

CEQA ENVIRONMENTAL CHECKLIST FORM (REVISED JANUARY 7, 2019)

1. **Project Title:** Ranch Sereno Clean Power Project
County File #CDLP22-02036
2. **Lead Agency Name and Address:** Contra Costa County
Department of Conservation and Development
30 Muir Rd.
Martinez, CA 94553
3. **Contact Person and Phone Number:** Adrian Veliz, Senior Planner; (925) 655-2879
4. **Project Location:** 0 Byer Road (immediately east of 3600 Byer Road)
Byron, CA 94514
Assessor's Parcel Number: 002-030-018
5. **Project Sponsors' Names and Address:** Ardi Arian Renewable America LLC
4675 Stevens Creek Boulevard Ste. #250
Santa Clara, CA 95051
6. **General Plan Designation:** The subject property is located within the Agricultural Lands (AL) General Plan Land Use designation.
7. **Zoning:** The subject property is located within an A-3 Heavy Agricultural (A-3) District, and Solar Energy Generation (-SG) Combining District.
8. **Description of Project:** The applicant is requesting approval of a Land Use Permit for the purpose of establishing a 2.83 megawatt (MW) commercial solar facility and 3.7 MW capacity battery storage system on the subject property. The Project will interconnect to Pacific Gas and Electric Company's (PG&E's) pre-existing electrical distribution system via existing utility poles located within the Byer Road right-of-way.

The project includes an exception request from collect and convey requirements specified in Chapter 914-2 of the County Subdivision Ordinance for the Land Use Permit approval. The exception requests would allow the existing drainage pattern to remain, where collection and conveyance, without diversion and within an adequate storm drainage system, to an adequate natural watercourse having a definable bed and banks or to an existing adequate public storm drainage system which conveys the storm water to an adequate natural watercourse is required.

9. **Surrounding Land Uses and Setting:** The project site is located along the southern side of Byer Road, approximately 480 feet west of its' intersection with Bixler Road in the Byron area of unincorporated Contra Costa County. The project site (APN: 002-210-018) predominantly consists of fallow and active cropland. Existing development on site includes one metal framed storage building, an outdoor swimming pool and gravel access driveway. These improvements are located within an approximately one-acre building envelope at a central location on the project

site. Vehicular access to the site from Byer Road exists via a gravel driveway at the northwestern corner of the subject property. There is an east-west drainage channel traversing the southern half of the parcel. The property owner has recorded a Grant Deed of Development Rights to the County in the area of the drainage channel, including a 100-foot buffer, measured from the top of the bank, on each side of the channel, encompassing about three acres of the approximately 14.25 acre subject property. No portion of the commercial solar facility is located within the buffer area, located immediately south of the area of work. The overall topography of the subject property is flat, with elevations ranging from approximately 12 to 18 feet above sea level.

The surrounding areas consists of lands zoned General Agricultural (A-2) and Heavy Agricultural (A-3) and are presently used for farming, grazing, and/or single-family residential purposes. The Byron community, a census designated place, is located approximately 0.8 miles to the west.

10. Other public agencies whose approval is required (e.g., permits, financing, approval, or participation agreement:

Contra Costa County Public Works Department, Contra Costa County Department of Health Services, East Contra Costa Fire Protection District, Pacific Gas & Electric.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Notice of the proposed project was sent to Native American tribes, as applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1. Letters were sent to the Confederated Villages of Lisjan and Wilton Rancheria on November 8, 2022 and November 9, 2022 respectively. Neither tribal groups have provided comments to the Notices sent in relation to this project, nor was any consultation requested.

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Services Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

Environmental Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Adrian Veliz
Senior Planner
Contra Costa County
Department of Conservation & Development

05/26/2023

Date

ENVIRONMENTAL CHECKLIST

1. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project have a substantial adverse effect on a scenic vista? (Less Than Significant Impact)*

Figure 9-1 of the Open Space Element of the County General Plan identifies major scenic ridges and scenic waterways in the County. According to this map, the project site is not located adjacent to scenic resources in the county. Thus, a less than significant impact on a scenic vista is expected.

