

## Appendix A

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### Public Comments Received on Draft EIR

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## Appendix A

### Comments on Public Review DEIR

Letter Number	Commenter	Organization
001	Sophie Raskin	
002	Rosemary Reilly	
003	Mia Rosati	
004	Thomas Parish	
005	Suzy Forwood	
006	Jonathan Wong	
007	Sean McGarry	
008	Waymon Howard	
009	Patricia Garcia	
010	Robert Blaisdell	
011	Jose Guillen	
012	Andy Samms	
013	Kathy Pitcher	
014	Adrian Simi	
015	Julio Daniel Ochoa de Leon	
016	Geno Guevara	
017	Martin Espinoza Jr.	
018	Paul Dahlen	
019	Kyle Kowalski	
020	Travis Alexander	
021	Michael Jones	
022	Oscar Sanchez	
023	Norberto Aguilera	
024	Augi Beltran	Northern California Carpenter's Regional Council
025	Luis Sanchez	
026	David Ortiz	
027	Name not provided	
028	Name not provided	
029	Lewis Woolridge	
030	Dave Lange	
031	Daniel Gregg	
032	Leonard J. Basoco	
033	David Roberts	
034	Tony Luckey	
035	Tony Keller	
036	Kenneth Carty	
037	Manuel Rodriguez	
038	Chris O'Brien	Save North Livermore Valley Steering Committee
039	Tamara Reus	Friends of Open Space and Vineyards
040	Barbara Ruvolo	
041	Jason Bates	
042	Randy Adams	
043	Heather J. Boyd	
044	Dorothy Finney-Slade	

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045	Dorothy Finney-Slade	
046	Cate Sarraille	
047	Susan Cabotage-Eichenberger	
048	Kimbery Jackson	
049	Brian Newman	
050	Brandi Foscalina	
051	Kim Vardanega-Kent	
052	Alan Burnham	
053	Diane Clouse	
054	Julie Bertoli	
055	Richard Lescalleet II	
056	Joe Pascual	
057	David Weiss	
058	Sherrie Theriault	
059	John Burke	
060	Gregory Mullins	
061	William Lee	
062	Daniel Chivello	
063	James Abreu	
064	Linda Porter	
065	Erik Sommargren	
066	James Abreu	
067	Dustin Baker	
068	Waymon Howard	
069	Innocent Bassey	
070	Name not provided	
071	Greg Botano	
072	Adrian Simi	
073	Sean Lavelle	
074	Diane Rapport	
075	Lisa Meakin	
076	T	
077	Taylor Russell	
078	David Galdamez	
079	Patrick D. Quinn	
080	Marvin Vides	
081	Jose Guillen	
082	Name not provided	
083	Charlie	
084	Leonard Ancona	
085	Name not provided	
086	Jennifer Choi	
087	Sue McCubbin	
088	Mark Ybarreta	

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089	Erik Nunes	
090	Camille Wasinger	
091	Dorothy Kyle	
092	Will Taylor	
093	Robin Tracy	
094	Dave Lange	
095	Steven Hale	
096	Matt Weidner	
097	Fernando Estrada	
098	J.D. Chilton	
099	Alan Burnham	
100	Brian Wines	San Francisco Bay Regional Water Quality Control Board
101	Bob Howe	
102	Jiten Parbhoo	
103	Sahil Dagli	
104	Sujay Shetty	
105	Chaganti Radhakrishna	
106	Dylan Rushton	
107	Beth Vuolo Gousman	
108	David Co	
109	Haideh Chew	
110	Jahan C. Sagafi	
111	Greg Neidiger	
112	Matt Evans	
113	Sue Stendebach	
114	Robert Lee	
115	Saman Alikhani	
116	Mark Buck	
117	Dustin Baker	
118	Mike Brodsky	
119	Tom Felter	
120	Brad Gunkel	
121	David Nelson	
122	Brian R Gross	
123	Dustin Baker	
124	Pierre Gousseland	
125	Steve Stewart	City of Livermore
126	Greg Botano	IBEW Local Union 595
127	Jason Lindsay	
128	Jason Lindsay	
129	Leonard Ancona	
130	Karen Lee	
131	Elaine Ito	
132	Igor Tregub	Sierra Club

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133	Charlene Wardlow	CalGEM
134	Patrick Fossland	
135	Harlan L. Kelly, Jr.	SFPUC
136	Amine Berrada	
137	Nick Chaset	East Bay Community Energy
138	Gregg Erickson	CDFW
139	Terry Walsh	
140	Pat Walsh	
141	Robert Selna	Selna Partners
142	Dan Shugar	Nextracker
143	Ferdinand Valencia	
144	Nicole Valencia	
145	Brian Monaghan	Wildlands, Inc.
146	Juan Pablo Galvan Martinez	Save Mount Diablo
147	Luke Dunnington	Intersect Power
148	Luis Amezcua	Sierra Club
149	Merlin Newton Sr.	
150	Doug Bell	East Bay Regional Parks District
151	Ron Sadler	Citizen's Climate Education, Tri-Valley Chapter
152	Marjie Kosc	
153	Maria De Luz	
154	Lona McCallister	
155	Tracy Wood	
156	Cecilia Sadler	
157	Chris Sadler	
158	Michael Fredrich	
159	Carol Silva	
160	Larry Gosselin	
161	Pam Young	Audubon Society
162	Helen O'Shea	Natural Resources Defense Council
163	Tamara Reus	Friends of Open Space and Vineyards
164	Jim Hanson	East Bay California Native Plant Society
165	Donna Cabanne	
166	Jerald A. Britten	Mt. Diablo Audubon Society
167	Jean King	
168	David Rounds	Friends of Livermore
169	Laura Mercer	Tri-Valley Conservancy
170	Susan Springer	
171	William Hopper	Ohlone Audubon Society
172	Jon Miller	
173	Peter Caldwell	
174	Bruce Daggy	

## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Friday, October 9, 2020 10:13 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:41 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Sophie Raskin <[sophie.raskin@gmail.com](mailto:sophie.raskin@gmail.com)>  
**Sent:** Monday, September 21, 2020 8:59 AM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

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Thank you.  
Sophie Raskin

Sent from my iPhone

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:40 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Rosemary Reilly <[reilly129@sbcglobal.net](mailto:reilly129@sbcglobal.net)>  
**Sent:** Monday, September 21, 2020 10:00 AM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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Thank you.

Sent from my iPad

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**Sent:** Friday, October 9, 2020 9:40 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
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**From:** Mia Rosati <[miarosati7@gmail.com](mailto:miarosati7@gmail.com)>  
**Sent:** Monday, September 21, 2020 10:14 AM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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**From:** Thomas Parish <[tcparish@gmail.com](mailto:tcparish@gmail.com)>  
**Sent:** Monday, September 21, 2020 12:36 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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**From:** Suzy Forwood <[suzyforwood@gmail.com](mailto:suzyforwood@gmail.com)>  
**Sent:** Monday, September 21, 2020 12:37 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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Thank you.

Michael Forwood

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:39 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
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**Sent:** Monday, September 21, 2020 12:39 PM  
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Thank you.

Sent from my Verizon, Samsung Galaxy smartphone

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



## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Friday, October 9, 2020 10:13 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:40 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Waymon Howard <[anewway13@yahoo.com](mailto:anewway13@yahoo.com)>  
**Sent:** Monday, September 21, 2020 12:39 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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**From:** patricia garcia <[garcia2388@gmail.com](mailto:garcia2388@gmail.com)>  
**Sent:** Monday, September 21, 2020 12:40 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
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**From:** Robert Blaisdell <[rpblaisdell@gmail.com](mailto:rpblaisdell@gmail.com)>  
**Sent:** Monday, September 21, 2020 12:41 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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**From:** Jose Guillen <[guillen3525@gmail.com](mailto:guillen3525@gmail.com)>  
**Sent:** Monday, September 21, 2020 12:44 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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Sent from my iPhone

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**To:** Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** [andysamms@hotmail.com](mailto:andysamms@hotmail.com) <[andysamms@hotmail.com](mailto:andysamms@hotmail.com)>  
**Sent:** Monday, September 21, 2020 12:54 PM  
**To:** [Aramis-Support\\_Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com) <[Aramis-Support\\_Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com)>  
**Cc:** Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

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[Sent from Yahoo Mail on Android](#)

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You received this message because you are subscribed to the Google Groups "Aramis-Support\_Alameda-County" group. To unsubscribe from this group and stop receiving emails from it, send an email to [Aramis-Support\\_Alameda-County+unsubscribe@intersectpower.com](mailto:Aramis-Support_Alameda-County+unsubscribe@intersectpower.com).

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**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Kathy Pitcher <[k-pitcher@sbcglobal.net](mailto:k-pitcher@sbcglobal.net)>  
**Sent:** Monday, September 21, 2020 1:01 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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**From:** Adrian Simi <[adrian.simi@yahoo.com](mailto:adrian.simi@yahoo.com)>  
**Sent:** Monday, September 21, 2020 1:03 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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All the best,

Adrian Simi

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**From:** julio daniel ochoa de leon <[ochoajuliod@icloud.com](mailto:ochoajuliod@icloud.com)>  
**Sent:** Monday, September 21, 2020 1:04 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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**From:** Geno Guevara <[geno.guevara91@gmail.com](mailto:geno.guevara91@gmail.com)>  
**Sent:** Monday, September 21, 2020 1:16 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:37 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Martin Espinoza Jr. <[mespinoza2@nccrc.org](mailto:mespinoza2@nccrc.org)>  
**Sent:** Monday, September 21, 2020 1:39 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

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Thank you.

Sent from my Verizon, Samsung Galaxy smartphone

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



## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Friday, October 9, 2020 10:12 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:37 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Paul Dahlen <[paulzndcheennz@gmail.com](mailto:paulzndcheennz@gmail.com)>  
**Sent:** Monday, September 21, 2020 1:50 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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**Sent:** Friday, October 9, 2020 9:37 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Kyle Kowalski <[kKowalski@nccrc.org](mailto:kKowalski@nccrc.org)>  
**Sent:** Monday, September 21, 2020 1:56 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:37 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Travis Alexander <[TAlexander@nccrc.org](mailto:TAlexander@nccrc.org)>  
**Sent:** Monday, September 21, 2020 2:00 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Friday, October 9, 2020 10:11 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:36 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Michael Jones <[mjonesj@ymail.com](mailto:mjonesj@ymail.com)>  
**Sent:** Monday, September 21, 2020 3:27 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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Sent from my iPhone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:59 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

Get [Outlook for Android](#)

---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:49:06 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Oscar Sanchez <osanchez72283@gmail.com>  
**Sent:** Monday, September 21, 2020 4:46 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Friday, October 9, 2020 10:11 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:36 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Norberto Aguilera <[norbertoaguil@gmail.com](mailto:norbertoaguil@gmail.com)>  
**Sent:** Monday, September 21, 2020 4:55 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:36 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Augie Beltran <[abeltran@nccrc.org](mailto:abeltran@nccrc.org)>  
**Sent:** Monday, September 21, 2020 8:10 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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Thank you.

Augie Beltran  
Director of Public and Governmental Affairs  
Northern California Carpenters Regional Council  
209-993-7340



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**Sent:** Friday, October 9, 2020 10:11 AM  
**To:** Erin Gustafson  
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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:36 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Luis Sanchez <[edsanchezbalboapark@gmail.com](mailto:edsanchezbalboapark@gmail.com)>  
**Sent:** Monday, September 21, 2020 8:25 PM  
**To:** [Aramis-Support\\_Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com) <[Aramis-Support\\_Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com)>  
**Cc:** Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

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Thank you.

Yes I you

--

You received this message because you are subscribed to the Google Groups "Aramis-Support\_Alameda-County" group. To unsubscribe from this group and stop receiving emails from it, send an email to [Aramis-Support\\_Alameda-County+unsubscribe@intersectpower.com](mailto:Aramis-Support_Alameda-County+unsubscribe@intersectpower.com).

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**Sent:** Friday, October 9, 2020 9:36 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** David Ortiz <[david6054@icloud.com](mailto:david6054@icloud.com)>  
**Sent:** Monday, September 21, 2020 8:56 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

Dear County of Alameda:

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Thank you.

Sent from my iPhone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Friday, October 9, 2020 10:11 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:36 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** [q.felipe09@gmail.com](mailto:q.felipe09@gmail.com) <[q.felipe09@gmail.com](mailto:q.felipe09@gmail.com)>  
**Sent:** Monday, September 21, 2020 10:04 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:36 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** [shazam96@hotmail.com](mailto:shazam96@hotmail.com) <[shazam96@hotmail.com](mailto:shazam96@hotmail.com)>  
**Sent:** Tuesday, September 22, 2020 6:55 AM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Friday, October 9, 2020 10:11 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:35 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Lewis Woolridge <[lnwoolridge@gmail.com](mailto:lnwoolridge@gmail.com)>  
**Sent:** Tuesday, September 22, 2020 7:06 AM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Friday, October 9, 2020 10:11 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:35 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Dave Lange <[davelange82@gmail.com](mailto:davelange82@gmail.com)>  
**Sent:** Tuesday, September 22, 2020 7:50 AM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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Sent from my iPhone

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Friday, October 9, 2020 10:11 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:35 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Daniel Gregg <[dgregg@nccrc.org](mailto:dgregg@nccrc.org)>  
**Sent:** Tuesday, September 22, 2020 9:27 AM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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Thank you.

Sent from my Verizon, Samsung Galaxy smartphone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Friday, October 9, 2020 9:35 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:35 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Leonard J. Basoco <[lbasoco@nccrc.org](mailto:lbasoco@nccrc.org)>  
**Sent:** Tuesday, September 22, 2020 9:27 AM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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**From:** Lesley Owing  
**Sent:** Friday, October 9, 2020 9:35 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:35 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** David Roberts <[djroberts2@icloud.com](mailto:djroberts2@icloud.com)>  
**Sent:** Tuesday, September 22, 2020 11:48 AM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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**From:** Lesley Owing  
**Sent:** Friday, October 9, 2020 9:35 AM  
**To:** Erin Gustafson  
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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:35 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Tony Luckey <[luckeyme6921@gmail.com](mailto:luckeyme6921@gmail.com)>  
**Sent:** Tuesday, September 22, 2020 2:12 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 7, 2020 9:54 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

See other example below.

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Wednesday, October 7, 2020 8:43 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Cc:** Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

Hi, Lesley - this is the other type of response we have had since DEIR publication. It is one of 36 total received to date. I am not sure how these form emails came to be, but it would be hugely helpful if we had at least a city name as an address to go with each name. It would make decisionmakers much happier if they knew that the writer lived in Alameda County and not Modoc County or Montana.

As I mentioned in my earlier e-mail, we have no substantive comments on the DEIR yet, other than a letter from a Mr. O'Brien (which Marissa has seen) which pleads for an additional two weeks for review, and makes an argument for that extension but without any actual comments. My sense is that we are not inclined to grant that extension. - Bruce

---

**From:** Tony Keller <[brotherjoesph@gmail.com](mailto:brotherjoesph@gmail.com)>  
**Sent:** Tuesday, September 22, 2020 8:59 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

Dear County of Alameda:

We have an opportunity right here in Livermore Valley to make a significant contribution to the state's renewable energy goals through a large-scale solar energy and storage project that would power 25,000 residences and businesses, offset 188,000 metric tons of carbon dioxide, provide 400 living-wage union jobs, and help put an end to rolling blackouts in the Bay Area.

The Aramis Renewable Energy Project avoids impacts to sensitive wildlife and habitats, continues agricultural uses of the land through sheep grazing and honeybee foraging, and dedicates a public hiking trail for all to enjoy!

As temperatures continue to rise and wildfires come closer and earlier each season, we have an obligation to transition our economy away from fossil fuels. The Aramis Renewable Energy Project meets all of the zoning and land use requirements and has offered mitigation to all impacts. I encourage the County to move this project forward.

Thank you.

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

## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Friday, October 9, 2020 9:35 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:34 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Kenneth Carty <[kenjcarty@gmail.com](mailto:kenjcarty@gmail.com)>  
**Sent:** Wednesday, September 23, 2020 12:08 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

Dear County of Alameda:

We have an opportunity right here in Livermore Valley to make a significant contribution to the state's renewable energy goals through a large-scale solar energy and storage project that would power 25,000 residences and businesses, offset 188,000 metric tons of carbon dioxide, provide 400 living-wage union jobs, and help put an end to rolling blackouts in the Bay Area.

The Aramis Renewable Energy Project avoids impacts to sensitive wildlife and habitats, continues agricultural uses of the land through sheep grazing and honeybee foraging, and dedicates a public hiking trail for all to enjoy!

As temperatures continue to rise and wildfires come closer and earlier each season, we have an obligation to transition our economy away from fossil fuels. The Aramis Renewable Energy Project meets all of the zoning and land use requirements and has offered mitigation to all impacts. I encourage the County to move this project forward.

Thank you.  
Ken Carty

Sent from my iPhone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Friday, October 9, 2020 9:35 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 9:34 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

Hi, Lesley - here is the start of many emails of this form letter. - Bruce

---

**From:** Manuel Rodriquez <[guruofwood@yahoo.com](mailto:guruofwood@yahoo.com)>  
**Sent:** Wednesday, September 23, 2020 10:02 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

Dear County of Alameda:

We have an opportunity right here in Livermore Valley to make a significant contribution to the state's renewable energy goals through a large-scale solar energy and storage project that would power 25,000 residences and businesses, offset 188,000 metric tons of carbon dioxide, provide 400 living-wage union jobs, and help put an end to rolling blackouts in the Bay Area.

The Aramis Renewable Energy Project avoids impacts to sensitive wildlife and habitats, continues agricultural uses of the land through sheep grazing and honeybee foraging, and dedicates a public hiking trail for all to enjoy!

As temperatures continue to rise and wildfires come closer and earlier each season, we have an obligation to transition our economy away from fossil fuels. The Aramis Renewable Energy Project meets all of the zoning and land use requirements and has offered mitigation to all impacts. I encourage the County to move this project forward.

Thank you.

[Sent from Yahoo Mail on Android](#)

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October 5, 2020

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

Via Email Only

Dear Mr. Young,

The Save North Livermore Valley Steering Committee requests a 14-day extension of time for providing comments to the Draft Environmental Impact Report (DEIR) for the Aramis Solar Energy Generation and Storage Project (Alameda County Planning Application PLN2018-00117).

We are diligently reviewing the voluminous DEIR and its extensive appendices. It is clear that we will need additional time to prepare and submit our comments.

Good cause exists for an extension of the comment period for the following reasons:

- 1) The Aramis project is unprecedented. To our knowledge, no utility-scale solar power plant of 100MW has ever been the subject of an EIR in the Bay Area. It is vital that the review of this project be thorough and accurate given its impact on North Livermore Valley and the precedent it could set, if approved, for utility-scale solar facilities and other industrial-type uses on agricultural land in the County.
- 2) The DEIR and appendices constitute a massive document. The Aramis Draft EIR is 506 pages. The full set of documents exceeds 200 MB of data.
- 3) The DEIR raises a host of novel and complex issues unique to the project and we are still lining up experts to assist us. These individuals will not get started until next week and need more than 20 working days to complete their analysis.
- 4) The comment period of the Aramis DEIR overlaps with the anticipated publication of the Final EIR for the adjacent Sunwalker solar project and review of that project later this month by the East County Board of Zoning Adjustments. We must dedicate significant time and attention to the review of the Sunwalker Final EIR and preparation for the BZA hearing in October, undermining our ability to review and comment upon the Aramis DEIR within the 45-day comment period.
- 5) Alameda County has never conducted a solar mapping project and only recently restarted work on a solar policy. The lack of these foundational documents by the County poses an obstacle to the review of the Aramis project. We must research and develop ourselves appropriate standards and guidelines that should be applied to solar

facilities in unincorporated Alameda County, which we intend to reference in our comments to the Aramis project.

In summary, and based on the preceding reasons, good cause exists to extend the comment period for the Aramis DEIR by 14 days.

Finally, it is likely that the BZA hearing on the Sunwalker project will fall on the same date and time as the public comment hearing scheduled for the Aramis project. We naturally wish to attend and participate at both County hearings. To avoid this conflict, we request the County reschedule the hearing date for public comment on the Aramis project.

Very truly yours,

A handwritten signature in cursive script, appearing to read "C. O'Brien".

Chris O'Brien

A handwritten signature in cursive script, appearing to read "Merlin Newton".

Merlin Newton



October 6, 2020

Andrew Young, Sr. Planner  
Alameda County Planning Department County Development Agency  
224 West Winton Ave., Rm. 111  
Hayward, CA 94544  
VIA EMAIL: Andrew.young@acgov.org

Re: Draft Environmental Impact Report (DEIR) for the Aramis Solar Energy Generation and Storage Project (Alameda County Planning Application PLN2018-00117).

Dear Mr. Young

I am writing on behalf of Friends of Open Space and Vineyards to request an extension of the comment period for the Aramis Solar Energy Generation and Storage Project Draft Environmental Impact Report (Aramis DEIR) issued on September 18<sup>th</sup>.

The Aramis DEIR is over 500 pages with numerous appendices. It is a voluminous document covering a large project which requires careful review. A solar project of this scale has never been under review in the county and would permanently change North Livermore, if approved. The 45-day comment period currently in effect is insufficient to allow for adequate analysis and preparation of comments in a timely fashion.

The comment period for the Aramis DEIR also overlaps with the issuance of the Final EIR (FEIR) for the Sunwalker Livermore Community Solar Farm which is expected this month. It is anticipated that the Sunwalker FEIR will come before the East County Board of Zoning Adjustments for a certification hearing this month as well. Our organization needs to devote considerable time to reviewing the Sunwalker FEIR and preparing for this hearing. It will be very difficult for our organization to simultaneously review and formulate comments on the Aramis DEIR by the current deadline given this overlap.

FOV therefore respectfully requests a four-week extension of time, through Monday, November 30, 2020 to submit comments on the Aramis DEIR.

Sincerely

Tamara Reus  
President

## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 7, 2020 9:53 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

Hi Erin,

See below from Alameda County. I will call you shortly about this.

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Wednesday, October 7, 2020 8:33 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

Hi, Lesley - So far we have gotten only 2 types of responses for the Aramis Project since EIR publicaiton, and this is one of them, the first of its kind. It is NOT a comment on the DEIR, as you can see.

I will shortly send an example of the other kind of response, which is a form email that we have received from about 35 distinct e-mail addresses. They are all identical and none display a physical address. They area also not comments on the DEIR. I fear we will not get any of those until near the end.

Thanks, Bruce

---

**From:** Barbara Ruvolo <[bwgoesgreen@gmail.com](mailto:bwgoesgreen@gmail.com)>  
**Sent:** Tuesday, October 6, 2020 5:47 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

Dear Alameda County:

These past two months of dangerous wildfires and hazardous air quality is further proof that the climate crisis is here, today. It is no longer acceptable to delay projects that will help achieve the state's renewable energy goals by providing clean power alternatives right here in Alameda County. Livermore is known for pioneering enduring clean energy generation. We cannot continue to push these solar projects out to the desert, and rooftop solar simply cannot achieve the scale needed to meet our energy needs.

It's time for us to seize the opportunity and bring the renewable energy we need closer to home. Reducing our reliance on imported natural energy increases our ability to manage our power demand while also reducing the cost to ratepayers and helping address the climate crisis.

I urge approval of the Aramis Renewable Energy Project.

Name: Barbara W. Ruvolo

City of Residence: Walnut Creek, your neighbor!

Barbara Ruvolo

[bwgoesgreen@gmail.com](mailto:bwgoesgreen@gmail.com)

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Friday, October 9, 2020 8:40 AM  
**To:** Erin Gustafson  
**Subject:** FW: In Support of the Aramis Renewable Energy Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Another support email for Aramis.

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 9, 2020 6:31 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: In Support of the Aramis Renewable Energy Project

Hi, Lesley - here is the latest comment letter that does not relate to the EIR. Today I will try to send the set of comment form letters to you but they will need to be one at a time.

There are a very few letters from earlier that I do not have handy, but I will look for them. I think we got one or two from Marissa, the others are from angry North Livermore people or a supportive Sierra Club. - Bruce

---

**From:** Jason Bates <[jbates@595jatc.org](mailto:jbates@595jatc.org)>  
**Sent:** Thursday, October 8, 2020 2:33 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org) <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Cc:** Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; [luke@intersectpower.com](mailto:luke@intersectpower.com) <[luke@intersectpower.com](mailto:luke@intersectpower.com)>; Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** In Support of the Aramis Renewable Energy Project

Dear Supervisor Haggerty, BZA, and Staff,

On behalf of the Zero Net Energy Center I am pleased to offer our endorsement of the Aramis Renewable Energy Project. The project would be one of northern California's largest solar projects, offering our students education and employment opportunities while offsetting many tons of local air pollution. Moreover, it will provide up to 400 living wage union jobs and support the local economy with millions of dollars of local procurement and other economic activity.

Local job creation is an enormously important benefit of procuring large-scale renewable energy. The Aramis project and its developer, Intersect Power, have demonstrated their commitment to ensuring local labor will benefit from the project by entering into a project labor agreement ensuring 100% union labor with five local trades. The five construction crafts represent thousands of members living in Alameda County, who will benefit from local employment, reduced commute time, and utility-scale solar construction experience. This includes IBEW Local 595, who co-created the ZNEC apprenticeship training center alongside the Northern California Chapter of NECA. At the Zero Net Energy Center, we train over 200 apprentices each year and provide continuing education to 2,000 journey level electricians. We are confident that our students will be valuable contributors to the Aramis project.

The Zero Net Energy Center proudly endorses this project, and urges the County to approve this important, local resource for the benefit of our community. Thank you for your service to the current and future citizens of Alameda County.

On behalf of the Committee,

*Jason Bates*

Training Director

Alameda County Electrical JATC

[jbates@595jatc.org](mailto:jbates@595jatc.org)

Direct Line: 510-281-0720

Cell: 510-457-5163

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Sunday, October 11, 2020 3:20 PM  
**To:** Erin Gustafson  
**Subject:** Fwd: North Livermore Valley

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Sunday, October 11, 2020 2:12:22 PM  
**To:** Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fwd: North Livermore Valley

Hi Lesley. A brand new one, once again with nothing to do with the EIR. Cest la vie.  
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**From:** Randy Adams <randydidit@att.net>  
**Sent:** Sunday, October 11, 2020 13:57  
**To:** Haggerty, Scott, Supv BOS Dist 1; Valle, Richard, Supv BOS Dist 2; Chan, Wilma, BOS Dist 3; BOS District 4; Carson, Keith, Supv BOS Dist 5; scott.beyer@wentevineyards.com; timhof@earthlink.net; derek@purpleorchid.com; Young, Andrew, CDA; Curry, Damien, CDA; Jensen, Bruce, CDA; Lopez, Albert, CDA; info@savenorthlivermorevalley.com  
**Subject:** North Livermore Valley

I am requesting a complete and comprehensive solar policy for the Alameda County before reviewing any massive, individual solar projects in the rural areas of the county. This project sacrifices Agricultural land for Industrial use, there are plenty of areas in Alameda Co that are already zoned for industrial use. Don't destroy the North Livermore Valley, this is an extremely unpopular use of our dwindling Agricultural space.

Sincerely  
Randy Adams  
Resident of Livermore Ca

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## Erin Gustafson

---

**From:** Heather J. Boyd <heatherjboyd@yahoo.com>  
**Sent:** Sunday, October 11, 2020 3:07 PM  
**To:** scott.beyer@wentevineyards.com; timhof@earthlink.net; derek@purpleorchid.com; Haggerty, Scott, Supv BOS Dist 1; Valle, Richard, Supv BOS Dist 2; Chan, Wilma, BOS Dist 3; BOS District 4; Carson, Keith, Supv BOS Dist 5; Young, Andrew, CDA; Curry, Damien, CDA; Jensen, Bruce, CDA; Lopez, Albert, CDA  
**Cc:** Heather Boyd  
**Subject:** NO Solar Power Plants or Electrical Plants in Livermore EVER

To whom it may concern:

I live in Livermore and have for over 13 years. We have seen it grow, a little too quickly, and now things need to slow down - we do not have enough space to add more buildings and people let alone space in our schools. If a solar power plant comes to our town now of almost 100k people, how will that affect our health? Batteries are dangerous and not likely anyone wants to look at that from near or far. With that said, please read below.

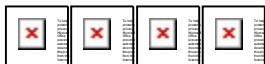
I request that Alameda County develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas and that this work be completed before the County reviews the two industrial solar plants proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner. Until Alameda County establishes clear rules, developed after public input, for the appropriate siting, scale and operations of solar power plants, if any, on agricultural land, all pending projects must be put on hold. The scenic beauty, natural habitat and open space of North Livermore Valley belong to all of us and must be preserved for future generations.

Livermore needs to stop growing and remain rural in the areas that still are. I come from a rural town in PA and we did not like it when too much was being built on open space. Leave OPEN space as is and know it is an asset to our city, town, Country and most importantly, Mother Earth. I will be very disappointed if this ever comes to Livermore, there are many other areas that are further from towns and people, let alone farms and interstates that could be developed to harness solar power for our city. No one wants to look at that off 580 or in North Livermore. It is beautiful to drive there and ride bikes and the imminent danger a solar power plant will bring to our wildfire season is irreprehensible to think this is even being considered. The liability will be on your hands if anything catastrophic ever would happen. Please protect our hills and view and nature. There is so little of that left.

Thank you,

Heather J. Boyd

408-603-3339- cell



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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Monday, October 12, 2020 8:20 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: Save North Livermore Valley

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Monday, October 12, 2020 7:19:18 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: Save North Livermore Valley

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**From:** Dodie Finney <djfinney@comcast.net>  
**Sent:** Sunday, October 11, 2020 8:19 PM  
**To:** scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; Valle, Richard, Supv BOS Dist 2 <Richard.Valle@acgov.org>; Chan, Wilma, BOS Dist 3 <Wilma.Chan@acgov.org>; BOS District 4 <bosdist4@acgov.org>; Carson, Keith, Supv BOS Dist 5 <kcarson@acgov.org>; andrewyoung@acgov.org <andrewyoung@acgov.org>; Curry, Damien, CDA <damien.curry@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>  
**Subject:** Save North Livermore Valley

## DO NOT BUILD INDUSTRIAL SOLAR PLANTS IN THE NORTH LIVERMORE VALLEY !!

In the Bay Area, the regional government authority, ABAG, has designated **Priority Conservation Areas**. These are areas that are regionally significant open spaces that are vital to the SF Bay Area's natural systems, rural economy, and the health of all residents. **One of the largest PCA's in the Bay Area is in North Livermore Valley.** See <https://abag.ca.gov/our-work/land-use/pca-priority-conservation-areas>

It is past time for Alameda County to catch up with nearby Contra Costa and Santa Clara Counties and adopt plans that preserve open space, wildlife habitats, environmentally important agricultural land AND expand renewable energy.

I urge Alameda County **develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas** and that this work be completed **BEFORE the County reviews the two industrial solar plants** proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

Until Alameda County establishes clear rules, developed after public input, for the appropriate siting, scale, and operations of solar power plants, if any, on agricultural land, **ALL PENDING PROJECTS MUST BE PUT ON HOLD**. The scenic beauty, natural habitat, and open space of North Livermore Valley belong to all of us and must be preserved for future generations.

Also, please consider that the Livermore Valley is one of the oldest wine regions in California with over 50 wineries. **The Livermore Valley relies on the tourism economy generated by its viticulture and wineries.** The proposed Industrial Solar Plants, will blanket the valley with 350,000 solar panels mounted on metal poles and frames eight feet high, scores of transformers resting on concrete foundations, tracking and mounting systems, and large-scale lithium ion battery storage buildings. Overhead transmission lines and towers, some equivalent to buildings ten stories tall, will be built to convey electricity from the solar plants to a PG&E power substation.

**The North Livermore Valley is a designated scenic corridor.**

**No method exists to hide or obscure the visual assault on the valley of 350,000 solar panels, multiple large battery station buildings, and overhead electrical transmission lines and poles reaching ten stories high.**

Respectfully,

Dorothy Finney-Slade  
775 Yolo Way  
Livermore, CA 94551  
(925) 784-0249

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**Erin Gustafson**

---

**From:** Dodie Finney <djfinney@comcast.net>  
**Sent:** Sunday, October 11, 2020 9:54 PM  
**To:** Young, Andrew, CDA  
**Subject:** SAVE NORTH LIVERMORE VALLEY

## **DO NOT BUILD INDUSTRIAL SOLAR PLANTS IN THE NORTH LIVERMORE VALLEY !!**

In the Bay Area, the regional government authority, ABAG, has designated **Priority Conservation Areas**. These are areas that are regionally significant open spaces that are vital to the SF Bay Area's natural systems, rural economy, and the health of all residents. **One of the largest PCA's in the Bay Area is in North Livermore Valley.** See <https://abag.ca.gov/our-work/land-use/pca-priority-conservation-areas>

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I urge Alameda County **develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas** and that this work be completed **BEFORE the County reviews the two industrial solar plants** proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

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**No method exists to hide or obscure the visual assault on the valley of 350,000 solar panels, multiple large battery station buildings, and overhead electrical transmission lines and poles reaching ten stories high.**

Respectfully,

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775 Yolo Way  
Livermore, CA 94551  
(925) 784-0249

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Tuesday, October 13, 2020 10:08 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: Save North Livermore

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---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Tuesday, October 13, 2020 8:09:52 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** FW: Save North Livermore

More letters this morning. First letter:

**\*\*\*The Planning Department is working normal business hours and remotely in compliance with the Shelter in Place Order issued by the County Public Health Officer\*\*\***

---

**From:** Cate Sarraille <sarraille53@gmail.com>  
**Sent:** Monday, October 12, 2020 4:27 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; Valle, Richard, Supv BOS Dist 2 <Richard.Valle@acgov.org>; Chan, Wilma, BOS Dist 3 <Wilma.Chan@acgov.org>; BOS District 4 <bosdist4@acgov.org>; Carson, Keith, Supv BOS Dist 5 <kcarson@acgov.org>; scott.beyer@wentevineyards.com; timhof@earthlink.net; derek@purpleorchid.com; Young, Andrew, CDA <andrew.young@acgov.org>; Curry, Damien, CDA <damien.curry@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; info@savenorthlivermorevalley.com  
**Subject:** Save North Livermore

Gentlepersons:

I request that Alameda County develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas and that this work be completed before the County reviews the two industrial solar plants proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

Until Alameda County establishes clear rules, developed after public input, for the appropriate siting, scale and operations of solar power plants, if any, on agricultural land, all pending projects must be put on hold. The scenic beauty, natural habitat and open space of North Livermore Valley belong to all of us and must be preserved for future generations.

Thank you for your time and attention to my concerns.

Cate Sarraille  
Livermore, CA

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## Erin Gustafson

---

**From:** Susan Cabotage <susancabotage@yahoo.com>  
**Sent:** Monday, October 12, 2020 8:52 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1; Valle, Richard, Supv BOS Dist 2; Chan, Wilma, BOS Dist 3; BOS District 4; Carson, Keith, Supv BOS Dist 5; scott.beyer@wentevineyards.com; timhof@earthlink.net; derek@purpleorchid.com; Young, Andrew, CDA; Curry, Damien, CDA; Jensen, Bruce, CDA; Lopez, Albert, CDA; info@savenorthlivermorevalley.com  
**Subject:** Solar Plants

Hello Alameda County Board of Directors,

I am a concerned longstanding resident of Livermore and voted for Measure D. I am an advocate for green energy and have personally added solar power to our home and drive an electric car. However, I am very worried about the future of the open space our community has voted for.

I request that Alameda County develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas and that this work be completed before the County reviews the two industrial solar plants proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

Until Alameda County establishes clear rules, developed after public input, for the appropriate siting, scale and operations of solar power plants, if any, on agricultural land, all pending projects must be put on hold. The scenic beauty, natural habitat and open space of North Livermore Valley belong to all of us and must be preserved for future generations.

Thank you for your time,

Susan Cabotage-Eichenberger

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## Erin Gustafson

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**From:** Kimberly Jackson <kjacksohio@gmail.com>  
**Sent:** Monday, October 12, 2020 11:19 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1; Valle, Richard, Supv BOS Dist 2; Chan, Wilma, BOS Dist 3; BOS District 4; Carson, Keith, Supv BOS Dist 5; scott.beyer@wentevineyards.com; timhof@earthlink.net; derek@purpleorchid.com; Young, Andrew, CDA; Curry, Damien, CDA; Jensen, Bruce, CDA; Lopez, Albert, CDA; info@savenorthlivermorevalley.com

I want Livermore agricultural land to stay agricultural. I want it protected like other counties in California and am very angry that our county does not protect our farm land.

We don't want a solar plant or anything else put in our farmland. We want and expect you to protect it.

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## Erin Gustafson

---

**From:** Brian Newman <briannewman925@yahoo.com>  
**Sent:** Tuesday, October 13, 2020 7:45 AM  
**To:** Haggerty, Scott, Supv BOS Dist 1; Valle, Richard, Supv BOS Dist 2; Chan, Wilma, BOS Dist 3; BOS District 4; Carson, Keith, Supv BOS Dist 5; scott.beyer@wentevineyards.com; timhof@earthlink.net; derek@purpleorchid.com; Young, Andrew, CDA; Curry, Damien, CDA; Jensen, Bruce, CDA; Lopez, Albert, CDA; info@savenorthlivermorevalley.com

Hello. This is not okay. We need to save and preserve the land. I request that Alameda County develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas and that this work be completed before the County reviews the two industrial solar plants proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

Until the County establishes clear rules, developed with public input, for the appropriate siting, scale and operations of solar power plants, if any, on agricultural land, all pending projects should be put on hold. The scenic beauty, natural habitat and open space of North Livermore Valley belong to all of us and must be preserved for future generations.

Sent from my iPhone

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## Erin Gustafson

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**From:** Brandi Foscalina <bfoscalina@gmail.com>  
**Sent:** Tuesday, October 13, 2020 8:06 AM  
**To:** Haggerty, Scott, Supv BOS Dist 1; Valle, Richard, Supv BOS Dist 2; Chan, Wilma, BOS Dist 3; BOS District 4; Carson, Keith, Supv BOS Dist 5; scott.beyer@wentevineyards.com; timhof@earthlink.net; derek@purpleorchid.com; Young, Andrew, CDA; Curry, Damien, CDA; Jensen, Bruce, CDA; Lopez, Albert, CDA; info@savenorthlivermorevalley.com  
**Subject:** North Livermore

To the Alameda County Board of Supervisors:

I request that Alameda County develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas and that this work be completed before the County reviews the two industrial solar plants proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

Until the County establishes clear rules, developed with public input, for the appropriate siting, scale and operations of solar power plants, if any, on agricultural land, all pending projects should be put on hold. The scenic beauty, natural habitat and open space of North Livermore Valley belong to all of us and must be preserved for future generations.

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Sincerely,  
Brandi Foscalina, Livermore Ca.

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Tuesday, October 13, 2020 1:50 PM  
**To:** Erin Gustafson  
**Subject:** Fwd: (Solar policy)

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---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Tuesday, October 13, 2020 11:56:34 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** FW: (Solar policy)

Another one

Bruce Jensen  
Alameda County Planning Department  
224 West Winton Avenue, Room 111  
Hayward, CA 94544  
(510) 670-5400

CONFIDENTIALITY NOTICE: This e-mail message including attachments, if any, is intended only for the person(s) or entity(ies) to which it is addressed and may contain confidential and /or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

**\*\*\*The Planning Department is working normal business hours and remotely in compliance with the Shelter in Place Order issued by the County Public Health Officer\*\*\***

---

**From:** Kim Vardanega-Kent <reiningal@gmail.com>  
**Sent:** Tuesday, October 13, 2020 9:56 AM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; Valle, Richard, Supv BOS Dist 2 <Richard.Valle@acgov.org>; Young, Andrew, CDA <andrew.young@acgov.org>; Chan, Wilma, BOS Dist 3 <Wilma.Chan@acgov.org>; BOS District 4 <bosdist4@acgov.org>; Carson, Keith, Supv BOS Dist 5 <kcarson@acgov.org>; scott.beyer@wentevineyards.com; timhof@earthlink.net; derek@purpleorchid.com; Curry, Damien, CDA <damien.curry@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; info@savenorthlivermorevalley.com  
**Subject:**

Dear Board of Supervisors

I request that Alameda County develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas and that this work be completed before the County reviews the two industrial solar plants

proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

Until the County establishes clear rules, developed with public input, for the appropriate siting, scale and operations of solar power plants, if any, on agricultural land, all pending projects should be put on hold. The scenic beauty, natural habitat and open space of North Livermore Valley belong to all of us and must be preserved for future generations.

Livermore & surrounding citizens have fought hard over the decades to preserve this beautiful valley. Once open space is lost, it is lost forever.

Sincerely:

Richard Kent & Kim Vardanega-Kent  
Livermore, Ca

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## Erin Gustafson

---

**From:** Alan Burnham <akburnham@yahoo.com>  
**Sent:** Tuesday, October 13, 2020 11:38 AM  
**To:** scott.beyer@wentevineyards.com; timhof@earthlink.net; derek@purpleorchid.com; Haggerty, Scott, Supv BOS Dist 1; Valle, Richard, Supv BOS Dist 2; Chan, Wilma, BOS Dist 3; BOS District 4; Carson, Keith, Supv BOS Dist 5; Young, Andrew, CDA; Curry, Damien, CDA; Jensen, Bruce, CDA; Lopez, Albert, CDA  
**Subject:** North Livermore Solar Farms

Dear Alameda County Leaders,

The world is facing an existential crisis due to global temperature rise and climate change associated with CO2 emitted by burning fossil fuels. California is committed to eliminating those emissions by requiring heat pumps and electric vehicles going forward. But where will the electricity come from? Delaying the installation of renewable energy will exacerbate the negative climate effects we are already experiencing. 100 MW is not going to change the course of the world, but if everyone decides someone else needs to solve the problem, no one will. Solar could be installed on all the large flat warehouses in Alameda County, but who is going to make that happen? It probably won't be economic for most building owners, and it won't be enough. There is a legend that Nero fiddled while Rome burned. Are you going to study while California burns?

Alan Burnham

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Tuesday, October 13, 2020 6:08 PM  
**To:** Erin Gustafson  
**Subject:** Fwd: Save No Livermore Valley

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Tuesday, October 13, 2020 3:59:29 PM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: Save No Livermore Valley

---

**From:** Diane Clouse <dcgranny2@sbcglobal.net>  
**Sent:** Tuesday, October 13, 2020 3:06 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; Valle, Richard, Supv BOS Dist 2 <Richard.Valle@acgov.org>; Chan, Wilma, BOS Dist 3 <Wilma.Chan@acgov.org>; BOS District 4 <bosdist4@acgov.org>; Carson, Keith, Supv BOS Dist 5 <kcarson@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Young, Andrew, CDA <andrew.young@acgov.org>; Curry, Damien, CDA <damien.curry@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; info@savenorthlivermorevalley.com <info@savenorthlivermorevalley.com>  
**Subject:** Save No Livermore Valley

I request that Alameda County develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas and that this work be completed before the County reviews the two industrial solar plants proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

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Sent from my iPhone

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## Erin Gustafson

---

**From:** Julie Bertoli <julietoli1@icloud.com>  
**Sent:** Tuesday, October 13, 2020 3:21 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1; Valle, Richard, Supv BOS Dist 2; Chan, Wilma, BOS Dist 3; BOS District 4; Carson, Keith, Supv BOS Dist 5; scott.beyer@wentevineyards.com; timhof@earthlink.net; derek@purpleorchid.com; Young, Andrew, CDA; Curry, Damien, CDA; Jensen, Bruce, CDA; Lopez, Albert, CDA; info@savenorthlivermorevalley.com  
**Subject:** Solar on North Livermore

Good Afternoon

I would like to request that Alameda County develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas and that this work be completed BEFORE the County reviews the two industrial solar plants proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

Until Alameda County establishes clear rules, developed with public input, for the appropriate siting, scale and operation of solar power plants, if any, on agricultural land, all pending projects should be put on hold. The scenic beauty, natural habitat and open space of North Livermore Valley belong to all of us and must be preserved for future generations.

Thank you for your time and consideration ,  
Julie and Dennis Bertoli

Sent from my iPhone

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## Erin Gustafson

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**From:** Richard Lescalleet II <rlescalleet01@gmail.com>  
**Sent:** Tuesday, October 13, 2020 3:54 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1; Valle, Richard, Supv BOS Dist 2; Chan, Wilma, BOS Dist 3; BOS District 4; Carson, Keith, Supv BOS Dist 5; scott.beyer@wentevineyards.com; timhof@earthlink.net; derek@purpleorchid.com; Young, Andrew, CDA; Curry, Damien, CDA; Jensen, Bruce, CDA; Lopez, Albert, CDA; info@savenorthlivermorevalley.com  
**Subject:** No solar in North Livermore Valley

I request that Alameda County develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas and that this work be completed before the County reviews the two industrial solar plants proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

Until Alameda County establishes clear rules, developed with public input, for the appropriate siting, scale and operation of solar power plants, if any, on agricultural land, all pending projects should be put on hold. The scenic beauty, natural habitat and open space of North Livermore Valley belong to all of us and must be preserved for future generations.

Though I currently live in Oakland, I also manage hundreds of acres of conservation land in North Livermore Valley, right around the corner from these proposed projects. I am very familiar with the natural habitats of the area and all the wildlife and special-status plants that occur in the area. Greenlighting any individual large-scale solar plants without a comprehensive county-wide policy would, in my opinion, not be the way to do things. Solar should be concentrated amongst already established infrastructure like industrial rooftops and parking lots. There is no reason to spoil the relatively undisturbed open space and agricultural lands in the county when there are other, better options.

Sincerely,

--

**Richard Lescalleet**  
**Oakland, California**

Wildlife Biologist  
(408) 499.8974

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## Erin Gustafson

---

**From:** Joe Pascual <jbumx2@gmail.com>  
**Sent:** Tuesday, October 13, 2020 4:11 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1; Valle, Richard, Supv BOS Dist 2; Chan, Wilma, BOS Dist 3; BOS District 4; Carson, Keith, Supv BOS Dist 5; scott.beyer@wentevineyards.com; timhof@earthlink.net; derek@purpleorchid.com; Young, Andrew, CDA; Curry, Damien, CDA; Jensen, Bruce, CDA; Lopez, Albert, CDA; info@savenorthlivermorevalley.com  
**Subject:** Save North Livermore Valley

I request that Alameda County develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas and that this work be completed before the County reviews the two industrial solar plants proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

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Joe Pascual  
Livermore 94551

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## Erin Gustafson

---

**From:** dodgerdave88@comcast.net  
**Sent:** Tuesday, October 13, 2020 6:44 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1; Valle, Richard, Supv BOS Dist 2; Chan, Wilma, BOS Dist 3; BOS District 4; Carson, Keith, Supv BOS Dist 5; scott.beyer@wentevineyards.com; timhof@earthlink.net; derek@purpleorchid.com; Young, Andrew, CDA; Curry, Damien, CDA; Jensen, Bruce, CDA; Lopez, Albert, CDA; info@savenorthlivermorevalley.com  
**Subject:** Save North Livermore Valley

I request that Alameda County develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas and that this work be completed before the County reviews the two industrial solar plants proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

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Thank you,  
David Weiss  
Livermore, CA

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 9:16 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: Solar power

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 8:29:36 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: Solar power

---

**From:** Sherrie Theriault <jltent@sbcglobal.net>  
**Sent:** Wednesday, October 14, 2020 7:20 AM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; Valle, Richard, Supv BOS Dist 2 <Richard.Valle@acgov.org>; Chan, Wilma, BOS Dist 3 <Wilma.Chan@acgov.org>; BOS District 4 <bosdist4@acgov.org>; Carson, Keith, Supv BOS Dist 5 <kcarson@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Young, Andrew, CDA <andrew.young@acgov.org>; Curry, Damien, CDA <damien.curry@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; info@savenorthlivermorevalley.com <info@savenorthlivermorevalley.com>  
**Subject:** Solar power

I request that Alameda County develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas and that this work be completed before the County reviews the two industrial solar plants proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

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Sent from my iPhone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 9:16 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: Save North Livermore Valley

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---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 8:30:18 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: Save North Livermore Valley

---

**From:** John burke <johnburke01@att.net>  
**Sent:** Wednesday, October 14, 2020 8:21 AM  
**To:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Subject:** Save North Livermore Valley

Hi Bruce, I'm a resident and home owner in Livermore since 2003. I writing to you because I'm concerned and ABSOLUTELY OPPOSED to an Industrial solar panel power plant in North Livermore Valley.

I'm truly surprised that it would even be considered, without Alameda county doing its homework first. I'm requesting Alameda County develop a comprehensive solar policy, prior to giving it any thought or consideration to a Industrial solar panel power plant.

I hope you realize the environment, the agricultural land, the wild life, natural habitat and our open space "Measure D" are vitally Important to all of us. Also why voters approved Measure D.

I believe North Livermore Valley is more valuable to our environment in its current state. Then it could be, in any other possibility. I'm NOT talking about money. North Livermore Valley is valuable to the people, agriculture, animals, farming, our heritage and future generations. Please let's NOT DESTROY North Livermore valley with solar panels. Especially when other locations make more sense. Thank you, John Burke

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 10:49 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 10:46:10 AM  
**To:** Marisa Mitchell <marisa@intersectpower.com>; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** gregorymullins <gregorymullins@rocketmail.com>  
**Sent:** Wednesday, October 14, 2020 10:29 AM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:Greg M Mullins  
CITY OF RESIDENCE: Livermore

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

As our planet continues to warm and we experience ongoing rolling blackouts and poor air quality, we should embrace a proposal to bring clean power and green, living wage jobs to Livermore today.

Delaying an exemplary project like Aramis is not an option. We don't know if we'll have opportunities like this one again. Please demonstrate your leadership towards fighting climate change and do not unfairly hold this project up while a solar policy is debated over months, if not years.

Thank you.

Greg M Mullins

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 11:37 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 11:03:20 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** William Lee <waiwailee@hotmail.com>  
**Sent:** Wednesday, October 14, 2020 11:02 AM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

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Thank you.

Will Lee

Sent from my iPhone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 11:59 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 11:41:12 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Chivello, Daniel <Daniel\_Chivello@IBEW.org>  
**Sent:** Wednesday, October 14, 2020 11:40 AM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM: Daniel Chivello

CITY OF RESIDENCE: San Leandro

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

As our planet continues to warm and we experience ongoing rolling blackouts and poor air quality, we should embrace a proposal to bring clean power and green, living wage jobs to Livermore today.

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Thank you.

Daniel Chivello

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 11:59 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 11:46:58 AM  
**To:** Marisa Mitchell <marisa@intersectpower.com>; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** James Abreu <jkabreu9@icloud.com>  
**Sent:** Wednesday, October 14, 2020 11:45 AM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

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Thank you.

Sent from my iPhone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 12:00 PM  
**To:** Erin Gustafson  
**Subject:** Fwd: No Solar Power Plants in North Livermore Valley

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 11:51:42 AM  
**To:** Marisa Mitchell <marisa@intersectpower.com>; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: No Solar Power Plants in North Livermore Valley

---

**From:** Linda <Linda\_Porter@comcast.net>  
**Sent:** Wednesday, October 14, 2020 11:47 AM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; Valle, Richard, Supv BOS Dist 2 <Richard.Valle@acgov.org>; Chan, Wilma, BOS Dist 3 <Wilma.Chan@acgov.org>; BOS District 4 <bosdist4@acgov.org>; Carson, Keith, Supv BOS Dist 5 <kcarson@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Young, Andrew, CDA <andrew.young@acgov.org>; Curry, Damien, CDA <damien.curry@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; Palmeri, Maria, CDA <maria.palmeri@acgov.org>; info@savenorthlivermorevalley.com <info@savenorthlivermorevalley.com>  
**Subject:** No Solar Power Plants in North Livermore Valley

I request that Alameda County develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas and that this work be completed before the County reviews the two industrial solar plants proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

Until the County establishes clear rules, developed with public input, for the appropriate siting, scale and operations of solar power plants, if any, on agricultural land, all pending projects should be put on hold.

Alameda County started the process of creating a solar policy in 2011, but suspended the effort in 2013. In the meantime, Santa Clara County adopted a countywide solar policy ordinance covering agricultural land in 2010. Earlier this year, Contra Costa County adopted a similar ordinance. There is no reason why Alameda County cannot do the same.

The scenic beauty, natural habitat and open space of North Livermore Valley belong to all of us and must be preserved for future generations.

Linda Porter

Livermore, CA

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 12:00 PM  
**To:** Erin Gustafson  
**Subject:** Fwd: Save North Livermore Valley

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---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 11:51:58 AM  
**To:** Marisa Mitchell <marisa@intersectpower.com>; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: Save North Livermore Valley

---

**From:** Erik Sommargren <erik.sommargren@gmail.com>  
**Sent:** Wednesday, October 14, 2020 11:48 AM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; Valle, Richard, Supv BOS Dist 2 <Richard.Valle@acgov.org>; Chan, Wilma, BOS Dist 3 <Wilma.Chan@acgov.org>; BOS District 4 <bosdist4@acgov.org>; Carson, Keith, Supv BOS Dist 5 <kcarson@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Young, Andrew, CDA <andrew.young@acgov.org>; Curry, Damien, CDA <damien.curry@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; info@savenorthlivermorevalley.com <info@savenorthlivermorevalley.com>  
**Subject:** Save North Livermore Valley

Greetings,

I request that Alameda County develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas and that this work be completed before the County reviews the two industrial solar plants proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

Until Alameda County establishes clear rules, developed with public input, for the appropriate siting, scale and operation of solar power plants, if any, on agricultural land, all pending projects should be put on hold. The scenic beauty, natural habitat and open space of North Livermore Valley belong to all of us and must be preserved for future generations.

Sincerely,

Erik Sommargren  
Livermore, CA

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 12:00 PM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 11:52:13 AM  
**To:** Marisa Mitchell <marisa@intersectpower.com>; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** James Abreu <jkabreu9@icloud.com>  
**Sent:** Wednesday, October 14, 2020 11:50 AM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

As our planet continues to warm and we experience ongoing rolling blackouts and poor air quality, we should embrace a proposal to bring clean power and green, living wage jobs to Livermore today.

Delaying an exemplary project like Aramis is not an option. We don't know if we'll have opportunities like this one again. Please demonstrate your leadership towards fighting climate change and do not unfairly hold this project up while a solar policy is debated over months, if not years.

Thank you.

Sent from my iPhone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:57 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:24:32 AM  
**To:** Marisa Mitchell <marisa@intersectpower.com>; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Dustin Baker <drileybaker@gmail.com>  
**Sent:** Wednesday, October 14, 2020 12:00 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM: Dustin Baker  
CITY OF RESIDENCE: Pleasanton

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

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Thank you.

Dustin Baker

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:56 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:24:13 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Waymon Howard <anewway13@yahoo.com>  
**Sent:** Wednesday, October 14, 2020 12:02 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

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Thank you.

Waymon Howard

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:56 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:23:58 AM  
**To:** Marisa Mitchell <marisa@intersectpower.com>; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Innocent Bassey <willie4bee@yahoo.com>  
**Sent:** Wednesday, October 14, 2020 12:02 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

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Thank you.

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:57 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:23:41 AM  
**To:** Marisa Mitchell <marisa@intersectpower.com>; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** shazam96@hotmail.com <shazam96@hotmail.com>  
**Sent:** Wednesday, October 14, 2020 12:03 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:56 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:23:23 AM  
**To:** Marisa Mitchell <marisa@intersectpower.com>; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Greg Bonato <greg@ibew595.org>  
**Sent:** Wednesday, October 14, 2020 12:06 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; beyer@wentevineyards.com <beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM: Greg Bonato  
CITY OF RESIDENCE: Dublin  
Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

As our planet continues to warm and we experience ongoing rolling blackouts and poor air quality, we should embrace a proposal to bring clean power and green, living wage jobs to Livermore today.

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:56 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:23:06 AM  
**To:** Marisa Mitchell <marisa@intersectpower.com>; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Adrian Simi <adrian.simi@yahoo.com>  
**Sent:** Wednesday, October 14, 2020 12:08 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

As our planet continues to warm and we experience ongoing rolling blackouts and poor air quality, we should embrace a proposal to bring clean power and green, living wage jobs to Livermore today.

Delaying an exemplary project like Aramis is not an option. We don't know if we'll have opportunities like this one again. Please demonstrate your leadership towards fighting climate change and do not unfairly hold this project up while a solar policy is debated over months, if not years.

Thank you.

All the best,

Adrian Simi

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

## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:55 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:22:47 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Sean Lavelle <seantlavelle@gmail.com>  
**Sent:** Wednesday, October 14, 2020 12:12 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM: Sean Lavelle  
CITY OF RESIDENCE: Alameda

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

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Thank you.

Sent from my iPhone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 6:34 PM  
**To:** Erin Gustafson  
**Subject:** Fwd: No Solar Power Plants in North Livermore Valley !

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 6:26:21 PM  
**To:** Marisa Mitchell <marisa@intersectpower.com>; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: No Solar Power Plants in North Livermore Valley !

---

**From:** Diane Rapport <pelicangirl6@icloud.com>  
**Sent:** Wednesday, October 14, 2020 12:12 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; Valle, Richard, Supv BOS Dist 2 <Richard.Valle@acgov.org>; Chan, Wilma, BOS Dist 3 <Wilma.Chan@acgov.org>; BOS District 4 <bosdist4@acgov.org>; Carson, Keith, Supv BOS Dist 5 <kcarson@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Young, Andrew, CDA <andrew.young@acgov.org>; Curry, Damien, CDA <damien.curry@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; Palmeri, Maria, CDA <maria.palmeri@acgov.org>; info@savenorthlivermorevalley.com <info@savenorthlivermorevalley.com>  
**Subject:** No Solar Power Plants in North Livermore Valley !

I request that Alameda County develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas and that this work be completed before the County reviews the two industrial solar plants proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

Until the County establishes clear rules, developed with public input, for the appropriate siting, scale and operations of solar power plants, if any, on agricultural land, all pending projects should be put on hold. The scenic beauty, natural habitat and open space of North Livermore Valley belong to all of us and must be preserved for future generations.

D Rapport  
Livermore  
Sent from my iPad

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:55 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:20:41 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Deane Meakin <deanemeakin@yahoo.com>  
**Sent:** Wednesday, October 14, 2020 12:19 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM: Lisa Meakin  
CITY OF RESIDENCE: Berkeley

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

As our planet continues to warm and we experience ongoing rolling blackouts and poor air quality, we should embrace a proposal to bring clean power and green, living wage jobs to Livermore today.

Delaying an exemplary project like Aramis is not an option. We don't know if we'll have opportunities like this one again. Please demonstrate your leadership towards fighting climate change and do not unfairly hold this project up while a solar policy is debated over months, if not years.

Thank you.  
Lisa Meakin

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:55 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:19:47 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** T <tcparish@riseup.net>  
**Sent:** Wednesday, October 14, 2020 12:20 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

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Thank you.

--

Sent from my Android device with K-9 Mail. Please excuse my brevity.

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:54 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:17:59 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** taylor.d.russell19 <taylor.d.russell19@gmail.com>  
**Sent:** Wednesday, October 14, 2020 12:23 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM: Taylor Russell  
CITY OF RESIDENCE: Arcata

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

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Thank you.

Sent from my Verizon, Samsung Galaxy smartphone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 12:44 PM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 12:37:35 PM  
**To:** Marisa Mitchell <marisa@intersectpower.com>; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

Hi Marisa and Lesley - we are now getting dozens of these form letters. - Bruce

---

**From:** David Galdamez <david.gald@icloud.com>  
**Sent:** Wednesday, October 14, 2020 12:23 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

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Thank you.

Sent from my iPhone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 6:33 PM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 6:25:41 PM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Patrick D Quinn <pdquinn@sbcglobal.net>  
**Sent:** Wednesday, October 14, 2020 12:32 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM: CITY OF RESIDENCE: Dear Alameda County, I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds. As our planet continues to warm and we experience ongoing rolling blackouts and poor air quality, we should embrace a proposal to bring clean power and green, living wage jobs to Livermore today. Delaying an exemplary project like Aramis is not an option. We don't know if we'll have opportunities like this one again. Please demonstrate your leadership towards fighting climate change and do not unfairly hold this project up while a solar policy is debated over months, if not years. Thank you.

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:54 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:17:21 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** marvin vides <marvin1984vides@hotmail.com>  
**Sent:** Wednesday, October 14, 2020 12:38 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

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Thank you.

Sent from my iPhone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 6:34 PM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 6:25:55 PM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jose Guillen <guillen3525@gmail.com>  
**Sent:** Wednesday, October 14, 2020 12:47 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

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Thank you.

Sent from my iPhone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 6:33 PM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 6:24:29 PM  
**To:** Marisa Mitchell <marisa@intersectpower.com>; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** sampo26 <sampo26@yahoo.com>  
**Sent:** Wednesday, October 14, 2020 1:40 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

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Sent from my iPhone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 6:32 PM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 6:24:04 PM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Charlie <mrhappy1994@live.com>  
**Sent:** Wednesday, October 14, 2020 2:13 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Cc:** Sarah <sarahmarian6@gmail.com>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

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Sent from my iPhone

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 6:32 PM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 6:23:35 PM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Leonard Ancona <lensstory@aol.com>  
**Sent:** Wednesday, October 14, 2020 2:23 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

As our planet continues to warm and we experience ongoing rolling blackouts and poor air quality, we should embrace a proposal to bring clean power and green, living wage jobs to Livermore today.

Delaying an exemplary project like Aramis is not an option. We don't know if we'll have opportunities like this one again. Please demonstrate your leadership towards fighting climate change and do not unfairly hold this project up while a solar policy is debated over months, if not years.

Thank you.

Sent from my iPhone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 14, 2020 6:31 PM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 14, 2020 6:23:17 PM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** justjoe178 <justjoe178@gmail.com>  
**Sent:** Wednesday, October 14, 2020 2:33 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

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Thank you.



Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone

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

## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:59 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:27:35 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** J Ch <jennifr.choi@gmail.com>  
**Sent:** Wednesday, October 14, 2020 4:54 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

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Thank you.

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:58 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: Save North Livermore

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---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:27:09 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: Save North Livermore

---

**From:** McCubbin <mctrk05@gmail.com>  
**Sent:** Wednesday, October 14, 2020 6:39 PM  
**To:** scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; Valle, Richard, Supv BOS Dist 2 <Richard.Valle@acgov.org>; Chan, Wilma, BOS Dist 3 <Wilma.Chan@acgov.org>; BOS District 4 <bosdist4@acgov.org>; Carson, Keith, Supv BOS Dist 5 <kcarson@acgov.org>; Young, Andrew, CDA <andrew.young@acgov.org>; Curry, Damien, CDA <damien.curry@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; info@savenorthlivermorevalley.com <info@savenorthlivermorevalley.com>  
**Subject:** Save North Livermore

Please,

I request that Alameda County develop a thorough and comprehensive policy for large-scale solar facilities in its rural areas and that this work be completed before the County reviews the two industrial solar plants proposed for North Livermore Valley. While it is important to address climate change through the development of more solar power, we must proceed in a thoughtful, environmentally sound manner.

Until Alameda County establishes clear rules, developed after public input, for the appropriate siting, scale and operations of solar power plants, if any, on agricultural land, all pending projects must be put on hold. The scenic beauty, natural habitat and open space of North Livermore Valley belong to all of us and must be preserved for future generations.

Thank you,  
Sue McCubbin  
1547 Melanie Way  
Livermore CA 94550

"To the world you may be one person, but to one person you may be the world." ~Dr. Seuss

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:58 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:26:44 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Mark Ybarreta <retail\_maintenance@icloud.com>  
**Sent:** Wednesday, October 14, 2020 7:14 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM: Mark Ybarreta  
CITY OF RESIDENCE: San Ramon

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

As our planet continues to warm and we experience ongoing rolling blackouts and poor air quality, we should embrace a proposal to bring clean power and green, living wage jobs to Livermore today.

Delaying an exemplary project like Aramis is not an option. We don't know if we'll have opportunities like this one again. Please demonstrate your leadership towards fighting climate change and do not unfairly hold this project up while a solar policy is debated over months, if not years.

Thank you.

Sent from my iPhone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:58 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:26:29 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** eriknunes83 <eriknunes83@gmail.com>  
**Sent:** Wednesday, October 14, 2020 7:51 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

Erik Nunes  
Livermore resident

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

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Thank you.

Sent from my T-Mobile 4G LTE Device

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:58 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:26:11 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Camille Wasinger <camille.wasinger@gmail.com>  
**Sent:** Wednesday, October 14, 2020 10:12 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM: Camille Wasinger  
CITY OF RESIDENCE: San Francisco, CA

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

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Thank you.

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:57 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:25:40 AM  
**To:** Marisa Mitchell <marisa@intersectpower.com>; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Dorothy Kyle <dorothy.kyle@sbcglobal.net>  
**Sent:** Thursday, October 15, 2020 5:46 AM  
**To:** Aramis-Support\_Alameda-County@intersectpower.com <Aramis-Support\_Alameda-County@intersectpower.com>  
**Cc:** Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

Dear County of Alameda:

We have an opportunity right here in Livermore Valley to make a significant contribution to the state's renewable energy goals through a large-scale solar and energy storage project that would power 25,000 residences and businesses, offset 188,000 metric tons of carbon dioxide, provide 400 living-wage union jobs, and help put an end to rolling blackouts in the Bay Area.

The Aramis Renewable Energy Project avoids impacts to sensitive wildlife and habitats, continues agricultural uses of the land through sheep grazing and honeybee foraging, and dedicates a public hiking trail for all to enjoy!

As temperatures continue to rise and wildfires come closer and earlier each season, we have an obligation to transition our economy away from fossil fuels. The Aramis Renewable Energy Project meets all of the zoning and land use requirements and has offered mitigation to all impacts. I encourage the County to move this project forward.

Thank you.

Sent from my iPad

--

You received this message because you are subscribed to the Google Groups "Aramis-Support\_Alameda-County" group. To unsubscribe from this group and stop receiving emails from it, send an email to Aramis-Support\_Alameda-County+unsubscribe@intersectpower.com.

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:57 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 7:25:23 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Will Taylor <williamataylor1@gmail.com>  
**Sent:** Thursday, October 15, 2020 5:52 AM  
**To:** Aramis-Support\_Alameda-County@intersectpower.com <Aramis-Support\_Alameda-County@intersectpower.com>  
**Cc:** Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

Dear County of Alameda:

We have an opportunity right here in Livermore Valley to make a significant contribution to the state's renewable energy goals through a large-scale solar and energy storage project that would power 25,000 residences and businesses, offset 188,000 metric tons of carbon dioxide, provide 400 living-wage union jobs, and help put an end to rolling blackouts in the Bay Area.

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

## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 8:59 AM  
**To:** Erin Gustafson  
**Subject:** Fwd: I Support the Aramis Solar Energy Generation and Storage Project EIR

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---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 15, 2020 8:35:09 AM  
**To:** Lesley Owing <LesleyO@helixepi.com>; Marisa Mitchell <marisa@intersectpower.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Robin Tracy <rrtracy1@yahoo.com>  
**Sent:** Thursday, October 15, 2020 8:18 AM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>; Lopez, Albert, CDA <Albert.Lopez@acgov.org>; scott.beyer@wentevineyards.com <scott.beyer@wentevineyards.com>; timhof@earthlink.net <timhof@earthlink.net>; derek@purpleorchid.com <derek@purpleorchid.com>; Wilson, Shawn, BOS Dist 1 <Shawn.Wilson@acgov.org>; Haggerty, Scott, Supv BOS Dist 1 <shaggert@acgov.org>; marisa@intersectpower.com <marisa@intersectpower.com>; becca@voxpathulpr.net <becca@voxpathulpr.net>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:Robin Tracy  
CITY OF RESIDENCE:

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

As our planet continues to warm and we experience ongoing rolling blackouts and poor air quality, we should embrace a proposal to bring clean power and green, living wage jobs to Livermore today.

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Thank you.  
Robin Tracy IBEW Member

Sent from my iPhone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 15, 2020 3:00 PM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Thursday, October 15, 2020 2:52 PM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Dave Lange <[davelange82@gmail.com](mailto:davelange82@gmail.com)>  
**Sent:** Thursday, October 15, 2020 2:33 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

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Thank you.

Sent from my iPhone

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Friday, October 16, 2020 9:16 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 16, 2020 7:15 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Steven Hale <[stevenmhale@hotmail.com](mailto:stevenmhale@hotmail.com)>  
**Sent:** Thursday, October 15, 2020 7:55 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulipr.net](mailto:becca@voxpathulipr.net) <[becca@voxpathulipr.net](mailto:becca@voxpathulipr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE:

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

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Please demonstrate your leadership towards fighting climate change and do not unfairly hold this project up while a solar policy is debated over months, if not years.

Thank you.

Steven M. Hale

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Friday, October 16, 2020 9:15 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 16, 2020 7:15 AM  
**To:** Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Matt Weidner <[gins79@comcast.net](mailto:gins79@comcast.net)>  
**Sent:** Thursday, October 15, 2020 9:15 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM: MATT WEIDNER  
CITY OF RESIDENCE: Castro Valley

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

As our planet continues to warm and we experience ongoing rolling blackouts and poor air quality, we should embrace a proposal to bring clean power and green, living wage jobs to Livermore today.

Delaying an exemplary project like Aramis is not an option. We don't know if we'll have opportunities like this one again. Please demonstrate your leadership towards fighting climate change and do not unfairly hold this project up while a solar policy is debated over months, if not years.

Thank you. Matt Weidner

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Friday, October 16, 2020 9:15 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 16, 2020 7:14 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** fernando estrada <[festrada304@yahoo.com](mailto:festrada304@yahoo.com)>  
**Sent:** Friday, October 16, 2020 6:08 AM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM: Fernando Estrada  
CITY OF RESIDENCE: San Lorenzo

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

As our planet continues to warm and we experience ongoing rolling blackouts and poor air quality, we should embrace a proposal to bring clean power and green, living wage jobs to Livermore today.

Delaying an exemplary project like Aramis is not an option. We don't know if we'll have opportunities like this one again. Please demonstrate your leadership towards fighting climate change and do not unfairly hold this project up while a solar policy is debated over months, if not years.

Thank you.

Fernando R Estrada  
Business Manager/Secretary Treasurer  
Laborers Local 304 Alameda County  
29475 Mission Blvd. Hayward CA 94544  
(510) 581-9600 Office

(510) 432-2318 Cell

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Friday, October 16, 2020 9:16 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Friday, October 16, 2020 7:39 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** jdmchilton <[jdmchilton@gmail.com](mailto:jdmchilton@gmail.com)>  
**Sent:** Friday, October 16, 2020 7:23 AM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM: J.D. Chilton  
CITY OF RESIDENCE: San Lorenzo

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

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Thank you.

Sent from my Verizon, Samsung Galaxy smartphone

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Saturday, October 17, 2020 5:01 PM  
**To:** Erin Gustafson  
**Subject:** Fwd: Comments on Draft EIR for Aramis Project  
**Attachments:** Comments on Aramis draft EIR.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Young, Andrew, CDA <andrew.young@acgov.org>  
**Sent:** Saturday, October 17, 2020 4:24:36 PM  
**To:** Lesley Owing <LesleyO@helixepi.com>  
**Cc:** Marisa Mitchell <marisa@intersectpower.com>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Subject:** FW: Comments on Draft EIR for Aramis Project

FYI. I also replied back to him to acknowledge receipt.

THANKS, BE SAFE

ANDY

WORK CELL PHONE: 510-861-4557\*

**NOTE: \*\*\*The Planning Department is working normal business hours and remotely in compliance with the Shelter in Place Order issued by the County Public Health Officer\*\*\***

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**\* Please leave a message and I will aim to respond at my earliest opportunity.**

---

**From:** Alan Burnham <akburnham@yahoo.com>  
**Sent:** Saturday, October 17, 2020 12:56 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>  
**Subject:** Comments on Draft EIR for Aramis Project

Dear Mr. Young,  
Unlike my earlier general comment, the attached letter is specific to the Aramis DEIR.  
Alan Burnham

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

Dear Mr. Young,

I am pleased to be able to supply comments to the draft EIR of the Aramis project. I previously sent a very general letter supporting the development of solar energy resources and expressing my concern that the process for approval of such projects not be so cumbersome that we cannot meet the goals set out by California law. However, that general support is not directly relevant to issues about a specific project or the Aramis draft EIR. The following comments address issues directly related to wording and content of the draft EIR.

1. A challenge for integrating solar energy into the grid is the mismatch between the timing of solar energy generation and the electrical demand curve. This mismatch becomes more important as solar provides an increasing share of the supplied power. This project mitigates that mismatch with a combination of single-axis tracking and battery storage, but the details could be clearer. In section 3.3, the DEIR mentions tracking but does not say which axis. Section 3.4.2 mentions the east-west axis, presumably to capture more of the morning and evening peaks in the winter. I suggest that the words "east-west" be added before "single-axis" in section 3.3. The question then arises, however, whether this is a requirement for the project. All projects are a tradeoff of costs and benefits. Single-axis tracking significantly (~25%?) improves the supplied power per acre, and given the controversy about taking up open space, perhaps it should be as well as mentioning that it reduces the areal impact by 25%, or whatever the correct number is. That should be noted in the appropriate mitigation section.
2. Section 3.3 mentions 4-hour battery storage, and more details are given in sections 3.4.4 and 5.5.2.19. However, the information is not adequate for the public to understand the true beneficial impact and how effectively this magnitude of storage is for matching the local electrical demand curve. For example, is this amount of storage sufficient to shift the peak delivery time to 6 pm or so in the summer 50% of the time or 80% of the time or all of the time? This also raises the question of whether the storage is a requirement for approval of the project. If so, it should be listed as a mitigation aspect of the land use, because it maximizes the delivered power from the facility. In contrast, some solar farms simply overbuild capacity on more land and simply don't deliver electricity to the grid at times when the production and demand are out of sync.
3. The project description says the facility will be for at least 50 years. Is it a requirement that the facility be operational for that long? For example, if the operators decide after 25 years that the equipment is no longer profitable, could the land owner apply to convert the location to a housing development? Should approval of this project be contingent upon the 50-year (or longer) lifetime, i.e., that the land cannot be converted during that timeframe to some other use, other than reclamation and reversion to dry farming?
4. There are legitimate concerns about cumulative impacts on habitat and views. What total amount of solar acreage can or should be developed in the North Livermore area, and is this the best location?

Although the County has not yet addressed this issue formally, it should be addressed here and in any other project EIR until the County does so.

