrete materials, metal materials, electrical materials, and a variety of other materials which are used in the construction of the solar panels themselves such as aluminum, glass, silver, and other more dangerous materials such as lead, chromium and cadmium. There is nothing that separates the large scale above ground solar project from contaminating the groundwater basin used by the nearby residents other than the dirt itself.	Please see response PUB1-04 above.
PUB2-03	It makes no sense Alameda County and Zone 7 Water would allow for such a large scale operation to move forward on an already designated and compromised water basin, however slight, the contaminants might be after mitigation. The Less Than Significant standard is not good enough when it comes to groundwater which is consumed by residents, their children, grand-children, animals, and other purposes such as vegetable gardens etc. It's akin to setting aside the Clean Water Program to accommodate Green Solar Energy. This is not acceptable or environmentally prudent.	The comment states an opinion. The comment does not address the adequacy of the Draft EIR.
PUB2-04	The solar project goes against both the state and county's Clean Water Program. For example, Alameda County's Clean Water Program identifies stormwater washing off roofs, carries dirt and pollutants into the storm drains and into creeks, wetlands and eventually, the Bay. So I don't understand why the County is willing to allow water to runoff the 44 football fields of solar panels and commercial electrical components which will drain directly into our already	Please see response PUB2-01 above.

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Comment	Comment	Response
	compromised May School Groundwater Basin when the County wouldn't want this water running into the Bay. Alameda County promotes the Clean Water Program to protect our water ways and help plants, birds, fish and insects, but when it comes to the May School Groundwater Basin, the protection for our water is being ignored.	
PUB2-05	The groundwater is of great concern to me, my wife and others neighbors since the groundwater we rely on rests unprotected below the largescale 44 football field size solar project. We do not have city water and rely on the undergroundwater basin to be safe and free from any(zero)contaminates however slight they maybe. Yet not a single test or sample has been obtained to determine a baseline for any contaminants or program to monitor the water in the short-term,mid-termor long-term.	Please see response PUB2-01 above.
PUB2-06	Water is earth's most precious commodity! However, the effects of the solar facility and its impact on our drinking water has not been thoroughly addressed. A large scale operation of this nature should never be allowed to compromise the groundwater, however slight, without the means to protect the drinking water of nearby residents,when other land within the county is available and without conflict.The only safe method of mitigation would be to plumb water to each of the residents affected, as within the case of many"cities", which allows the water to be monitored for contaminants and/or regulated for its safe consumption.	The comment expresses an opinion. The comment does not address the adequacy of the Draft EIR.
PUB2-07	The DEIR is supposed to be the most comprehensive environmental documentation for thelead agency (Alameda County) to determine if the DEIR was properly prepared. It is clear the DEIR does not address the impacts on groundwater under the large scale solar facility and its impact on the water used by homeowners for a variety of purposes including drinking. I do not want my family, children, grandchildren or community to be used as Guinea Pigs.	The comment expresses an opinion. The comment does not address the adequacy of the Draft EIR.
PUB2-08	The proposed solar project located at 4871 North Livermore Ave. is located on a section of North Livermore Ave. which is designated as a Scenic Rural Route.	The comment does not address the adequacy of the Draft EIR.
PUB2-09	One of the considerations for the county when a solar project is proposed is its location. For example, solar structures may not be located on ridgelines or hilltops where they are visible from public view points.	The comment does not address the adequacy of the Draft EIR.
PUB2-10	In 1966 Alameda County adopted the Alameda County General Plan Scenic Route Element which serves as a guide for the Protection and Enhancement of SCENIC VALUES "along" designated routes and in other county areas visible from scenic routes.	The comment does not address the adequacy of the Draft EIR.
PUB2-11	With that being said, when it comes to the solar project, the ridgelines and hilltops are protected as described by the County Planning Department. However, when it comes to the North Livermore Avenue's Scenic Rural Route, the DEIR appears to tailor its focus away from the importance of the scenic values "along" North Livermore Ave. or valley floor as established in the 1966 General Plan Scenic Route Element for the protection and enhancement of Scenic Values.	The comment expresses an opinion. The comment does not address the adequacy of the Draft EIR.
PUB2-12	Despite the solar projects mitigation efforts, it does nothing to protect or enhance the scenic values of the North Livermore Scenic Rural Route and in fact significantly reduces the scenic values alongside the designated route.	The comment expresses an opinion. The comment does not address the adequacy of the Draft EIR.