- b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway? (Less Than Significant Impact)*

The Scenic Routes Map (Figure 5-4) of the County General Plan’s Transportation and Circulation Element identifies scenic routes in the County, including both State Scenic Highways and County designated Scenic Routes. The project site is located in the vicinity of the Byron Highway (State Route J4), a County designated scenic route. The scenic quality includes naturally pleasing elements such as the agricultural ranges and scattered native vegetation. Since the subject property is located approximately 0.8 miles east of this scenic route, with several agricultural and residential buildings existing between, the project is not expected to be prominently visible (if at all) to passing motorists on the scenic route. Given the distance and orientation of the proposed panels, the impact on highway users would be minimal. Therefore, the project would have less than significant impacts on scenic resources within the County.

- c) *In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (Less Than Significant Impact)*

The visual changes from the project improvements could impact views from the site and from surrounding properties. This could have an impact on the visual character of the site; however, the change from pastoral land use to solar panels would not expectedly degrade the scenic quality. Due to the flat topography of the area, the project site is not prominently visible when viewed from a distance. The project site is fronted to the north by Byer Road, a publicly maintained roadway. The eastern terminus of Byer Road and the southern terminus of Bixler road is located approximately 450 feet east of the project site. Existing structural development west of the project would substantially screen the project from public views from that direction. As such, public views of the project site would largely be limited to portions of Byer Road immediately adjacent to the subject property, as well as motorists travelling southbound on a short stretch of Bixler Road. Since impacts to public views are limited to somewhat remote stretches of roadway not designated as County Scenic Routes, this would amount to a less than significant impact on the existing visual character and quality of public views of the site and its surroundings.

- d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Less Than Significant Impact)*

The lighting and glare analysis in this section addresses the two issues of nighttime illumination and reflected light (glare). Nighttime illumination impacts are evaluated in terms of the project's net change in ambient lighting conditions and proximity to light sensitive land uses. Reflected light impacts are analyzed to determine if project related glare would create a visual nuisance or hazard.

Nighttime illumination is not expected from the proposed solar facility. As required by the County Solar Ordinance, the facility may not include any type of lighted signal, lights, or other illumination, except as necessary for the operation of the facility. The project would include lighting for security and safety purposes. All light fixtures would be shielded such that light is directed downward and not laterally in order to prevent spillover onto adjacent properties. Thus, the project's compliance with the County Solar Ordinance ensures less than significant impacts relating to nighttime illumination as a result of the project.

The project involves the construction of solar arrays over approximately 7-acres – or roughly half - of the subject property, which can create a new source of glare into the existing rural-residential visual landscape. However, since the site is not prominently visible when viewed from a distance, these effects would expectedly be localized in the immediate project vicinity. The site is not proximate to major roadways and is not below the flight path of runways for the Byron Airport located three miles south of the project. Thus, the glare that could potentially result from the project would not expectedly present a hazard to motorists or aviation. Therefore, the project will have less than significant impacts in this respect.

Sources of Information

- Contra Costa County General Plan, 2005-2020. *Open Space Element*.
- Contra Costa County General Plan, 2005-2020. *Transportation and Circulation Element*.
- Renewable America, LLC. *Ranch Sereno Clean Power*. (Project Plans). Received 10/10/2022.

2. AGRICULTURAL AND FOREST RESOURCES – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (No Impact)*

As shown on the California Department of Conservation’s Contra Costa County Important Farmland Finder map portal, the project sites include land classified as “Farmland of Local Importance”. Since the project site does not consist of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide importance to a non-agricultural use; therefore, no impact is expected.

- b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? (Less Than Significant Impact)*

The project site is within an A-3 agricultural zoning district and the Solar Energy Generation Combining District. When combined with the -SG combining district, commercial solar facilities are allowed in agriculturally zoned districts. The properties are not included in a Williamson Act contract, and there is no reason to believe the project would conflict with any existing agricultural uses. Furthermore, pursuant to the County's solar ordinance the sites would be required to be restored to their pre-project agricultural state, following the solar generation use. Therefore, a less than significant impact is expected from a conflict with existing agricultural uses.

- c) *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g) or conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)? (No Impact)*

The project site is not considered forest land as defined by California Public Resources Code Section 12220(g), timberland as defined by California Public Resources Code Section 4526, or zoned Timberland Production as defined by Government Code section 51104(g). Furthermore, the project site is within the A-3 zoning district, and the -SG combining district, and the proposed use is an allowed use within the zoning districts. Thus, the project would not conflict with existing zoning for, or cause rezoning of forest land or timberland.