5. I think the wording about the no project alternative assessment is too weak in the following sense. While no project by itself achieves our renewable energy goals, if all projects are evaluated in the sense that they don't solve the entire problem, we will never solve the problem. We will be dealing with sea-level rise, water supply, and fires that cannot be ignored. There will be environmental impacts from this project, but are there alternative sites that can provide renewable energy in an acceptable manner with less environmental impact? What about the environmental impact of additional long-distance transmissions lines if they were needed to supply the same amount of energy?

Alan Burnham  
Livermore resident and scientist

---

## San Francisco Bay Regional Water Quality Control Board

October 19, 2020

*Sent via electronic mail: No hardcopy to follow*

Alameda County Planning Department  
ATTN: Andrew Young, Senior Planner (andrew.young@acgov.org)  
224 West Winton Avenue, Room 111  
Hayward, CA 94544

**Subject:** San Francisco Bay Regional Water Quality Control Board Comments on the *Draft Environmental Impact Report, Aramis Solar Energy Generation and Storage Project*  
**SCH No. 2020059008**

Dear Mr. Young:

San Francisco Bay Regional Water Quality Control Board (Water Board) staff appreciates the opportunity to review the *Draft Environmental Impact Report, Aramis Solar Energy Generation and Storage Project* (DEIR). The DEIR evaluates the potential environmental impacts associated with implementing the Aramis Solar Energy Generation and Storage Project (Project).

**Project Summary.** The proposed Project would construct, operate, and maintain a solar photovoltaic (PV) and electric storage facility for at least 50 years. The solar facility would generate 100 megawatts (MW) of PV power on about 410 acres of privately-owned land in unincorporated Alameda County in the North Livermore area. The project would provide solar power to utility customers by interconnecting to the regional electrical grid at Pacific Gas and Electric Company's (PG&E) existing Cayetano 230 kilovolt (kV) substation located adjacent to the project site. The project would serve East Bay Community Energy (EBCE), Clean Power San Francisco (CPSF), and/or PG&E customers by providing local generation capacity under a long-term contract.

**Summary.** As is discussed below, it is not clear whether or not the DEIR identifies the full extent of wetlands at the Project site that may be regulated as waters of the State. In addition, we encourage the Project proponent to incorporate measures into the design of two new stormwater detention basins to prevent California red-legged frogs and California tiger salamanders from attempting to breed in these ponds.

**Comment 1. The DEIR may not have identified the full extent of seasonal wetlands at the Project site that are regulated as waters of the State.**

The procedures used to delineate wetlands at the Project site are described in Section 4.4, *Biological Resources*, of the DEIR. In Section 4.4.2.2, Biological Surveys, of the

JIM McGRATH, CHAIR | MICHAEL MONTGOMERY, EXECUTIVE OFFICER



DEIR, the subsection entitled, *Assessment of Wetlands and Other Waters*, on page 4.4-14 includes the following text:

An assessment of potential wetlands and other waters of the U.S. and State on the project site was conducted on July 31 and August 1, 2018 by Dr. Aldridge and Patrick Martin. On February 6, 2020 an additional assessment of potential wetlands and other waters of the U.S. was completed by Mr. Martin and HELIX biologist Halie Goeman. The presence of wetlands and other waters were determined based on the USACE three parameter method described in the *Corps of Engineers Wetlands Delineation Manual* (USACE 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (Version 2.0; USACE 2008). A total of 10 data points were taken in and adjacent to the project site. Aquatic resources in the project site were also evaluated for their potential to qualify as waters of the State subject to RWQCB jurisdiction and/or CDFW jurisdiction.

The text of the DEIR does not explain how it was determined that 10 sampling points were sufficient to characterize the full extent of wetlands subject to jurisdiction as waters of the State at a 410-acre site. Please revise the DEIR to provide a detailed rationale for using only 10 sample points to assess the extent of wetlands.

Also, seven of the 10 sampling points were assessed on July 31 and August 1, which is well into the dry season at the Project site. Section IV.A.2.a of the *State Wetland Definition and Procedures for Discharges of Dredged and Fill Material to Waters of the State* states that Water Board staff may require, on a case-by-case basis, supplemental field data from the wet season to substantiate dry season delineations.

## 2. Additional Information Required for a Complete Application

- a. If required by the permitting authority on a case-by-case basis, supplemental field data from the wet season to substantiate dry season delineations, as is consistent with the 1987 Manual and Supplements.

Generally, wet season delineations are more likely to be necessary in areas where wetland indicators are difficult to resolve. The ideal time to delineate a wetland is during the wet portion of the growing season of a normal climatic period. Otherwise, indicators provided in the Corps' delineation manuals must be relied on to identify wetland boundaries. Collection of supplemental information in certain situations is an accepted practice and is consistent with recommendations presented in the Corps regional supplements for wetland delineation, which recommends that practitioners return to the delineation site, if possible, during the "normal wet portion of the growing season" (Arid West Regional Supplement, pp. 58, 87, 104; Western Mountains, Valleys, and Coast Regional Supplement, pp. 66, 100) to resolve wetland indicators that were unresolved during the dry-season delineation. To avoid the risk of unanticipated project delays, applicants may consult with the appropriate Water Board regarding whether supplemental data may be necessary prior to submitting an application.

In addition to re-evaluating the sufficiency of 10 sample points to assess the full extent of wetlands at a 410-acre Project site, the wetland delineation should be repeated late

in the wet season of a year with typical rainfall to ensure that the full extent of wetlands subject to regulation as waters of the State have been identified. Without a wet-season delineation with a sufficient number of data points, it is not possible to establish with sufficient certainty that the Project will avoid impacts to waters of the State.

**Comment 2. Please provide more information about the design and operation of the two proposed stormwater basins at the Project site.**

Text on page 4.10-15, of Section 4.10, discusses potential impacts in Section 4.10.3, Impact Analysis. The discussion of impact HYD-3 includes the following text:

The proposed project, as designed, would avoid all areas of high flow and FEMA floodplains, and the study determined that the project site is suitable for the planned development. However, the project area is located in a valley downslope of a series of ridges, which could cause localized flooding on portions of the project area. Therefore, the proposed project would include the construction of two stormwater detention basins strategically located based on the results of the preliminary hydrology study to prevent off-site stormwater runoff and protect downstream properties. A narrow, linear approximately 0.4-acre stormwater detention basin is proposed in the southeastern corner of the central section of the project site along Hartman Road and terminating at North Livermore Avenue. An additional, approximately 0.5-acre stormwater detention basin is proposed along the southern boundary of the southwestern section of the project site.

Cayetano Creek runs through, and adjacent to, portions of the Project site. The *San Francisco Bay Basin Water Quality Control Plan* (Basin Plan) defines the beneficial uses of waters of the State. The beneficial uses listed in the Basin Plan for Cayetano Creek include the preservation of rare and endangered species and wildlife habitat. As the discussion of Biological Resources in Section 4.4 of the DEIR acknowledges, Cayetano Creek provides dispersal habitat for the California red-legged frog (CRLF), a species listed as threatened under the federal Endangered Species Act and a California species of special concern, and the California Tiger Salamander (CTS), a species listed as threatened under the federal Endangered Species Act and the California Endangered Species Act. CRLF and CTS have been documented to attempt breeding in stormwater detention basins east of Dublin and north of Livermore.

Please provide more information about the design and functioning of the two proposed stormwater basins at the Project site. In particular, please clarify if collected stormwater will be discharged from the basins through outlets or allowed to infiltrate into the native soils. CRLF and CTS may attempt to breed in stormwater basins, which do not remain inundated long enough to support successful breeding by these special status species. Please consider modifying the design of the stormwater basins to include measures to prevent CRLF and CTS from entering these ponds.

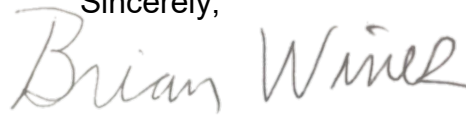
**Conclusion.** The DEIR does not yet support the conclusion that Project implementation will not impact any waters of the State, since most of the delineation field work was conducted well into the dry season. Dry season delineations in Mediterranean climates

are likely to miss the full extent of seasonal wetlands. Therefore, we encourage the Project proponent to conduct additional field work for wetland delineation late in the 2020 through 2021 wet season, and to design the field work to accurately assess the full extent of wetlands at the 410-acre site. .

We also encourage the Project proponent to incorporate measures into the proposed stormwater basins to prevent CRLF and CTS from attempting to breed in them.

If you have any questions, please contact me at (510) 622-5680, or via e-mail at [brian.wines@waterboards.ca.gov](mailto:brian.wines@waterboards.ca.gov).

Sincerely,

A handwritten signature in dark ink that reads "Brian Wines". The signature is written in a cursive, flowing style.

Brian Wines  
Water Resources Control Engineer  
South and East Bay Watershed Section

cc: State Clearinghouse ([state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov))  
CDFW, Marcia Grefsrud ([marcia.grefsrud@wildlife.ca.gov](mailto:marcia.grefsrud@wildlife.ca.gov))

## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Monday, October 19, 2020 9:29 AM  
**To:** Erin Gustafson  
**Subject:** FW: REJECT INDUSTRIAL SOLAR PROJECTS IN NORTH LIVERMORE VALLEY-- IDEA: PUT THEM WITH THE WINDMILLS

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Monday, October 19, 2020 9:27 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Fw: REJECT INDUSTRIAL SOLAR PROJECTS IN NORTH LIVERMORE VALLEY-- IDEA: PUT THEM WITH THE WINDMILLS

---

**From:** Bob Howe <[bobhowz@aol.com](mailto:bobhowz@aol.com)>  
**Sent:** Monday, October 19, 2020 9:18 AM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; Valle, Richard, Supv BOS Dist 2 <[Richard.Valle@acgov.org](mailto:Richard.Valle@acgov.org)>; Chan, Wilma, BOS Dist 3 <[Wilma.Chan@acgov.org](mailto:Wilma.Chan@acgov.org)>; BOS District 4 <[bosdist4@acgov.org](mailto:bosdist4@acgov.org)>; Carson, Keith, Supv BOS Dist 5 <[kcarson@acgov.org](mailto:kcarson@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Urzua, Sonia, CDA <[sonia.urzua@acgov.org](mailto:sonia.urzua@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Curry, Damien, CDA <[damien.curry@acgov.org](mailto:damien.curry@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [info@savenorthlivermorevalley.com](mailto:info@savenorthlivermorevalley.com) <[info@savenorthlivermorevalley.com](mailto:info@savenorthlivermorevalley.com)>  
**Subject:** REJECT INDUSTRIAL SOLAR PROJECTS IN NORTH LIVERMORE VALLEY-- IDEA: PUT THEM WITH THE WINDMILLS

I request that Alameda County adopt a comprehensive policy for large-scale solar facilities in rural areas. Until the policy is completed, the County should place on hold the review of the solar power plants proposed for North Livermore Valley.

Utility-scale solar power plants are not a proper use of the agricultural land in North Livermore Valley. Under voter-approved Measure D, the agricultural lands of Alameda County, including North Livermore, are to be preserved and protected from "excessive, badly located and harmful development." The proposed solar facilities are badly located and harmful to the the valley. On agricultural land, we grow food and raise animals. That is impossible if the land is blanketed by solar arrays.

North Livermore Valley is an agricultural area and should remain one. Approval of the proposed solar power plants could create the precedent for the conversion of the valley into an industrial zone. The scenic beauty, natural habitat and open space of North Livermore Valley belong to all of us and must be preserved for future generations.

Robert and Sharon Howe  
4760 Bel Roma Rd.  
Livermore, CA 94551

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Monday, October 19, 2020 1:53 PM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Monday, October 19, 2020 1:50 PM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jiten Parbhoo <[jitenpa@umich.edu](mailto:jitenpa@umich.edu)>  
**Sent:** Monday, October 19, 2020 1:45 PM  
**To:** [Aramis-Support\\_Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com) <[Aramis-Support\\_Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com)>  
**Cc:** Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

Dear County of Alameda:

We have an opportunity right here in Livermore Valley to make a significant contribution to the state's renewable energy goals through a large-scale solar and energy storage project that would power 25,000 residences and businesses, offset 188,000 metric tons of carbon dioxide, provide 400 living-wage union jobs, and help put an end to rolling blackouts in the Bay Area.

The Aramis Renewable Energy Project avoids impacts to sensitive wildlife and habitats, continues agricultural uses of the land through sheep grazing and honeybee foraging, and dedicates a public hiking trail for all to enjoy!

As temperatures continue to rise and wildfires come closer and earlier each season, we have an obligation to transition our economy away from fossil fuels. The Aramis Renewable Energy Project meets all of the zoning and land use requirements and has offered mitigation to all impacts. I encourage the County to move this project forward.

Thank you.

--

You received this message because you are subscribed to the Google Groups "Aramis-Support\_Alameda-County" group. To unsubscribe from this group and stop receiving emails from it, send an email to [Aramis-Support\\_Alameda-County+unsubscribe@intersectpower.com](mailto:Aramis-Support_Alameda-County+unsubscribe@intersectpower.com).

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Monday, October 19, 2020 4:11 PM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Monday, October 19, 2020 4:08 PM  
**To:** Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Sahil Dagli <[daglis@stanford.edu](mailto:daglis@stanford.edu)>  
**Sent:** Monday, October 19, 2020 2:10 PM  
**To:** [aramis-support\\_alameda-county@intersectpower.com](mailto:aramis-support_alameda-county@intersectpower.com) <[aramis-support\\_alameda-county@intersectpower.com](mailto:aramis-support_alameda-county@intersectpower.com)>  
**Cc:** Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>  
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**Sent:** Monday, October 19, 2020 4:08 PM  
**To:** Marisa Mitchell <marisa@intersectpower.com>; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Sujay Shetty <[sujaysh@umich.edu](mailto:sujaysh@umich.edu)>  
**Sent:** Monday, October 19, 2020 2:13 PM  
**To:** [Aramis-Support\\_Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com) <[Aramis-Support\\_Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com)>  
**Cc:** Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Monday, October 19, 2020 4:11 PM  
**To:** Erin Gustafson  
**Subject:** FW: Reject Solar Power Plants in North Livermore Valley

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Monday, October 19, 2020 4:08 PM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Fw: Reject Solar Power Plants in North Livermore Valley

---

**From:** Chaganti Radhakrishna <[cradkrish@yahoo.com](mailto:cradkrish@yahoo.com)>  
**Sent:** Monday, October 19, 2020 3:43 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; Valle, Richard, Supv BOS Dist 2 <[Richard.Valle@acgov.org](mailto:Richard.Valle@acgov.org)>; Chan, Wilma, BOS Dist 3 <[Wilma.Chan@acgov.org](mailto:Wilma.Chan@acgov.org)>; BOS District 4 <[bosdist4@acgov.org](mailto:bosdist4@acgov.org)>; Carson, Keith, Supv BOS Dist 5 <[kcarson@acgov.org](mailto:kcarson@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Urzua, Sonia, CDA <[sonia.urzua@acgov.org](mailto:sonia.urzua@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Curry, Damien, CDA <[damien.curry@acgov.org](mailto:damien.curry@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [info@savenorthlivermorevalley.com](mailto:info@savenorthlivermorevalley.com) <[info@savenorthlivermorevalley.com](mailto:info@savenorthlivermorevalley.com)>  
**Subject:** Reject Solar Power Plants in North Livermore Valley

Name: Chaganti Radhakrishna. Own agricultural property next to the proposed solar plant  
I request that Alameda County adopt a comprehensive policy for large-scale solar facilities in rural areas. Until the policy is completed, the County should place on hold the review of the solar power plants proposed for North Livermore Valley.

Utility-scale solar power plants are not a proper use of the agricultural land in North Livermore Valley. Under voter-approved Measure D, the agricultural lands of Alameda County, including North Livermore, are to be preserved and protected from "excessive, badly located and harmful development." The proposed solar facilities are badly located and harmful to the the valley. On agricultural land, we grow food and raise animals. That is impossible if the land is blanketed by solar arrays.

North Livermore Valley is an agricultural area and should remain one. Approval of the proposed solar power plants could create the precedent for the conversion of the valley into an industrial zone. The scenic beauty, natural habitat and open space of North Livermore Valley belong to all of us and must be preserved for future generations.

Sincerely,  
Chaganti Radhakrishna

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Tuesday, October 20, 2020 1:21 PM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Tuesday, October 20, 2020 1:06 PM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Dylan Rushton <[dylanrushton23@gmail.com](mailto:dylanrushton23@gmail.com)>  
**Sent:** Monday, October 19, 2020 4:40 PM  
**To:** [Aramis-Support Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com) <[Aramis-Support Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com)>  
**Cc:** Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

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Thank you.

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Tuesday, October 20, 2020 1:20 PM  
**To:** Erin Gustafson  
**Subject:** FW: In support of Livermore solar project

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Tuesday, October 20, 2020 1:06 PM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Fw: In support of Livermore solar project

---

**From:** beth vuoto gousman <[bvuolo@hotmail.com](mailto:bvuolo@hotmail.com)>  
**Sent:** Monday, October 19, 2020 10:02 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org) <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; [luke@intersectpower.com](mailto:luke@intersectpower.com) <[luke@intersectpower.com](mailto:luke@intersectpower.com)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** In support of Livermore solar project

Dear East Bay Community Energy Board Members,

I'm very concerned about Alameda County's limited storage of renewable power capacity. As has been seen over the past few summers, extreme temperatures coupled with a variety of enormous fires are rapidly becoming a fact of life for Bay Area residents and has proven that action must happen now. Climate change is an obvious cause and the County needs to be taking steps to mitigate it. As East Bay Clean Energy customers, we installed solar panels and a battery, but we need to see leadership at the county level to provide grid stability against rolling blackouts rather than expecting residents to bare the brunt of power loss on a regular basis. Intersect Power's project provides power at substantial savings. Ranching lands are a more sensible choice for locating renewable energy projects, as gas power plants are a significant cause of pollution for low income households already burdened by a variety of other challenges. Thank you for your consideration.

Sincerely,

Beth Gousman  
Oakland

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Tuesday, October 20, 2020 1:20 PM  
**To:** Erin Gustafson  
**Subject:** FW: Support Aramis Solar Project in Livermore

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Tuesday, October 20, 2020 1:05 PM  
**To:** Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: Support Aramis Solar Project in Livermore

---

**From:** david co <[davidco@hotmail.com](mailto:davidco@hotmail.com)>  
**Sent:** Tuesday, October 20, 2020 8:16 AM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org) <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; [luke@intersectpower.com](mailto:luke@intersectpower.com) <[luke@intersectpower.com](mailto:luke@intersectpower.com)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Support Aramis Solar Project in Livermore

To whom it may concern:

As an Alameda county resident, I am supporting this project.

- Alameda County needs local renewable power with storage to provide grid stability against rolling blackouts
- At 100MW scale, Intersect Power's project provides power at 1/4 of the cost of rooftop solar
- With temps hitting 110+ and the state on fire, now is not the time to hesitate on renewable deployment. County leadership must accelerate Climate Change mitigation
- Low value ranching lands are the right place to locate renewable energy projects, rather than gas power plants polluting our low income neighborhoods - those least prepared to oppose the public health impacts.

Sincerely,

David Co

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 21, 2020 1:55 PM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Wednesday, October 21, 2020 8:42 AM  
**To:** [marisa@intersectpower.com](mailto:marisa@intersectpower.com); Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Haideh Chew <[haidehchew@comcast.net](mailto:haidehchew@comcast.net)>  
**Sent:** Tuesday, October 20, 2020 1:55 PM  
**To:** [Aramis-Support\\_Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com) <[Aramis-Support\\_Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com)>  
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Thank you.

Haideh and Jeffrey Chew

Sent from my iPhone

--

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Wednesday, October 21, 2020 1:55 PM  
**To:** Erin Gustafson  
**Subject:** FW: My comment for tomorrow's Board mtg, item #21

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Wednesday, October 21, 2020 8:41 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com)  
**Subject:** Fw: My comment for tomorrow's Board mtg, item #21

Note - this is a "pro" letter.

---

**From:** Sagafi, Jahan C. <[jsagafi@outtengolden.com](mailto:jsagafi@outtengolden.com)>  
**Sent:** Tuesday, October 20, 2020 2:41 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org) <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; [luke@intersectpower.com](mailto:luke@intersectpower.com) <[luke@intersectpower.com](mailto:luke@intersectpower.com)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** My comment for tomorrow's Board mtg, item #21

To the Planning Department, Supervisor Haggerty, and the Board of Zoning Adjustment:

The following is a comment I just submitted to the East Bay Community Energy website regarding the Board of Directors meeting tomorrow (Wed 21 Oct), re item #21:

**I would like to state my support for Intersect Power's project to provide renewable power in Alameda County with storage. This will enhance grid stability against rolling blackouts. At 100MW scale, IP's project will provide power at 25% the cost of rooftop solar.**

**Given the growing climate change crisis, we must act now to improve our renewable energy efforts. Alameda County can be a leader.**

**This solution is better than harmful gas power plants, which pollute low-income areas and exacerbate health disparities. No solution is free, but locating these efforts on low-value ranching lands is the best option (and less ranching in the long run is good for the Earth too, given the huge inefficiency of meat production).**

Thank you for your attention, and for your leadership in protecting Alameda County's beautiful, diverse array of communities from pollution, and for your wisdom in helping us all together do our part



to protect the Earth we share, for the benefit of all Americans and all people, and for the generations to come.

In peace,

Jahan Sagafi  
Oakland resident  
Social justice lawyer



**Jahan C. Sagafi | Partner**

One California Street, 12th Floor | San Francisco, CA 94111

T 415-638-8808 | F 347-390-2187

[jsagafi@outtengolden.com](mailto:jsagafi@outtengolden.com) | [Bio](#)



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**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Greg Neidiger <[greg.neidiger@gmail.com](mailto:greg.neidiger@gmail.com)>  
**Sent:** Tuesday, October 20, 2020 3:37 PM  
**To:** Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

Greg Neidiger  
Oakland, 94608

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation. As our planet continues to warm and we experience ongoing rolling blackouts and poor air quality, we should embrace a proposal to bring clean power and green, living wage jobs to Livermore today. Delaying a project like Aramis is not an option. We don't know if we'll have opportunities like this one again. Please demonstrate your leadership towards fighting climate change and do not unfairly hold this project up while a solar policy is debated over months, if not years.

Thank you.

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 21, 2020 1:54 PM  
**To:** Erin Gustafson  
**Subject:** FW: Supporting Larger Scale Solar in Alameda County

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Wednesday, October 21, 2020 8:39 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com)  
**Subject:** Fw: Supporting Larger Scale Solar in Alameda County

---

**From:** 'Matt Evans' <[mattyevans@gmail.com](mailto:mattyevans@gmail.com)>  
**Sent:** Tuesday, October 20, 2020 9:39 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org) <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>  
**Subject:** Supporting Larger Scale Solar in Alameda County

Greetings Supervisor Haggerty,

As a homeowner in Oakland, I've submitted a comment for the Board meeting tomorrow but also wanted to follow up to emphasize my support for the development of larger scale renewables, and the implementation of storage, within Alameda County. As I know you know, the current climate crisis has created a moral mandate to accelerate our transition to renewables. Large scale renewables combined with storage are crucial to achieving that goal without overburdening ratepayers like myself. Further, the benefits of clean generation should be realized in Alameda country, rather than be realized only in the Central Valley. I hope you'll support the permit for this project!

All best,

Matt Evans  
438 66th St.  
Oakland, CA 94609

--

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[mattyevans@gmail.com](mailto:mattyevans@gmail.com)

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 21, 2020 1:54 PM  
**To:** Erin Gustafson  
**Subject:** FW: Support for Permit for Intersect Power's 100 MW Project

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Wednesday, October 21, 2020 8:39 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com)  
**Subject:** Fw: Support for Permit for Intersect Power's 100 MW Project

---

**From:** Sue Stendebach <[stendebach723@gmail.com](mailto:stendebach723@gmail.com)>  
**Sent:** Tuesday, October 20, 2020 10:17 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org) <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; [luke@intersectpower.com](mailto:luke@intersectpower.com) <[luke@intersectpower.com](mailto:luke@intersectpower.com)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Support for Permit for Intersect Power's 100 MW Project

To the Planning Dept., Supervisor Haggerty, and the Board of Zoning Adjustment:

In support of Intersect Power's permit for its 100 MW project, I respectfully submit the following comments:

- Grid stability to provide energy to Alameda County during threats of rolling blackouts can and should be met by local renewable power.
- Each year becomes hotter and drier, significantly straining the grid. Intersect Power's 100 MW project provides the necessary power at one quarter the cost of rooftop solar, while avoiding greenhouse gases and a variety of emissions responsible for serious health impacts.
- These health impacts from natural gas and other fossil fuel combustion disproportionately affect low-income populations, due to poor siting factors.
- Alternatively, renewable energy projects can be sited on low-value ranch lands.
- In the face of our changing climate and the consequent impacts, including an increasingly strained grid, the time is now to bring on the 100 MWs that Intersect Power's project would provide.
- Furthermore, County leadership must accelerate climate change mitigation.

Thank you for the opportunity to comment.  
Sue Stendebach

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Wednesday, October 21, 2020 1:54 PM  
**To:** Erin Gustafson  
**Subject:** FW: Statement of support for Intersect Power's Aramis Renewable Energy Project

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Wednesday, October 21, 2020 8:38 AM  
**To:** [marisa@intersectpower.com](mailto:marisa@intersectpower.com); Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: Statement of support for Intersect Power's Aramis Renewable Energy Project

---

**From:** Robert Lee <[robertklee@hotmail.com](mailto:robertklee@hotmail.com)>  
**Sent:** Tuesday, October 20, 2020 10:46 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org) <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; [luke@intersectpower.com](mailto:luke@intersectpower.com) <[luke@intersectpower.com](mailto:luke@intersectpower.com)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Statement of support for Intersect Power's Aramis Renewable Energy Project

Hello,

I am a longtime resident of San Ramon, having lived there for over 15 years. As an owner of an electric vehicle and a home with a solar power system, I am a big proponent of clean renewable energy, especially in the Bay Area. I believe we owe it to our planet, children, and future generations that we do our absolute best to protect our planet and environment, move away from dirty air polluting energy sources like coal, gas, and fossil fuels, and move towards clean renewable energy sources like solar power as much as possible. As we have learned from the recent bad air quality resulting from California wildfires, the air we breath is critical to our daily lives and affects our health and ability to go outdoors. We must no longer take it for granted. Climate change is real and happening as a result of polluting coal and gas factories and fossil fuel burning vehicles, as evidenced by record rising average temperatures throughout the world. We must continue the push towards clean renewable energy. We must not slow down. Our future depends on it.

Here are some key points why this Aramis solar project is so important:

- 1) Alameda County needs local renewable power with storage to provide grid stability against rolling blackouts.
- 2) At 100MW scale, Intersect Power's project provides power at 1/4 of the cost of rooftop solar.
- 3) With temperatures hitting over 110 degrees and the state having many wildfires, now is not the time to hesitate on renewable deployment. County leadership must accelerate Climate Change mitigation.
- 4) Low value ranching lands are the right place to locate renewable energy projects, rather than gas power plants polluting out low income neighborhoods - those least prepared to oppose the public health impacts.

Thank you for your attention and consideration.

Sincerely,

Robert Lee

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 21, 2020 1:54 PM  
**To:** Erin Gustafson  
**Subject:** FW: Support for the Aramis Renewable Energy Project

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Wednesday, October 21, 2020 8:38 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com)  
**Subject:** Fw: Support for the Aramis Renewable Energy Project

---

**From:** Saman Alikhani <[samana2021@headroyce.org](mailto:samana2021@headroyce.org)>  
**Sent:** Wednesday, October 21, 2020 8:00 AM  
**To:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Subject:** Support for the Aramis Renewable Energy Project

Hi Bruce,

I hope this email finds you well. I am Saman, a senior from Head-Royce School in Oakland. I am writing to you to express my support for the Aramis Renewable Energy Project. Alameda County needs local renewable power with storage to provide grid stability against rolling blackouts. At 100MW scale, Intersect Power's project provides power at 1/4 of the cost of rooftop solar. With temperatures hitting 110+ and the state on fire, now is not the time to hesitate on renewable deployment. County leadership must accelerate Climate Change mitigation. Low value ranching lands are the right place to locate renewable energy projects, rather than gas power plants polluting our low income neighborhoods - those least prepared to oppose the public health impacts. This proposal will contribute to the invariably necessary movement towards a safer and more sustainable future not only for existing communities, but for me and my generation.

Best,  
Saman

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 21, 2020 1:59 PM  
**To:** Erin Gustafson  
**Subject:** FW: Aramis Support

---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 21, 2020 12:15 PM  
**To:** marisa@intersectpower.com; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: Aramis Support

---

**From:** Mark Buck <[markb@ibew595.org](mailto:markb@ibew595.org)>  
**Sent:** Wednesday, October 21, 2020 11:59 AM  
**To:** [Aramis-Support\\_Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com) <[Aramis-Support\\_Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com)>  
**Subject:** Aramis Support

1. I am a long-time, *Bay Area* resident and I support the Aramis Renewable Energy Project.
2. munIntersect Power has made a commitment to planting pollinator friendly landscaping and low-growing plants within the solar arrays. They committed to the Alameda County Beekeepers Association to installing a 1-acre apiary facility at the project to serve as a community educational beekeeping workshop space, where community members can learn about managing hives and producing honey. There is currently no such opportunity in the Livermore area, and it will be a great asset for the comity.
3. The Aramis Project moves California, and the Bay Area, closer to achieving a decarbonized economy and a healthier environment, and I urge you to approve the project without delay.

### ***Mark Buck***

**Business Representative**

**IBEW Local Union 595**  
6250 Village Parkway  
Dublin, CA 94568  
(925) 556-0595 ext 628  
(925) 548-4600 (cell)  
[www.markb@ibew595.org](http://www.markb@ibew595.org)





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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 21, 2020 1:59 PM  
**To:** Erin Gustafson  
**Subject:** FW: Aramis solar project

---

**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Wednesday, October 21, 2020 12:15 PM  
**To:** marisa@intersectpower.com; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: Aramis solar project

---

**From:** Dustin Baker <[drileybaker@gmail.com](mailto:drileybaker@gmail.com)>  
**Sent:** Wednesday, October 21, 2020 12:11 PM  
**To:** [Aramis-Support\\_Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com) <[Aramis-Support\\_Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com)>  
**Subject:** Aramis solar project

Dear EBCE board,

I am a long-time Pleasanton, Alameda county resident and I support the Aramis Renewable Energy Project.

Air-quality-associated health conditions rank among Alameda County's leading causes of death, and these negative health impacts are particularly acute in its lower income areas. Decarbonizing our electrical grid is crucial to improve air quality and these attendant health outcomes. This decarbonization is achievable through well-designed solar projects sited with the environment and local community in mind. To achieve these local air quality goals and attain California's 100% renewable energy objectives, the CPUC estimates we'll need at least 158 additional gigawatts of solar power by 2050, 123 gigawatts of which must come from ground-mounted, utility-scale solar.

This Aramis project has been carefully sited and designed with local community priorities and values in mind and to minimize environmental impacts. It will protect floodplains, enhance local wildlife habitat, and employ honeybee friendly plantings. Abundant new landscaping, visually appealing fencing, and generous setbacks will soften and enhance the view for cyclists and motorists traveling the nearby roads. Through these environmental enhancements and by offsetting 188,000 metric tons of CO<sub>2</sub>, the Aramis Project moves California closer to achieving a decarbonized economy and a healthier environment.

The project developer has made a significant community benefits commitment to further local economic, environmental, and social justice issues. These benefits include:

- Partnering with Tipping Point, a local non-profit focused on poverty alleviation, to fund and install solar systems on the rooftops of ten local non-profit organizations, reducing energy costs for the organizations serving the Bay Area's most vulnerable populations
- Committing to provide 100% living wage union jobs during project construction, which will create up to 400 individual opportunities for Bay Area workers
- Making additional contributions to local charities serving families and those in need in the Tri-Valley region and throughout the Bay Area, including Open Heart Kitchen, East Bay Regional Parks Foundation, CityServe of the Tri-Valley, Zero Net Energy Center, Quest Science Center, and Vineyard 2.0
- Enhancing the aesthetics of the Aramis project site, ensuring it blends with the natural and agricultural environment, by installing extensive vegetation landscaping along the public road frontages adjacent to the project
- Dedicating an educational solar hiking trail for the use and enjoyment of all, especially Bay Area students and educators, which would wind through the interior of the solar facility and along Cayetano Creek, and which would include interpretive signage for students to learn about the engineering, ecological, and climate attributes of solar energy generation
- Enhancement of on-site habitat for raptors by improving the composition and forage quality of on-site vegetation, protection of the Cayetano Creek floodplain, its riparian vegetation, and its water quality by setting the facility well back from the waterway and preserving habitat
- Continuing agricultural practices on-site by committing to sheep grazing for vegetation management, and by planting pollinator-friendly plant species between the arrays and within landscaped hedgerows, and providing unlimited opportunities for managed beekeepers to forage their hives within the arrays

I don't think this project should be denied, and especially not based on an argument of aesthetics. First, the fencing and panels will be set back from public roadways. The closest panels will be over 70 feet from the property line. Second, the fencing design would use an agricultural style instead of standard chain link fencing. No barbed wire will be used. Third, vegetation screening along North Livermore Road and Manning Avenue would screen the facility from public views. I've reviewed the video and photo simulations of the site, and it will continue to be beautiful even after the project is built.

The Aramis Project moves California, and the Bay Area, closer to achieving a decarbonized economy and a healthier environment, and I urge you to approve the project without delay.

Thank you for your time and consideration,

Dustin Baker

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You received this message because you are subscribed to the Google Groups "Aramis-Support\_Alameda-County" group. To unsubscribe from this group and stop receiving emails from it, send an email to [Aramis-Support\\_Alameda-County+unsubscribe@intersectpower.com](mailto:Aramis-Support_Alameda-County+unsubscribe@intersectpower.com).

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 21, 2020 3:23 PM  
**To:** Erin Gustafson  
**Subject:** FW: Arams Solar Project  
**Attachments:** RE: Aramis Solar Project - follow-up; RE: Arams Solar Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Sent:** Wednesday, October 21, 2020 3:11 PM  
**To:** Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Cc:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>  
**Subject:** FW: Arams Solar Project

FYI. Not a 'canned' letter, for a change. I have replied to him to as attached (two replies).

THANKS, BE SAFE

ANDY

WORK CELL PHONE: 510-861-4557\*

**NOTE: \*\*\*The Planning Department is working normal business hours and remotely in compliance with the Shelter in Place Order issued by the County Public Health Officer\*\*\***

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**\* Please leave a message and I will aim to respond at my earliest opportunity.**

---

**From:** [mbrodsky@cruzio.com](mailto:mbrodsky@cruzio.com) <[mbrodsky@cruzio.com](mailto:mbrodsky@cruzio.com)>  
**Sent:** Wednesday, October 21, 2020 2:20 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Subject:** Arams Solar Project

Dear Mr. Young,

I just found out about this project yesterday. I ride my bicycle in undeveloped areas around Livermore, especially on Morgan Territory Road, and I pass by the proposed site for this facility often.

It would be a shame to destroy the pastoral quality of this area with an industrial facility.

What about using rooftops in developed areas for solar panels instead of gobbling up virgin land? Could you study an alternative that would have a decentralized focus, with solar panels on rooftops in various areas? That way no big visual impact would be imparted to any one area. Isn't this consistent with Livermore's "urban infill" rather than "suburban sprawl" approach to development in general?

I am also concerned with the battery storage facility included in the project. Batteries are an outdated and very dirty technology. Disposal of used batteries is an environmental consequence mounting in potential as more and more batteries are used. Also the use of toxic materials and rare earth elements in solar equipment causes environmental degradation in many ways. Have you seen Michael Moore's film, "Planet of the Humans" ?

What about better conservation as an alternative to more solar projects? How much would each household in Livermore have to conserve energy to make up the same amount of energy that will be produced by this project?

I know there are many people who would want to comment on this project if they knew about. So far it seems only the locals are aware of it. I think this kind of thing has regional and statewide significance. Could you extend the comment period for another 60 days?

Thanks you for the opportunity to submit this comment.

Mike Brodsky

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## Erin Gustafson

---

**From:** Young, Andrew, CDA <andrew.young@acgov.org>  
**Sent:** Wednesday, October 21, 2020 2:43 PM  
**To:** mbrodsky@cruzio.com  
**Subject:** RE: Arams Solar Project  
**Attachments:** PLN2018-00117 Staff Report EBZA - DEIR Comments Hrg 10-22-20 w att.pdf

Mr. Brodsky,

Thank you for submitting your comments. They will be conveyed to the Board of Zoning Adjustments for consideration. Although your comments do not directly appear to address the environmental analysis or the Draft Environmental Impact Report (Draft EIR) that is the subject of tomorrow's public hearing, they will be treated as such, because the alternatives you mention are part of its analysis, as well as the impact of the project on open space (as an aesthetic impact). For more information about the Draft EIR, please see the County Planning Department's **Current Development Projects** webpage, and scroll down to "Aramis Solar Energy Generation and Storage Project, PLN2018-00117". I am also attaching a copy of the staff report which provides good general information.

KIND REGARDS,

ANDREW YOUNG, SR. PLANNER

ALAMEDA COUNTY PLANNING DEPARTMENT, COMMUNITY DEVELOPMENT AGENCY

224 WEST WINTON AVE. RM. 111, HAYWARD, CA 94544-1215

PHONE 510-670-5400 FAX 510-785-8793

WORK CELL PHONE: 510-861-4557\*

WEBSITE: <http://www.acgov.org/cda/planning/index.htm>

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**\* Please leave a message and I will aim to reply at my earliest opportunity.**

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**From:** mbrodsky@cruzio.com <mbrodsky@cruzio.com>  
**Sent:** Wednesday, October 21, 2020 2:20 PM  
**To:** Young, Andrew, CDA <andrew.young@acgov.org>  
**Subject:** Arams Solar Project

Dear Mr. Young,

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It would be a shame to destroy the pastoral quality of this area with an industrial facility.

What about using rooftops in developed areas for solar panels instead of gobbling up virgin land? Could you study an alternative that would have a decentralized focus, with solar panels on rooftops in various areas? That way no big visual impact would be imparted to any one area. Isn't this consistent with Livermore's "urban infill" rather than "suburban sprawl" approach to development in general?

I am also concerned with the battery storage facility included in the project. Batteries are an outdated and very dirty technology. Disposal of used batteries is an environmental consequence mounting in potential as more and more batteries are used. Also the use of toxic materials and rare earth elements in solar equipment causes environmental degradation in many ways. Have you seen Michael Moore's film, "Planet of the Humans" ?



What about better conservation as an alternative to more solar projects? How much would each household in Livermore have to conserve energy to make up the same amount of energy that will be produced by this project?

I know there are many people who would want to comment on this project if they knew about. So far it seems only the locals are aware of it. I think this kind of thing has regional and statewide significance. Could you extend the comment period for another 60 days?

Thanks you for the opportunity to submit this comment.

Mike Brodsky

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**Young, Andrew, CDA**

---

**Subject:** FW: Aramis Solar Project - follow-up

Mr. Young,

Thank you for your individualized response. I did take a glance at the executive summary of the EIR and did not see a more decentralized approach to solar electric generation covered as a specific alternative to the proposed project. I was suggesting that this approach be considered as an alternative to a centralized project in the EIR. As far as conservation as an alternative to the proposed project, I was wondering if any calculation had ever been done as to how much each household (or commercial building) would have to conserve to equal the amount of energy generated by the project. I thought that such a calculation would be important to a complete EIR in order to decide if conservation is a good alternative to the project.

Michael Moore's movie explores the renewable energy movement from a critical perspective. It asks, among other things, whether or not solar energy is really more environmentally responsible than fossil fuels, when the GHGs and other environmental impacts involved in the manufacture and disposal of solar equipment are considered. It was available for free on YouTube for a while but I believe it can be watched on subscription sites on the internet now.

Thanks again for considering my comments.

On 2020-10-21 15:07, Young, Andrew, CDA wrote:

Mr. Brodsky – just a couple of follow-up points, since you asked some direct questions. I think I answered the question about alternatives – in that it is discussed in the Draft EIR.

Secondly, I am sorry that I have not seen Michael Moore's movie that you cited.

Thirdly, I think conservation as a strategy to avoid the need for the project is considered loosely in the Draft EIR, but is not deemed highly practical.

Lastly, the project is well known and has been publicized in the press, by proponents and by opponents alike. A very large number of people have commented on the proposal. The comment period for the EIR remains as stated, ending on November 2, 2020. The project will not be acted on until later in November, and therefore general comments will still be received until the time of decision.

THANKS, BE SAFE, AND HAPPY RIDING  
ANDREW YOUNG

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Mr. Brodsky,

Thank you for submitting your comments. They will be conveyed to the Board of Zoning Adjustments for consideration. Although your comments do not directly appear to address the environmental analysis or the Draft Environmental Impact Report (Draft EIR) that is the subject of tomorrow's public hearing, they will be treated as such, because the alternatives you mention are part of its analysis, as well as the impact of the project on open space (as an aesthetic impact). For more information about the Draft EIR, please see the County Planning Department's **Current Development Projects** webpage, and scroll down to "Aramis Solar Energy Generation and Storage Project, PLN2018-00117". I am also attaching a copy of the staff report which provides good general information.

KIND REGARDS,

ANDREW YOUNG, SR. PLANNER

ALAMEDA COUNTY PLANNING DEPARTMENT, COMMUNITY DEVELOPMENT AGENCY  
224 WEST WINTON AVE. RM. 111, HAYWARD, CA 94544-1215  
PHONE 510-670-5400 FAX 510-785-8793

WORK CELL PHONE: 510-861-4557\*

WEBSITE: <http://www.acgov.org/cda/planning/index.htm>

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\* Please leave a message and I will aim to reply at my earliest opportunity.

---

**From:** [mbrodsky@cruzio.com](mailto:mbrodsky@cruzio.com) <[mbrodsky@cruzio.com](mailto:mbrodsky@cruzio.com)>

**Sent:** Wednesday, October 21, 2020 2:20 PM

**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>

**Subject:** Arams Solar Project

Dear Mr. Young,

I just found out about this project yesterday. I ride my bicycle in undeveloped areas around Livermore, especially on Morgan Territory Road, and I pass by the proposed site for this facility often.

It would be a shame to destroy the pastoral quality of this area with an industrial facility.

What about using rooftops in developed areas for solar panels instead of gobbling up virgin land? Could you study an alternative that would have a decentralized focus, with solar panels on rooftops in various areas? That way no big visual impact would be imparted to any one area. Isn't this consistent with Livermore's "urban infill" rather than "suburban sprawl" approach to development in general?

I am also concerned with the battery storage facility included in the project. Batteries are an outdated and very dirty technology. Disposal of used batteries is an environmental consequence mounting in potential as more and more batteries are used. Also the use of toxic materials and rare earth elements in solar equipment causes environmental degradation in many ways. Have you seen Michael Moore's film, "Planet of the Humans" ?

What about better conservation as an alternative to more solar projects? How much would each household in Livermore have to conserve energy to make up the same amount of energy that will be produced by this project?

I know there are many people who would want to comment on this project if they knew about. So far it seems only the locals are aware of it. I think this kind of thing has regional and statewide significance. Could you extend the comment period for another 60 days?

Thanks you for the opportunity to submit this comment.

Mike Brodsky

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 21, 2020 4:35 PM  
**To:** Erin Gustafson  
**Subject:** FW: Please support/permit Aramis Solar project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Wednesday, October 21, 2020 4:07 PM  
**To:** marisa@intersectpower.com; Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: Please support/permit Aramis Solar project

---

**From:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Sent:** Wednesday, October 21, 2020 3:18 PM  
**To:** Palmeri, Maria, CDA <[maria.palmeri@acgov.org](mailto:maria.palmeri@acgov.org)>; Urzua, Sonia, CDA <[sonia.urzua@acgov.org](mailto:sonia.urzua@acgov.org)>  
**Cc:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Subject:** RE: Please support/permit Aramis Solar project

Thanks. Weird that he sent these to you, but not to me as far as I can tell.  
And a btw for your fyi, Bruce is also closely involved and tracking support and opposition letters & e-mails.  
Thanks, be safe  
Andy

Work cell phone: 510-861-4557\*

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\* Please leave a message and I will aim to respond at my earliest opportunity.

-----Original Message-----

**From:** Palmeri, Maria, CDA <[maria.palmeri@acgov.org](mailto:maria.palmeri@acgov.org)>  
**Sent:** Wednesday, October 21, 2020 3:12 PM  
**To:** Urzua, Sonia, CDA <[sonia.urzua@acgov.org](mailto:sonia.urzua@acgov.org)>  
**Cc:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Subject:** FW: Please support/permit Aramis Solar project

fyi

Maria Palmeri  
Alameda County Planning Department

224 West Winton Avenue, Room 111  
Hayward, CA 94544  
tel: (510)670-5421  
fx: (510)785-8793

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-----Original Message-----

From: Tom Felter <[tom.felter@yahoo.com](mailto:tom.felter@yahoo.com)>  
Sent: Wednesday, October 21, 2020 2:58 PM  
To: Palmeri, Maria, CDA <[maria.palmeri@acgov.org](mailto:maria.palmeri@acgov.org)>  
Subject: Please support/permit Aramis Solar project

Dear Ms. Palmeri

I am writing in support of the Aramis solar array project (North Livermore) by Intersect. My wife and I have lived in Livermore since 1980 and raised our family here. I am a retired scientist from LLNL and from Sandia National Laboratories and most recently was the Department Manager of the Energy Innovation Department. This project nicely addresses CO2 induced climate change which is a grave threat at scales from local to worldwide. The Aramis project delivers clean, renewable energy, while adding hiking trail, better habitat for native species including desperately needed bee populations and a shift away from beef. All good! Please permit the Aramis project

Tom Felter

727 Carla Street

Livermore, CA 94550

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Wednesday, October 21, 2020 4:35 PM  
**To:** Erin Gustafson  
**Subject:** FW: Aramis Renewable Energy Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Wednesday, October 21, 2020 4:08 PM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com)  
**Subject:** Fw: Aramis Renewable Energy Project

---

**From:** Brad Gunkel <[bradgunkel@hotmail.com](mailto:bradgunkel@hotmail.com)>  
**Sent:** Wednesday, October 21, 2020 3:56 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org) <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>  
**Subject:** Aramis Renewable Energy Project

Dear Supervisor Haggerty, Planning Department Staff and Board Members,

I am an Alameda County resident and am writing in support of the Aramis Renewable Energy Project. The proposal provides much-needed local renewable power and storage in a manner that is responsible to environmental concerns and that mitigates impacts on views. The project is necessary to help address the big issues that confront us today including climate change and the associated need for a stable power grid during record-setting heat waves. The project provides renewable power at a fraction of the cost of rooftop solar and takes advantage of damaged land, restoring it back to health. This is the type of project that we need and I strongly urge your support.

Thank you, Brad

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Wednesday, October 21, 2020 4:35 PM  
**To:** Erin Gustafson  
**Subject:** FW: ■ 10/21/2020, EBCE Board Informational Hearing on Aramis

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Wednesday, October 21, 2020 4:24 PM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com)  
**Subject:** Fw: ♣ 10/21/2020, EBCE Board Informational Hearing on Aramis

---

**From:** David Nelson <[dnelsonibewlu595@gmail.com](mailto:dnelsonibewlu595@gmail.com)>  
**Sent:** Wednesday, October 21, 2020 4:23 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org) <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>  
**Subject:** ♣ 10/21/2020, EBCE Board Informational Hearing on Aramis

Hello I hope everyone is staying safe and healthy.

Agenda item #21

My Name is David Nelson

I am a long-time *Livermore* resident *for over 30 years*, and I support the Aramis Renewable Energy Project.

Alameda County's efforts toward creating a sustainable energy future must start with the approval of the 100-megawatt Aramis solar and battery storage project, which will be northern California's most significant solar and storage project ever built.

I urge you to do the right thing by Alameda County residents, current and future, by approving the Aramis project without delay.

Thank you!

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 22, 2020 8:34 AM  
**To:** Erin Gustafson  
**Subject:** FW: We need to do this - Solar project proposed in Livermore

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Thursday, October 22, 2020 8:27 AM  
**To:** [marisa@intersectpower.com](mailto:marisa@intersectpower.com); Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: We need to do this - Solar project proposed in Livermore

---

**From:** Brian R Gross <[briangross@gmail.com](mailto:briangross@gmail.com)>  
**Sent:** Wednesday, October 21, 2020 4:35 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>  
**Cc:** [imhof@earthlink.net](mailto:imhof@earthlink.net) <[imhof@earthlink.net](mailto:imhof@earthlink.net)>; [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org) <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; [luke@intersectpower.com](mailto:luke@intersectpower.com) <[luke@intersectpower.com](mailto:luke@intersectpower.com)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** We need to do this - Solar project proposed in Livermore

Dear Supervisor Haggerty and Board of Zoning,

I am writing to urge support for Intersect Power's solar project in Livermore, and more like this. Our county needs local renewable power with storage to provide grid stability against rolling blackouts. With climate change driving temperatures regularly into 110+ and the state dealing with increasing fires, now is the time for action and bold leadership.

While doing the right thing will not always be popular, low value ranching lands are the best place to locate renewable energy projects. And, it is far better than a path of choosing more gas power plants that too often pollute low income neighborhoods and those most vulnerable to the negative impacts.

What you do in this moment, with the power you have, will help shape your legacy - this project will make future generations proud.

Thank you for your consideration.

Brian Gross  
Oakland, CA 94618  
323-459-7323  
[brianRgross@gmail.com](mailto:brianRgross@gmail.com)

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 22, 2020 8:34 AM  
**To:** Erin Gustafson  
**Subject:** FW: Please Approve the Aramis Project Without Delay

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Thursday, October 22, 2020 8:27 AM  
**To:** [marisa@intersectpower.com](mailto:marisa@intersectpower.com); Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: Please Approve the Aramis Project Without Delay

---

**From:** Dustin Baker <[drileybaker@gmail.com](mailto:drileybaker@gmail.com)>  
**Sent:** Wednesday, October 21, 2020 7:25 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org) <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Cc:** Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>  
**Subject:** Please Approve the Aramis Project Without Delay

Dear EBCE board,

I am a long-time Pleasanton, Alameda county resident and I support the Aramis Renewable Energy Project.

Air-quality-associated health conditions rank among Alameda County's leading causes of death, and these negative health impacts are particularly acute in its lower income areas. Decarbonizing our electrical grid is crucial to improve air quality and these attendant health outcomes. This decarbonization is achievable through well-designed solar projects sited with the environment and local community in mind. To achieve these local air quality goals and attain California's 100% renewable energy objectives, the CPUC estimates we'll need at least 158 additional gigawatts of solar power by 2050, 123 gigawatts of which must come from ground-mounted, utility-scale solar.

This Aramis project has been carefully sited and designed with local community priorities and values in mind and to minimize environmental impacts. It will protect floodplains, enhance local

wildlife habitat, and employ honeybee friendly plantings. Abundant new landscaping, visually appealing fencing, and generous setbacks will soften and enhance the view for cyclists and motorists traveling the nearby roads. Through these environmental enhancements and by offsetting 188,000 metric tons of CO<sub>2</sub>, the Aramis Project moves California closer to achieving a decarbonized economy and a healthier environment.

The project developer has made a significant community benefits commitment to further local economic, environmental, and social justice issues. These benefits include:

- Partnering with Tipping Point, a local non-profit focused on poverty alleviation, to fund and install solar systems on the rooftops of ten local non-profit organizations, reducing energy costs for the organizations serving the Bay Area's most vulnerable populations
- Committing to provide 100% living wage union jobs during project construction, which will create up to 400 individual opportunities for Bay Area workers
- Making additional contributions to local charities serving families and those in need in the Tri-Valley region and throughout the Bay Area, including Open Heart Kitchen, East Bay Regional Parks Foundation, CityServe of the Tri-Valley, Zero Net Energy Center, Quest Science Center, and Vineyard 2.0
- Enhancing the aesthetics of the Aramis project site, ensuring it blends with the natural and agricultural environment, by installing extensive vegetation landscaping along the public road frontages adjacent to the project
- Dedicating an educational solar hiking trail for the use and enjoyment of all, especially Bay Area students and educators, which would wind through the interior of the solar facility and along Cayetano Creek, and which would include interpretive signage for students to learn about the engineering, ecological, and climate attributes of solar energy generation
- Enhancement of on-site habitat for raptors by improving the composition and forage quality of on-site vegetation, protection of the Cayetano Creek floodplain, its riparian vegetation, and its water quality by setting the facility well back from the waterway and preserving habitat
- Continuing agricultural practices on-site by committing to sheep grazing for vegetation management, and by planting pollinator-friendly plant species between the arrays and within landscaped hedgerows, and providing unlimited opportunities for managed beekeepers to forage their hives within the arrays

I don't think this project should be denied, and especially not based on an argument of aesthetics. First, the fencing and panels will be set back from public roadways. The closest panels will be over 70 feet from the property line. Second, the fencing design would use an agricultural style instead of standard chain link fencing. No barbed wire will be used. Third, vegetation screening along North Livermore Road and Manning Avenue would screen the facility from public views. I've reviewed the video and photo simulations of the site, and it will continue to be beautiful even after the project is built.

The Aramis Project moves California, and the Bay Area, closer to achieving a decarbonized economy and a healthier environment, and I urge you to approve the project without delay.

Thank you for your time and consideration,

Dustin Baker

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## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Thursday, October 22, 2020 8:33 AM  
**To:** Erin Gustafson  
**Subject:** FW: Aramis project - support email

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Thursday, October 22, 2020 8:26 AM  
**To:** [marisa@intersectpower.com](mailto:marisa@intersectpower.com); Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: Aramis project - support email

---

**From:** Pierre Gousseland <[pgousseland@gmail.com](mailto:pgousseland@gmail.com)>  
**Sent:** Wednesday, October 21, 2020 10:45 PM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org) <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Cc:** Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; [luke@intersectpower.com](mailto:luke@intersectpower.com) <[luke@intersectpower.com](mailto:luke@intersectpower.com)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Aramis project - support email

Dear Supervisor Haggerty, Board of Zoning Adjustments, and Staff:

I write in support of the Aramis Renewable Energy Project in Livermore. I am a Berkeley resident, a father of two and a co-founder of a solar start-up. As someone who is passionate about energy and natural resources, I am proud that California has some of the most ambitious renewable energy and climate goals in the country. The California Energy Commission (CEC), California Public Utilities Commission (CPUC), and California Independent Systems Operator (CAISO) have all extensively studied how California can best meet its 100% renewable energy goals. While rooftop and commercial-scale solar is certainly a piece of the puzzle, our state cannot achieve its clean energy targets without utility-scale solar, wind, and battery storage.

Beyond the need for large-scale renewables to meet California's power demand, the constraints of the transmission system mean we cannot build all the necessary utility-scale facilities in rural parts of the state. As recent power outages have shown, local sources of renewables are crucial to maintain reliability across the CA grid. Alameda County chose to form and be a part of East Bay Community Energy (EBCE) in large part because we want local renewable energy. From my perspective, the Aramis solar project helps us to fulfill both California's state-wide renewable energy goals, while also meeting these needs and desires for local power. The fact that the project will include a battery makes it an even better resource for the grid, as it will help to alleviate California's infamous duck curve whereby natural gas peaker plants must ramp up in the evening to meet load when the sun goes down and the state's solar fleet goes offline.

In the reading and research I've done about the project, I am also excited by the local opportunities it will provide. The company developing Aramis plans to build a public hiking trail near the project, opening up formerly private lands to the public. I think this hiking trail provides a fantastic education opportunity for the community - I myself am excited to hike this trail, instead of traveling far away to the Central Valley or Mojave Desert to get a close look at similar, utility-scale solar facilities.

I support the Aramis Renewable Energy Project, and hope the Board of Zoning Adjustments and Board of Supervisors vote in favor of the project. It will provide valuable benefits to the Alameda County community, of which I am a part, and will help California as a whole achieve its climate goals.

Thank you,

Pierre Gousseland

[pgousseland@gmail.com](mailto:pgousseland@gmail.com)

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October 21, 2020

East County Board of Zoning Adjustments  
Alameda County Community Development Agency  
224 West Winton Avenue  
Hayward, CA 94544

Re: PLN2016-00049 & PLN2018-00117; Solar Facilities in North Livermore

Dear East County Board of Zoning Adjustments:

At its August 10, 2020 meeting, the Livermore City Council requested Alameda County expeditiously develop and adopt comprehensive solar plans and policies through an open public process. This comprehensive set of policies should be adopted prior to the County taking action on any utility-scale solar facilities, including the two East County solar projects being considered by the Board of Zoning Adjustments on October 22, 2020: PLN2016-00049 Dunn/Sunwalker/White and PLN2018-00117 Aramis Solar Energy Generation and Storage Project. Please see the August 27, 2020 letter from Livermore Mayor John Marchand reiterating the City's position (attached).

We acknowledge and appreciate the County's efforts to move the draft solar policies forward since August. County staff introduced a Draft Solar Policy Matrix to the Board of Supervisors Transportation/Planning Committee on October 19 with future hearings to be scheduled before final consideration. We look forward to collaborating with County staff on the draft solar policies, and City staff will be ready to provide constructive input during the public review process.

Furthermore, the City continues to fully support renewable energy policies and projects that are necessary to adapt to Climate Change and that create sustainable, clean energy sources. In addition, renewable energy projects, including solar, help meet State renewable energy targets and support the City's adopted Climate Action Plan implementation strategies, such as reducing greenhouse gas emissions.

However, the draft solar policies must carefully balance development of renewable, utility-scale solar facilities with crucial City and County shared open space and agriculture preservation policies and objectives (including Measure D and City's North Livermore Urban Growth Boundary Initiative). Any new solar policies need to provide a clear basis for decision makers, and clarity to the public and renewable energy providers for the appropriate siting, scale and operations of large-scale solar power facilities.



For these reasons, the City of Livermore respectfully requests that the Board of Zoning Adjustments continue both North Livermore solar projects to a future date after County solar policies are adopted and the two projects can be analyzed for consistency with the new solar policies.

The City will be providing comments on the Draft Environmental Impact Report for the Aramis project before the close of the public comment period on November 2. Initial review of the document raises concerns regarding potential impacts to aesthetics, biological resources, water resources, land use and planning.

If you have any questions or would like to discuss this letter, please don't hesitate to contact me at (925) 960-4468 or [scstewart@cityoflivermore.net](mailto:scstewart@cityoflivermore.net). Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Stewart', is enclosed within a rectangular box.

Steve Stewart  
Planning Manager, City of Livermore

cc: Andrew Young, Senior Planner  
Damien Curry, Planner III  
Paul Spence, Community Development Director  
Steve Riley, Principal Planner  
Tricia Pontau, Associate Planner  
Susan Frost, Project Coordinator



August 27, 2020

Chris Bazar, Director  
Alameda County Community Development Agency  
224 West Winton Avenue, Room 110  
Hayward, CA 94544

Re: Development and Adoption of Solar Policies

Dear Mr. Bazar,

The Livermore City Council requested at its August 10, 2020, meeting that Alameda County expeditiously develop and adopt comprehensive solar plans and policies through an open public process. This comprehensive set of policies should be adopted prior to the County taking action on any utility scale-solar facilities, including the three East County solar projects currently being considered by Alameda County: Livermore Community Solar Farm, Aramis Renewable Energy and Carlson.

The City continues to fully support renewable energy policies and projects that are necessary to adapt to Climate Change and that create sustainable, clean energy sources. In addition, renewable energy projects, including solar, help meet State renewable energy targets and support the City's adopted Climate Action Plan implementation strategies, such as reducing greenhouse gas emissions.

However, we urge Alameda County to develop solar policies that carefully balance development of renewable, utility-scale solar facilities with crucial City and County shared open space and agriculture preservation policies and objectives (including Measure D and City's North Livermore Urban Growth Boundary Initiative). New County solar policies are needed now to provide a clear basis for decision makers, and clarity to the public and renewable energy providers for the appropriate siting, scale and operations of large-scale solar power facilities. We look forward to collaborating with County staff on this very important issue, and City staff will be ready to provide constructive input during the public review process.

If you have any questions or would like to discuss this letter, please don't hesitate to contact our Community Development Director, Paul Spence at (925) 960-4474 or our Planning Manager, Steve Stewart at (925) 960-4468 or [scstewart@cityoflivermore.net](mailto:scstewart@cityoflivermore.net), with any questions or concerns. Thanks for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "John Marchand".

Mayor John Marchand  
City of Livermore

cc Marc Roberts, City Manager  
Paul Spence, Community Development Director  
Steve Stewart, Planning Manager  
Steve Riley, Principal Planner  
Tricia Pontau, Associate Planner  
Susan Frost, Project Coordinator



# IBEW Local Union 595

International Brotherhood of Electrical Workers

Established in 1907 - Over 100 Years of Service

GREG BONATO

*Business Manager*

*Financial Secretary*

October 22, 2020

Re: Aramis Solar Project

Dear Alameda County Board of Zoning Adjustments:

I am a long-time Dublin resident, and I support the Aramis Renewable Energy Project.

The project will cover only 400 acres of severely impaired agricultural lands with no access to water and extremely limited potential to be productive, demonstrating that this is an excellent site for a solar project that won't displace important or productive farmland.

The project, located immediately adjacent to a substation to access the grid, will power 22,500 Alameda County homes with clean, local, renewable energy each year and provide up to 400 living-wage union jobs.

This Aramis project has been carefully sited and designed with local community priorities and values in mind and to minimize environmental impacts. It will protect floodplains, enhance local wildlife habitat, and employ honeybee friendly plantings. Abundant new landscaping, visually appealing fencing, and generous setbacks will soften and enhance the view for cyclists and motorists traveling the nearby roads. Through these environmental enhancements and by offsetting 188,000 metric tons of CO<sub>2</sub>, the Aramis Project moves California closer to achieving a decarbonized economy and a healthier environment.

Alameda County's efforts toward creating a sustainable energy future must start with the approval of Intersect Power's 100 megawatt Aramis solar and battery storage project, which will be northern California's most significant solar and storage project ever built.

The Aramis project is not only a solar project, but incorporates 100 megawatts of 4-hour duration battery storage as well. Battery storage is transforming the global electric grid and is an increasingly important element of the world's transition to sustainable energy. Batteries act as a sustainable alternative to natural gas "Peaker" power plants. Peaker power plants fire up whenever the local utility grid can't provide enough power to meet peak demand. They cost millions of dollars per day to operate and are some of the least efficient and dirtiest plants on the grid. Instead, the battery installation at the Aramis solar system will use stored solar energy to support the grid's peak loads.

California and Alameda County are already well on their way to maximizing rooftop solar penetration, but rooftop solar alone is not sufficient to meet our ambitious renewable energy and greenhouse gas reduction goals. The CPUC estimates that over 100 gigawatts of utility-scale solar is needed by 2050. East Bay Community Energy studied the potential for rooftop solar installation, both residential and commercial, and it would take aggregating multiple identified locations to match the electricity that will be generated from the Aramis project. This would result in a dramatic loss in economies of scale that the Aramis project is able to capture. Rooftop systems cost 4 to 6 times as much as utility-scale systems. The Aramis project will deliver clean, affordable, wholesale electricity to the Bay Area.

The Aramis Project moves California, and the Bay Area, closer to achieving a decarbonized economy and a healthier environment, and I urge you to approve the project without delay.

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg Bonato". The signature is fluid and cursive, with the first name "Greg" and last name "Bonato" clearly distinguishable.

Greg Bonato  
Business Manager-  
Financial Secretary

GB:klp  
opeiu #29  
afl-cio

## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Thursday, October 22, 2020 12:38 PM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Thursday, October 22, 2020 12:29 PM  
**To:** marisa@intersectpower.com; Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jason Lindsey <[iwappinst@gmail.com](mailto:iwappinst@gmail.com)>  
**Sent:** Thursday, October 22, 2020 9:39 AM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

Dear Alameda County,

I support the Aramis Renewable Energy Project. It's time for us to bring the renewable energy we need closer to home. This project has undergone years of significant environmental scrutiny, is well suited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

The County has undergone a fair and lengthy review process and time is due to move the Aramis Renewable Energy Project forward.

Thank You,

NAME: Jason Lindsey  
CITY OF RESIDENCE: Antioch  
Sent from [Mail](#) for Windows 10

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Thursday, October 22, 2020 12:38 PM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Thursday, October 22, 2020 12:31 PM  
**To:** [marisa@intersectpower.com](mailto:marisa@intersectpower.com); Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

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**From:** Jason Lindsey <[iwappinst@gmail.com](mailto:iwappinst@gmail.com)>  
**Sent:** Thursday, October 22, 2020 9:42 AM  
**To:** [Aramis-Support Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com) <[Aramis-Support Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com)>  
**Cc:** Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

Dear County of Alameda:

We have an opportunity right here in Livermore Valley to make a significant contribution to the state's renewable energy goals through a large-scale solar and energy storage project that would power 25,000 residences and businesses, offset 188,000 metric tons of carbon dioxide, provide 400 living-wage union jobs, and help put an end to rolling blackouts in the Bay Area.

The Aramis Renewable Energy Project avoids impacts to sensitive wildlife and habitats, continues agricultural uses of the land through sheep grazing and honeybee foraging, and dedicates a public hiking trail for all to enjoy!

As temperatures continue to rise and wildfires come closer and earlier each season, we have an obligation to transition our economy away from fossil fuels. The Aramis Renewable Energy Project meets all of the zoning and land use requirements and has offered mitigation to all impacts. I encourage the County to move this project forward.

Thank you.

Sent from [Mail](#) for Windows 10

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You received this message because you are subscribed to the Google Groups "Aramis-Support\_Alameda-County" group. To unsubscribe from this group and stop receiving emails from it, send an email to [Aramis-Support\\_Alameda-County+unsubscribe@intersectpower.com](mailto:Aramis-Support_Alameda-County+unsubscribe@intersectpower.com).

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Thursday, October 22, 2020 12:38 PM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Thursday, October 22, 2020 12:30 PM  
**To:** marisa@intersectpower.com; Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Leonard Ancona <[lensstory@aol.com](mailto:lensstory@aol.com)>  
**Sent:** Thursday, October 22, 2020 11:03 AM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulipr.net](mailto:becca@voxpathulipr.net) <[becca@voxpathulipr.net](mailto:becca@voxpathulipr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

Dear Alameda County,

I support the Aramis Renewable Energy Project. It's time for us to bring the renewable energy we need closer to home. This project has undergone years of significant environmental scrutiny, is well suited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

The County has undergone a fair and lengthy review process and time is due to move the Aramis Renewable Energy Project forward.

Thank You,

NAME: Leonard Ancona  
CITY OF RESIDENCE: Union City Ca

Sent from my iPhone

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Thursday, October 22, 2020 12:38 PM  
**To:** Erin Gustafson  
**Subject:** FW: Aramis Solar support

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Jensen, Bruce, CDA <bruce.jensen@acgov.org>  
**Sent:** Thursday, October 22, 2020 12:29 PM  
**To:** marisa@intersectpower.com; Lesley Owing <LesleyO@helixepi.com>  
**Subject:** Fw: Aramis Solar support

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**From:** Karen Lee <[ktlee0@gmail.com](mailto:ktlee0@gmail.com)>  
**Sent:** Thursday, October 22, 2020 12:15 PM  
**To:** [Aramis-Support Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com) <[Aramis-Support Alameda-County@intersectpower.com](mailto:Aramis-Support_Alameda-County@intersectpower.com)>  
**Subject:** Aramis Solar support

Alameda County Board of Supervisors,

I am a long term Bay Area resident and current resident of City of Emeryville and I support the Aramis Renewable Energy Project. Alameda County's efforts toward creating a sustainable energy future must start with the approval of Intersect Power's 100 megawatt Aramis solar and battery storage project, which will be northern California's most significant solar and storage project ever built. I urge you to approve this project to support a decarbonized economy and healthier environment in the Bay Area.

Best,  
Karen Lee

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Monday, October 26, 2020 9:47 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Monday, October 26, 2020 9:08 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Elaine Ito <[elaineito@me.com](mailto:elaineito@me.com)>  
**Sent:** Thursday, October 22, 2020 10:04 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulipr.net](mailto:becca@voxpathulipr.net) <[becca@voxpathulipr.net](mailto:becca@voxpathulipr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:Elaine Ito  
CITY OF RESIDENCE:Oakland

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

As our planet continues to warm and we experience ongoing rolling blackouts and poor air quality, we should embrace a proposal to bring clean power and green, living wage jobs to Livermore today.

Delaying an exemplary project like Aramis is not an option. We don't know if we'll have opportunities like this one again. Please demonstrate your leadership towards fighting climate change and do not unfairly hold this project up while a solar policy is debated over months, if not years.

Thank you.

Elaine Ito  
member, IBEW Local 595

Sent from my iPhone

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October 24, 2020

Alameda County Community Development Agency  
Planning Department  
224 W Winton Ave  
Hayward, CA 94544  
SUBMITTED VIA E-MAIL

**RE: Sierra Club Comments on the Aramis Solar Energy Generation and Storage Project,  
County Planning Application PLN2018-00117.**

Dear Planning Director Lopez:

The Sierra Club requests a 10-day extension to November 12 for the comment period on the Draft Environmental Impact Report for the Aramis Solar Project in the Livermore Valley.

The Chapter has authorized an Ad Hoc Committee to review and submit a complete set of comments consistent with National Policy while also addressing environmental and land use concerns specific to this project.

The Sierra Club is a member of the East Bay Clean Power Alliance and supported the formation of East Bay Community Energy and support the goal of transitioning to renewable energy. We also are committed to the preservation of agriculture in the East County consistent with Measure D.

We would appreciate having a very short, 10-day extension to the 45-day comment period for the DEIR to submit our comments.

Sincerely,



Igor Tregub  
Representative, Alameda County Community Choice Energy Issues  
Sierra Club San Francisco Bay Chapter



California  
Department of Conservation  
Geologic Energy Management Division

Gavin Newsom, Governor  
David Shabazian, Director  
801 K Street, MS 18-05  
Sacramento, CA 95814  
T: (916) 445-9686

10/27/2020

Andrew Young  
Alameda County Planning Department  
224 West Winton Avenue  
Hayward, CA 94544, USA  
andrew.young@acgov.org

Construction Site Well Review (CSWR) ID: 1012163

Assessor Parcel Number(s): 903000600102, 903000600307, 903000700201, 902000100500

Project Location Address: North Livermore Avenue/Manning Road, Livermore, California, 94551

Project Title: CEQA Review of Aramis Solar Project- SCH # 2020059008

Public Resources Code (PRC) § 3208.1 establishes well reabandonment responsibility when a previously plugged and abandoned well will be impacted by planned property development or construction activities. Local permitting agencies, property owners, and/or developers should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near oil, gas, and geothermal wells.

The Division of Oil, Gas, and Geothermal Resources (Division) has received and reviewed the above referenced project dated 10/14/2020. To assist local permitting agencies, property owners, and developers in making wise land use decisions regarding potential development near oil, gas, or geothermal wells, the Division provides the following well evaluation.

The project is located in Alameda County, within the boundaries of the following fields:

Any Field

Our records indicate there are 1 known oil or gas wells located within the project boundary as identified in the application.

- Number of wells Not Abandoned to Current Division Requirements as Prescribed by Law and Projected to Be Built Over or Have Future Access Impeded by this project: 1
- Number of wells Not Abandoned to Current Division Requirements as Prescribed by Law and Not Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Abandoned to Current Division Requirements as Prescribed by Law and Projected to Be Built Over or Have Future Access Impeded by this project: 0
- Number of wells Abandoned to Current Division Requirements as Prescribed by Law and Not Projected to Be Built Over or Have Future Access Impeded by this project: 0

The Division categorically advises against building over, or in any way impeding access to, oil, gas, or geothermal wells. Impeding access to a well could result in the need to remove any structure or



California  
**Department of Conservation**  
Geologic Energy Management Division

Gavin Newsom, Governor  
David Shabazian, Director  
801 K Street, MS 18-05  
Sacramento, CA 95814  
T: (916) 445-9686

obstacle that prevents or impedes access including, but not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, sidewalks, roadways, and decking. Maintaining sufficient access is considered the ability for a well servicing unit and associated necessary equipment to reach a well from a public street or access way, solely over the parcel on which the well is located. A well servicing unit, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure.

There are no guarantees a well abandoned in compliance with current Division requirements as prescribed by law will not start leaking in the future. It always remains a possibility that any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. The Division acknowledges wells plugged and abandoned to the most current Division requirements as prescribed by law have a lower probability of leaking in the future, however there is no guarantees that such abandonments will not leak.

The Division advises that all wells identified on the development parcel prior to, or during, development activities be tested for liquid and gas leakage. Surveyed locations should be provided to the Division in Latitude and Longitude, NAD 83 decimal format. The Division expects any wells found leaking to be reported to it immediately.

Failure to plug and reabandon the well may result in enforcement action, including an order to perform reabandonment well work, pursuant to PRC § 3208.1, and 3224.

PRC § 3208.1 give the Division the authority to order or permit the re-abandonment of any well where it has reason to question the integrity of the previous abandonment, or if the well is not accessible or visible. Responsibility for re-abandonment costs may be affected by the choices made by the local permitting agency, property owner, and/or developer in considering the general advice set forth in this letter. The PRC continues to define the person or entity responsible for reabandonment as:

1. The property owner - If the well was plugged and abandoned in conformance with Division requirements at the time of abandonment, and in its current condition does not pose an immediate danger to life, health, and property, but requires additional work solely because the owner of the property on which the well is located proposes construction on the property that would prevent or impede access to the well for purposes of remedying a currently perceived future problem, then the owner of the property on which the well is located shall obtain all rights necessary to reabandon the well and be responsible for the reabandonment.
2. The person or entity causing construction over or near the well - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and the property owner, developer, or local agency permitting the construction failed either to obtain an opinion from the supervisor or district deputy as to whether the previously abandoned well is required to be reabandoned, or to follow the advice of the supervisor or district deputy not to undertake the construction, then the person



**California**  
**Department of Conservation**  
 Geologic Energy Management Division

Gavin Newsom, Governor  
 David Shabazian, Director  
 801 K Street, MS 18-05  
 Sacramento, CA 95814  
 T: (916) 445-9686

or entity causing the construction over or near the well shall obtain all rights necessary to reabandon the well and be responsible for the reabandonment.

3. The party or parties responsible for disturbing the integrity of the abandonment - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and after that time someone other than the operator or an affiliate of the operator disturbed the integrity of the abandonment in the course of developing the property, then the party or parties responsible for disturbing the integrity of the abandonment shall be responsible for the reabandonment.

No well work may be performed on any oil, gas, or geothermal well without written approval from the Division. Well work requiring approval includes, but is not limited to, mitigating leaking gas or other fluids from abandoned wells, modifications to well casings, and/or any other re-abandonment work. The Division also regulates the top of a plugged and abandoned well's minimum and maximum depth below final grade. CCR §1723.5 states well casings shall be cut off at least 5 feet but no more than 10 feet below grade. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this regulation, a permit from the Division is required before work can start.

