**ATTACHMENT 3: Table 2 – Highlights: Comparison Between Major Features of the Alternative AAC Solar Policy Recommendation and the Original Staff Solar Policy Recommendation**

| Major Feature | Original Staff Solar Policy | Alternate AAC Solar Policy |
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| **Encourage Local Solar and Storage in Developed Areas** | **Encourage local solar energy production** to meet local energy demand; support California's Renewable Portfolio Standard (RPS).<br><br>Place **highest priority** on development of solar development in the **existing built environment**.<br><br>Promote **economic development / workforce development** in conjunction with solar projects.<br><br>Implement energy conservation / efficiency measures identified in the County Climate Action Plan. Promote use of energy storage technologies that are appropriate for the character of the proposed location.<br><br>Identify / prioritize programs that support cost-effective and universal access to solar energy; work with the EBCE to bring increasing levels of solar energy to the County at competitive rates. Require larger solar proposals to give first right of refusal for energy supply to EBCE. | Similar to the original staff policy, but includes revised wording in several original policies to strengthen concept that urban and developed areas are preferred for solar projects, and that open space and agriculture should be protected.<br><br>Includes **new policy** to encourage the State of California to remove obstacles and other undue physical or economic burdens on rooftop and distributed solar energy, to take steps to enhance opportunities for behind-the-meter renewable energy and storage for each and every Californian, and to quantitatively INCLUDE behind-the-meter solar development in its renewable portfolio standard and calculations of progress toward meeting State 2045 renewable energy goals. |
| **Solar Facility Types and Siting (Utility Scale, Distributed and Rooftop)** | **Stand-Alone Utility Scale SEFs** – Conditionally permitted in East County, but interpreted through Measure D by Staff to mean only in the Large Parcel Agricuulture (LPA) designated lands. Requires CUP and CEQA analysis.<br><br>**No Solar Energy Facilities (SEF) in the Altamont Pass Wind Resource Area** (APWRA) unless it can be demonstrated… that the SEF will not adversely affect the **avian monitoring** that is conducted as a condition of approval.<br><br>**Rooftop solar** assumed to be permitted by right. | **Stand-alone utility scale SEFs** permitted only over water canals and within railroad rights of way. Conditionally permitted only within narrowly defined electrical transmission corridors, which require CUP and CEQA analysis.<br><br>**No Solar Energy Facilities (SEF) in the Altamont Pass Wind Resource Area (APWRA)** unless it can be demonstrated that the SEF will not adversely affect the **avian population and monitoring** that is conducted as a condition of approval.<br><br>**Rooftop solar** assumed to be permitted by right. |

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| **Solar Facility Types and Siting (Utility Scale, Distributed and Rooftop)(Continued)** | **Distribution scale solar energy facilities** are encouraged but not explicitly limited in size or location.<br><br>**Utility Scale Agrivoltaics** are not explicitly mentioned, but it is assumed that they would be treated as either utility scale or distributed, depending on their size, location and method of connection to the grid.<br><br>**Battery Storage Facilities** not broadly mentioned, but assumed to be coordinated with solar in some cases. | **Distribution scale solar energy facilities** and microgrids are constrained to the required development envelope and the legal rooftops of agricultural buildings on a parcel; may be conditionally permitted in any land use designation.<br><br>**Utility Scale Agrivoltaics** projects, as described in the Policy, may be sited and conditionally permitted **anywhere** on agricultural lands (LPA, RM or WM designations) provided it is integrated fully with agriculture, and subject to siting pursuant to Solar Mapping.<br><br>**Battery Storage Facilities** explicitly conditionally permitted along with solar if proportional in size; also conditionally permitted in electrical transmission corridors and adjacent to substations if proportional in size to those facilities, or in areas zoned for industrial use. Placement of Battery Storage encouraged first in developed areas and adjacent to end users. |
| **Solar Mapping Program Requirement** | **Solar Mapping not explicitly discussed**, but could be pursued. | **Solar mapping** as a public input process explicitly required before siting of any utility scale solar projects. |
| **Measure D Consistency** | Permitted SEFs may be **consistent with Measure D** as needed infrastructure and a quasi-public use. Utilizing the Measure D definition of infrastructure, SEFs are not limited to a two acre building envelope as they are needed for permissible development and are considered a utility use.<br><br>**Stand-alone Battery Storage** not considered in any depth. | **Similar to Original Staff Policy**, but includes battery storage as needed infrastructure, provided they meet the siting and type requirements which specify parameters for agrivoltaics and SEFs in transmission corridors.<br><br>**Stand-alone battery storage facilities** may only be located in a utility corridor, on the parcel of an adjacent existing substations; or on a parcel adjacent to an existing substation; or in land use designations defined by the County for light or heavy industry; and shall be subject to mitigation…<br><br>**Stand-alone batteries storage facilities** considered infrastructure only when located within an existing power transmission corridor OR when located adjacent to an existing substation provided it is appropriately sized to the capacity of the tie-in location, and in which cases may exceed the .01 FAR and 2 acre building envelope. |