California Public Resources Code Section 12220, under the Forest Legacy Program Act, defines "forest land" as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

Public Resources Code 4526, under the Forest Practice Act, defines "timberland" as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species are determined by the board on a district basis after consultation with the district committees and others.

California Government Code 51104, under the Timberland Productivity Act, defines "timberland" as privately owned land, or land acquired for state forest purposes, which is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre. "Timberland production zone" or "TPZ" means an area which has been zoned pursuant to Section 51112 or 51113 of the Government Code and is devoted to and used for growing and

harvesting timber, or for growing and harvesting timber and compatible uses, as defined in Public Resources Code 4526 or 12220. With respect to the general plans of cities and counties, "timberland preserve zone" means "timberland production zone." As stated in the Contra Costa County General Plan, no land is used for timber harvesting in the County.

- d) *Would the project involve or result in the loss of forest land or conversion of forest land to non-forest use? (No Impact)*

The project site is not considered forest land, as discussed in "c" above. Therefore, no impact.

- e) *Would the project involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use? (No Impact)*

The proposed project would establish a commercial solar facility on agriculturally designated land. The proposed solar facility would be located on northerly portions of the parcel presently used for croplands. As noted in the County's Renewable Resources Potential Study, "siting solar in an agricultural area may not always result in a loss of farmland value" considering emerging studies in new technologies such as pollinator friendly solar farms, grazing compatible solar, and "agrophotovoltaics", where solar panels are placed above greenhouse-grown plants and can increase plant productivity in certain cases. Furthermore, as required by the Solar Ordinance, the properties would be required to be returned to their pre-development agricultural state in the event that the solar use is decommissioned. Thus, the project would have a less than significant impact on the conversion of farmland to non-agricultural use.

Sources of Information

- Contra Costa County Code, Title 8, Zoning Ordinance.
- Contra Costa County General Plan 2005-2020. *Land Use Element*.
- California Department of Conservation. Accessed January 19, 2023. *California Important Farmland Finder*. <https://maps.conservation.ca.gov/DLRP/CIFF/>
- Contra Costa County *Renewable Resources Potential Study*
- Contra Costa County Department of Conservation and Development. Accessed January 23, 2023. *2016 Agricultural Preserves Map*. <http://www.co.contra-costa.ca.us/DocumentCenter/View/882/Map-of-Properties-Under-Contract?bidId=>

3. AIR QUALITY – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project conflict with or obstruct implementation of the applicable air quality plan? (Less Than Significant Impact)*

Contra Costa County is within the San Francisco Bay air basin, which is regulated by the Bay Area Air Quality Management District (BAAQMD) pursuant to the Bay Area 2017 Clean Air Plan. The purpose of the Clean Air Plan is to bring the air basin into compliance with the requirements of Federal and State air quality standards. BAAQMD has prepared CEQA Guidelines to assist lead agencies in air quality analysis, as well as to promote sustainable development in the region. The CEQA Guidelines support lead agencies in analyzing air quality impacts. If, after proper analysis, the project’s air quality impacts are found to be below the significance thresholds, then the air quality impacts may be considered less than significant. The Air District developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether the proposed project could result in potentially significant air quality impacts. If all of the screening criteria are met by a proposed project, then the lead agency or applicant would not need to perform a detailed air quality assessment of their project’s air pollutant emissions.

As described in the Clean Air Plan, transitioning away from fossil fuel-based energy will reduce exposure to harmful air pollutants associated with power generation and oil refining. The proposed commercial solar facilities are part of this transition, and no air pollution emissions are expected from the operation of the facilities.

- b) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? (Less Than Significant Impact With Mitigations)*

The region is in nonattainment for the federal and state ozone standards, the state PM10 standards, and the federal and state PM2.5 standards. All air emissions related to construction within Contra Costa County are regulated by the Bay Area Air Quality Management District (BAAQMD)

pursuant to the Bay Area 2017 Clean Air Plan. The purpose of the Clean Air Plan is to bring the air basin into compliance with the requirements of Federal and State air quality standards. BAAQMD has prepared CEQA Guidelines to assist lead agencies in air quality analysis, as well as to promote sustainable development in the region. According to the 2017 Clean Air Plan, all construction projects should include BAAQMD Basic Construction Mitigations, to ensure they do not exceed the Thresholds of Significance for local community risks and hazards associated with Toxic Air Contaminates (TACs) and Particulate Matter (PM) 2.5. As such, with the implementation of the following BAAQMD, Basic Construction Mitigations, it is expected that the project would be consistent with the Bay Area 2017 Clean Air Plan and represent a less than significant impact with regards to construction air emissions.