The Division makes the following additional recommendations to the local permitting agency, property owner, and developer:

1. To ensure that present and future property owners are aware of (a) the existence of all wells located on the property, and (b) potentially significant issues associated with any improvements near oil or gas wells, the Division recommends that information regarding the above identified well(s), and any other pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property.
2. The Division recommends that any soil containing hydrocarbons be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.

As indicated in PRC § 3106, the Division has statutory authority over the drilling, operation, maintenance, and abandonment of oil, gas, and geothermal wells, and attendant facilities, to prevent, as far as possible, damage to life, health, property, and natural resources; damage to underground oil, gas, and geothermal deposits; and damage to underground and surface waters suitable for irrigation or domestic purposes. In addition to the Division's authority to order work on wells pursuant to PRC §§ 3208.1 and 3224, it has authority to issue civil and criminal penalties under PRC §§ 3236, 3236.5, and 3359 for violations within the Division's jurisdictional authority. The Division does not regulate grading, excavations, or other land use issues.





California  
**Department of Conservation**  
Geologic Energy Management Division

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If during development activities, any wells are encountered that were not part of this review, the property owner is expected to immediately notify the Division's construction site well review engineer in the Northern district office, and file for Division review an amended site plan with well casing diagrams. The District office will send a follow-up well evaluation letter to the property owner and local permitting agency.

Should you have any questions, please contact me at (916) 917-8898 or via email at [Charlene.Wardlow@conservation.ca.gov](mailto:Charlene.Wardlow@conservation.ca.gov)

Sincerely,

DocuSigned by:

*Charlene L Wardlow*

067E7BD5EA114A7...

Charlene Wardlow  
Northern District Deputy

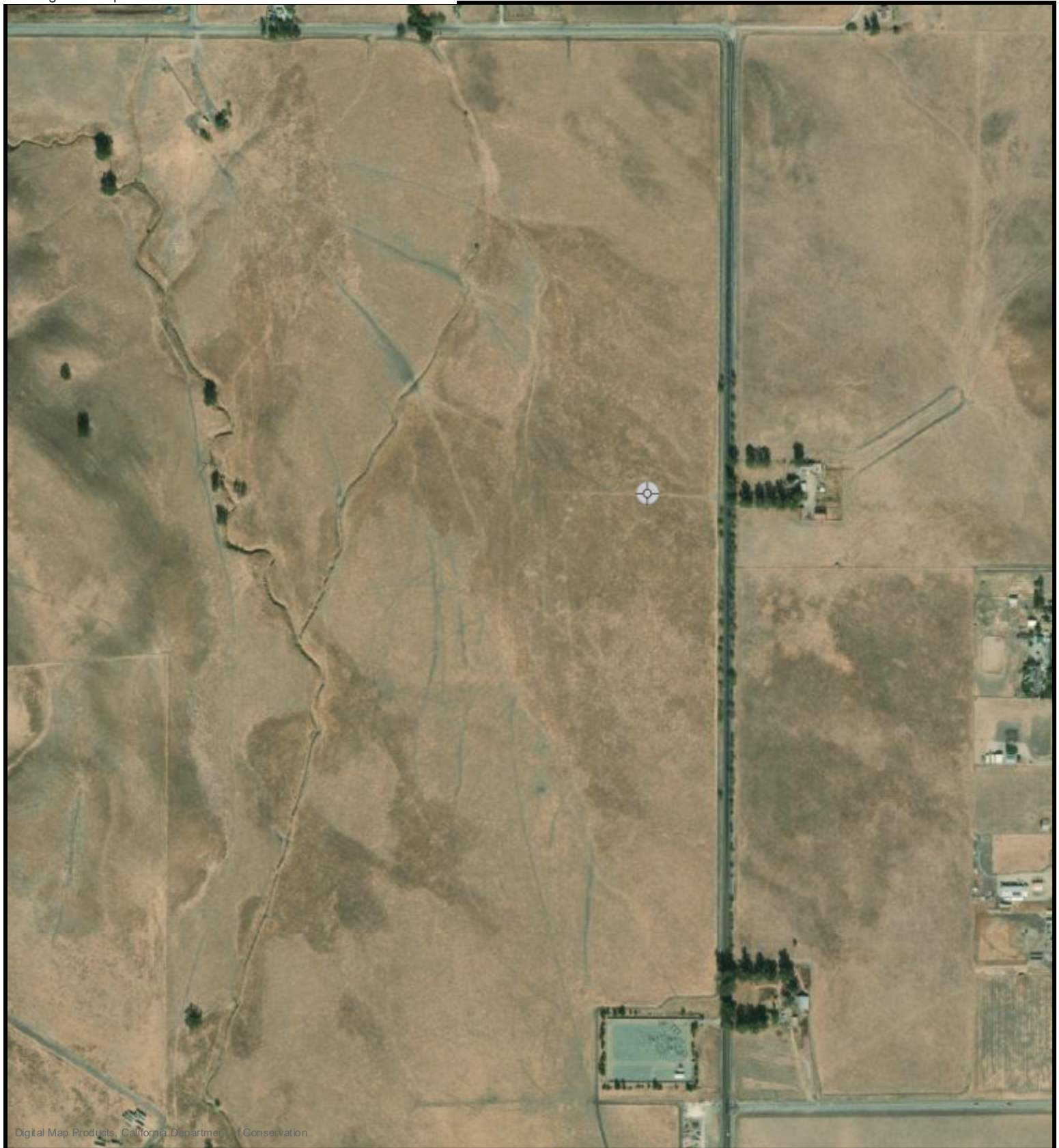
Enclosure: Gas Well Location Map



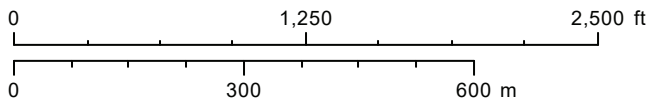
## Wells Not Abandoned to Current Division Requirements as Prescribed by Law & Projected to be Built Over or Have Future Access Impeded

The wells listed below are not abandoned to current Division requirements as prescribed by law, and based upon information provided, are projected to be built over or have future access impeded. **The Division expects these wells to be reabandoned in compliance with current California law, prior to development activities.**

API	Well Designation	Operator	Well Evaluations
04001000 13	Maud Stanley 1	Chevron U.S.A. Inc.	Well is not in compliance with § 1723.5. Surface Plugging and § 1723.3. Plugging at a Casing Shoe.



Digital Map Products, California Department of Conservation



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**California Natural Resources Agency**  
 Department of Conservation

California Geologic Energy Management Division  
 801 K Street, MS 18-05  
 Sacramento, CA 95814-3530  
 Phone: (916) 445-9686  
 Email: [calgem\\_webmaster@conservation.ca.gov](mailto:calgem_webmaster@conservation.ca.gov)  
[www.conservation.gov/calgem](http://www.conservation.gov/calgem)

### Well Status & Type

<span style="color: green;">●</span> Active	<span style="color: black;">●</span> Oil & Gas	<span style="border: 1px solid black; border-radius: 50%; padding: 2px;">○</span> Observation
<span style="color: purple;">●</span> Idle	<span style="color: black;">⊙</span> Gas	<span style="border: 1px solid black; border-radius: 50%; padding: 2px;">Ⓜ</span> Multi-purpose
<span style="color: orange;">●</span> New	<span style="color: black;">⊕</span> Dry Hole	<span style="border: 1px solid black; border-radius: 50%; padding: 2px;">Ⓜ</span> Water Source
<span style="color: gray;">●</span> Plugged	<span style="color: black;">⬇</span> Injection	<span style="border: 1px solid black; border-radius: 50%; padding: 2px;">⊙</span> Unknown
<span style="color: red;">●</span> Canceled	<span style="color: black;">⬇</span> Cyclic Steam	<span style="color: black;">⊕</span> Core Hole
<span style="color: white;">○</span> Unknown	<span style="color: black;">⬇</span> Gas Storage	

## Erin Gustafson

---

**From:** Lesley Owing  
**Sent:** Tuesday, October 27, 2020 10:57 AM  
**To:** Erin Gustafson  
**Subject:** FW: I Support the Aramis Solar Energy Generation and Storage Project EIR

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Tuesday, October 27, 2020 10:52 AM  
**To:** marisa@intersectpower.com; Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: I Support the Aramis Solar Energy Generation and Storage Project EIR

Not sure where French Gulch is...

---

**From:** patrick fossland <[fossscarp@gmail.com](mailto:fossscarp@gmail.com)>  
**Sent:** Tuesday, October 27, 2020 10:47 AM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek@purpleorchid.com](mailto:derek@purpleorchid.com) <[derek@purpleorchid.com](mailto:derek@purpleorchid.com)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [marisa@intersectpower.com](mailto:marisa@intersectpower.com) <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; [becca@voxpathulpr.net](mailto:becca@voxpathulpr.net) <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>  
**Subject:** I Support the Aramis Solar Energy Generation and Storage Project EIR

FROM:  
CITY OF RESIDENCE: French Gulch

Dear Alameda County,

I support moving the Aramis Renewable Energy Project forward on schedule. This project has undergone years of significant environmental scrutiny, is well sited on poor agricultural lands next to an existing PG&E substation, and offers sound solutions to improve and enhance local habitat, landscaping and viewsheds.

As our planet continues to warm and we experience ongoing rolling blackouts and poor air quality, we should embrace a proposal to bring clean power and green, living wage jobs to Livermore today.

Delaying an exemplary project like Aramis is not an option. We don't know if we'll have opportunities like this one again. Please demonstrate your leadership towards fighting climate change and do not unfairly hold this project up while a solar policy is debated over months, if not years.

Thank you.

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**San Francisco**  
**Water Power Sewer**  
Services of the San Francisco Public Utilities Commission

**OFFICE OF THE GENERAL MANAGER**

525 Golden Gate Avenue, 13th Floor  
San Francisco, CA 94102  
T 415.554.3155  
F 415.554.0740  
HKelly@sfgwater.org

October 29, 2020

Alameda County Board of Supervisors President Richard Valle and Alameda  
County Supervisors  
County of Alameda Administration Building  
1221 Oak Street, #536  
Oakland, CA 94612

Dear President Valle and Alameda County Supervisors:

The San Francisco Public Utilities Commission (SFPUC) is a department of the City and County of San Francisco and provides three essential utility services: Water, Power, and Sewer. We are the third largest public utility in California, with infrastructure in seven counties and a combined annual operating budget of over \$1 billion. The SFPUC's Power Enterprise is San Francisco's clean power provider and operates CleanPowerSF, San Francisco's Community Choice Aggregation (CCA) program, which exceeds state goals for renewable energy and GHG-free electricity resource commitments. CleanPowerSF serves 380,000 customers in San Francisco and offers our customers the ability to opt up to 100% renewable energy. We are committed to sourcing power from renewable energy sources within California and the Bay Area.

I am writing today to express support for the Aramis Renewable Energy Project (Aramis Project), which includes solar and energy storage technologies, vital for achieving our state's goals for clean and reliable power. In 2019, CleanPowerSF released a Request for Offers (RFO) for local renewable resources from the Bay Area. The Aramis Project was bid into this RFO, and CleanPowerSF is interested in procuring a significant portion of the 100 megawatts of solar and energy storage to be produced from the Project.

This year's climate crisis-driven wildfires and recent grid reliability issues across the state have demonstrated that we must continue to prioritize the transition to renewable energy supported by energy storage technology, which will help integrate the variable energy produced by solar resources into the grid. Integrating energy storage into the Aramis Project will allow the solar energy produced by the facility during the day to be stored and then discharged during the evening, when solar plants stop producing power and the grid needs it the most. The Aramis Project is well-aligned with San Francisco's broader climate and electricity reliability goals and

**London N. Breed**  
Mayor

**Sophie Maxwell**  
President

**Anson Moran**  
Vice President

**Tim Paulson**  
Commissioner

**Ed Harrington**  
Commissioner

**Harlan L. Kelly, Jr.**  
General Manager

OUR MISSION: To provide our customers with high-quality, efficient and reliable water, power and sewer services in a manner that values environmental and community interests and sustains the resources entrusted to our care.



will supply at least 40,000 households in San Francisco with clean, reliable, and affordable energy.

The SFPUC works hard to be a good neighbor and environmental steward in the communities where our projects are located and has a robust Community Benefits program and policy. We are pleased to see that the Aramis Project includes a comprehensive community benefits proposal, including:

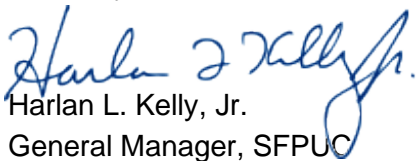
- A partnership with Tipping Point, to fund and install solar systems on the roofs of local non-profit organizations, helping reduce energy costs for organizations serving the Bay Area's most vulnerable populations;
- Committing to provide 100% living-wage union jobs during project construction, creating 400 job opportunities for local Bay Area residents;
- Additional contributions to local charities serving families and those in need in the Tri-Valley region and throughout the Bay Area;
- Enhanced aesthetics for the project site, ensuring it blends in with the natural and agricultural environment;
- Dedication of land for an educational solar hiking trail as part of the facility, along with enhanced on-site habitat for raptors and a commitment to continuing agricultural practices on-site, including sheep-grazing, planting of pollinator-friendly plant species, and a community bee-keeping project.

Given these commitments and the significant value this project will provide in supporting the Bay Area's transition to greenhouse gas free renewable energy, we are proud to lend our full support to the Aramis Project and look forward to our potential partnership with Alameda County and Intersect Power.

Additionally, we would like to note our support specifically for the Resource Management Avoidance Alternative the County identified in the project's Draft Environmental Impact Report (EIR), which is both feasible for the project developers while fully complying with the County's General Plan.

If we can provide you with additional information or answer any questions, please do not hesitate to contact Suzanne Merkelson, Senior Analyst for Policy and Government Affairs, at [smerkelson@sfgov.org](mailto:smerkelson@sfgov.org).

Sincerely,



Harlan L. Kelly, Jr.  
General Manager, SFPUC

CC:

Shawn Wilson, Supervisor Haggerty Chief of Staff  
Chris Miley, President Valle Chief of Staff  
Dave Brown, Supervisor Chan Chief of Staff  
Tona Henninger, Supervisor Miley Chief of Staff  
Amy Shrago, Supervisor Carson Chief of Staff  
Frank Imhof, Board of Zoning Adjustments  
Derek Eddy, Board of Zoning Adjustments  
Scott Byer, Board of Zoning Adjustments  
Chris Bazar, Director of Community Development  
Albert Lopez, Planning Director  
Bruce Jensen, Planner  
Andy Young, Planner

## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Thursday, October 29, 2020 1:34 PM  
**To:** Erin Gustafson  
**Subject:** FW: Support for Aramis Renewable Energy Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Thursday, October 29, 2020 11:06 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: Support for Aramis Renewable Energy Project

---

**From:** Amine Berrada <[aberrada@terabase.energy](mailto:aberrada@terabase.energy)>  
**Sent:** Thursday, October 29, 2020 10:57 AM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; Frank Imhof, Board of Zoning Adjustments, <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; Derek Eddy, Board of Zoning Adjustments, <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; Scott Byer, Board of Zoning Adjustments, <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Cc:** Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>; Luke Dunnington, Intersect Power, <[luke@intersectpower.com](mailto:luke@intersectpower.com)>; Marisa Mitchell, Intersect Power, <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Support for Aramis Renewable Energy Project

Dear Supervisor Haggerty, Board of Zoning Adjustments, and Staff:

I write in support of the Aramis Renewable Energy Project in Livermore. I am a resident in Oakland, CA and Co-Founder of Terabase, a start up in the solar energy industry. As someone who has dedicated his career to renewable energy and natural resources, I am proud that California has some of the most ambitious renewable energy and climate goals in the country. The California Energy Commission (CEC), California Public Utilities Commission (CPUC), and California Independent Systems Operator (CAISO) have all extensively studied how California can best meet its 100% renewable energy goals. While rooftop and commercial-scale solar is certainly a piece of the puzzle, our state cannot achieve its clean energy targets without utility-scale solar, wind, and battery storage.

Beyond the need for large-scale renewables to meet California's power demand, the constraints of the transmission system mean we cannot build all the necessary utility-scale facilities in rural parts of the state. As recent power outages have shown, local sources of renewables are crucial to maintain reliability across the CA grid. Alameda County chose to form and be a part of East Bay Community Energy (EBCE) in large part because we want local renewable energy. From my perspective, the Aramis solar project helps us to fulfill both California's state-wide renewable energy goals, while also meeting these needs and desires for local power. The fact that the project will include a battery makes it an even better resource for the grid, as it will help to alleviate California's infamous duck curve whereby natural gas peaker plants must ramp up in the evening to meet load when the sun goes down and the state's solar fleet goes offline.



In the reading and research I've done about the project, I am also excited by the local opportunities it will provide. The company developing Aramis plans to build a public hiking trail near the project, opening up formerly private lands to the public. I think this hiking trail provides a fantastic education opportunity for the community - I myself am excited to hike this trail, instead of traveling far away to the Central Valley or Mojave Desert to get a close look at similar, utility-scale solar facilities.

I support the Aramis Renewable Energy Project, and hope the Board of Zoning Adjustments and Board of Supervisors vote in favor of the project. It will provide valuable benefits to the Alameda County community, of which I am a part, and will help California as a whole achieve its climate goals.

Thank you,

**Amine Berrada**

VP, Terabase Platform, Co-Founder

[aberrada@terabase.energy](mailto:aberrada@terabase.energy) | +1 (415) 823 0465

Berkeley | California | USA 94704



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



October 30, 2020

Dear Members of the Board of Supervisors, Board of Zoning Adjustments, and Staff,

I write to you on behalf of East Bay Community Energy. Our agency was formed in order to provide cost competitive renewable energy to customers throughout Alameda County, with a particular emphasis around building projects locally in order to create good local jobs and offset local pollutants from traditional fossil fuel generation. EBCE was formed in 2017 and began serving Alameda County in June 2018 and since that time has signed approximately 650MWs of new renewable generation and storage projects. This includes over 100MWs of projects located within Alameda County.

EBCE has been in discussions with Intersect Solar since 2018 on the Aramis Solar project located in North Livermore and is currently completing negotiations to procure 20MWs of local Resource Adequacy from the project. The contract has been discussed with the agency's board of directors, most recently at the October 21, 2020 board meeting and will be seeking formal approval at the November board meeting. The Aramis project is unique because it is one of the largest renewable energy projects in Alameda County and Northern California and due to the significant battery storage that the project includes. The California Public Utilities Commission (CPUC) and the California Independent System Operator (CAISO) are forecasting capacity constraints over the coming years and decade. The Aramis project can provide local Resource Adequacy to support these capacity needs and solar generation to support California's path to 100% clean energy.

I understand that the zoning board is currently reviewing the Aramis Solar Project in consideration for a Conditional Use Permit that would allow the project to move forward. I deeply appreciate the Zoning Commission's diligent review of the project to evaluate the environmental impacts of this project along with the economic and clean energy benefits. We hope that you will take into account EBCE's proposed involvement with the project.

If you have any questions, please do not hesitate to reach out.

Sincerely,

A small, stylized signature of Nick Chaset in blue ink.

Nick Chaset

CEO, East Bay Community Energy

P: 510-809-7440  
E: [nchaset@ebce.org](mailto:nchaset@ebce.org)

[ebce.org](http://ebce.org)



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Bay Delta Region  
2825 Cordelia Road, Suite 100  
Fairfield, CA 94534  
(707) 428-2002  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



October 30, 2020

Governor's Office of Planning & Research

**Oct 30 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)

**STATE CLEARINGHOUSE**

Subject: Aramis Solar Energy Generation and Storage Project, Draft Environmental Impact Report, SCH No. 2020059008, Alameda County

Dear Mr. Young:

The California Department of Fish and Wildlife (CDFW) has reviewed the draft 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 draft 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 previously submitted comments, in a letter dated May 27, 2020, on the Notice of Preparation (NOP) to inform Alameda County (County), as the Lead Agency, of our concerns regarding potentially significant impacts to sensitive resources associated with the proposed Project. CDFW is providing these additional comments and recommendations on the draft EIR 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 (California Environmental Quality Act (CEQA) Guidelines, §§ 15086, 15096 and 15204).

## **CDFW ROLE**

CDFW is a Trustee Agency with responsibility under 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 California Endangered Species Act (CESA) Permit, a Lake and Streambed Alteration (LSA) Agreement, or other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

Mr. Andrew Young  
Alameda County Community Development Department  
October 30, 2020  
Page 2

## **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 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. 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; 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 a LSA Agreement. CDFW may not execute the final LSA Agreement (or Incidental Take Permit) 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 (PV) panels capable of generating, storing, and dispatching clean energy on up to 410 acres located in unincorporated Alameda County in the North Livermore area, approximately 2.25 miles north of the Livermore city limits and Interstate 580. The site is composed of large portions of four privately-owned parcels.

Mr. Andrew Young  
Alameda County Community Development Department  
October 30, 2020  
Page 3

According to the draft EIR, 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 draft EIR 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 Parks District) for use as a public hiking trail along Cayetano Creek outside of the Project's development footprint.

The draft EIR states the individual PV modules would be arranged in rows onto a single-axis tracker racking system, which would in turn be affixed to steel piles. Each row (or array) would track the sun during the day, from east to west, to optimize power generation of the facility. The arrays would be connected by low-voltage underground or above-ground electrical wiring to a central inverter station or to string inverters located throughout the facility.

## **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.

### **Project Description**

The draft EIR, section 3.4, describes Project components which include access roads, parking lots, staging areas, detention basins, fencing, water storage tanks, and building structure foundations that would exist for the life of the Project (approximately 50 years). Section 3.5 briefly describes Project construction including site preparation, installation of interconnection facilities and battery storage system, cable installation, pile and skid installation, tracker and module installation, and lastly, site cleanup. Project construction also includes excavation activities, trenching, and boring.

CDFW considers impacts resulting from the Project facility components as permanent because they are direct impacts that permanently affect the land cover for more than one year. Temporary impacts, such as initial site grading, are associated with activities that allow for restoration of the site to pre-Project conditions or better within the same year. The EIR should therefore describe both permanent and temporary impacts to habitat used by special-status species 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*); grassland birds such as State Species of Special Concern western burrowing owl (*Athene*

Mr. Andrew Young  
Alameda County Community Development Department  
October 30, 2020  
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*cunicularia*), State Species of Special Concern northern harrier (*Circus cyaneus*), western meadowlark (*Sturnella neglecta*), and horned lark (*Eremophila alpestris praticola*); and mammals such as the federally endangered and State threatened San Joaquin kit fox (*Vulpes macrotis mutica*), and the State Species of Special Concern American badger (*Taxidea taxus*).

Section 3.9, *Required Permits and Approvals*, should include a requirement for the Project proponent to obtain state and federal incidental take permits prior to the start of construction.

As discussed in the CDFW comment letter for the NOP, the Project site is located within the Conservation Zone 4 of the Eastern Alameda Conservation Strategy (EACCS). 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. The draft EIR acknowledges that the site provides upland habitat for both California red-legged frog and California tiger salamander but does not analyze the permanent and temporary impacts associated with the Project and concludes, incorrectly, on p. 4.4-50 and throughout the document, that because grassland would be “preserved” on site under the panels that no compensatory mitigation is necessary. Since the draft EIR does not provide sufficient details on the distance between PV panels, it is very difficult for CDFW to determine whether the gaps between panels could provide any wildlife habitat value.

The draft EIR also states no compensatory mitigation is required for loss of foraging habitat for birds due to the abundance of more suitable and higher quality foraging habitat in the region and continued availability of foraging habitat at the site between the solar panels. As stated above, the draft EIR does not provide any details on the distance between PV panels and does not provide sufficient information to assess the quantity or quality of foraging habitat for birds and other wildlife that would remain as a result of implementation of the Project.

CDFW, therefore, recommends that the EIR include an accurate and thorough description of the solar facility’s infrastructure, including the distance between PV panels and other pertinent information in order to accurately assess the potential impacts of the Project on special-status species and their habitats. Please be advised that even if fairly large gaps existed between panels, any wildlife habitat remaining post-Project construction would be severely compromised and likely of marginal value to special-status species and other species expected or known to occupy or forage within the Project area (DeVault, et.al. 2014). Therefore, the EIR should fully and accurately evaluate the Project’s permanent or temporary impacts to foraging habitat for birds and

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other wildlife and include sufficient compensatory mitigation to offset all impacts that cannot be completely avoided.

#### **Section 4.4 Biological Resources**

The draft EIR, p. 4.4-1, acknowledges that the Project involves substantial changes to the site conditions that would adversely affect its habitat characteristics and, therefore, a broad range of environmental and species and habitat protection laws, policies, programs and regulations apply to the Project, yet the draft EIR provides very little, if any, compensatory mitigation. CDFW provides more specific comments below:

##### *Native Pollinators*

As noted in our CDFW NOP comment letter, the California Fish and Game Commission accepted a petition to list the western bumble bee (*Bombus occidentalis occidentalis*) as endangered under CESA, determining the listing “may be warranted” and advancing the species to the candidacy stage of the CESA listing process. Due to the scale of the proposed Project and the environmental setting, CDFW believes that the Project has potential to substantially reduce and adversely modify habitat for the western bumble bee, reduce and potentially seriously impair the viability of populations of the western bumble bee, and reduce the number and range of the species. Implementation of the Project will also likely result in impacts to the bumblebee and other special-status species found on adjacent and nearby natural lands that rely upon the habitat that occurs on the proposed Project site.

CDFW recommends that, due to suitable habitat present within the Project area, within one year prior to vegetation removal and/or grading, a qualified entomologist familiar with the species behavior and life history should conduct surveys to determine the presence/absence of the western bumble bee. Surveys should be conducted during the flying season when the species is most likely to be detected above ground which is between February 1 to November 30 (Thorp *et al.* 1983). Survey results including negative findings should be submitted to CDFW prior to initiation of Project activities. If “take” or adverse impacts to western bumble bee cannot be completely avoided either during Project activities or over the life of the Project, the Project proponent must consult with CDFW to determine if a CESA Incidental Take Permit is required (pursuant to Fish and Game Code, § 2080 et seq.).

##### *Permanent Fencing*

Please be advised that the proposed permanent fencing described as 7 feet high with wood posts and 4-square-inch wire mesh (note: the plans in Appendix C show 6-foot high wire mesh with one-foot high barbed-wire above the wire mesh) will exclude mammals such as the federally endangered and State threatened San Joaquin kit fox, and the State Species of Special Concern American badger unless the fencing plan

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includes raised areas or gaps as described on page 4.4-65. In addition, fences can have negative long-term impacts on a variety of other wildlife. For example, a fence can obstruct the natural migration and daily movements of wildlife such as deer and the consequences of disrupting these movements should be considered in fencing design (VerCauteren *et al.* 2006). In addition, deer occasionally become entangled in fences or collide with them when attempting to pass over, through, or under (Goddard *et al.* 2001). Some fences, especially wire mesh, can be a complete barrier to fawns, even if adults can still jump over. This can lead to fawns becoming separated from their mothers and the herd resulting in the fawns killed by predators, vehicle collisions, or starvation (Hanophy 2009).

Birds can also collide with fences, breaking wings and tangling in wires. Large, low-flying birds such as ducks, geese, hawks, and owls are especially vulnerable to collisions with fencing. For example, the American kestrel (*Falco sparverius*) and low-flying hawks and owls may collide with fences when swooping in on prey (Bryant *et al.* 1993). Fencing can be made more visible to birds by attaching reflective or colorful weather-resistant flagging materials (e.g., aluminum or plastic strips) to the wire.

The EIR should analyze the potential impacts to birds and mammals caused by the proposed fencing and describe alternative wildlife-friendly designs that will be implemented. The EIR should also include effective minimization and mitigation measures to offset any impacts of fencing to wildlife species that cannot feasibly be completely avoided.

#### *Bio-retention basins*

The draft EIR on p. 3-5 states the proposed Project includes the construction of two stormwater detention basins to prevent the discharge of off-site stormwater runoff and to protect downstream properties. A narrow, linear stormwater detention basin totaling approximately 0.4-acre in size is proposed in the southeastern corner of the central section of the Project site along Hartman Road and terminating at North Livermore Avenue. An additional approximately 0.5-acre stormwater detention basin is proposed along the southern boundary of the southwestern section of the Project site.

Please be advised that artificial water bodies such as lakes, reservoirs, ornamental ponds, and bioretention basins can create an attractive nuisance for both California tiger salamanders and California red-legged frogs. California tiger salamanders and California red-legged frogs have been documented to breed, or attempt to breed, in these aquatic features. This can result in amphibians becoming trapped or cause desiccation of eggs, larvae or adults and can be considered a form of "take." The EIR should analyze the potential impacts to amphibians caused by the proposed bio-retention basins and describe and implement bio-retention designs that avoid amphibian entrapment. The EIR should also include effective minimization and mitigation



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measures to offset any impacts of any newly constructed hydrological features to amphibian species that cannot feasibly be completely avoided.

### *Plants*

Botanical surveys described on p. 4.4-13 were conducted in compliance with the *Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities*, dated May 8, 2000. These guidelines have been superseded twice since 2000. The current protocol, *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities* (March 2018), replaces both the May 8, 2000 guidelines and *the Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities* (November 24, 2009). While use of the protocols is not mandated under code or regulation, the purpose of the protocols is to facilitate a consistent and systematic approach to botanical field surveys and assessments of special-status plants and sensitive natural communities so that reliable information is produced and the potential for locating special-status plants and sensitive natural communities is maximized; therefore, CDFW highly recommends using the most recent version.

### **Mitigation Measures**

#### *BIO-2 California tiger salamander*

The draft EIR BIO-2a requires pre-construction surveys for California tiger salamander and California red-legged frog “if construction commences during the wet season and active dispersal period for these species (between approximately October 16 and May 14, depending on the precipitation year).” The pre-construction surveys would “cover all aquatic habitat on and immediately adjacent to the Project site” that is suitable for dispersal.

CDFW considers BIO-2a to be highly inadequate to detect California tiger salamander for several reasons. First, California tiger salamanders spend much of their lives in underground retreats, often in burrowing mammal (ground squirrel, pocket gopher, and other burrowing mammal) burrows (U.S. Fish and Wildlife Service (USFWS) 2004). California tiger salamanders are only known to be active on the surface of the terrestrial habitat 1) during juvenile dispersal into the uplands and adult breeding during fall and winter rain events and 2) when metamorphs emerge from the pond in the spring and summer (Searcy and Shaffer 2011). Salamanders migrate and disperse over land (there is no evidence that they rely on aquatic habitat for dispersal) to and from breeding habitat. This is not a mass “one night” migration event but occurs over several months during both movement periods described above. Based on their life history, it is highly unlikely any salamanders would be found during this type of pre-construction surveys unless the surveys included actions such as, burrow excavation, pitfall traps and drift

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fencing over multiple seasons, as authorized under CESA. Further, immature salamanders may not migrate to a breeding pond and instead remain in the upland until they are sexually mature, which could be between 3-5 years, so they would be undetected in a pre-construction survey. Searcy and Shaffer 2011 used 15,212 capture events to estimate that 95% of California tiger salamanders are within 1867 meters (6125 feet) of their breeding pond. The Project site is within 1867 meters from at least six known or potential breeding ponds, so it is highly likely that California tiger salamanders are dispersed throughout the entire Project site. The EIR should therefore assume presence of California tiger salamander over the entire Project site and should require that the Project proponent obtain both federal and state take permits and provide compensatory mitigation for impacts to this species.

BIO-2b requires that CDFW and USFWS be notified within 48 hours if any life stages of California red-legged frog or California tiger salamander are found during surveys or construction monitoring. Biologists are required to monitor the amphibians to make sure they leave the site on their own. CDFW does not consider BIO-2b to be feasible. The Project site encompasses 410 acres over which a majority, if not all, is considered suitable habitat for these species. It is not likely a California tiger salamander or California red-legged frog would leave the site on its own unless they are migrating to a breeding site. Eggs and tadpoles would remain within breeding habitat for several months. BIO-2b, and other measures, note that handling of a listed species without a take permit pursuant to the federal ESA is not allowed, but fail to acknowledge that take, including moving out of harm's way, of a state-listed species, such as California tiger salamander, is also prohibited without a take permit pursuant to CESA.

BIO 2c limits construction and decommissioning within 200 feet of the stream channels to between May 15 and October 15. CDFW does not consider allowing work within 200 feet of a stream channel during the "dry season" as an adequate minimization or avoidance measure for either California tiger salamander or California red-legged frog since both species are known to disperse beyond 200 feet of aquatic habitat. As stated above, the EIR should assume presence of California tiger salamander (and California red-legged frog) over the entire Project site and should require, as a condition of approval in the EIR, that the Project proponent obtain federal and state take permits and provide compensatory mitigation for impacts to special-status species.

BIO-2d requires work within 200 feet of a stream channel to be limited to daylight hours to avoid impacts to California tiger salamander or California red-legged frog. California tiger salamander habitat is not limited to within 200 feet of a stream channel. California tiger salamanders have been documented breeding in slow-moving streams on rare occasions, but more commonly breed in vernal pools and stock ponds such as those found on adjacent sites. Since California tiger salamanders are known to be able to travel 1.3 miles from upland habitat to breeding ponds (and as described in our NOP

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comment letter), a more appropriate measure to minimize impacts would be limiting work within 1.3 miles of a potential breeding pond to daylight hours.

BIO-2f requires temporary exclusion fencing to be installed prior to October 15 to prevent any California tiger salamander or California red-legged frog from entering the Project site. Please be advised that installing fencing around the Project site could be a form of "take" if California tiger salamanders are present on-site. Improperly designed or installed exclusion fencing can result in tiger salamanders or red-legged frogs becoming trapped along the either side of the fence-line causing desiccation or predation. Any action that could cause take of California tiger salamander (such as trapping within an exclusion fence) must be authorized under appropriate federal and state permits. Any similar action that could cause take of California red-legged frogs must be authorized under appropriate federal permits.

BIO-2g requires a qualified biologist as defined by USFWS to survey the Project site prior to installation of temporary exclusion fencing and prior to construction. BIO-2g is inadequate as explained in BIO-2a and BIO-2b above.

BIO-2h requires a biologist to be on-site daily; however, daily monitoring can be reduced to weekly inspections at the discretion of the biological monitor once site grading has been completed "and no habitat/refugia is present for CRLF or CTS on the site." This measure implies the entire 410 acres of potential habitat will be removed during construction, which should be considered a significant impact and compensatory mitigation should be required. BIO-2h also requires scoping of burrows, which can be considered a form of "take" and should only be conducted under authorization from the proper permits. The last bullet under BIO-2h requires that, "[A] permitted biologist...be contracted to trap and move CRLF and CTS to nearby suitable habitat if they are found inside the project area and do not leave the project site of their own accord." CDFW is very concerned with such statements in the draft EIR especially given overall guidance on CESA was provided in the NOP letter for this Project. CDFW is also available to provide in-depth guidance on the CESA process on a pre-consultation basis. Moving state and federally listed species out of harm's way is considered a form of "take" and can only be authorized by an Incidental Take Permit. An Incidental Take Permit issued by CDFW allows an exception to the take prohibition in CESA if a permittee implements certain conditions of approval specified by CDFW that meet the standards for issuance. A "permitted biologist" can only use their state and federal permits for take as part of activities intended to foster the recovery of listed species (i.e., scientific research).

BIO-2j and BIO-2o require use of erosion control such as hay bales. Hay bales should not be used because hay can introduce non-indigenous seeds. Straw, made up of grassy stems, is usually the second cutting after the seed heads have been harvested for hay. Straw bales should be used in conjunction with other erosion control material.

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BIO-2q requires steep walled holes or trenches more than one foot deep to be covered at the close of each working day to prevent entrapment of animals. It is unlikely that California tiger salamanders can climb a steep wall more than 8 inches deep. Salamanders trapped in holes or trenches are susceptible to predation, desiccation, exposure, exhaustion, and death. Escape ramps alone should not be relied upon to prevent take of listed species because they may not have the energy or ability to use the ramp. Incidental Take Permits, issued by CDFW and USFWS, typically require the on-site biologist to immediately relocate any listed species covered under the Incidental Take Permits out of harm's way.

### *BIO-3 Burrowing Owl*

BIO-3a recommends maintaining the construction area in a manner that is inhospitable to burrowing owl such as keeping the site free of vegetation, ground squirrel control in a manner that would not harm San Joaquin kit fox, and maintaining regular site disturbance by construction equipment and personnel. Since ground squirrels and burrowing owls are attracted to sites with little or no vegetation, this is not an effective measure. Planting non-viable barley or other high growing grassy plants would discourage ground squirrels from establishing burrows; therefore, this measure should be revised to be more effective.

BIO-3b through 3e recommend pre-construction surveys, passive relocation, and compensatory mitigation of six acres per breeding pair. Since burrowing owls are dependent on burrows at all times of the year for survival and/or reproduction, evicting them from nesting, roosting, and satellite burrows may lead to indirect impacts or take. Depending on the proximity and availability of alternate habitat, loss of access to burrows will likely result in varying levels of increased stress on burrowing owls and could depress reproduction, increase predation, increase energetic costs, and introduce risks posed by having to find and compete for available burrows (CDFG 2012).

The Project may therefore adversely impact burrowing owl by resulting in nest abandonment, loss of young and reduced health and vigor of chicks (resulting in reduced survival rates), permanent and/or temporary loss of nesting and foraging habitat, and breeding and foraging disturbance through Project activities. To ensure impacts to burrowing owl are mitigated to less-than-significant levels, CDFW recommends inclusion of compensatory mitigation at a minimum of a 3:1 mitigation ratio (conservation to loss) for permanent impacts to habitat, and a 1:1 ratio for temporary impacts to burrowing owl habitats. Conservation lands should be placed under a conservation easement, an endowment should be funded for managing the lands for the benefit of the conserved species in perpetuity, and a long-term management plan should be prepared and implemented by a land manager. The Grantee of the conservation easement should be an entity that has gone through the due diligence process for approval by CDFW to hold or manage conservation lands.

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*BIO-5 San Joaquin kit fox*

BIO-5 measures require consultation with and notification for USFWS. San Joaquin kit fox are state listed as well, so CDFW must also be contacted.

BIO-5c(b) and (c) require inspection of trenches, holes or pipes for trapped animals prior and notification to USFWS and CDFW if a San Joaquin kit fox is trapped or injured. Trapping or injuring a state and federal listed species could be considered a form of take and can only be authorized by Incidental Take Permits. An Incidental Take Permit issued by CDFW allows an exception to the take prohibition in CESA if a permittee implements certain conditions of approval specified by CDFW that meet the standards for issuance. BIO-5b(b) refers to measure (l) but should be measure (j). As stated elsewhere in this letter, CDFW strongly recommends that the Project proponent obtain take coverage for CESA-listed species.

BIO-5c(g) restricts the use of rodenticides, herbicides, poison baits or other substances potentially harmful to San Joaquin kit fox but later recommends the use of zinc phosphide due to a “proven” lower risk to kit fox. Neither the measure nor the Biological Resources Technical Report (Appendix E) provide a reference for this assertion. Measure BIO-7b states rodenticides shall not be used on the Project site and only raptors and non-chemical control will be used. According to [University of California, Pest Notes, Publication 74106](#), zinc phosphide is considered a rodenticide. CDFW recommends revising BIO 5c(g) to prohibit the use of rodenticides and using non-chemical control to encourage the use of raptors or non-chemical control if necessary.

BIO-5c(j) provides phone numbers for CDFW and USFWS. The CDFW contact information should be for the CDFW Bay Delta Region staff from the Regional Office located in Fairfield, California.

BIO-5d requires food-related trash to be disposed of in closed containers and removed from the site weekly. BIO-7c requires trash, including “micro-trash” to be removed “regularly” during operations. CDFW recommends revising BIO-5d and BIO-7c to include daily collection of all plastic trash, including water bottles and plastic bags.

BIO-5k requires USFWS and CDFW to be notified within three working days of a San Joaquin kit fox being killed or injured as a result of Project-related activities. USFWS and CDFW should be notified immediately if a San Joaquin kit fox is found dead or injured on the Project site or as a result of Project related activities. Specific notification requirements would also be included in Incidental Take Permits.

*BIO-7 Avian*

BIO-7f requires an Avian Monitoring Plan (AMP) to assess and monitor the potential for avian collisions with solar panels on the site. The AMP would include methods to install

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visual deterrents or cues to encourage bird avoidance of the Project site. The associated monitoring is only required for 12 consecutive weeks for three consecutive years. CDFW recommends reviewing AMPs or Bird and Bat Conservation Strategies from similar PV solar projects to develop an AMP with the best available information. For example, Walston 2016, *et.al.* recommend the following be considered when developing standardized inventory and monitoring protocols at utility-scale solar energy facilities:

- Distribution of habitat, species, and resources on the site and in adjacent areas
- Importance of
- Project area relative to local, landscape, and region
- Resident and migrant use of site and surroundings
- Seasonal patterns of use
- Daytime versus nighttime effects
- Effects of Project on resident and migratory species
- Direct, indirect, and cumulative effects
- Role of predators in carcass persistence and transport (on and off the facility)
- Use of indicator species to represent different categories of species
- Focus on statistically robust data collection rather than incidental or ad hoc reporting

CDFW recommends the AMP be provided to USFWS and CDFW for review, comment, and approval.

#### *BIO-8 Streambed Alteration*

Appendix C, Sheet 7, of the draft EIR shows an underground electrical crossing at Crossing 2. Any underground crossing, including trenching or Horizontal Directional Drill will require notification under of an LSA Agreement under Fish and Game Code section 1600 et seq.

BIO-8b requires compensatory mitigation for impacts to State and CDFW jurisdictional waters that cannot be avoided. One type of compensatory mitigation suggested is purchasing mitigation credits from an approved mitigation bank at a 1:1 ratio. Please be advised that there are currently no banks with credits available for stream impacts. Furthermore, permanent impacts to a stream require compensatory in-kind mitigation closer to 3:1 ratio in most cases.

#### *Incidental Take Permit*

As stated in this letter, due to the potential presence of CESA-listed species within and surrounding the Project area and the potential for Project-related take, including but not limited to, installation of exclusion fencing, grading, trenching, construction and operation of sediment basins and use of water trucks, CDFW advises that the Project

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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 EIR should specify impacts, mitigation measures, and fully describe a mitigation, monitoring and reporting program.

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>.

## 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 draft EIR 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: Office of Planning and Research, State Clearinghouse  
Ryan Olah, U.S. Fish and Wildlife Service – [Ryan\\_Olah@fws.gov](mailto:Ryan_Olah@fws.gov)

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Monday, November 2, 2020 8:28 AM  
**To:** Erin Gustafson  
**Subject:** FW: Please support the solar projects in North Livermore Valley!

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Monday, November 2, 2020 7:00 AM  
**To:** Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: Please support the solar projects in North Livermore Valley!

---

**From:** Terry Walsh <[tswalsh54@gmail.com](mailto:tswalsh54@gmail.com)>  
**Sent:** Sunday, November 1, 2020 10:29 AM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Cc:** [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org) <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>  
**Subject:** Please support the solar projects in North Livermore Valley!

Dear Mr. Young,

I am a long-time Bay Area resident and I am writing today to express my support for the two solar projects proposed for the North Livermore Valley. These well-designed projects will provide electricity for over 25,000 local homes and businesses

California and Alameda County are already well on their way to maximizing rooftop solar penetration, but rooftop solar alone is not sufficient to meet our ambitious renewable energy and greenhouse gas reduction goals. The CPUC estimates that over 100 gigawatts of utility-scale solar is needed for California to become carbon neutral. In addition, rooftop systems cost 4 to 6 times as much as utility-scale systems.

So please, please, please allow these projects to be built. Our time to **address the Climate Crisis** is rapidly running out.

Regards,  
Theresa Sweeney Walsh

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

## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Monday, November 2, 2020 8:28 AM  
**To:** Erin Gustafson  
**Subject:** FW: Support for North Livermore Valley Solar

---

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Monday, November 2, 2020 6:59 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Fw: Support for North Livermore Valley Solar

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**From:** Pat Walsh <[kahunawalsh@gmail.com](mailto:kahunawalsh@gmail.com)>  
**Sent:** Sunday, November 1, 2020 3:03 PM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Cc:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org) <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>  
**Subject:** Support for North Livermore Valley Solar

Dear Mr. Young,

*I am writing you today to ask for your support for the proposed solar projects in North Livermore. The truth is, our world is warming very rapidly, and unless we stop polluting the atmosphere with green house gases, primarily carbon dioxide and methane within the next decade, it will be too late to stop it.*

*Large local solar projects with storage capabilities are currently one of the best solutions for providing reliable, cost effective, and emissions free electricity. With the increase in utility outages due to the increase in state wide wild fires, it is increasing important to have locally produced, reliable clean energy for our community.*

*I realize that there is some opposition to these projects, primarily from a few north valley landowners. And it may not be a popular stance to come out in support of them. But frankly if these folks truly understood the danger we, and every living thing on this planet is in from a warming atmosphere, there would be no opposition to these projects.*

*Will it alter the view for some people living in the north valley? To some extent, but the developers of these projects have expressed a strong desire to work with local landowners to minimize any visual impacts. Will local wildlife be impacted? Not really, most of this land has been used for cattle grazing for decades. The question that we should be asking is what will our valley look like and what will happen to wildlife as temperatures continue to rise?*

*It will require wide-ranging actions and collaboration to have a meaningful impact on Climate Change. Approval and completion of these well thought out projects is one action we can take right here and right now. Will you please use your voice to build the collaborations and take the actions needed to get these projects approved and built?*

*Thank you for your help on this issue.*

*Respectfully,*

*Patrick James Walsh*

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



November 1, 2020

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

**RE: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR ARAMIS SOLAR ENERGY GENERATION AND STORAGE PROJECT (PLN2017-00174)**

Dear Mr. Young and Planning Department,

On behalf of our client Save North Livermore Valley, we respectfully submit these comments to ensure that the Alameda County Planning Department ("County") fully complies with the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 *et seq.*, and the CEQA Guidelines, California Code of Regulations, title 14, § 15000 *et seq.* ("CEQA Guidelines") with respect to the County's draft environmental impact report ("DEIR") for the utility-scale Aramis Solar Energy Generation and Storage Project ("Project") (PLN2017-00174) a 410-acre industrial facility proposed outside of the County's urban growth boundary in violation of Measure D ("Project"). After carefully reviewing the DEIR, we have provided numerous substantive comments and concluded that, for multiple reasons, the DEIR fails to comply with CEQA and must be recirculated.

CEQA requires recirculation "[w]hen significant new information is added to an environmental impact report" following the comment period. Pub. Res. Code § 21092.1. The County may not rely on a draft report "that hedges on important environmental issues while deferring a more detailed analysis to the final [EIR] that is insulated from public review." *Mountain Lion Coalition v. California Fish and Game Comm'n* (1989) 214 Cal.App.3d 1043, 1052. Given the CEQA errors noted above, the DEIR requires significant revision and recirculation to allow the public a fair opportunity "to test, assess, and evaluate the data and make an informed judgement as to the validity of the conclusions to be drawn therefrom." *Sutter Sensible Planning, Inc. v. Board of Supervisors of Sutter County* (1981) 122 Cal.App.3d 813, 822. Failure to recirculate will necessarily expose the County to clear and avoidable CEQA liability.

**The DEIR Fails to Adequately Analyze the Project's Conflicts with Measure D.**

In 2000, the Alameda County electorate approved Measure D, the Save Agricultural and Open Space Lands initiative, which established an urban growth boundary "to preserve and enhance agriculture and agricultural lands" in unincorporated eastern Alameda County and to "focus urban-type development in and near existing cities where it will be efficiently served by public facilities." The stated purpose of Measure D was "to remove the County government from urban

development outside the Growth Boundary.” The Project, which proposes to industrialize agricultural land outside of the Measure D growth boundary violates Measure D in many respects. These conflicts, however, are obscured by the DEIR, which only reviews Measure D and its urban growth boundary in passing and fails to undertake any meaningful analysis of the Project’s consistency with Measure D or its many revisions to the to the goals, policies, and programs set forth in the East County Area Plan (“ECAP”) that serves as the general plan governing future use of the Project site. As such, the DEIR fails as an informational document because it omits analysis necessary to permit those who did not participate in the preparation of the DEIR to fully understand the full scope of the Project’s environmental effects.

The EIR is “the heart of CEQA.” and provides an “environmental ‘alarm bell’ whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return.” *Laurel Heights Improvement Ass’n v. Regents of the Univ. of Cal.* (1998) 47 Cal.3<sup>rd</sup> 376, 392 (“*Laurel Heights*”). An EIR is intended to demonstrate that the lead agency “has, in fact, analyzed and considered the ecological implications of its action.” *Id.* The DEIR, however, fails to fully and accurately inform the public and decision makers of the Project’s environmental consequences and ways to mitigate those consequences and thus fails to achieve CEQA’s fundamental purpose. To comply with the law, the County must revise the DEIR to cure the CEQA errors identified below, and it must recirculate the revised draft so that the public and decision makers have a fair opportunity to assess the full scope of the Project’s environmental harms.

#### **The DEIR Fails to Adequately Analyze the Project’s Impact on Agricultural Resources.**

One-hundred and one (101) acres of the 410-acre Project site are restricted to agricultural use by contract entered into pursuant to the California Land Conservation Act, Government Code § 51200 et seq., commonly known as the “Williamson Act.” Nevertheless, the DEIR determines that the Project would not conflict with this Williamson Act contract despite covering part of the Project site with solar panels and related industrial uses. In making this determination, however, the DEIR ignores key requirements of the County’s Williamson Act Uniform Rules and Procedures (“Uniform Rules”) that preclude development on contracted land at the scale proposed by the Project. As such, the DEIR’s determinations under Impact AG-2 are not supported by substantial evidence.

#### **Williamson Act**

The Williamson Act was adopted as a legislative response to the rapid development of agricultural land and disorderly development patterns throughout the state, the same concerns that motivated the County’s electorate to approve Measure D. The Williamson Act authorizes cities and counties to enter into land conservation contracts with private landowners for the purpose of restricting parcels to commercial agricultural or open space in exchange for a guaranteed reduced property tax assessment. As recognized by the Supreme Court in *Sierra Club v. City of Hayward* (1981) 28 Cal.3d 840, 850 (“*Hayward*”), the Williamson Act’s preferential property tax treatment is constitutionally permissible only because agricultural land under contract is “enforceably restricted, in a manner specified by the Legislature,” as required by Article III, Section 8, of the California Constitution. *Id.* However, “[i]n order to deny the tax

benefits of the act to short term speculators and developers of urban fringe land and to ensure that the constitutional requirement of an 'enforceable restriction' is met ... judicial vigilance is needed to prevent frustration of the land preservation goals of the Williamson Act." *Hayward* at 851, 860.

Consistent with the Williamson Act's legislative purpose, the Alameda County Uniform Rules and Procedures ("Uniform Rules") provide that non-agricultural uses, such as solar panels, are authorized as a compatible use of contracted agricultural land only in very limited circumstances. Specifically, Uniform Rule 2(II)(E)(3)(a) provides that solar panels may be placed on contracted land only when installed on the roofs of otherwise compatible buildings or when installed on the ground by means of removable mountings. Furthermore, per Uniform Rule 2(I)(B)(3)(c), solar panels – whether roof mounted or ground mounted - are only permitted on contracted land if they are "cumulatively restricted to no more than 10% of the contracted property, or 10 acres, whichever is less." Uniform Rule 2(II)(E)(3)(b) further clarifies that, when making the Uniform Rule 2(I)(B)(3) acreage calculation for ground-mounted solar improvements, "the area covered by the solar panels is calculated as part of the cumulative total acreage allowed for compatible non-agriculture uses."

### **Project Does Not Count the Actual Solar Panels**

In undertaking the Uniform Rule 2(I)(B)(3)(c) acreage calculation for the Project, the DEIR does not take into account the area covered by the actual solar panels (as opposed to their related supports and infrastructure) as is required by Uniform Rule 2(II)(E)(3)(b). Had the DEIR faithfully applied Rule 2(II)(E)(3)(b), it would have determined that the Project's 38 acres that are subject to the Williamson Act would cover approximately 38 percent (38%) of the contracted parcel, far exceeding the 10% or 10acre coverage limitation imposed by Uniform Rule 2(I)(B)(3)(c). Instead, the DEIR ludicrously concludes that the Project's "non-agricultural uses" would "amount to approximately about 2.60 acres" (DEIR, P. 4.2-9).

Again, the disingenuous method used by the DEIR to arrive at the 2.60 acres is to exclude from the Project's non-agricultural use category, the area covered by the solar panels themselves as follows: "the ground below the modules remains undeveloped and allows for concomitant grazing" (DEIR P. 4.2-6). As a result of the DEIR's use of this disingenuous method, the DEIR's determination that the Project will not directly or cumulatively conflict with a Williamson Act contract, fails to proceed in a manner required by law and is not supported by substantial evidence. Moreover, if the Project is approved as contemplated by the DEIR, the owner of the contracted parcel will take advantage of the Williamson Act's preferential tax treatment while simultaneously reaping lease revenues for an industrial solar facility that covers nearly 40% of the contracted parcel, an economic windfall that runs afoul of the Williamson Act and its constitutional underpinnings.

The DEIR's claim that the ground below the solar panels allows for grazing is a cynical attempt to justify its non-compliance with the Uniform Rules on the basis that agricultural production will occur on the Project site during Project operations. There is no substantial evidence in the record to support this conclusion and, if it were supported, it would not excuse the Project's noncompliance with Uniform Rule 2(I)(B)(3)(c). Uniform Rule 1(II)(C)(3) specifically provides

that, to maintain eligibility under a Williamson Act contract, “the contracted land must meet minimum annual revenue requirements.”

We do not concede to the DEIR’s determination that the Project site is non-prime farmland, but for non-prime land that is at least 40 acres in size, like the Project site, the land must be used for dryland farming, grazing of livestock or livestock production, and “must yield ‘some’ gross annual revenue as substantiated by Schedule F ... of the federal tax returns or other relevant tax form filed in 3 of the past 5 years” and “at least 60% of the property must be used for commercial agriculture.” Uniform Rule 1(II)(C)(1) defines the term “commercial agriculture” to mean “the production and sale of agriculture commodities” and defines the term “agricultural commodities” to mean “unprocessed plant and animal products of farms, ranches, production nurseries and forests.” The DEIR avers that the Project proposes to contract with an unnamed third-party sheep grazing outfit for landscape and weed management, as follows: “Throughout project operation, the project site would remain in agricultural use through sheep grazing and planting and maintaining honeybee forage” (DEIR, P. 4.2-6). The DEIR also claims that “the project operator would work with commercial beekeepers to promote pollination services in the surrounding area and honey production on-site” (DEIR, P. 4.2-10). The DEIR implies that the sheep weed abatement and potential honey production satisfy the requirements of Uniform Rule 1(II)(C)(3). But there is no evidence demonstrating that the proposed sheep landscaping contract, the bee pollination, or honey production (none of which is an enforceable condition of Project approval and thus illusory) will result in “the production and sale of agricultural commodities” that will generate “some” gross annual revenue for the Project site landowner, as required by Uniform Rule 1. Without such evidence, the DEIR’s determination that the Project will not conflict with a Williamson Act contract is entirely unsupported and in violation of CEQA.

It is telling that all the way back in April, 2020, the Alameda County planner assigned to the Project communicated to the project applicant’s representative, Marisa Mitchell, a Principal at Intersect Power (“Intersect”), that he did not believe that the Project would be considered consistent with the Williamson Act.

**“[t]he biggest concern though with a proportionally modest portion of the site – the Williamson Act Contract with the Stanley Ranch. I strongly suspect that it (the Project) will not be deemed a ‘compatible use’ with the WAC, but it might be left as it stands for now”<sup>1</sup>**

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<sup>1</sup> April 21, 2020 email from Alameda County Planner Andrew Young to Marisa Mitchell, Principal at Intersect Power, attached hereto as Exhibit 1.

In June 2020, County Planning staff was still expressing serious doubt about the Project making a credible argument that the sheep weed abatement and beekeeping around the industrial solar infrastructure would be an agricultural use consistent with Uniform Rule 1.

**“I’ve never hear of an example of being keeping being considered an agricultural use, perhaps if a commodity such as honey was produced, but it seems unlikely that production could be at a level that would meet one of those thresholds.”<sup>2</sup>**

Elizabeth McElligott, the County planner quoted above, notes that there is, in fact, a “production” requirement under Uniform Rule 1. So, it’s clear that the County, which wrote the DEIR, understands that agriculture production information must be included in order to prove conformity with Uniform Rule 1. Once again, without such evidence, the DEIR’s determination that the Project will not conflict with a Williamson Act contract is entirely unsupported and in violation of CEQA. County staff knows this.

The DEIR also fails to analyze the impact of the reduction of agricultural use inherent in the conversion of open pasture and cattle grazing agricultural land to non-agricultural solar utility use and sheep grazing, including the different impacts between sheep grazing and cattle grazing, and the loss of open pastures for cattle grazing. Furthermore, the DEIR fails to analyze the cumulative impact of converting open pasture and cattle grazing agricultural land to non-agricultural solar utility use and the impact of sheep grazing on the proposed Project’s 410 acres, and the adjacent proposed Sunwalker project’s 71 acres.

Finally, the regulatory setting discussion of DEIR Chapter 4.2, Agriculture and Forestry Resources, lists 13 EACP policies that apply to the Agriculture and Forestry Resources elements of the Project and are relevant to the DEIR’s analysis of the Project’s agricultural impacts. But the DEIR fails to analyze the Project’s consistency with any of these policies. The Project is inconsistent with all of the listed EACP policies and the DEIR’s failure to consider this impact denies the public a fair opportunity to meaningfully consider the full scope of the Project’s potential agricultural impacts in violation of CEQA.

The DEIR must be revised to accurately describe the Project (including the size of the proposed solar panels and the amount of land they cover), to calculate the Project acreage in accordance with Uniform Rule 2, and to reassess the Project’s potential to conflict with a Williamson Act contract. This analysis should also meaningfully analyze Project compliance with Uniform Rule 1 and its eligibility rules. The project description should also be supplemented to include required information about the status of the Williamson Act contract at issue (i.e., who are the parties, when it was executed, whether it includes any site-specific use restrictions or other relevant conditions, whether a notice of non-renewal has been filed by any contracting parties) and the status, area, and boundaries of the agricultural preserve in which the Project Site is located, all of which information is required to fully assess the Project’s direct, indirect, and cumulative impacts related to the Williamson Act. The DEIR must then be recirculated for additional public review in accordance with Public Resources Code section 21092.1.

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<sup>2</sup> June 11, 2020 email from Alameda County Planner Elizabeth McElligott to Andrew Young, attached hereto as Exhibit 2.



**The DEIR's Determination that the Project is Consistent with the East County Area Plan and Applicable Zoning Is Not Supported by Substantial Evidence.**

The proposed Project would be located in the North Livermore Intensive Agriculture Area ("Area"), outside the County Urban Growth Boundary, on parcels designated by the East County Area Plan ("ECAP") as *Resource Management (RM)* (22 acres), *Water Management (WM)* (21 acres), and *Large Parcel Agriculture (LPA)* (367 acres). All of the Project parcels are subject to policies enacted by the voter-approved Measure D designed "to preserve and enhance agriculture and agricultural lands, and to protect the natural qualities, the wildlife habitats, the watersheds and the beautiful open spaces of Alameda County from excessive, badly located and harmful development." ECAP, p. ii, Provisions Of The Initiative, Section 1. Measure D redesignated areas outside of the Urban Growth Boundary from Urban Reserve to LPA, "subject to the minimum parcel size, density, maximum development envelopes, building intensity, permissible uses and other restrictions." ECAP, p. iii, Provisions Of The Initiative, Section 5. Measure D is clear that the purpose of the Area is "to permit and encourage cultivated agriculture," but even that is to be done "without unduly impairing the open, natural qualities of the area." ECAP, p. 78

The DEIR incorrectly claims, without evidence, that the proposed Project is partially consistent with the RM, and consistent with the WM and LPA land use designations. The proposed Project would develop a 410 acre solar industrial facility connected to a power grid. The vast majority of the Project would be located in the LPA, which promotes *cultivated agriculture* in, *open, natural qualities* of, or the uses permitted in the North Livermore Intensive Agriculture Area. Solar industrial facilities are not consistent with the promotion of *cultivated agriculture* or *open, natural* spaces.

Below is an unvarnished assessment of the Project's fundamental inconsistencies with the ECAP and zoning from Alameda County Planner Bruce Jensen, who wrote the Land Use section of the DEIR:

**"I absolutely disagree that this project, especially considering its size, is in conformance with the ECAP policies or the zoning ordinance, or is it compatible with ag in general. Nothing in the document anticipates a land use of this magnitude across North Livermore or Mountain House, and in fact, must be read so loosely as to ignore the spirit and intent of the policies. Their analysis does not pass the laugh test for me. It needs a Significant Unavoidable (SU) designation."**<sup>3</sup>

The published language in Mr. Jensen's DEIR Land Use section (4.11) is significantly watered-down and more subtle than his August 2020 email, but it is clear from Mr. Jensen's email and other correspondence among Mr. Jensen, Alameda County Planning Director Albert Lopez and two other County Planners working on the DEIR – Elizabeth McElligott and Andrew Young –

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<sup>3</sup> August 13, 2020 email from Alameda County Planner Bruce Jensen, CDA, to Alameda County Planning Director Albert Lopez, and Alameda County Planners Elizabeth McElligott and Andrew Young, attached hereto as Exhibit 3.

that they do not believe the Project is consistent with the ECAP or zoning. Below are just two examples.

**Alameda County Planning Director Albert Lopez:** “In my view, the RM and WM are to be protected from uses that alter the land (some ag uses excepted of course).”<sup>4</sup>

**Alameda County Planner Bruce Jensen:** “The people who wrote the RM and WM definitions never had solar in mind, clearly.”<sup>5</sup>

On April 10, 2020, Albert Lopez emailed Aramis Project Applicant and Intersect Power Principal, Marisa Mitchell, to inform Ms. Mitchell that the County would not agree to interpret the ECAP to allow solar panels in the RM or WM as follows: “We stand by our earlier statement that we would not support panels on the RM or WM area....I think what you want to do is explore, in an DEIR alternatives section, that despite the RM or WM designations, the project is protective of resources and worthy of consideration.”<sup>6</sup>

As will be explained below, the County maintained its position on the RM designation, but without citing evidence, caved on the WM, designation, wrongly stating in the DEIR that the Project would not conflict with the WM designation because, “the water quality and floodplain attributes of the WM designation would be maintained....” (DEIR p. 4.11-10).

As noted above, the DEIR ultimately concludes that the Project’s only land use inconsistency is with the RM designation. And, the DEIR’s ES-44 Executive Summary notes in LUP-2 that no feasible mitigation measures have been identified to reduce the impact to a less-than-significant level, and that the significance with mitigation is “Significant and Unavoidable.”

### **General Plan Amendment**

As we show below, with respect to the WM and LPA designations, the DEIR also should have identified land use conflicts. In addition, the DEIR should have examined the only CEQA mitigation that would make sense when a project is inconsistent with a General Plan: Amend the General Plan. Staff appears to have decided not to include this obvious General Plan amendment mitigation in the DEIR, believing that it would be challenging to accomplish. But, in doing so, staff created a DEIR that violates CEQA because it does not list all possible mitigations. Correspondence among staff indicates that they were aware of the General Plan amendment mitigation and chose not to include it: “The only other way to back off our well-established brick-wall position that RM and WM are, based on the language, off-limits to this type of development, is set a \*new precedent\* that says a project can mitigate it way out of

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<sup>4</sup> April 9, 2020 email from Alameda County Planning Director Albert Lopez to Bruce Jensen, Elizabeth McElligott and Andrew Young, attached hereto as Exhibit 4.

<sup>5</sup> April 23, 2020 email from Bruce Jensen to Albert Lopez and Andrew Young, attached hereto as Exhibit 5.

<sup>6</sup> April 10, 2020 email from Alameda County Planning Director Albert Lopez to Marisa Mitchell, attached hereto as Exhibit 6.

incompatibility (and thus a voter-approved GP amendment) with enough measures of the ‘right kind....’”<sup>7</sup>

The WM permits, “sand and gravel quarries, reclaimed quarry lakes, watershed lands, arroyos, and similar compatible uses. And the LPA designation “permits agricultural uses, agricultural processing facilities (for example wineries, olive presses), limited agricultural support service uses (for example animal feed facilities, silos, stables, and feed stores), secondary residential units, visitor-serving commercial facilities ( by way of illustration, tasting rooms, fruit stands, bed and breakfast inns), recreational uses, 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.”

No provision of Measure D authorizes industrial solar facilities on RM, WM or LPA lands. Indeed, Measure D specifically deleted from the ECAP a provision that would permit “industrial uses appropriate for remote areas and determined to be compatible with agriculture” within the RM, WM and LPA designations. Measure D, P. 8. Thus, the DEIR’s determination that the Project is mostly consistent with the ECAP and its RM, WM and LPA designation is contrary to the express terms of the ECAP, as amended by Measure D.

Measure D specifically controls development activity in the North Livermore Intensive Agriculture Area, and decreed that uses permitted by the Measure “may not be increased.” ECAP, p. iii. Furthermore, Measure D is very clear that, future changes **require a “vote of the people of Alameda County.”** ECAP, p. vii, Section 23. In fact, Measure D expressly limits the Board of Supervisors authority to authorize new or expanded land uses outside of its Urban Growth Boundary without a prior vote of the electorate.

[T]he Board of Supervisors may impose further restriction on development and use of land. The Board may also make technical or nonsubstantive modifications to the terms of this ordinance, to the extent the terms are incorporated into the East County Area Plan, the Castro Valley Plan, the General Plan for the Central Metropolitan-Eden-and Washington Planning Units, or the Open Space Element of the General Plan for purposes of reorganization, clarification or formal consistency within a Plan. Any modifications must be consistent with the purposes and substantive content of [Measure D].

*Id.* Recognizing industrial solar facilities as an additional use in the North Livermore Intensive Agriculture Area and/or its RM, WM or LPA designations would be neither a *technical* nor *nonsubstantive* modification to the Measure D requirements. Additionally, the approval of industrial solar facilities as a permitted use would not be consistent with the purposes and substantive content of Measure D. Finally, Measure D by design made the land use policies for the RM, WM and LPA more restrictive, and, in amending the ECAP, expressly declared that any subsequent amendment of the ECAP that is inconsistent with Measure D is automatically “superseded and nullified.” ECAP, p. vi. The Board of Supervisors clearly has not incorporated modifications into the ECAP adding industrial solar facilities as a permitted use; and

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<sup>7</sup> April 23, 2020 email from Bruce Jensen to Planner Andrew Young and Planning Director Albert Lopez, attached hereto as Exhibit 7.

furthermore, the Board of Supervisors could not, consistent with the *purposes and substantive content* of Measure D, modify the ECAP to add industrial solar facilities as a permitted use within the RM, WM or LPA designations without a prior vote of the electorate.

Despite failing to analyze whether the Project is consistent with applicable policies and programs of the ECAP, the DEIR broadly references two solar project approvals (one, 11-acre and another 60-acre) of solar projects in a different area of East County (neither of which was ever built) to argue that utility scale solar energy facilities generally are considered comparable to windfarms and related facilities, utility corridors and similar uses compatible with agriculture (DEIR p. 4.11-9). We examine this faulty argument in the *A-Agricultural* zoning discussion below.

### **Water Management**

The WM permits, “sand and gravel quarries, reclaimed quarry lakes, watershed lands, arroyos, and similar compatible uses. And the LPA designation “permits agricultural uses, agricultural processing facilities (for example wineries, olive presses), limited agricultural support service uses (for example animal feed facilities, silos, stables, and feed stores), secondary residential units, visitor-serving commercial facilities ( by way of illustration, tasting rooms, fruit stands, bed and breakfast inns), recreational uses, 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.”

Without any supporting evidence the DEIR concludes that solar industrial facilities are consistent with the WA because, “the water quality and floodplain attributes of the WM designation would be maintained....” (DEIR p. 4.11-10). This unsupported conclusion is contrary to what the Alameda County Development Agency wrote in the Notice of Preparation for the Project, as follows: “Broadly speaking, the County considers the WM designation suited to established quarries and their highly-regulated reclamation plans and specialized permits, and not meant for large scale solar facilities” (Notice of Preparation – Environmental Impact Report Aramis Solar Energy Generation and Storage Project / PLN2017-00174, May 4, 2020, p. 3).

### **Large Parcel Agriculture**

Without any supporting evidence, the DEIR concludes that solar industrial facilities “would be consistent the LPA land use designation and the intensive agricultural uses allowed in the North Livermore area,” because the Project includes, “solar arrays, vegetation, compacted direct and graveled access roads, and concomitant agricultural uses....” (DEIR p. 4.11-10).

Contrary to the DEIR’s sweeping conclusion, the ECAP includes general policies and programs for LPA designated areas related to priority for agricultural operations and cultivated agriculture, appropriate developments and appropriate locations, preservation of continuous open space, and retaining rangeland and commercially viable grazing, as well as for reducing the visual impacts of new development. The DEIR fails to analyze whether the proposed Project may present a significant conflict with such applicable ECAP policies. We conclude that the Project does, in fact, present a significant conflict with the relevant ECAP policies. In addition to the Project-ECAP inconsistencies analyzed in the body of this letter, see Attachment A for a summary analysis of the Project’s inconsistency with other ECAP policies, including but not limited to the

following: Nos. 13, 52, 53, 56, 70, 81, 87, 89, 93, 114, and 326. Moreover, the proposed industrial solar facility would blanket the project site, and is thus unlike linear utility corridors, which are either located underground or above the surface supported by well-spaced towers that do not cover the affected parcel. Nor is the proposed industrial solar facility like wind turbines which also do not cover the affected parcel and are necessarily spaced to avoid turbine blade conflicts. Finally, by the terms and conditions of the County's own agricultural regulations, an industrial solar facility like that proposed by the project and which covers more than 10 acres, or 10% of the affected parcel is by definition incompatible with agricultural uses, as discussed above.

The DEIR also makes the unsupported determination that the Project complies with the LPA designation's FAR restrictions because industrial solar improvements do not qualify as "structures," and, even if they were structures, would not exceed the FAR restrictions because the DEIR only considers the footprint of the solar array mounting structures and ignores the area that would actually be covered by the solar panels. This unsupported interpretation of the ECAP, however, leads to the absurd result that any industrial facility can meet the ECAP's strict FAR restrictions simply by being built on stilts. This tortured construction of the terms and conditions of the ECAP is in clear violation of Measure D.

Moreover, the DEIR only partially considers Project compliance with LPA policies of the ECAP, and fails to consider the Project's consistency with any other elements of the General Plan. As an example, the DEIR fails to consider the Project's consistency with the General Plan's Open Space Element, which identifies the Project site as "Agricultural Open Space," a category of open space that is "designated for permanent retention." Open Space Element Part 1: Open Space Policies, p. 4. The Open Space Element's "Principles for Agricultural Open Space" also mandate that "[a]gricultural areas should be free of urban type development with dwellings only permitted for those persons involved in agricultural production." *Id.* at 13. The DEIR fails to assess the Project's consistency with these General Plan provisions. These DEIR omissions deny those who did not participate in the DEIR's preparation the ability understand and consider meaningfully all of the planning issues raised by the Project in violation of CEQA. *Sierra Club v. County of Fresno* (2018) 6 Cal.5<sup>th</sup> 502, 515-516.

### **Zoning**

The DEIR's determination that the Project is consistent with the *A-Agricultural* zoning designation is also bereft of analysis and is not supported by substantial evidence. In fact, industrial solar facilities are not listed as permitted or conditionally permitted uses in the *A-Agricultural* zoning district (see Alameda ACCO Sections 17.06.030, 17.06.035, and 17.06.040). To justify its determination that the Project complies with applicable zoning, the DEIR instead relies on vaguely-described prior determinations of the Planning Commission that industrial solar facilities are a conditionally permitted use within the *A-Agricultural* zoning district (DEIR, p. 4.11-11). But those prior determinations were made in conjunction with the issuance of quasi-judicial administrative approvals (*i.e.*, conditional use permits) requested by unrelated projects located in different areas of the County.

There is no legal authority allowing the County to apply the quasi-judicial administrative determinations specific to a prior project as if it were a legislative mandate broadly applicable

throughout the *A-Agricultural* zoning district. And, County planning staff, which drafted the DEIR, acknowledged that they were not clear about the law when reaching the conclusion that solar industrial facilities were, categorically, a conditionally-permitted use in the *A-Agricultural* zoning. But that did not stop them from reaching that very important conclusion in the DEIR. “I could not really determine if the Zoning Ord. direction on the process with the Planning Commission determining suitability of non-Ordinance defined or regulated uses had to be done over and over each time” said Planner Andrew Young.<sup>8</sup> Mr. Young’s reference to “over and over each time” underscores the fundamental error the County made in extending a Planning Commission determination on one project to a County-wide zoning amendment. As is explained below, such an interpretation does not square with State law.

Mr. Young’s uninformed and mistaken interpretation raises serious constitutional procedural due process and equal protection concerns with regards to property owners throughout the *A-Agricultural* zoning district who were never given specific notice or an opportunity to be heard in those prior quasi-judicial administrative proceedings and who were never told in advance that the County would thereafter treat the quasi-judicial determinations made in those proceedings as legislative pronouncements with broad applicability.

## Findings

Not only were property owners denied notice, the Planning Commission never even made findings regarding their purported determinations that industrial solar facilities are a conditionally permitted use within the *A-Agricultural* zoning district, so it is unclear to anyone who was not in attendance at the relevant Planning Commission hearings, what the Commission actually determined. Relevant staff reports are not clear and the minutes of the meeting are sparse. Staff emails show that they were also unclear about whether the Planning Commission needed to make findings. “[w]ill it be reasonable...to say that no ‘findings’ were required by the Determination other than the Staff report and the minutes of the hearing?” asks Mr. Young, in a June 8, 2020 email. “There was no Resolution and as far as I know, Determinations don’t require findings.”<sup>9</sup>

Based on the DEIR, it’s apparent that someone believed that findings were necessary. The DEIR claims that “Alameda County ***made findings*** in 2008 pursuant to Sections 17.54.050 and 17.54.060 (Determination of Use) (DEIR p. 4.11-11).

Unfortunately, the DEIR is incorrect. As noted above, the Planning Commission should have made findings as part of its June 16, 2008 determination of use as is stated in the DEIR, but it did not. Instead, the Planning Commission merely voted to approve a staff report. The report, among other things, said that an industrial solar project – which, unlike Aramis, did not include Battery Storage (GreenVolts) – applied for a conditional use permit (“CUP”) and should receive the permit. No where did the staff report state that the Planning Commission determination on the CUP for the one project would mean that all future industrial solar project applications going forward would be reviewed as conditional use permits.