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| **Agrivoltaics** | **Not explicitly mentioned.** Assumed possible. | **Agrivoltaics are** described in detail, with definitions, limitations and minimum requirements.<br><br>**Conditionally permitted** at any scale on any agricultural lands **in land use designations including LPA, RM and WM.** Compatible with the provisions of Measure D, provided they meet the requirements as set forth in Policies 24, 25 and 26.<br><br>**Must substantially enhance agriculture on the site.**<br><br>Must submit an **onsite business, agriculture and land / natural resource management plan**, to enhance agriculture and agricultural land as defined. Enhancement shall increase one or more agricultural production indexes including either (a) average gross commodity units produced per crop life cycle of agricultural products for commercial purposes, AND/OR (b) average gross income produced per crop life cycle from agricultural products or services for commercial purposes. **AAC to review before approval. Subject to 5-year periodic review.**<br><br>Solar energy siting programs (**including mapping**) on agricultural lands shall be developed before any facility siting. |
| **Agricultural Land Preservation and Treatment** | **Encourage dual use of SEFs and agricultural uses** on the same parcel to the extent the agricultural use remains viable and the SEF does not degrade the present or future suitability of the land for agricultural purposes.<br><br>**In cases where *SEFs (anywhere in the LPA land use designation)*** are located on Important Farmlands…the County shall address the loss of any such lands by requiring mitigation…The mitigation shall be commensurate with the identified impact and bear a nexus to the general concept of preserving agriculture on important farmlands.<br><br>Mitigation (permanent easements, payment of in-lieu fees programmable for the long-range preservation of agricultural | In the Alternate AAC Draft, SEFs are not encouraged on any agricultural lands, but are **accommodated – agrivoltaics on any lands in the LPA, RM or WM designations; and stand-alone SEFs in transmission corridors or on canals / railroads.**<br><br>**In cases where SEFs that are not Agrivoltaics *(meaning stand-alone SEFs in transmission corridors or canals/railroads)*** are located on Important Farmlands…**the same requirements apply as for the original Staff Recommendation**, EXCEPT that…*(see next page)* |

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| **Agricultural Land Preservation and Treatment (continued)** | land uses, or other mitigation and/or community benefit) are required.<br><br>Any land easement serving as mitigation shall be maintained for the duration of the project until the project land is returned to a comparable state (of productivity) prior to the land development; or | |
| | **Submit an on-site agricultural management plan** which demonstrates to the satisfaction of the County decision-making body that viable commercial agricultural activity will continue on at least half of the property in conjunction with the SEF for the life of the SEF. Dual use is also encouraged in these cases. | ….The **submittal of an onsite agricultural management plan** for stand-alone SEFs in electrical corridors or canals/railroads has been **discontinued**; but a similar but **more comprehensive requirement has been preserved and revised for utility scale agrivoltaics located anywhere.** |
| | **Williamson Act Compatibility:** All SEFs located on Williamson Act Contracted lands must either be designed to be compatible with the Act under Uniform Rule 2, Section II. E. 3 of the Alameda County Uniform Rules and Procedures Governing Agricultural Preserves and Williamson Act Contracts, or otherwise demonstrate consistency with the Principles of Compatibility found in Uniform Rule 2, Section I. A. | **Williamson Act Compatibility** – The Alternate AAC Draft allows two possible options for the Board Transportation and Planning Committee to consider. **Option (a) would be very similar to the Staff Recommendation,** but would also explicitly state that cancellation of the contract is required for any SEF that exceeds 10% or 10 acres of the subject parcel, whichever is smaller. **Option (b)**, as applied to an agrivoltaics project specifically, **would consider the agrivoltaics project as a primary use as agriculture, and thus not subject to compatibility requirements,** and to be expanded across up to 100% of the subject parcel. |
| | *[The Original Staff Recommendation also included an allowance for application to **modify the Williamson Act Contract to a Solar-Use Easement** as allowed by State Law, Government Code section 51191; however, the California Department of Conservation has announced as 2021 that this program has **been discontinued**.]* | **No allowance for Solar Use Easement.** |
| | **SEFs in the South Livermore Valley Plan** limited to building mounted structures or ground mounted facilities over existing impervious surfaces within the designated building envelope. Removal of vineyards not be permitted. | **South Livermore Valley policy is very similar** in the AAC Recommendation, but also allows for installation along internal **roadways and fence lines.** |