Potential Impact: *Exhaust emissions and particulates produced by construction activities may cause exposure of the public or sensitive receptors to significant amounts of pollutants.*

Mitigation Measure AIR-1: *The following Bay Area Air Quality Management District, Basic Construction mitigation measures shall be implemented during project construction and shall be included on all construction plans:*

1. *All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.*
2. *All haul trucks transporting soil, sand, or other loose material off-site shall be covered.*
3. *All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
4. *All vehicle speeds on unpaved roads shall be limited to 15 mph.*
5. *All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*
6. *Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.*
7. *Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).*
8. *Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).*
9. *Install sandbags or other erosion control measures to prevent silt runoff to public roadways.*
10. *Replant vegetation in disturbed areas as quickly as possible.*
11. *Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.*

12. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

13. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

With implementation of the above mentioned mitigation, the construction-related impact on regional criteria air pollutants would be considered less than significant.

c) *Would the project expose sensitive receptors to substantial pollutant concentrations? (Less Than Significant Impact With Mitigation)*

Construction and grading activities could produce combustion emissions from various sources, including heavy equipment engines, paving, and motor vehicles used by the construction workers. Dust would be generated during site clearing, grading, and construction activities, with the most dust occurring during grading activities. The amount of dust generated would be highly variable and would be dependent on the size of the area disturbed, amount of activity, soil conditions, and meteorological conditions. Although grading and construction activities would be temporary, such activities could have a potentially significant adverse environmental impact during project construction. Consequently, the applicant is required to implement the above BAAQMD recommended mitigation measures to reduce construction dust and exhaust impacts. Implementation of mitigation measure Air Quality 1 would reduce the impact on the sensitive receptors during project construction to a less than significant level.

Potential Impact: Exhaust emissions and particulates produced by construction activities may cause exposure of the public or sensitive receptors to significant amounts of pollutants.

Mitigation Measure AIR-1: The implementation of the above AIR-1 mitigation measures ensures that these impacts of these types will occur at less than significant levels.

d) *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Less Than Significant Impact)*

The proposed project would not produce any major sources of odor and is not located in an area with existing issues (e.g. landfills, treatment plants). Therefore, the operation of the project would have a less than significant impact in terms of odors.

During construction and grading, diesel powered vehicles and equipment used on the site could create localized odors. However, given the remote location of the project and that these odors would be temporary; the potential impact would be considered less than significant.

Sources of Information

- Bay Area Air Quality Management District. 2017. *Bay Area 2017 Clean Air Plan*.
- Bay Area Air Quality Management District. 2017. *Air Quality Guidelines*.

4. BIOLOGICAL RESOURCES – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Less Than Significant Impact With Mitigation)*

According to the California Department of Fish and Wildlife (CDFW) Public Access Lands map, the project site is not located in or adjacent to an area identified as a wildlife or ecological reserve by the CDFW. According to the Significant Ecological Areas and Selected Locations of Protected Wildlife and Plant Species Areas map (Figure 8-1) of the County General Plan, the project site is

not located in or adjacent to a significant ecological area. The nearest identified ecological resource area is the Byron Hot Springs, which is located approximately 3.5 miles south. Furthermore, the site is already fully disturbed from previous agricultural activities on the subject property.

Though the project site is not located in or adjacent to a significant ecological area, given that the site is largely vacant a biological resources study was conducted to provide a description of existing biological resources on the project site and to identify potentially significant impacts that could occur to sensitive biological resources from the future development of the solar facility. WRA Environmental Consultants prepared this Biological Resources Assessment dated June, 2022. The report was prepared based on a review of literature resources, database searches, and a field review conducted by WRA biologists on March 16, 2022 “to map vegetation, aquatic communities, unvegetated land cover types, document plant and wildlife species present, and evaluate on-site habitat for the potential to support special-status species”.

The report notes that 49 special-status plant taxa have been documented in the project vicinity; however, none are expected to occur on the site due to a lack of suitable habitat features, the level of disturbance within the site, or because the site is outside of the species’ known range. Based on this finding, the report does not recommend further action or mitigations pertaining to special-status plant species.