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<sup>8</sup> May 1, 2020 email from Planner Andrew Young to Bruce Jensen and Albert Lopez, attached hereto as Exhibit 8.

<sup>9</sup> June 8, 2020 email from Planner Andrew Young to Planner Rodrigo Orduna, attached hereto as Exhibit 9.

## General Plan Amendment

It is well-established law that administrative decisions (in contrast to legislative decisions) such as the *GreenVolts* CUP, require public agencies to make findings. (*Topanga Association for a Scenic Community v. County of Los Angeles*, 11 Cal.3d 506 (1974).) Absent findings, the June 16, 2008 *GreenVolts* decision was not in conformance with well-established law and the DEIR may not use it as precedent for future general plan and zoning interpretations, as the County has done with industrial solar projects. In turn, the DEIR may not cite the *GreenVolts* Planning Commission “determination” as any evidence that industrial solar projects are consistent with the LPA ECAP designation or allowed in the *A-Agricultural* zoning with a conditional use permit.

In short, the DEIR’s attempt to apply throughout the *A-Agricultural* zone, the determinations made in prior quasi-judicial proceedings, elevates such prior determinations to the status of a zoning code amendment. But the state’s planning and zoning law establishes the *exclusive method* for amending a zoning ordinance, and CEQA review must be conducted to analyze the environmental effects of a proposed zoning amendment before adopting such amendment. Gov. Code § 65802; Pub. Res. Code § 21080(a). Here, however, unclear about the law and the legal implications of what it was doing, the County did not adhere to the requirements of the state’s planning and zoning law before making the quasi-judicial determinations that the DEIR now claims apply throughout the *A-Agricultural* zone. In addition, the County never analyzed the environmental impacts of conditionally permitting industrial solar facilities throughout the zoning district as CEQA requires.

The DEIR references Alameda County Code of Ordinance (“ACCO”) Sections 17.54.050/17.54.060 as authority for the proposition that the County may legally treat prior quasi-judicial use determinations as applicable throughout the *A-Agricultural* zoning district and throughout lands designated as LPA under the ECAP, but those statutory provisions say nothing of the sort. First, Alameda ACCO Sections 17.54.050/17.54.060 are only relevant to use determinations under the zoning code and have absolutely no application to use determinations under the ECAP. Second, the cited code provisions merely authorize the Planning Commission, on referral from the Planning Department, to investigate whether an otherwise unpermitted use is comparable “to the nature and characteristics of the use in question with those of the listed uses in the various districts.” Only after investigating and comparing the nature and characteristics of the unpermitted use to those uses that are permitted in *all of* the “various districts,” the Planning Commission may determine whether such unpermitted use is or is not “in all essentials pertinent to the intent of this title 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.” That’s it. Notably, these code provisions say nothing about the manner in which such a Planning Commission determination may be legally applied to future individual projects or throughout a specific zoning district. In fact, applying a determination made pursuant to Alameda ACCO Sections 17.54.050/17.54.060 throughout a zoning district (as the DEIR does here) without first duly adopting a zoning amendment that has been subject to adequate CEQA review of its zoning district-wide impacts would be a clear violation of applicable law. Gov. Code §§ 65802, 55850, 65853; Pub. Res. Code § 21080(a). Finally, the scant evidence concerning the prior ACCO Sections 17.54.050/17.54.060 determinations that the DEIR relies on demonstrates that, in those instances, the requirements of these code sections were never even satisfied, further undermining

their precedential value in this case. Therefore, the DEIR's determination that the Project is consistent with the *A-Agricultural* zoning requirements is not supported by substantial evidence.

### **The DEIR Fails to Adequately Analyze the Project's Aesthetic Impacts.**

The DEIR correctly concludes that the Project would have substantial adverse effects on a scenic vista, degrade the existing visual character or quality of public views, and contribute to a significant cumulative impact on aesthetic resources. In turn, the DEIR concludes that the Project would impose Significant and Unavoidable impacts on an undeveloped scenic rural recreational route. As such, the DEIR Aesthetics section probably should have included the following quote from Alameda County Planner Bruce Jensen, who, in an email with his colleagues, provided a candid assessment of the Project's aesthetic impacts, as follows:

**"They (the applicant) can dance around the issue as much as they wish, but there is no way that this project, with or without mitigation, meets either the spirit or the letter of the scenic and aesthetic policies set out in various documents. There is no way to hide this enormous project or protect the scenic quality of the area. It is a big, in-your-face project, and denial of that quality is disingenuous. In fact, the mitigation itself introduces new significant impacts that cannot be mitigated. It, too, needs a SU designation."**

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Instead of offering a forthright analysis, the DEIR attempts to make up for its Significant and Unavoidable impacts by incorrectly indicating that the Project is consistent with Alameda County General Plan Scenic Route Element principles and ECAP policies. In fact, the Project is inconsistent with both the Scenic Route Element principles and ECAP policies. As such, the DEIR's conclusions regarding consistency lack substantial evidence.

In addition to its substantive failures, the DEIR fails to provide visual representations adequate for the public to assess the DEIR's conclusions with respect to the Project's Scenic Route Element and ECAP consistency. In particular, the DEIR fails to offer any visual representations of the solar panels themselves, or the "medium voltage lines" or overhead wooden utility poles on either side of Manning Avenue (should be Manning Road) and "up to 10 additional 50 to 100-foot wooden poles to cross Cayetano Creek...to cross an access driveway, and where a connection to the substation must be overhead" (DEIR p.4.1-11). The omission of renderings of the panels and the overhead lines and wooden poles is particularly troublesome, given that the Project is proposed for a Scenic Rural Recreational Route and that overhead lines have been the subject of controversy in the North Livermore Valley in the past and ultimately decided against.

Moreover, the Project finds consistency with the Scenic Route Element and ECAP due to the use of a "landscape buffer" (DEIR p. 4.1-10), also referred to as a "landscape berm" (DEIR p. 4.1-26) (which is it?), described in a variety of ways, including, "shrubs," and "trees" and "drought tolerant and climate appropriate," (DEIR p. 4.1-10). Other DEIR sections describe the purported landscaping at "honeybee forage," and "pollinator-friendly plant species," (DEIR p. 4.1-10).

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<sup>10</sup> August 13, 2020 email from Bruce Jensen to Albert Lopez, Elizabeth McElligott and Andrew Young, attached hereto as Exhibit 10.



Purportedly, this landscaping would grow to be as tall as five-foot high fence with wood posts that the DEIR states will enclose the project site (DEIR p. 4.1-10) and, “when mature,” would obscure the view of hundreds of acres of industrial solar panels (DEIR p. 4.1-12).

The DEIR’s landscaping references lack the necessary detail for the public to evaluate them, including the following: 1) The DEIR includes no actual landscape plan, so when members of the public review the DEIR they will have no idea what the plants, trees, shrubs bee forage and anything else the landscaping would include. To make matters worse, the DEIR’s long range view perspective renderings provide little true understanding of the Project’s landscaping aesthetic; 2) The “when mature” language strongly suggests that there will be some period of time when the landscaping is not even close to covering the solar panels, which are, by any reasonably assessment, “unsightly” when located on a rural scenic route; 3) If it ever gets that tall, five-foot tall landscaping itself – in what is otherwise an open space, grazing land – is likely to look “unnatural” and create its own inconsistencies with the Scenic Route Element and ECAP, which would require additional CEQA mitigations.

The DEIR also fails to analyze the significance of the Project’s visual impacts both with and without the proposed buffer/berm and fails to provide rendering related to both scenarios. By improperly compressing the analysis of the Project’s visual impacts and design features to mitigate those impacts into a single issue, the DEIR engages in an analytical shortcut that reviewing courts have determined violates CEQA. *Lotus v. Department of Transportation* (2014) 223 Cal.App.4<sup>th</sup> 645, 655.

**Below, we summarize the Project’s inconsistencies with the Alameda County General Plan Scenic Route Element principles listed in the DEIR.**

**Provide for Normal Uses of Land and Protect Against Unsightly Features:** Through prohibition and removal of billboards, signs not relevant to the main use of the property, obtrusive signs, automobile wrecking and junk yards, and similar unsightly development or use of land. The Project is not consistent with this principle, but instead tries to cover up unsightly industrial solar panels with an incomplete landscaping concept. The DEIR claim that the Project is consistent with this principle is not supported by substantial evidence.

**Locate Transmission Towers and Lines Outside of Scenic Route Corridors When Feasible:** New overhead transmission towers and lines should not be located within scenic corridors when it is feasible to locate them elsewhere. It’s clear that the Project is inconsistent with this principle because the DEIR states that the Project may use overhead transmission lines. Meanwhile, the DEIR does not analyze the “feasibility” of the issue. The DEIR claim that the Project is consistent with this principle is not supported by substantial evidence.

**Underground Utility Distribution Lines When Feasible; Make Overhead Lines Inconspicuous:** New, relocated, or existing utility distribution lines should be placed underground whenever feasible. When it is not feasible to place lines underground, they should be located so as to be inconspicuous from the scenic route. Poles of an improved design should be used wherever possible. Combined or adjacent rights-of-way and common poles should be used wherever feasible. The Project is inconsistent with this principle and does fails to examine

the “feasibility” of placing lines underground. The DEIR’s conclusion that the Project is consistent with this principle is not supported by substantial evidence.

**Use Landscaping to Increase Scenic Qualities of Scenic Route Corridors:** Landscaping should be designed and maintained in scenic route corridors to provide added visual interest, to frame scenic views, and to screen unsightly views. In the midst of grazing land, a five-foot high landscaping buffer, as planned, is in itself, “unsightly.” See related comments above. The DEIR’s conclusion that the Project is consistent with this principle is not supported by substantial evidence.

**Provide for Normal Uses of Land but Limit Overhead Utilities and Outdoor Advertising Structures:** In both developed and undeveloped areas, outdoor advertising structures, utility and communication towers, poles, and wires should be located only where they will not detract from significant scenic views. See comments above. The DEIR’s conclusion that the Project is consistent with this principle is not supported by substantial evidence.

**Below, we summarize the Project’s inconsistencies with the East County Area Plans listed in the DEIR.**

**Policy 108:** To the extent possible, including by clustering if necessary, structures shall be located on that part of a parcel or on contiguous parcels in common ownership on or subsequent to the date this ordinance becomes effective, *where the development is least visible to persons on public roads, trails, parks and other public viewpoints* (emphasis added). The DEIR’s conclusion that the Project is consistent with this principle is not supported by substantial evidence. The Project is not proposed to be “least visible to persons....” The Project proposes to try to cover up a “big, in-your-face” project with landscaping.

**Policy 115:** In all cases appropriate building materials, landscaping and screening shall be required to minimize the visual impact of development. Development shall *blend with and be subordinate to the environment and character of the area where located* (emphasis added), so as to be as unobtrusive as possible and not detract from the natural, open space or visual qualities of the area. The DEIR’s conclusion that the Project is consistent with this principle is not supported by substantial evidence. There is no credible argument that the Project is consistent with “blend and be subordinate to the environmental character of the area where located.”

**Policy 116:** To the maximum extent possible, development shall be located and *designed to conform with rather than change natural landforms* (emphasis added). The alteration of natural topography, *vegetation*, and other characteristics by grading, excavating, filling or other development activity shall be minimized. The DEIR’s conclusion that the Project is consistent with this principle is not supported by substantial evidence. A five-foot high landscaping berm/ buffer is not a natural land form and alters natural vegetation. See comments above.

**Policy 120:** The County shall require that utility lines be placed underground whenever feasible. When located above ground, utility lines and supporting structures shall be sited to minimize their visual impact. The DEIR’s conclusion that the Project is consistent with this principle is not supported by substantial evidence. See comments on utility lines above.

In sum, to quote Bruce Jensen, “there is no way to hide this enormous project or protect the scenic quality of the area.” The inability to hide the project is one reason that its impacts are Significant and Unavoidable. But, the mitigations the Project proposes, in order to try to hide the project, simply just create more environmental impacts that the DEIR fails to. For instance, the DEIR does not address how a five-foot high landscaping buffer/berm impacts the aesthetics of the area or how the buffer/berm’s impacts can be mitigated. In addition, the DEIR lacks specifics and adequate visual representations for the public to evaluate its purported landscaping plan and the aesthetic impacts of the solar panels and overhead utility lines. Finally, the DEIR fails to support, with substantial evidence, that the Project is consistent with numerous scenic route principles and ECAP policies.

**The Current Project Description Does Not Represent the Full Scope of the Project and is Misleading.**

For purposes of CEQA, the term “project” means “the whole of the action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect change in the physical environment[.]” *Tuolumne County Citizens for Responsible Growth, Inc. v. City of Sonoma* (2007) 155 Cal.App.4<sup>th</sup> 1214, 1222 (citing CEQA Guidelines § 15378(a)). An “accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR.” *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193. “However, a curtailed, enigmatic or unstable project description draws a red herring across the path of public input.” *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4<sup>th</sup> 645, 655. “Only through an accurate view of the project may the public and interested parties and public agencies balance the proposed project’s benefits against its environmental cost, consider appropriate mitigation measures, assess the advantages of terminating the proposal and properly weigh other alternatives.” *Id.*

Here, the DEIR’s project description fails to accurately describe the full scope of the Project in violation of CEQA. For example, the Project proposes to connect to the nearby PG&E substation, but the project description fails to describe in detail the improvements that will be required to make such connection. Similarly, the project description fails to describe the project grading plans and details about the electrical pads, stormwater detention basins, (improperly deferred) on-site vegetation management plans, (improperly deferred) soil reclamation plans and other Project plans and improvements in detail sufficient to determine the full scope of the Project’s potential impacts, particularly biological impacts. Without this important information, those who did not participate in the EIR’s preparation are denied the information necessary to meaningfully evaluate the full scope of the Project’s potential adverse effects.

**The DEIR Fails to Adequately Analyze Project Impacts Related to Vehicle Miles Traveled.**

The DEIR determines that the Project would have a less than significant project-level and cumulative impact with respect to vehicle miles traveled (“VMT”). DEIR at 4.16-17, 4.16-19. This determination, however, is not supported by substantial evidence and relies on an inapplicable threshold of significance.

To assess Project VMT impacts, the DEIR relies on screening threshold included in the Office of Planning and Research’s (“OPR”) *Technical Advisory On Evaluating Transportation Impacts In*

CEQA dated December 2018 (“OPR Guidance”). DEIR Appendix I at 28, n. 12. The DEIR mistakenly claims that, under the OPR Guidance, “projects that generate or attract fewer than 110 trips per day result in a less than significant impact.” DEIR at 4.16-17. This is not true. In fact, the OPR Guidance makes clear that its 110-trip per threshold is intended to be used as CEQA screening threshold that is only applicable to small projects that are otherwise categorically exempt from CEQA. OPR Guidance at 12, n. 19. In addition, the OPR Guidance explains that its 110-trip threshold only applies to projects that are consistent with the applicable general plan and sustainable communities strategy. *Id.* at 18. Here, the Project is not a small project and is not of a kind normally exempt from CEQA review. Moreover, the Project is inconsistent with the ECAP, as the DEIR concedes. DEIR at 4.11-11.<sup>11</sup> Accordingly, the DEIR cannot legitimately rely on OPR’s 110-trip threshold for the purpose of assessing the Project’s VMT impacts.

Even if the 110-trip threshold applied in this case, the DEIR discloses that the Project will generate far more than 110 daily trips. In fact, the DEIR only compares the Project’s total daily *operational* trips to the OPR’s 110-trip threshold, and ignores the 750 daily trips the Project will generate during construction. DEIR 4.16-17. The OPR Guidance, however, does not permit the DEIR to simply ignore the Project’s increase of 750 daily trips over existing conditions during Project construction. Indeed, the OPR Guidance expressly recognizes that “CEQA requires accounting for the full impact *without truncation or discounting*.” OPR VMT Guidance at 18 (emphasis added). Since the Project is not a residential, office, or retail development and since it will lead to a net overall increase in VMT, the DEIR must, per the OPR Guidance, reevaluate the direct, indirect and cumulative significance of the Project’s *total* VMT utilizing a threshold of significance developed by the County in a manner consistent with the purposes and procedures described in Public Resources Code § 21099 and CEQA Guidelines § 15064.7. OPR Guidance at 17.

Finally, the DEIR and its traffic study rely on unsubstantiated estimated trip counts and estimated vehicle miles traveled provided by the Project applicant. DEIR at 4.16-11, 4.16-15. However, “CEQA places the burden of environmental investigation on government” and mandates that the “agency must use its best efforts to find out and disclose all that is reasonably can.” *Sundstrom v. County of Mendocino* (1988) 220 Cal.App.3<sup>rd</sup> 293, 311; *San Francisco Ecology Center v. City and County of San Francisco* (1975) 48 Cal.App.3d 584, 595. Although CEQA allows some degree forecasting, such forecasts must be demonstrably reasonable and supported by substantial evidence. CEQA Guidelines § 15144. Here, there is no evidence in the record demonstrating that the lead agency undertook its own investigation of the Project’s anticipated trip counts and miles traveled. Nor is there evidence that the lead agency investigated the applicant’s trip and miles traveled estimates to determine whether they are reasonable and supported by substantial evidence. Without such evidence, the DEIR’s transportation analysis is fatally defective.

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<sup>11</sup> Moreover, the DEIR never considers the Project’s consistency with Plan Bay Area, the applicable regional transportation plan/sustainable communities strategy (“RTP/SCS”), even though such analysis is expressly required by the OPR VMT Guidance on which the DEIR relies. As explained in the OPR VMT Guidance, “a development may be inconsistent with an RTP/SCS if the development is outside the footprint of development or within an area specified as open space as shown in the SCS,” as is the case here. OPR VMT Guidance at 18.

### **The DEIR Fails to Analyze Project Impacts Related Valley Fever and COVID-19.**

Both the Center for Disease Control and the California Department of Health have identified the Project Site and North Livermore Valley has an area subject to Valley Fever.<sup>12</sup> Valley Fever is a debilitating infectious disease caused by the *Coccidioides* fungus that lives in the soil. Valley Fever can be released into the air during ground disturbing activities or during high winds and inhaled by anyone in the area, including Project construction and operational workers. The DEIR does not describe the Valley Fever risk in the environmental setting, fails to analyze the Project's potential to exacerbate the risk of Valley Fever exposure through construction and operational activities, and makes no effort to protect Project workers through the implementation of appropriate mitigation measures. Similarly, the DEIR is silent with respect to COVID-19, fails to analyze the Project's potential to exacerbate the risk of COVID-19 exposure by bringing construction and other workers into close proximity of each other, and makes no effort to protect Project workers through the implementation of appropriate mitigation measures. Therefore, the DEIR omits detail sufficient to enable those who did not participate in its preparation to understand and consider meaningfully the issues raised by the Project. *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 515-516. To cure this fatal defect, the DEIR must be revised to accurately describe the risk of Valley Fever and COVID-19, to assess the significance of the Project's potential to exacerbate exposure to these diseases, and to implement appropriate mitigation measures to reduce these potential impacts to less than significant levels. Once this supplemental analysis is completed on both a project-level and cumulative-level, the DEIR must be recirculated for additional public review in accordance with Public Resources Code section 21092.1.

### **The DEIR Fails To Explain How Project Compliance With The Thresholds of Significance Means That The Project's Impacts Are Less Than Significant.**

Effective December 2018, CEQA Guideline 15064(b)(2) requires that, "[w]hen using a threshold [of significance], the lead agency should briefly explain how compliance with the threshold means that the project's impacts are less than significant." The DEIR fails to satisfy this requirement for every impact category analyzed in the DEIR. The DEIR relies on thresholds of significance, and purportedly determines whether the Project will comply with those thresholds, but the DEIR never explains why compliance with each such threshold means that the Project's related impacts will be less than significant. To comply with the requirements of CEQA Guideline 15064(b)(2), each chapter of the DEIR must be revised to briefly explain, for each threshold and on the basis of substantial evidence, why Project compliance with such threshold means that the Project's related impacts will be less than significant.

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<sup>12</sup> California Department of Public Health ("CDPH"), Valley Fever Fact Sheet, <https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/ValleyFeverFactSheet.pdf>; U.S. Center for Disease Control, More Information About The Estimated Area With Blastomycosis, Coccidioidomycosis (Valley Fever), And Histoplasmosis In The United States, <https://www.cdc.gov/fungal/pdf/more-information-about-fungal-maps-508.pdf>; CDPH, Coccidioidomycosis in California Provisional Monthly Report January – August 2020, <https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/CocciinCAProvisionalMonthlyReport.pdf>.

**The DEIR's Air Quality and Greenhouse Gas Emissions Analyses Rely On Unsubstantiated Input Parameters Used To Estimate Project Emissions.**

The DEIR's analyses of the Project's air quality and greenhouse gas ("GHG") emissions rely on emission calculations generated by the software-based California Emissions Estimator Model ("CalEEMod"), which model provides recommended default input parameters based on project-specific and site-specific information, such as the proposed land use type, overall lot sizes, climate data, and the type of equipment that will be used to construct the project. The CalEEMod software allows users to modify its default input parameters, but CEQA requires that such modifications be justified on the basis of substantial evidence.<sup>13</sup> The DEIR's traffic impact study indicates that the Project's CalEEMod run relied on several modified input parameters, but the DEIR fails to justify such modifications on the basis of substantial evidence. By way of example, the Project's CalEEMod input parameters were adjusted to assume that emission-generating architectural coatings will not be applied to any Project improvements and to assume that only 5 acre feet of water per year will be used for operations and maintenance, yet there are no enforceable mitigation measures to ensure these results. Appendix A to DEIR Appendix D, pp. 2. The DEIR must be revised to justify its CalEEMod adjustments on the basis of substantial evidence.

**The DEIR's GHG Analysis Is Misleading, Is Not Supported By Substantial Evidence, and Fails To Proceed In a Manner Required By Law.**

CEQA Guidelines § 15064.4(b)(3) requires an EIR to consider the extent to which a proposed project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions. Here, the Project site falls within the planning area of Plan Bay Area, the regional transportation plan/sustainable communities strategy adopted pursuant to Senate Bill 375 to establish a land use development pattern capable of achieving the regional GHG reduction target established by the California Air Resources Board. Plan Bay Area identifies the Project site as open space and outside of Plan Bay Area's development footprint. Despite this apparent inconsistency, the DEIR simply concludes without analysis that the Project would not conflict with Plan Bay Area. DEIR at 4.8-14. Similarly, the DEIR simply concludes without analysis that the Project is consistent with the BAAQMD 2017 Clean Air Plan. *Id.* Without undertaking a good faith reasoned analysis of the Project's consistency with Plan Bay Area and the Clean Air Plan, the DEIR's GHG analysis fails to proceed in a manner required by law and its related GHG impact determinations are not supported by substantial evidence.

The DEIR's GHG analysis is also misleading because it suggests that it need not evaluate the significance of the Project's construction-related GHG emissions separate and apart from the Project's operational GHG emissions because BAAQMD "has not adopted a threshold of significance for determining the significance of a project's construction GHG emissions." DEIR at 4.8-12. Accordingly, the DEIR amortizes the Project's construction GHG emissions, adds them to the Project's annual operational GHG emissions, and considers their combined

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<sup>13</sup> California Air Pollution Control Officers Association, *CalEEMod User's Guide*, November 2017, p. 2, <http://www.caleemod.com>.



significance against a modified version of BAAQMD's threshold of significance for operational GHG emissions. *Id.*

While it is true that BAAQMD has only adopted a threshold for operational emissions and has not adopted a threshold for construction emissions, BAAQMD's CEQA Guidelines are clear that a project's construction GHG should be analyzed separately from its operational GHG emissions. In fact, BAAQMD's CEQA Guidelines explain that a lead agency should separately determine the significance of construction GHG-emissions "in relation to meeting AB 32 GHG reduction goals, as required by the Public Resources Code, Section 21082.2".<sup>14</sup> This process was not used by the DEIR, however, in violation of CEQA. Moreover, BAAQMD's CEQA Guidelines encourage lead agencies "to incorporate best management practices to reduce GHG emissions during construction," but no such practices are incorporated into the Project by the DEIR.

Finally, to assess the significance of the Project's combined construction and operational GHG emissions, the DEIR relies on a modified version of BAAQMD's threshold of significance for operational GHG emissions. As explained in the DEIR, its GHG threshold compares the Project's emissions "to a reduced threshold corresponding to the SB 32 reduction target of emissions of 40 percent below 1990 levels by 2030." DEIR at 4.8-11. However, SB 32's reduction target is a *statewide* reduction target that covers all sectors of the California economy and there is no evidence in the record that the GHG reductions needed to achieve this statewide goal is the same reduction effort that should be required from this individual project. The DEIR's failure "to establish, through substantial evidence and reasoned explanation, a quantitative equivalence between [SB 32's] statewide comparison and the [D]EIR's own project-level comparison deprived the [D]EIR of its sufficiency as an informative document[.]" in violation of CEQA. *Center for Biological Diversity v. California Department of Fish and Wildlife* (2015) 62 Cal.4<sup>th</sup> 204, 227.

**The EIR Fails to Analyze Whether the Project Will Have a Sufficient Water Supply for Construction, Operation, and Decommissioning.**

The ECAP, as amended by Measure D, requires that the "County shall approve new development only upon verification that an adequate, long-term, sustainable, clearly identified water supply will be provided to serve the development, including in times of drought." ECAP, Policy 253. The DEIR's conclusion that the proposed Project would have sufficient water supply is primarily based on Zone 7's 2015 Urban Water Management Plan ("UWMP"). DEIR at 4.17-8. The UWMP, however, only considers the availability of water through 2035 and the Project's water supply assessment expressly states that it "does not attempt to quantify water supply availability beyond the projections provided through 2035 in Zone 7's 2015 UWMP, because doing so would be highly speculative, and would not be based on actual data." DEIR Appendix G at 31-32. In short, there is no evidence in the record showing that sufficient water supplies "bear a likelihood of actually proving available" to the Project over its 50+ year lifespan, as CEQA requires. *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova*, 40 Cal.4<sup>th</sup> 412, 432 (2007). Speculative sources of water do not provide an adequate basis for decision making under CEQA. *Id.* In short, there is no substantial evidence supporting the

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<sup>14</sup> BAAQMD, CEQA Guidelines May 2017, p. 2-6.

DEIR's determination that the Project will have a less than significant impact related to water supplies. This lack of evidence not only violates CEQA, it also violates the express requirements of Measure D.

### **The DEIR Fails to Adequately Analyze and Mitigate the Project's Adverse Biological Impacts.**

As detailed in the attached comment letter prepared by expert biologist Karen Swaim, which is incorporated hereby by this reference in its entirety, the DEIR fails to adequately analyze and mitigate the Project's potential adverse impacts on special status species and their habitat, including but not limited California tiger salamander and California red-legged frog.

### **The DEIR Improperly Defers Formulation of the Project's Proposed Agricultural Management Plan.**

Per CEQA Guidelines section 15126.4(a)(1)(B), the formulation of the details of a mitigation measure may not be deferred until some future time except in very limited circumstances. Controlling caselaw provides that deferred mitigation is permissible only if three preconditions are first satisfied. First, the DEIR must explain, on the basis of substantial evidence, why it is impractical or infeasible to include the mitigation details in the DEIR. *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4<sup>th</sup> 645, 670. Second, the DEIR must describe a performance standard that identifies the specific criteria the lead agency will apply in determining that the impact will be mitigated. *Rialto Citizens for Responsible Growth v. City of Rialto* (2012) 208 Cal.App.4<sup>th</sup> 899, 945; *Cleveland National Forest Found. v. San Diego Assn. of Governments* (2017) 17 Cal.App.5<sup>th</sup> 413, 443; CEQA Guidelines § 15126.4(a)(1)(B). Third, the EIR must describe potential mitigation actions that are known to feasibly achieve the specified performance standard. *North Coast Rivers Alliance v. Marin Mun. Water District* (2013) 216 Cal.App.4<sup>th</sup> 614, 630; CEQA Guidelines § 15126.4(a)(1)(B).

Here, the Project proposes future preparation and implementation of a so-called Agricultural Management Plan ("AMP") which would "outline" the "concomitant agricultural land uses during operation of the solar facility." DEIR at 3-10. The DEIR relies on the AMP to mitigate various biological impacts of the Project by undertaking unspecified "vegetation management methods" that would purportedly reduce Project impacts on raptors and other species, to "manage onsite fuel load of vegetation," and to "maintain soil capability and minimize agricultural water use," among other things. DEIR at 3-14, 4.4-46. In violation of CEQA, however, the DEIR does not describe any performance standard that AMP implementation must achieve or the potential mitigation actions that are known to feasible achieve a specified performance standard. To compound this error, the DEIR does not explain why it is impractical or infeasible to include the full mitigation details and performance standards at this stage of the CEQA process, as required by controlling law.

Livestock grazing often has significant adverse effects on grassland and riparian habitats such as those found on the Project site.<sup>15</sup> Here, the Project proposes to substantially increase the number

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<sup>15</sup> O. Benthien, *Long-Term Effect of Sheep and Goat Grazing on Plant Diversity in a Semi-Arid Natural Dry Grassland Habitat*, *Heliyon* Vol. 4, Issue 3, March 2018; C. Glaser, *Cost and Consequences: The Real Price of Livestock Grazing*



of livestock that will graze the Project site annually. Given the potential adverse impacts such as grazing could cause, and the fact that the DEIR relies on the AMP to reduce adverse impacts and to preserve the Project site's important habitat values, it is critical that the DEIR set forth sufficient detail about the AMP and its management methods so that the reviewing public and County decision-makers can adequately assess the full scope of the Project's potential environmental effects and test adequacy of the DEIR's proposed mitigation measures.

**The DEIR Fails to Adequately Analyze a Reasonable Range of Project Alternatives.**

The DEIR's conclusory determination that the "Alternative Location" alternative would not accomplish most of the Project objectives, would be infeasible, and would not substantially lessen or avoid any significant environmental impacts is not supported by substantial evidence. Moreover, the DEIR should have, but did not, analyze a distributed generation alternative and an alternative that would reduce the Project's significant and unavoidable aesthetic impacts by eliminating Project improvements closest to nearby sensitive receptors and key observation points. Please also see the DEIR comments included in the attached letter prepared by Grassetti Environmental Consulting, all of which comments, including but not limited to those related to the DEIR's alternatives analysis, are incorporated herein by this reference.

**The DEIR's Determinations Regarding the Land Use Impacts of the Reduced Density Footprint Alternative and the Resource Management Avoidance Alternative Are Misleading and Are Not Supported by Substantial Evidence.**

The DEIR incorrectly determines that the Resource Management Avoidance and Reduced Density Footprint alternatives would have a less than significant land use impact because they would only permit development on land designated land as LPA by the ECAP. DEIR at 5-17, 5-23. For the reasons discussed above, however, the ECAP does not permit development of LPA land with industrial solar facilities of the type and scale proposed by the Project. Moreover, as explained above, the Project is inconsistent with multiple provisions of the ECAP, which inconsistencies are not disclosed and analyzed in the DEIR. Given the many ways in which these alternatives would be inconsistent with the ECAP, the DEIR's determination that they would have less than significant land use impacts is fundamentally misleading and is not supported by substantial evidence.

**The DEIR Fails to Adequately Analyze and Mitigate the Project's Potential to Exacerbate Wildfire Risks and to Expose People and Structures to Wildfire Risks.**

CEQA requires a DEIR to evaluate all of the Project's potentially significant impacts, including consideration of the "human use of the land." CEQA Guidelines § 15126.2(a). Further, a DEIR must "analyze any significant environmental effects the project might cause or risk exacerbating by bringing development into areas susceptible to hazardous conditions." *California Building Assn. v. Bay Area Air Quality Management District* (2015) 62 Cal.4<sup>th</sup> 369, 388-89. As acknowledged by the DEIR, the Project site is located in an area designated by CalFire as a fire hazard severity zone. Nevertheless, the DEIR fails to adequately analyze the Project's fire-related risks.

First, the DEIR fails to adequately analyze the influence of climate change on wildfire risk and how that influence will affect fire starts potentially caused by the Project. The western United States has experienced some of the largest wildfire years this decade and there is strong evidence that regional warming trends and climate related drought conditions are contributed to increased fire severity and frequency. Yet these climate-related influences on the risk of human started fires through alteration of the local fire regime are not analyzed in the DEIR. Moreover, the DEIR fails to identify and adequately mitigate the specific and documented fire risks associated with solar electric generation facilities, fails to assess the likelihood of the Project's potential to cause fire starts, and fails to ensure the provision of the specialized training that firefighters need to adequately respond fires at solar electric generation facilities.<sup>16</sup>

The DEIR acknowledges that it takes specialized firefighting training to effectively respond to fires at industrial solar facilities of the type proposed by the Project. DEIR at 4.14-3. Yet the DEIR merely avers that "the project applicant would implement fire prevention measures and work with CAL FIRE and ACFD to train workers in fire prevention safety" and on this basis finds that the Project's impacts on fire services would be less than significant. *Id.* However, the DEIR never specifies the specific "fire prevention measures" or specialized training that would be implemented by the Project, and it never explains how the project applicant will "work with" CalFire and ACFD to "ensure safe operations." *Id.* Moreover, there are no enforceable mitigation measures to ensure that the unspecified "fire prevention measures" and specialized training will be timely implemented and funded by the Project. In short, the DEIR's conclusions regarding the Project's fire-related risks are conclusory and unsupported by substantial evidence.

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<sup>16</sup> See, e.g., N. Dhere et al., *Fire hazard and other safety concerns of photovoltaic systems*, University of Central Florida STARS, January 2012; C. Grant, *Fire Fighter Safety and Emergency Response for Solar Power Systems*, The Fire Protection Research Foundation, May 2010; T. Sylvia, *Solar system fires on the rise*, PV Magazine, April 2020; R.R. Hernandez, *Environmental Impacts of Utility-Scale Solar Energy*, Renewable and Sustainable Energy Reviews, Vol. 29, 2014.

**A Revised DEIR Must be Recirculated For Public Review And Comment.**

CEQA requires recirculation “[w]hen significant new information is added to an environmental impact report” following the comment period. Pub. Res. Code § 21092.1. The County may not rely on a draft report “that hedges on important environmental issues while deferring a more detailed analysis to the final [EIR] that is insulated from public review.” *Mountain Lion Coalition v. California Fish and Game Comm’n* (1989) 214 Cal.App.3d 1043, 1052. Given the CEQA errors described above, the DEIR requires significant revision and recirculation to allow the public a fair opportunity “to test, assess, and evaluate the data and make an informed judgement as to the validity of the conclusions to be drawn therefrom.” *Sutter Sensible Planning, Inc. v. Board of Supervisors of Sutter County* (1981) 122 Cal.App.3d 813, 822. Failure to recirculate will necessarily expose the County to clear and avoidable CEQA liability.

Respectfully,



Robert W. Selna  
Selna Partners, LLP

## EXHIBIT 1

If we could eliminate this one conclusory statement, my concerns would be largely resolved. Thank you.

Marisa Mitchell  
Principal  
INTERSECT POWER  
415.846.0730  
(e) [marisa@intersectpower.com](mailto:marisa@intersectpower.com)  
[www.linkedin.com/in/marisa-mitchell-ab320a10](https://www.linkedin.com/in/marisa-mitchell-ab320a10)

On Tue, Apr 21, 2020 at 5:12 PM Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)> wrote:

Hi, Marisa -

I think that updated NOP figure will do very well - it combines the best of both prior figures. I was going to ask that the boundaries of the solar panel be more clearly delineated. I noticed that the version you sent in February made them stand out much better, but for the time right now, we will proceed with this version.

I have completed all the revisions to the NOP that I can possibly conceive, and the markup version is attached, roughly set for mailing tomorrow, unless there is something especially toxic you see in the changes or comments. However, there are a few subject areas that I've asked my colleagues to weigh in on - including perhaps the biggest concern though with a proportionally modest portion of the site - the Williamson Act Contract with Stanley Ranch. I strongly suspect that it will not be deemed a "compatible use" with the WAC, but it might be left as it stands for now. I have also revised and updated/reformatted the Project Description document. If there's a better Project location graphic, that would be good, and also the last page or figure appears *very* interior - like the inside of a box. Please remedy. The second page can be substituted with the graphic you sent earlier today. Lastly, I think we'll have to revise the NOP end of comment period deadline to the following Monday the 25th - we will assume they receive it no later than the 24th of April.

KIND REGARDS, BE SAFE AND TAKE CARE

ANDY

WORK CELL PHONE: 510-861-4557\*

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\* Please leave a message and I will try to return the call as soon as possible.

PS - in the office tomorrow, and on Permit Counter duty in the afternoon

---

**From:** Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Sent:** Tuesday, April 21, 2020 9:57 AM  
**To:** Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>  
**Cc:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Seth Israel <[seth@intersectpower.com](mailto:seth@intersectpower.com)>; Becca Perata <[becca@voxxpopulipr.net](mailto:becca@voxxpopulipr.net)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Subject:** Re: Aramis Solar project - PLN2018-00117

## EXHIBIT 2

**From:** [McElligott, Elizabeth, CDA](#)  
**Sent:** Thursday, June 11, 2020 1:45 PM  
**To:** [Young, Andrew, CDA](#)  
**Subject:**

RE: Alameda County - Williamson Act

---

Regarding the suggestion of sheep grazing or bee keeping, the primary use on the property needs to be a commercial agricultural use that meets the definition of commercial agriculture on page 1-3 of Uniform Rule 1 and also meets one of the thresholds listed in Uniform Rule 1, starting at the bottom of page 1-4.

([http://www.acgov.org/cda/planning/landuseprojects/documents/Uniform\\_Rule\\_1\\_Agriculture\\_10-11-11.pdf](http://www.acgov.org/cda/planning/landuseprojects/documents/Uniform_Rule_1_Agriculture_10-11-11.pdf)). It's difficult to say that a particular agricultural use would be acceptable without knowing more specifics about the project. I've never heard of an example of bee keeping being considered an agricultural use, perhaps if a commodity such as honey was produced, but it seems unlikely that production could be at a level that would meet one of the thresholds.

Damien's solar project proposes sheep grazing under the panels as the commercial agricultural use. I'm not sure how he has determined that the use meets one of the thresholds so you'll need to ask him about that. Of course, that project has not yet been approved and at the last Ag Advisory Committee meeting there was a fair amount of opposition to the idea that the proposed sheep grazing constitutes a viable agricultural use.

The cancellation process is described in Uniform Rule 5, beginning on page 5-3 ([http://www.acgov.org/cda/planning/landuseprojects/documents/Uniform\\_Rule\\_5\\_Administration\\_10-11-11.pdf](http://www.acgov.org/cda/planning/landuseprojects/documents/Uniform_Rule_5_Administration_10-11-11.pdf)). Cancellation is a difficult process, that County policies discourage. The cancellation fee is 12.5% of the unencumbered value of the property, as determined by the Assessor.

**Liz McElligott** | Assistant Planning Director  
**ALAMEDA COUNTY | Community Development Agency**  
**Planning Department**  
224 W. Winton Avenue, Room 111 • Hayward, CA 94544  
Office 510-670-6120 | Fax 510-785-8793  
[elizabeth.mcelligott@acgov.org](mailto:elizabeth.mcelligott@acgov.org) | [www.acgov.org/cda](http://www.acgov.org/cda)

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**From:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Sent:** Thursday, June 11, 2020 8:43 AM  
**To:** McElligott, Elizabeth, CDA <[elizabeth.mcelligott@acgov.org](mailto:elizabeth.mcelligott@acgov.org)>  
**Subject:** FW: Alameda County - Williamson Act

Hi –

Here's the request I was expecting. I can provide the info you gave me for the first question, make up something for the second one, but would be entirely at a loss on the third. But (for #2) how continued sheep grazing or apiary activity would change or affect any rule on solar panels and WACs, I would be unable to respond.

When I spoke to him on Monday I described the strong local opposition to the North Livermore projects – because that is the same area he thinks he wants to build his plant. He said he would put a 'red flag' on Alameda Co. as a place where the approval would not be clearly welcome and easy, so I was surprised that he called back.

BTW, separately for my Aramis project, the applicant asked me about records of cancellations – I'll forward that exchange separately.

THANKS!

ANDY

WORK CELL PHONE: 510-861-4557\*

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\* Please leave a message and I will try to respond at my earliest opportunity.

**From:** Jon Bortle <[jbortle@ecoplexus.com](mailto:jbortle@ecoplexus.com)>  
**Sent:** Thursday, June 11, 2020 7:20 AM  
**To:** McElligott, Elizabeth, CDA <[elizabeth.mcelligott@acgov.org](mailto:elizabeth.mcelligott@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Subject:** Re: Alameda County - Williamson Act

Ms. McElligott.

I spoke with Andrew Young the other day regarding Williamson Act and he suggested that I reach out to you. I have a few questions as we are considering siting a solar farm in Alameda County. If you have some time, could you please address my questions below? If it's easier, I am happy to have a quick call to review these.

- Is there GIS or other public available mapping for lands encumbered throughout the County?
- Has the County considered sheep grazing or management of bees/apiaries during operations of a solar facility as continued agriculture, therefore keeping the contract in place?
- If we were to cancel a Williamson Act contract, I assumed that the cost is calculated by a percentage of assessed property value? If so, what is that percentage? How is the cost calculated to account for the number of years remaining on the 10-year contract?

Thank you in advance for your time.

Best regards.  
Jon

Jon Bortle | Director of Permitting | [Ecoplexus Inc.](#)  
(m) 928-699-2090

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## EXHIBIT 3

**From:** Jensen, Bruce, CDA

**Sent:** Thursday, August 13, 2020 5:25 PM

**To:** Lopez, Albert, CDA; McElligott, Elizabeth, CDA; Young, Andrew, CDA

**Subject:** Aramis EIR review

---

Hi, Guys - I have reviewed the Aramis EIR Sections.

I have three big problems with it.

1 - they propose to only have a financial assurance bond if they do NOT have PPAs with energy offtakers. No other analogous land use, whether windfarms, mines or landfills gets that lenient a treatment. PPAs are NOT a guarantee of company solvency or presence anymore than landfill receipts or quarry sales. Their proposal is unacceptable as a guarantee.

2 - I absolutely disagree that this project, especially considering its size, is in conformance with the ECAP policies or zoning ordinance, or is compatible with ag in general. Nothing in any document anticipates a land use of this magnitude across North Livermore or Mountain House, and in fact must be read so loosely so as to ignore the spirit and intent of the policies. Their analysis does not pass the laugh test for me. It needs a Significant Unavoidable (SU) designation.

3 - For aesthetics, I believe the same applies. They can dance around the issue as much as they wish, but there is no way that this project, with or without mitigation, meets either the spirit or letter of the scenic and aesthetic policies set out in various documents. There is no way to hide this enormous project or protect the scenic quality of the area. It is a big, in-your-face project, and denial of that quality is disingenuous. In fact, the mitigation itself introduces new significant impacts that cannot be mitigated. It, too, needs a SU designation.

If we have to adopt Findings of Overriding Consideration, well then, we have to. It comes with the territory for projects of this scale in protected areas like North Livermore.

I would not encourage us to release this document for public review without these modifications. We need to let the politicians themselves say that a solar plant like this is acceptable or not, and let them take responsibility if they want it.

I have some minor issues too, but these, for me, are killers.

I would not be doing my job if I did not say these things.

- Bruce

## EXHIBIT 4

just consider whether or not the biological resource site survey revealed special sensitivity. I myself say, let's be conservative and 'hold the line' at a 600' point from the northern property line. NOW the question is, do we send Marisa back to the drawing board, as it were, for a fix before the NOP goes out?

KIND REGARDS, BE SAFE AND TAKE CARE

ANDY

WORK CELL PHONE: 510-861-4557\*

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**From:** McElligott, Elizabeth, CDA <[elizabeth.mcelligott@acgov.org](mailto:elizabeth.mcelligott@acgov.org)>  
**Sent:** Thursday, April 9, 2020 10:31:06 AM  
**To:** Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Cc:** Rivera, Sandra, CDA <[sandra.rivera@acgov.org](mailto:sandra.rivera@acgov.org)>  
**Subject:** RE: Aramis Solar Project - Notice of Preparation, and land use designations

I agree.

**Liz McElligott** | Assistant Planning Director  
**ALAMEDA COUNTY | Community Development Agency**  
**Planning Department**  
224 W. Winton Avenue, Room 111 • Hayward, CA 94544  
Office 510-670-6120 | Fax 510-785-8793  
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**From:** Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>  
**Sent:** Thursday, April 9, 2020 10:12 AM  
**To:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; McElligott, Elizabeth, CDA <[elizabeth.mcelligott@acgov.org](mailto:elizabeth.mcelligott@acgov.org)>  
**Cc:** Rivera, Sandra, CDA <[sandra.rivera@acgov.org](mailto:sandra.rivera@acgov.org)>  
**Subject:** RE: Aramis Solar Project - Notice of Preparation, and land use designations

I would think our mapping is better than what Andy explains, so we can determine the boundary with some accuracy. Have we asked Mike for a map?

Also, I've always agreed that LPA is where we want to be the most flexible, especially with these uses that are ag-compatible if not ag themselves. In my view the RM and WM are to be protected from uses that alter land (some ag uses excepted of course).

## EXHIBIT 5

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\* Please leave a message and I will try to return the call as soon as possible.

---

**From:** Young, Andrew, CDA  
**Sent:** Thursday, April 23, 2020 10:25 PM  
**To:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>  
**Subject:** RE: Aramis Solar project - PLN2018-00117

Hi all, sorry I've been out of it somewhat this afternoon but I appreciate your attention to it, Bruce.

It would seem that we could change the NOP to say for this project, they are proposing an encroachment into the non-LPA designated areas, and that the County acknowledges the encroachment and that the EIR will aim to identify if there is an impact or any required mitigation measures. In other words we are opening this can of worms, IMHO.

More importantly, this means the NOP must be accompanied by a graphic showing both their original layout and the graphic showing the land use designations. In fact, I suppose the layout 2 figure they sent last week would serve that purpose. I am attaching it again for convenience so you may assess that for yourself.

But this means, for internal consistency, multiple changes to the NOP as I last left it that cannot be done in a snap of the fingers. I am seriously backed up on multiple fronts.

GOOD NIGHT, BE SAFE AND TAKE CARE

ANDY

WORK CELL PHONE: 510-861-4557\*

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\* Please leave a message and I will try to respond at my earliest opportunity.

**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Thursday, April 23, 2020 4:33 PM  
**To:** Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Subject:** Re: Aramis Solar project - PLN2018-00117

Well, probably not. All we have is precedent...however, some will insist that if it is not prima facie, at least the intent is to preserve against development.

**The people who wrote the RM and WM definitions never had solar in mind, clearly.**

---

**From:** Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>  
**Sent:** Thursday, April 23, 2020 4:07 PM  
**To:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Subject:** RE: Aramis Solar project - PLN2018-00117

## EXHIBIT 6

<[seth@intersectpower.com](mailto:seth@intersectpower.com)>; Becca Perata <[becca@voxpathulpr.net](mailto:becca@voxpathulpr.net)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>

**Subject:** Re: Aramis Solar project - PLN2018-00117

Thanks very much, Albert. Would a member of staff be able to share that GIS layer with us? We don't currently have it.

Marisa Mitchell

Principal

INTERSECT POWER

415.846.0730

(e) [marisa@intersectpower.com](mailto:marisa@intersectpower.com)

[www.linkedin.com/in/marisa-mitchell-ab320a10](https://www.linkedin.com/in/marisa-mitchell-ab320a10)

On Fri, Apr 10, 2020 at 12:32 PM Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)> wrote:

Hi Marisa, I agree with you that the NOP is not the place to bring up the question of land use boundaries. Although Andy did indicate earlier that the boundary was not clearly defined, that has been resolved with a much better GIS shapefile of the ECAP. This is a County map from which all boundaries should be determined. I would recommend you take our shapefile and overlay it onto your site plan and see how it shakes out. We stand by our earlier statement that we would not support panels on RM or WM area, and would likely default to the conservative reading of any policy that supports that position.

I think what you want to do is explore, in an EIR alternatives section, that despite the RM or WM designations, the project is protective of resources and worthy of consideration.

I'm available to discuss at your convenience, I believe Andy was trying to set something up for later today or Monday.

Thanks,

**Albert V. Lopez** | Planning Director



## EXHIBIT 7

**From:** Jensen, Bruce, CDA

**Sent:** Thursday, April 23, 2020 11:52 AM

**To:** Young, Andrew, CDA; Lopez, Albert, CDA

**Subject:**

Re: Aramis Solar project - PLN2018-00117

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Again, it is important to recognize that as a general rule, general plan compatibility is not usually a CEQA question, despite its inclusion as a CEQA impact. It is a question for decisionmakers apart from CEQA, and can be applied to any project regardless of whether the CEQA action is an EIR, a MND or even an exemption. At least, that is how we've always treated it. If the lead agency has decided, based on language and intent of the GP, that a project is incompatible, it may nix the project based on that alone and send the developer back to the drawing board.

If we are going to follow this rule of thumb, then it is not useful to change the language to allow the CEQA analysis to show how the project may be made compatible by the use of mitigation measures. \*IF\* under these preconceptions we allow the possibility that mitigation could soften the impact, despite the earlier decision that RM and WM are not compatible with solar (or other new private utility) development, then we are hedging our analysis on the possibility of a Significant but Unavoidable Impact and the necessity for a Finding of Overriding Consideration - which is theoretically possible from a CEQA perspective, but would still require us to entertain a GP amendment, which is legally impossible except for a Voter Referendum.

The only other way is to back off our well-established brick-wall position that RM and WM are, based on the language, off-limits to this kind of development, and set a \*new precedent\* that says a project can mitigate its way out of incompatibility (and thus a voter-approved GP amendment) with enough measures of the "right kind." This is a can of worms, for the WM and RM designations, for the decisionmakers' perceptions of environmental protection, and the for the legal status of Measure D, that I am not sure we want to open. The developer could argue that the mitigation measures qualify as minor technical changes that are legally allowable under Measure D if made by the Board, but that expands the can of worms yet again.

To make a long story short, I don't think we want to soften the language of the NOP. If there is a way to ensure that it is internally consistent, that's fine - but unless Albert wants to, I don't see a need to bother Sonia or Nisha with this - they are busy enough already - although I would welcome their perspectives.

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

**Sent:** Thursday, April 23, 2020 10:56 AM

**To:** Lopez, Albert, CDA <Albert.Lopez@acgov.org>; Jensen, Bruce, CDA <bruce.jensen@acgov.org>

**Subject:** FW: Aramis Solar project - PLN2018-00117

Just to supplement my comments yesterday - about her request to us to "recraft the language to make it open-ended about allowing panel deployment in the WM & RM designated areas."

I discussed this a little with Albert, and he's going to read through it more, but we are not, as I see it, having any expectation that the DEIR will need to "walk back" our determination that the RM & WM-designated parcels are off-limits to solar panel deployment/installation. A general plan amendment would be required, and we know that is improbable.

Bruce - do you want to consult any other CEQA heads like Sonia or Nisha for their opinions on the pros and cons of NOP requirements (as raised in the last three sentences in her second main

## EXHIBIT 8

**From:** [Lopez, Albert, CDA](#)

**Sent:** Friday, May 1, 2020 3:17 PM

**To:** [Jensen, Bruce, CDA](#); [Young, Andrew, CDA](#)

**Cc:** [McElligott, Elizabeth, CDA](#); [Rivera, Sandra, CDA](#)

**Subject:**

RE: Aramis Solar project - PLN2018-00117

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I would agree to that, mines are not a good example to compare to.

**Albert V. Lopez** | Planning Director

**ALAMEDA COUNTY | Community Development Agency**

**Planning Department**

224 W. Winton Avenue, Room 111 • Hayward, CA 94544

Office 510-670-5426 | Fax 510-785-8793

[albert.lopez@acgov.org](mailto:albert.lopez@acgov.org) | [www.acgov.org/cda](http://www.acgov.org/cda)

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>

**Sent:** Friday, May 1, 2020 2:57 PM

**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>

**Cc:** McElligott, Elizabeth, CDA <[elizabeth.mcelligott@acgov.org](mailto:elizabeth.mcelligott@acgov.org)>; Rivera, Sandra, CDA <[sandra.rivera@acgov.org](mailto:sandra.rivera@acgov.org)>

**Subject:** Re: Aramis Solar project - PLN2018-00117

Once more, I wish to note that surface mines, while mentioned for the WM and RM districts, are only permitted if adjacent to existing mines. Otherwise, they are NOT permitted anywhere on any designation at all. This explicitly stated in Measure D and the ECAP. Therefore, it is not wise to use a discussion of mining as a rationale for starting up any new land use where it is not explicitly allowed. ✨

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**From:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>

**Sent:** Friday, May 1, 2020 1:58:09 PM

**To:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>

**Cc:** McElligott, Elizabeth, CDA <[elizabeth.mcelligott@acgov.org](mailto:elizabeth.mcelligott@acgov.org)>; Rivera, Sandra, CDA <[sandra.rivera@acgov.org](mailto:sandra.rivera@acgov.org)>

**Subject:** Re: Aramis Solar project - PLN2018-00117

Hi again,

Ambitiously, I hope to publish this NOP today. Here's the version I completed last night and think I can share with Marisa and company. (and a cleaned up version with final dates). Sorry to make this urgent but I would very much prefer to get a go-ahead before I send it to Marisa.

Importantly (besides adjusting the numbers), I have dropped the second sentence of these two that gave Marisa so much grief:

It is the position of the County Planning Department that neither the RM or WM land use designations permit utility-scale solar energy facilities as comparable to "windfarms and related facilities, utility corridors, and similar uses compatible with

agriculture." The Project is therefore restricted from including solar panel development on portions of the Project site with the RM and WM land use designations.

The above is replaced with this (not more text - this just restates some content not included above):

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 main point here is that I am "leaving it hanging" for the EIR to address the question of compatibility, but I am not eliminating the County's prevailing thinking about solar on RM- and WM-designated lands, and what I think is the best rationale for why we think so. Separately, the "See further discussion below" refers to the land use determination pathway for the project, since solar uses are not in the Zoning Ordinance. You might look over it and see if you find it needless. I could not really determine if the Zoning Ord. direction on the process with the Planning Commission determining suitability of non-Ordinance defined or regulated uses had to be done over and over each time, so this just says:

"... 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.

See last two and first two paragraphs on pages 3 & 4 respectively. Note, perhaps, that the prior determinations were about solar on LPA - not at all about RM or WM lands.

You may also notice that we make no assessment of compatibility with the Williamson Act contract. (I couldn't verify the enrollment, but I'm not going to 'sweat it'.)

Lastly, under the listing of topics that will be addressed in the EIR, this is all that it says. I didn't edit it, and believe it can be left as is.

**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.

I think I had better give you no more than about **45 minutes** to give me any feedback, before I send it off to Marisa as our final version of the NOP. In the meantime I'm going to work up the filing form. (and a re-referral?)

KIND REGARDS, BE SAFE AND TAKE CARE

ANDY

WORK CELL PHONE: 510-861-4557\*

NOTE: Due to the ongoing shelter-in-place order by the state government, County office staffing will be limited, subject to further notice. However, most staff will continue to receive e-mail and will respond as regularly as possible.

## EXHIBIT 9

**From:** Orduna, Rodrigo, CDA  
**Sent:** Tuesday, June 9, 2020 2:01 PM  
**To:** Young, Andrew, CDA  
**Cc:** Jensen, Bruce, CDA  
**Subject:**

RE: Staff reports re: Green Volts and Cool Earth --  
Aramis Solar Project referral, Notice of  
Preparation and other documents

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I will defer to your and Bruce's judgement.

Rodrigo Orduña, AICP  
Assistant Planning Director  
Alameda County Planning Department  
Community Development Agency

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**From:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Sent:** Monday, June 8, 2020 02:23 PM  
**To:** Orduna, Rodrigo, CDA <[rodrigo.orduna@acgov.org](mailto:rodrigo.orduna@acgov.org)>  
**Cc:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Subject:** FW: Staff reports re: Green Volts and Cool Earth -- Aramis Solar Project referral, Notice of Preparation and other documents

FYI, Rodrigo –

This is a likely litigator that I have been working with (with some assistance and input from Bruce, too), that has taken up a not-insignificant amount of time. Because of probable legal action, I am somewhat tempted to cc Heather (Co. Counsel), but will hold off for now.

As to the specifics of his comments, will it be reasonable (or the double-negative, 'not unreasonable') to say that no "findings" were required by the Determination other than the Staff Report and the minutes of the hearing? There was no Resolution, and as far as I know, Determinations don't require findings. (Actually, the procedure is fairly-well described in the NOP, also attached for reference).

I really am not sure how to respond to his last request, however, where he says: "*in their review of Cool Earth, the BZA and BOS were simply reviewing the CUP. Please clarify, if possible. This is part of the reason I would like to review the appeal.*" Bruce – how would you like to respond?

I have drafted the attached e-mail for your reference. I am also inclined to cc that e-mail to the applicant for their awareness of the requests for this information.

THANKS,  
ANDY

WORK CELL PHONE: 510-861-4557\*

## EXHIBIT 10



**From:** Jensen, Bruce, CDA

**Sent:** Thursday, August 13, 2020 5:25 PM

**To:** Lopez, Albert, CDA; McElligott, Elizabeth, CDA; Young, Andrew, CDA

**Subject:** Aramis EIR review

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Hi, Guys - I have reviewed the Aramis EIR Sections.

I have three big problems with it.

1 - they propose to only have a financial assurance bond if they do NOT have PPAs with energy offtakers. No other analogous land use, whether windfarms, mines or landfills gets that lenient a treatment. PPAs are NOT a guarantee of company solvency or presence anymore than landfill receipts or quarry sales. Their proposal is unacceptable as a guarantee.

2 - I absolutely disagree that this project, especially considering its size, is in conformance with the ECAP policies or zoning ordinance, or is compatible with ag in general. Nothing in any document anticipates a land use of this magnitude across North Livermore or Mountain House, and in fact must be read so loosely so as to ignore the spirit and intent of the policies. Their analysis does not pass the laugh test for me. It needs a Significant Unavoidable (SU) designation.

3 - For aesthetics, I believe the same applies. They can dance around the issue as much as they wish, but there is no way that this project, with or without mitigation, meets either the spirit or letter of the scenic and aesthetic policies set out in various documents. There is no way to hide this enormous project or protect the scenic quality of the area. It is a big, in-your-face project, and denial of that quality is disingenuous. In fact, the mitigation itself introduces new significant impacts that cannot be mitigated. It, too, needs a SU designation.

If we have to adopt Findings of Overriding Consideration, well then, we have to. It comes with the territory for projects of this scale in protected areas like North Livermore.

I would not encourage us to release this document for public review without these modifications. We need to let the politicians themselves say that a solar plant like this is acceptable or not, and let them take responsibility if they want it.

I have some minor issues too, but these, for me, are killers.

I would not be doing my job if I did not say these things.

- Bruce

## **Attachment A**

### **PROJECT INCONSISTENCY WITH ECAP POLICIES**

**Policy 13: The County shall not provide nor authorize public facilities or other infrastructure in excess of that needed for permissible development consistent with the initiative. This policy shall not bar 1) new expanded or replacement infrastructure necessary to create adequate service for East County, 2) maintenance, repair or improvements of public facilities, which do not increase capacity....**

The Project is inconsistent with Policy 13 for the following reasons:

- 1) Intersect has stated on the record that 75% of the power generated by the Project may be going to Clean Power SF (San Francisco Public Utilities Commission) to power San Francisco uses. By definition, the Project goes beyond what is “adequate” for East County, because the power generated will be sent to San Francisco.
- 2) The Project proposes 100 MW of increased capacity and storage. There is nothing in the Project description indicating that the Project is intended to serve existing users or are designed to replace existing, non-renewable energy sources. Adding MW is by definition, increasing capacity. And, adding storage to that is without question increasing capacity. That’s exactly what battery storage is intended to do – create more capacity for the grid. The Project is wholly inconsistent with Policy 13.

**Policy 52: The County shall preserve open space areas for the protection of public health and safety, provision of recreational opportunities, production of natural resources (e.g., agriculture, wind power, and mineral extraction), protection of sensitive viewsheds, preservation of biological resources, and the physical separation between neighboring communities.**

The Project is inconsistent with Policy 52 because the Project proposes the construction of a solar facility on open *agricultural* land’s and because the Project’s proposed landscaping screening would alter the visual character and quality of views along North Livermore Ave. and Manning Road. The Project’s proposal to dedicate an easement for a trail – yet not take responsibility for the cost, construction or maintenance of the trail -- does not fulfill the Policy 52 “provision of recreational opportunities” priority. The Project is not “providing” anything other than an easement.

**Policy 53: The County shall preserve a continuous band of open space rather than piecemeal habitat conservation.**

The Project is inconsistent with Policy 53 because the proposed fencing around the Project and the Project itself prevents a continuous band of open space and will lead to piecemeal habitat conservation at best. As noted in the Land Use section of this letter, the Project violates this provision in numerous respects.

**Policy 56: The County shall require all new development to dedicate or acquire land for open space and/or pay equivalent in-lieu fees, which shall be committed to open space and land acquisition and management and shall encourage the cities to impose similar open space requirements on development in incorporated areas.**

The Project is inconsistent with Policy 56 because the County is not requiring any land dedication, acquisition or equivalent in-lieu fees from the Project for open space. The Project applicant proposes to dedicate and easement for a trail, but the easement dedication is a not a requirement of the Project and is not enforceable on the applicant.

**Policy 70: The County shall work with the East Bay Regional Park District (EBRPD), the Livermore Area Recreation and Park District (LARPD), and other relevant agencies to ensure that open space trails adjacent to San Joaquin, Contra Costa, and Santa Clara Counties connect with trail systems in these other counties.**

Draft EIR claims that the Project is consistent with Policy 70 specifically because the Aramis project is proposing to dedicate an easement for possible future use as a hiking trail. But that proposal is not an enforceable promise and the actual construction of a public hiking trail is not proposed as part of the Project. That would take affirmative steps by the East Bay Regional Parks District, which has not committed (or not) to building a trail. The DEIR includes nothing from the East Bay Regional Parks District.

**Policy 81: The County shall give the highest priority in areas designated "Large Parcel Agriculture" to agricultural operations. Visitor-serving commercial facilities (such as wineries, inns, and food and beverage stores) shall be limited to facilities that promote agriculture and are subordinate and directly related to the area's agricultural production.**

The Project is inconsistent with Policy 81 because much of the Project is located in the LPA, and while the Project perpetuates the County's incorrect conclusion that Industrial SEFs are an agricultural use, no one is claiming that industrial SEFs are "agricultural operations," which is the focus of Policy 81.

**Policy 87: The County shall encourage the establishment and permanent protection of existing and new cultivated agriculture through the use of homesite clustering, agricultural easements, density bonuses, or other means.**

The Project is inconsistent with Policy 87 because even if one were to agree with the DEIR and the County that Industrial SEFs are an agricultural use, the Project and the DEIR do not claim that Industrial SEFs, sheep grazing or bee foraging are cultivated agriculture.

**Policy 89: The County shall retain rangeland in large, contiguous blocks of sufficient size to enable commercially viable grazing.**

The project is inconsistent with Policy 89 because the Project is converting an area of land that is currently used as rangeland for grazing cattle and converting it to an industrial solar facility

(Industrial SEF). The DEIR provides no proof that the use of sheep for weed abatement / landscaping or any other purpose is “commercially viable grazing.”

**Policy 93: The County shall seek to stimulate agricultural investment and enhance the economic viability of existing or potential rural agricultural uses.**

The Project is inconsistent with Policy 93 because placing industrial SEFs in what has been an agricultural valley is contrary to stimulating agricultural investment and enhancing the economic viability of existing or potential rural agricultural uses.

**Policy 114: The County shall require the use of landscaping in both rural and urban areas to enhance the scenic quality of the area and to screen undesirable views. Choice of plants should be based on compatibility with surrounding vegetation, drought-tolerance, and suitability to site conditions; and in rural areas, habitat value and fire retardance.**

The Project is inconsistent with Policy 326. Based on the DEIR it is unclear when or if the landscaping will maturity suitable to cover the unsightly solar panels, and landscaping, as described in the DEIR, is no intended to “enhance the scenic quality of the area,” but rather to disguise a blight on the area.

**Policy 326 and Preface to Measure D: North Livermore west of Dagnino Road is delineated as an Intensive Agriculture area, focused on “cultivated agriculture” with potential for 20-acre enhanced agriculture parcels upon demonstration of available water (among other requirements)**

**Before any of these subsize parcels may be created, the Board of Supervisors shall hold public hearings and prepare and certify an environmental impact report and economic analysis for the demarcated area with respect to the creation of the parcels and their use for cultivated agriculture.**

The Project is inconsistent with Policy 326 because even if one accepts the fiction that sheep placed on the solar project property for weed abatement, counts as an agricultural use sheep grazing is not “cultivated” agriculture.

While cultivated intensive agriculture has not yet been pursued in the North Livermore Valley, the ECAP plainly encourages and supports such uses. Yet, the approval of the Project would mean that cultivated intensive agriculture would not occur for several decades on the Project site until after the Project is discontinued, if ever.



Swaim Biological Incorporated  
4435 First Street PMB #312  
Livermore, CA 94551

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**To:** Mr. Robert Selna  
Selna Partners, LLP  
70 Washington Street, # 303  
Oakland, CA 94607

**From:** Karen Swaim, Principal/Senior Biologist  
Leslie Koenig, Project Manager/Senior Biologist  
Natasha Dvorak, Botanist and Regulatory Specialist  
Dr. Bridget Sousa, Senior Wildlife Biologist

**Date:** October 31, 2020

**Re:** Peer Review of Aramis Solar Energy Generation and Storage Project DEIR  
September 2020 (SCH No. 2020059008).

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Dear Mr. Selna,

As requested, we have performed a peer review of the Aramis Solar Energy Generation and Storage Project DEIR September 2020 (SCH No. 2020059008) and the comment letters that were submitted on the NOP and IS/MND that pertain to biological resources. Our qualifications to comment include combined experience of more than 50 years working with Special Status Species in Alameda County including extensive work in grasslands in and surrounding Livermore. Swaim Biological (Karen Swaim) possesses State and Federal Recovery Permits to conduct surveys and research related to the biology and management of both the California tiger salamander and California red-legged frog and has worked with both of these species for many years before either was listed. Our resumes are attached as Exhibit A. We appreciate the opportunity to comment on the DEIR and bring our substantial species expertise and local knowledge of Alameda County and the Livermore Valley.

Based on review of these documents, we have determined that the DEIR does not provide an adequate evaluation to meet CEQA requirements for impact analysis and mitigation for special status species including the California tiger salamander (CTS), California red-legged frog (CRLF), and burrowing owl. Specifically, the Applicant has not proposed adequate (or any) mitigation for the loss of upland habitat for these amphibians and the burrowing owl (or any of the special status species known to be present in the immediate area). The DEIR acknowledges the potential for these species to be present and that there is a potential for take of individuals and proposes extensive take avoidance measures during construction, operation and decommissioning. They then fail to recognize that these factors indicate that the site is habitat for these listed and special status species and consequently compensatory mitigation is required. We believe the potential for these species to occupy the project site is much higher than portrayed in the DEIR analysis and that based on existing occurrence data for the species in the immediate vicinity much of which is

not presented in the DEIR, the project wide presence of physically suitable habitat and the lack of barriers to movement must lead to an assumption of presence, and the habitat impacts, both temporary and permanent should be fully mitigated. We believe we can provide additional occurrence data not detailed in the DEIR or supporting Biological Resources Technical Report to support that conclusion.

The Applicant has also not provided an adequate analysis of temporary or permanent impacts related to construction (new roads, detention basins, water tanks, fence installation, etc), operations, or decommissioning of the project in order for the public and other stakeholders to evaluate if the impacts of the project as proposed are *less than significant*.

The lack of enforceable measures within the DEIR to address impacts to state and federally threatened species questions the adequacy of the project's cumulative impacts and therefore the evaluation of level of significance is not complete.

#### **1. Inadequate Mitigation for Wildlife Habitat Loss and Take of State and Federally Listed Species**

The project will result in take of state and federally listed species including temporary and permanent loss and conversion of upland habitat for, at a minimum, the CTS and CRLF, with potential or actual grassland habitat loss for several other special status species including East Alameda County Conservation Strategy (EACCS) focal species. Both of these species are locally abundant and known to be present in the immediate area and in all directions from the project area (also see discussion on impact analysis for CTS in Item 3a below).

The DEIR states on page 4.4-49 that there is the potential for CRLF and CTS to be present and identifies the potential for adverse impacts including take of individuals using upland areas during construction, operations and decommissioning. The DEIR further goes on to state that “*no compensatory mitigation for potential impacts to CRLF or CTS upland habitat is considered necessary because grassland habitat would be preserved on site...once operational*”. The DEIR recognizes that “*After construction has stopped and the site has been revegetated the solar array is not expected to impede any migration route for CRLF and CTS....at a level comparable to conditions prior to construction*”.

Both of these statements inherently describe temporary impacts as a result of construction that will result in the potential for take of state and federally listed species and therefore the Applicant is required under state and federal laws to obtain an Incidental Take Permit from the California Department of Fish and Wildlife (CDFW) and the US Fish and Wildlife Service (USFWS) to evaluate appropriate mitigation measures for the project and ensure that the impacts will be fully mitigated.

Under existing state and federal statutes including CEQA, the Federal Endangered Species Act (FESA) and the California Endangered Species Act (CESA), any individual that undertakes activities that destroy, degrade or adversely alter the environment may be required to compensate for impacts to natural resources. Compensatory mitigation is required if a proposed project will “*take a threatened or endangered species*”.

“Take” as defined by the Applicant under FESA in Section 4.4.1.1 is “*harm or indirect harm unless a Section 10 permit or a federal nexus exists for a Section 7 permit*”. “Take” as defined

by the Applicant under CESA in Section 4.4.1.2 is *"take of plant and wildlife species as "hunt, pursue, catch, capture, or kill or attempt to hunt, pursue, catch, capture, or kill"*.

Under Section 4.4.1 Regulatory Framework the Applicant recognizes that USFWS and CDFW have the ability to authorize incidental take however the DEIR lacks enforceable measures to ensure the take is minimal, complies with FESA and CESA requirements and fully mitigates for temporary and permanent project impacts.

The lack of any compensatory mitigation for the project is in violation of the state and federal Endangered Species Acts, California Department of Fish and Game Code and is not consistent with the East Alameda County Conservation Strategy. An enforceable measure **MUST** be required by the County that the Applicant demonstrate full compliance with the state and federal wildlife agencies and provide appropriate mitigation in the form of off-site preservation or other mitigation as approved by the wildlife agencies as a Condition of Approval. The mitigation ratios and requirements should at a minimum meet the EACCS Standardized Mitigation Ratios for Conservation Zone 3 and 4 for the EACCS focal species and habitats which will be impacted by the installation, operations and decommissioning of the project.

To provide perspective – for the average landowner and/or project proponent in this part of North Livermore and the Collier Canyon area, Alameda County Planning Department has required compliance with CESA, FESA and ***all EACCS mitigation measures, including those to offset temporary and/or permanent impact to habitat***. The Conditional Use Permit approvals for the repowering of wind turbines within the Altamont Pass Wind Resource Area requires incidental take permits, mitigation measures and compensatory mitigation. This project is not different in its impacts, includes both temporary and permanent impacts and the Applicant **MUST** be required to comply in the same way every other Applicant does.

Additionally, the Livermore Community Solar FEIR included measures to require an Incidental Take Permit from CDFW and USFWS for the approximately 60-acre project. Although, they too have failed to recognize the project will result in temporary and permanent impact and quantify them for appropriate CEQA evaluation. The lack of consistency between two EIRS that were published within weeks of each other for the same type of utility expansions **MUST** be remedied.

The lack of consistency in the environmental evaluation of this project in relation to other renewable energy projects within East Alameda County further demonstrates the need for the Alameda County Planning Department and the East County Board of Zoning Adjustments to have a regional policy that provides a consistent, clear and accurate compensation plan to address impacts to special status species occurring as a result of these projects.

The project impacts on biological resources for special status species cannot be considered *less than significant* based solely on avoidance and minimization measures that in themselves have the potential to result in take (see Item 6 below for further discussion).

## **2. The DEIR needs to accurately evaluate the temporary or permanent loss of suitable grassland habitat for special status species**

The DEIR recognizes that the project activities will result in conversion of the grassland within the project area to a solar array. The Applicant is committing to *"maintaining foraging habitat for raptors and other birds on the site by maintaining vegetation under the solar panels that promotes a consistent source of prey and is a suitable height for raptor foraging"*. The DEIR recognizes that

foraging habitat for birds “*will be impacted as a result of converting grassland to a solar generation facility*” but states that “*some habitat will remain around the perimeter and foraging habitat will be available among the panels*”. There is no discussion on the amount (in acreages) of foraging habitat that will be lost or the amount of purported foraging habitat that will remain in order to fully evaluate the impacts to foraging habitat due to conversion.

The change in use of the property from solely cattle grazing to sheep grazing and the addition of the solar panels will result in conversion of the grassland to a different use with loss of suitable upland and foraging habitat for multiple EACCS focal species including the American badger, San Joaquin kit fox, golden eagle, tricolored blackbird and burrowing owl. While the panels and sheep grazing may provide for the continued presence of dispersal habitat for CTS and CRLF, the loss of the foraging habitat other grassland species is not fully addressed.

These temporary and permanent impacts are not discussed or quantified within the DEIR and therefore the analysis is not complete to evaluate if the mitigation measures proposed are sufficient to fully mitigate for impacts associated with the project to a *less than significant* level.

- 3. The DEIR does not adequately or accurately present species potential to occur or adequately assess the potential value of the habitat for California tiger salamander and other listed species.**

### **California Tiger Salamander**

We believe the habitat assessment is inaccurate in characterizing the site as low quality and therefore the impact analysis underestimates the potential for this species to occupy the site. We believe the assessment underestimates the potential for CTS to make significant use of the site for dispersal across any part of it and to use refugia on the site to the degree that the project and project sponsor are at risk should it proceed without both Federal and State Incidental Take Permits, despite all the proposed avoidance and minimization measures (AMMs). Additional discussion specific to the AMMs is provided in item #6.