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| **Agricultural Land Preservation and Treatment (continued)** | **Proposed Policy Modifications for ECAP Consistency:**<br><br>Policy 71 – Proposed Modification: The County shall conserve prime soils (Class I and Class II, as defined by the USDA Soil Conservation Service Land Capability Classification) and Farmland of Statewide Importance and Unique Farmland (as defined by the California Department of Conservation Farmland Mapping and Monitoring Program) outside the Urban Growth Boundary; photovoltaic SEF development shall be considered as conserving of the prime soils when approved along with a Decommissioning and Restoration Plan as described in Policy (31).<br><br>Policy 72 – Proposed Modification: The County shall conserve ~~preserve~~ the soils and lands of the Mountain House area for intensive agricultural use; photovoltaic SEF development shall be considered as conserving of the land and its soils for intensive agricultural use when approved along with a Decommissioning and Restoration Plan as described in Policy (31). | **Proposed Policy Modifications for ECAP Consistency:**<br><br>**Similar to Original Staff Recommendation,** but made more specific to apply **ONLY to agrivoltaics projects** rather than any stand-alone SEF. |
| **Natural Resources and Environmental Review** | **Apply standards to design, siting, and operation of all SEFs** that protect the environment, including sensitive biological resources, air quality, water supply and quality, cultural, archaeological, paleontological and scenic resources.<br><br>Encourage siting, construction and screening of SEFs to **avoid, minimize or mitigate significant changes to the visual environment** including minimizing light and glare.<br><br>**Utilize the East Alameda County Conservation Strategy** (EACCS) to determine appropriate Solar Energy Facilities (SEF) siting biological mitigation.<br><br>Place and maintain land of equivalent quality either on-site or off-site within Alameda County under **permanent easement** for any natural habitat displaced. | **The Alternate AAC Recommendation** is similar to the Original Staff Recommendation, but strengthens and broadens the protective language, identifies other data sources, and incorporates additional visual policies. |

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| **Community-Oriented Energy Facilities** | **Several policies concentrated on Community-oriented solar energy, modular solar energy systems that generate electricity as needed.** Their priority is "local production primarily for local consumption". Community-oriented facilities are often owned by non-utility entities, such as schools, neighborhoods, coops, communities or businesses that offset all or part of their on-site electrical need. | **All of the policies from the Original Staff Recommendation** are incorporated into other sections and strengthened to encourage local development before open space utility scale SEFs. |
| **Decommissioning and Restoration Plan** | The County shall require **SEF developers to provide and implement a decommissioning and restoration plan that provides for reclamation of the site** to a condition at least as good as that which existed before the lands were disturbed or another appropriate end use…should include the following at a minimum *(summary):*<br><br>**A plan and timeframe for removal of all equipment** and components;<br>**Removal of graveled areas and access roads** and restoration of the surface grade and placement of topsoil …to return the site to an appropriate end use;<br>**Revegetation of disturbed lands…**<br>**Handling and disposal of waste** that will comply with all applicable regulations and standards; and<br>A statement signed by the owner/operator that they take **full responsibility for restoring the site**;<br>**Inspection** after all decommissioning and site restoration work to ensure that the work has been completed to the standards required by the County, prior to release of the decommissioning and restoration bond.<br><br>Prior to the issuance of a Building Permit…a **Financial Assurance or security**…should be required to secure the expense of dismantling and removing the Solar Energy Facilities (SEF) and restoring the site. **A SEF that ceases to produce electricity on a continuous basis for twelve months should be considered abandoned** and the owner/operator would be required to complete the requirements in the restoration plan. | **Identical policy for Alternate AAC Recommendation** |

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| **Monitoring and Inspection** | **The County will impose permit fees** for Solar Energy Facilities (SEF) that will be used to defray the cost of permit processing, inspection and enforcement. | **Under the AAC Recommendation,** greatly expanded to also include:<br><br>**Annual reports shall be required of the operator of a utility scale SEF, to be delivered to the County director of community development on the anniversary date of the start of construction.** The annual report shall include a statement describing compliance with each condition of approval and with the agricultural management plan for the project site; and an appropriate assessment of natural resource progress pursuant to the natural resources plan….<br><br>**The community development agency shall arrange for inspection** of a utility scale SEF within six months of receipt of the annual report…to determine whether the SEF is in compliance with the approved permit and/or reclamation plan and approved financial assurances. In the case of an agrivoltaics SEF, the inspection shall also verify compliance with the agricultural management plan and natural resources plan…<br><br>Said inspections may be made by County Staff and, for AV projects, qualified experts who have experience in agriculture, agronomy, or soil science and natural resources…<br><br>SEF permits and approved reclamation/restoration plans, and for AV SEFs consistency with agricultural management plans and natural resource plans, **shall be reviewed by the East County Board of Zoning Adjustments**, in accordance with the schedule adopted at the time of approval to consider new or changed circumstances that should be accommodated by the permit or plan. The review shall include public hearings before the AAC for recommendation and EBZA. At the conclusion of the public hearing, the EBZA may modify the permit or reclamation/ restoration plan to conform to with this chapter, and such modified permit or plan shall be binding upon the operation. |