Regarding special status wildlife, the WRA report concludes that the subject property (study area) lacks critical habitat features necessary for most of the 41 special-status wildlife species known to occur in the project vicinity or as covered species by the County Habitat Conservation Plan / Natural Community Conservation Plan (HCP/NCCP). Consequently, the potential for the occurrence of such species on the subject property is relatively low. Four special status species have been identified as having potential to occur in the immediate vicinity or in portions of the subject property. These include white-tailed kite, burrowing owl, Swainson’s hawk, loggerhead shrike. Additionally, the study discusses the San Joaquin Kit Fox (SJKF) due to the close proximity of suitable habitat and past biological resource assessments of the subject property indicating the potential for their occurrence on the subject property. The consulting biologist considers this species unlikely to occur on the subject property. Nevertheless, considering the fact that the subject property is located with California Department of Fish and Wildlife mapped habitat range and borders the area mapped as “suitable low use habitat” by the HCP/NCCP, the potential for SJKF to occur on the subject property cannot be dismissed absent preconstruction surveys to determine if dens of suitable size for SJKF habitation are present on site. Therefore, the proposed mitigations below include measures BIO-1 – BIO-4 as recommended by the consulting biologist for the four special-status species identified as having the potential to occur on the subject property as well as additional mitigation measure BIO-5 which is intended to minimize potential impacts to SJKF.

In addition to special-status species, non-special-status native birds that are protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGC) may also be impacted.

Potential impacts to the species listed above and their habitats could occur during the removal of vegetation, ground-disturbing activities, or other construction-related activities. The project is seeking take coverage through the East Contra Costa County Habitat Conservation Plan & Natural Community Conservation Plan (HCP/NCCP) for the proposed solar facility. It is expected that participation in the HCP/NCCP, which provides take coverage for all protected and special status plant and wildlife species identified in the plan area, would mitigate potential project impacts to Biological Resources to less than significant levels. Additionally, the following mitigation measures for those species identified as having the potential to occur on the subject property ensures that adverse effects to potentially impacted species would be minimized to the extent practicable.

Potential Impact (Nesting Birds) BIO-1: *The Proposed Project's construction activities could result in the destruction or abandonment of nests of special-status or nonspecial-status bird species protected under the MBTA, CFGC, and CEQA.*

Mitigation Measure BIO-1: *To the extent feasible, Project-related activities should be avoided during the nesting bird season, generally defined as February 1 – August 31. If project work must occur during the nesting bird season, pre-construction nesting bird surveys shall be conducted within 14 days of ground disturbance to avoid disturbance to active nests, eggs, and/or young of nesting birds. These surveys would determine the presence or absence of active nests that may be affected by Project activities. It is also recommended that any trees and shrubs in or adjacent to the Project Area that are proposed for removal and that could be used as avian nesting sites be removed during the non-nesting season (August 16 through January 31)*

In the event that a nest of a protected species is located, a no disturbance buffer shall be established around the nest until all young have fledged or the nest otherwise becomes inactive (e.g., due to predation). Suggested buffer zone distances differ depending on species, location, baseline conditions, and placement of nest and will be determined and implemented in the field by a qualified biologist.

Potential Impact (Burrowing Owl) BIO-2: *The proposed project's construction activities could result in the destruction or abandonment of nests or wintering refugia of burrowing owl.*

Mitigation Measure BIO-2a: *Prior to construction, an agency approved biologist shall conduct a planning survey to identify potential burrowing owl breeding habitat within and in the immediate vicinity of the Project Area. If any identified habitat exists within the Project Area, preconstruction surveys to determine whether any identified habitats are occupied shall be conducted.*

Mitigation Measure BIO-2b: *Prior to any ground disturbance related to covered activities, an agency approved biologist shall conduct preconstruction (i.e., take avoidance) surveys in areas identified in the planning surveys as having potential burrowing owl habitat. Two site visits will be conducted: one within 14 days of construction start, and one within 48 hours of construction start. The surveys shall establish the presence or absence of western burrowing owl and/or habitat features and evaluate use by owls in accordance with California Department of Fish and Game (CDFG) survey guidelines (CDFG 1993). On the parcel where the activity is proposed, the*

biologist shall survey the proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint, as accessible, to identify burrows and owls. Adjacent parcels under different land ownership shall not be surveyed, but shall be assessed visually from within the Study Area. Surveys should take place near sunrise or sunset in accordance with CDFG guidelines. All burrows or burrowing owls shall be identified and mapped. During the breeding season (February 1– August 31), surveys shall document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1–January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results shall be valid only for the season (breeding or nonbreeding) during which the survey is conducted.