The DEIR (including the Biological Resources Technical Report) does not include any map of CTS records in the project vicinity or reveal the distances to known or potential aquatic breeding sites nor does it ever state in the entire document that CTS are known to occupy upland habitat up to at least 1.3 miles from a breeding pond and that this is the typical distance that CDFW and USFWS will consider upland habitat. Mapping of species occurrences provides a visual of land use and existing conditions on the site and vicinity provide valuable context and transparency in assessing potential for occurrence which is essential for an adequate impact analysis. To provide this context, we have prepared a map showing the listed amphibian species occurrences in the vicinity of both the proposed Aramis and proposed Livermore Community Solar project sites (Exhibit B). The Aramis project site is within 1.3 miles of seven water bodies that are known to support breeding CTS and an additional 23 that are potential and very likely to support breeding populations of CTS, many of which are within approximately ½ mile. The closest known breeding site is only on the Eagle Ridge Preserve only 0.32 miles (1,715 ft) west of the western most set of panels and 0.47 miles (2,470 ft.) west of the Central Section of solar panels. That



breeding pond is just over the fence from the “high quality wildlife habitat area” that the project is proposing to legally separate from. That high- quality wildlife habitat is no different than the central section of the Aramis project in terms of quality for wildlife. Both areas are intact annual grasslands that have been under the same land use (See Exhibit B). The project site can also not be characterized as being on the periphery of development as a basis for claiming it is low quality habitat. The project site is surrounded by undeveloped large parcel intact rangelands and other agricultural uses that currently support a great diversity of wildlife. The repeated claims of the central section of the project site having low wildlife value are unfounded.

The potential annual breeding output from 30 suitable breeding ponds within dispersal distance of the project site puts in the uplands in the pathway of a vast number of dispersing juvenile and adult CTS. As the DEIR indicates, the closest occurrence is #238 and it is a polygon encompassing an area of upland habitat where “numerous” adults observed during nocturnal surveys of ground squirrel burrows and pitfall trapping, from 12 Mar 1996 through 23 Jan 1997 and it is immediately across North Livermore Avenue from the project site. Other nearby observations of adults include over 75 CTS in the area between Dagnino and Bel Roma Rd within the winter of 2019-2019.

Upland habitat (annual grasslands) is a crucial component of CTS habitat and unlike CRLF, that is where they spend the majority of their life performing every function and activity, except breeding. The DEIR seems to minimize the potential for impact to CTS because the use of the site is only “seasonal” as if to suggest the extensive intact upland on the site is trivial. For adult CTS “seasonal use” of upland habitat equates to nearly 11 months and for non-breeding juveniles 12 months of the year are spent in the uplands, primarily in rodent burrows, but also move abroad within the uplands when conditions allow such as rain events and evenings with high humidity (not just October 15-May 15).

The impacts analysis in Section 4.4.6 states potential refuges (burrows) for CRLF and CTS are limited to the portion of the project site north of Manning. The same paragraph goes on to detail the presence of burrows south of Manning Road in proximity to Cayetano Creek which within or immediately adjacent to the site for its entire length south of Manning Road. It indicates that CRLF will use but does not discuss the potential for their use by CTS. CTS have the potential to use those same burrows. Throughout the discussions related to CTS the DEIR describes the areas south of Manning to be low quality because of a perception that upland habitat quality and potential for occupancy is low if there is not what an observer arbitrarily perceives to be “enough” burrows. Multiple CTS frequently use the same burrow and burrow system. A few burrow entrances single burrow complex can represent availability of extensive underground refugia. There are many thriving CTS populations where there appears to be a “scarcity” of burrows to an observer.

### **California Red-legged Frog**

Similar to CTS, we believe the DEIR analysis has not adequately or accurately portrayed the habitat value and potential for CRLF to occur on the project site in a larger area than the creek corridors and immediate area. As the DEIR noted, it is typical for CRLF to make overland straight line movements from breeding ponds of a mile and up to two-miles. The closest breeding

pond is 0.6 miles west of the site in the Eagle Ridge Preserve, at least nine other confirmed breeding sites within 1.3 miles of the site most of which have a hydrological connection to the site. There are several others that are potential breeding sites within approximately one mile from the site (Exhibit B).

### **Western Pond Turtle**

Although it is not an EACCS focal species the western pond turtle is a CDFW Species of Special Concern and is potentially present in the intermitted and ephemeral portions of Cayetano Creek and its tributaries. Western pond turtle are known to be present in Cayetano Creek and its' tributaries, including the Eagle Ridge Preserve to the west. Western pond turtle use the uplands adjacent to the aquatic habitat for egg-laying sites. The potential impact on this species should be evaluated.

#### **a) Opinion of Low Value Habitat is not relevant to significance**

The DEIR discounts the habitat on the project area as "*low value habitat for all species*" yet fails to define how low value was determined. The DEIR states that the "*project site was chosen because it provides relatively low-quality habitat for wildlife and will sustain wildlife populations throughout the life of the project by maintaining vegetative cover and bee forage as well as wildlife corridors and allow for wildlife movement across the site*". This statement is contradictory. How can a low-quality habitat sustain wildlife populations? To indicate that the installation of solar panels across the project will result in a more suitable habitat to sustain wildlife populations is inaccurate given species need large landscape blocks without development to persist.

The DEIR repeatedly states that more suitable and higher quality foraging habitat is available in the region, however, the majority of the lands that surround the project area are of the same type and quality. In fact, the Conservation Lands Network maps the entirety of the surrounding lands as "*suitable grazing lands*" and identifies the opportunity for protection of these lands contributing towards regional Conservation Goals. To discount the grassland habitat as "low value" is an opinion, is not science based, is inaccurate and not defensible.

There are documented declines in all of the EACCS focal species that have the potential to use the habitats within the project area for foraging, denning or refugia habitat. The EACCS potential habitat maps identify the lands within the project area as suitable upland and/or foraging habitat for CTS, CRLF, golden eagle, tricolored blackbird, burrowing owl, American badger, and San Joaquin kit fox.

For the CRLF, the project site is within 1 mile of USFWS designated Critical Habitat, within the East San Francisco Bay Core Recovery Area for CRLF and meets the suitable habitat requirements identified within the EACCS including suitable grassland habitat, with an elevation below 3,500 feet, presence of suitable burrows on site and confirmed suitable breeding habitat present within less than one mile of the project. For the CTS, the project site is within proposed USFWS Critical Habitat and meets the suitable habitat requirements identified within the EACCS including suitable

grassland habitat, with an elevation below 3,700 feet, presence of suitable burrows on site and occupied breeding habitat is within 1.2 miles of the project.

The project areas fall within the Association of Bay Area Government's North Livermore Priority Conservation Area (PCAs). PCAs are defined as "*Lands that provide agricultural, natural resource, scenic, recreational, and/or ecological values and ecosystem functions. These areas are identified through consensus by local jurisdictions and park/open space districts as lands in need of protection due to pressure from urban development or other factors.*" Solar generation on these lands certainly falls into the category of "other factors".

According to the Bay Area Greenprint report for the project area, the lands are documented as being within the 80<sup>th</sup> percentile for "*Important Habitat for Threatened and Endangered Vertebrates*" which includes an index of habitat value to listed species based on species richness and the presence of suitable vegetation to support those species. There are 198 acres of the project area that are identified as part of the Bay Area Critical Linkages Projects that are determined to serve as contributing towards Large Landscape Blocks and Critical Linkages that are areas of high ecological integrity and lands that are important to facilitate the movement of multiple species and maintain ecological processes. The Bay Area Critical Linkages is meant to represent the mosaic of habitat needed for conserving biodiversity within the region.

All of these regional documents recognize the value and high quality of the habitat present within the project site. The DEIRs attempt to de-value the habitat in order to make the case the project is occurring on lands that do not support listed species or diversity is inaccurate and not a defensible statement.

#### **4. Inadequate Wildlife, Rare Plant and Sensitive Natural Community Surveys to support negative findings or make assumptions of low habitat value.**

##### **a) Wildlife**

##### *California Tiger Salamander:*

Protocol Level Surveys for CTS have not been conducted and the surveys conducted for CRLF have no merit or value in determining the status of CTS or its' potential to occur on the site. **The DEIR states that protocol level surveys were conducted for CRLF and that those observations are intended to be sufficient for evaluating presence of CTS at the project site.** The CDFW protocol level survey for CTS consists of two full wet seasons of intensive trapping of the entire upland habitat (ie the whole site). The scope and specifics of which would need to be detailed in a study plan with clear consensus of the value and potential meaning of the results submitted by a biologist with valid State and Federal recovery permits. This survey would only typically be of use if there was no evidence of the species in an area or potential breeding habitat and the site was isolated from known or potential breeding populations for extensive periods of time (because CTS can live 10 -20 years). This site does not meet those conditions. None of the field surveys conducted for the DEIR and the Biological Resources Inventory, including the "protocol" CRLF surveys are adequate to make statements state that would indicate a conclusion

that CTS are unlikely to occupy the site. According to the Survey History and Data Sheets for CRLF, only limited areas in the Creek were surveyed.

b) Plants and Vegetation Communities

The rare plant surveys conducted for the project were not conducted in accordance with CDFW's 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. The results, therefore are not defensible and cannot be used to conclude there is an absence of rare plants. Floristic level surveys per current protocols must be completed as a basis for adequate CEQA impact analysis.

Natural communities are not described according to the Manual of California Vegetation and it is not assured that Sensitive Natural Communities (SNCs) do not occur in project footprint. Cayetano Creek is referred to as a sensitive natural community because of its water, however this is inaccurate as "Water" is not a vegetation community. The few vegetative species identified in the DEIR as occurring in Cayetano Creek may be members of one or more SNCs in their own right however there is not sufficient information provided to determine if they were properly evaluated. SNCs with a rarity ranking of 1, 2, and 3 as designated by CDFW should be discussed during CEQA, similar to rare plants and are discounted and not discussed in the DEIR.

The entire project area falls within the East Bay California Native Plant Society's Springtown Botanical Priority Protection Area. This is not discussed or evaluated as part of the DEIR.

The Tri-Valley Conservancy's North Livermore Resource Conservation Study (RCS) (August 2009) is the most applicable, informative, and site-specific regional survey and planning document for this region. It was not consulted and referenced. Were this resource consulted, it could be disclosed in the DEIR that:

- i. Nearly the entire project site has alkaline soils (CdA) that are important to regional rare plants and Sensitive Natural Communities (SNCs) (RCS Figure 3.5).
- ii. The northwest parcels are mapped as Alkali Grassland, which depending on species assemblage could be a SNC (RCS Figure 4.1).
- iii. The eastern portion of all parcels are within Springtown Alkali Sink Management Zone C (RCS Figure 4.2).
- iv. Some or all of the parcels are mapped as suitable habitat for palmate-bracted bird's beak (Federal and State Endangered) and saline clover (California Rare Plant Rank [CRPR] 1B.2) (RCS Figure 4.4 and Figure 4.6).
- v. Some or all of the parcels are mapped as Medium Priority parcels for overall Biological Resources (RCS Figure 5.1) in the North Livermore area.
- vi. Some or all of the parcels are mapped as Priority parcels for Wildlife Corridors (RCS Figure 5.1) in the North Livermore area.
- vii. The Central Section is one of the largest parcels in the North Livermore region. It is a Medium Priority parcel surrounded by Low Priority parcels and is the only Medium Priority or higher link in the north area (RCS Figure 5.1). What this means is a species would have to go a mile north or south of the site to have a comparable habitat to move through-- a habitat with equal risks and opportunities relative to the Medium Priority ranking.

- viii. Some or all of the parcels are mapped as Medium Priority parcels for Springtown Alkali Sink and Hydrology Management (RCS Figure 5.5).
- ix. Some or all of the parcels are mapped as Priority parcels for grazing lands under the FMMP (RCS Figure 5.5).

The information provided in the DEIR is misleading and inaccurate and needs to be corrected to be consistent with the information provided within the Biological Resources Inventory. In addition, all supporting documents including the wetland delineation and the rare plant survey reports need to be included as part of the supplemental information. The DEIR needs to evaluate the Tri-Valley Conservancy's North Livermore Resource Conservation Study and describe how the impacts of the project are less than significant on rare plants and sensitive natural communities. The evaluation within the DEIR and the supplemental information included in the appendices does not provide adequate information for the public to evaluate the accuracy of the statement that "*no special status plants are present and therefore no impacts to special status plants will occur*".

**5. Statements and Analysis regarding Avian Use and Impacts with Solar are not adequate to address impacts to local species documented to be present and proposed mitigation measures do not warrant a finding of less than significant.**

**a) Raptor Foraging Habitat**

The entirety of the Applicant's support for raptor foraging habitat on site is based on two non-peer reviewed studies of a species that is not expected to occur regularly on site (Swainson's hawk). The relevance of studies related to Swainson's hawk are not applicable to supporting any analysis related to impacts on foraging habitat for golden eagle, burrowing owl, prairie falcon, white-tailed kite, or northern harrier. One study was particularly short, spanning only 5-months. The other concludes that greater time spent foraging indicates higher foraging habitat in PV arrays, but could just as easily be interpreted to mean that it took longer for raptors to find and capture prey in solar arrays. However, the applicant not indicating whether adjacent agricultural fields were row crop or grazed grasslands is information that should have been provided. Foraging opportunities and raptor species composition may differ markedly between row crop and rangeland agriculture. The biologists reported seeing raptors of many types during surveys and nesting habitat and known nests of the Golden Eagle are closer than reported. Golden eagles have nested just over a mile west of the site (personal communication with Lisa Henderson of Olberding Environmental) and a third year juvenile is regularly seen on the Eagle Ridge Preserve less than ½ mile to the west.

Peer reviewed research level information specific to the species *known* to nest and forage in the immediate area are needed to support any analysis or conclusions regarding impacts.

**b) Burrowing owl Impacts not accurately evaluated**

The project proponent states here and in other impact sections that "*Project construction activities would include road construction, trenching for low-voltage collection lines, boring for support posts, and installation of solar panel arrays. These activities would be considered low intensity impacts because the construction disturbance...would be comparable in nature to the agricultural practices in the region*". The length of time, spatial extent, noise, traffic, and level of human

activity associated with the construction of a 400-acre solar generating facility is far in excess of existing agricultural practices in the region. The conclusion that the two activities are comparable is highly inappropriate and inaccurate. Agricultural practices consist of grazing and haying. These activities are conducted by a small number of individuals, in short intervals, for relatively short periods of time over the course of the year. In contrast, the proposed project would involve hundreds workers and vehicle trips, high levels of noise from road construction, heavy vehicle traffic, boring, etc. and take place daily for at least nine months.

Burrowing owls occur in open areas, and are sensitive to the presence of nearby structures that could provide perches for predatory raptors. No evidence is presented to support the idea that the species would utilize areas within the solar array for foraging. The observation of other owl species foraging within PV arrays is not relevant to the discussion of burrowing owl foraging habits. Most other owls, including the great horned owls cited by the proponent, are nocturnal predators of small to medium sized mammals. Burrowing owls are primarily diurnal and crepuscular predators and predominantly rely on insect prey. To adequately assess the impact on BUOW foraging an analysis of the changes to insect/invertebrate fauna that will or will potentially occur should be addressed.

c) Potential Avian Impacts not evaluated

While empirical evidence for the lake effect (Kagen et al. 2014) has not been well documented, studies have predominantly been conducted in the desert southwest, at sites that do not occur near bodies of water. Site specific and regional factors may influence the likelihood for PV sites to attract water birds, with sites located along migratory routes and near water bird stopover sites potentially posing a greater risk of fatally attracting water birds (Kosciuch et al. 2020). The proposed project occurs in an area with numerous aquatic resources and migrating birds. Several species of waterbirds, including gadwall (*Mareca strepera*), bufflehead (*Bucephala albeola*), ruddy duck (*Oxyura jamaicensis*), black-necked stilt (*Himantopus mexicanus*), great egret (*Ardea alba*), Canada geese (*Branta canadensis*), long-billed curlew (*Numenius americanus*), greater yellowlegs (*Tringa melanoleuca*), and whimbrel (*Numenius phaeopus*) to name a few, have been observed at ponds and water features within 2-miles of the proposed project. The potential for the proposed project to attract and impact water birds should be more thoroughly considered.

**6. The avoidance measures are inadequate, result in take and some cannot be legally implemented**

The biological mitigation measures consistently do not include CDFW when referencing measures that are for state listed species including the CTS and SJKF. The mitigation measures must be revised to include CDFW as part of the notification and approval process for state listed species throughout.

In addition to the project activities that have temporary and permanent impacts, the following mitigation measures identified within the DEIR are flawed and will result in either take or incidental take as defined by Fish and Game Code and must be permitted under an Incidental Take Permit and must be fully mitigated. In addition, these measures are not consistent with the measures identified in the East Alameda County Conservation Strategy which is intended to

provide standard avoidance and minimization measures to offset impacts from projects within the EACCS study area.

- a) MM BIO-2a: The DEIR inaccurately describes the “active and dispersal” period for both CTS and CRLF as “approximately October 16 and May 15, depending on the precipitation year” and that if construction commences during that period, they will conduct pre-construction surveys approximately 2 weeks prior to the initiation of construction and decommissioning.
  - i. First, regardless of the “precipitation year” CTS regularly disperse and move above ground well outside the Oct 16- May 15 time frame and would be subject to take during surface activity and entrapment in project trenches, staged materials, etc, a much greater portion of the calendar year. CTS dispersal is also tied to when the larva reach maturity which is dependent on when the eggs were laid, water temperature and food availability in the breeding pond. It is often simply tied to drying of the pond which can lead to mass dispersal in all summer months. This is especially true in the project region where high quality breeding ponds dry as early as June.
  - ii. The preconstruction survey as described, lacks enough detail to determine its adequacy to detect CTS or CRLF in refugia on the project site and does not cover the potential geographic distribution of CTS on the site, which should include the entire project area. There really are no of effective pre-construction survey methods to reliably detect CTS in their upland refugia and ensure take does not occur.
- b) MM BIO-2f: The applicant proposes to install temporary exclusion fencing. Installation of temporary exclusion fencing meets the definition of take. Ground disturbing activities including excavation, trenching and installation of t-posts or stakes meet the definition of take through impacts to habitat. This measure, even if authorized as proposed does not meet the standard for installation of exclusion fencing. The standard depth of the fence in a trench is a minimum of 6”. This is necessary to have the fence secured and prevent species from easily dislodging it and getting through. Trenching to this depth in close proximity to breeding ponds, as is the case for this project, presents a real risk of take of individual CTS in and of itself. In addition, migrating CTS are known to desiccate and are subject to predation when the encounter exclusion fences. Given the close proximity and extensive number of known or potential breeding sites, the fence itself has a high potential to cause take of CTS.
- c) MM BIO-2g: The DEIR states the if a listed species is observed in the project area, it will be allowed to leave Observation of listed species within the fenced exclusion area is take in the form of harassment and can lead to actual take due to construction activities. This is also not a reliable avoidance measure as if an amphibian is abroad in day light hours during the majority of a typical construction period in Livermore, there is a high potential it will desiccate without human intervention.
- d) MM BIO-2h: Ground disturbing activities including equipment mobilization, site clearing, vegetation removal, and grading/ground disturbance are take. The Applicant recognizes the potential for species to be present and therefore impacts to their habitat is a form of take.
  - i. Burrows that include species within a project area, regardless of an avoidance buffer is take in the form of harassment.

- ii. The DEIR states that if a species does not leave the project site on its own, A permitted biologist will be hired to trap and relocate the animal. To do so would be an illegal act. A biologist in possession of a Federal Recovery Permit CANNOT legally trap and move CRLF and CTS in the context this project. **Section 10(a)(1)(A) of the Act allows for recovery permits to be issued for otherwise prohibited acts if the activity to be permitted is for scientific purposes, to enhance the propagation or survival of the affected species, and for interstate commerce activities.** If State and Federal take authorization are obtained via Federal Section 7 or Section 10 and State Incidental Take Permits, which would require the impacts be fully mitigated, the USFWS could allow for a qualified biologist to capture and relocate a listed species. Both USFWS and CDFW often require that any biologist handling species be in possession of Recovery permits because it is an indication that the biologist is qualified and has the experience to safely move the species without further injury, make an accurate assessment of where to release the individual and report on the specifics of the situation.
- e) MM BIO-2q: Inadvertent entrapment of listed species during construction is, by definition, incidental take. The measures approach to install escape ramps to allow the animal to escape is harassment. The measure that assumes holes and trenches are only a risk during the rainy season (after October 15) assumes CTS only move during the rainy season. CTS utilize subterranean retreats including but not limited to ground squirrel burrows and gopher burrows and can be encountered at any time of year by trenching or other excavation type construction method. For local context, during construction monitoring for a project approximately two miles from the project site an adult CTS was encountered in in June 2019 when trenching intercepted a ground squirrel tunnel at a construction project that was being monitored by Swaim Biological, Inc. biologists. A project in the Altamont encountered hundreds of CTS emigrating from drying breeding ponds into the uplands during summer months. During the course of terrestrial trapping for reptiles in the Brushy Peak area, a dispersing juvenile CTS was capture in June.
- f) MM BIO-7b and MM BIO-7f are in conflict. The measures do not evaluate or provide reasoning as to how the project can both encourage raptor foraging as a form of rodent control while also installing visual deterrents or cues to “encourage bird avoidance of the project site”.
- g) MM BIO-7f – Avian Monitoring Plan. The development of the Avian Monitoring Plan is as currently proposed does not include the involvement of the general public, species experts or the regulatory agencies including CDFW and/or USFWS.
  - i. There are multiple inadequacies in the current approach which demonstrate the need for the Applicant to coordinate with a stakeholder group to ensure an appropriate Avian Monitoring Plan is developed. The Applicant should be required to coordinate with the multi-agency Avian-Solar Collaborative Working Group to develop a monitoring plan that is appropriate for the size and scale of the site in reference to local and regional populations. Risks to populations should be evaluated in the context of the already high mortality rates on avian species at the nearby Altamont Pass Wind Resource Area.
  - ii. If the Applicant intends to "*enhance the site for raptor foraging use*" and "*maintain*



*foraging habitat for raptors and other birds" while at the same time install visual deterrents or cues to "encourage bird avoidance of the project site" a component of the Avian Monitoring Plan should be required that evaluates the Applicant and the EIR authors claim's to the value of these sites for foraging habitat for all foraging bird species. The foraging monitoring should be developed in coordination with local, state and national experts to evaluate the claims that foraging will remain the same and therefore not result in a significant impact.*

- iii. Development of the Avian Monitoring Plan should be completed as part of the DEIR process rather than 30 days prior to the solar facility being fully operational.
- iv. An enforceable measure should be added that requires a stakeholder working group in the development and approval of the Avian Monitoring Plan.

**7. The DEIR does not make the full extent project feature impacts clear via their project description or graphical exhibits.**

The impact discussion (Section 4.4.3) has no discussion on the size and acreage of impacts to *special status species habitats*, nor does it map the location of what is being considered an impact.

The following project components as described in Section 3.0 will result in temporary impacts across the entire site in order to install the project. Per the Project Plans in Appendix C, 415 acres will be subject to clearing and grubbing and temporary construction activities. These would come in the form of installation of facilities including site preparation, excavation and trenching to install interconnection facilities, trenching and boring for utilities, cable installation, site clean up and exclusion fencing during construction. Spreading of excess material from excavations on site will result in disturbance to upland habitat and is a temporary impact.

Permanent impacts including the construction of the proposed battery energy storage system totaling 5 acres, a project substation totally approximately 0.9 acres, construction of a 400 sq ft O&M building, project entrances and internal driveways, internal access roads and narrower pathways, fencing, water storage tanks and the approximately 0.9 acres of stormwater detention basins. These impacts and their associated permanent loss to upland habitat must be addressed through Incidental Take Permits with the state and federal wildlife agencies and fully mitigated for.

Operational and decommissioning activities as described within the DEIR also have the potential for temporary impacts to special status species habitat, especially considering the Applicant is committed to maintain the foraging habitat and is presuming the site will remain suitable habitat for species including CTS and CRLF once construction activities are complete.

**a) Fencing**

The Applicant describes "wildlife friendly fencing" will be installed but does not evaluate how proposed security fencing that is 7 feet high with wood posts and 4 square-inch wire mesh will impact the proposed sites use by special status species. There is mention of openings that will allow wildlife as large as a badger to pass through, but there is no indication of how frequent these openings would be in the fence to evaluate if the number or size is adequate. If the mesh is a flexible material and openings are not frequent enough, wildlife of certain sizes will potentially try to enter or exit the site via the mesh and become entangled. It also potentially subjects special status and common wildlife to project related predation if they are within any of the segments where the

creek is fenced on either side because their escape routes will be compromised. More details on how the fence will be permeable to special status and common species is needed to adequately evaluate the impacts. It appears per the Project Plans that entire 415 acres would fall within the Proposed Security Fence (Drawing C.201\_B). This height of a fence will not allow for the wildlife corridor including larger mammals such as bobcat, deer and mountain lion despite the fact the Applicant states the project site will be maintained as a wildlife corridor. The north-south length of fencing that appears to be what is needed is 1.84 miles with a single break at Manning Road and in the vicinity of Stanley Street, near the southern end of the proposed project. This impact must be evaluated in order to determine if the impacts discussion on the wildlife corridors required under the CEQA analysis is complete.

#### b) Stormwater Detention Basins

As noted in our comment letter on the FEIR for the Livermore Community Solar Project, there are potential impacts associated with placement of two proposed storm water detention basins on the landscape. These basins will result in the permanent loss of 0.9 acres of upland habitat. In addition, CTS (and to a lesser degree CRLF) can be attracted to the basins during migration and dispersal and potentially breed or attempt to breed in these basins. These basins have the potential to become a type of sink habitat that attracts the amphibians who then expend their critical energy breeding in unsuitable aquatic habitats. If these basins are not maintained hydrologically to support the full hydroperiod needed to support the metamorphosis of any eggs that are laid within the detention basins, the result will be direct take of the species. The DEIR must analyze this impact and define measures that will prevent these stormwater detention basins from becoming an attractant for CTS and CRLF and potentially result in direct mortality on annual basis.

#### c) Horizontal Directional Drilling

The Applicant includes no discussion in the DEIR regarding the Horizontal Directional Drilling (HDD) that is shown to be occurring under "Crossing 2" that on Drawing C.201\_B of the Project Plans in Appendix C. This impact will occur under a potentially jurisdictional ephemeral stream, although the wetland delineation has not been provided as part of the project documents to properly evaluate the status of the stream. The use of HDD under the ephemeral tributary stream and waters has the potential risk of frac-out and could release HDD drilling mud (composed of bentonite clay and water slurry) into water bodies. The use of HDD needs to be evaluated under both the Biological Resources and the Hydrology and Water Quality Section of the DEIR for the public to understand and evaluate the impacts associated with this project action.

An enforceable measure must be added as a Condition of Approval by the County for project areas for which HDD shall be performed and should require a frac-out plan be prepared to address the unintentional return of drilling fluids to the ground surface during HDD. The frac-out plan should address at a minimum: a description of work, training, equipment, drilling procedures, and agency coordination and notification. The frac-out plan shall be approved by the appropriate regulatory agencies and notification to the RWQCB and CDFW should be required. The applicant shall obtain an approved frac-out plan prior to the issuance of a grading permit or building permit, whichever occurs first.

**8. The DEIR does not adequately address potential impacts during operation.**

**a) Operational changes to grazing regime and conversion of grassland habitat**

The operational impacts of conversion of grazing by cattle versus sheep is not discussed and needs to be evaluated. The change from the grazing regime is not an impact of *agricultural conversion* is a necessary change due to the *conversion of the grassland habitat for a mixed solar use*. Cattle cannot graze under the solar panels, therefore the Applicants desire to maintain the property within agricultural operations is a direct result of the conversion to solar use and is an operational impact on the suitability of the grassland for special status species.

Section 3.8.3 defines the development of an Agricultural Management Plan to ensure the habitat values the Applicant has committed to are maintained. The grazing management portion of the AMP needs to be developed by a Certified Rangeland Manager to ensure the project site will maintain the habitat values the Applicant states will be retained for the special status species on site.

To ensure that the continued grazing on the property is not impacting special status plant and animal species habitat and/or creating potential impacts associated water quality due to overgrazing, the DEIR should include an enforceable mitigation measure requiring the Agricultural Management Plan be completed by a Certified Rangeland Manager and be developed in coordination with species experts to ensure the statements that the site will “attract raptors and other foraging birds”, maintain grassland habitat values

**b) Storm Water Detention Basis**

See above discussion. These are features that will potentially be on the landscape for the life of the facility and subject CTS to the potential for mortality on an annual basis.

**9. Public Hiking Trail**

Although the DEIR attempts to separate the public hiking trail from the project because it will occur outside of the projects disturbance area, the placement of a public hiking trail would have potential impacts on listed species and their habitats, including wildlife corridors especially, in such close proximity to the creek. During the public hearing on October 22, the Applicant clearly described this as a feature of the project that supports the opportunity of “opening private land for a public use”. This trail is therefore a direct result of this project and therefore needs to be evaluated under this CEQA analysis to determine if additional mitigation will be necessary.

**10. Required Permits and Approvals - Section 3.9.2 & 3.4.3.1**

**Resource Agencies.**

Section 3.9.2 must be revised to state that the DEIR will also require permits from the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife to address and fully mitigate for temporary and permanent impacts associated with the installation of the project, ongoing operations and decommissioning of the project in order to comply with state and federal Endangered Species Acts.

## 11. Biological Resources Cumulative Impacts - Section 4.4.7

The discussion under BIO-7 states that the project would result in less than significant cumulative impacts to biological resources because the project is "*sited to avoid impacts to high quality grassland habitats*". This is an opinion, and as demonstrated above based on multiple regional documents the project is sited within suitable grazing lands, Priority Conservation Areas, within "Important Habitat for Threatened and Endangered Vertebrates", near federally designated critical habitat and within the East Bay Core Recovery Area for the CRLF, within suitable habitats for CTS and within appropriate dispersal distances for the species, provides suitable foraging habitat and is mapped by the EACCS as suitable habitat for seven of the EACCS focal species. Additionally, the project site is within the East Bay CNPS Botanical

To state that a project will not result in cumulative impacts because the habitat is of "low quality" is not a defensible statement given the recognition by multiple regional plans that the habitat within the project area occurs on lands with high ecological integrity and lands that are important to facilitate the movement of multiple species and maintain ecological processes and conserve biodiversity within the region.

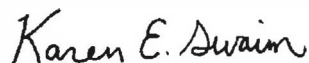
As stated above, the project does not accurately describe take of listed species, temporary and permanent impacts, or provide enforceable measures that require the project impacts to be fully mitigated in compliance with state and federal endangered species acts. Lacking these enforceable measures, the project cannot be considered less than significant and the DEIR is not adequate to meet CEQA standards.

### Summary

We believe the DEIR's biological resources section has major deficiencies which, once rectified, would require recirculation for public review. These deficiencies are substantial enough to render this chapter so inadequate that complete meaningful public review and comment is precluded. Additionally, adding the identified missing information to remedy this deficiency would constitute "significant new information" and "a substantial increase in the severity of an environmental impact", both of which also trigger recirculation.

Please feel free to contact us if you have any questions or need additional information to clarify or support this evaluation.

Sincerely,



Karen Swaim  
Principal/Senior Biologist  
[kswaim@swaimbio.com](mailto:kswaim@swaimbio.com)  
(510) 821-8569



Leslie Koenig  
Project Manager/Senior Biologist  
[lkoenig@swaimbio.com](mailto:lkoenig@swaimbio.com)



Bridget Sousa, PhD.  
Assistant Project Manager/Senior Biologist  
[bsousa@swaimbio.com](mailto:bsousa@swaimbio.com)



Amy Natasha Dvorak  
Botanist/Regulatory Specialist  
[ndvorak@swaimbio.com](mailto:ndvorak@swaimbio.com)

Exhibit A: Resumes

Exhibit B: Memo and Map of Specials Status Amphibians and Reptiles in the Project Vicinity.

## EXHIBIT A- RESUMES



**KAREN SWAIM**  
**President and Principal Biologist**  
**Swaim Biological Incorporated**  
**4435 First Street PMB #312**  
**Livermore, CA 94551**

Karen Swaim is the owner and founder of Swaim Biological Inc., established in 1996. She has over 30 years of experience as a wildlife biologist with an emphasis on the management and research of listed reptiles and amphibians in the San Francisco Bay Area. She is widely acknowledged as an expert on the Alameda whipsnake, San Francisco garter snake, giant garter snake, California red-legged frog, and California tiger salamander. She, along with her staff, holds federal (TE-815537) and state permits (SCP-2672 & MOU) to conduct surveys and implement recovery actions for these species, as well as the western pond turtle and other special status reptiles and amphibians. She has extensive experience with many special-status reptile and amphibian and other wildlife species throughout central and southern California.

### EDUCATION

California State University East Bay, Hayward, California

***Master of Science, Biology, 1994.***

Thesis: Aspects of the Ecology of the Alameda Whipsnake, *Masticophis lateralis euryxanthus*

California State University East Bay, Hayward, California

***Bachelor of Science, Biology, 1989***

Colorado State University, Fort Collins, Colorado

***Undergraduate coursework in Zoology, 1982-1985***

### SELECTED PROJECT EXPERIENCE

- **East Bay Regional Park District Alameda Whipsnake Vegetation Management**, Alameda and Contra Costa Counties, CA, 2016-2021. Principal overseeing multi-year Alameda whipsnake occupancy and radio-telemetry study assessing the effects of vegetation management and habitat characteristics on East Bay Regional Park District lands, in consultation with U.S. Geological Survey-Dixon. The project examines the response of Alameda whipsnakes to fuel-load-reducing vegetation treatments within Tilden and Claremont Canyon Regional Parks and Sibley Volcanic Regional Preserve.
- **San Francisco Public Utilities Commission Alameda Watershed California Tiger Salamander Surveys**, Alameda County, CA, 2010-2014. Conducted annual surveys of aquatic habitats throughout the San Francisco Public Utilities Commission's Alameda Watershed property to determine the presence of California tiger salamander. The surveys focused on livestock ponds where larval salamanders would indicate the presence of a breeding population. Dozens of sites were surveyed over multiple years and results indicated that breeding occurred at some sites consistently between years while the use of other sites was sporadic and likely depended on rainfall and other conditions. The results were summarized in a report along with GIS-based maps and datasets. Larval California red-legged frogs and other pond-breeding amphibians were also encountered and reported.
- **San Francisco Public Utilities Commission Habitat Reserve and Bioregional Habitat Restoration Program**, Alameda, Santa Clara, and San Mateo Counties, 2008-2009. Provided technical expertise to determine suitable locations and activities to develop a comprehensive suite of mitigation opportunities and management goals for the San Francisco Public Utilities Commission to use for impacts to special status reptiles (Alameda whipsnake, western pond turtle) and amphibians (California red-legged frog, California tiger salamander) associated with the Water System Improvement Program projects.
- **San Francisco International Airport West-of-Bayshore San Francisco Garter Snake Recovery Action Plan**, San Mateo County, CA, 2006-2018. Implementation of several Recovery Action Plan tasks for the San Francisco garter snake and California red-legged frog at the San Francisco International Airport's West-of-Bayshore parcel. Assisted in design and implementation a San Francisco garter snake mark-recapture survey to assess the population status and measure the effects of management actions on snake activity and habitat use at the site.
- **Alameda County Resource Conservation District Ranch Biological Surveys**, Alameda County, CA, 2010-2011. Completed habitat assessments and surveys of livestock ponds on 10 ranches in eastern Alameda County. Surveys were conducted to document California red-legged frog, California tiger salamander, Alameda whipsnake, western pond turtle and foothill yellow-legged frog habitat.
- **California Tiger Salamander Distribution Surveys**, Alameda, Contra Costa, Santa Clara, San Benito, Monterey and other central California Counties. 1993-1994. Conducted surveys at over 100 waterbodies in East Bay Regional Park District, San Francisco Public Utility Commission Alameda Watershed, State Parks and Private Lands to assess the status and habitat use of the California tiger salamander.
- **San Mateo County On-Call Services**, San Mateo County, CA, 2012-2021. Conducted a variety of tasks for the San Mateo County Department of Public Works. Many of the projects undertaken by the County required biological surveys or oversight to protect special status species including California red-legged frog, San Francisco garter snake and San Francisco dusky-footed

woodrat. Under this contract SBI performed biological surveys and monitoring at multiple project sites including a resurfacing project on Pescadero Road and a vegetation and sediment removal project at Cupid Row Canal in Millbrae. SBI also conducted habitat assessments and mapped the locations of natural resources at sites including Mindego Creek, Bean Hollow Pond, and Pigeon Point. Other projects such as Crystal Springs Dam Bridge and Alpine Road Trail Repaving project are described in more detail in separate bullet points.

- **Crystal Springs Dam Bridge Replacement Project**, San Mateo County, CA, 2010-2018. Served as Project Manager and provided biological support services to the San Mateo County Department of Public Works and San Francisco Public Utilities Commission during the demolition and reconstruction phases of the Crystal Springs Dam Bridge. Developed and implemented an environmental education program to educate onsite workers about measures that were put in place to protect nearby breeding habitat for the California red-legged frog, provided monitoring to ensure project compliance with the USFWS Biological Opinion, and developed a habitat enhancement plan to help offset project related impacts. Conducted surveys and implemented a predator management plan to reduce numbers of non-native predators to California red-legged frog and western pond turtle in the Crystal Springs Watershed. Removed non-native bullfrogs and turtle competitors.
- **Alpine Road Trail Repaving Project**, San Mateo County, CA, 2017. Served as Project Manager and conducted surveys and monitoring during a project that involved replacing a three-mile section of a multi-use trail located adjacent to Los Trancos Creek. Conducted surveys and assessments for California red-legged frog, California tiger salamander, bats, and relocated San Francisco dusky-footed woodrats in accordance with protocol from the California Department of Fish and Wildlife. Provided environmental awareness training for workers and monitored construction for compliance with permit conditions. Developed and implemented a fish relocation plan that was required prior to dewatering a portion of Los Trancos Creek.
- **Pacific Gas and Electric Company Lomita Station Rebuild and L101 ILI HDD Project**, San Mateo County, CA, 2014-2018 and 2017-2018. Provided biological support services to PG&E for this valve station rebuild project. The project was located in sensitive habitat that supports San Francisco garter snake and California red-legged frog. Monitored for compliance with permits during the demolition and reconstruction of the station including daily pre-construction surveys, excavating small mammal burrows in and around the work site to protect special status species, and coordination of vehicle traffic to conform to permitting conditions. Monitored for compliance with permit conditions during the construction phase.
- **San Francisco Garter Snake/California Red-legged Frog Habitat Improvement Projects, USFWS National Park Service (Golden Gate National Recreation Area), and Peninsula Open Space Trust.** 2004 - 2009. SBI has advised in the planning process regarding pond placement and/or enhancement, design of upland habitat features, trail placement in the parks and open spaces and concurrently investigated the effectiveness of wetland creation, restoration, and prescribe fires as management and recovery tools for the California red-legged frog and San Francisco garter snake at several sites in San Mateo County.
- **Colorado State University**, Herpetologist, Fort Hunter Liggett Military Base, CA, 1996. Herpetological Surveys and Inventory.

#### SELECTED PUBLICATIONS

- Wood DA, Rose JP, Halstead BJ, Stoelting RE, **Swaim KE**, Vandergast AG. Combining genetic and demographic monitoring better informs conservation of an endangered urban snake. *PLoS One*. 2020;15(5):e0231744. Published 2020 May 5. doi:10.1371/journal.pone.0231744
- Richmond, J. Q., D. A. Wood, **K. E. Swaim**, R. N. Fisher and A. G. Vandergast. 2016. Historical habitat barriers prevent ring-like genetic continuity throughout the distribution of threatened Alameda striped racers (*Coluber lateralis euryxanthus*). *Herpetologica* 72(3):202-213.
- Reeder, N., R. Byrnes, R. Stoelting and **K. Swaim**. 2015. An endangered snake thrives in a highly urban environment. *Endangered Species Research* 28:77-86.
- Lim, T. C., K. Swaim, and E. Routman. 2009. Phylogeography of the San Francisco Garter Snake (*Thamnophis sirtalis tetrataenia*). Prepared for the U.S. Fish and Wildlife Service, Sacramento Field Office. Final Report for Order # 101815M253 Req. # 8142050206.
- Yacelga, M. and K. Swaim. 2011. *Crotalus viridis* (western rattlesnake) and *Pituophis catenifer* (gopher snake). Reproduction. *Natural History Notes. Herpetological Bulletin* 116:30-33.
- Kunna, J. and K. Swaim. 2009. *Chrysemys picta bellii*: as introduced predator. *Herpetological Review* 40(3):332.
- Larsen S. S., K. E. Swaim, and S. M. McGinnis. 1991. Innate response of the San Francisco garter snake and the Alameda whipsnake to specific prey items. *Transactions of the Western Section of the Wildlife Society* 27:37-41.
- Swaim, K. E. and S. M. McGinnis. 1992. Habitat Associations of the Alameda whipsnake. 1992. *Transactions of the Western Wildlife Society* 28:107-111.





**LESLIE KOENIG**  
**Project Manager / Senior Biologist**  
**Swaim Biological Incorporated**  
**4435 First Street PMB #312**  
**Livermore, CA 94551**

Leslie Koenig is a senior biologist at SBI with over 13 years of biological experience in both public and private sectors. Her background in conservation biology focuses on special-status species management with an emphasis in permitting, amphibians and project management with a strong knowledge of state and federal environmental policies and permitting processes. Leslie has worked throughout northern California but has a specific focus on the species and habitats in Alameda and Contra Costa County especially grassland species that coexist with grazed rangelands. She has extensive project management experience overseeing multiple stream, pond and habitat restoration projects from planning stages through permitting, implementation and monitoring. She routinely evaluates projects for constraints analyses for CEQA, NEPA and permitting analysis and completes biological resource assessments to support project level environmental analysis. She has written Initial Studies, filed Mitigated Negative Declarations for project level and programmatic documents and supported federal NEPA compliance. She has served as an agency-approved biologist to monitor California red-legged frog, California tiger salamander, Alameda whipsnake, burrowing owl, western pond turtle, American badger, and San Joaquin kit fox. Leslie is permitted to handle California red-legged frog and California tiger salamander as an Authorized Individual under state and federal permits issued to Karen Swaim.

**EDUCATION**

*Bachelor of Science, Biology with Minor in Chemistry, 2004.* Fort Lewis College, Durango, Colorado

**PROFESSIONAL EXPERIENCE**

Swaim Biological, Incorporated, Senior Biologist, Livermore, CA  
Alameda County Resource Conservation District, Biologist, Livermore, CA

*May 2017 to current*  
*June 2007 to May 2017*

**SELECTED PROJECT EXPERIENCE**

- **Alameda County Livestock Pond Restoration Program**, Alameda and Contra Costa Counties, CA, 2009–2017. Managed and implemented livestock pond restoration projects throughout Alameda County. Worked with partners to develop streamlined permitting assistance programs and coordination with private and public landowners and land managers. Expanded program to Contra Costa County. Permitted restoration for 25 livestock pond restoration projects including USFWS Biological Assessments for use with a Programmatic Section 7 Biological Opinion and CDFW 1602 permits. Developed programmatic permits for the program including the first ever Voluntary Local Program to address CDFW incidental take of California tiger salamander and a RWQCB General Order 401 Certification. Developed CEQA Compliance documents and filing of an IS/MND for the program in Alameda County. Oversaw restoration of 25 livestock pond projects on public and private lands. Provided biological monitoring services pre, during and post construction. Provided environmental trainings to construction crews and preconstruction surveys for California red-legged frog, California tiger salamander, Alameda whipsnake, burrowing owl and San Joaquin kit fox avoidance. Surveyed livestock ponds for larval and adult California tiger salamanders and California red-legged frogs and western pond turtles. Ensured compliance with dewatering systems in place to complete work when necessary during construction and completed relocation of California red-legged frogs, western pond turtles and California newt.
- **Ameresco Keller Canyon L.L.C Landfill Gas Processing and High BTU Pipeline Project**, Contra Costa County, CA, 2017 to current. Assisted Ameresco in the planning and permitting for the Project that will occur in unincorporated Contra Costa County, near the City of Pittsburg, CA. Served as project manager and completed biological resources assessments to support CEQA analysis and the East Contra Costa County Habitat Conservation Plan/Natural Communities Conservation Plan (HCP/NCCP). These included jurisdictional waters/wetland delineations, rare plant and Sensitive California Natural Communities surveys, and analysis for special status species including California red-legged frog, California tiger salamander, burrowing owl, American badger, bats, San Joaquin kit fox, raptors and nesting birds. A Planning Survey Report will be completed to comply with the HCP/NCCP and permits obtained from the California Department of Fish and Wildlife, Regional Water Quality Control Board and US Army Corps of Engineers.
- **Arroyo de la Laguna Stream Restoration Projects**, Alameda County, CA, 2009-2017. Completed three stream restoration projects on the Arroyo de la Laguna in Alameda County to address extreme bank erosion with bioengineered components on San Francisco Public Utilities Commission Property. Served as project manager and oversaw surveys within stream to assess habitat conditions for Alameda whipsnake, California tiger salamander, Central Coast steelhead, western pond turtle, California red-legged frog, bats, nesting birds and San Francisco dusky-footed woodrats. Wrote and secured all permits necessary for the projects including state and federal wildlife (USFWS Biological Opinion) and regulated waters permits (CDFW 1602, Clean Water Act 401 and 404), CEQA Initial Study/Mitigated Negative Declaration, NEPA FONSI and Restoration Plan. Served as Service and Department approved biologist to conduct pre-construction surveys, environmental training and provide biological monitoring during construction. Ensured compliance with dewatering systems in place to complete work in an active stream channel and completed aquatic species relocation of native fish and western pond turtles and removal of non-native fish. Developed and



implemented mitigation and monitoring plans. Conducted annual monitoring to meet mitigation requirements per mitigation and monitoring plans.

- **City of Livermore Dalton Reservoir Replacement Project**, Alameda County, CA, 2019. Provide biological support services to the City of Livermore. Served as lead biologist to oversee project and perform preconstruction surveys, environmental training and construction monitoring for nesting birds, California red-legged frog, California tiger salamander, San Joaquin kit fox, American badger and burrowing owl.
- **City of Livermore Doolan Canyon Wetland**, Alameda/Contra Costa County, CA, 2018 to current. Provide biological support services to the City of Livermore. Served as qualified biologist during the wetland creation to perform preconstruction surveys, environmental training and construction monitoring for California red-legged frog, California tiger salamander, San Joaquin kit fox, and burrowing owl. Continue to provide monitoring to meet permit, mitigation and habitat restoration requirements.
- **City of Livermore Emergency Storm Damage Project Monitoring**, Alameda County, 2017. Provided biological support services and assisted with emergency project to address storm related damages on the Arroyo Mocho and Collier Creek in February 2017. Served as agency approved biological monitor to conduct preconstruction surveys and provide biological monitoring services for the California red-legged frog, California tiger salamander and San Joaquin kit fox. Ensured compliance with dewatering systems in place to complete work in an active stream channel.
- **City of Livermore Stream Maintenance Program Assistance**, Alameda County, CA, 2015-current. Coordinated with the City of Livermore Engineering Department to complete annual planning under the Stream Maintenance Program's Programmatic Permits including CDFW Routine Maintenance Agreement, RWQCB General Order 401 Certification, and USACE Regional General Permit. Developed annual permit applications, conducted preconstruction surveys, provided construction monitoring and post construction monitoring. Completed analysis for biological assessments from 2017 to 2020 for use under the East Alameda County Conservation Strategy Programmatic Biological opinion evaluating Palmate bracted birds beak, California red-legged frog, California tiger salamander, Alameda whipsnake, Callippe silverspot butterfly, vernal pool and longhorn fairy shrimp and San Joaquin kit fox. Managed development of aquatic resource delineations for wetlands and jurisdictional waters. Ensured compliance with dewatering systems in place to complete work in an active stream channel and aquatic species relocation of native fish (California hitch, California roach), and western pond turtle, and removal of non-native fish and American bullfrog adults/tadpoles.
- **Discovery Builders Biological Resources Assessments and Surveys**, Contra Costa and Solano County, CA. 2017 - current. Performed baseline habitat assessments to support CEQA biological resources assessments, wetland delineations, rare plant surveys and special status species assessments. Completed preconstruction surveys in compliance with CEQA mitigation measures for multiple projects across Contra Costa and Solano County.
- **East Bay Regional Park District Routine Maintenance Projects Biological Monitoring**, Alameda and Contra Costa County, CA, 2018. Provide biological monitoring services including preconstruction surveys, environmental training and construction monitoring for routine maintenance road and trail projects including culvert replacements and repair, installation of headwalls and tailwalls, and installation of articulated fords throughout park lands in Alameda and Contra Costa County. Served as US Fish and Wildlife Service and Department of Fish and Wildlife approved biologist for Alameda whipsnake, California red-legged frog and California tiger salamander. Conducted preconstruction surveys for listed species above as well as nesting birds, bats, San Francisco dusky-footed woodrat and burrowing owl.
- **Midpeninsula Regional Open Space District (MROSD) Bat and Woodrat Surveys**, San Mateo and Santa Clara Counties, CA. June 2019. Served as Project Manager overseeing and providing biological support services to MROSD at recently acquired properties where demolition of old structures was scheduled to occur. Conducted daytime surveys of building structures for San Francisco dusky-footed woodrat nest structures and evaluated the potential for structures to provide bat roosting habitat or maternity colonies. Additionally, conducted nocturnal emergence surveys and acoustic surveys to detect bats emerging from structures.
- **Pacific Gas and Electric Company Gas Line 303 SCCDA Environmental Studies and Permitting**, Alameda County, CA, 2017. SBI conducted an environmental review, prepared permit applications and submitted studies in support of project permitting for a project involving the replacement of a section of a natural gas pipeline that passed underneath Alameda Creek. Completed the Incidental Take Permit Application for California tiger salamander impacts. Project site serves as habitat for California red-legged frog, California tiger salamander, Alameda whipsnake, and Central Coast steelhead.
- **Stonybrook Creek Crossing and Fish Passage Improvement Project Palomares Road at Postmiles 8.60 and 8.75, Alameda County Public Works Department**, Alameda County, CA, 2010–2017. Completed fish passage and culvert replacement restoration project on Stonybrook Creek in Alameda County related to road culverts along Palomares Road. Served as project manager and oversaw surveys within stream to assess habitat conditions for Central Coast steelhead, Alameda whipsnake, California red-legged frog, foothill yellow-legged frog, California newt, nesting birds, bats and San Francisco dusky footed woodrat. Wrote and secured all permits necessary for the projects including state and federal wildlife and regulated waters permits, CEQA Mitigated Negative Declaration, NEPA FONSI and Restoration Plan. Served as US Fish and Wildlife Service and California Department of Fish and Wildlife approved biologist and conducted pre-construction surveys, environmental training, and provided biological monitoring during construction. Conducted annual monitoring to meet mitigation requirements per mitigation and monitoring plans developed for the project.



**NATASHA DVORAK**  
**Regulatory Specialist / Senior Biologist**  
**Swaim Biological Incorporated**  
**4435 First Street PMB #312**  
**Livermore, CA 94551**

Natasha Dvorak is a Regulatory Specialist and Senior Biologist with SBI specializing in the identification and management of special-status plants and wildlife, wetlands, and waters. Natasha has experience preparing the full range of environmental documents from habitat assessments and protocol surveys, through CEQA and permitting, to restoration planning and monitoring. She performs wetland assessments and delineations for federal, state, and local agencies, and engages in construction and restoration monitoring. She performs habitat assessments and conducts surveys for rare plants, host plants for rare butterflies, steelhead, California tiger salamander, California red-legged frog, western pond turtle, San Francisco garter snake, Alameda whipsnake, nesting birds, burrowing owl, spotted owl, Swainson's hawk, Ridgway's rail, California black rail, American badger, San Joaquin kit fox, San Francisco dusky footed woodrat, salt marsh harvest mouse, and roosting bats. She is fully authorized under SBI's State and Federal Recovery Permits for California red-legged frogs and California tiger salamanders.

### **EDUCATION**

Pitzer College, Claremont, California

*Bachelor of Arts in Biology, 2004 and in Economic Development 2004*

Southern California College of Business and Law, La Brea, California

*Associate of Arts, Paralegal Studies 1995*

### **SELECTED PROJECT EXPERIENCE**

- **Pacific Gas and Electric Company Dalton Station Auto Valve Installation Project**, Alameda County, CA, 2013-2014. Completed a wetland delineation and rare plant surveys for the expansion of a natural gas facility. Surveyed alkali habitat and documented Livermore tarplant and brittlescale populations over several years. Conducted a wetland delineation in the project area and used the resulting data to prepare applications for 404 and 401 permits. Also prepared a Vegetation Restoration and Monitoring Plan to fulfill mitigation requirements.
- **Oro Loma Demonstration Project**, Alameda County, CA, 2013-2014. Completed Biological Resources CEQA, wetland delineation, and Permitting for project implementation. Environmental permitting documents were obtained from the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, Regional Water Quality Control Board, Bay Conservation and Development Commission, and U.S. Fish and Wildlife Service. This project required preparation of a U.S. Army Corps of Engineers Individual Permit and endangered species consultation regarding salt marsh harvest mouse.
- **City of Petaluma, Ellis Creek Water Recycling Facility**, Sonoma County, CA, 2007-2013. Provided biological monitoring during the construction of the water recycling facility, especially the Naval Trail into salt marsh habitat, for the protection of California red-legged frog, Ridgway's rail, California black rail, salt marsh harvest mouse, and western pond turtle. Provided on-call biological monitoring for the five-year post-construction monitoring period. Performed nesting bird surveys, aquatic surveys during annual pond draining, protocol surveys for California red-legged frog, vegetation restoration monitoring of Ellis Creek in freshwater, riparian, and brackish zones, delineations of pre-existing and constructed wetlands, and developed a predator management plan and conducted bullfrog eradication.
- **Dreamfarm Ranch Project**, Marin County, CA, 2011. Conducted an assessment of biological resources on and in proximity to a large, privately-owned ranch in west Marin County. The property bordered critical habitat for California red-legged frog, marbled murrelet, and tidewater goby, and contained a designated critical habitat stream for steelhead. The property also contained a large breeding pond for western pond turtle. Conducted wetland delineation, addressing the overlapping jurisdictions of the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, Regional Water Quality Control Board, and California Coastal Commission. Prepared a Wetland Delineation Report and a Biological Assessment for the County of Marin.
- **Fairfield-Suisun Sewer District, Wastewater Treatment Plant**, Solano County, CA, 2007-2009. Performed on-call biological services for the Sewer District including surveys and consultations for nesting birds (especially cliff swallow nests on planned construction surfaces), roosting bats, and Suisun Marsh aster in Suisun Marsh.
- **Contra Costa Water District Los Vaqueros Watershed Wetland Permitting Projects**, Contra Costa County, CA. Performed a wetland delineation of Kellogg Creek and submitted a Preliminary Delineation of Waters report for the Water District. Prepared permit applications for the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and Regional Water Quality Control Board. The permitting effort was successful, and the District obtained permits allowing them to remove vegetation along a 650-linear foot reach of Kellogg Creek as part of their reservoir dam maintenance obligations.
- **Contra Costa Water District Programmatic Biological Assessment for Los Vaqueros Reservoir Operations and Maintenance Activities**, Contra Costa County, CA. Co-authored a programmatic Biological Assessment to address operations and maintenance activities associated with management of the 20,000-acre Los Vaqueros Reservoir Watershed. The Watershed provides

occupied habitat for numerous special-status species including longhorn fairy shrimp, vernal pool fairy shrimp, California tiger salamander, California red-legged frog, Alameda whipsnake, San Joaquin kit fox, and bald and golden eagles.

- **Department of Water Resources South Bay Aqueduct Improvement and Enlargement Monitoring Project**, Alameda County, CA. Assisted with wetland and vegetation surveys and monitoring. Surveys included measures of residual dry matter, an essential metric for vegetation monitoring, and assessments of hydroperiod and habitat utilization by California tiger salamander, essential metrics for wetland performance.
- **Calpine Geothermal Facility**, Sonoma/Lake Counties, CA. From ~2007-2013 assisted with annual salmonid surveys assessing the impacts of geothermal operation on creeks in the plume zone. Surveys lasted 4 days. Used electroshocker and nets to capture YOY salmonids (trout and coho, depending on watershed). Captured, measured, and released 100s of fish over the years. Incidental bycatch included Pacific giant salamander and foothill yellow legged frog. Adult salamanders totaled >10 and FYLF adults totaled dozens over the years. Juvenile salamanders were >100s. Observed yellow-legged frog tadpoles but electroshocking did not occur in these reaches.

#### **SELECTED TRAINING EXPERIENCE**

**Advanced Wetland Delineation**, Wetland Science and Coastal Training Program. November 13&14, 2019. EOS Center/Estuary Hall, Tiburon, CA.

**Wetland Delineation 40-hr course**, Wetland Science and Coastal Training Program. Circa 2010. EOS Center/Estuary Hall, Tiburon, CA.



## Bridget Sousa, Ph.D.

Email: bsousa@swaimbio.com

Phone: 978-727-2314

### EDUCATION

#### University of Kentucky

PhD: Biology, Lexington, KY

Aug 2005 – May 2012

#### University of California, Berkeley

BA: Integrative Biology, Berkeley, CA

High Distinction in General Scholarship (*Magna Cum Laude*)

Aug 1998 – Dec 2002

### CURRENT POSITIONS

**Assistant Project Manager, Senior Wildlife Biologist**  
**Swaim Biological, Inc.**

May 2018 – Present  
Livermore, Ca

### RESPONSIBILITIES

- Assistant project manager responsible for scheduling and supervising staff on compliance monitoring projects.
- Special status species surveys and assessments, specializing in birds and amphibians.
- Permitting for a wide variety of special-status animals in the San Francisco Bay Area and Central Valley.
- Compliance monitoring and reporting for a variety of projects, including gas and electric transmission, stream management, development, and maintenance in a wide range of habitats.

### SPECIAL-STATUS SPECIES EXPERIENCE

- Approved to conduct surveys for and/or monitor the following special-status animals:
  - California red-legged frog
  - California tiger salamander
  - San Francisco garter snake
  - Alameda whipsnake
  - burrowing owl
  - snowy plover
  - least tern
  - Ridgeway's rail
  - giant kangaroo rat
  - San Joaquin kit fox
  - San Francisco dusky-footed woodrat

### SECRETARY (VOLUNTEER)

Western Section of the Wildlife Society

July 2016 – Present

*Responsibilities:* Voting member of the Executive Board and Executive Committee. Duties include:

- Budgeting - evaluate and vote on annual Section budget, workshop budgets, additional monetary requests, awards, grants, and other Section business.
- Evaluate and participate in decisions regarding the activities, management, and direction of the Section
- Record minutes of Board meetings, maintain records of official Section business.
- Prepare meeting agenda - identify key discussion points and assign time to debate.

## WORK EXPERIENCE

**Wildlife Ecologist, Ornithologist**  
**H. T. Harvey & Associates**

Jan 2013 – May 2018  
Los Gatos, CA

## RESPONSIBILITIES

- Permitting, compliance monitoring and reporting, and special-status species assessments for projects located in the Mojave desert, Central Valley, San Francisco Bay Area, and Central Coast.
- Preparing proposals and scopes of work for new work.
- Data management and QA/QC using Microsoft Access and Excel.
- Nesting bird surveys for raptors and other birds. Experienced in locating nests in a wide variety of habitats, including urban, industrial, forest, park, and grassland habitats.

## MAJOR PROJECTS

### Calipatria Bird and Bat Conservation Strategy (BBCS)

Drafted the BBCS for Calipatria Solar Farm I Project in Imperial County, CA, a utility scale photovoltaic solar generating facility. Assessed risks to bird and bats from the facility and prepared fatality monitoring methodology and Avoidance and Minimization Measures to detect, avoid and minimize impacts to bird and bat species.

### Ivanpah Solar Electric Generating System (ISEGS)

Data manager and field biologist at the ISEGS, a utility scale solar concentrating facility located in the Mojave desert near Nipton, CA. Drafted protocols

#### *Avian Use Surveys*

- Field lead for and conducted avian point counts, raptor surveys, and avian and bat fatality surveys at locations throughout the facility and in the adjacent desert.
- Summarized data and protocols, and trained WEST, Inc. employees during transition of the project from H.T. Harvey & Assoc. to WEST, Inc.

#### *Avian and Bat Fatality Surveys*

- Surveyed heliostat field, tower platform, and facility infrastructure for avian and bat fatalities.
- Identified avian carcasses and feather spots to species using Pyle guide, museum resources, field guides.
- Captured and transported injured birds to approved rehabilitation facilities.
- Drafted protocols for and initiated searcher efficiency and carcass removal trials. Collected data, reviewed photos, and trained staff in camera set up and photo analysis.

#### *Data management*

- Data manager for the Ivanpah project; responsible for data quality and completeness.
- Created relational Access database, developed user forms, and utilized data validation to ensure accurate data entry.
- Reviewed data quality, and produced data summaries, tables, and graphs as needed.

#### *Reports and Presentations*

- Drafted quarterly and annual technical reports required by agency permits.

- Provided evaluation of project impacts and mitigation efforts (e.g. sonic bat deterrence), researched outside information to support conclusions, and maintained professional client relationships.
- Responded to agency (USFWS, BLM, California Energy Commission) comments.
- Reviewed reports for consistency, accuracy, completeness, and Permit compliance.
- Prepared PowerPoint slides for presentations to the Technical Advisory Committee. Enhanced slide quality and maintained consistency, accuracy, and readability.

#### California Valley Solar Ranch (CVSR)

Field biologist for at CVSR, a utility scale photovoltaic generating system located on the Carrizo Plain in California.

##### *Avian Use Surveys*

- Field lead for and conducted avian point counts, raptor surveys, and avian and bat fatality surveys at locations throughout the facility and in the adjacent desert.
- Summarized data and protocols, and trained WEST, Inc. employees during transition of the project from H.T. Harvey & Assoc. to WEST, Inc.

##### *Avian and Bat Fatality Surveys*

- Surveyed solar panel arrays, transmission line, and control plots for avian and bat fatalities.
- Identified avian carcasses and feather spots to species using Pyle guide, museum resources, field guides. Entered data into MS Access and Excel databases.
- Captured and transported injured birds to approved rehabilitation facilities.
- Drafted protocols for and initiated searcher efficiency and carcass removal trials. Collected data, reviewed photos, and trained staff in camera set up and photo analysis.

##### *Burrowing Owl Monitoring*

- Lead biologist on burrowing owl monitoring. Conducted year-round breeding and wintering surveys for burrowing owls within the facility and on adjacent conservation lands. Located nests and monitored nest success.
- Drafted annual report on burrowing owl population status.

##### *Other Species Monitoring*

- Assisted in surveys for San Joaquin kit fox dens, antelope ground squirrel burrows, and giant kangaroo rat precincts.
- Assisted in emergence surveys for bats, including pallid bats. Assisted in installing bat acoustic monitoring stations
- Assisted in trapping giant kangaroo.

#### Silicon Valley Construction Projects nesting bird protection

Worked on major construction projects including New Stanford University Hospital, Stanford Neuroscience Health Center, Google native landscaping, and others.

- Located, deterred, and monitored hundreds of nests.
- Ensured timely completion of all surveys, submission of data, and communication of problem areas or nesting pairs.
- Prepared monthly and final summary reports.

## POST DOCTORAL RESEARCH ASSISTANT

Nov 2012 – Dec 2012

University of California, Berkeley

Monumento Natural Laguna de Pozuelos, Argentina

*Responsibilities:* Worked with Dr. Eileen Lacey to capture, pit tag and collect toe clips from tuco tucos. Conducted behavioral observations, mapped locations of individual animals, and located dens using radio telemetry.

## PH.D. GRADUATE STUDENT

Aug 2005 – May 2012

University of Kentucky, Biology Department

Lexington, KY

Major Professor: Dr. David Westneat

*Dissertation:* Ecology of Mating Patterns and Sexual Selection in Dickcissels Breeding in Managed Prairie

*Responsibilities:* Independently developed and carried out research project on the effects on grassland management practices on the mating ecology of an obligate grassland breeding bird. Evaluated mating patterns and nesting success in response to varying fire regimes.

- Solely responsible for funding, designing, conducting, and writing independent research project which examined the effects of managed burn regimes on mating patterns, sexual selection and demography of dickcissels.
- Recruited, hired, trained and supervised ten assistants in the laboratory and field.
- Applied for and received internal and external funds for project. Maintained project budget, accounted for monies spent, and met reporting requirements for funding entities. Ensured project goals were met within budget constraints.
- Applied for and received multiple fellowships to support graduate training.
- Published and presented results (see Publications and Presentations below).

*Field:* Conducted and managed all aspects of 4-year study of a grassland breeding bird.

- Trapped, banded, took standard measurements, collected blood and feather samples from adult and nestling dickcissels. Located and monitored nests.
- Kansas State permits for trapping, banding and collecting dickcissels. Applied for and received IACUC approval for animal trapping and handling.
- Created and published new nest trap design with minimal disturbance to grassland vegetation.
- GPS mapped male territories and female nest sites. Generated maps of active nests and vegetation transects.
- Identified prairie plants at all stages of growth and estimated cover and abundance of key vegetative types. Utilized a Robel pole to estimate vegetative density and visual occlusion.
- Navigated to nests and transect points using compass, aerial maps and GPS units.

*Site Maintenance:* Assisted in facility maintenance at the Konza Prairie Biological Station.

- Conducted invasive plant surveys on horseback and on foot. Eradicated invasive plants using backpack herbicide sprayers.
- Instituted long-term GPS monitoring of invasive vegetation to improve eradication efforts, resulting in long term efforts to evaluate alternative eradication techniques.
- Assisted burn crews in setting and monitoring prescribed fires.

**BIRD BANDER**

Aug 2015 – Aug 2016

San Francisco Bay Bird Observatory

Coyote Creek Field Station, San Jose, CA

*Responsibilities:* Extract birds from mist nets; band birds and take standard measurements. Utilize Pyle Guide and Sibley Field Guide to accurately identify, age, and sex birds.

**USGS**

Aug 2012 – Sep 2012

San Francisco Bay Estuary Field Station

Vallejo, CA

*Responsibilities:* Conducted seabird surveys on San Francisco Bay. Analyzed camera trap photographs.

- Independently conducted surveys for seabirds, marine mammals, and boat activity at points around the San Francisco Bay. Recorded behavior and interactions of seabirds and boats, and communicated with the public about the project.
- Analyzed camera trap photographs of artificial nesting platforms for Ridgeway's rails.

**SOLANO COUNTY BREEDING BIRD ATLAS**

Jun 2012 – Sep 2012

Napa-Solano Audubon Society

*Responsibilities:* Surveyed assigned grids for evidence of breeding birds.

- Surveyed federal, state, public and private lands in Solano, Sonoma and Placer Counties, CA. Communicated with land owners regarding avian activity on their lands.
- Searched for evidence of breeding Ridgeway's rails, least terns and snowy plovers in suitable habitats.

**BIOLOGICAL FIELD ASSISTANT**

May 2001 – Aug 2001

Rocky Mountain Biological Laboratory

Gothic, CO

*Responsibilities:* Collected field data, and located and monitored nests as part of a study on disease and reproductive success in mountain white-crowned sparrows.

- Trapped sparrows, recorded standard measurements, collected blood samples, measured hematocrit, prepared blood slides, and administered anti-malarial drugs.
- Located and monitored nests.
- Conducted independent study on ectoparasites.

**U.S. FISH AND WILDLIFE SERVICE**

Jan 2000 – May 2001

San Pablo Bay National Wildlife Refuge

Mare Island, CA

*Responsibilities:* Conducted independent study of the diets of barn owls roosting on Mare Island Naval Shipyard. Identified mammalian, avian, and invertebrate skeletal contents.

- Published report of findings. Concluded that these barn owls were unlikely to be major predators of the endangered salt marsh harvest mouse.

**BIOLOGICAL FIELD ASSISTANT**

May 2000 – Aug 2000

University of California at Santa Cruz

Pawnee National Grasslands, CO

*Responsibilities:* Collected field data and behavioral observations for a population of lark buntings.

- Trapped, banded, photographed, recorded standard measurements, and collected blood samples from lark sparrows. Mapped territories and conducted behavioral observations.
- Located nests, monitored for reproductive success, and identified parents.



## SKILLS

### ANIMAL TRAPPING AND OBSERVATION

- Highly proficient in avian capture and handling, including mist netting, Potter trapping, banding, blood sampling, and behavioral observations. Also experienced in mist net repair, trap design, and trap construction. Readily identify western, northwestern, southwestern, and grassland bird species by sight and sound.
- Experienced in small mammal trapping and handling.
- Experienced in sein and dip net sampling of special-status amphibians.
- Highly competent in nest searching and monitoring, avian censuses, point counts, distance sampling, GPS/GIS territory mapping, and re-sighting color banded birds.

### DATA ANALYSIS

Competent and highly experienced in: ESRI ArcGIS, SAS, R, MatLab, MARK, Systat, Raven, SigmaPlot, and Google Earth. Also proficient with the entire Microsoft Office Suite.

- Microsoft Access: Creation and administration of network hosted, relational database with user friendly forms. Experienced in using validation rules, queries, and SQL to ensure data consistency and accuracy, generate reports, and export report tables.
- ArcGIS: Data entry and map creation, Spatial Analyst, Geospatial Modeling Environment, territory and home range delineation using minimum convex polygon and kernel density estimation, nearest neighbor analysis, distance analysis, and analysis of spatial patterns. Utilized orthorectified aerial photographs to quantify habitat features
- SAS: Highly proficient at statistical analyses of parametric and non-parametric data including: descriptive statistics, correlation analysis, ANOVA, ANCOVA, linear regression, GLM, mixed models, GLMM, power analysis, randomization tests, heteroscedacity tests, and all basic statistical analyses.
- R: Familiar with Huso Fatality Estimator in R and basic statistical analyses and graphing.
- MARK: Experienced in nest survival analysis. Familiar with mark-recapture analysis.
- MatLab: Experienced in programming, ecological modeling, and statistical analysis using MatLab, including data consolidation, data analysis, resampling techniques, randomization tests, basic ecological modeling, and Monte Carlo simulation.
- Microsoft Office: Highly experienced in the use of Access, Excel, Word, Outlook, Publisher, PowerPoint, and Picture Manager.

### PUBLICATIONS

- **Sousa, Bridget F. and D.F. Westneat** 2013. Variance in mating success does not produce strong sexual selection in a polygynous songbird. *Behavioral Ecology* 24 (6) 1381-1389.
- **Sousa, Bridget F. and D.F. Westneat** 2013. Patterns of social and extra-pair mating in a polygynous songbird, the dickcissel (*Spiza americana*). *Behavioral Ecology and Sociobiology* 67 (2) 243-255.
- **Sousa, Bridget F. and Stewart, Sarah L. M.** 2011. Design and effectiveness of a novel trap for capturing nesting songbirds. *J. Field Ornithology* 82(4):424-428.
- **Sousa, Bridget.** 2008. A dickcissel's life on the prairie. *Tallgrass Gazette*, summer 2008
- **B. Sousa, M. Svensson, J. Patton.** 2007. Characterization of 20 microsatellite loci in the woodrat, *Neotoma lepida*. *Molecular Ecology Notes* 7: 868-870
- **E.A. Herrera, M.E. Chemello, E.A. Lacey, V. Ssalas, and B.F. Sousa.** 2004. Characterization of

microsatellite markers from capybaras, *Hydrochoerus hydrochaeris* (Rodentia: Hydrochoeridae), Molecular Ecology Notes 4(4) 541.

- **Sousa, Bridget.** 2003. Food habits of a coastal population of barn owls in central California, *Berkeley Scientific* 7(1) 65-68.

## TRAINING COURSES

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- **eBird Status and Trends.** The Wildlife Society. Oct 2020
- **Ecology and Conservation of the Foothill yellow-legged frog.** Laguna Environmental Center. Oct 2019.
- **Rare Shoreline Species.** SF Bay Chapter of the Wildlife Society. Jun 2019.
- **How to Work With Local Governments.** Western Section of the Wildlife Society. Nov 2017
- **Apps for the Wildlife Biologist.** Western Section of the Wildlife Society. Oct 2017
- **Successful CEQA Compliance.** University of California, Davis Extension. May 2015
- **Estimating avian abundance and occupancy with marked and unmarked individuals.** North American Ornithological Conference Workshop, Vancouver, BC. Aug 2012
- **HRT: Home Range Tools for Analysis of Location Data.** The Wildlife Society Annual Conference, 2010
- **Bird Identification by Song.** San Francisco State University, Sierra Nevada Field Campus, CA 2005
- **Mist Netting and Bird Handling.** San Francisco State University, Sierra Nevada Field Campus, CA 2004
- **Amphibians of the San Francisco Bay Area.** San Francisco Bay Chapter of TWS. 2002

## RECENT PRESENTATIONS

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- **Sousa, Bridget F.** February 2017. The Incredibly Adaptable Urban Junco: Dark-Eyed Junco Nesting Within Active Construction Projects in Silicon Valley
- **Sousa, Bridget F.** October 2015. Sexual selection in dickcissels varies with time across managed habitats. The Wildlife Society Annual Conference.
- **Sousa, Bridget F.** January 2015. The effect of prairie burn regimes on mating patterns in dickcissels. Western Section of the Wildlife Society Annual Conference.
- **Sousa, Bridget F.,** Doug Drynan, Jeff Smith, Dave Johnston, Steve Rottenborn, Brian Boroski. February 2014. Research in Industry: Examples from a California solar energy project. University of Kentucky, Biology Departmental Seminar Invited Speaker.
- **Sousa, Bridget F.** and Stephen Peterson. January 2014. Avian Use of a Solar Photovoltaic Energy Facility. Western Section of the Wildlife Society Annual Conference.
- **Sousa, Bridget F.** October 2012. Demographic parameters for dickcissels breeding in managed prairie. The Wildlife Society Annual Conference.
- **Sousa, Bridget F.** July 2011. Sexual selection in dickcissels varies with time across managed habitats. American Ornithologists' Society Annual Conference.

