

EXHIBIT G

Response to Lozeau Drury, Hagemann, and Smallwood comments

Alamo Solar IS/MND: Responses to LIUNA Comments on Biological Resources

*Prepared by Christopher Julian, Lead Project Biologist (URS Corporation)
December 18, 2013*

Impacts to the western pond turtle and Mojave desert tortoise

Comment B.3. The comment asserts that western pond turtles and Mojave desert tortoise may traverse the site, either during movements between habitat areas or for nesting, and that the IS/MND incorrectly discounted the possibility for these species to become impacted by the Project. However, the commenter's opinion appears to be based on general knowledge of the Mojave Desert, rather than on site-specific information, and is refuted by the observations of the survey biologists who performed extensive, repeated, full-coverage biological surveys of the Alamo site. While it is true that western pond turtles lay eggs in terrestrial areas adjacent to occupied aquatic habitat, it is inaccurate to presume that terrestrial areas are suitable for nesting by this species simply by virtue of occurring in proximity to aquatic habitat. Reliable sources, including the CDFW's species account for the western pond turtle, indicate that the species is almost exclusively aquatic, and that eggs are laid in areas along the margins of streams and lakes, and within 100 meters of aquatic habitat. Suitable nesting habitat must include features that provide cover, and individuals may desiccate quickly if exposed to hot, dry conditions. Because the limits of proposed disturbance are over 350 meters from aquatic habitat areas (the active channel of the Mojave River is on the opposite side of the floodplain from the Alamo site), the probability of a pond turtle entering the site is remote. Further, as described in the IS/MND and associated Biological Resources Assessment Report (BRAR) for the Project, the site is almost completely devoid of vegetation due to past agricultural practices and therefore lacks the cover typically sought by this species when selecting nest sites. Because the site is unsuitable and too remote from the Mojave River, it is not reasonable to conclude that this species would utilize the site.

Pursuant to direction received from CDFW representatives during the January 15, 2013 site visit, protocol surveys for the Mojave desert tortoise were limited to the western portion of APN 0470-021-09 outside the site boundary and the gen-tie improvement corridor. The CDFW's reasoning for this direction was that based on observations in the field, site conditions were not suitable for the species. Even in the unlikely scenario in which a wayward tortoise entered the site from suitable habitat to the east or west (which would involve traversing either a highway and two railroad tracks or the Mojave River), mitigation measures identified in the IS/MND would lessen the potential for such an individual to be impacted (areas to the north and south of the site are also comprised of current or former farmland, and are not suitable for the species). The presence of a biological monitor during site preparation and implementation of a Worker Environmental Awareness Program (mitigation measures BIO-2 and BIO-1, respectively) would facilitate identification and avoidance of any tortoise present, particularly considering the barren nature and excellent overall visibility of the Alamo site.

Impacts on Bats

Comment B.4. The comment asserts that bats are present within the Project site, and that these species would be impacted by the proposed Project. As described in the BRAR for the Project, the Project site does not contain any habitat features that would be attractive to bats under existing conditions. The site is unvegetated, and therefore is not likely to provide a significant prey base compared to that available in nearby undeveloped areas. However, because bats are relatively mobile, avian predators and may occur in the Mojave River floodplain to the west of the site, potential exists for these species to utilize the airspace above the Alamo site for foraging. The proposed Project would not affect this potential use, and it is expected that bats would continue to forage above the Project site at existing levels during operation of the Project. Thus, while the commenter is correct in noting that bats may be present in the Project vicinity, these species are not expected to use the site (other than the airspace above it), and no impacts to these species would occur.