Potential Impact (Swainson’s Hawk) BIO-3: Construction activities may result in disturbance of active Swainson’s hawk nesting.

Mitigation Measure BIO-3a: Prior to construction, an agency approved biologist shall conduct a pre-construction survey to identify whether or not Swainson’s hawk nesting is occurring on site or in the immediate vicinity. These surveys are phasic and shall be conducted according to the Swainson’s Hawk Technical Advisory Committee’s methodology (CDFG 2000). If occupied nests are identified, the project proponent shall avoid and minimize impacts to these nests in compliance with the Migratory Bird Treaty Act and the Fish and Game Code (Section 3503). Avoidance and minimization measures shall be incorporated into the project design and other portions of the application package prior to submission for coverage under the Plan. Avoidance measures shall include preserving the nest tree. If project construction occurs during the Swainson’s hawk nesting season (March 15–September 15), a preconstruction survey shall be required (as described in Mitigation Measure BIO-3b).

Mitigation Measure BIO-3b: Prior to any ground disturbance related to covered activities that occurs during the Swainson’s hawk nesting season (March 15–September 15), a qualified biologist shall conduct a preconstruction survey no more than 1 month prior to construction to establish whether Swainson’s hawk nests within 1,000 feet of the Study Area are occupied. If potentially occupied nests within 1,000 feet are outside of the Study Area, then their occupancy shall be determined by observation from public roads or by observations of Swainson’s hawk activity (e.g., foraging) near the Study Area. If nests are occupied, minimization measures and construction monitoring are required (see below).

Mitigation Measure BIO-3c: During the nesting season (March 15–September 15), covered activities within 1,000 feet of occupied nests or nests under construction shall be prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity (e.g., steep topography, dense vegetation, limited activities) indicate that a smaller buffer could be used, CDFW shall be consulted to determine the appropriate buffer size. If young fledge prior to September 15, covered activities can proceed normally. If the active nest site is shielded from view and noise from the Project Area by other development, topography, or other features, the project applicant can apply to the Implementing Entity for a waiver of this avoidance measure. Any waiver must also be approved by the appropriate regulatory agencies. While the nest is occupied, activities outside the buffer can take place.

Equipment shall be refueled offsite to the extent possible. If refueling is needed onsite, it will occur at least 100 feet from a surface water feature, and in a designated refueling area with secondary containment/plastic sheeting and a spill containment kit. Spill prevention and cleanup kits shall be available on the site at all times either in construction trucks or equipment. If contaminated soils or materials are discovered on the project site, they will be excavated and removed from the site and disposed of appropriately.

Potential Impact BIO-4 (Swainson's hawk foraging): *The installation of solar infrastructure within the project area would result in removal of suitable Swainson's hawk foraging habitat.*

Mitigation Measure BIO-4: *The project proponent shall mitigate for the loss of Swainson's hawk foraging habitat. The exact form of mitigation shall be determined in consultation with the East Contra Costa County Habitat Conservation Plan & Natural Community Conservation Plan, from which the project will be seeking take coverage. It is anticipated that the mitigation will be accomplished either through on-site easement entitlement, purchase of mitigation credits in an approved off-site bank, or a similar, approved mechanism.*

Potential Impact BIO-5 (San Joaquin Kit Fox): *The following mitigation measures shall be implemented to prevent potential impacts to San Joaquin kit fox.*

Mitigation Measure BIO-5: *A qualified biologist shall perform preconstruction surveys in accordance with the current USFWS-approved protocol for San Joaquin kit fox prior to ground- or vegetation-disturbing activities associated with pre-construction, geotechnical or soils investigations, construction, operations, or maintenance. Any potential or known dens identified during the survey shall require additional monitoring, exclusion zones, and construction site exclusion fencing.*

- b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (No Impact)*

According to the California Department of Fish and Wildlife (CDFW) Public Access Lands map, the project site is not located in or adjacent to an area identified as a wildlife or ecological reserve by the CDFW. According to the Significant Ecological Areas and Selected Locations of Protected Wildlife and Plant Species Areas map (Figure 8-1) of the County General Plan, the project site is not located in or adjacent to, a significant ecological area. Planned activities would have temporary impacts to cultivated crops land cover, as identified by CDFW Public Access Lands mapping. This land cover is not considered a sensitive natural community. Furthermore, there is no riparian habitat or other sensitive natural community located within the project work areas, as stated in the WRA biological resources report.