## Exhibit B-Supplemental Comment and Species Occurrence Map



Swaim Biological Incorporated  
4435 First Street PMB #312  
Livermore, CA 94551

**To:** Andrew Young, Sr. Planner  
Alameda County Planning Department, Community Development Agency  
224 West Winton Ave. Rm. 111, Hayward, CA 94544-1215

**Cc:** Mr. Robert Selna, Selna Partners, LLP

**From:** Karen Swaim, Principal/Senior Biologist

**Date:** October 31, 2020

**Re:** **Supplemental Materials for Peer Review of Aramis Solar Energy Generation and Storage Project DEIR September 2020 (SCH No. 2020059008).**

Dear Mr. Young:

The information provided below and map (Attached) depicting the special status amphibian and reptile occurrence in the vicinity of the Aramis Solar Energy Generation and Storage Project provided here are supplemental to our letter which Mr. Selna submitted on October 31, 2020. In addition, I would like to include as part of our statements regarding the adequacy of the DEIR, the link below to two relevant Environmental Documents that are publicly available and contain locations of additional special status wildlife and rare plants in the immediate vicinity of the subject project. Specifically, the following documents should be reviewed, and the extensive biological resources information be incorporated in the DEIR and the current botanical survey methods (which were not completed by the EIR consultant) be implemented for the project to ensure its adequacy for CEQA review. The document names are as follows:

*R649, R700, and R707 Natural Gas Transmission Pipeline 131 Replacement Projects Draft Initial Study Mitigated Negative Declaration*

*Pacific Gas & Electric R649, R700, and R707 Natural Gas Transmission Pipeline 131 Replacement Appendices Part 2 – Botanical Resource Survey.*

Both can be obtained at the following hyperlink

<https://nrm.dfg.ca.gov/documents/ContextDocs.aspx?cat=R3-HabCon>

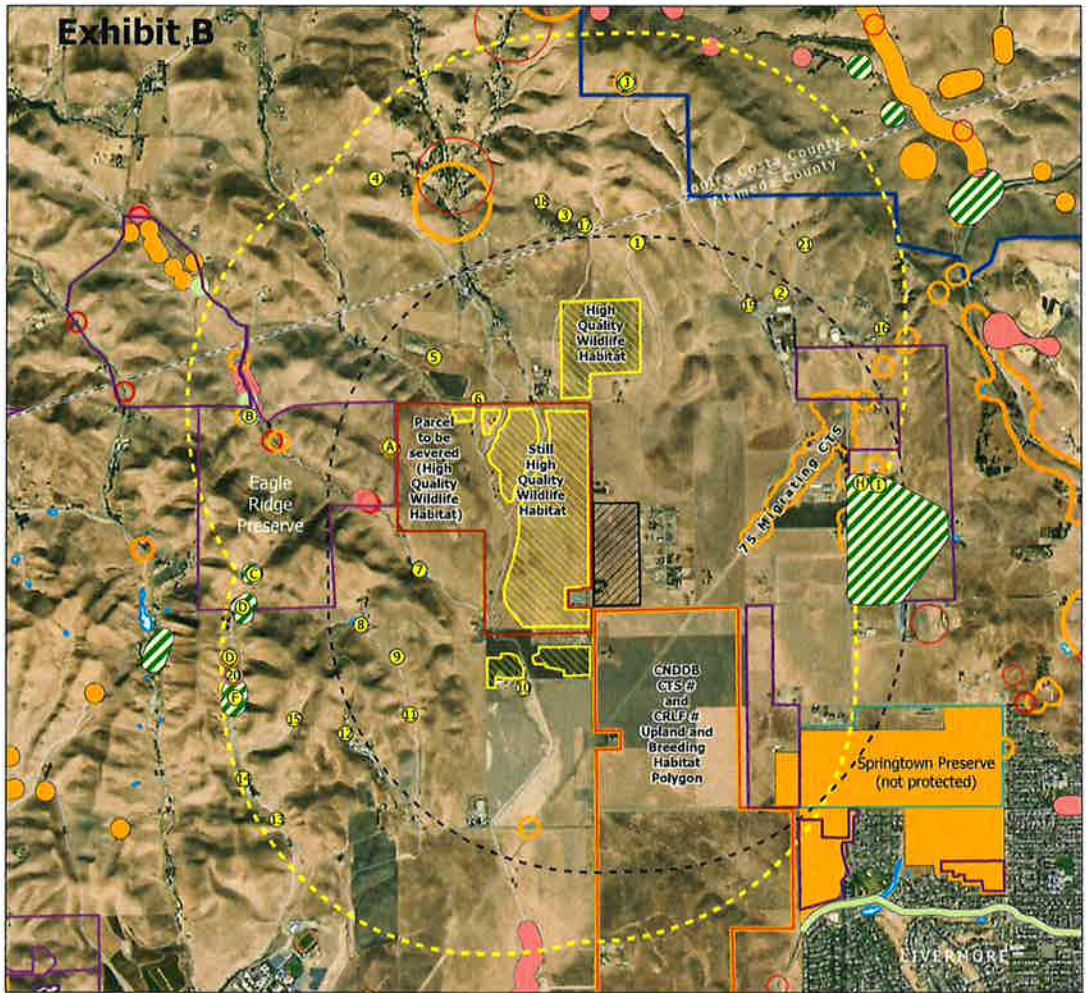
We appreciate the opportunity to provide the County this information as part of the CEQA process. Please feel free to contact us if you have any questions or need additional information to clarify or support this evaluation.

Sincerely,

*Karen E. Swaim*

Karen Swaim, Principal/Senior Biologist  
[kswaim@swaimbio.com](mailto:kswaim@swaimbio.com)  
(510) 821-8569

Exhibit B: Specials Status Amphibians and Reptiles in the Project Vicinity.



- Aramis Solar Project Site
  - Aramis 1.3 Mile Buffer (Potential Upland CTS Habitat)
  - Aramis Parcel
  - Sunwalker Project Site
  - Sunwalker 1.3 Mile Buffer (Potential Upland CTS Habitat)
  - Waterbodies (USGS/USFWS)
  - Creeks and Streams (USGS NHD)
  - North Livermore Area Protected Lands
  - Springtown Preserve (Not Protected)
  - CCWD
- Special Status Amphibian and Reptile Observations (CNDDB/Other 2020)**
- California Tiger Salamander - Non Breeding
  - California Tiger Salamander - Breeding
  - California Red-legged Frog - Non Breeding
  - California Red-legged Frog - Breeding
  - Western Pond Turtle
  - CTS and CRLF Breeding
  - Confirmed CTS Breeding habitat
  - Potential CTS breeding habitat and CRLF aquatic habitat
- \*Both Proposed Solar Projects are sited in undeveloped Range and Agricultural land amongst existing species mitigation preserves and intact high quality wildlife habitat.

**Figure 1 - Special Status Amphibian and Reptile Species Occurrences near the Project Area**

Aramis Solar Energy Generation and Storage Project  
October 2020







Robert Selna, Esq.  
Selna Partners  
70 Washington Street  
Oakland, CA 94607

October 29, 2020

**SUBJECT: COMMENTS ON ARAMIS SOLAR ENERGY AND STORAGE PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT (COUNTY APPLICATION PLB2017-00174)**

Dear Mr. Selna,

Per your request, I have reviewed the Draft Environmental Impact Report (DEIR) for the Aramis Solar Energy and Storage Project (Aramis Project) for compliance with California Environmental Quality Act (CEQA) requirements. This review is based on my over 35 years of CEQA experience, as well as my experience on CEQA analyses of other projects in the project area. As detailed below, the DEIR is deficient in a number of key areas, including the project description, aesthetics, historic and biological resources, water supply, and alternatives.

**Project Description**

Section 15124 of the CEQA Guidelines, which identifies requirements for an EIR Project Description, codifies the ruling in *County of Inyo v. City of Los Angeles*. The state court of appeal declared that an accurate, stable, finite project description is an essential element of an informative and legally sufficient EIR under CEQA.

The Aramis Project DEIR Project description is missing several key items:

- The size of the solar panels
- A description of the racks supporting the panels
- A description of the number of arrays and number of panels per array
- A description of the maximum heights of the panels when tilted to their most upright positions (Appendix C states 15 feet, but there's no information on this in the Project Description)
- A description of the landscape plan.
- Identification of the water supply for the project
- The anticipated number of sheep to be present on the site during the grazing season.

- A fencing plan, if any, to keep the sheep out of sensitive habitats
- A planting plan for the proposed pollen species (for the proposed honey bees), and how those plants would be protected from the proposed sheep

The lack of these items makes it difficult, and in some cases impossible, to determine the actual project impacts and their severity, as well as the effectiveness of proposed mitigation measures.

### **Project Objectives**

CEQA defines project objectives as “the underlying purpose of the project...”. If project objectives are defined too narrowly, then potential feasible alternatives may be unreasonably limited. (Guidelines Section 15124(b)).

The EIR states that the project’s Objectives are to:

- 1) Assist California residents in meeting their renewable energy generation goals under Senate Bill 100, requiring renewable energy and zero-carbon resources to supply 100 percent of electric retail sales to end-use customers by 2045;
- 2) Create up to 400 living-wage, all union construction jobs and up to four permanent jobs in the San Francisco Bay Area;
- 3) Minimize environmental impacts associated with renewable energy development by siting a renewable energy facility on previously disturbed lands, in proximity to a high-voltage substation with available capacity to facilitate grid interconnection;
- 4) Dedicate land to accommodate a potential future public hiking trail, in the event the County decides to construct a public trail on the project site;
- 5) Deploy industry-leading solar and storage technology to generate 100 MW of solar capacity on less than 500 acres of land, including making use of single-axis tracking technology and 4-hour battery storage duration technology to provide local resource adequacy capabilities to the Bay Area;
- 6) Achieve economies of scale to generate, store, and transmit up to 100 MW affordable, local, wholesale solar electricity to Bay Area residents;
- 7) Help Bay Area Community Choice Aggregators in fulfilling their local renewable energy procurement goals.

Objectives 2 and 4 are just side-benefits of the project, and not its primary purpose. The trail also would pass through a sea of solar panels, which would not provide a high-quality recreational experience. Objective 3 is just a description of the site’s locational requirements. Further, purposes 1, 2, 5, 6, and 7 are essentially all the same thing. These objectives limit the project alternatives to a 500-acre property adjacent to a PG&E substation

where a hiking trail is feasible and lands have been “previously disturbed”. As discussed below under “Alternatives”, there are other suitable sites and approaches that may be unreasonably excluded by these very narrow “objectives”.

In addition, much of the site is not “previously disturbed” in any substantial way, and provides high habitat value for a large number of special-status species. In fact, this is essentially a greenfield site. If the project’s objectives include developing on a brownfield site, the Livermore Airport site discussed below would far better meet this objective. As documented in this EIR, the project does not meet this objective.

We suggest revising the objectives to read as follows:

- 1) *To generate and store up to 100 MW of renewable electricity in an economically and environmentally feasible location.*
- 2) Develop this facility on a previously disturbed brownfield site not providing high-quality habitat for protected species.

Feasible alternatives can then be realistically considered in the EIR.

## **Alternatives**

CEQA requires that EIRs consider a range of reasonable alternatives that achieve **most** of the project objectives, even if they cost more than the project (Guidelines Section 15126.6 a-c).

The DEIR contains two “action” alternatives, one eliminating the RM-designated portion of the site and the other eliminating the RM and WR-designated portions of the site from development. These are aimed at plan compliance only. They do little to reduce the significant unavoidable aesthetic impact and also do not substantially reduce the impacts to species and habitats associated with project development, nor do they substantially alleviate the project’s significant unavoidable aesthetic impacts. Therefore the DEIR fails to assess a reasonable range of alternatives that would substantially reduce one or more of the project’s impacts.

We request that a substantially reduced on-site alternative be considered, removing the project from the most sensitive habitat areas.

We also request that the EIR include analysis of the briefly mentioned Livermore Airport site identified in the EBCE Siting Study. That site includes three open parcels on or adjacent to the Livermore Airport, with a combined capacity of about 55 MW (not 44 MW, as stated on p. 5-4 of the DEIR). An additional site nearby where a large parking lot could accept solar shades would generate an additional 8.5 MW. The sites are shown on Attachment A to this letter.

The Alternatives section includes a statement that off-site alternatives to the north would

likely have similar impacts as the project site. Absent a detailed analysis, this conclusion is unsupported by fact and should be either deleted or supported with evidence.

Another alternative should be a more intense solar array system that can generate the same power on less land. The project sites are substantially constrained by development height limits associated with County Scenic Routes. An alternative site that is not adjacent to scenic routes (such as the Livermore Airport Sites, discussed above) should be evaluated in the EIR as it may allow more intense development of a smaller parcel with far less aesthetic and biological resource impacts.

The Alternatives discussion in the EIR states that the previously approved 200 acres of solar fields that were never developed would not allow for 100 MW and therefore rejects them out of hand. This rejection is not permitted under CEQA, which requires alternatives be considered if they meet most of the project objectives. The DEIR does not contain adequate information indicating that these sites could not be configured to meet most of the project objectives.

### **Growth Inducement**

The DEIR's Growth Inducement section essentially states that the project would not induce growth because it would not substantially alter employment and would not include any houses. However, CEQA's definition of growth is not limited to housing or employment. This is an artifact of using the IS checklist to determine potential impacts rather than referring to the CEQA Guidelines. Guidelines Section 15126.2(e) states that growth inducement also can include "the characteristics of some projects which may encourage or facilitate other activities which could significantly affect the environment either individually or cumulatively." The EIR must also consider whether approval and construction of the first large-scale solar facility on greenfield lands in Alameda County would set a precedent for future similar projects in the undeveloped agricultural lands of the County, and specifically in the North Livermore Area, and thereby be growth inducing.

### **Technical Deficiencies**

#### Water Supply

The DEIR claims that the project would not have a significant groundwater or water supply impact because, 1) Zone 7's Urban Water management Plan assumed water use on the site for agriculture, and 2) because the project would get its water from Zone 7. Neither may be the case. The City of Livermore's comment letter on the NOP specifically stated that water from its fire hydrant should not be assumed to be available for the project. Further, the project's Water Supply Assessment (WSA) states:

The project would transition the project site from the agricultural land uses that were planned for in the UWMP, to solar/commercial uses, which are generally less water



intensive than agricultural uses. As a result, water demand for the project site is likely over-estimated in the current (2015) UWMP, when the planned water demands for agricultural land uses are compared to the proposed water demands for solar development.

It includes no supporting analysis. In fact, the WSA does not even attempt to calculate existing water demand from the property. Given that the proposed project would include sheep grazing, which would consume about the same amount of water as cattle grazing, the project's water demand would be *in addition to, and not instead of*, the existing agricultural water use. Further irrigation of landscaping and pollen plants for honey bees would consume additional water. The EIR water supply assessment should be revised to address these issues.

#### Aesthetics

As described under Project Description, above, the EIR fails to describe both the arrays themselves, the panels, and the proposed landscaping. Further, there is a discrepancy on the height of the panels. The DEIR has a photo on the cover that indicates multiple panels on each rack, with support poles on foundations, but that's not what's being proposed here. What appears to be proposed is a single row of 6.75-foot long panels mounted in portrait orientation, but that information is not contained in the Project Description. I only found a hint of that in the construction plans in the Appendix C. The width of the panels, and whether one or more panels would be stacked on the arrays is never mentioned. According to the EIR Project Description and Aesthetics section, the "maximum height of the modules would 8 feet in the stowed position". But the actual project plans (Appendix C, attached) show them lower, at 4.5 feet stowed. The panels would mostly be in their stowed position at night, when they're not visible anyway. Further, the "stowed position" is not the maximum panel height, which appears to be 15 feet. One end tilts up to follow the sun, increasing the height of the facility during daylight hours (when they would be visible) to 15 feet, per the plans, but the EIR only describes (and presumably depicts and evaluates) the 8-foot stowed height. The EIR impact discussion never mentions either the heights of the arrays or the landscaping heights/types.

Absent this information, roadside aesthetic impacts cannot be accurately evaluated.

The photo-simulations indicate a dense row of landscape vegetation. Would that be at year 1 or at year 5 or maybe year 10? None of this is described in the EIR. If the vegetation would take several years to grow large enough to filter views of the project facilities from the road, then the impact would still be significant.

Additionally, the vegetation may obscure motorists' views of the ridgeline, in conflict with County Scenic Route policies- please address this issue.

The DEIR fails to describe project landscaping. Mitigation Measure AES-1 does not describe

or require landscaping - it just requires its maintenance. Further, Appendix C, Project Site Plans, do not include a landscape plan, so there's no way to verify the project's roadside aesthetic impacts. This omission is particularly critical because two County Scenic Routes pass adjacent to the facility.

#### Cumulative Impacts

The cumulative projects list includes one other solar project and a cannabis cultivation project. These are the pending projects that have not yet been approved. Are there other project that have been approved but not constructed (i.e. several NOP comment letters have referenced three additional nearby cannabis projects that have been approved but not yet constructed). Please review approved but not yet constructed projects and update the cumulative impacts assessment as needed.

#### Hazards

The DEIR does not address increased fire hazard potential, but rather focuses on the project's fire suppression capabilities. Please address any possible increase in fire hazard potential associated with construction and operation of the project.

The City of Livermore's NOP comment letter (June 8, 2020 email from Susan Frost, City of Livermore, to Andrew Young, Alameda County Planning Department) requested that the applicant complete an FAA 74560 Notice to the FAA to confirm no ocular impact from the project. The EIR apparently has deferred this assessment to the future. This deferral is inappropriate per CEQA case law - please conduct the necessary studies and provide them for review in the EIR.

#### Loss of Agricultural Lands

The DEIR does not address cumulative conversion of grazing lands to quasi-industrial uses as a potential impact of the project and other development impinging into agricultural lands in eastern Alameda County. Please address. Please note that the significance criteria in the Initial Study checklist that is used in this EIR is not exclusive of other potential impacts (per *Protect the Historic Amador Waterways v. Amador Water Agency*. Date: 3/ 12/2004. Court: CA 3rd District. Citation: 116 Cal.App.4th 1099). Although not listed in the checklist, large scale cumulative loss of agricultural lands can be a significant impact and should be evaluated as such.

#### Biological Resources

Swaim Biological Incorporated (SBI) conducted a peer review of the DEIR's biological resources assessment, submitted under separate cover. SBI's review found a number of substantial deficiencies as follows:

- The DEIR does not recognize the project will result in take of state and federally listed species including temporary and permanent loss and conversion of upland habitat for, at a minimum, the California tiger salamander (CTS) and California red legged frog (CRLF), with potential or actual grassland habitat loss for several other special status species including East Alameda County Conservation Strategy (EACCS) focal species. The lack of any compensatory mitigation for the project does not comply with CEQA requirements for mitigation, and also is in violation of the state and federal Endangered Species Acts, California Department of Fish and Game Code, and is not consistent with the East Alameda County Conservation Strategy.
- The DEIR does not accurately evaluate the temporary or permanent loss of suitable grassland habitat for special status species.
- The DEIR does not accurately present species potential to occur and discounts the value of the habitat for both listed and common species. It has inaccurate species counts and fails to evaluate the actual significance of loss of "low-value" habitat.
- The DEIR does not accurately describe protocol level wildlife and plant surveys.
- The DEIR's analysis of impacts of the solar farm on avian use is inadequate with respect to raptor foraging habitat, burrowing owl impacts, and potential "lake effect" impacts.
- The avoidance measures are inadequate, result in take and cannot be legally implemented.
- The DEIR does not make the full extent of impacts clear via their description or graphics.
- The DEIR does not adequately address potential impacts during operation, including operational changes to grazing regime and conversion of grassland habitat.

We have identified the following additional deficiencies in the biological resources assessment:

Mitigation Measure BIO-3a, for burrowing owl impacts, begins "If feasible...". This caveat renders the mitigation measure unenforceable and meaningless. Please remove this caveat and re-phrase the measure to indicate that the applicant **shall** implement this measure.

Collapsing of burrowing owl, kit fox, and badger dens, while acceptable to CDFW, is not adequate CEQA mitigation as it may, in itself, result in indirect take of these protected species. Please revise the impact significance accordingly (impact would be significant and unavoidable).

The DEIR concludes that the project lighting would not adversely affect avian species, with mitigation. However the DEIR does not include a lighting plan so the actual project impacts were not evaluated. The FEIR should include a lighting plan and an evaluation of night lighting impacts, both on avian species and aesthetics.

Mitigation measure Bio-8a states both that the project shall avoid impacts to jurisdictional waters and then says that if the resources can't be avoided appropriate permits shall be acquired. This is contradictory- wither the impacts are avoided or permits required. Additionally, future permits cannot be relied upon as mitigation. Please revise this measure to assure mitigation.

As detailed above and in the SBI letter, the DEIR's biological resources section has major deficiencies which, once rectified, would require recirculation for public review. These deficiencies are substantial enough to render this chapter so inadequate that meaningful public review and comment is precluded. Additionally, adding the identified missing information to remedy this deficiency would constitute "significant new information" and "a substantial increase in the severity of an environmental impact", both of which also trigger recirculation.

### Cultural Resources

The DEIR's cultural resources study found that the 4400 North Livermore Avenue property is eligible for listing in the NRHP, CRHR, and the local County register, and the barn and shed are considered historical resources under CEQA. The barn and shed footprints are outside of the project area and would be preserved in place. However, with the construction of the proposed solar energy generation and solar facility, the historic ranch, which has been used for oat and hay cultivation and livestock grazing, would no longer be open ranch land. The proposed project will indirectly impact these historical resources by disrupting the integrity of their setting and feeling, causing a potentially significant impact under CEQA.

The DEIR claims that the site-specific Historical American Buildings Survey (HABS) documentation required in Mitigation Measure (MM) CUL-1 would document the historical resources in place in their current setting and thereby would reduce this potential impact to less than significant. CEQA's mandatory findings of significance states that a lead agency shall find that a project may have a **significant** effect on the environment where there is substantial evidence that the project has the potential to eliminate important examples of a major period of California history or prehistory. The elimination of the functioning ranch appears to meet this criterion. The mitigation measure requiring photo-documentation of the ranch would not eliminate the loss of this resources, and therefore the impact should be considered significant and unavoidable.

### **Recirculation Requirements**

CEQA contains the following guidance regarding recirculation of a DEIR:

- (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as

well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation include, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
- (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (*Mountain Lion Coalition v. Fish & Game Com.* (1989) 214 Cal.App.3d 1043).

Based on the potential deficiencies in the DEIR identified in this letter, the above criteria for recirculation are met. Individually and in total, these deficiencies deprive the public and decision-makers of meaningful information needed for informed decision-making. Therefore, it is our opinion that the DEIR should be revised to address the deficiencies identified in this letter and the SBI letter, and recirculated for public review.

### **Conclusions**

As described above, the DEIR has a large number of incomplete analyses and descriptions. Additionally, there may be additional significant and unavoidable impacts with respect to historic and biological resources. Therefore, as described above, the DEIR should be revised to correct the deficiencies identified in this letter and re-circulated for public and agency review. Please feel free to contact me at 510 849-2354 if you have any questions regarding this letter.

Sincerely,



Richard Grassetto  
Principal

Attachments: Qualification

**ATTACHMENT A: Grassetti Qualifications**

**Richard Grassetti**

PRINCIPAL, GECO

**Expertise**

CEQA/NEPA Environmental Assessment

**Principal Professional  
Responsibilities**

Mr. Grassetti is an environmental planner with over 34 years of experience in environmental impact analysis, project management, and regulatory compliance. He is a recognized expert on California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) processes. He has managed the preparation of over 200 Federal and state environmental impact assessment documents. Mr. Grassetti also has prepared over 300 technical analyses for these documents. He has worked on a wide range of projects including ecological restorations, recreation/park development, infrastructure improvements, waste management projects, mixed-use developments, energy development, and urban developments. In addition to his consulting practice, Mr. Grassetti regularly conducts University and professional training on environmental impact assessment and CEQA compliance.

**Education**

University of Oregon, M.A., Geography 1981.  
University of California, Berkeley, B.A., Geography, 1978.

**Professional  
Experience**

1992-Present	Principal, GECO Environmental Consulting, Berkeley, CA
1988-1992	Environmental Group Co-Manager/ Senior Project Manager, LSA Associates, Inc. Richmond, CA
1986-1987	Environmental/Urban Planner, City of Richmond, CA
1982-1986	Senior Technical Associate - Hydrology and Geology - Environmental Science Associates, Inc. San Francisco, CA

**Professional Affiliations and Certifications**      Member and Past Chapter Director, Association of Environmental Professionals, San Francisco Bay Chapter  
Member, International Association for Impact Assessment

## **REPRESENTATIVE PROJECT EXPERIENCE**

***Cascade Canyon Bridges CEQA Initial Study/Mitigated Negative Declaration.*** GECO is preparing an IS/MND for construction of two bike/pedestrian bridges in the Cascade Canyon Preserve in Marin County. Major issues are biological resources, cultural resources, and noise. Client: Marin County Parks and Open Space District.

***Rockville Trails Preserve Master Plan IS/MND.*** GECO prepared an IS/MND for a major open space preserve in Solano County. Project included new trails, a parking lot/staging area, and a new access road. Major issues were biological resources, cultural resources, and traffic safety. Client: Solano Land Trust.

***Rush Ranch Preserve Master Plan IS/MND.*** GECO prepared an IS/MND for a master plan for the Rush Ranch preserve, which included both visitor center improvements, trails improvements, and habitat restoration elements. Major issues included biological resources, water quality, and recreation. Client: Solano Land Trust.

***Bolinas Lagoon Open Space Preserve, Invasive Spartina Management Project Initial Study/MND.*** GECO prepared a CEQA Initial Study for a long-term management plan to control invasive Spartina species in Bolinas Lagoon. Client: Marin County Parks and Open Space District.

***Kent Island Restoration at Bolinas Lagoon Joint Environmental Assessment (EA) and Initial Study (IS).*** GECO prepared a combined CEQA Initial Study and federal Environmental Assessment for a proposal to restore Kent Island's ecosystem. The EA was for the US Army Corps of Engineers permit, and the IS was prepared for the Marin County Open Space District. Client: Marin County Parks and Open Space District.

***EIR for a "water trail" for small non-motorized boats throughout San Francisco Bay.*** The project involves designation of 115 access sites as well as policies for stewardship and ***San Francisco Bay Water Trail Program EIR.*** GECO assisted in the preparation of the education. Client: California State Coastal Conservancy.

***Sonoma Creek Marsh Joint Environmental Assessment (EA) and Initial Study (IS).*** GECO prepared a joint IS/EA for the California Regional Water Quality Control Board (San Francisco Bay Region) and the US Fish and Wildlife Service for a plan to enhance tidal marshes and reduce mosquito production in a 300-acre marsh at the mouth of Sonoma Creek. Client: Wetlands and Water Resources and Audubon Society.

***Upper Putah Creek Restoration Project Program EIR.*** GECO prepared a Program Environmental Impact Report on restoration of approximately 25 linear miles of stream channel of Putah Creek, near Davis, CA. Client: Wetlands and Water Resources, for the Putah Creek Conservancy.

***Prospect Island Restoration Project.*** Mr. Grassetti provided CEQA guidance and prepared a number of technical analyses for an EIR on a proposed 1400-acre fisheries enhancement project

in the northern Sacramento/San Joaquin River Delta. Client: Stillwater Sciences, for California Department of Water Resources.

***Dutch Slough Restoration Project/Oakley Community Park EIR.*** GECO prepared the EIR for a 1400-acre wetland restoration and 80-acre community park on former diked lands in Oakley. Major issues include fisheries, water quality, historic architectural resources, and wetlands. Client: California State Coastal Conservancy.

***Aramburu Island Shoreline Protection and Ecological Enhancement Project Initial Study.*** GECO managed preparation of an Initial Study for a proposal by the Audubon Society to stabilize the shoreline and improve bird and seal habitat on the 34-acre Aramburu Island site in Marin County. Client: Wetlands and Water Resources.

***Salt River Ecosystem Restoration Project EIR.*** GECO prepared an Environmental Impact Report for the restoration of a large area of former marsh and open channel near Ferndale in Humboldt County. The project included creation of a new seven-mile-long river channel and a 400-acre wetland restoration. Client: Humboldt County Resource Conservation District.

***Parsons Slough Project CEQA Review:*** GECO prepared an expanded Initial Study for a tidal sill (dam) project to reduce scour in Parsons Slough, an arm of the ecologically sensitive Elkhorn Slough. Client: Vinnedge Consulting/Elkhorn Slough National Estuary Reserve.

***San Francisco Bay Estuary Invasive Spartina Control Project EIR/EIS and Addendum.*** GECO prepared the programmatic EIR/EIS on a plan to control invasive cordgrasses throughout the San Francisco Bay. Mr. Grassetti subsequently prepared an addendum for the addition of a new herbicide to the Spartina Control Program. Client: California State Coastal Conservancy.



## Exhibit B-Supplemental Comment and Species Occurrence Map



Swaim Biological Incorporated  
4435 First Street PMB #312  
Livermore, CA 94551

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**To:** Andrew Young, Sr. Planner  
Alameda County Planning Department, Community Development Agency  
224 West Winton Ave. Rm. 111, Hayward, CA 94544-1215

**Cc:** Mr. Robert Selna, Selna Partners, LLP

**From:** Karen Swaim, Principal/Senior Biologist

**Date:** October 31, 2020

**Re:** **Supplemental Materials for** Peer Review of Aramis Solar Energy Generation and Storage Project DEIR September 2020 (SCH No. 2020059008).

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Dear Mr. Young:

The information provided below and map (Attached) depicting the special status amphibian and reptile occurrence in the vicinity of the Aramis Solar Energy Generation and Storage Project provided here are supplemental to our letter which Mr. Selna submitted on October 31, 2020. In addition, I would like to include as part of our statements regarding the adequacy of the DEIR, the link below to two relevant Environmental Documents that are publicly available and contain locations of additional special status wildlife and rare plants in the immediate vicinity of the subject project. Specifically, the following documents should be reviewed, and the extensive biological resources information be incorporated in the DEIR and the current botanical survey methods (which were not completed by the EIR consultant) be implemented for the project to ensure its adequacy for CEQA review. The document names are as follows:

*R649, R700, and R707 Natural Gas Transmission Pipeline 131 Replacement Projects Draft Initial Study Mitigated Negative Declaration*

*Pacific Gas & Electric R649, R700, and R707 Natural Gas Transmission Pipeline 131 Replacement Appendices Part 2 – Botanical Resource Survey.*

Both can be obtained at the following hyperlink

<https://nrm.dfg.ca.gov/documents/ContextDocs.aspx?cat=R3-HabCon>

We appreciate the opportunity to provide the County this information as part of the CEQA process. Please feel free to contact us if you have any questions or need additional information to clarify or support this evaluation.

Sincerely,

A handwritten signature in black ink that reads "Karen E. Swaim".

Karen Swaim, Principal/Senior Biologist

[kswaim@swaimbio.com](mailto:kswaim@swaimbio.com)

(510) 821-8569

Exhibit B: Specials Status Amphibians and Reptiles in the Project Vicinity.



Andrew Young  
Senior Planner  
Alameda County Community Development Agency  
224 W. Winton Avenue, Rm 111  
Hayward, CA 94544  
Via email: [andrew.young@acgov.org](mailto:andrew.young@acgov.org)

**RE: Public Comments on Aramis Solar Energy Generation and Storage Draft EIR**

Dear Andrew:

Nextracker is one of the largest manufacturers of utility-scale solar tracking technology in the world, supplying about half of the US market, and we are headquartered right here in Fremont, California. As the founder and CEO of Nextracker, I urge you to approve the Aramis Renewable Energy Project without delay.

Nextracker employs many individuals throughout the East Bay – including Livermore, the proposed home of the 100-megawatt Aramis solar + storage project. We understand first-hand what it means to be at the forefront of this project, not only as leaders of the solar industry, but also as members of the community. We are thrilled that the Aramis project is taking place in our backyard.

Within 1 hour, our planet receives enough sunlight to provide the world with enough electricity for an entire year. Local companies like Nextracker and Intersect Power are responsible for harnessing this incredible power of the sun and delivering it to your front doors, and doing so at competitive wholesale prices, all while reducing local air pollution and putting us on track to combat the climate crisis head on.

Renewable energy is the future, now is the time, and the most valuable renewables are sited close to load centers and incorporate battery storage technology, like the Aramis project does. Our planet is facing a very real and very evident climate crisis, and we cannot wait to approve projects like Aramis.

As a partner with the City of Fremont, Alameda County, and the Aramis solar project, Nextracker has committed to training up to two dozen people through our PowerworX Academy program at our Center for Solar Excellence in Fremont. The center has allowed us to provide a hands-on training facility to hundreds of solar workers who are committed to learning the latest installation methods for the leading tracker. We understand how invaluable these workshops are and are happy to contribute our expert knowledge.

Bay Area citizens all need to do our part in supporting current and future generations by supporting the Aramis Renewable Energy Project.

Sincerely,  
Dan Shugar, Founder and CEO

CC: Supervisor Scott Haggerty, [scott.haggerty@acgov.org](mailto:scott.haggerty@acgov.org)  
Frank Imhof, Board of Zoning Adjustments, [timhof@earthlink.net](mailto:timhof@earthlink.net)  
Derek Eddy, Board of Zoning Adjustments, [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)  
Scott Byer, Board of Zoning Adjustments, [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)  
Chris Bazar, Director of Community Development, [chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)  
Albert Lopez, Planning Director, [albert.lopez@acgov.org](mailto:albert.lopez@acgov.org)  
Bruce Jensen, Planner, [bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)  
Shawn Wilson, District 1 Chief of Staff, [shawn.wilson@acgov.org](mailto:shawn.wilson@acgov.org)

## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Monday, November 2, 2020 8:28 AM  
**To:** Erin Gustafson  
**Subject:** FW: Aramis Renewable Energy Support

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Monday, November 2, 2020 8:15 AM  
**To:** Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>; Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>  
**Subject:** Fw: Aramis Renewable Energy Support

---

**From:** Ferdinand Valencia <[ferdinand.valencia@gmail.com](mailto:ferdinand.valencia@gmail.com)>  
**Sent:** Monday, November 2, 2020 8:13 AM  
**To:** Young, Andrew, CDA <[andrew.young@acgov.org](mailto:andrew.young@acgov.org)>  
**Cc:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>; [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org) <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>  
**Subject:** Aramis Renewable Energy Support

Please help support the Aramis Renewable Energy Project in North Livermore.

Earth's average surface temperature has risen about 1.14 degrees Celsius (2.05 degrees Fahrenheit) since the late 19th century, a change driven primarily by increased carbon dioxide and other human-made emissions into the atmosphere. Most of the warming occurred in the past 35 years, with the six warmest years on record taking place since 2014. As a consequence of this warming, Greenland lost an average of 286 billion tons of ice per year between 1993 and 2016, while the rate of Antarctica ice mass loss has tripled in the last decade. (<https://climate.nasa.gov/evidence>)

The fact is our world is warming, and warming at an increasingly rapid rate. And unless we rapidly transition to emissions free energy sources such as solar and wind, the world we leave our grandchildren will not be very hospitable.

We have an opportunity right here in the Tri-Valley to take one large step in that rapid transition, and that is with the approval and completion of the Aramis Renewable Energy Project. This state-of-the-art solar and energy storage facility would offset millions of tons of carbon dioxide emissions over the next 30 years while providing clean, dependable energy to over 25,000 local homes and businesses.

I ask that you consider the big picture, and please support this and other renewable energy projects like it. Because unless we all take actions to stop the polluting of our atmosphere with green house gasses, the Tri-Valley and the world will become much warmer.

Thank you for your help on this issue.

Ferdinand Valencia

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## Erin Gustafson

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**From:** Lesley Owing  
**Sent:** Monday, November 2, 2020 12:40 PM  
**To:** Erin Gustafson  
**Subject:** FW: Support for Aramis Renewable Energy Project

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**From:** Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>  
**Sent:** Monday, November 2, 2020 12:20 PM  
**To:** Marisa Mitchell <[marisa@intersectpower.com](mailto:marisa@intersectpower.com)>; Lesley Owing <[LesleyO@helixepi.com](mailto:LesleyO@helixepi.com)>  
**Subject:** Fw: Support for Aramis Renewable Energy Project

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**From:** Nicole Valencia <[nicole.m.valencia1@gmail.com](mailto:nicole.m.valencia1@gmail.com)>  
**Sent:** Monday, November 2, 2020 9:43 AM  
**To:** Haggerty, Scott, Supv BOS Dist 1 <[shaggert@acgov.org](mailto:shaggert@acgov.org)>  
**Cc:** [timhof@earthlink.net](mailto:timhof@earthlink.net) <[timhof@earthlink.net](mailto:timhof@earthlink.net)>; [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org) <[derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)>; [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com) <[scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)>; Bazar, Chris, CDA <[chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)>; Lopez, Albert, CDA <[Albert.Lopez@acgov.org](mailto:Albert.Lopez@acgov.org)>; Jensen, Bruce, CDA <[bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)>; Wilson, Shawn, BOS Dist 1 <[Shawn.Wilson@acgov.org](mailto:Shawn.Wilson@acgov.org)>  
**Subject:** Support for Aramis Renewable Energy Project

I am writing you today to ask for your support for the Aramis Renewable Energy Project in North Livermore.

The Aramis project is not only a solar project, but incorporates 100 megawatts of 4-hour duration battery storage as well. Battery storage is transforming the global electric grid and is an increasingly important element of the world's transition to sustainable energy. Batteries act as a sustainable alternative to natural gas "peaker" power plants. Peaker power plants fire up whenever the local utility grid can't provide enough power to meet peak demand. They cost millions of dollars per day to operate and are some of the least efficient and dirtiest plants on the grid. Instead, the battery installation at the Aramis solar system will use stored solar energy to support the grid's peak loads.

The Aramis project has been carefully sited and designed with local community priorities and values in mind and to minimize environmental impacts. It will protect floodplains, enhance local wildlife habitat, and employ honeybee friendly plantings. Abundant new landscaping, visually appealing fencing, and generous setbacks will soften and enhance the view for cyclists and motorists traveling the nearby roads. Through these environmental enhancements and by offsetting 188,000 metric tons of CO2, the Aramis Project moves California closer to achieving a decarbonized economy and a healthier environment.

I urge you to do the right thing by Alameda County residents, current and future, by approving the Aramis project without delay.

Thank you!  
Nicole

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



November 2, 2020

**Via Electronic Mail**

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

Re: Comments on the Draft Environmental Impact Report (EIR) for the Aramis Solar Energy Generation and Storage Project, Alameda County Planning Application PLN2018-00117

Dear Mr. Young:

Wildlands is submitting comment for the Draft EIR for the proposed 100-megawatt Aramis Solar Energy Generation and Storage Project (Project) located in the North Livermore Valley. Wildlands is the bank sponsor for the Haera Wildlife Conservation Bank located near Mountain House (Alameda County APNs 099B-7890-001-03 and 099B-7890-001-04). As conservation land managers with experience in the region, Wildlands has extensive expertise working with Federal, State and local natural resource agencies in identifying lands that are appropriate for wildlife conservation and those that are not. We manage mitigation and conservation banks for important resources like wetlands, grasslands, habitat for California red-legged frogs, California tiger salamanders, and other species, and we have developed conservation easements for dozens of utility-scale solar projects throughout California that require the acquisition of compensatory habitat due to their displacement of habitat for threatened and endangered species.

We have reviewed the Aramis Project, including the Draft EIR, and have concluded that the site would provide marginal value for habitat conservation. The solar development represents an opportunity to balance the need for renewable energy and avoiding sensitive areas since the Project site has been extensively grazed and disked, and that the proposed development footprint appropriately avoids the areas of the site with higher habitat potential such as Cayetano Creek.

We are encouraged to see that the Project site strikes a balance between protecting raptor foraging habitat during long-term operations while meeting our state's renewable energy goals. In fact, if all solar projects were sited as well as this one, the team here at Wildlands would be much less busy providing off-site habitat solutions. The developer

has identified an appropriate site for critically important solar and storage development, and Wildlands supports the proposed Aramis Project.

We appreciate the opportunity to provide the Alameda County Planning Department with our views concerning the Project's Draft EIR, and hope you will consider our comments.

Please contact me at (916) 435-3555 or [bmonaghan@wildlandsinc.com](mailto:bmonaghan@wildlandsinc.com) with any questions.

Sincerely,



Brian Monaghan  
Senior Vice President





### Board of Directors

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*President*

Claudia Hein  
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### Proud Member of

Land Trust Alliance  
California Council of Land Trusts  
Bay Area Open Space Council



November 2<sup>nd</sup>, 2020

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

## RE: Save Mount Diablo Comments on the draft Environmental Impact Report for the Aramis Solar Energy Generation and Storage Project (SCH # 2020059008)

Dear Mr. Young,

Save Mount Diablo (SMD) is a non-profit conservation organization founded in 1971 which acquires land for addition to parks on and around Mount Diablo and monitors land use planning which might affect protected lands. We build trails, restore habitat, and are involved in environmental education. In 1971 there was just one park on Mount Diablo totaling 6,778 acres; today there are almost 50 parks and preserves around Mount Diablo totaling 120,000 acres. We include more than 11,000 donors and supporters.

Thank you for the opportunity to comment on the draft Environmental Impact Report (dEIR) for the Aramis Solar Energy Generation and Storage Project (Project). Renewable energy projects are sorely needed in the face of catastrophic climate change. SMD's own efforts to educate and mobilize the public to confront the climate crisis include development of its own organizational Climate Action Plan, integrating climate-focused messaging throughout SMD communications, promotion of and participation in last year's Global Youth Climate Strike, and support of climate-smart policies and projects.

With regard to this particular Project, we strongly recommend below that modifications be incorporated into the environmental review and Project itself in order to fully mitigate Project impacts. Should Alameda County be interested in quickly developing a sound, comprehensive solar policy to avoid the controversies that have manifested themselves during the consideration of this Project, we also recommend a model process that has already achieved great success elsewhere in California that the County could follow.

### Need for Compensatory Mitigation

In our review of the Project dEIR we have found that while there are numerous avoidance and minimization measures proposed to avoid take of listed species, such as California tiger salamander (CTS) and California red-legged frog (CRLF) during Project construction, there is no compensatory mitigation (protection of currently unprotected habitat for these species to offset Project impacts to species habitat) currently proposed.



Surveys that were conducted on the Project site to identify CTS and CRLF individuals and their habitat failed to detect individuals or breeding habitat. However, the dEIR recognizes that individuals of these species could move through the Project site and use Cayetano Creek and other ephemeral streams as aquatic non-breeding habitat during periods of dispersal since there are several CRLF and CTS occurrences within one mile of the Project site. In addition, designated critical habitat for CTS is approximately 1-mile from the proposed Project footprint (CH Unit CV-18), and designated critical habitat for CRLF is less than half a mile from the proposed Project footprint (CH Unit CCS-2B), within the dispersal ranges of both species. It is therefore reasonable to conclude that the Project site serves as upland habitat for these species and that Project construction will result in permanent loss and conversion of upland habitat.

The East Alameda Conservation Strategy (EACCS) identifies both CRLF and CTS as focal species for conservation. Tables 3-7 and 3-8 of the EACCS identify standardized mitigation ratios for CRLF and CTS, respectively, within the EACCS Study Area. They recommend land protection:impact mitigation ratios of 2.5:1 to 4:1, depending on the location of mitigation land. Given the proposed Project footprint of 410 acres, this would yield an EACCS-recommended habitat mitigation acreage range of 1,025-1,640 acres, with total mitigation depending, again, on its location.

The Project dEIR currently does not propose any compensatory mitigation for Project impacts, yet identifies all impacts to biological resources as less than significant if the mitigation measures currently proposed are implemented. Given the permanent loss and conversion of CTS and CRLF upland habitat that the Project would cause and the mitigation ratios recommended for projects within the EACCS Study Area, SMD strongly recommends that the Applicant propose compensatory habitat mitigation in an appropriate amount and location in order to reduce the impacts the Project would have on biological resources to a less than significant level.

If the Applicant is asserting that despite Project construction, most of the Project site will continue to serve as upland habitat for CTS and CRLF due to the unique characteristics of solar panel array design, then that claim should be made explicit in the EIR and relevant studies should be cited and summarized to provide evidence for such a claim.

### **Consideration of Resource Management Alternative**

The Project Alternatives Analysis in the dEIR contains the Resource Management Avoidance Alternative, which would avoid the development of lands designated as Resource Management under the East County Area Plan. This would reduce the Project development footprint by 25 acres, for a total footprint of 385 acres, and would also avoid the significant and unavoidable Land Use and Planning impacts the dEIR currently identifies. The Applicant has already stated its openness to using this alternative as the preferred alternative in the official environmental review going forward. We recommend that the Applicant adopt the Resource Management Avoidance Alternative as the preferred alternative, and that this be reflected in the fEIR. This change would yield a number of benefits, including reduced mitigation acreage and reducing Land Use and Planning category impacts to a less than significant level.

### **A Way Forward on Solar Policy**

We recognize that many individuals and organizations that have voiced concerns about the Project have stated the need for Alameda County to develop and implement a comprehensive policy for the siting of industrial-scale solar energy.

If the County is interested in quickly developing a sound, comprehensive solar policy to guide projects in the future, we recommend that County staff examine the planning process that was successfully implemented in

the San Joaquin Valley several years ago. The “Mapping Lands to Avoid Conflict for Solar PV in the San Joaquin Valley” effort involved the UC Berkeley Law’s Center for Law, Energy and the Environment, the Conservation Biology Institute and Terrell Watt Associates. The project team convened leaders from the agricultural, conservation, and solar development communities, and included tribes and key agencies. They asked the groups where the least-conflict lands for solar development in the San Joaquin Valley, from each of their perspectives. More information, including reports, presentations, online data sources and contacts can be found at the website [HERE](#).

Thank you for your consideration of our comments.

Regards,

Juan Pablo Galván Martínez  
Senior Land Use Manager

November 2, 2020

To: Andrew Young  
Senior Planner  
Alameda County

From: Luke Dunnington  
Chief Operating Officer  
Intersect Power

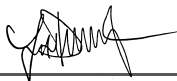
Dear Andy,

As COO of Intersect Power, proponent of the Aramis Solar Energy Generation and Storage Project in the North Livermore Valley of unincorporated Alameda County, I am pleased to offer the following comments on the County's Draft EIR for the project. Though the proposed project is highly land constrained at 405 acres, we recognize that the County has determined that the northern 22 acres of the proposed project site is located within lands under Resource Management designation.

In order to ensure complete compatibility with the County's East County Area Plan, Intersect Power supports the Resource Management Avoidance Alternative as identified in the Draft EIR. The Resource Management Avoidance Alternative, though it is a very tight fit at a record-breaking 4 acres per megawatt, is still feasible.

However, the Reduced Footprint Alternative eliminates too many acres, and the project cannot be constructed at its planned capacity of 100 megawatts. Intersect Power does not consider the Reduced Footprint Alternative to be economically feasible, and we would not be able to bring such a constrained project online.

In addition, we have contracted with Coffman Engineers to provide design expertise on the Aramis project's proposed Battery Energy Storage System, and we offer the enclosed safety white paper prepared by Coffman.



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Luke Dunnington  
Chief Operational Officer of Intersect Power, LLC



Mailing address only:  
9450 SW Gemini Drive PMB#68743, Beaverton, OR 97008-7105

# Recent BESS Fire Protection Code and Design Improvements

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**Date:** November 2, 2020

**Relevance:** California-based Grid Sized Battery Energy Storage Systems

**Memo by:** Coffman Engineers, Inc.

**Prepared for:** Intersect Power

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## 1 EXECUTIVE SUMMARY

The purpose of this white paper is to provide a summary of the current Fire Protection and Life Safety regulations for grid sized battery energy storage system (BESS) facilities in California, and compare current California-specific code requirements to the methods and fire safety design features of BESS facilities involved in high-profile battery related fire safety incidents in recent years. This white paper addresses the regulations applicable to BESS facilities in California, per California Fire Code (CFC) 2019 and NFPA (National Fire Protection Association) 855 with reference to previous codes. In summary, BESS installed under the 2016 CFC Supplement, 2019 CFC, or the 2020 edition of NFPA 855 are required to implement significantly more safety features than similar systems built under the previous code cycle, providing for stringency in design standards to protect human health and safety in the vicinity of such systems. This document is intended for a public audience.

In response to Li-ion battery fire events, full-scale testing, and input from industry experts, the primary code creation bodies in the US have amended existing codes and created new codes and standards to address the hazards specific to battery energy storage systems used for load shedding, load sharing and other grid services. Full scale testing of battery racks has been used to develop new protection criteria and methodologies that have been implemented in the code. The objective of all of the aforementioned efforts have been generally to increase the fire and life safety of battery storage systems via properly addressing the risks presented.

## 2 Applicable Codes and Recent Updates

The California Fire Code (CFC) is an amended version of the International Fire Code (IFC), overseen and amended by the Office of the State Fire Marshal with public input. The California State Fire Marshal enforces the California Fire Code which provides the regulations relating to fire and life safety. The California Fire Code is applicable is adopted by all municipalities and can be further amended by local municipalities to make the CFC more restrictive, but cannot make the code less restrictive. All municipalities are required to stay current to the most recent CFC.

The first printing of the 2016 CFC had the requirements for stationary battery storage systems in CFC Section 608. The requirements for battery storage systems changed significantly within the 2016 supplement to the CFC to address use as energy storage systems and were relocated in the 2019 CFC to Chapter 12. The current code sections in the CFC which govern electrical energy storage systems' code requirements are located in Chapter 12 Section 1206 of the 2019 CFC. Beginning with the 2016 supplement, provisions for a Failure Modes and Analysis (FMEA) to be conducted for each individual BESS was added to the code. An FMEA allows the engineer and Authority Having Jurisdiction (AHJ) to provide a performance-based fire safety solution in conformance with the unique chemistry and other design features of the BESS.

In order for the FMEA design approach to be implemented the local Authority would need to approve the approach. FMEA design approaches are generally more conservative (higher level of safety) than the standard code-based approach for many aspects of protection systems, as they provide for protection systems which are best suited to the unique hazards of the system, and allowing some leniency on requirements which do not directly address the hazards. The more conservative approach is required to be well documented and discussed with the authority and all stakeholders, as the authority is unlikely to sign off on a design approach that is not robustly safe.

The following table provides a summary of the evolution of the requirements for grid sized battery storage requirements from different CFC code editions. Grid sized refers to 2 MW and greater per structure (building or BESS). Requirements for grid sized systems are more stringent than for smaller systems:

**NOTE: The below table is an abbreviated summary of changes to code requirements and is not intended as a basis of design guidance**

Fire / Life Safety System	2016 CFC Section 608	2016 CFC Section 608 W Supplement (Added July 2018) and 2019 CFC Section 1206	2019 CFC Section 1206 with FMEA (Performance Based Solution)	Safety Outcome Result of the Updated Code
<b>Building Occupancy</b>	None specified, buildings have been classified as storage or utility.	Buildings classified as Hazardous occupancy.	Dependent upon hazards presented by BESS systems. Some BESS only buildings evaluated as factory occupancies instead of hazardous occupancy.	Addressing the BESS hazards as more hazardous occupancies results in the <b>inclusion of more safety features.</b>
<b>Sprinkler Systems</b>	Only required if needed to meet building height and area based on occupancy.	Required sprinkler system.	Sprinkler system required, with criteria based on hazard assessment unless specific tested alternate system is approved.	<b>Water based suppression now required</b> unless a full-scale system test for an alternative extinguishment system is provided and approved. Properly designed water-based systems suppress fire and thermal runaway events
<b>Clean Agent Systems</b>	Not Required. Proposed instead of sprinkler system as protection means.	Not required. Potentially added in addition to sprinkler system.	Potential to be included as a performance or business continuity means designed to activate before sprinklers.	Clean agent systems prevent fire and combustion, but do not prevent thermal runaway and gas production. They are now used as a <b>secondary system</b> for property protection instead of the sole fire. Thermal runaway protection system.
<b>Fire Alarm and Detection</b>	In accordance with 2016 CFC Section 907.2	In accordance with 2016 CFC Section 1206.3.5.2	System specific criteria based on hazards and protection schemes.	These requirements stayed generally the same.

Fire / Life Safety System	2016 CFC Section 608	2016 CFC Section 608 W Supplement (Added July 2018) and 2019 CFC Section 1206	2019 CFC Section 1206 with FMEA (Performance Based Solution)	Safety Outcome Result of the Updated Code
<b>Thermal Runaway Detection</b>	Required to be provided with a listed device.	Required to be provided with a listed device.	Provided with specific criteria dependent on hazard and business continuity desires.	The <b>listing requirement of the thermal runaway detection device</b> has become more stringent resulting in safer systems.
<b>Deflagration Venting</b>	Not required.	Required for Group H occupancies where a potential deflagration hazard exists.	Venting can be eliminated or reduced if the deflagration hazards are be mitigated.	The addition of <b>deflagration venting provides another layer of safety</b> to mitigate a deflagration/explosion event, preventing damage to the building structure.
<b>Gas Detection</b>	Not required.	Required for Group H occupancies where a potential deflagration hazard exists.	Included when determined to be needed as part of the hazard evaluation.	The addition of <b>gas detection provides early identification of hazards</b> . Gas detection is typically used with thermal runaway systems and ventilation.
<b>Mechanical Ventilation</b>	Required to be 1 ft <sup>3</sup> /min/ft <sup>2</sup>	Required for battery storage to maintain non-explosive environment.	Included when determined to be needed as part of the hazard evaluation.	<b>Ventilation (or deflagration venting) is now required</b> to be designed to limit concentrations of flammable gases. Panels can be omitted when alternative design (gas detection and ventilation to limit gas levels to 25% flammable level) is approved by the AHJ.



In addition to the changes to the California Codes, NFPA has also released NFPA 855 *Standard for the Installation of Stationary Energy Storage Systems*. NFPA 855 includes a variety of requirements intended to provide battery storage systems with the appropriate safety features. The requirements of NFPA 855 are similar in some ways to the 2019 CFC but are not identical. Conformance with NFPA 855 is not required per CFC Section 1206 but is routinely used as a reference.

Finally, BESS greater than 600 kWh are required by the CFC to be UL (Underwriter's Laboratory) listed and have full-scale testing using the testing standard UL9540A. Underwriter's Laboratory is an accredited testing organization that tests a wide variety of electrical, fire protection, and life safety products used in the United States. UL9540A tests a variety of fire and life safety features on the battery including thermal runaway, gas venting, and fire propagation. The testing procedure UL9540A, has also been updated multiple times to address the changing technologies. The current version of UL9540A was released in November 2019. Previous versions of UL9540A were released in June and January of 2018. Updates to UL9540A have intended to address recent fire events within the scope of the battery testing.

### **3 IMPROVEMENTS IN TECHNOLOGY**

As a result of the changing standards and years more experience manufacturing, testing and operating batteries, grid sized battery technology has improved significantly in the areas of safety, protection design systems, and engineering design. Most of the improvements to the batteries have been in battery chemistries and cell construction, which has resulted in increasing cell reliability and durability, earlier detection of thermal runaway, faster power shutoff, integrated thermal management and fire protection in the racks, and increased resistance to fire propagation with physical and other barriers (cell to cell, module to module, and rack to rack).

How existing technology fire and life safety systems are implemented into a battery storage solution has also changed. The changes in implementation of systems is largely driven by manufacturer and Owner/Operator safety requirements as well as code and standard changes. These changes typically include additional monitoring, upgraded control systems, and heavier reliance on water fire suppression systems (instead of clean agent), more sophisticated continuous gas detection systems, ventilation, and deflagration panels.

FM Global, a significant insurance provider for electrical utilities, has also published its own standard for BESS installations that far exceed requirements present just a few years ago.

### **4 RELATED PUBLICATIONS ON MAJOR BESS INCIDENT**

In response to a fire at a battery storage facility in Arizona various reports were generated to determine the cause of the failure and potential changes to address hazards. Many of the changes to code discussed above are the changes resulting from forensic evaluations of this fire and other similar fires. The reports are listed here:

1. UL report on Surprise AZ battery fire
2. DNV/GL McMicken Technical Report on Surprise AZ battery fire
3. LG chem APS Surprise AZ fire report

(See appendix).

All three reports acknowledge the current battery technology and means of protection has improved, but the reports do not agree on the specific cause of the thermal runaway event.

This incident has caused significant additional reviews and requirements by the Authority Having Jurisdiction (AHJ) Fire Marshal before systems are permitted. New requirements have included in some jurisdictions the following:

- A. Water supply to the sites and containers in most cases
- B. Detailed Emergency Response Plan (ERP)
- C. Closer look at battery testing results
- D. Owner -provided training for Local first responders
- E. Overall site notification panel
- F. Exterior panels providing status inside building/containers
- G. Additional separation between equipment
- H. Explosion control
- I. Spill control / containment

## **5 CHANGES TO DESIGN APPROACH**

In previous incidents fire and life safety systems were implemented that did not properly address the risks presented by battery storage systems (as this was evolving technology/industry and many of the hazards were not well known). For the Surprise, Arizona, event example: a battery storage system that had a fire or thermal runaway event was only equipped with a clean agent system and no water-based sprinklers or ventilation, as required by current code. During the thermal runaway event, hydrogen and other explosive gases were released into the container. (The batteries were stored in a walk-in type container similar in appearance to a shipping container.) The clean agent system activated but the particular chemistry of the clean agent system did not impede the battery thermal runaway (although it did inhibit the fire event). The clean agent gas and explosive gases then homogenized (the clean agent gas is denser than hydrogen) in the container. When the door was opened by first responders to the container, air was introduced into the mix with the explosive gases from the thermal runaway event. Once enough air mixed with the flammable gases, active electrical equipment served as an ignition source which caused a deflagration/explosion event in the container.

In an electrical energy storage system installed under current codes, systems would be in place specifically intended to mitigate the thermal runaway and gas concentration risks present. Water based sprinkler systems suppress the spread of fire as well as limiting the thermal runaway event from spreading. A gas detection and mechanical exhaust ventilation system activate when gas is detected in high enough concentrations where the risk of deflagration could eventually occur (typically alarm around 10% lower flammable limit (LFL) and start exhausting around 25% LFL). Additionally, deflagration panels can be present in the event that the exhaust system did not limit the concentration of flammable gases and a deflagration event did happen. These panels allow release of pressure from an enclosed space during a deflagration so the enclosure is not structurally damaged and can continue to be used. These panels are typically placed on the roof of a structure so the forces are directed away from personnel on the ground. Moreover, the industry has moved generally away from walk-in type containers.

Each system added to the code requirements was added by the various code committees for the purpose of addressing and mitigating the risks presented by battery storage systems.

## **6 SUMMARY**

Battery systems installed under the 2016 CFC Supplement, 2019 CFC, or the 2020 edition of NFPA 855 are required to implement significantly more safety features than similar systems

built under the previous code cycle. Fire events have resulted in changes being implemented that result in safer systems. The changes are largely driven by the NFPA and IFC code committees, Underwriter's Laboratory, and the California State Fire Marshal (SFM). The SFM oversees the development of the California Fire Code. Manufacturers have increased the safety of the batteries to meet the new UL criteria and conducted full scale fire testing, and engineers have designed systems that meet the new codes. The battery enclosure, and the site installation design are all required to be signed off by a local AHJ and the State Fire Marshal. .



November 2, 2020

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

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

**RE: Comments To Draft Environmental Impact Report for the Aramis Solar Energy Generation And Storage Project, County Planning Application PLN2018-00117**

Dear Mr. Young:

The Sierra Club appreciates the opportunity to comment on the Draft Environmental Impact Report (“DEIR”) prepared for the conditional use permit by the Aramis Solar Energy Generation and Storage Project proposed for the westside of North Livermore Avenue at May School Road. We submit the following comments on the DEIR that fall into five categories: zoning and land use, biological impacts, agricultural impacts, Measure D, and the East County Area Plan (“ECAP”).

## **5.2 Project Objectives And Significant Impacts:**

According to the DEIR, sections 4.1 and 4.11, the proposed project results in significant and unavoidable impacts to Land Use and Planning, among other impacts. The DEIR at p. 5-2 (emphasis added) states:

**This Draft EIR concludes that the proposed project would not be consistent with the long-term preservation of open space intent of the RM ECAP land use designation. Conflict with the RM land use designation would be significant and unavoidable, and no feasible mitigation measures have been identified to reduce the impact to a less-than-significant level.**

As the Sierra Club has made clear throughout the years, we fully support Measure D and the ECAP. At the same time, the Sierra Club fully supports renewable clean solar power which is reliable and resilient for which we are in need to address climate change. Neither is mutually exclusive of the other.

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. To say the least, distributed generation is the environmental preference. However, we understand the need

to build as much clean energy as possible to get off of fossil fuels and reduce the ongoing harm on our climate, as we are already facing significant climate impacts in California.

### **Zoning and Land Use:**

The proposed project is located entirely within land that is zoned as Agricultural (“A” District). Measure D, the Save Agriculture and Open Space Lands Initiative was passed by the voters in 2000 amending the ECAP to preserve agricultural uses and protect open space in the plan area. The amendments included definitions for and uses allowed on parcels zoned Large Parcel Agriculture (“LPA”), Resource Management (“RM”) and Water Management (“WM”). The land parcels within the project area all have these zoning designations.

**Development proposed for these parcels should be focused on the LPA parcels and avoid land zoned RM or WM.**

The ECAP Description of Land Use Designations (at p. 47 of the ECAP) defines LPA as:

Large Parcel Agriculture requires a minimum parcel size of 100 acres, except as provided in Programs 40 and 41. The maximum building intensity for non-residential buildings shall be .01 FAR (floor area ratio) but not less than 20,000 square feet. Where permitted, greenhouses shall have a maximum intensity of .025. One single family home per parcel is allowed provided that all other County standards are met for adequate road access, sewer and water facilities, building envelope location, visual protection, and public services. Residential and residential accessory buildings shall have a maximum floor space of 12,000 square feet. Additional residential units may be allowed if they are occupied by farm employees required to reside on-site. Apart from infrastructure under Policy 13, all buildings shall be located on a contiguous development envelope not to exceed 2 acres except they may be located outside the envelope if necessary for security reasons or, if structures for agricultural use, necessary for agricultural use. Subject to the provisions of the Initiative, this designation permits agricultural uses, agricultural processing facilities (for example wineries, olive presses), limited agricultural support service uses (for example animal feed facilities, silos, stables, and feed stores), secondary residential units, visitor-serving commercial facilities ( by way of illustration, tasting rooms, fruit stands, bed and breakfast inns), recreational uses, 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. Different provisions may apply in the South Livermore Valley Plan Area, or in the North Livermore Intensive Agriculture Area.

In other words, the ECAP defines LPA uses to mean that parcels may only be converted to commercial uses if they support the permitted agricultural uses. The term “Utility Corridors” means that agriculturally supporting utility infrastructure must be limited to parcels that are contiguous to or reasonably close to supporting infrastructure. In the case of electrical power generation, this would mean being close to a regional power grid or a power sub-station.

**The project appears to meet that criteria** if conditioned on continued use of the land for agricultural uses consistent with the ECAP and the Williamson Act as the project would replace cattle grazing with sheep grazing and bee keeping.

### **ES.7.2 and ES.7.3 Project Alternatives:**

Approximately 367 acres of the project site are designated as Large Parcel Agricultural (LPA), 22 acres are designated as Resource Management (RM), and 21 acres are designated as Water Management (WM) under the ECAP.

Consistent with the Zoning and Land Use section of this letter, **we support reducing the footprint of the proposed solar facility to avoid impacts on the portion of the project site zoned Resource Management and Water Management. Therefore, the Reduced Footprint Alternative, or, alternatively should the Reduced Footprint Alternative be infeasible, the Resource Management Avoidance Alternative, best assists in avoiding significant impacts.**

### **Biological Impacts Analysis:**

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.

According to the DEIR, “there is a potential that the proposed project could have a substantial adverse effect, either directly or through habitat modifications, on species identified as candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS”. The proposed mitigations under the biological resources analysis avoids and/or mitigates the potential impacts to less-than-significant. A concern given the potential impacts would be following through on enforcement, such as reporting when there is a “take.”

The Reduced Footprint or, alternatively should the Reduced Footprint Alternative be infeasible, the Resource Management Avoidance Alternative, appears to be the best options to protect the numerous present biological resources as summarized by the DEIR. The DEIR at p. 5-20 (emphasis added) states:

Development of the Reduced Footprint Alternative would avoid development in lands designated for RM and WM in the ECAP and have a 51-acre reduction in the project impact area. Avoidance of development in lands designated for WM would provide a greater buffer between the PV solar arrays and Cayetano Creek and its tributaries reducing the potential for impacts to these habitats and the wildlife that use them for dispersal, foraging, and nesting. Specifically, providing a greater buffer between the solar development and Cayetano Creek and its

tributaries would reduce impacts to potential dispersal habitat for CRLF and CTS, foraging and dispersal habitat for burrowing owl (this species was documented using the creek corridor during biological surveys), foraging and dispersal habitat for common native wildlife species as well as special-status species, and impacts to the potential nesting habitat for common and special-status birds within the creek corridor. Avoidance of development in lands designated for WM would also leave more open space on the site for foraging raptors and other native birds and would provide a wider corridor that could be used by species such as American badger and San Joaquin kit fox for foraging or denning. This would reduce the area for potential significant-but-mitigable impacts to biological resources.

The Reduced Footprint Alternative would also avoid development in lands designated for RM, which would result in the avoidance of a portion of the northern parcel north of Manning Road. Avoidance of development in this area would reduce potential impacts to burrowing owl using burrows east of the project boundary by reducing construction related disturbance in proximity to burrows and leaving more undeveloped land for foraging. This area is also prime foraging habitat for common and special status raptors such as red-tailed hawk, northern harrier, and golden eagle due to the abundance of ground squirrels in this area ***and less habitat would be developed under this alternative.***

The DEIR at p. 5-14 (emphasis added) also states:

Development of the Resource Management Avoidance Alternative would avoid development in land designated for RM, which would result in the avoidance of a portion of the northern parcel north of Manning Road. Avoidance of development in this area would reduce potential impacts to burrowing owl using burrows east of the project boundary by reducing construction related disturbance in proximity to burrows and leaving more undeveloped land for foraging. This area is also prime foraging habitat for common and special-status raptors such as red-tailed hawk, northern harrier, and golden eagle due to the abundance of ground squirrels in this area ***and less habitat would be developed under this alternative.*** Impacts to the 0.08-acre ephemeral stream in the northwest corner of the northern parcel of the project site (see Figure 5-1) would also be avoided under this alternative. ***Therefore, the Resource Management Avoidance Alternative would have no potential impacts to waters of the State, and implementation of MM BIO-8 identified in Section 4.4 for proposed project would not be necessary for this project alternative.*** Overall, the Resource Management Avoidance Alternative would result in a reduced level of biological resources impacts when compared to the proposed project, however, impacts under both the proposed project and the Resource Management Alternative would be less than significant with mitigation.

We suggest that the Final EIR engage in a more robust discussion on the differences between the Resource Management Avoidance and Reduced Footprint Alternatives, which appear to be the treatment and protection of WM areas, and how mitigations will be successfully enforced.

## **Agriculture Impacts, Measure D, and ECAP Policies:**

The goals and policies of Measure D and the ECAP are intended to protect and strengthen agricultural uses outside of the Urban Growth Boundary.

Policy 10: The County *shall* require that development be phased according to the availability of infrastructure and public services allowed by the Initiative, and in conformance with policies which encourage compact development.

Policy 12: The County shall work with cities and service districts to plan adequate infrastructure capacity to accommodate development consistent with the East County Area Plan. The level of development in the East County Area Plan shall depend on the adequacy of transportation and infrastructure improvements and the extent to which these improvements can be funded.

Policy 13: The County shall not provide nor authorize public facilities or other infrastructure in excess of that needed for permissible development consistent with the Initiative. This policy shall not bar 1) new, expanded or replacement infrastructure necessary to create adequate service for the East County, 2) maintenance, repair or improvements of public facilities which do not increase capacity, and 3) infrastructure such as pipelines, canals, and power transmission lines which have no excessive growth-inducing effect on the East County area and have permit conditions to ensure that no service can be provided beyond that consistent with development allowed by the Initiative.

**Consistent with these policies we support reasonable infrastructure development on agriculture land that is located within appropriate utility corridors, that is not growth inducing, and does not generate excess capacity beyond what is needed for phased development within the UGB.**

Policy 79: The County shall require any proposal for agricultural support service uses within areas designated “Large Parcel Agriculture” or “Resource Management” to meet, at a minimum, the following criteria:

- The project will not require the extension of public sewer or water.
- The project will not detract from agricultural production on-site or in the area.
- The project will not create a concentration of commercial uses in the area.

Policy 82: In the areas designated Large Parcel Agriculture, the County shall permit limited agriculture enhancing commercial uses that primarily support the area’s agricultural production, are not detrimental to existing or potential agriculture use, demonstrate an adequate and reliable water supply, and comply with other policies and programs of the initiative.

Policy 85: The County shall utilize provisions of the Williamson Act and other appropriate economic incentives to support agricultural uses.



**To satisfy these criteria, the County minimally would need to focus development to the LPA parcels, such as the Reduced Footprint Alternative or the Resource Management Avoidance Alternative to the project.**

## **Conclusion**

The Sierra Club supports clean energy projects that are sustainably sited, and have no significant impacts on our environment. The DEIR shows that the alternatives focusing development to the LPA parcels help avoid/mitigate the potential impacts from the Aramis project.

We look forward to the Final EIR and addressing any additional issues with the project.

Sincerely,



Luis Amezcua  
Senior Campaign Representative  
Beyond Coal Campaign

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: November 2, 2020

Subject: Written Comments for **Aramis Solar Energy Generation and Storage Project EIR, PLN2018-00117**

Dear Mr. Young,

My wife and I live in North Livermore and below are a few of the significant concerns we have to the Draft EIR (DEIR) for the Aramis solar facility

I.

#### HYDROLOGY

HYD-6 Notes – The proposed project would not contribute to a significant cumulative impact with respect to hydrology and water quality resources.

##### 5.5.1.10 Hydrology and Water Quality

The proposed project, with mitigation would have less than significant impact regarding water quality standards, waste discharge requirements or degradation of surface or groundwater quality.

***The Draft EIR fails to analyze to cumulative impact on the May School Groundwater Basin drinking well water over the next 50 years the expected life of the project.***

The Draft EIR notes hazardous materials will be used and stored on the project site throughout the life of the project which is expected to be 50 years. The Draft EIR claims the 320,000 solar panels will be cleaned annually is misleading. The statement is either a deliberate attempt to mislead the public or lack of understanding just how dirty solar panels get in an agricultural area. To be efficient the 320,000 solar panels will need to

be cleaned no less than 4 times a year. Marissa Mitchell from Intersect power stated it would require approximately 1 gallon of water to wash each solar panel, which would be equivalent to over 1.2 million gallons of water for cleaning at a minimum of 4 times a year. The DEIR does not address the appropriate number of times the panels will need to be cleaned annually.

The Draft EIR does not address the cumulative effect storm rainwater runoff from the 320,000 solar panels and the impact grease, lubricants, and other hazardous materials used to operate the panels will have on the May School Groundwater Basin as the chemicals runoff into the ground over a 50 year period. The May School Groundwater Basin is already on a list of concern by both Alameda County and Zone 7 Water District.

The cleaning and rainwater runoff from the solar plant is also in contradiction to the County's own Clean Water Act and the Draft EIR and does not adequately address the impact over the next 50 years.

The DEIR does not explain how it will address a chemical spill or contamination impacting drinking well water to rural residents who rely on the water for crops, gardens, livestock, and more importantly drinking.

Despite the mitigation steps, the Draft EIR contains no analysis of the already compromised May School Groundwater Basin drinking well water where the 320,000 solar panels, large tractor trailer size lithium-ion batteries and other hazardous chemicals will be located. Samples of the May School Groundwater Basin need to be taken and tested in various locations throughout the over 700 acres to monitor any cumulative effects or changes from the hazardous chemicals used for the maintenance and operation of the solar panels, such as but not limited to; oils, lubricants, degreasers as well as the impact the storm rainwater runoff will have on the groundwater as the hazardous chemicals are washed into the ground. Then there's the cleaning of 320,000 solar panels, not to mention the potential of a battery storage explosion, fire or any other catastrophic event that may result in contaminating the May School Groundwater Basin.

Further, the DEIR does not have a plan in place to ensure rural residents impacted by contaminated ground water will be provided safe drinking water and/or water for their daily operations should the groundwater become contaminated.

Lastly, the DEIR's mitigation steps are inadequate, and without any groundwater tests having been performed to establish a baseline, how will Aramis monitor or determine any changes in the groundwater or be held accountable should the groundwater become contaminated. If approved, Aramis must establish a baseline on the quality of the groundwater before beginning any construction.

The Draft EIR is clearly deficient when it comes to the cumulative impact the solar plant will have on the May School Groundwater over the next 50 years without performing any water sample tests throughout the site location to establish a baseline and then continue the testing/monitoring on a yearly basis, at minimum, if approved.

A “less than significant” impact on the May School Groundwater, after mitigation measures, is unacceptable and irresponsible when the drinking groundwater basin is already compromised. Its equal to turning the clock back 50 years when it comes to protecting our drinking water, especially after 11 drinking water wells were recently identified in the Tri-Valley as having been contaminated with hazardous chemicals and the source of the contamination is unknown.

II.

## 8.2 SIGNIFICANT UNAVOIDABLE IMPACTS

**Aesthetics Impact:** The proposed impacts would result in a significant adverse impact to a County-designated Scenic Corridor.

*The Draft EIR notes the impact on Aesthetics would be significant and unavoidable!*

The Draft EIR’s conclusion the projects aesthetics mitigation measures would have a Significant and Unavoidable impact on Scenic Route Element is clearly an attempt to lessen or mislead the actual impact the project will have on the scenic views. The project’s impact on the Scenic Route Element, which was established over a half century ago for the protection and enhancement of the scenic views in North Livermore, will be “devastating”. The Scenic Route Element was adopted to the County’s General Plan in 1966 to protect the scenic views, unobstructed, along the scenic route from the “valley floor” and beyond. The solid plant barrier fencing over 7’ tall, 320,000 solar panels, 30’ to 100’ electrical towers would destroy the Scenic Corridor, landscape and natural habitat over the next 50 years.

The Draft EIR also clearly does not go far enough to analyze, in depth, the impact the aesthetics’ mitigation measures will have, not only the scenic views, but even more importantly, the impact it will have on the natural habitat and wildlife.

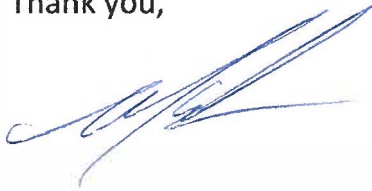
The project area has been identified by the Association of Bay Area Governments (ABAG) as an area of priority conservation, yet the Draft EIR does not address the designation. The Draft EIR also failed to address the impact the project will have on the more than 6 preserves surrounding the project location. The preserves are within 1.5 miles to the

north, south, east and west of the project location which will fence off or carve out the area from the natural habitat, including but not limited to deer, turkeys, foxes, coyotes, bobcats, endangered species etc.

III.

Measure D, the Urban Growth Boundary and the Williamson act clearly have been misinterpreted for the benefit of the solar project. Measure D is very clear future changes require a vote of the people of Alameda County. Measure D expressly limits the Board of Supervisors authority to authorize new or expanded land use outside the Urban Growth Boundary without a prior vote of the electorate.

Thank you,

A handwritten signature in blue ink, appearing to read 'Merlin Newton Sr.', with a stylized, flowing script.

Merlin Newton Sr.

## **Addendum to Original Comments Already Submitted 11/2/2020**

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: November 2, 2020

Subject: **Addendum to Written Comments for Aramis Solar Energy Generation and Storage Project EIR, PLN2018-00117**

Dear Mr. Young,

Please attach to my original comments submitted earlier today.

IV.

Among its many deficiencies, the Aramis industrial power plant adds a new fire risk that never existed before in Livermore Valley. The Draft EIR fails to address the serious concern posed should a fire break out involving, not only solar panels, but the large truck size Lithium-Ion batteries. The proposed Aramis plant calls for over 50 trailer truck-sized lithium-ion battery stations positioned on site, likely the largest collection of such batteries in Alameda County. Racks of thousands of battery cells will be packed at each station.

