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November 2nd, 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