Impacts on the Southwestern willow flycatcher and least Bell's vireo

Comment C.3. The comment asserts that by attracting insects to the Alamo site, the Project would impact two riparian birds, the southwestern willow flycatcher and the least Bell's vireo. Based on the information that is available, the type of insects that are likely affected by solar panels include "populations of aquatic insects that use polarized light as a behavioral cue" (Horvath et al 2010); Horvath and others (2010) worked specifically with mayflies (order Ephemeroptera), stoneflies (order Plecoptera), long-legged flies (family Dolichopodidae), and horse and deer flies (family Tabanidae), four insect groups that are known to occur in and near aquatic areas. In brief, insects are tricked into thinking that the solar panels are actually water because the reflected light is polarized. For this to affect least Bell's vireo and/or Southwestern willow flycatcher, one or the other species would have to be in the immediate project vicinity and their prey would have to be attracted to the solar panels.

Least Bell's vireos have a broader habitat requirement than do willow flycatchers, and are more likely to be found on the outer edges of riparian corridors. However, they are primarily gleaners, eating small insects off of leaves and stems, and do not normally take insects in flight. Their prey base is unlikely to be affected by the polarized light since the majority of their prey are laying eggs on leaves or branches. The presence of flying insects in an unvegetated solar facility will not attract least Bell's vireos to such a site.

Southwestern willow flycatchers are usually within more established willow thickets associated with water and/or moist areas. They are usually found deeper within the riparian area, where vegetation is densest, and are less likely to be found on the outer edges of a riparian corridor. Due to the width of the Mojave River floodplain and the distance (hundreds of meters) from dense willow habitat to the Alamo site, it is not expected that willow flycatchers would traverse

the floodplain to pursue insects on the solar site, even if abundance was high, due to the flycatcher's specific habitat tolerances.

Additionally, an examination of stomach contents of 135 willow flycatchers, Bent (1942) determined that Hymenoptera (mostly wasps and bees) made up 41% of the diet, Coleoptera were 18% of the diet, Diptera (such as crane, robber, house, and dung flies) were 14%, Hemiptera were 8%, Lepidoptera (moths and caterpillars) were 8%, and Orthoptera (mostly small grasshoppers) were 4%. Mayflies (Ephemeroptera), stoneflies (Plecoptera), dolichopodid dipterans, and tabanid flies (Tabanidae) were not identified in this sample of 135 flycatchers. Thus, the study by Horvath and others (2010), cited by the commenters, may not have used the correct focal species to yield information directly applicable to effects on the prey base of the southwestern willow flycatcher.

The comments state that the use of white grids along the edges of the solar panels, a technique proposed by the Project proponent to reduce the attraction of insects to the solar facility, has not been tested and is speculative. However, this technique was recommended by the U.S. Fish and Wildlife Service in comments on the Alamo project, and studies on this phenomenon have been performed. Bruce Robertson and his team discovered that "applying white grids or other methods to break up the polarized reflection of light, however, makes mayflies and other aquatic insects far less likely to deposit eggs on the panels thinking that they are water" (MSU News 2010). The proposed silver frames supporting the PV panels should decrease the level of attraction of the solar panels to aquatic insects because the light reflected from the frames should not be polarized.

Impacts to avian species caused by collisions with Project equipment

Comment C. 4 and C.6. The comment asserts that the Project would impact birds by introducing elements that could result in avian collisions or electrocutions. The level of avian mortality was estimated by Dr. Smallwood to be between 43 and 216 birds per year depending on site specific variable with the proposed Alamo Solar Project. This level of annual mortality is the equivalent of that caused by one to three free-ranging domestic cats, which kill an estimated 1.3 to 4.0 billion birds and 6.3 to 22.3 billion mammals annually (Loss *et al.* 2013), and is not significant when compared to the regional populations of common avian species. Further, Mitigation Measure BIO-11 in the County's IS/MND for the Project requires monitoring, documentation, reporting, and adaptive management elements to reduce and minimize bird mortality.

Based on the avian mortality estimate by Dr. Smallwood of 43 to 216 birds per year, it is unlikely that the local common raven population will increase by much if any. One to four birds per week (Dr. Smallwood's estimated level of avian mortality that would result from the Project) would not be enough food for even one raven to survive on without other food sources. Further, Mitigation Measure BIO-10 would require raven management activities and a financial contribution to the Regional Raven Management Program to offset any cumulative increases in raven populations.