Although The Draft EIR mentions there will be a fire suppression system built into the project, explosive gases can still build up, which happened in the State of Arizona sending 4 firefighters to the hospital. One solution how to fight an industrial solar facility fire involving lithium-Ion batteries is to let the fire burn itself out if no lives are in danger. The question then becomes what will the impact be on the wildlife, natural habit, groundwater and air quality for nearby rural residents. While rare in the U.S., fires and

explosions at lithium-ion battery stations have occurred worldwide, including the one in Arizona last year. These fires are extremely dangerous to first responders.

Captain Richard Birt, a 30-year veteran of the Las Vegas Fire & Rescue Department, advises: "There is nothing that you can do in there that's going to mitigate that incident. It's just going to kill you." (<https://www.greentechmedia.com/articles/read/the-fire-captain-teaching-solar-and-battery-literacy-for-first-responders>)<sup>1</sup> See attached article.

It's simply too dangerous for firefighters to intervene and extinguish the fire. They will have to wait for the fire to burn out.

But what happens if there is a strong wind? And how can you wait for the fire to extinguish itself when immediately next to the battery station in flames are scores of other battery stations?

Thank you,

A handwritten signature in blue ink, appearing to read 'Merlin Newton Sr.', with a stylized flourish at the end.

Attached article, 7 pages.



## The Fire Captain Teaching Solar and Battery Literacy for First Responders

For home batteries to save lives, firefighters need to get comfortable with the technology too.

JULIAN SPECTOR

NOVEMBER 02, 2020



*Captain Richard Birt installed solar and batteries at Puerto Rico fire stations to power emergency response when Hurricane Maria knocked out the electric grid. (Photo courtesy of Richard Birt)*

Some see rooftop solar panels and batteries as a business opportunity or a path to energy independence. For firefighters, these technologies pose new types of risk that they ignore at their own peril.

The rooftop solar industry is growing steadily, and now tens of thousands of home batteries are being installed every year in the U.S. But clean energy equipment rarely shows up in firefighter training. To fill in that gap, Captain Richard Birt, a 30-year veteran of the Las Vegas Fire &



Rescue Department, spends his free time crisscrossing the West to provide training on safe solar and battery response.

“Electricity, just like water, is going to flow the easiest way possible,” Birt said at a training in late September. “Don’t let your body be the pipe.”

Solar and batteries can save lives, Birt contends, by keeping medical devices powered up during emergencies. Doing so reduces the volume of emergency calls that flood in when the power goes out. Birt has even used solar and batteries to restore power at fire departments in Puerto Rico after Hurricane Maria smashed the island's electrical grid (<https://www.greentechmedia.com/articles/read/one-year-after-maria-puerto-ricos-energy-future-still-in-limbo>) in 2017.

Distributed solar and batteries are upending the centralized grid architecture of the last century, in other words. But they're also shifting the paradigm for firefighting.

“This has changed everything,” Birt said. “There are circumstances where the power goes out, but the power’s no longer out.”

Birt was leading a workshop at CalFire’s Riverside complex, addressing a few dozen responders who had just passed the Firefighter 2 exam and would deploy to fire lines as full-fledged professionals the following week. They're among the more than 1,000 firefighters he’s trained with his Solar and Fire Education curriculum, spanning dozens of communities up and down the length of California. The hope is they'll spread what they learned across the state that leads the country in solar and battery adoption.

## Size up the risk

Firefighters must recognize the different types of clean energy equipment they may encounter at house fires and take steps to neutralize any risks the equipment could pose to the operation.

At a traditional house call, that starts with turning off the flow of electricity from the grid, along with cutting gas and water. Once the “utilities are secure,” the team can proceed to rescue people and douse fires without risking electric shock.

---

These safety rules change when solar panels are involved. Firefighters who want to cut a hole in the roof to let smoke vent risk being shocked if their axes chop into a conduit carrying power from the solar array to an inverter or charge controller.

Covering the panels with a black tarp blocks the photovoltaic process, Birt instructed, making it safe to chop into the roof. But what if the solar panels are on fire? Just spray at least 100 to 150 gallons of water per minute through a 1.75-inch hose to put it out, he said. Solar output isn't strong enough to zap anybody through that water stream.



*Birt demonstrates rooftop solar operations with a prop at a training for Cal Fire in San Diego. (Photo courtesy of Richard Birt)*

Burning batteries are another hazard. If a battery pack is on fire in a garage, firefighters should use the same hose arrangement to put it out safely. But they should also put on full protective gear, including a self-contained breathing apparatus, because burning batteries also release noxious gases.

Even after putting out a battery fire, the thermal runaway reaction in battery cells can cause reignition later. That means firefighters should keep dousing the batteries after the fire is extinguished to bring them back to ambient temperature. Once a battery pack has been dealt with, the homeowner should call up the company that installed it to have it safely removed, Birt said.

## Utility-scale batteries: A whole different ballgame

Utility-scale batteries pose an altogether more potent threat, with racks and racks of battery cells packed into cabinets or containers. Fires at such facilities in the U.S. have been extremely rare, and they're equipped with self-contained fire suppression equipment to put them out when they do occur.

But in 2019, a utility-scale battery fire in Arizona led to an explosion that sent four firefighters to the hospital. That battery unit's fire suppression system stopped the flames, but it allowed explosive gases to build up (<https://www.greentechmedia.com/articles/read/aps-battery-fire-explosion-safety-lithium-mcmicken-fluence>) inside the container, which ignited soon after the responders opened the door.

That incident set off a series of investigations (<https://www.greentechmedia.com/articles/read/how-to-keep-firefighters-safe-from-batteries>) and prompted energy storage providers to include ventilation (<https://www.greentechmedia.com/articles/read/arizona-battery-fire-already-prompted-safety-improvements-in-grid-storage>) and other safety features to avoid a repeat.

Energy storage deployments are growing rapidly. Annual U.S. deployments will double in 2020 (<https://www.greentechmedia.com/articles/read/q2-was-second-best-quarter-ever-for-us-energy-storage>), topping 1 gigawatt for the first time, according to data from Wood Mackenzie. This type of infrastructure is something firefighters will be seeing more of.

Birt's advice is to liken battery plants to more familiar forms of high-voltage equipment, like transformer farms or the electrical vaults that supply power to casinos on the Vegas strip. Those are the province of utility experts.



"If you want to live, don't go into the electrical vault," Birt said, quoting the training for Las Vegas responders.

If firefighters encounter a large-scale battery fire, they need to fight the urge to take courageous action.

"There is nothing that you can do in there that's going to mitigate that incident," he said. "It's just going to kill you."

If a utility battery fire isn't threatening any lives, firefighters should adopt a defensive strategy, Birt said. That includes marking off a perimeter, keeping people at least 50 to 100 feet away and preventing the fire from spreading beyond the battery installation.



A cohort of firefighters prepares for Birt's solar and battery training at Cal Fire's Lone facility. (Photo courtesy of Richard Birt)

## The life-saving potential of solar and batteries

Birt, who retires this year from the Las Vegas fire department, doesn't earn a salary for this work. His travel expenses are covered by Sunrun, the leading rooftop solar installer. The relationship stems from Birt's experience installing solar and battery systems in Puerto Rico after Hurricane Maria and has grown through his work training firefighters in a state facing massive wildfires.

"[Captain Birt] has watched firsthand how climate change is leading to more fires and putting a growing number of human lives at risk," said Sunrun spokesperson Andy Newbold. "We know he firmly believes that we need to deploy more of this technology as quickly as possible, and we are 100 percent aligned with that vision."

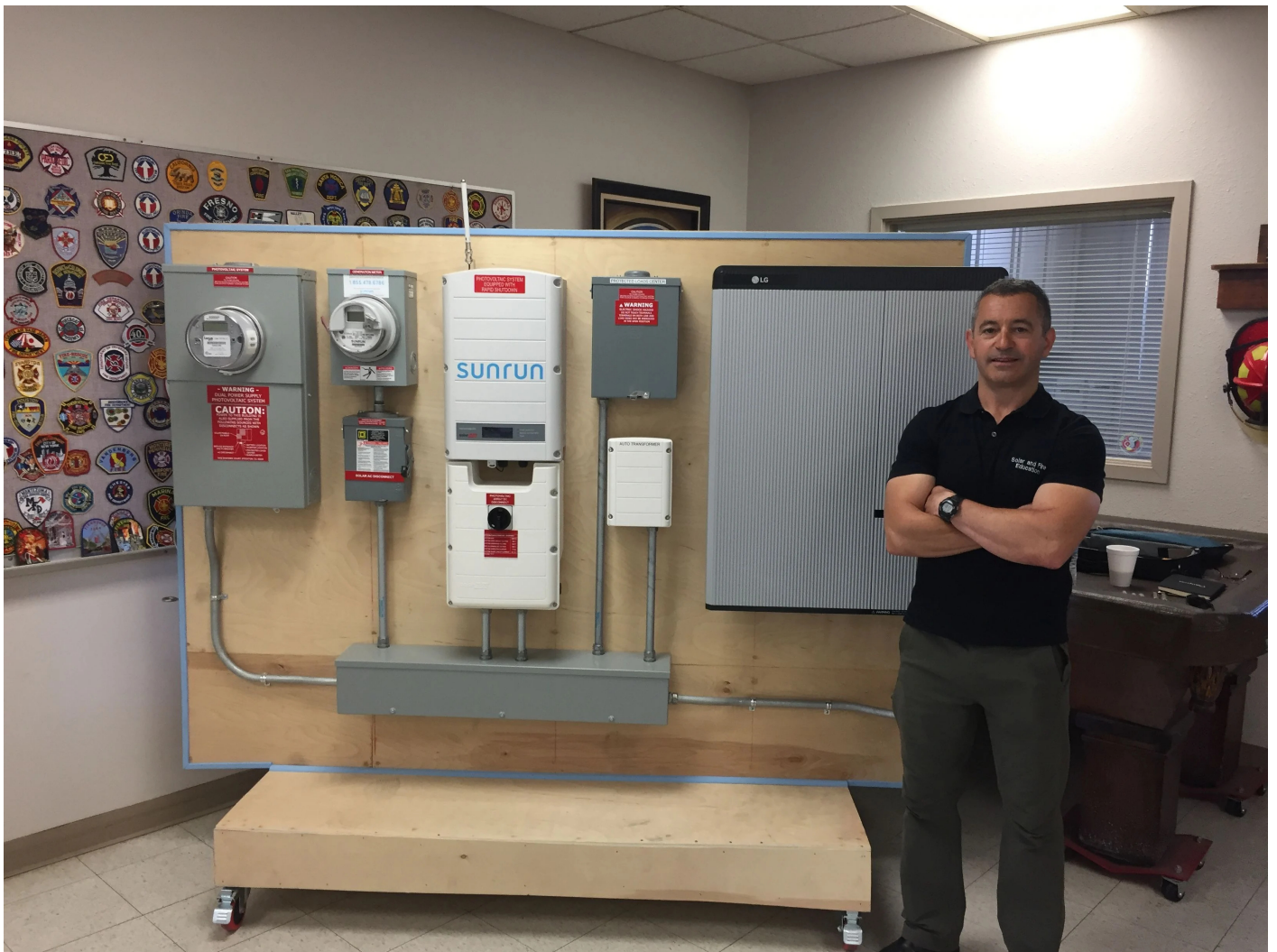
Sunrun also works with firefighters on developing building codes and permitting requirements, including the SolarApp initiative (<https://solarapp.nrel.gov/>) to digitize and automate solar permits, he added.

Solar and batteries can force firefighters to shift their tactics, but Birt is a solar and battery proponent. That's because he sees them as helping responders with their mission of saving lives.

Blackouts quickly become a matter of life and death for people who need refrigerated insulin, or an asthma nebulizer, or pumped oxygen to breathe. When those people lose power — whether from a storm or the utility-driven preventive power shutoffs that have become an annual routine in California — they call 911.

Backup power gives medically vulnerable households the power they need to take care of themselves. That, in turn, frees responders to handle fires or other emergencies.

"Who deals with them?" Birt asked. "Do the power companies deal with them? Do the politicians deal with them? We deal with them."



*Birt demonstrates the kind of equipment firefighters can expect to find at homes outfitted with rooftop solar and battery storage. (Photo courtesy of Richard Birt)*

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*Readers can learn more about Captain Birt's solar and battery firefighting training by emailing him at [solarandfireeducation@gmail.com](mailto:solarandfireeducation@gmail.com).*

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October 19, 2020

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

**RE: Comments on Aramis Solar Energy Generation and Storage Public Review Draft Environmental Impact Report (DEIR), County Planning Application PLN2018-00117.**

Dear Mr. Young:

The East Bay Regional Park District (Park District) appreciates the opportunity to comment on the Aramis Solar Energy Generation and Storage Public Review Draft Environmental Impact Report (DEIR) prepared by HELIX Environmental Planning, Inc (State Clearing House No. 2020059008).

The Park District supports the development of renewable energy resources, including solar power, to help reduce emissions and combat climate change. However, the Park District is also concerned about the loss of agricultural land and open space. We support solar facilities located on developed sites or brownfield areas.

Additionally, the Park District is concerned that these projects are preceding the finalization of a county-wide policy regarding utility-scale solar development for Alameda County and the East County Area Plan. Before moving forward with this utility-scale solar power project, the County's draft solar policy matrix should be finalized to allow for a comprehensive analysis of biologic and aesthetic impacts.

The County should also form a Technical Advisory Committee (TAC), similar to the County's TAC for wind energy projects in the Altamont Pass Wind Resource Area. Such a TAC should be composed of avian and bat experts to assess proposed utility-scale solar projects for associated impacts, appropriate fatality monitoring protocols, and mitigation strategies. Any approval of a large-scale solar facility before such a policy exists could deprive Alameda County residents of an opportunity to balance the needs of renewable energy with open space, agricultural, wildlife, and aesthetic concerns of its citizens.

The Park District has reviewed the DEIR, with particular attention paid to the aesthetics, biological resources, and recreation sections. The aesthetics section identified significant and unavoidable impacts to scenic vistas (AES-1) and the visual character or quality of public views (AES-3). While mitigation measures can mitigate impacts to the locally designated scenic roads, views of the solar facility cannot be blocked from surrounding ridgelines and vistas. The DEIR analyzed 4 Key Observation Points (KOPs) from the local scenic roads (KOPs A, C, and D), and one from Los Vaqueros Watershed (KOP B). None of these points were from the Park District owned parks of Doolan Canyon Regional Preserve (Doolan Canyon) or Brushy Peak Regional Preserve (Brushy Peak). **Table 4.1-4 Consistency with ECAP Policies** asserts that the project would not be visible from the Ridgelines above Collier Canyon Road (Doolan Canyon) and the ridgelines surrounding Brushy Peak due to the distance from those ridgelines to the project (over one mile). However, no visual analysis was completed to show the project would not be visible from these points. Due to the

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October 19, 2020

Mr. Young

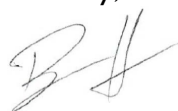
large area of solar panels, the project could be visible from this distance. While the DEIR acknowledges a significant impact to aesthetics, we do not know the impact on Park District lands. The Park District requests a viewshed analysis to be completed to determine the visual impacts to park users within Doolan Canyon or Brushy Peak.

The DEIR also found all impacts to biological resources to be less than significant due to the included mitigation measures. In the attached memo Doug Bell, the Park District's Wildlife Program Manager, details the Park District's comments related to biological resources. In summary, the Park District finds that the DEIR did not adequately assess project impacts to biological resources, and therefore the identified mitigation measures are insufficient. In particular, direct mortality of birds and bats was not sufficiently analyzed. The DEIR should include estimated direct fatalities of birds and bats and a bird and bat fatality monitoring program vetted by independent scientists. The fatality monitoring program should include small birds and bats and be a year-round program instead of 3 months. Impacts on waterbirds due to the lake effect are also likely, as the project area does see high numbers of waterfowl and shorebirds flying over the area, and these birds rely on cattle ponds and seasonal wetlands that dot the region. Additionally, the DEIR should consider the loss of habitat to golden eagles significant and unavoidable and should include compensatory mitigation options. The project will also cause impacts to burrowing owl habitat and should thus provide compensatory mitigation regardless of whether owls found on site are passively relocated. Finally, the DEIR did not assess impacts on the short-eared owl (*Asio flammeus*), a California Bird Species of Special Concern, and prairie falcon (*Falco mexicanus*), a species on the CADFV Watch List.

The DEIR found that the project would have no or a less than significant impact on recreational resources in the project area. The Park District supports the project component of a trail easement along Cayetano Creek being given to Alameda County or the Livermore Area Recreation and Park District. The Park District's 2013 Master Plan identifies a potential regional trail segment in this area that would be part of the San Francisco Bay to San Joaquin River Regional Trail (Shadow Cliffs to Morgan Territory Trail), and the Park District looks forward to assisting either agency on the development of this regional trail.

Thank you for this opportunity to comment on the Aramis Solar Energy Generation and Storage Public Review Draft Environmental Impact Report. Please contact Kim Thai at [kthai@ebparks.org](mailto:kthai@ebparks.org) if you have additional questions.

Sincerely,



Brian Holt,  
Chief of Planning, Trail & GIS  
[bholt@ebparks.org](mailto:bholt@ebparks.org)

Attachment 1: Technical Memorandum from Douglas A. Bell, Ph.D., Wildlife Program Manager

Cc: Ayn Wieskamp, EBRPD Board of Directors – Ward 5  
Robert Doyle, EBRPD General Manager





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## MEMORANDUM

DATE: 10/30/2020

TO: Andrew Young, County of Alameda Planning Department

FROM: Doug Bell, EBRPD Wildlife Program Manager

SUBJECT: Notice of Availability of Draft Environmental Impact Report for the Aramis Solar Energy Generation and Storage Project, PLN2018-00117

PAGES: 8

As Wildlife Program Manager with the East Bay Regional Park District ('District'), I wish to comment on the Draft Environmental Impact Report (DEIR) for the Aramis Solar Energy Generation and Storage Project, PLN2018-00117. 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 development, such as wind energy generation, on wildlife including volant animals (birds and bats).

The main point of this comment letter is to highlight that the DEIR does not adequately assess Project environmental impacts, namely, direct mortality of volant animals and habitat loss to wildlife. Since these impacts are not adequately assessed, the DEIR proposed mitigation measures are insufficient. As such, the DEIR declarations that Project impacts related to volant animal mortality and loss of wildlife habitat will be reduced to "less than significant" are rendered invalid.

### Project Impacts Related to Volant Animal Mortality

Smallwood (2020; available on request) estimated that as of 2020, over 250,000 birds and 11,000 bats are killed annually across all utility-scale solar projects in California. To derive these estimates, Smallwood (2020) analyzed avian and bat fatality data contained in fatality monitoring reports from eleven Photo-Voltaic (PV) and four solar collector array (SCA) utility-scale solar projects in California. These reports were obtained through federal Freedom of Information Act (FOIA) and California Public Records Act (PRA) requests in 2018. Based on these analyses, Smallwood (2020) estimated the following weighted mean fatalities/MW/year for PV projects: 11.605 (CI: 8.366 - 17.561) birds and 0.059 (CI: 0.010 - 0.100) bats. Projecting these estimates onto California's 2019 installed capacity of 12,220 MW of

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utility-scale PV yielded annual predicted fatalities of 141,811 birds (CI: 102,227 - 214,593) and 721 bats (CI: 124 - 1,222). Including fatalities due to utility-scale solar project infrastructure such as gen-ties and fencing increases the fatality estimates by up to 20% in some cases (Smallwood 2020).

Many of the monitoring reports reviewed by Smallwood (2020) identified fatalities to species, which ranged in body mass from a tiny Allen's hummingbirds (*Selaphorus sasin*) up to red-tailed hawk (*Buteo jamaicensis*) and brown pelican (*Pelecanus occidentalis*). For example, using his fatalities/MW/year by species projected on the 2019 installed capacity of 12,220 MW of utility-scale PV in California resulted in 17,043 mourning dove (*Zenaidura macroura*), 10,082 horned lark (*Eremophila alpestris*) and 2,224 burrowing owl (*Athene cunicularia*) fatalities (Smallwood 2020).

The DEIR should incorporate estimates of the Project's the impact on birds and bats through direct fatalities. For example, the Smallwood (2020) weighted mean fatalities/MW/year for PV of 11.605 (CI: 8.366 - 17.561) birds and 0.059 (CI: 0.010 - 0.100) bats can be used to predict annual fatalities resulting from the proposed Project's 100 MW PV facility: 1,160.5 (CI: 836.6 - 1,756.1) birds, including 18.2 (CI: 15.0 - 25.8) burrowing owls, and 5.9 (CI: 5.5 - 10.0) bats. Clearly, the Project has the potential to cause significant and unavoidable impacts to birds and bats. Given the significant avian and bat fatality rates reported at other utility-scale PV projects throughout California, the Project's EIR should include an avian and bat fatality monitoring program that is vetted by independent scientists. Additionally, a range of adaptive management and mitigation strategies, including compensatory mitigation, should be developed with thresholds for implementation before Project commissioning.

**P. 4.4-66/67. MM BIO7: Avian Effects During Operation of the Solar Facility, specifically BIO-7f, Avian Monitoring.** The proposed avian mortality monitoring scheme is wholly inadequate. The Project proposes only 12 weeks of monitoring every year for three years. Numerous studies in the Altamont Pass Wind Resource Area and elsewhere verify that year-round monitoring is required to account for seasonal variation in bird fatalities (see ICF International 2015). Project does not specify methods of fatality monitoring such as search interval, transect width, search pattern, distance sampling, nor does it account for searcher detection and scavenger removal bias since it does not present any information on the use of volant animal carcasses in a scientifically-designed study (Smallwood et al. 2009, 2018). Project proposes to survey only large-bird mortality which would ignore a huge proportion of avian fatalities and thus not adequately measure true Project impacts to birds. Bats are not even mentioned in the fatality monitoring program. The DEIR implies that The Project would employ human in the avian monitoring program, but recent work has shown that using trained search dogs are more effective in detecting fatalities, especially of bats and small birds, than humans (Smallwood et al. 2020). Finally, Project proposes employing bird diverters in a study encompassing four treatment blocks and one control block. While a good idea to test the efficacy of bird diverters at PV solar installations, it is unclear to me how this 4:1 treatment-control design would have enough statistical power to produce meaningful results.

To aid in assessing impacts of utility-scale solar projects on volant animals, Alameda County should form a Technical Advisory Committee (TAC), similar to the County's TAC for wind energy projects in the Altamont Pass Wind Resource Area. Such a TAC should be composed of avian and bat experts to assess proposed utility-scale solar projects for associated impacts, appropriate fatality monitoring protocols and mitigation strategies. This would be especially valuable to implement now, since County appears to be moving forward with approving solar projects on a case-by-case basis prior to developing a county-wide, utility-scale solar development policy.

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**P. 4.4-43. *Potential Avian Impacts Resulting from Photovoltaic Solar Generating Facilities.*** The DEIR discusses the hypothesized “Lake Effect” as reason waterfowl mistake PV arrays for waterbodies and then suffer resulting injuries and mortalities when impacting the panels. The DEIR then dismisses likelihood of waterfowl suffering fatalities since *“Waterfowl are not expected to be common in the project site or pass over since there are no bodies of water in the project site and only seasonally flooded cattle ponds near the project site”*. This is spurious for two reasons: one, waterfowl are common in the region, especially in winter/spring courting over the rangelands and ag lands of eastern Alameda County where they take advantage of the hundreds of cattle ponds, and two, the DEIR ignores a wide range of water birds (shorebirds, grebes, etc.) which may be attracted to PV panels due to the “Lake Effect” and thus suffer injury or mortality. Additionally, the DEIR does not consider other candidate causal factors as hypotheses for volant animals impacting PV panels. Namely,

- Reflection of polarized light from PV panels that attracts insects which in turn attracts birds and bats to the panels (Horvath et al. 2009, 2010).
- Avian aggressive responses to mirror-reflected self-images as territorial defense (Smallwood 2020)
- High-speed predator-prey encounters or inter- and intra-specific agonistic encounters causing distraction and thus reduced avoidance time (Smallwood 2020)
- For bats, failed detection of angled collector panels due to reduced echolocation output (Gorrensens et al. 2017, Corcoran and Weller 2018)
- For bats, misinterpretation of echolocation-detected flat panels as waterbodies (Greif and Siefers 2010)

The DEIR ignores Project infrastructure such as electrocution on energized portions of the project, and entanglement in fence lines.

### Project Impacts Related to Habitat Loss

**P. 4.4-32.** *“Golden eagles were observed soaring high over the project site and then foraging low over the surrounding hillslopes (out of project site) pursuing California ground squirrels”, and “The project sites provides potential foraging habitat for golden eagle.* Indeed, District research on satellite telemetry of golden eagles in the region indicate that they use the Project’s location (see Figure 1, p. 6).

**P. 4.432.** *“There is no suitable nesting habitat for golden eagle on the project site”, and “....golden eagle is not expected to nest adjacent to the project site”*. Survey work conducted by the District (and others) has identified that the Project is within the core-use area of at least two territorial pairs of (nesting) golden eagles (see Figure 2, p. 7). Nesting habitat does not just include the tree, but also surrounding habitat necessary to maintain a breeding pair. Golden eagles are facing growing pressure from development in the region, including renewable energy development. They are suffering high mortality rates in the neighboring Altamont Pass Wind Resource Area (H. T. Harvey 2020, Hunt et al. 2017). The DEIR should recognize that the loss of habitat for nesting golden eagle is significant and unavoidable and should include compensatory mitigation options. As a side note, some golden eagles nest close to proximity to human habitation in the region (EBRPD, unpublished data).

**P. 4.4-34.** *“These [burrowing] owls likely originated from a nest nearby and are dispersing away from the nest”*. The survey dates upon which this statement is include June 17, 18 and July 14, 2020. Burrowing owl family groups will use several satellite burrows within their home range. Movements among satellite burrows during the nesting season does

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not constitute dispersal. Given presence of ground squirrel burrows within the project footprint, presence of nesting burrowing owls is highly likely.

**P. 4.4-44.** *“Studies indicate that both vineyards and solar generation facilities ...provide foraging habitat value for Swainson’s hawk, (Estep 2013, Swolgaard et al. 2008). I would not equate a solar facility with a vineyard in terms of structural similarity. The Estep (2013) study is not a Before-After-Controlled-Impact (BACI) study so inferences drawn are*

*less solid – one does not know how the hawks used the site prior to construction of the solar facility. The Swolgaard et al. (2008) study did find that Swainson’s hawks use vineyards, but less so than other habitats, such as pasture and grassland. To my knowledge, no peer-reviewed, scientific studies have been published on raptor foraging in utility-scale solar projects. The argument that the Project will benefit raptor foraging habitat is speculative, at best.*

**P. 4.4-46/47.** *“Over the course of numerous biological surveys...including a total of 10 nighttime surveys for CRLF and four evening surveys for burrowing owl, no bat roosts were detected and no bats were observed emerging from trees or structures...”. I’m not surprised, since bats were not the object of those surveys. Why were not bat acoustic detectors employed? “Based on the design of the project with buried utilities and the low profile of the solar arrays and retention of grassland habitat under the PH arrays, impacts to bats that may occur in the region are expected to be less than significant”. While buried utilities are will reduce avian and bat deaths, there is absolutely no evidence to support the conclusion that “, impacts to bats that may occur in the region are expected to be less than significant”. See also Smallwood (2020) for estimates of bat fatalities caused by utility-scale PV projects in California.*

**P. 4.4-47.** *“PV solar projects pose little risk to bats, particularly among PV arrays”, and “...impacts to regionally occurring bat species resulting from the proposed project would be less than significant”. As mentioned above, see Smallwood (2020) for estimates of bat fatalities caused by utility-scale PV projects in California.*

**P. 4.4-62.** *“MM BIO-3d: If burrowing owl pairs are passively relocated, compensatory mitigation for lost habitat (per pair of relocated owls) at an off-site location shall be provided either through dedication of 6 acres of suitable habitat...or through purchase of credits at a CDFW-approved mitigation bank in the region. No compensatory mitigation is required for passive relocation or eviction of transient, unpaired owls”. The Project will be impacting valuable burrowing owl nesting habitat and should thus provide compensatory mitigation, regardless of whether owls are passively relocated. Given the presence of California ground squirrel burrow complexes within the Project’s footprint adjacent to an active burrowing owl nest, the squirrel burrows contribute to the owls’ nesting success. Namely, burrowing owls prefer areas with high burrow density, as these offer extra escape burrows for fledging owls (Plumpton 1992). In addition, resident burrowing owls in our region are non-migratory, so the likelihood that an owl trapped within the Project footprint is a local breeder and not a transient is high (Poulin et al. 2020).*

## Species Not Included in the DEIR

**P. 4.4-25.** The DEIR omits consideration of the short-eared owl (*Asio flammeus*), a California Bird Species of Special Concern (<https://wildlife.ca.gov/Conservation/Birds/Raptors>), and prairie falcon (*Falco mexicanus*). The latter species, on the CADFW Watch List <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109406&inline>), is increasingly impacted in the region by habitat loss (Figure 3, p. 8).

Thank you for this opportunity to comment on the Draft Environmental Impact Report for the Aramis Solar Energy

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Generation and Storage Project, PLN2018-00117.

Sincerely yours,

*Douglas A. Bell*

Douglas A. Bell, Ph.D.  
Wildlife Program Manager  
[Dbell@ebparks.org](mailto:Dbell@ebparks.org)

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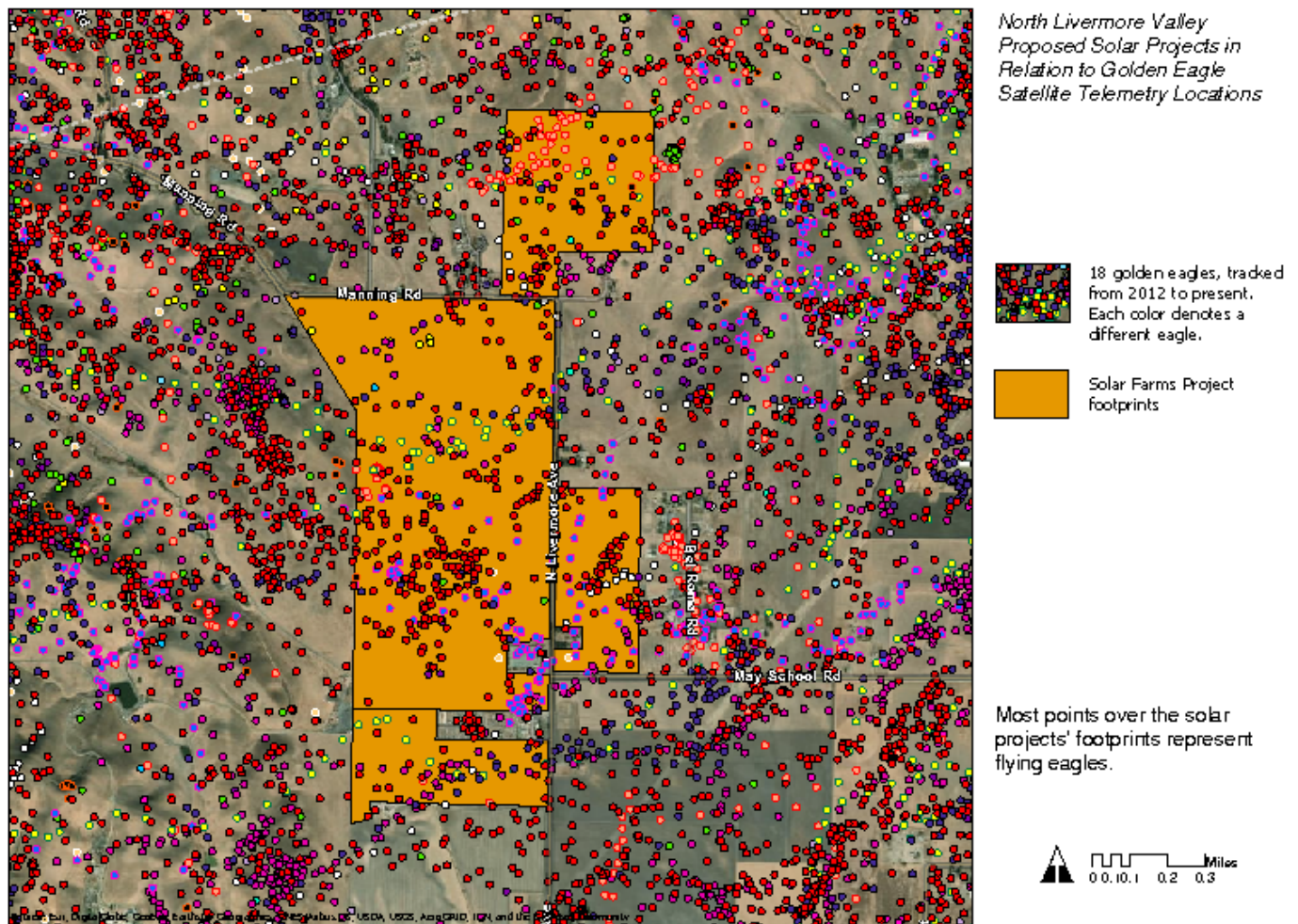


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## Figures

Figure 1. Golden eagle satellite telemetry locations (colored circles), sampled at 15-minute intervals, of 18 eagles tracked from 2012 to present, overlaid on the footprint of proposed utility-scale PV projects in North Livermore. Each color corresponds to a different eagle. All eagles tracked herein were non-territorial, that is, either juvenile, sub-adult or non-breeding adults. Most telemetry locations within the footprint of the solar projects represented flying eagles (EBRPD, unpublished data).



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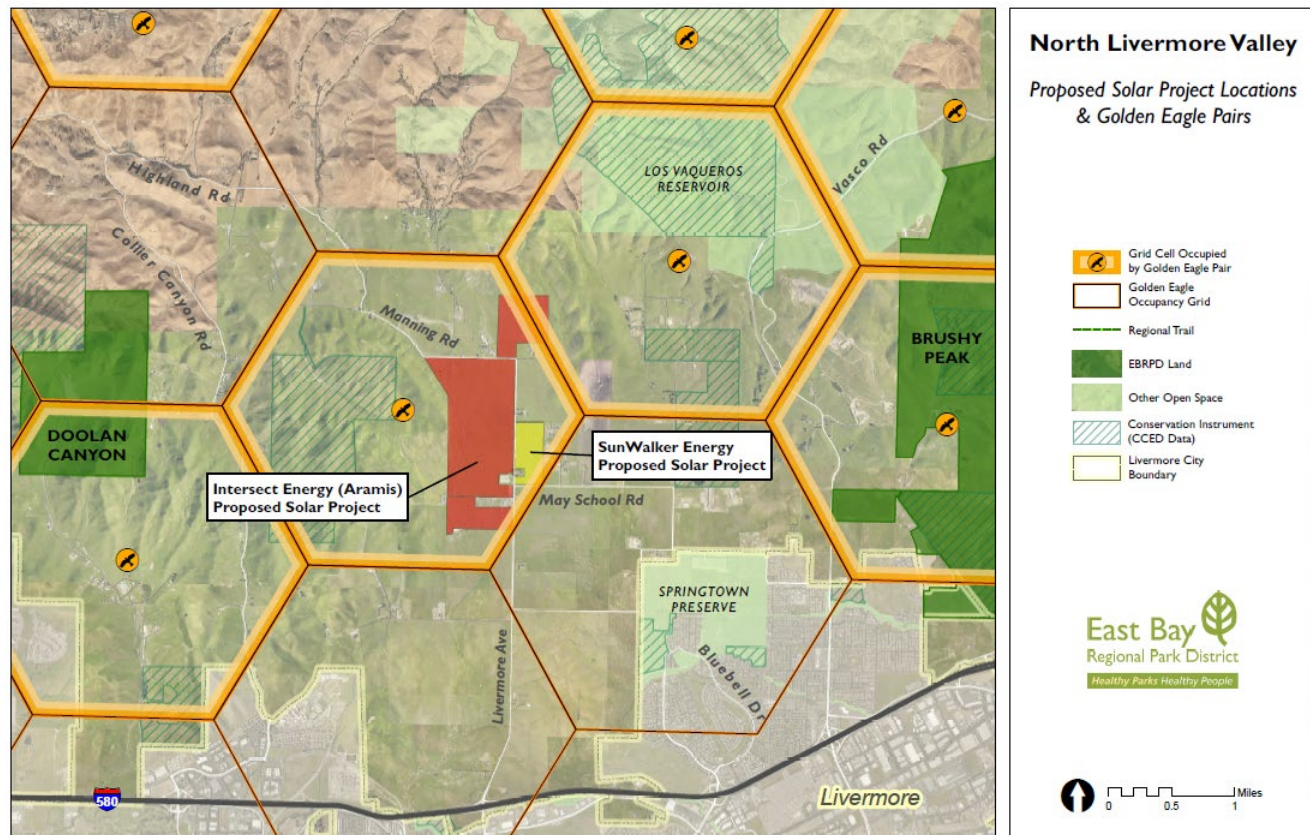
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Figure 2. Grid of survey cells for golden eagles overlaid on the North Livermore area. Each hexagonal grid is 1,385-ha in area and corresponds to the estimated mean core-use area of a territorial pair of golden eagles in the north Diablo Range (Wiens et al. 2018). Survey grid cells occupied by a pair of territorial eagles are outlined in orange and marked by the eagle icon. The proposed North Livermore utility-scale PV projects encompass habitat occupied by 1-2 pairs of nesting golden eagles (EBRPD, unpublished data).



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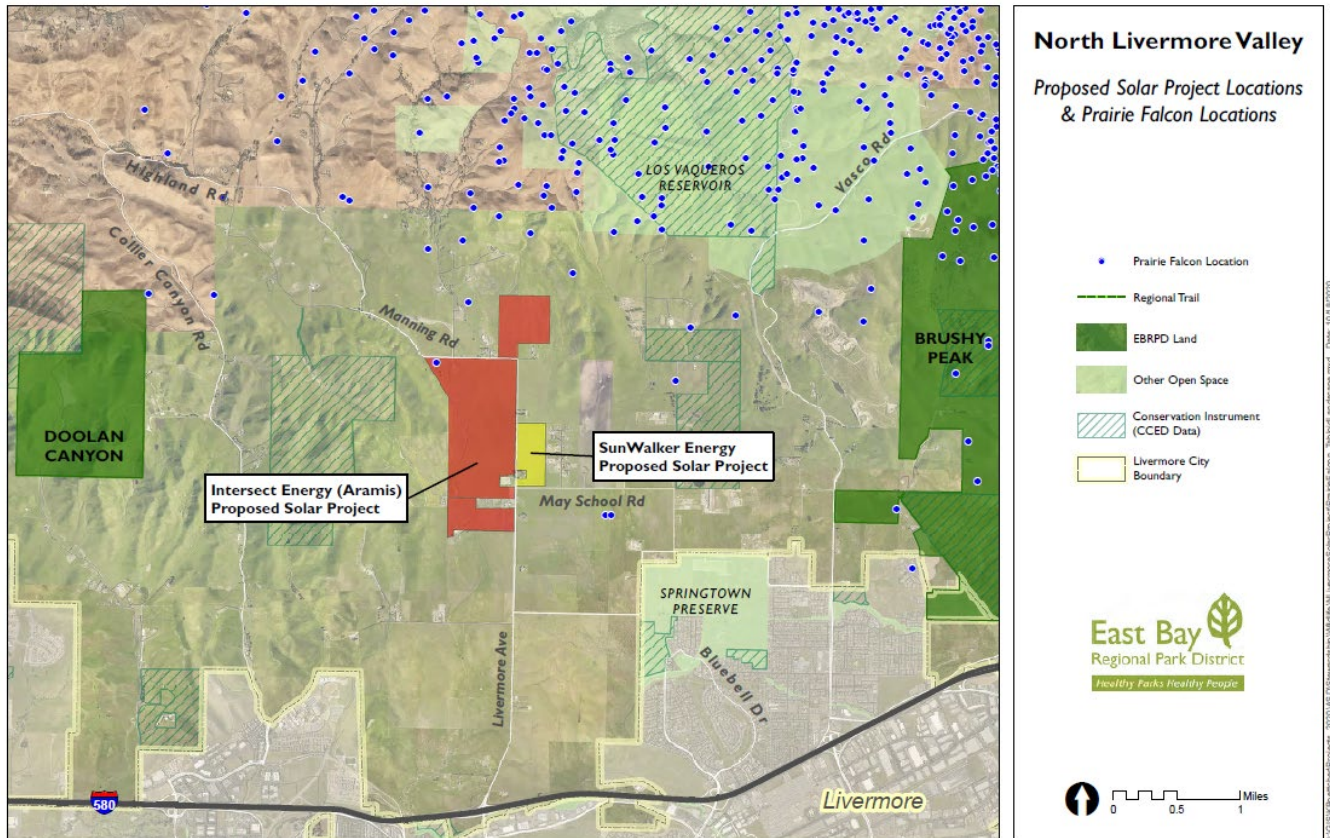
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Figure 3. Prairie falcon radio telemetry locations (blue circles), representing 8 different falcons recorded during airplane flights from April 2006 to March 2010, overlaid on the footprint of proposed utility-scale PV projects in North Livermore. See also [https://www.ebparks.org/about/stewardship/wildlife/falcon\\_study.htm](https://www.ebparks.org/about/stewardship/wildlife/falcon_study.htm).



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## Young, Andrew, CDA

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**From:** Ron Sadler <rdsadler@icloud.com>  
**Sent:** Wednesday, October 21, 2020 1:59 PM  
**To:** Young, Andrew, CDA  
**Subject:** Support for Solar Projects (1 of 2)

Dear Andy,

I am writing you today to ask for your support for the proposed solar projects in the North Livermore Valley.

The Intergovernmental Panel on Climate Change (IPCC) reported that to keep the rise in global temperatures below 1.5C this century, emissions of carbon dioxide would have to be cut by 45% by 2030. Almost half of the electricity currently produced in California is generated by carbon dioxide emitting gas-fired power plants. It will take an unprecedented amount of new clean energy facilities to replace existing gas-fired plants, to generate the additional electricity needed to charge electric cars, and to replace the electricity currently generated by the Diablo Canyon nuclear power plant that is slated to be shutdown in 2025.

Due to relatively limited wind resources and viable hydroelectric sites in our state, the vast majority of new electrical generation will need to come from solar. To accomplish this, solar panels will not only need to be placed on rooftops and over parking lots, but also on the ground in open fields. The fact is, large local ground mounted solar facilities with battery storage, such as one of the two proposed for the North Livermore Valley, are currently the best option for providing cost effective, reliable, and emissions free electricity.

These two projects would power over 25,000 local homes and business, and would offset millions of tons of CO2 emissions. They would be located in the upper Northwest corner of the valley, next to an existing PG&E substation, on flat land that has primarily been used for cattle grazing. The developers of these projects are committed to taking all precautions to minimize the impact to the local environment, along with planting vegetation buffers.

Of course in an ideal world we would all want to leave these fields open. Unfortunately our world is less than ideal, and we are left with basically three choices; drastically reduce our overall energy consumption, continue burning fossil fuels and warming our planet, or install solar on every available roof, over parking lots, and to some extent, in open fields like those in the North Livermore Valley.

These projects would be a major win toward becoming carbon neutral. Each day that these projects are delayed means tons more carbon dioxide is added to our atmosphere. Will you please do whatever is in your power to get these projects approved and built as soon as possible? Our time to turn the tide on Global Warming is rapidly running out.

Thank you for your help!

Ron Sadler

Citizens' Climate Education, Tri-Valley Chapter  
925 623-2950  
2784 Normandy Court  
Livermore, CA 94550

<https://climate.nasa.gov/evidence/>

[https://reasonstobecheerful.world/next-generation-solar-farm-pollinators-crops-grazing/?utm\\_source=Reasons+to+be+Cheerful&utm\\_campaign=b88f818f73-EMAIL\\_CAMPAIGN\\_2020\\_08\\_17\\_05\\_13&utm\\_medium=email&utm\\_term=0\\_89fb038efe-b88f818f73-389060601](https://reasonstobecheerful.world/next-generation-solar-farm-pollinators-crops-grazing/?utm_source=Reasons+to+be+Cheerful&utm_campaign=b88f818f73-EMAIL_CAMPAIGN_2020_08_17_05_13&utm_medium=email&utm_term=0_89fb038efe-b88f818f73-389060601)

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## Young, Andrew, CDA

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**From:** Marjie Koscic <homes@marjiekoscic.com>  
**Sent:** Friday, October 30, 2020 1:22 PM  
**To:** Young, Andrew, CDA  
**Subject:** Written Comments on Aramis Solar Energy Generation and Storage Project EIR

Dear County of Alameda Planning Department, Attn: Mr. Young,

We request that you reject the Aramis Solar Energy Generation and Storage Project for the following reasons:

1. No public need exists for a large utility-scale industrial solar power plant in North Livermore. The County can meet its needs for greater renewable energy and preserve open space and scarce agricultural land through expansion of solar power in urban areas. The County should encourage the construction of solar panels on the roofs of homes, apartment complexes, and industrial/commercial buildings, over parking lots and next to freeway exits. Should the Board believe an industrial utility-scale solar power plants are necessary, at a minimum, it must defer any decision on the Aramis Project until after Alameda County completes a comprehensive solar policy and mapping project to determine which rural areas would be least impacted by commercial solar facilities.
2. Utility-scale solar power plants are not properly related to other land uses in North Livermore. Under voter-approved Measure D, the agricultural lands of Alameda County, including North Livermore, are to be preserved and protected from “excessive, badly located and harmful development.” Commercial electricity power generation is not a use that exists in North Livermore today nor is it related to the use of the land for agricultural purposes.
3. If permitted, the Livermore Aramis Solar project will be materially detrimental to the public welfare and injurious to property in the neighborhood. Since the 1960s, Alameda County’s General Plan has designated North Livermore Avenue as a scenic corridor and sought to preserve the area’s outstanding scenic quality. The Aramis solar plant will gravely harm the visual assets of the area, changing it from farmland/open space to an industrial use. Moreover, the North Livermore Valley area is a habitat for a variety of special status species and is a wildlife corridor. The Aramis Solar plant will obliterate farmland used by foxes, eagles, owls and other predator birds to hunt field mice, rats, squirrels and rabbits, and create a barrier for the migration of wildlife in the valley undermining the biodiversity of the County.
4. The Aramis Solar plant will be contrary to the character and standards established for the District in which it is to be located. North Livermore Valley is designated an agricultural district. Under the County Zoning Code, agricultural districts are reserved for “agricultural and other nonurban 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 for the general welfare.” Farming, cattle grazing and the raising of other farm animals, is impossible on land covered with solar photovoltaic panels.

In conclusion, North Livermore Valley is an agricultural area and should remain one. We request you reject the Aramis Solar Energy Generation and Storage Project or at a minimum put on hold until a comprehensive county solar policy is enacted.

Sincerely,

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

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**From:** Maria De Luz <mdeluz14@yahoo.com>  
**Sent:** Friday, October 30, 2020 2:10 PM  
**To:** Young, Andrew, CDA  
**Subject:** Aramis Solar Objections/Response to DEIR

Dear Alameda County Dept.,

We feel the Aramis Solar Plant being considered for the No. Livermore Valley should be rejected for the following reasons:

1. No public need exists for a utility-scale solar power plant in North Livermore. The County can meet its needs for greater renewable energy and preserve open space and scarce agricultural land through expansion of solar power in urban areas. The County should encourage the construction of solar panels on the roofs of homes, apartment complexes, and industrial/commercial buildings, over parking lots and next to freeway exits. At a minimum, it must defer any decision on the Aramis Solar plant until after Alameda County completes a comprehensive solar policy and mapping project to determine which rural areas would be least impacted by commercial solar facilities.
2. Utility-scale solar power plants are not properly related to other land uses in North Livermore. Under voter-approved Measure D, the agricultural lands of Alameda County, including North Livermore, are to be preserved and protected from “excessive, badly located and harmful development.” Commercial electricity power generation is not a use that exists in North Livermore today nor is it related to the use of the land for agricultural purposes.
3. If permitted, the Aramis Solar plant will be materially detrimental to the public welfare and injurious to property in the neighborhood. Since the 1960s, Alameda County’s General Plan has designated North Livermore Avenue as a scenic corridor and sought to preserve the area’s outstanding scenic quality. The Aramis Solar plant will gravely harm the visual assets of the area, changing it from farmland/open space to an industrial use. Moreover, the North Livermore Valley area is a habitat for a variety of special status species and is a wildlife corridor. The Aramis Solar plant will obliterate farmland used by foxes, eagles, owls and other predator birds to hunt field mice, rats, squirrels and rabbits, and create a barrier for the migration of wildlife in the valley undermining the biodiversity of the County.
4. The Aramis Solar plant will be contrary to the character and standards established for the District in which it is to be located. North Livermore Valley is designated an agricultural district. Under the County Zoning Code, agricultural districts are reserved for “agricultural and other nonurban 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 for the general

welfare.” Farming, cattle grazing and the raising of other farm animals, is impossible on land covered with solar photovoltaic panels.

In conclusion, North Livermore Valley is an agricultural area and should remain one. Please reject the application of the Aramis Solar plant.

Jim & Maria De Luz

4270 N Livermore Ave

Livermore, CA. 94551

Sent from my iPad

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

October 31, 2020

Mr. Andrew Young  
County of Alameda  
Planning Department  
224 W. Winton Avenue, Room 111  
Hayward, CA 94544

Dear Sir:

Subject: Aramis Solar Energy Generation and Storage Project-PLN2018-00117

The following are my comments concerning the Draft Environmental Impact Report for the subject Project.

1. I am concerned about the massive lithium ion battery storage buildings located on the Project area. More studies must be done regarding the fire hazard impact on the surrounding land and residences.
2. The transporting of water daily to the project and storing the water in huge water tanks is an issue that will impact the area in terms of residences dealing with trucks traveling on the local roadways daily. Also, using the water for extensive landscaping and the berms adds impacts to quality of the water in the basin when use of pesticides over the area is done. This issue must be studied.
3. My concerns regarding impacts to the ground water basin must be extensively done. Our residence, as well as other residences, on Bel Roma Road will be severely impacted by this Project in many ways and I hereby oppose approval of this Project.

Yours truly,



Lona McCallister

## Young, Andrew, CDA

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**From:** tracy.wood589@gmail.com  
**Sent:** Saturday, October 31, 2020 7:25 PM  
**To:** Young, Andrew, CDA  
**Cc:** 'Tracy Wood'  
**Subject:** Re: Aramis Solar Energy Generation and Storage Project EIR

Date: October 31, 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 EIR

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

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

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## Young, Andrew, CDA

---

**From:** Cecilia Sadler <cfsadler@icloud.com>  
**Sent:** Sunday, November 1, 2020 12:44 PM  
**To:** Young, Andrew, CDA  
**Subject:** Support Aramis Renewable Energy Project in North Livermore

Dear Senior Planner Young,

I am writing you today to ask for your support for the Aramis Renewable Energy Project in North Livermore.

Earth's average surface temperature has risen about 1.14 degrees Celsius (2.05 degrees Fahrenheit) since the late 19th century, a change driven primarily by increased carbon dioxide and other human-made emissions into the atmosphere. Most of the warming occurred in the past 35 years, with the six warmest years on record taking place since 2014. As a consequence of this warming, Greenland lost an average of 286 billion tons of ice per year between 1993 and 2016, while the rate of Antarctica ice mass loss has tripled in the last decade. (<https://climate.nasa.gov/evidence>)

The fact is our world is warming, and warming at an increasingly rapid rate. And unless we rapidly transition to emissions free energy sources such as solar and wind, the world we leave our grandchildren will not be very hospitable.

We have an opportunity right here in the Tri-Valley to take one large step in that rapid transition, and that is with the approval and completion of the Aramis Renewable Energy Project. This state-of-the-art solar and energy storage facility would offset millions of tons of carbon dioxide emissions over the next 30 years while providing clean, dependable energy to over 25,000 local homes and businesses.

I ask that you consider the big picture, and please support this and other renewable energy projects like it. Because unless we all take actions to stop the polluting of our atmosphere with green house gasses, the Tri-Valley and our world will become much warmer.

Thank you for your help on this issue.

Cecilia Fraass Sadler

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**Young, Andrew, CDA**

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**From:** Chris Sadler <cmsadler4761@hotmail.com>  
**Sent:** Sunday, November 1, 2020 5:09 PM  
**To:** Young, Andrew, CDA  
**Cc:** Haggerty, Scott, Supv BOS Dist 1; timhof@earthlink.net; derek.eddy@acgov.org; scott.beyer@wentevineyards.com; Bazar, Chris, CDA; Lopez, Albert, CDA; Lopez, Albert, CDA; Wilson, Shawn, BOS Dist 1  
**Subject:** Support for the Aramis Renewable Energy Project

I am writing you today to ask for your support for the proposed solar projects in the North Livermore Valley.

As we all have read, there is about 10 years left to transition to clean sources of energy in order to prevent irreversible damage from Climate Change. Approximately half of the electricity currently consumed in California is generated by carbon dioxide emitting gas-fired power plants. It will take an unprecedented amount of new clean energy facilities to replace existing gas-fired plants, to generate the additional electricity needed to charge electric cars, and to replace the electricity currently generated by the Diablo Canyon nuclear power plant that is slated to be shutdown in 2025.

Due to relatively limited wind resources and viable hydroelectric sites in our state, the vast majority of new electrical generation will need to come from solar. To accomplish this, solar panels will not only need to be placed on rooftops and over parking lots, but also on the ground in open fields. The fact is, large local ground mounted solar facilities with battery storage, such as one of the two proposed for the North Livermore Valley, are currently the best option for providing cost effective, reliable, and emissions free electricity.

These two projects would power over 25,000 local homes and business, and would offset millions of tons of CO2 emissions. They would be located in the upper Northwest corner of the valley on flat land that has primarily been used for cattle grazing. The developers of these projects are committed to taking all precautions to minimize the impact to the local environment, along with planting vegetation buffers.

Of course in an ideal world we would all want to leave these fields open. Unfortunately our world is less than ideal, and we are left with basically three choices; drastically reduce our overall energy consumption, continue burning fossil fuels and warming our planet, or install solar on every available roof, over parking lots, and to some existent, in open fields like those in the North Livermore Valley.

These projects would be a major win toward becoming carbon neutral. Each day that these projects are delayed means tons more carbon dioxide is added to our atmosphere. Will you please do whatever is in your power to get these projects approved and built as soon as possible? Our time to turn the tide on Global Warming is rapidly running out.

Thank you for your help!

Sincerely,

Chris Sadler

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**From:** Michael Fredrich <mffredrich@comcast.net>  
**Sent:** Monday, November 2, 2020 4:52 PM  
**To:** Young, Andrew, CDA  
**Cc:** mffredrich@comcast.net  
**Subject:** Aramis Solar Energy Generation and Storage Project EIR

**Comments on the Aramis Draft EIR**

**Michael Fredrich**  
**Livermore**

**Draft EIR, 2.1**

Aramis EIR states the project site is 410 acres and principal site is 536 acres. Appendix E; 1.1 describes the project as 410 acres and principal site of 523 acres. Publicly Aramis representative has stated a project in the high 300's.

An accurate and consistent project description should be made in writing and in public statements.

**Draft EIR, 3.4.2**

How many poles will be constructed?

What is the height distribution of the poles? How many of each size?

How many 100 ft poles will be constructed?

Where will the poles be placed?

What is the height of modules when not in their stow position?

What is the height in normal operation?

**Draft EIR 3.4.6**

The proposed development is not consistent with the existing Williamson Act contract.

Alameda County Uniform Rules and Procedures, Uniform Rule 2, I.A states the Williamson Act Principles of Compatibility, "Uses approved on contracted lands shall be consistent with all of the following principles of compatibility;" Of the four principles, the first three are:

1. The use will not significantly compromise the long-term productive agricultural capability of the contracted property or on other contracted lands in agricultural preserves (Government Code Section 51238.1).
2. The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the contracted property or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the contracted property may be deemed compatible if they relate directly to the production of commercial agricultural products on the contracted property or neighboring lands, including activities such as harvesting, processing, or shipping (Government Code Section 51238.1).
3. The use will not result in the significant removal of adjacent contracted land from agricultural use or open-space use (Government Code Section 51238.1).

The proposed development will significantly compromise the long-term productive agricultural capability for at least 20 years. Appendix E; 1.2.2 states "The project applicant plans to maintain a majority of the site in limited agricultural operation..." The "limited agricultural operation" is almost exclusively grazing by sheep which is an

incidental use intended primarily to suppress vegetation and does not represent agriculture as intended by the Williamson Act. Additionally, Aramis has argued only a very small portion of the entire project is developed because the panels themselves do not count as part of the developed area. Undeveloped areas, which therefore could represent a substantial portion of the site, may be "left fallow". Agriculture as intended under a Williamson Act contract will no longer occur on the property. Therefore the proposed project is not consistent with I.A.1 and I.A.2 of Rule 2. Aramis is attempting to maintain preferable tax treatment of the property while placing an industrial facility on it.

Under Rule 2, Section II. *Compatible Use Standards For Agricultural Contracts; E. Gas, Electric, Water, and Communication Facilities; 3. Energy Production Structures – Commercial or Private Solar Panels* states "Commercial or private solar panels are deemed compatible uses providing:

*"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)."*

I.B.3.c states:

*"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 the contracted property, or 10 acres, whichever is less."*

Even if the project qualifies as a compatible non-agricultural, and that is disputable, the solar panels will not be restricted to the 2-acre building envelope and will far exceed 10% and 10 acres of the contracted property. Clearly, the proposed development is not consistent with the existing Williamson Act contract.

## **Appendix E; 1.2**

This section states, *IP Aramis, LLC (a subsidiary of Intersect Power, LLC) is the project applicant and is seeking a Conditional Use Permit (CUP) from Alameda County to construct, operate, and maintain a solar photovoltaic (PV) facility for at least 50 years.*

Publicly, Aramis has been promoting the project lifespan will be 20 years, but this section states Aramis is asking for a conditional use permit of at least 50 years.

## **Appendix E; 1.2.4**

This section states, *"The vegetative cover would generally be kept low to prevent shading of solar panels, to minimize and manage buildup of combustible fuel loads which could otherwise result in a fire hazard, and to facilitate emergency and maintenance vehicle access. This would be accomplished by using low-growing species on the site and maintaining vegetation with grazing during the growing season ..."*

What low growing species will do well in the shade of solar panels?

Will these species be native?

Will these species compete with native species?

Will these species be compatible with uses on neighboring properties?

## **Appendix E - 6.7.1**

This section states: *"Rodenticides shall not be used at the project site. Rodents will be controlled by encouraging raptor foraging. If additional rodent control is required to minimize impacts on adjacent agricultural operations, non-chemical methods will be employed."*

However in section MM BIO-5c.g (page 4.4-64): San Joaquin Kit Fox it states *"Use of rodenticides, herbicides, poison baits, or other substances potentially harmful to San Joaquin kit fox shall be restricted. ... If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox"*.

So, rodenticides could be used, contrary to assertion made in Appendix E - 6.7.1. Zinc phosphide is highly toxic. If the risk to foxes is lower, it is still high. If rodenticides shall not be used, then they **shall not** be used.

## Appendix E - 6.7.2 - MM BIO-7f

This section states *"A qualified biologist shall prepare an Avian Monitoring Plan". Wording should be included that states the plan "... shall prepare and implemented ..."*.

Public statements by Aramis representatives claim raptors prefer solar panel fields. The bulk of MM BIO-7f seems to discuss methods of discouraging the presence of birds. The stated goal is to avoid large bird mortality, but it would seem at the cost of lowering overall bird populations. If there are no birds, there will be no mortalities. Studies should be made to determine the project's over all impact on bird populations, both small and large birds.

The three month study period described in MM BIO-7f is too short. It cannot account for seasonal variations in bird populations. A valid study should be conducted over a full year. Aramis should also be required to do periodic studies on avian impact for the life of the project.

Will Aramis be required to report avian mortality to state agencies?

If avian mortality are unacceptably high, what mitigation measures will be implemented?

If avian populations drop, what mitigation measures will be implemented?

## 7.0 Cumulative Impacts

The draft EIR admits:

*Potential cumulative impacts could include*

- (1) loss of high quality breeding and upland habitat for special-status amphibians (CRLF and CTS) or take of individuals leading to an incremental decline in the regional population of these species;*
- (2) reduced nest success, nest failure, or other direct or indirect impacts to nesting birds as well as a complete loss of foraging habitat for special-status and common raptors and other resident and migratory birds that would have an incremental effect potentially leading to reduced populations of these birds in the region or lack of population expansion potential;*
- (3) direct Biological Resources Technical Report for the Aramis Solar Energy Generation and Storage Project | September 2020 76 impacts to American badger and/or San Joaquin kit fox or loss of dispersal and foraging habitat for these species that could lead to an incremental reduction in populations of these species;*
- (4) a net loss of jurisdiction waters in the watershed; and*
- (5) loss of potential movement corridors for special-status and common wildlife species leading to a cumulative potential for impacts to gene flow or genetic diversity among these species.*

Even small projects in Alameda County are usually required to mitigate such damage in excess of the actual impact. Aramis should be required to make the same mitigations.

Section 7.0 states, *"Mitigation measures will also avoid take of individuals if present on the site by allowing them to leave but not return ..."* What is the applicants plan, ask nicely, send eviction notices? Allowing creatures to leave and not come back is not mitigation. It sounds more like "We asked them to leave, but they wouldn't go, so we had to kill them. It was their choice"

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## Young, Andrew, CDA

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**From:** Carol Silva <7silva@comcast.net>  
**Sent:** Monday, November 2, 2020 4:59 PM  
**To:** Young, Andrew, CDA  
**Subject:** Aramis Solar Energy Generation & Storage Project DEIR

Although I am an environmentalist, I do not think that the incredibly large Aramis solar power plant should be approved for numerous reasons.

### Effects of Increased Temperatures

Although I have already commented on this issue in the EIR Scoping comments, this issue will lead into my next main concern about this proposed mega-project. Studies have demonstrated that temperatures around a solar power plant were 5.4-7.2 degrees Fahrenheit warmer than nearby wildlands. This increased temperature will likely cause some wildlife and native plants to die, further decrease moisture in the arid soil, easily dry up arroyos and creeks, cause dust storms, make drought conditions worse, and increase the likelihood of fires.

### Increased Likelihood of Fires

Approximately 20 years ago a car on North Livermore Avenue caught fire and it caused a grassland fire that approached a Spring Valley development. From my backyard on Ponderosa Drive, my husband and I saw the flames rolling down the nearby hills towards our neighborhood. Firemen were up and down our street, going into our backyards, using our hoses to wet down vegetation at our back fences. Other firefighters were on the other side of the main arroyo struggling to drive their all-terrain fire trucks towards the fire. The driver was struggling to drive in the fields because the fields are riddled with small arroyos and the truck was having difficulties driving down and up in the arroyos. They could drive only very slowly. North Livermore has some very windy days. If a fire were to start in the dry grassland, the fire could easily move very quickly. Usually the wind blows from west to east, but not always. I have a concern that fire could begin from strong winds damaging electrical lines and from poor maintenance of the proposed fire suppression systems that would be installed in the batteries' enclosures.

The scenic beauty of the North Livermore Valley will be ruined for decades, possibly forever, with 50-70 foot tall voltage electrical lines and an enormous sea of glass that will also significantly affect wildlife, including birds. Why didn't Aramis try to review more than a couple of alternative locations? Such a huge project should have reviewed many more locations than three.

### Alameda County and Livermore Voters

The City of Livermore and its voters have done its best to be concerned that there are adequate resources, such as water, schools, parks, and medical facilities for its residents. Livermore, for the most part, has encouraged smartly planned community development. That is why voters have voted for an Urban Growth Boundary and for Measure D. It upsets me that the voters' decisions are not honored when outside forces see that the Livermore area has a lot of land. With the availability of land, greedy Limited Liability Companies can scar the earth and kill wildlife and native plants, all to make huge profits. It also gives Alameda County politicians a way to improve the County's revenues, all at the expense of Livermore residents.

Sheep grazing in this sea of glass is a joke. Also, using water to maintain landscaping of this proposed project is a detriment. I strongly oppose this project.



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**Young, Andrew, CDA**

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**Subject:** FW: Aramis Draft EIR

**From:** gosselindvm@aol.com <gosselindvm@aol.com>

**Sent:** Monday, November 2, 2020 11:52 PM

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

**Subject:** Aramis Draft EIR

Regarding the Aramis project DEIR:

Please accept as my comments the pages 7-11 of 19 total pages of the Alameda County Planning Department MEMORANDUM to the Transportation and Planning Committee described as:

MEMORANDUM

TO: Board of Supervisors' Transportation/Planning Committee

FROM: Chris Bazar, Director, Community Development Agency

Albert Lopez, Planning Director

DATE: October 19, 2020

SUBJECT: Draft Solar Policies for Alameda County and the East County Area Plan

The pages have headings that include:

-Agricultural Advisory Committee Response to Standard CUP Findings for

Utility Scale Solar Energy Facilities in North Livermore

and:

Agricultural Advisory Committee Due Diligence Justification for Needs Study

I'd also like to comment that the project is located in the North Livermore Intensive Agriculture Area as described by the initiative Measure D passed in the 2000 by the electorate of Alameda County. The initiative is the foundation of a Specific, or Area, Plan that called for defined steps to plan North Livermore as a multifunctional intensive agriculture area that includes cultivated agriculture, 20 acre subdivided parcels, agritourism, agricultural supporting commercial and service uses, a comprehensive trail system, and more. Subsequent Planning by stakeholders (TriValley Conservancy), a separate collaboration that included all TriValley jurisdictions, and a DEIR prepared by Alameda County were completed by 2005, but were not acted on. A project of this scale, should be considered within the context of the mentioned much greater planning effort that preceded it.

Although planning by initiative is a difficult process, it is the direction that was provided by the electorate to the county. A fragmented approach to planning is inconsistent with recommendations of the Office of Planning and Research, and in this case, creates inconsistencies of the General Plan.

Thank you.

Larry Gosselin DVM

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*inspiring people to protect  
Bay Area birds since 1917*

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)

02Nov2020

Subject: Aramis Solar Energy Generation and Storage Project, Draft Environmental Impact Report, PLN2018-00117, Alameda County

Dear Mr. Young,

Please accept these comments from Golden Gate Audubon Society (GGAS) on the draft Environmental Impact Report (EIR) for Aramis Solar Energy Generation and Storage Project (Project). GGAS is a 103 year old Audubon chapter with over two thousand local members and many more national members who advocate for protection of native wild bird populations and their habitat. The application is for a Conditional Use Permit (CUP) for constructing a utility scale solar installation (up to 100 megawatts, or MW) with associated battery storage using photovoltaic panels over mainly contiguous 533- acres, of which 22 are in a Resource Management area, and 350 acres would be developed as part of the Project. The draft EIR evaluates specific environmental effects of the Project as proposed by IP Aramis, LLC, a subsidiary of Intersect Power, LLC (Aramis).

GGAS strongly supports regenerative and sustainable bird-safe and least conflict alternative energy, including solar energy. However, utility scale solar projects potentially cause serious direct, indirect, and cumulative impacts to native birds and permanently alter or destroy their habitats. The dEIR should carefully analyze and explain the potential for such impacts and effects on habitats and provide detailed descriptions for adequately monitoring and mitigating for such possible impacts.

The dEIR Biological Surveys Are Inadequate and Should Include More Detailed Observations for All Special Status Species

Under the California Environmental Quality Act (CEQA), The Project proposes a massive and permanent conversion of over 500 acres of habitat presently potentially supports nesting and/or foraging habitat for at least ten special status bird species, is foraging habitat for Golden eagles (*Aquila chrysaetos*), and offers potential nesting cavities for avian species, such as American kestrel (*Falco sparverius*) and oak titmouse (*Baeolophus inornatus*). White-tailed kite (*Elanus leucurus*) nesting was documented to have occurred within 5 miles of the project site. The dEIR reports on page 29 of Appendix E that, "On June 17, 2020 a pair of loggerhead shrikes were observed passing through the site and feeding recently fledged young." Also, on page 29 of Appendix E, "On June 17, 2020 two juvenile burrowing owls (*Athene cunicularia*) were observed at a burrow just east of the project site and appear to be recently fledged owls." No long-term bird surveys were included in this report and fewer than six one-day burrowing owl surveys over a period of two years. Given the minimal biological surveys, these reports indicate that the importance of this site for nesting and foraging activities in this project site may well be under-represented. Under CEQA §15125 (c), "Knowledge of the regional setting is critical to the assessment of

**GOLDEN GATE AUDUBON SOCIETY**

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environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to that region and would be affected by the project. The EIR must demonstrate that the significant environmental impacts of the proposed project were adequately investigated and discussed and it must permit the significant effects of the project to be considered in the full environmental context.”

For this project, the biological surveys should adequately investigate and discuss the use and occupancy of the special status bird species at and near the project site as a basis for understanding and fully considering significant effects on the native bird populations. This means that longer studies of use and occupancy of the ten special status bird species should be included in this dEIR.

#### The dEIR Should Adequately Describe Measures for Avoiding and Minimizing High Avian and Bat Mortality at Utility Scale Solar Installations

Multiple studies have described direct impacts to birds and bats from utility scale solar projects.<sup>1</sup> such as high mortality due poorly understood phenomena, such as “lake effect.”<sup>2</sup> Measures for avoiding and minimizing on high fatalities to birds and bats from utility scale solar installation should be thoroughly analyzed and considered for this project. These studies

After just one year at Ivanpah, bird mortality was projected to be almost 30,000 fatalities. (Smallwood, 2020). After ten years at just this one installation, that means a total of 300,000 dead birds. Given that the National Audubon Society states that we have lost 42% of our grassland bird species and permanently lost 1/3 of all native wild birds that occupied North America from habitat loss and development and climate change, this kind of deadly impact to our native birds is in fact, unsustainable.<sup>34</sup>

Given how high bird and bat fatalities appear to be from utility scale solar installations, this raises a question about whether this kind of utility-scale solar energy as designed is sustainable.

#### Utility Scale Solar Installations Have Unmitigatable Cumulative Impacts From Extreme Habitat loss

While the project proponents assert that raptors prefer foraging at solar installations, this assertion did not cite peer-reviewed scientific studies. Multiple studies report that the greatest cumulative impact to native bird populations is habitat loss. This solar installation will essentially permanently alter over 500 acres of

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<sup>1</sup> “The so-called “lake effect” associated with solar panels is one of many potential environmental impacts of large-scale renewable energy. As countries install more solar panels ...in diverse ... habitats, the need becomes more pressing to understand these impacts...”

Found at <https://eprijournal.com/renewables-birds-bats-waste-and-noise/>

<sup>2</sup> Smallwood, K.S. Comparison of Bird and Bat Fatality Rates Among Utility-Scale Solar Projects In California, 07oct2020. “[I]t would be helpful to know cause of death so that appropriate mitigation measures can be formulated and implemented. Listed below are candidate causal factors of fatalities other than those caused by habitat loss: 1. Collision with solar collectors, power block structures, project buildings, medium-voltage overhead lines, gen-tie lines, fencing (Photo 1), and automobiles; 1. Caused by the Lake Effect.”

<sup>3</sup> “[G]rassland species are among the most imperiled group of birds in the United States: Total populations have declined more than 40 percent since 1966...”

Found at <https://www.audubon.org/conservation/working-lands/grasslands-report>

<sup>4</sup> “[B]ird populations have continued to plummet in the past five decades, dropping by nearly three billion across North America—an overall decline of 29 percent from 1970.”

Found at <https://www.scientificamerican.com/article/silent-skies-billions-of-north-american-birds-have-vanished/#:~:text=But%20new%20research%20published%20Thursday.of%2029%20percent%20from%201970.>

critical habitat that includes ephemeral wetlands, vernal pools, and critical stream and creek bank biodiversity along Cayetano Creek. Over 90% of the valley's wetlands are permanently removed or damaged.<sup>5</sup> Not only is the project site critical to the ten avian species of special concern, it threatens to permanently harm precious wetlands in a valley that cannot sustain more loss of wetlands.

#### The dEIR Fails to Adequately Mitigate for Impacts

While this project recommends a 50 foot buffer to mitigate for impacts, science recommends at least a 50 meter buffer.<sup>6</sup> Here, the ephemeral wetlands, vernal pools, and creek bank all require strong mitigation that should prioritize for avoiding impacts.

#### The dEIR Fails to Consider That A Significant Portion of Cayetano Creek is a Proposed Mitigation Bank

A significant portion of Cayetano Creek was proposed as a mitigation bank for the Red-legged frog and Tiger salamander.<sup>7</sup> The research reported that, "There are multiple scour pools and seep features within both Cayetano and Collier Canyon creek channels which include patches of willow riparian habitat, in-stream wetland habitat, and abutting seasonal wetlands. The creeks and seasonal wetlands provide habitat for numerous special status animal and plant species [such as red-legged frogs and CA tiger salamander]." The dEIR should consider that the project site is high value habitat suitable as mitigation for rare fauna. The dEIR should adequately consider whether the project would negatively impact this proposed mitigation bank.

#### The dEIR Fails to Provide Suitable Alternatives

This site is critical forage, nesting, and ephemeral wetland habitat. Yet, the dEIR fails to adequately consider alternatives. CEQA requires that alternatives be carefully considered. "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would...avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR ...must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation" (CEQA 2019, p 196 §15126.6 (a)) The dEIR should include a reasonable range of potentially feasible alternatives, especially an alternative site or alternative approach to this solar energy.

#### The dEIR May Conflict With the California Essential Habitat Connectivity Project

The dEIR states that "...the Project has been proposed to encroach over an estimated 23 acres at the northernmost portions of the northern two parcels designated as RM [resource

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<sup>5</sup> "[O]ver 90% of California's wetlands have disappeared, and by the 1980s Central Valley bird populations had plummeted to less than 15% of their historic numbers." Found at [https://www.waterboards.ca.gov/rwqcb5/board\\_decisions/tentative\\_orders/1504/2\\_5\\_wetlands/3\\_wet\\_savecalastwetlands.pdf](https://www.waterboards.ca.gov/rwqcb5/board_decisions/tentative_orders/1504/2_5_wetlands/3_wet_savecalastwetlands.pdf)

<sup>6</sup> "[Z]ones of protection for wetlands, both core habitat and aquatic buffer requirements are met within a 164-meter zone. An additional 50-meter buffer is recommended to protect core habitat."