Based on the above information, the project would have no impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

- c) *Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (No Impact)*

There are no state or federally protected wetlands or other jurisdictional waters in the designated work area; thus, the project would not directly affect any state or federally protected wetlands or other jurisdictional waters. Section 404 of the Clean Water Act uses the Army Corps of Engineers definition of wetlands, which are defined as, “areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.” There are no isolated wetlands on the project site. Therefore, no impacts on federally protected wetlands are expected through direct removal, filling, hydrological interruption, or other means.

- d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites? (Less Than Significant Impact)*

A wildlife corridor is defined as “any space, usually linear in shape that improves the ability of organisms to move among patches of their habitat”. Corridors can be viewed over broad spatial scales, from those connecting continents (e.g., Isthmus of Panama) to structures crossing canals or roads. Most wildlife corridors analyzed within the context of land use planning, including those in this IS/MND, are moderate in scale and used to facilitate regional wildlife movement among habitat patches and through human-dominated landscapes.

There are no wetlands, running water, or riparian habitat within the designated work area, therefore the project would not interfere with movement of native resident or migratory fish species. The project would include the installation of a security fence on site, which could potentially limit wildlife movement at the project site. However, the property owner has previously executed a Grant Deed of Development Rights over a six-acre area, consisting of portions of the subject property and the eastern adjacent property for the purpose of mitigating impacts to Swainson’s Hawk and San Joaquin Kit Fox in connection to a prior entitlement for residential development of these parcels. The project is located entirely outside of this area of restricted development. The project would not affect the management of the restricted development area, which would continue to provide a route through which special status species could traverse the property during migratory activity.

The Migratory Bird Treaty Act of 1918 (16 U.S.C. §§ 703-712, July 3, 1918, as amended 1936, 1960, 1968, 1969, 1974, 1978, 1986 and 1989) makes it unlawful to “take” (kill, harm, harass, shoot, etc.) any migratory bird listed in Title 50 of the Code of Federal Regulations, Section 10.13, including their nests, eggs, or young. Migratory birds include geese, ducks, shorebirds, raptors, songbirds, wading birds, seabirds, and passerine birds (such as warblers, flycatchers, swallows, etc.). Further, California Fish and Game Code sections §3503, 3503.5, 3511, and 3513 prohibit the “take, possession, or destruction of birds, their nests or eggs.” Disturbance that causes nest abandonment and/or loss of reproductive effort (killing or abandonment of eggs or young) is

considered “take.” With implementation of mitigation measure **BIO-1**, impacts to migratory birds are expected to be less than significant.

In 1984, the State legislated the California Endangered Species Act (CESA) (Fish and Game Code §2050). The basic policy of CESA is to conserve and enhance endangered species and their habitats. State agencies will not approve private or public projects under their jurisdiction that would impact threatened or endangered species if reasonable and prudent alternatives are available. With implementation of mitigation measures **BIO-1** through **BIO-5**, impacts to special-status species is expected to be less than significant.

Given all of the above, the project can be expected to have a less than significant impact in regards to interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites.

- e) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (**Less Than Significant Impact**)*

The Conservation Element of the County’s General Plan addresses the County’s policies regarding the identification, preservation and management of natural resources in the unincorporated County. Within the Conservation Element, the “Significant Ecological Areas and Selected Locations of Protected Wildlife and Plant Species Areas” (Figure 8-1) identifies significant resources throughout the County. The map shows no resources in the vicinity of the project site. Thus, the project is not expected to conflict with any local policies or ordinances protecting biological resources.