Impacts related to wildlife movement and habitat connectivity

Comment C.5. The comment asserts that the Alamo site is near an important wildlife corridor (the Mojave River), and that the Project's fences would impact wildlife movement. The majority of wildlife movement will be north-south along the Mojave River. The current site conditions are not suitable for dispersal for the majority of wildlife species due to the lack of cover; additionally, the site does not connect the Mojave River with any other habitat features that wildlife would be attracted to such as fresh water or a reliable food source. Wildlife seeking to move east-west through the region could easily pass to the north or south of the proposed project site; the site would not create an impassible barrier.

Adequacy of Avian Mortality Monitoring Provisions

Comment C.7. The comment asserts that the avian mortality monitoring provisions required by Mitigation Measure BIO-11 are not adequate, and references the recently approved Blythe Solar Power Project, a solar project in Riverside County which required much greater monitoring effort. However, due to inherent differences between the project referenced by the commenter and the Alamo Solar Project, a comparison between these two projects is not appropriate. The Blythe project was over 30 times larger than the Alamo Project, disturbing over 4,100 acres compared to the Alamo Project's 123 acres. Additionally, the Blythe project site included intact desert habitats, which the Alamo site does not. Further, the Blythe project was originally approved as a solar thermal generating facility, using a parabolic-trough technology that has a substantial and documented effect on birds during operation, and was converted to a photovoltaic technology after project approval. Considering this information, it is appropriate that the Blythe project was conditioned with more onerous monitoring requirements, as its impacts on the local avifauna were unquestionably greater. The commenter is not justified in comparing these two disparate projects with the intent that the degree of mitigation should be equivalent. The proposed level of mortality monitoring is adequate to contribute meaningful data to a growing body of knowledge surrounding the issue of avian mortality at photovoltaic generating facilities, and the proposed adaptive management measures will ensure that identified impacts are reduced.

References

Bent, A.C. 1942. Life Histories of North American flycatchers, larks swallows and their allies. Smithsonian Institution, U.S. National Museum Bulletin 179:1-155.

Horváth G, Blahó M, Egri A, Kriska G, Seres I, Robertson B. 2010. Reducing the maladaptive attractiveness of solar panels to polarotactic insects. *Conservation Biol.* 2010 Dec; 24(6):1644-53.

Loss, Scott R., Tom Will and Peter P. Marra. 2013. The impact of free-ranging domestic cats on wildlife of the United States. Nature Communications. Volume: 4, Article number:1396

MSU News. 2010. Michigan State University Research: Solar panels can attract breeding water insects, but scientists have a simple fix <http://research.msu.edu/stories/solar-panels-can-attract-breeding-water-insects-scientists-have-simple-fix>

Alamo Solar IS/MND: Responses to LIUNA Local Union 783 Comments on Pesticides, Other Phase I ESA Conditions, and Valley Fever

*Prepared by Tricia Winterbauer, Project Lead, Phase I ESA and Hazardous Conditions
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December 16, 2013*

Residual Pesticides

Comment B.1. Comment summary: The comment asserts that the IS/MND fails to address the potential for residual pesticides at the site.

Response: The property was historically used for agricultural purposes. During the historical review, no evidence of large scale pesticide storage or mixing was identified on the property. No Recognized Environmental Conditions were identified associated with pesticide use and no additional investigation was recommended. Mitigation Measure AQ-2 AQ/Dust Control Plan requires the developer to prepare, submit and obtain a Dust Control Plan (DCP) consistent with applicable guidelines and a letter agreeing to include in any construction contracts/subcontracts a requirement that project contractors adhere to the requirements of the DCP. In addition, the Proposed Project will comply with all applicable laws, ordinances and regulations which include health and safety of project workers during construction and identifying potential hazards associated with construction of the Proposed Project including residual pesticides in soil.