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Comment	Comment	Response
PUB2-13	Additionally, County Supervisor Scott Haggerty was mentioned in an East Bay Times Article, dated September 14, 2012, where he and Supervisor Nate Miley both said the priority should be to save prime farmland and put such solar facilities on land that won't affect agriculture. Supervisor Haggerty also suggested looking North of Livermore and east of Vasco Road where there is little prime agriculture land, but where are no transmission lines.	The comment does not address the adequacy of the Draft EIR.
PUB2-14	County Supervisor Haggerty was also quoted stating the following, "We are trying to avoid 2,500 acres being covered up," at which he and Miley agreed more work must still be done before any amendment to the general plan begins. He said the county needs to explore ways to put more solar farms in urban areas, for instance, on rooftops.	The comment does not address the adequacy of the Draft EIR.
PUB2-15	Article attached titles "Alameda County is a hot commodity in the solar industry" published by the Bay Area News Group on September 14, 2012.	The comment does not address the adequacy of the Draft EIR.
PUB3	Andrew Barker	
PUB3-01	<p>The draft environmental impact report for the Livermore Community Solar Farm (State Clearing House number 201809201) commits a serious error in its assessment of the energy impacts of the No Project Alternative, and as a result does not sufficiently record the environmental advantages of the proposed project in combatting climate change and contributing to California's greenhouse gas reduction goals.</p> <p>In particular, Section 5.5.1.6 of the draft EIR incorrectly states: The No Project Alternative would have similar energy impacts compared to the proposed Project.</p> <p>The energy impacts of the No Project Alternative are not similar to the project, but are in fact markedly worse, since without the project California's electricity mix would be more carbon-intensive. The No Project Alternative therefore has a significant impact as measured by the standards of significance outlined in Section 4.6.2 of the draft EIR:</p> <p>The proposed Project would result in significant energy impacts if it would [...] conflict with or obstruct a State or local plan for renewable energy or energy efficiency.</p> <p>The EIR should be corrected in Section 5.5.1.6 and in Table 5-1 to reflect a significant energy impact of the No Project Alternative.</p>	The CEQA evaluation of energy focuses on whether or not a project would require significant amounts of energy for operation, and given that the energy used to operate the project would be generated on-site, no additional energy source would be required, which is similar to the small amounts of energy to operate the residence on site.
PUB4	Maria De Luz	
PUB4-01	We appreciate the opportunity to comment on the proposed Livermore Community Solar Farm facility in the northeast area of Alameda County, in the vicinity of our property and home. Our main concerns with the project are:	The comment serves as introduction to the letter. No additional response required.
PUB4-02	How will the grading and site preparation to convert the property from grazing and related agriculture uses to an industrial type facility to produce electrical power be achieved without negative consequences to neighboring properties.	The Draft EIR examined the potential for the proposed project to result in significant environmental impacts under a broad range of environmental topics, and

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Comment	Comment	Response
PUB4-03	The creation of this site that will involve the permanent installations of impermeable surface areas, i.e.all weather roads for vehicular and maintenance access, and solar panels that will speed storm water runoff, and the discharge of surface water off-site into the existing county system of culverts with impede driveway culverts for ingress and egress to all nearby properties in the vicinity of the project.	identified potential impacts in the areas of, aesthetics, air quality, biological resources, and cultural resources, and included mitigation measures intended to reduce these impacts to less than significant levels. All other environmental topics were found to result in no impacts, or less than significant impacts which do not require mitigation measures.
PUB4-04	Accelerated runoff may affect ground water percolation and the recharging of area wells that residents rely on for domestic water and for irrigation.	Please see response PUB4-03.
PUB4-05	Accelerated runoff will also affect driveway access during heavy winter rains due to Alameda County road system maintenance crews inability to provide consistent culvert maintenance during the rainy season.	Please see response PUB4-03.
PUB4-06	The project will create a zone of light reflection during daylight hours that may be distracting to area residents of a county agriculturally zoned area.	Light and glare impacts are discussed in the Draft EIR, on page 4.1-23, which found that impacts would be less than significant, due to the design of the solar arrays with light absorbing materials.
PUB4-07	Solar "farms" on a large industrial scale do not reflect traditional agricultural activities as expressed inthe adoption of Alameda County Board of Supervisors Measure "D" (Urban Growth Boundary).	The East County Area Plan as amended by Measure D provides for utility corridors on lands within the LPA (Large Parcel Agriculture) Land Use Designation. Further, the Alameda County Planning Commission determined in 2008 that a solar electric power generation facility is consistent with the General Plan for lands in the LPA.
PUB4-08	Approval of the project may be precedent setting in that other large scale similar projects may beencouraged to "farm the sun" that are not consistent with existing agricultural uses in the North Livermore Valley, and not consistent with Measure D.	The comment expresses an opinion. The comment does not address the adequacy of the Draft EIR.