Found at <https://polk.wateratlas.usf.edu/upload/documents/NWN%20Core%20Habitat%20Not%20Buffer%20Zone.pdfhttps://polk.wateratlas.usf.edu/upload/documents/NWN%20Core%20Habitat%20Not%20Buffer%20Zone.pdf>

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Found at <https://www.spn.usace.army.mil/Portals/68/docs/regulatory/publicnotices/2016/2012-00093prospectus.pdf>

management],”and "The area contains important plant and animal habitat, partly in association with Cayetano Creek, an intermittent waterway." Given these known impacts, the project alternatives should include assurances to consider and incorporate habitat connectivity consistent with the California Essential Habitat Connectivity Project<sup>8</sup>

GGAS Favors A Least-Conflict Areawide Solar Policy That Should Be Thoroughly Analyzed and Approved Prior to Approving This Project

Unlike neighboring counties, Alameda has no area-wide policy for solar energy installations. Alameda County should establish a policy for solar installation in Alameda County and especially in sensitive habitats such as north Livermore Valley. For example, the San Joaquin Valley produced in May 2016, their Least Conflict Solar PV policy.<sup>9</sup> The North Livermore Valley community deserves a full analysis and area-wide policy for least-conflict free solar in their region.

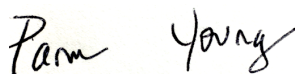
This Project Is Inconsistent With the Governor’s New Plan to Conserve Biodiversity

On Oct 7, 2020, Governor Newsome announced an ambitious statewide plan to conserve biodiversity by committing 30 percent of land to conservation.<sup>10</sup> This project, if approved, will permanently alter over 500 acres of high value habitat for at least 10 special status birds species and will destroy ecosystem services that Cayetano Creek and adjacent wetlands and habitat provide. It is, therefore, inconsistent with the Governor’s goal to preserve biodiversity and protect ecosystem services.

While GGAS strongly favors regenerative and sustainable energy including solar energy, GGAS urges that major projects be undertaken to avoid and minimize harmful impacts to wildlife and habitat. Least-conflict bird-safe solar energy is a preferred alternative.

Thank you for considering our comments.

Sincerely,



Pam Young  
Executive Director

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<sup>8</sup> “Restoring and enhancing connectivity for [special status] species, as well as for aquatic and riparian species, is a high conservation priority in the region.” The major conservation challenges of this region include high level of habitat loss and conversion and subsequent habitat fragmentation.” Found at <https://wildlife.ca.gov/conservation/planning/connectivity/CEHC>

<sup>9</sup> A Path Forward, Identifying Least-Conflict solar PV...May 2016  
Found at [https://sjvp.databasin.org/pages/least-conflict#:~:text=The%20San%20Joaquin%20Valley%20\(%E2%80%9CValley.by%202030%20from%20renewable%20sources.](https://sjvp.databasin.org/pages/least-conflict#:~:text=The%20San%20Joaquin%20Valley%20(%E2%80%9CValley.by%202030%20from%20renewable%20sources.)

<sup>10</sup> “Governor Gavin Newsom today advanced an executive order enlisting California’s vast network of natural and working lands – forests, rangelands, farms... The order also sets a first-in-the-nation goal to conserve 30 percent of the state’s land ... to fight species loss and ecosystem destruction.”  
Found at <https://www.gov.ca.gov/2020/10/07/governor-newsom-launches-innovative-strategies-to-use-california-land-to-fight-climate-change-protect-biodiversity-and-boost-climate-resilience/>



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

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

Re: Comments on Aramis Solar Energy Generation and Storage Project

The Natural Resources Defense Council (NRDC) is a non-profit environmental organization with 1.3 million members and online activists, more than 250,000 of whom live in California. NRDC uses law, science and the support of its members and activists to protect the planet's wildlife and wild places and to ensure a safe and healthy environment for all living things. NRDC has worked to promote the environmentally responsible siting of large scale renewable energy for more than a decade on public and private lands.

NRDC respectfully submits the below comments on the Draft EIR for the Aramis Solar Energy Generation and Storage Project (Alameda County Planning Application PLN2018-00117). The proposed project is located in the unincorporated North Livermore area of Alameda County, approximately 2.25 miles north of the Livermore city limits and I-580. The proposed project would generate 100 megawatts (MW) of solar photovoltaic (PV) renewable energy on approximately 410 acres of privately-owned land.

The Aramis project follows a number of smart-from-the-start principles that NRDC actively encourages and supports:

- sited on previously disturbed agricultural land with low agricultural productivity that does not provide significant habitat for sensitive species;
- is set back from mature oak riparian vegetation and ephemeral creek habitat within Cayetano Creek;
- incorporates pollinator enhancing vegetation underneath the arrays and along roadways to support threatened native pollinator populations;
- incorporates management practices to encourage raptor foraging within the arrays;
- sited close to load and directly adjacent to a high-voltage substation and does not require building new transmission infrastructure; and
- incorporates energy storage

Specifically, NRDC supports the Resource Management Avoidance Alternative in the Draft EIR, which we believe optimizes solar generation and storage capacity while minimizing impacts to natural resources. In addition to the mitigation measures included in the draft EIR, the applicant

should incorporate additional bird monitoring to understand more fully how avian species will interact with the project site (please see comments of the Audubon Society for detailed recommendations). Thank you for considering our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Helen O'Shea".

Helen O'Shea  
Director, Renewable Energy  
Lands Division, Nature Program  
Natural Resources Defense Council

Cc:

Supervisor Scott Haggerty, [scott.haggerty@acgov.org](mailto:scott.haggerty@acgov.org)  
Frank Imhof, Board of Zoning Adjustments, [timhof@earthlink.net](mailto:timhof@earthlink.net)  
Derek Eddy, Board of Zoning Adjustments, [derek.eddy@acgov.org](mailto:derek.eddy@acgov.org)  
Scott Byer, Board of Zoning Adjustments, [scott.beyer@wentevineyards.com](mailto:scott.beyer@wentevineyards.com)  
Chris Bazar, Director of Community Development, [chris.bazar@acgov.org](mailto:chris.bazar@acgov.org)  
Albert Lopez, Planning Director, [albert.lopez@acgov.org](mailto:albert.lopez@acgov.org)  
Bruce Jensen, Planner, [bruce.jensen@acgov.org](mailto:bruce.jensen@acgov.org)  
Shawn Wilson, District 1 Chief of Staff, [shawn.wilson@acgov.org](mailto:shawn.wilson@acgov.org)





November 2, 2020

SENT VIA EMAIL

County of Alameda Planning Department

224 W. Winton Avenue, Room 111

Hayward, CA 94544

ATTN: Andrew Young, Senior Planner, [andrew.young@acgov](mailto:andrew.young@acgov).

Re: Aramis Solar Energy Generation and Storage Project EIR, Alameda County Planning  
Application PLN2018-00117

Dear Mr. Young,

Friends of Open Space and Vineyards (FOV), a conservation organization based in Livermore, submits the following comments on the Draft Environmental Impact Report (DEIR) prepared for the Aramis Solar Energy Project (Aramis). FOV was founded in 1981 in an effort to stop uncontrolled residential development from taking over the land in the South Livermore Valley and displacing our local vineyards, wineries, and open space resources. We actively participated in the development of the South Livermore Area Plan, an innovative land use plan adopted by Alameda County in 1993, and also participated on the Citizen's Advisory Committee which assisted in the development of the South Livermore Specific Plan which was adopted by the Livermore City Council in 1997. In subsequent years, our mission has been expanded to include protection and preservation of North Livermore agriculture and open space lands.

We have reviewed the draft environmental impact report for Aramis and have identified deficiencies in the analysis and conclusions. We submit the following comments for response.

### **Project Description**

#### **3.4.2 Solar Photovoltaic System**

The DEIR indicates that the maximum height of the solar panels in their stow position would be 8 feet. To better understand the practical ramifications of operating the panels in conjunction with sheep grazing, the EIR should be revised to specify the full range of height of the panels, the size of the panels, as well as the length of time per day the area beneath the panels will be partially to completely shaded, and the length of time per day the panels will be maintained in a stow position.

#### **3.6.3 Water Supply During Operation**

The DEIR indicates that water supply for project operations may be taken from on-site groundwater wells in the Livermore Groundwater Basin. The conservative estimate is that 12.85 acre feet of water will be needed annually. This is equivalent to 4.1 million gallons per year. FOV asks that the basis for

the calculation of water needs during operations be specified to better assess the quality of the estimates.

Groundwater is a limited resource. It should not be available for what is primarily a commercial use, especially one with an anticipated 50-year lifespan. Groundwater should be available for users whose primary business is agriculture.. This would be consistent with the ECAP which envisions North Livermore as an agricultural zone. The DEIR should be revised to exclude groundwater as a source of water for project operations.

In addition, the DEIR should be revised to specify the other sources of water supply. Currently, it references that water might be trucked in from an outside water purveyor. A specific source or sources of water should be identified in the EIR so that the public can understand where off-site water for project use will be obtained as well as the number of truckloads that would be required on a regular basis for delivery if all water was obtained from off-site sources.

#### **4.0 Environmental Impact Analysis**

##### **Cumulative Impacts Analysis**

The DEIR describes its cumulative impacts methodology as “a combination of the list and plan/projections approaches, using the land use designations of the ECAP in combination with known other relevant projects in the area.” (p. 4-3.) The referenced projects are the Oasis Fund Cannabis Grow Facility, a 1 acre project, and the Livermore Community Solar Farm, a 59 acre project. Both projects are currently pending approval.

FOV concurs with the finding of significant cumulative impacts associated with areas designated as Resource Management (RM). (p. 4.11-12.) However, we disagree that the cumulative impacts of these projects on land use planning does not have a significant impact on LPA parcels as well. As stated above, the proposed project would bring hundreds of acres of solar panels onto LPA parcels. Adding the 59 acres of the Livermore Community Solar Energy Farm to the area, located just across the street from the proposed project, creates a massive solar energy “district” in North Livermore which clearly is a fundamental change to North Livermore land uses as contemplated in the ECAP as amended by Measure D, and drastically changes the agricultural character of the area. This represents a significant cumulative impact.

The DEIR acknowledges the significant cumulative impacts at an aesthetic level from the identified projects. This goes hand in hand with the overall change in the character of the land use in the area which will be cumulatively experienced if all these projects are built.

On top of these considerations, the cumulative impacts analyses are incomplete for other reasons. The applicant has identified only two projects within the vicinity of the project site for purposes of its cumulative impacts analyses. Alameda County is in the process of developing a solar policy. This policy is expected to identify appropriate sites for solar facilities and may put other limits on the production of solar energy in Eastern Alameda County. In the absence of a policy, it is difficult to effectively analyze the cumulative impacts of the proposed project. Nevertheless, it is reasonable to expect the applicant to exercise its due diligence in identifying other feasible sites for solar facilities in the area and evaluate those sites in evaluating cumulative impacts. At minimum, it should be possible

to analyze such projects in terms of cumulative impacts on aesthetics, wildlife stewardship, and land use. For example, the DEIR repeatedly states that the proposed project site is not a high quality forage site for animals and that there is higher quality foraging on surrounding sites. If North Livermore continues to be developed with solar facilities, what will the cumulative impact be on the availability of high quality foraging areas? The prospect of additional solar facilities coming into the area is not speculative. The October 19, 2020 staff report prepared for the Board of Supervisors Transportation and Planning Committee noted that the planning department has three active solar project applications (presumably this includes the proposed project and the Livermore Community Solar Farm) with inquiries for more having been made.

([http://www.acgov.org/board/bos\\_calendar/documents/DocsAgendaReg\\_10\\_19\\_20/GENERAL%20ADMINISTRATION/Regular%20Calendar/Draft\\_solar\\_policies\\_AC\\_ECAP\\_10\\_19\\_20.pdf](http://www.acgov.org/board/bos_calendar/documents/DocsAgendaReg_10_19_20/GENERAL%20ADMINISTRATION/Regular%20Calendar/Draft_solar_policies_AC_ECAP_10_19_20.pdf), p. 2.)

A reasonable follow-up with the Planning Department could provide additional information about possible projects, including the additional active application mentioned in the staff report, and others that may be sited in North Livermore which would greatly enhance the cumulative impacts analysis presented in the DEIR. Approval of the current project will set a precedent which will justify more such projects in the future. The public deserves to know what the realistic potential for solar development is in North Livermore and how this could affect the environment at build-out in order to fully understand what the approval of the proposed project means for North Livermore.

The cumulative impacts analysis in the Final EIR should be revised accordingly.

#### 4.1 Aesthetics

The DEIR acknowledges that the proposed project would have a significant and unavoidable impact on a scenic vista. (See AES-1, 3 & 5.) FOV concurs with this finding. The landscape maintenance buffer planned for mitigation of view shed loss is insufficient to protect against significant detrimental effects on views from the key observation points. Landscape buffering limits the open vistas that are a key component of the viewshed in the area. The DEIR acknowledges that the project would impede the views of the Doolan Canyon Ridgelines from North Livermore Ave. and Manning Rd.

The Scenic Route Element of the Alameda County General Plan indicates that natural and scenic qualities in areas beyond the scenic corridor (which includes North Livermore Ave. and Manning Rd.) should be preserved and enhanced. The DEIR finds that the project is consistent with this principle, noting that ridgeline views would not be blocked. Nevertheless, it is clear that ridgeline views will be impeded by the project. This outcome neither preserves or enhances scenic qualities in the area surrounding the project. The finding must be revised to reflect this inconsistency.

The DEIR claims consistency with ECAP Policy 108 involving siting of development to limit visibility, including clustering if necessary. FOV disagrees with this finding. The rationale for this finding is based on proximity to the PG&E Cayetano substation and Sunwalker Solar Energy Project. This analysis begs the question as to what makes for consistency. A practice of siting multiple commercial projects in close proximity to each other does not mean the policy is being correctly applied and is certainly not consistent with the character of the area as a whole. Moreover, the Sunwalker Project has not been approved as of the time of this writing, and the County does not currently have a solar energy policy in effect that would permit siting of solar facilities in agriculture lands in close proximity. This finding must be revised to reflect that the project is not in compliance with Policy 108.

The DEIR claims consistency with ECAP Policy 215 requiring the County to manage development and conservation within East County scenic highway corridors to maintain and enhance scenic values because the County has to approve the project. This is circular reasoning. By this logic, the County should not approve the project because, by the clear findings in the EIR, the aesthetic impacts are significant and unavoidable. Therefore, the project does not maintain and enhance scenic values, and the DEIR must be revised to reflect that the project is inconsistent with Policy 215.

#### 4.2 Agriculture

The DEIR concludes that the project will not conflict with existing zoning for agricultural use or a Williamson Act contract (AG-2). This finding is based on an incorrect interpretation of the laws and regulations in place.

Under Alameda County's Uniform Rules and Procedures for local implementation of the Williamson Act, the use of solar panels is strictly limited on contracted agricultural land. Pursuant to Uniform Rule 2(I)(B)(c)(3), solar panels are cumulatively restricted to no more than 10% or 10 acres of the contracted land, whichever is less. The DEIR does not count the area covered by solar panels in its calculation of non-agricultural uses of the 101 acres under Williamson Act contract. Rule 2(E)(3)(b) states that the "area covered by the solar panels is calculated as part of the cumulative total allowed for compatible nonagricultural uses." The DEIR indicates that 38 acres of the 101 acre parcel currently under Williamson Act Contract would be developed as part of the proposed project. (Section 2.2.) The DEIR should be revised to show the calculation of the nonagricultural portion based on the total coverage area including solar panels.

The DEIR also misapplies the ECAP policies and the intent behind them as they were codified by Alameda County Measure D which was approved by voters and became effective in December 2000. As noted in the DEIR, the title of Measure D was the "Save Agriculture and Open Space Lands Initiative". This title clearly reflects the intent of the law. As stated in the preface to Measure D, which has been incorporated into the ECAP: "The purposes of this Initiative are to preserve and enhance agriculture and agricultural lands, and to protect the natural qualities, the wildlife habitats, the watersheds and the beautiful open space of Alameda County from excessive, badly located and harmful development." Measure D created a county urban growth boundary and created land use designations of Large Parcel Agriculture (LPA), Resource Management (RM) and Water Management (WM) with specifications of uses and restrictions applicable in each category.

The ECAP, as amended by Measure D, is detailed about the types of uses permitted on lands designated as Large Parcel Agriculture:

Subject to the provisions of the Initiative, this designation permits agricultural uses, agricultural processing facilities (for example wineries, olive presses), limited agricultural support service uses (for example animal feed facilities, silos, stables, and feed stores), secondary residential units, visitor-serving commercial facilities ( by way of illustration, tasting rooms, fruit stands, bed and breakfast inns), recreational uses, 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.

(ECAP, p. 47.) The proposed project consists of approximately 410 acres, 367 of which are designated as LPA, 22 acres are designated as RM, and 21 acres are designated as WM. The permitted LPA uses described above do not include industrial scale solar energy production and storage which are the fundamental purpose of the proposed project. It is reasonable to conclude that the drafters of Measure D would have listed large-scale solar energy as a permitted use had it been intended given that other energy generation uses are listed. The DEIR attempts to avoid this conclusion by analogizing the proposed project to windfarms and utility corridors. Each of these uses entails very tall “towers” that do not limit the availability of the land for agricultural cultivation and grazing beneath. The proposed project will affect the ability to graze cattle and harvest hay crops due to the significantly lower height of the solar panels. It should also be noted that utility corridors are intended for the transmission of power, not for the generation and storage of power.

Key changes in the ECAP made by Measure D make clear that industrial uses were not considered appropriate for LPA lands. Measure D deleted the following language from the ECAP listing of permitted uses: “other industrial uses appropriate for remote areas and determined to be compatible with agriculture.” (Measure D, full text, p. 8.) Had the drafters intended for industrial uses to be deemed compatible with agriculture, that specific language would not have been deleted.

The ECAP has a catch-all category for “similar uses compatible with agriculture”. The DEIR references prior decisions of the Planning Commission and County Staff to support the argument that the County has made a determination that industrial solar is compatible with agriculture. However, determinations made by the Planning Commission, a non-elected, non-legislative body, in the context of particular projects as well as interpretations of the ECAP by staff are not legal determinations and are not controlling. The clear intent of Measure D is to protect and enhance opportunities for agriculture in North Livermore. A project with a primary focus on a commercial industrial use, that covers land with solar panels and preempts the traditional agricultural activity in the area is not compatible with agriculture.

The DEIR should be revised to acknowledge the inconsistency with the ECAP and the Williamson Act rules.

The proposed project includes sheep grazing for roughly 5 months per year and commercial beekeeping as agricultural uses to support the finding that the proposed project would not convert agricultural land to nonagricultural use (AG-5). However, the Agricultural Management Plan that would provide details of how these uses would be operated is not provided. (See sections 3.6.2 and 4.4.4.2) It is unclear whether there are sheep vendors who will view grazing sheep on the project site as a commercially viable option or if commercial beekeepers have been approached about conducting a beekeeping operation on the project site. The type of forage to be planted and its suitability for sheep grazing is not identified. The number of sheep to be grazed on the property is not indicated. The DEIR also fails to specify the relative heights of the short and tall forage plants to be planted (other than a general reference to minimum and maximum heights suitable for foraging) and how long it will take for the forage areas to grow to their full height. The Agricultural Management Plan should be made a part of the EIR or, in the alternative, the DEIR should be revised to include this information so that the public and decision-makers will be able to determine if the proposed agricultural uses are viable.

## 4.4 Biological Resources

### BIO-1 Potentially Significant Impacts on Species

#### California Tiger Salamander (CTS) and California Red Legged Frog (CRLF)

The DEIR confirms there is suitable dispersal habitat on the project site for CTS and CRLF. (DEIR, Table 4.4-2.) The project design includes 2 stormwater detention basins. The DEIR should evaluate whether these basins would provide dispersal habitat for these species, and whether mitigation measures are needed at the site of the detention basins during construction and operation to protect CTS and CRLF.

#### Raptor Foraging Habitat

The DEIR confirms that suitable foraging habitat will be provided on the project site and that raptors, in particular, will be able to forage in between solar panels based on studies conducted on Swainson's Hawks. (Section 4.4.4.2.) The DEIR fails to identify the number of rows of solar panels to be constructed, the number of acres available for foraging within the arrays, the size of the panels, and the distance between rows. In the absence of this information, it is not possible to judge the efficacy of the project for raptor foraging. Additional information should be provided.

In the absence of the availability of the Agricultural Management Plan, it is unclear how sheep grazing will impact the availability of foraging habitat. Sheep graze plants to a lower level than cows. (<https://forages.oregonstate.edu/nfgc/eo/onlineforagecurriculum/instructormaterials/availabletopics/grazing/livestock>.) It is unclear how appropriate quantities of forage at appropriate heights will be maintained year-round to provide suitable foraging habitat for raptors and other predators while sheep are on the property. The DEIR should be revised to provide more detail on this topic.

#### Rodenticide Use

Mitigation Measure BIO-5c.g, pertaining to the San Joaquin Kit Fox, states that if rodenticides must be used, zinc phosphide should be used because of lower toxicity to the species. However, BIO-7b, discussing mitigation for avian effects during operations specifies that no rodenticides are to be used. This contradiction should be resolved.

In addition, zinc phosphide remains highly toxic to mammal species, and poses a danger to prey species on the proposed project site and to predators. Pursuant to EPA findings:

Zinc phosphide is a very toxic substance and will kill most animals to which it is administered. Rodents are more sensitive than carnivores. Gallinaceous birds (pheasants, turkeys, other large terrestrial birds) are more sensitive than other avian species, however, some passerines (songbirds) are also sensitive. The Agency also concludes that predators or scavengers who eat a target animal that has been killed by zinc phosphide will not die, however, they may become ill, listless, and regurgitate.

([https://www3.epa.gov/pesticides/chem\\_search/reg\\_actions/reregistration/fs\\_PC-088601\\_1-Jul-98.pdf](https://www3.epa.gov/pesticides/chem_search/reg_actions/reregistration/fs_PC-088601_1-Jul-98.pdf).)



“Ingestion of zinc phosphide by non-target mammals or birds leads to the liberation of phosphine and subsequent toxicosis in the same manner that target mammals are affected. Zinc phosphide is highly toxic to sheep, cows, and goats as well as non-ruminants. . . . Secondary poisoning appears to be rare in wildlife, although it has occurred in experimental settings. Risk appears to be dependent at least in part on the consumption of the gastrointestinal tract of the poisoned animal by either a predator or scavenger. Domestic dogs and cats appear to be more likely to consume the gastrointestinal tract of poisoned prey than are wild animals.” (<http://npic.orst.edu/factsheets/archive/znpotech.html>.) The Merck Veterinary Manual also states:

Vomiting, often hemorrhagic, is a common presenting sign in animals capable of vomiting. Tachypnea, ataxia, weakness, trembling, collapse, seizures, and death may ensue. If there is no food in the stomach, undegraded zinc phosphide can be absorbed systemically. An animal surviving for 48 hr can then have liver and/or renal failure within 5–14 days due to absorption of intact zinc phosphide. Zinc phosphide is thought to block cytochrome C oxidase, leading to formation of highly reactive oxygen compounds, which cause most of the tissue injury; the most severe damage is in tissues with the highest oxygen demand, ie, brain, lungs, liver, and kidney.

(<https://www.merckvetmanual.com/toxicology/rodenticide-poisoning/zinc-phosphide>.)

Based on these considerations, it would appear that zinc phosphide poses an unreasonable risk to the endangered San Joaquin Kit fox, prey species they rely on for food, raptors that may forage on the site, as well as to sheep that may be grazing the project site. No rodenticide use should be permitted during construction or operation of the project.

#### **4.5 Cultural and Tribal Cultural Resources**

The DEIR confirms that the proposed project may cause a substantial change in the significance of an historical resource, indicating that the barn and shed on the property at 4400 North Livermore Ave. qualify as historical resources under CEQA. It further states that the “proposed project will indirectly impact these historical resources by disrupting the integrity of their setting and feeling, causing a potentially significant impact under CEQA.” The planned mitigation is to take photographs of the buildings in their natural settings as part of an historical survey (MM CUL-1). This mitigation measure is insufficient to mitigate the harm from the disruption of the site caused by construction of a large-scale solar generation plant. The harm here is the loss of open ranch land which destroys the historic context of the structures. It is akin to tearing down Disneyland, leaving only Sleeping Beauty’s Castle surrounded by solar panels, houses, freeways etc. The DEIR should be revised to acknowledge that the impact on historical resources is significant and unavoidable.

#### **4.8 Greenhouse Gas Emissions**

The DEIR discusses climate change but fails to include a discussion of the Photovoltaic Heat Island Effect. This effect has been documented to raise temperatures in the vicinity of solar energy generation facilities between 3 to 4 degrees Celsius, particularly at night. (See <https://www.nature.com/articles/srep35070>.) This effect has the potential for numerous impacts such as

contributions to climate change, risk of animal habitat loss, increased wildfire risks, and generalized temperature increases affecting the suitability of the surrounding areas for agricultural operations both during operation of the facility and after decommissioning. The DEIR should provide a discussion of the heat island effect and its environmental impacts in these areas.

#### **4.11 Land Use and Planning**

The DEIR asserts that the proposed project is consistent with the Floor Area Ratio (FAR) requirements of the ECAP. Pursuant to the ECAP, as amended by Measure D, parcels designated as Large Parcel Agriculture, such as the site of the proposed project, have a FAR of .01 for non-residential buildings, with a minimum of 20,000 square feet, with non-agricultural uses limited to a 2 acre building envelope. (ECAP, p. 47.)

Alameda County staff has historically taken the position that a “building” within the meaning of the ECAP is any structure under roof. The structure is not required to have walls. Thus, horse arenas, and open covered storage areas are buildings subject to the .01 FAR. Given this interpretation, solar panels, which can be deployed in a manner that creates a roof-like coverage area, should be subject to the FAR.

The solar panels and supporting structures are clearly non-agricultural by nature. As non agricultural buildings they should, at minimum, be limited to the two acre building envelope. They are not appropriate in parcels designated as LPA. Any prior analysis to the contrary notwithstanding, solar facilities are commercial uses. As stated earlier in this comment letter, when the ECAP was amended by Measure D, solar facilities were not listed as an approved use, and language that had allowed industrial uses was deleted from the ECAP. Solar energy generation facilities can readily be distinguished from windfarms and utility corridors as noted above.

The DEIR fails to include the panels in the calculation of the FAR. It inappropriately concludes that an industrial scale solar project of the scale proposed is consistent with the Agricultural A Zoning District. The analysis should be revised to reflect the full extent of covered acreage and inconsistency with Measure D.

The DEIR acknowledges that the proposed project is inconsistent with the portion of the project site designated as Resource Management land because it would conflict with the intent of long term preservation of open space intent of that designation (p. 4.11-10; see ECAP Policy 53). FOV concurs with this assessment and recommends that this area be excluded from the project site.

#### **Section 4.18 Wildfire**

The proposed project is located in a moderate risk fire area in a State Responsibility area and is served by CAL FIRE with the closest station located 18 miles away in Clayton (Section 4.14.1.2, 4.18.1.2). The Alameda County Fire Department would respond to emergency fires with the closest station located in Dublin, 10 miles away. (Section 4.14.1.2.) A wildfire risk may be significant within the meaning of CEQA if it would pose a risk “due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.” (Section 4.18.2). The DEIR concludes that the proposed project would not exacerbate fire risks (FIRE-2, FIR-3.). It further acknowledges that “damage to the



overhead distribution lines from fallen trees or high wind and storm conditions could cause live wires to fall onto nearby dry grass and potentially start a fire” but determines that the project would not exacerbate the fire risk in part because of the average wind speed of 9.6 mph and because sheep will be utilized for grazing on the property. (p. 4.18-7.)

Within the past 3-4 years there have been an increasing number of high wind events in the North Livermore Area associated with climate change. An analysis based on average wind speeds as referenced in the DEIR is inadequate to assess the significance of the wild fire risk. The DEIR should be revised to reflect the risks associated with high wind events including the possibility of rapid fire expansion in view of the closest fire station being 10 miles away, risks to neighboring properties and structures, including, but not limited to, the historic barn and shed on the project site.

Further, the DEIR references that fire control will be aided by the sheep grazing on the property to control vegetation. Sheep are expected to be on site only during the growing season, from January to May. (p. 3-10.) It is unclear how sheep grazing will be an effective fire control tool given that the DEIR also indicates that appropriate forage habitat will be maintained for birds and mammals. Additional explanation is needed to explain how this will be accomplished while providing adequate fire control measures through sheep grazing.

## **5.0 Project Alternatives**

The DEIR evaluates a no-project alternative, a Resource Management Avoidance Alternative, and a Reduced Footprint Alternative. It concludes that the proposed project, as designed, is the environmentally superior alternative primarily because it enables the production of more solar energy than the other alternatives. FOV disagrees with this assessment. Of the alternatives analyzed, the Reduced Footprint Alternative would be the environmentally superior alternative because it would allow for the generation of a still-significant 75 megawatts of energy while also protecting the environmentally sensitive RM & WM areas on the proposed project site. It provides a better balance of protection for the competing environmental interests affected by the proposed project.

Moreover, if the Reduced Footprint Alternative were to be analyzed in conjunction with a Distributed Generation Alternative (otherwise rejected as infeasible in the DEIR), it would be possible to achieve the project objective of generating 100 megawatts of solar power with fewer site-specific impacts. Under this analysis, the Reduced Footprint Alternative would provide for 75 megawatts of power while the balance could be obtained on distributed generation sites either through Intersect Power or through other power producers. This would satisfy the goal of 100 megawatts of power in total that contributes to meeting state renewable targets. FOV recommends that the Final EIR include an analysis of this “hybrid” alternative.

## Conclusion

In closing, FOV appreciates the opportunity to comment on the Draft Environmental Impact Report for the Aramis Solar Energy Facility. We expect that the County will respond to these comments in the Final EIR.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Tamara Reus", enclosed within a thin black rectangular border.

Tamara Reus  
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November 2, 2020

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

RE: Draft Environmental Impact Report for proposed Aramis Solar Energy Generation and Storage Project

Dear Mr. Young,

The East Bay Chapter of the California Native Plant Society East Bay Chapter (EBCNPS) appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) 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 response to the Project Notice of Preparation (NOP) in June, 2020, EBCNPS requested that the EIR address environmental impacts from the Project's utility-scale development to land use and planning.

#### Existing Conditions

There are good reasons that the voters selected the North Livermore Valley as an area that, in addition to agriculture, has important natural resource and water management benefits to the County.

The Project is proposed to be built within an area that EBCNPS identifies as the "Springtown Botanical Priority Protection Area," one of only fifteen Botanical Priority Protection Areas within Alameda and Contra Costa counties. The area's unique Springtown alkali sink ecosystem is supported by the adjoining North Livermore Valley watershed. Springtown is home to locally-unique plant species, natural plant communities, and state and federally-listed rare plants, including Hearthscale (*Atriplex cordulata*), Hispid bird's beak (*Cordylanthus mollis* ssp.

hispidus), Palmate-bracted bird's beak (*Cordylanthus palmatus*), and Livermore tarplant (*Deinandra bacigalupii*).

The North Livermore Valley is also identified in the East Alameda County Conservation Strategy as "Conservation Zone 4," an area that "contains 22% (189 acres) of the study area's unprotected acres of alkali meadow and scald, 64% (343 acres) of the study area's unprotected seasonal wetland, and 99% (410 acres) of the study area's valley sink scrub." The East Alameda Conservation Strategy states that the the Springtown Alkali Sink, "as well as the watersheds that feed the sink," should be a conservation priority for this Conservation Zone.

In addition, the North Livermore Valley has also been designated as a "Priority Conservation Area" by the Metropolitan Transportation Commission and the Association of Bay Area Governments.

The proposed Project would cause significant environmental impacts arising from conflicts with the ECAP land use plan and policies that were adopted by the voters for the purpose of avoiding or mitigating environmental effects. The EIR does not adequately address or mitigate Project impacts to land use and planning under the East County Area Plan (ECAP). The FEIR also does not adequately describe the cumulative effects of the proposed project on land use and planning. In addition, the FEIR does not adequately discuss alternatives for developing utility-scale solar project in other areas of the County that are already developed or disturbed and do not present the unique resource management, agriculture, and water management values of the North Livermore Valley.

1. The EIR does not adequately discuss the Project's environmental impacts to land use and planning.

The FEIR confirms that the Project does not comply 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.

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>1</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. Table 4.11-1, Consistency with ECAP

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<sup>1</sup> East County Area Plan, Alameda County Planning Department, Amended Nov. 2000 by Ala. County Initiative Measure D.

Policies Related to Land Use EIR, confirms that “the project proposes the construction of a solar facility on open land designated for RM uses outside of the Urban Growth Boundary which is not consistent with Policy 53.”

Further, the County’s NOP stated 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 stated 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 conform to land uses and planning policies for Large Parcel Agriculture (LPA). An exaggerated definition of “quasi-public” uses in LPA’s to include large scale utility development is not supported by ECAP policies or the intent of the “Save Agriculture and Open Space Lands Initiative” (Measure D; effective date, December 22, 2000).

The EIR also confirms the Project’s conflict with the Agricultural zoning designation for this area. Section 4.11.3 of Land Use and Planning states that “the project site is located entirely within land that is within the Agricultural (“A”) zoning district, pursuant to the ACMC (see Figure 2-3; ACOA 2020). Surrounding properties are also within the “A” district. According to Section 17.06.030 of the ACMC, the uses permitted within the “A” district include the following: single-family dwelling, secondary family dwelling, crop, vine or tree farm, truck garden, plant nursery, greenhouse, apiary, aviary, hatchery, horticulture, raising or keeping of poultry, fowl, rabbits, sheep or goats or similar animals, grazing, breeding or training of horses or cattle, winery or olive oil mill, fish hatcheries, and public or private hiking trails.” Therefore, this section goes on to acknowledge that “there is no direct or indirect reference to solar electric facilities (SEFs) in either the ECAP or zoning ordinance...”

The impacts from the proposed Project to land use and planning are significant and unmitigatable.

2. The EIR needs to address cumulative impacts of large-scale utility development in the North Livermore Valley.

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 that is partly in association with Cayetano Creek.

The FEIR verifies these cumulative impacts in section 4.11.4 Cumulative Impacts – L.U.P. 3 as follows: “The proposed project would contribute to a significant cumulative impact with respect to land use and planning.” This EIR section confirms that “approval of project development within the RM ECAP land use designation would set a new precedence in Alameda County to conditionally allow for utility-scale solar developments in lands designated for RM which could contribute to a cumulatively considerable land use and planning impact.”

Siting a utility-scale solar operation in an area specifically intended for agriculture, resource management, and water management uses has significant cumulative impacts that are unmitigatable.

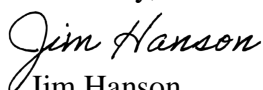
3. The EIR should include alternatives and an analysis of alternatives, including siting energy production services in locations that significantly lessen environmental impacts.

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.” (italics added).

A policy on the siting of alternative energy projects in Alameda County has been awaiting development for more than a decade, even as the need for alternative energy development has increased every year since then. In lieu of County policy development, we recommend that the FEIR develop and analyze a Project alternative or alternatives that obtain most or all of the project objectives by siting the project in an already developed or previously disturbed landscape that would substantially lessen the environmental impacts.

Thank you for the opportunity to comment on the Environmental Impact Report for the Aramis Solar Energy Generation and Storage Project.

Sincerely,



Jim Hanson,

Chair, Conservation Committee

2910 Bertolli Court  
Livermore, CA 94550

November 2, 2020

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

Submitted via e-mail

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

Dear Andrew:

I am submitting the following letter and comments as a forty-year resident of Livermore. For decades I have worked to help preserve open space, visual resources, wildlife and habitat corridors necessary for wildlife survival. Dedicated Livermore residents fought to pass Measure D, defeat Newtown, Pardee, Measure C, and numerous other developments that would have compromised the North Livermore Valley and destroyed its ranches, agricultural activities, and unique wildlife. The Aramis Industrial Power Plant (and SunWalker) violate numerous provisions of Measure D and City of Livermore Scenic Policies. It not only violates the letter of the law, it violates the spirit of the law and all that was clearly intended for this area to remain large parcel agriculture and one of the last remaining ranching areas in the county and the Bay Area. The DEIR must be recirculated to address the questions and points contained in the remainder of this letter.

Comments are made in the following areas analyzed in the Aramis DEIR: Project Objectives, Aesthetics, Agriculture, Biological Resources, Water Quality, Land Use and Planning, Project Alternatives, and Significant Unavoidable Impacts. In short, the Aramis DEIR inadequately analyzes the environmental impacts of the project. It must be revised and recirculated for additional public comment before any action is taken on the project.

Project Objectives – The project objectives section is largely a description of the project itself and what would be entailed to construct and operate it. By defining the objectives as the project itself, it becomes impracticable for any alternative to meet most or all of the objectives. This is a clever way to avoid sincere analysis of alternatives that would have significantly fewer environmental impacts yet accomplish most of the same renewable energy and environmental benefits of the project. The business model of IP Aramis, LLC, is not the proper lens through which to evaluate project objectives.

In particular, having as a project objective the generation of 100 MW of solar capacity at this particular site makes alternative sites infeasible even if they would satisfy to a large degree the

remaining objectives (e.g., assist Californians in meeting state renewable energy goals, create up to 400 living wage jobs, etc.)

Further, the objectives section describes siting the facility on disturbed lands. The lands in question are described in the DEIR as land that has been grazed and dry land farmed for over 100 years. No evidence has been presented in the DEIR that the fertility of the soils has been significantly reduced by these activities. Agricultural practices that have not undermined the quality of the soils for more intensive agricultural use are not “disturbed lands” except in the most trivial sense. Indeed, much of eastern Alameda County’s open space lands satisfy this description, and most people would describe such lands as natural lands. Only truly virgin, unsettled territory meets the true definition of undisturbed. Siting a renewable energy facility on disturbed lands should be removed from the project objectives. It is a misleading if not disingenuous description of the project site.

Aesthetics – We agree with the DEIR’s conclusion that the project itself will create a significant and unavoidable impact on the visual character of the North Livermore area. We also agree that it will contribute to cumulative impacts on the visual character of the North Livermore area in conjunction with other proposed projects in the area.

Agriculture – The DEIR concludes that the Aramis project impacts on agriculture and the agricultural character of the North Livermore area will be less than significant. That conclusion is based primarily on proposed limited sheep grazing beneath and between solar modules for several months out of the year for at least 50 years. In fact, the agricultural character of the area will change significantly. Not only would sheep grazing replace cattle grazing and dry land farming, but a vast area (410 acres) will be covered in solar collectors. The magnitude of this transformation in North Livermore is significant. Indeed, the transformation from open agricultural land to a primarily industrial land use is what makes accurate the Significant and Unavoidable Impact on visual character in the Aesthetics section. The two are inextricably linked. The significant and unavoidable change in visual character is a direct result of the significant and unavoidable change from primarily agricultural use to primarily solar industrial use.

Further, the project area was designated in Measure D as the North Livermore Intensive Agriculture Area. The purpose of this designation is to enhance agriculture in North Livermore by providing residential density bonus and smaller minimum parcel size incentives for irrigated, cultivated agriculture to take place. This is consistent with the goals of Measure D to “preserve and enhance agriculture and agricultural lands,” among other important goals. Removing nearly 500 acres of high quality land based on innate soil quality (when counting the Sunwalker project) from participating in the North Livermore Intensive Agriculture Area may make the entire area impracticable for intensive agriculture because bringing irrigation water to the area likely requires an economy of scale (i.e., enough participants) to pay for laying the irrigation water supply lines.

In addition, the Association of Bay Area Governments and Metropolitan Transportation Commission have designated the North Livermore area as a Priority Conservation Area (PCA) for its Natural Landscapes/Agricultural Lands/Rural Recreation qualities. Nearly 500 acres of



industrial solar energy facilities in this area will undermine the PCA designation, which is a consensus agreement among multiple jurisdictions to conserve the area for its current uses.

For all of the above reasons, the DEIR must be revised to state that the impacts on agriculture from the project and cumulatively in conjunction with other proposed projects are Significant and Unavoidable.

Biological Resources – The DEIR claims that with proposed mitigations all impacts on special status species will be less than significant. The DEIR, however, fails to provide adequate evidence for this conclusion, nor does it recognize that habitat mitigation land is very likely to be required. Two listed amphibian species, the California red-legged frog (CRLF) and the California tiger salamander (CTS), are acknowledged to have potential upland refugia and dispersal habitat throughout the project site. These threatened-with-extinction species are likely to traverse or inhabit the project site at the onset of and throughout the wet season as they move towards or away from breeding areas. This is the same time when intensive sheep grazing (many hundreds of sheep) will also be present on the site because that is when forage will be growing fastest and in need of control. Yet no evidence is presented for why the sheep will not trample or otherwise disrupt the life cycles of these protected species. The DEIR refers to an Agricultural Management Plan, but no such plan is available to analyze potential impacts to the CRLF or CTS. The DEIR refers to a contract with a sheep-grazing operator, but no contract is available to analyze its terms or how the operator will prevent harm to or has experience in protecting listed species. The DEIR claims that raptors will be able to forage for rodents among the solar modules, yet rodents create the burrows that CRLF and CTS use for summer estivation or for temporary shelter during dispersal. It is entirely likely that incidental take of these species will occur. These omissions must be corrected and the DEIR recirculated for public review.

The East Alameda County Conservation Strategy (EACCS) requires mitigation habitat land be provided for CRLF and CTS at least at a 3 to 1 ratio (EACCS, Chapter 3). The DEIR claims that no habitat mitigation land is required because no significant impacts to these species will occur. However, incidental take of these species and others is likely during construction, operation, maintenance, and decommissioning of the project over a 50-year period. The California Department of Fish and Wildlife (CDFW) will almost certainly require an Incidental Take Permit if the project is approved, and this permit will almost certainly require that habitat mitigation lands be acquired. For example, the CDFW required an Incidental Take Permit (ITP) for the Sullivan Road Solar Project located west of I-5, six miles west of Gustine.<sup>1</sup> The Sullivan Road Solar Project is a 40 MW utility scale solar energy facility covering 214 acres of grazing land. Three special status species, California tiger salamander, San Joaquin kit fox, and Swainson's hawk, were part of the ITP. The CDFW required that 100 acres of mitigation land be acquired in addition to numerous other requirements for the ITP to be granted. All three of these species are analyzed in the Aramis project DEIR because they inhabit the project vicinity. In addition, Burrowing owls inhabit the project vicinity. CTS, CRLF, and Burrowing Owl impacts all require acquisition of habitat mitigation land at a 3 to 1 ratio. Burrowing owl mitigation land

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<sup>1</sup> California Department of Fish and Wildlife, Central Region, Fresno, CA. California Endangered Species Act, Incidental Take Permit No. 2081-2018-004-04, Sullivan Road Solar Project.

may be in a different location than amphibian mitigation land. In short, it is entirely likely that the CDFW will require IP Aramis, LLC, to acquire hundreds of acres, perhaps over a thousand acres, of habitat mitigation land in eastern Alameda County. None of this is discussed in the DEIR, which therefore fails to adequately analyze the impact on biological resources or to adequately mitigate those impacts. The DEIR must be revised and recirculated for public review.

Water Quality - How many times per year will the huge number of solar panels be washed? What chemicals will run into nearby creeks, water aquifers, water tables and wells ranchers depend on for their families and their livestock? A complete list of chemicals and their levels of toxicity must be provided for all activities associated with the project's operation.

Land Use and Planning – As mentioned above, the East County Area Plan as amended by Measure D is intended to protect and enhance agriculture and agricultural lands as well as to protect other natural resources outside the County urban growth boundary. ECAP contains numerous policies to that effect. The Aramis project is clearly an industrial use outside the county UGB; whatever its agricultural uses, they are a minor secondary activity at best.

Only a very contrived interpretation of numerous ECAP provisions allows this project to be considered as a permissible use. Unlike wind turbines, which do not interfere with grazing or other agricultural activities to any significant extent, hundreds of thousands of solar modules covering hundreds of acres of land will interfere with real agriculture. (The proposed sheep grazing is really just weed control, not true agricultural production.) The Aramis facility is clearly not a quasi-public use; the public will have no access to the solar facility itself despite the possibility of a trail along Cayetano Creek owned by another entity. Nor is the project located in a utility corridor, which is a narrow swath of land used to convey utility services from one location to another. The Aramis project site obviously is an expansive area (410 acres) for generating electricity, not moving electricity as is the case for electrical transmission lines that are located in utility corridors; indeed, electrical transmission lines define an important type of utility corridor. Moreover, Measure D deleted a previous provision of the ECAP, which much more closely describes a utility scale solar energy facility. Measure D deleted from the Large Parcel Agriculture designation “industrial uses appropriate for remote areas and determined to be compatible with agriculture.” Even if utility uses are permitted outside the UGB as infrastructure, it is our understanding that most of the electricity will be consumed outside of the East County and outside of Alameda County entirely. Measure D explicitly requires that the County neither provide nor authorize public facilities or other infrastructure in excess of that needed for permissible development consistent with the Initiative or needed to provide adequate service for the East County. A facility the size of Aramis violates the infrastructure provision of Measure D.

Finally, the County has never updated the Zoning Ordinance to be consistent with the changes to the General Plan enacted by Measure D. Government Code section 65860(c) requires that when a general plan has been amended, the zoning ordinance must be amended to be consistent with the general plan “within a reasonable time.” It has been 20 years almost to the day that the voters approved Measure D, yet the zoning ordinance has never been amended for consistency. Had that been done, the Planning Commission decision of a decade ago determining on an ad hoc basis that utility-scale solar energy facilities are a use similar to wind turbines is erroneous. That

determination was not an amendment to the zoning ordinance and cannot set a precedent for consistency with the general plan as amended by Measure D.

In summary, a utility-scale solar energy facility is not a permissible use in this location, and the impact on Land Use and Planning must be described as Significant and Unavoidable both for the entire Aramis project itself (not just for its Resource Management component alone) and for its cumulative impact together with other nearby projects.

Project Alternatives – The DEIR analyzes several alternatives but unsurprisingly rejects the ones that will reduce environmental impacts the most. That's because the business model of Intersect Power involves large utility-scale solar energy facilities. Smaller projects that might in total provide as much renewable energy and with significantly fewer environmental impacts are rejected because they do not satisfy enough of the Aramis project objectives. Some of those objectives, as described at the beginning of this letter, are really just descriptions of the project, particularly a single 100 MW project.

A potential alternative site that might accommodate 100 MW of generation potential within the urban growth boundary is located within the East Pleasanton Specific Plan area and in the adjacent unincorporated area. According to a 2015 analysis examining this area for potential development, there appears to be over 400 acres of contiguous industrial zoned land that was formerly quarried and may be available for this type of proposal. Moreover, there is a PG&E substation directly across Stanley Blvd that appears to have a vacant bay. The identified properties are:

The Legacy/Lionstone Group property consists of 331 acres within the southern portion of the Pleasanton East Plan Area that straddles the Pleasanton city-limits.

The City of Pleasanton's Operations Service Center consists of 17 acres on the north side of Busch Road within the city-limits.

The Pleasanton Gravel Company (PGC) lands consist of 115.5 acres in the northeastern portion of the Plan Area,

The Kiewit property consists of 50.4 acres on the south side of Busch Road within the city limits at the southwest corner of the Plan Area.

Since these properties truly are disturbed lands with enough acreage for a potential 100 MW project with energy storage and near to a substation for connection to the electrical grid, this alternative should be analyzed. It is likely to have far fewer environmental impacts than the current proposal and its presently proposed alternatives.

Significant and Unavoidable Impacts – In addition to Aesthetic impacts already identified in the DEIR, based on the comments above, Significant and Unavoidable Impacts should be listed for Agriculture and for Land Use and Planning (beyond the single S&U impact with the Resource Management land use designation).

In view of these comments, please revise the Aramis Environmental Impact Report and recirculate it for public comment.

Respectfully submitted,

/ Donna Cabanne /



**Mount Diablo Audubon Society**

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# Audubon

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

**Re: Comments on Aramis Solar Project and Alameda County Solar Policy**

Dear Mr. Young,

Mt. Diablo Audubon Society is committed to the sustainable balance of our community's people, birds, other wildlife, and habitat through conservation, education, and advocacy. Together with the National Audubon Society and Audubon California, we respectfully submit the following comments on the Aramis Solar Energy Generation and storage Project (Project) draft Environmental Impact Report (dEIR), the Project in general, and the development of solar policy in Alameda County (County). The National Audubon Society protects birds and the places they need, today and tomorrow. Audubon works throughout the Americas using science, advocacy, education, and on-the-ground conservation. State programs, nature centers, chapters, and partners give Audubon an unparalleled wingspan that reaches millions of people each year to inform, inspire, and unite diverse communities in conservation action. A nonprofit conservation organization since 1905, Audubon believes in a world in which people and wildlife thrive.

In our review of Project documents and stakeholder comments made thus far, we find that:

1. Appropriate Location – industrial-scale photovoltaic (PV) solar as proposed by the Project is, according to Audubon bird impact criteria, an appropriate use of the Project site given its disturbed condition, proximity to PG&E's Cayetano substation (Substation) and location outside of any designated Important Bird Area (IBA).
2. Need for bird monitoring – protocol level pre- and post-construction monitoring of the Project's effects on birds, especially on grassland birds which may use the site, should be required to understand the Project's biological impacts and provide data to inform future

review and decisions on similar projects. Such monitoring would also make up for the lack of quality pre-site selection surveys to date.

3. Solar policy needed for long term – we strongly recommend that the County develop a comprehensive solar policy based on a model that has already been applied successfully elsewhere in California in order to guide potential future industrial-scale solar projects.

We elaborate on these points below and provide additional information on the catastrophic effect that human-induced climate change will have on birds (and humans) unless, as the UN Intergovernmental Panel on Climate Change (IPCC) stated more than two-years ago, “rapid, far-reaching and unprecedented changes in all aspects of society” are made.

### **The Project is Sited in an Appropriate Location**

The Project proposes to construct an industrial-scale PV solar energy and storage facility with a construction footprint of 410 acres. The site is currently used for oat and hay cultivation as well as cattle grazing, activities that have been taken place there over many decades.

Audubon has a set of criteria to determine the suitability of a site for industrial-scale solar that was applied to this Project. Given the consistent level of disturbance that has occurred over many decades, the area can be characterized as one degraded from its natural state that retains some value as foraging habitat for various bird species that typically use grassland and agricultural lands in the region. Given the large amount of high-quality habitat nearby that is already under various levels of official protection, and the abundance of grassland and agricultural land cover types in the region, the conversion of the Project site to industrial-scale solar and subsequent loss of foraging habitat (we address this issue more in our comments on the need for monitoring) for bird species would be unlikely to negatively impact bird populations.

The site is also adjacent to an existing PG&E Substation, eliminating the need for the miles of transmission lines that similar solar facilities would require to deliver energy to the grid. The dEIR indicates that while some transmission lines would be above-ground around Cayetano Creek, and potentially near a road intersection, most utility lines would be placed underground. Overhead utility lines are a significant cause of bird mortality associated with PV solar projects. Since the need for such energy infrastructure would be greatly reduced given the Project’s location next to the Substation, siting the Project here avoids potentially high bird mortality risks.

We also note that the Project is not being proposed in a designated IBA. The IBA Program is a global initiative which aims at identifying and conserving the most important places for bird populations. IBAs are distinct areas that provide essential breeding, wintering or migration habitat for one or more species of birds.

Because the Project’s location lies outside of an IBA, eliminates the need for a large amount of above-ground transmission lines that pose a threat to birds, and is degraded from its natural state due to decades of dry-farming, we find it seems appropriate for industrial-scale PV solar insofar as it will minimally impact native birds. We remain concerned about the lack of quality avian monitoring to date and recommend changes to mitigate impacts below.

### **Need for Monitoring Before, During and After Project Construction**

The dEIR states that the Project would have a less than significant impact on biological resources when proposed mitigation measures are applied. However, there was no regular bird-specific monitoring of the Project site conducted to determine a baseline of bird use. While the dEIR includes monitoring birds for a time during Project operation, this would be for the purpose of investigating bird collisions with PV infrastructure.

Research cited in the dEIR and comments made by the Applicant during Project review indicate that the Applicant believes the Project site will still serve as useful foraging habitat to some degree. It is also possible that grassland birds may nest and forage in the converted habitat. Yet without a proper baseline, there can be no useful comparison of pre- and post-construction site use to measure mortality or displacement impacts for sensitive species that may require mitigation.

There is a general lack of high-quality information on bird use of sites dedicated to industrial-scale solar, in part because there are not a great number of studies, but also because solar companies often do not conduct sufficient monitoring activities, or do not make the results of such monitoring readily available for review by outside biologists.

In order to fully mitigate the potential biological impacts of the Project and provide high-quality data on the various effects of industrial-scale solar PV on birds, the Applicant should prepare a Bird Bat Conservation Strategy document in consultation with California Department of Fish & Wildlife and/or US Fish & Wildlife Service for inclusion in the final EIR. That document will provide clear plans for monitoring, adaptive management (a crucial component) and best management practices to be implemented at the project site over the 20 or 30 years of the project life. Such an effort would not only help mitigate Project impacts, but also inform future review and decisions on similar projects.

### **A Comprehensive Solar Policy Model**

There is a pressing need for the County to comprehensively plan for large-scale solar and its potential impacts on birds, other wildlife and native plant communities. We strongly recommend that County staff examine the planning process implemented in the San Joaquin Valley several years ago to develop a successful least-conflict solar policy. The “Mapping Lands to Avoid Conflict for Solar PV in the San Joaquin Valley” effort convened leaders from the agricultural, conservation, and solar development communities, and included tribes and key agencies. They asked the groups where the least-conflict lands for solar development in the San Joaquin Valley, from each of their perspectives, were located. More information is [HERE](#).

The County has seen the negative long-term impacts of first generation, poorly planned and uncoordinated wind power projects in the Altamont Pass. It is in the interest of County residents and all stakeholders that solar power in the region is developed in an efficient, well-planned manner that avoids and mitigates impacts by, among other things, appropriate siting. If future solar projects are guided by a comprehensive policy that has incorporated key stakeholder input, it will reduce conflict and facilitate renewable energy development rather than invite controversy.

## **The Catastrophic Effects of Climate Change on Birds**

As we discuss below, Audubon understands the severe danger that climate change poses to people and birds, and recognizes that well-sited, properly-mitigated large-scale renewable energy projects are necessary to substantially and quickly reduce greenhouse gas (GHG) emissions. The dramatic impacts of human-induced climate change become clearer and more extreme each year. Given that the Project could provide 100 MW of clean renewable energy that would reduce the need for energy derived from fossil fuels, there is an obvious need to weigh the Project's various potential impacts against the imperative to take immediate, dramatic action to limit global warming as much as possible.

In October 2018, the IPCC reported that the planet would reach the crucial threshold of 1.5 degrees Celsius (2.7 degrees Fahrenheit) temperature rise above pre-industrial levels by as early as 2030, precipitating the risk of extreme drought, wildfires, floods and food shortages for hundreds of millions of people, unless “rapid, far-reaching and unprecedented changes in all aspects of society” are made.

Produced just one year later, Audubon's Survival by Degrees Report (found [HERE](#)) shows that the unprecedented pace and magnitude of climate change make it an existential threat to birds, people and the natural systems we depend on. Two-thirds of North American birds are at increasing risk of extinction from global temperature rise. While historically birds are known to respond to climate change by shifting their ranges, climate change is occurring 20 times faster today than it has during any historical period over the past 2 million years. In California, under 3 degrees Celsius (5.4 degrees Fahrenheit) temperature rise, 146 of 307 modeled species are climate vulnerable, meaning they would lose more of their range than they would gain. In reality, 3 degrees Celsius temperature rise is a conservative estimate of the high-end of global warming. Research shows that if humans continue GHG emissions as we have been, the high-end of warming is a 4.8 degrees Celsius (8.6 degrees Fahrenheit) increase in 60 to 80 years.

Stabilizing warming at a global average of 1.5 degrees Celsius (2.7 degrees Fahrenheit), as recommended by the IPCC, would help improve the chances of survival for 76% of at-risk bird species. In addition, it would go hand in hand with ensuring a more sustainable and equitable society. The same year that the IPCC released their report, California legislators passed SB 100, setting a goal for the state to achieve 100% renewable and zero-carbon electricity by 2045.

In the two years since the IPCC report and passage of SB 100, what has occurred?

- 11,000 scientists signed a statement saying the Earth is facing a climate emergency.
- Millions of people around the world participated in the Youth Climate Strike of 2019.
- This year California suffered its worst fire season in history, with more than 4 million acres burned, shattering the 1.8 million acres burned in 2018, which in turn blew away the horrendous fire season of 2017.
- This September, 5 of the 10 largest wildfires in recorded California were burning at the same time. This year, the carbon released into the atmosphere by the fires, literally going up in smoke, dwarfed the state's fossil fuel emissions.
- This year, Earth experienced its hottest September ever recorded.



- It was confirmed that the Great Barrier Reef lost half its corals over the last three decades.
- Last month, a Colorado wildfire grew by 100,000 acres in one day, and the two largest wildfires in that state's history burned at the same time.
- Also last month, the UN warned that the world risks becoming an "uninhabitable hell" for millions of people unless leaders take climate action, and that the last two decades saw near double the number of recorded natural disasters around the world compared to the two decades before that.

Alameda County must be a leader to immediately and substantially reduce GHG emissions, increase clean energy and protect the natural systems that we need to buffer us from the worst effects of climate change. This Project, improving it to require bird monitoring and adaptive management, and crafting a sound comprehensive solar policy that will allow future clean energy projects to win quick, non-controversial approval provide opportunities to lead. The County must lead, because everyone must lead.

Thank you for considering our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "JA Britten".

Jerald A. Britten  
President, Mt. Diablo Audubon Society

A handwritten signature in black ink, appearing to read "Garry George".

Garry George  
Director, Clean Energy Initiative  
National Audubon Society

A handwritten signature in blue ink, appearing to read "Michael Lynes".

Michael Lynes  
Director, Public Policy  
Audubon California

November 2, 2020 Comments on Aramis DEIR

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

There are several areas that need to be studied more.

1. Industrial power should not be placed on Agricultural land, Resources Management land nor Water Resource lands. This is an industrial project and should be in an industrial area. 75% of the power is for San Francisco and not for local power in the Tri Valley.
2. Mitigation of the scenic corridor should be evaluated from different siting locations. Shrubbery protecting the view from North Livermore Avenue is not adequate.
3. A study of protection of native plants and animals should be done by a professional in the field. Include effects during the construction as well as for the long term conditions. Effect on movement of animals during different times of the year.
4. What will be the source of water for the site and what environmental problems will it have if it is trucked in or secured on the site. Also, need to study the effects of the run-off from the water used for landscape and for washing the panels.
5. The environmental impact of the battery storage. Possible leakage, mitigation of view obstruction, exact description of the facility that houses the batteries.
6. Study of the ground cover that will grow in the shade of panels and provide forage for sheep and still be habitat for animals. What percentage of the year will this agricultural use of sheep grazing will be possible.
7. Specific plan for funding and implementing restoration of area if facility is no longer being used for solar.
8. Impact of initial construction on access roads, traffic, land with determination of the number of jobs and length of time of jobs, amount of construction materials that need to be transported into the area. Specify how many jobs will be created and for what length of time.

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**Young, Andrew, CDA**

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**From:** David Rounds <d.michael.rounds@gmail.com>  
**Sent:** Monday, November 2, 2020 3:34 PM  
**To:** Young, Andrew, CDA  
**Subject:** Aramis Solar Energy Generation and Storage Project EIR

When I first heard about the Aramis project I found it unbelievable that county leadership would consider such a project to be consistent with the language and the intent of Measure D. Studying the detail of the project and the Draft EIR only served to reinforce my incredulity around this development. Nevertheless, in the spirit of providing specific comments/objections to the content of the Draft EIR let me focus on the Scenic Route Element of the General Plan.

Pasted below is a paragraph from Section 4.1 of the DEIR talking about the local visual character of North Livermore Valley. This is an eloquent and simple description of what makes this part of North Livermore unique and live up to its designation as a rural scenic route. Kudos to whoever wrote this piece. The DEIR says that scenic quality will degrade from high to moderately high and moderately high to moderate, depending on which view is being considered. This determination is inadequate.

Apparently the assumption in the DEIR is that the hills can be seen over the top of the screening and the screening is visually attractive so the impacts are not significant. Your own description of Local Visual Character below counters this assumption. I have been driving and riding on North Livermore Avenue and Manning Rd for 53 years. The grasslands sweeping up to the hills with occasional oak trees, cows and buildings is what makes this a unique scenic route. The very act of putting solar panels covering the grasslands makes it impossible for the Aramis project to not have a significant impact on the scenic corridor. If putting up a screen of trees and shrubs to "hide" the panels (and hide the grasslands) is considered adequate mitigation, then Highway 880, back when the median and shoulders were covered with oleanders, must have been considered a scenic corridor too. This draft EIR does not mitigate the visual impacts because it is impossible to do so for this type of development on this unique landscape.

And there are options in East Alameda County for solar development that do not involve covering scenic corridors and preserved agricultural land with solar panels. The recent study conducted by an expert solar siting company for the Friends of Livermore identified significant areas of opportunity for both utility scale and distributed solar projects. Specifically, this study identified sixteen parcels that could be grouped into three distinct areas totaling 756 acres with space for a potential of over 135MW of solar power. None of these parcels are on land that is protected and scenic like North Livermore. Additionally, five parcels of developed land totaling 233 acres were identified with the potential to produce over 38MW of distributed energy.

The county should be looking for solar energy solutions on already developed land or marginal land, not in the North Livermore Valley.

David Rounds,

Friends of Livermore

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## **Local Visual Character**

North Livermore Avenue and Manning Road provide views of undulating ridgelines with grassland landcover, oak tree clusters, trees along North Livermore Avenue, and riparian trees and shrubs along

Cayetano Creek and its tributaries. Rural residences, ranches, and electrical utility infrastructure are interspersed along these roads, and views of barns, agricultural outbuildings, and rustic fencing are common.

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

**Subject: Tri-Valley Conservancy Aramis Solar Energy Generations and Storage Project Draft Environmental Impact Report Public Comment**

**Tri-Valley Conservancy's mission is to** promote economically sustainable vineyards and orchards, and increase permanently protected, biologically diverse open spaces. Since our founding over 25 years ago, we have protected more than 4,500 acres of agricultural and open space land and connected over 50 miles of hiking and walking trails.

Our organization needs more information regarding the Aramis Solar Energy Generations and Storage Project in areas that we believe were not adequately addressed in the Draft Environmental Impact Report:

**Aesthetics (AES):** The visual representations of the project are incomplete because they do not include the impact of neighboring projects. Although other projects are acknowledged, they are not depicted in the visual conceptualizations. This is especially obvious in the KOP C viewshed. The view is from neighboring properties but does not model the Livermore Community Farm Solar Project.

**Agriculture and Forestry Resources (AG):** In addressing the agricultural uses of the property under the Williamson Act, the party responsible for the maintenance of sheep grazing and honeybee foraging remains unclear. As has been seen elsewhere in Livermore, solar projects have been started and then abandoned. What guarantees are there that the land will remain in agricultural production for the life of the project?

**Biological Resources (BIO)/Hydrology and Water Quality (HYD):** Most mitigation measures for Biological Resources are focused on construction and not on the long-term stewardship of the site. Assuming that the effects of sheep grazing will be equivalent to or less than the historical impacts of cattle grazing on the land is unsupported within the report, especially the determination that "waste associated with sheep is expected to be substantially less than that associated with cattle." Even if the impacts are less than significant, there are concerns that the models do not account for increased sheep excrement and sedimentation from the expected increase in biomass of the pastureland under the panels and its potential impact on the effectiveness of the implemented BMPs.

Thank you for your consideration of our issues.

Sincerely,

Laura Mercier and the Tri-Valley Conservancy Board of Directors

November 2, 2020

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

RE: Written comments on Draft Environmental Impact Report  
Aramis Solar Energy Generation and Storage Project  
Alameda County Planning Application # PLN2018-00117

Dear Mr. Young:

I am submitting the following comments regarding the draft environmental impact report for the Aramis solar energy generation and storage project application #PLN2018-00117. While we understand the need for alternative energy sources and personally own solar panels at our residence, an industrial utility size facility does not belong on the precious dwindling agricultural resources in North Livermore.

#### **Section 4.1 Aesthetics**

The obvious issue of placing solar panels in an otherwise picturesque landscape is the visual assault to the open space. Alameda County designated North Livermore Avenue as a Scenic Rural Recreational Route with "outstanding scenic quality" in 1966. That designation was intended to conserve and protect scenic views. No amount of landscaping unnatural to the terrain will provide visual interest or screen the unsightly view of photovoltaic solar panels, a 7 foot high fence or security lighting.

The DEIR states under 4.1.1.1 that the project is not visible from Morgan Territory Road, when in fact it is clearly visible with no obstruction from my residence off Morgan Territory Road. (see attached photo.) In addition to the panels, erection of towers as high as ten floor buildings for the proposed transmission lines are additional edifices that will have a substantial adverse effect on the scenic vista of North Livermore, permanently degrading the beauty of the surrounding area.

#### **4.16 Transportation**

Of high concern is safety regarding the increased traffic during construction and operation of the facility. The increase in vehicle miles travels may have a significant impact on the environment, as well as those of us who travel the roads daily, outside commuters, bicyclists and pedestrians. The planned access points off North Livermore Avenue, Manning Road and May School Road will be hazardous during construction, not to mention the damage to the asphalt by heavy trucks. 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.

**4.18 Wildfire**

The project exacerbates the potential of wildfires in the area due to both the lithium-ion battery storage and the proposed overhead wires. The area is especially prone to high winds. Damage to an overhead power line during a wind event could be disastrous for anyone nearby, including residential neighborhoods in the City of Livermore. The lines to and from the Cayetano substation were deliberately placed underground due to the fire risk. Transmission lines from the proposed solar project should also be placed underground.

The safety of the lithium ion battery storage should be studied in light of recent explosions and fires of commercial battery stations, including an explosion and fire that nearly killed one firefighter and caused traumatic brain injury to two firefighters last year in Arizona. The latest explosion in Liverpool, United Kingdom triggered a fire that lasted over seven hours. Specialized training regarding response to lithium battery events would be necessary for public safety personnel. Undoubtedly that training would be an expense to county taxpayers.

**Alternatives Exist**

There are many other areas of concern including wildlife, watershed, and the introduction of unsupervised visitors to the area. There are also many alternatives to the proposed destruction of the agricultural resources of North Livermore. I am hopeful that Alameda County will thoughtfully examine the options and identify the most appropriate alternative.

I appreciate the opportunity to comment. Thank you for your consideration in addressing these concerns in the DEIR. Please contact me if you have questions.

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

Attached Photo





February 15, 2019

## Ohlone Audubon Society, Inc.

1922 Hillsdale Street  
Hayward, CA 94541  
*Serving Southern & Eastern Alameda County*



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

The Ohlone Audubon Society is providing comments on the Aramis Solar Energy Generation and Storage Project EIR.

Cayetano Creek runs adjacent to the project site. Even seasonal streams have importance to wildlife. Fifteen regionally occurring special-status species are either known to occur or have the potential to occur in the project site. We do not agree that this project requires no mitigation acreage. We request that you require compensatory mitigation if this project goes forward.

If this project must go forward, a reduced footprint should be the preferred alternative. The Resource Management Avoidance Alternative or Reduced Footprint Alternative would result in less than significant land use impact and should be considered the preferred alternative.

Finally, we urge that any decision on this project be delayed until a full siting suitability study and policy be developed by Alameda County. Friends of Livermore have engaged a consultant who has identified a series of more suitable alternative sites. We urge you to delay action on this project until Alameda County completes a full assessment and policy.

Thank you for the opportunity to comment on this project.

*William G. Hoppes*

President, Ohlone Audubon Society

*Our Mission: To celebrate and protect birds and their habitats in Southern and Eastern Alameda County*

## Young, Andrew, CDA

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**From:** Jon Miller <jonmiller26@outlook.com>  
**Sent:** Thursday, October 22, 2020 4:20 PM  
**To:** Young, Andrew, CDA  
**Subject:** Support for Solar Farms

Good Afternoon Andy,

In October 2018 the United Nation's Climate Science Body stated that we have just 12 years to make massive and unprecedented changes to global energy infrastructure to limit global warming to moderate levels. Two years later we are reminded almost daily that our world is rapidly warming with reports of melting glaciers, record high temperatures in the Arctic, rising sea levels, and raging wild fires.

The time to take action on the climate crisis is now. We have the opportunity to take such action right here in the Tri-Valley with the approval of the Sunwalker and Aramis Solar facilities. These facilities would be a huge step toward our county becoming carbon neutral.

As you know, there is an organized effort against these facilities, which is led and funded by three nearby landowners. They argue that it will harm wildlife and be a detriment to a scenic corridor. The fact is that this land has been used to graze cattle for decades. Besides, what is going to happen to wildlife and what will our valley look like as the world keeps on warming?

The inconvenient truth is our world is warming a lot faster than most people realize. We must all take action now to stop it. Will you please use your influence to get these projects approved and built without delay?

Thank you, and thank you for your work for our county.

Jon Miller  
Please read.

<https://www.vox.com/2018/10/8/17948832/climate-change-global-warming-un-ipcc-report>

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

## Young, Andrew, CDA

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**From:** Caldwell, Peter M. <caldwep@gmail.com>  
**Sent:** Wednesday, October 28, 2020 9:21 PM  
**To:** Aramis-Support\_Alameda-County@intersectpower.com  
**Cc:** Kathryn Hayes  
**Subject:** Aramis Solar Plant comments

Dear Alameda County Planning Dept,

I listened in on the TV-CCE Forum on Solar Energy Development tonight and I would like to speak in support for the project. As a Livermore resident, I think it is only a matter of time before that part of North Livermore gets developed. Building a solar farm will protect the region from huge increases in traffic, ugly big box stores and tract homes, and other blights of urban sprawl. Others complain that the solar farm is ugly but I think solar panels are beautiful and the planned vegetation border will look better than the ugly PG+E substation that's there now or the run-down barren fields. By managing the area around the plant for raptors, keeping bees, and planting drought-tolerant, native plants which attract animals, the project will actually enhance the environment for wildlife. The argument that the plant will harm endangered salamanders is ridiculous – if you look at that tract, it is already trampled by cows. Additionally, endangered animals will suffer more from the climate change this plant aims to avoid than from a few months of construction (especially since salamanders are only around during a small portion of the year which is easy to work around).

I also find the argument that letting industrial solar panels get by measure D will open a loophole for anything to get through to be bizarre. There is a clear difference between a solar farm which causes negligible change in traffic, doesn't obstruct views of the hills, and provides clear societal good versus a housing development. Saying one will pave the way for the other doesn't make sense. My understanding is that measure D already allows other rural industrial uses like gravel pits, so I don't see how it would exclude something that is much cleaner and lower impact.

As a climate scientist and member of Livermore's Climate Action Plan Advisory Committee, I also think that projects like Aramis are critical. Folks at the forum said "you shouldn't have to destroy the planet to save it" which is an absurd thing to say. Until we quit using electricity, we need power plants and those power plants need to go somewhere. The opportunity to have a forward-looking 100% renewable plant in our town should make us proud.

Naysayers also argued that the Aramis site is prime farmland because it is designated as "prime farmland **if watered**". With all the water issues in CA right now and future decreases in summertime water availability from Sierra snowpack as the climate warms, there is absolutely no way this area will ever receive irrigation water. Opponents of the plan also argue that the land could be profitably used for dryland farming but don't have any credible plans for doing so. In general, dryland farming is a hard way to make a living.

Please let me know if you'd like to discuss this issue more,  
Peter Caldwell  
[caldwep@gmail.com](mailto:caldwep@gmail.com)  
341 Andrews St, Livermore CA 94551

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You received this message because you are subscribed to the Google Groups "Aramis-Support\_Alameda-County" group. To unsubscribe from this group and stop receiving emails from it, send an email to [Aramis-Support\\_Alameda-County+unsubscribe@intersectpower.com](mailto:Aramis-Support_Alameda-County+unsubscribe@intersectpower.com).

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andrew young &lt;andrew.young@acgov.org&gt;

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## Aramis Solar Energy Generation and Storage Project EIR

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**Bruce Daggy** <bruce.daggy@gmail.com>

Thu, Oct 29, 2020 at 11:54 AM

To: andrew.young@acgov.org

Cc: Ron Sadler &lt;rdsadler@icloud.com&gt;, Ann Brown &lt;aewbrown@gmail.com&gt;

Mr. Young:

I am a resident of Pleasanton involved regionally in issues related to energy, air quality, and the food supply. Last night I attended with interest an online Solar Energy Forum addressing the proposed Aramis Project. It was a lively event with excellent presentations from every perspective. There are pros and cons for any use of this land, and people of good will can arrive at differing conclusions. I entered the forum with an open mind, but inclined against the proposal. I left as a supporter of the solar project, with some caveats.

It's unfortunate that years have passed without a clear plan, as was executed for South Livermore, for the development of agriculture in North Livermore. Much hinges on the water requirement. Dr. Larry Gosselin from the AC Agricultural Advisory Committee discussed ideas for new agricultural development with low water needs, such as agave for tequila production, or lavender. This idea could have merit, and could go forward on the 90+ percent of agricultural land not used by the solar project. It might also be possible to use treated water from the water treatment plant; however, there are other calls for use of that water, and the costs of the water treatment and purple pipe network are not inconsiderable; it's not clear that this water would ever be made available. Or there could be a new water district created, with e.g., water diverted from the Delta. All these are hypotheticals that can still be considered if the Aramis project goes forward.

It's also unfortunate that years have passed without a clear policy for solar development in Alameda County. But the Aramis project appears to meet all conditions currently in place. Climate change is an existential threat. Electrification of transport and buildings is an important piece of the solution. The region is blessed with conditions favoring development of solar energy; we need to get on with it at the county level. California's grid is barely stable, and a solar plus battery storage facility is a good direction to go.

Electrification of transport and buildings is also critical to improve air quality. The Tri-Valley communities of Pleasanton, Livermore, San Ramon and Dublin have been designated by the BAAQMD as impacted communities based on exceedances of federal and state air quality standards in our airshed. This has consequences for public health.

As for my caveats.... It was stated at the forum by Marisa Mitchell, representing Intersect Power, that the land would be well cared for (pollinator friendly plantings, grazed by sheep, apiaries, etc.) and that a bond would be posted to handle ultimate removal costs. I would like to hear that there is a firm commitment that the land will be returned to a better state than it is at present. Proper land management can result in carbon capture, and that could be an important co-benefit of the project. And secondly, the bond must be adequate to cover actual costs. We have seen too often -- including with the California oil and gas industry -- that companies have been allowed to post bonds that were grossly insufficient to cover closure costs. California taxpayers are now on the hook to pay hundreds of millions of dollars to cap abandoned wells owned by bankrupt companies. We must learn from that, and not allow it to happen again with renewable energy.

I am happy to discuss if you have any comments or questions concerning my position.

Sincerely,

Bruce Daggy, PhD  
Pleasanton, CA