Other Conditions identified in the Phase I ESA

Comment B.2. The comment asserts that an EIR is needed to address other concerns noted in the project's Phase I Environmental Site Assessment (ESA), including petroleum staining, drums and containers, debris piles and a leaking electrical transformer.

Response: These issues do not warrant additional evaluation in an EIR because they do not pose the potential for significant impacts. Minor staining was observed on the property during preparation of the Phase I Environmental Site Assessment. This staining was considered to be *de minimis* and did not constitute a Recognized Environmental Condition. Evidence of release of hazardous materials was not observed associated with the storage of drums and containers and debris on the Proposed Project Site. The drums and containers and debris observed on the property were not considered to be a Recognized Environmental Condition. Southern California Edison (SCE) removed a leaking transformer from the property on December 9, 2011. Based on inspection of the transformer, SCE reported that the transformer had weeped on the sides from the secondary bushing, but did not release any dielectric fluid (mineral oil) to the ground below. While on-site, SCE crews visually inspected the soil around the base of the pole and did not observe any signs of oil. Based on the information provided by SCE, the issue of the leaking transformer was reported to be closed and no additional investigation was warranted. Based on the findings of the proposed Project Site Phase I Environmental Site Assessment, no Recognized Environmental Conditions were identified at the site and no additional investigation was recommended.

Valley Fever

Comment C.2: The comment asserts that dusty conditions during construction pose a risk of an increase of valley fever that should be addressed in an EIR.

Response: Mitigation Measure AQ-2 AQ/Dust Control Plan and MDAQMD regulations require the developer to prepare, submit and obtain a Dust Control Plan (DCP) consistent with applicable guidelines and a letter agreeing to include in any construction contracts/subcontracts a requirement that project contractors adhere to the requirements of the DCP. Dust suppression is recommended by the County of San Bernardino Public Health Department as a means to reduce the risk of exposure to valley fever. In addition, the Proposed Project will comply with all applicable laws, ordinances and regulations which include health and safety of project workers during construction and identifying potential hazards associated with construction of the Proposed Project including Valley Fever.

Alamo Solar IS/MND: Responses to LIUNA Local Union 783 Comments on Air Quality

Prepared by Matt Dunn, Project Air Quality Lead

URS Corporation

December 19, 2013

Comment C.1. The comment asserts that the Alamo project IS/MND applied an incorrect threshold of significance for NO_x in reaching its conclusion of less than significant impacts on air quality. The comment asserts that the correct threshold is the daily construction emissions, not the annual emissions used in in the IS/MND.

Response. The comment is incorrect. An 11-7-12 email from URS (Matt Dunn) to MDAQMD (Alan De Salvio) asked for guidance on this issue to assess air quality impacts of two solar projects (Agincourt and Marathon) that are highly similar to the Alamo solar project:

We are helping a PV solar applicant and San Bernardino County with Initial Study for a couple [of] PV sites in the Lucerne Valley. The construction projects are less than a 1 year construction durations (9 and 10 months). Can we compare the predicted construction NO_x emission to the annual CEQA thresholds or do we take the number of days times lb/day threshold from the MDAQMD CEQA guidance to develop the less than year emission CEQA threshold?

Mr. De Salvio's 11-13-12 email response stated the annual threshold of 25 tons is the correct threshold:

You can compare overall emissions to 25 tons and determine that the project is not significant. The daily is there as an additional tool, but it is not intended to capture large one day projects for example.

Therefore, the Alamo solar project IS/MND used the correct threshold in determining that construction-related air quality impacts would be less than significant.

Comment C.8. The comment asserts that the IS/MND fails to analyze or mitigate the Alamo project's potentially cumulatively considerable air quality impacts from construction emissions.

Response: The comment is incorrect. A 2-12-13 email from MDAQMD (Alan De Salvio) to URs (Matt Dunn) regarding two other similar solar projects addressed this issue. Mr. De Salvio indicates the AQMD focuses on operational not construction emissions when addressing cumulative impacts and would not disagree with limiting cumulative impact discussions to operations.