



March 2, 2021

President Carson and Supervisors
County of Alameda
Oakland, California 94612

RE: Sierra Club Comments on PLN2018-00117, Conditional Use Permit, Aramis LLC

The Sierra Club writes to express its strong support for the Aramis Solar and Storage project, and urge you to move forward with staff's recommendations relating to Appeal Items A-D. We provide the following comments below regarding various claims made about the project, and our rationale for support.

I. CONSISTENCY WITH MEASURE D AND CURRENT LAND USE LAWS

As you may know, Measure D, as supported by the Sierra Club in 2000, established an Urban Growth Boundary to prevent sprawl and encourage infill and transit-friendly development within existing urban boundaries. Measure D also set standards for development outside the urban growth boundary to protect open space, and designated certain lands as resource management, water management, and large parcel agriculture zones in order to protect biological and other natural resources.

Under Measure D, the County has discretion in approving certain projects, such as clean energy projects, through a conditional use permit even though they might not fall within explicitly permitted uses enumerated by Measure D. The County did so many years ago by issuing a conditional use permit for the GreenVolts, Inc. and Cool Earth Solar, Inc. solar projects in East County that were sited in large parcel agriculture zones.

Moreover, the Resource Management alternative being considered for approval is consistent with Measure D, as it avoids land in East County considered resource management and water management with a 50-foot setback from the Cayento Creek's bank and all of its tributaries.

II. BIOLOGICAL IMPACTS ARE ENTIRELY AVOIDED OR SUFFICIENTLY MITIGATED

Since the East County Board of Zoning Adjustments approved a conditional use permit for the Resource Management alternative for Aramis, the project has been downsized again, further avoiding and/or reducing any potential impacts. Prior to the project being downsized, the Environmental Impact Report (EIR) found that there were no potential unavoidable or significant impacts that cannot be mitigated on biological species in the area. In fact, due to heavy grazing

and disking for more than a century, many of the biological species that others claim would be impacted are no longer there.

The project site was surveyed more than 20 times by certified biologists over the course of more than 2 years, including 15 site visits in addition to the surveys. Concerns regarding the California Tiger Salamander, California Red-Legged Frog, Burrowing Owl, San Joaquin Fox, Golden Eagles and other birds, turtles, badgers, and raptors are baseless and without merit.

In other words, the EIR found no unavoidable or significant impacts that cannot be mitigated to biological species, as these biological species are not present at the project site, and the project being further downsized clearly shows that any claims of significant biological impacts are not based on facts.

We also applaud Intersect Power for going above and beyond in seeking take coverage, and working with relevant state and federal agencies, such as the US Fish and Wildlife Service, to prepare a habitat conservation plan.

III. INNOVATIVE AGRICULTURAL PRACTICES

As mentioned in the section prior, the plot of land to be utilized for Aramis has been subject to disking and cattle grazing for more than a century, and it is currently being vegetated largely by non-native forage grasses. Measure D in 2000 passed not only to protect our agricultural spaces, but also revitalize them, rather than letting them wither. Aramis does that.

The project would enhance habitat value of the site by eliminating pesticides, planting vegetation with higher habitat value, eliminate annual disking of the site, allow for sheep grazing and honey bee foraging. Additionally, Intersect Power today released an Agricultural Management Plan that would move the North Livermore Valley toward sustainable agriculture, and provide the best value out of this land: one that supports clean energy and the local food economy, regenerates agriculture development, and improves the quality of life for protected species that have been impacted by cattle grazing, such as the burrowing owl and raptors.

We very much appreciate Intersect Power going above and beyond here again.

IV. GOOD FOR THE CLIMATE, PUBLIC HEALTH, AND THE ECONOMY

When the Sierra Club was working with the County of Alameda on launching East Bay Community Energy, the number one reason we supported the County's leadership was so we can develop local clean energy and create good union jobs.

At the time, Sierra Club attempted to work closely with the County on developing a solar policy, but it was met with significant opposition from the same folks that are now opposing Aramis. Instead, Sierra Club pushed through the Community Choice steering committee a proposal to hire the Clean Coalition for the solar study that they completed. For this reason, we do not find

the opponents' request – to not move forward with Aramis until a solar policy is adopted by the County – to be made in good faith. On the contrary, Aramis is wholly consistent with current elements of the draft County solar policy, and we cannot afford to pass on the community benefits tied to the project just for an issue that has been over studied for years.

As currently proposed, Aramis will create 400 skilled, middle class jobs in the clean economy at a time when the COVID-19 pandemic devastated California's clean energy sector with a loss of more than 100,000 clean energy jobs. With 100 megawatts of local solar and storage, Aramis will power thousands of Alameda County homes with clean energy, and reduce our consumption of local fossil fuels, such as those being burned at the Russell City power plant located in Hayward and surrounded by low-income communities of color. With the inclusion of having battery storage extend our solar output into the night when the power plant would normally be used, the total environmental benefit of Aramis would prevent up to 210,137 metric tons per year of greenhouse gas emissions that is normally emitted by a gas-fired power plant--the equivalent of taking 45,399 cars off the road for a year.

Finally, ensuring that we have enough clean energy to decarbonize our grid is critical as the Bay Area moves toward electrifying our transportation and building sectors. The local project would enhance resiliency by co-locating generation near consumption, particularly in the face of public safety shut offs and worsening climate change impacts. But an important thing to keep in mind is that if we don't build the clean energy we need to meet the increased demand from electrification, we run the risk of relying on local power plants that would, in turn, increase local air pollution and disproportionately impact the public health of frontline communities.

V. CONCLUSION

In summary, we strongly urge the County Board of Supervisors to approve staff's recommendations with respect to Appeal Items A-D. Aramis is consistent with Measure D, has no potential impacts on biological species that are not avoided or sufficiently mitigated, incorporates innovative agricultural practices, and is a win for the climate, public health, and the economy.

Aramis is a critical piece for Alameda County's pathway toward a 100% clean energy future. We ask for your leadership by approving this project that will reduce local air pollution and create good, middle-class jobs in the clean economy.

The Sierra Club appreciates the opportunity to comment.

Sincerely yours,

Luis Amezcua
Senior Campaign Representative

cc: Albert Lopez, Planning Director, County of Alameda