The Contra Costa County Tree Protection and Preservation Ordinance provides for the protection of certain trees by regulating tree removal while allowing for reasonable development of private property. On any developable undeveloped property, the Ordinance requires tree alteration or removal to be considered as part of the project application. Based on the Tree Inventory provided by Panorama Environmental, Inc., there are nine code-protected trees on the subject property, located along the western side property lines. Five trees (Yucca, Olive, Queen Palm, two Poplars) are in the proposed area of work and would need to be removed to accommodate the project. The project would also involve dripline encroachment for an additional four code-protect Black Walnut trees located adjacent to the gravel access road. The tree removal request associated with this project is consistent with the provisions of the County’s tree protection and preservation ordinance. The applicant’s compliance with applicable project conditions, including the planting of mitigation trees if required, will ensure that the project will not significantly impact tree resources in the County.

- f) *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (**Less Than Significant Impact**)*

There is one adopted habitat conservation plan in Contra Costa County: the East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan (HCP/NCCP). The plan was approved in May 2007 by the East Contra Costa County Habitat Conservancy, comprised of the cities of Brentwood, Clayton, Oakley, and Pittsburg, and Contra Costa County. The HCP/NCCP establishes a coordinated process for permitting and mitigating the incidental take of endangered species in East Contra Costa County. The plan lists Covered activities that fall into three distinct categories: (1) all activities and projects associated with urban growth within the urban development area (UDA); (2) activities and projects that occur inside the HCP/NCCP preserves; and (3) specific projects and activities outside the UDA. The project is within the boundaries of the ECCC HCP/NCCP; however commercial solar facilities are not a covered activity under the plan, and is not required to obtain coverage under the plan. Nevertheless, HCP/NCCP staff indicate that the project may obtain coverage under the plan as a participating special entity if the project proponent, which the applicant has opted to do. The project's participation in the adopted HCP/NCCP, and compliance with provisions applicable thereto ensure the project does not conflict with the HCP/NCCP. Therefore, no impact.

Sources of Information

- California Department of Fish and Wildlife. Accessed January 24, 2023. [CDFW Lands Viewer \(ca.gov\)](#).
- WRA Inc., Biological Resources Assessment. Dated June 2022.
- East Contra Costa County Habitat Conservancy. Accessed January 24, 2023. <http://www.co.contra-costa.ca.us/depart/cd/water/HCP/>.
- Renewable America, LLC. *Ranch Sereno Clean Power*. (Project Plans). Received 10/10/2022.

5. CULTURAL RESOURCES – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to California Environmental Quality Act Guidelines Section 15064.5? (Less Than Significant Impact With Mitigations)*

Historical resources are defined in the California Environmental Quality Act Guidelines Section 15064.5 as resources that fit any of the following definitions:

- Is listed in the California Register of Historic Places and has been determined to be eligible for listing by the State Historic Resources Commission;
- Is included in a local register of historic resources, and identified as significant in a historical resource survey that has been or will be included in the State Historic Resources Inventory; or
- Has been determined to be historically or culturally significant by a lead agency.

The project site primarily consists of active and fallow cropland, and is generally undeveloped with the exception of a metal-framed building and an above-ground swimming pool located near the center of the parcel. The metal frame building was constructed in 2010, and the above-ground swimming pool was installed adjacent to the building at a later date. These structures are of no historical significance. No resources on the site were found to be eligible for listing under any criteria for the California Register of Historical Resources (CRHR), the National Register of Historic Places (NRHP), or local listing. Thus, the project would not impact any known historical or culturally significant resources.

The archaeological sensitivity map of the County's General Plan (Figure 9-2), identifies the project area as "Area of Medium Sensitivity", which may contain significant archeological resources. While unlikely since the project site has been fully and repeatedly disturbed by previous construction and agricultural activities, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic and prehistoric resources. Historic resources can include wood, stone, foundations, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, and other refuse. The project involves only minor grading as the solar panel posts would be driven into the ground with minimal excavation. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact. The following mitigation measure would reduce the potentially significant impact to a less than significant level.

Potential Impact: Subsurface construction activities could potentially damage or destroy previously undiscovered historic and prehistoric resources.

Mitigation Measure CUL-1: *The following Mitigation Measures shall be implemented during project related ground disturbance, and shall be included on all construction plans:*

- All construction personnel, including operators of equipment involved in grading, or trenching activities will be advised of the need to immediately stop work if they observe any indications of the presence of an unanticipated cultural resource discovery (e.g. wood, stone, foundations, and other structural remains; debris-filled wells or privies; deposits of wood, glass, ceramics). If deposits of prehistoric or historical archaeological materials are encountered during ground disturbance activities, all work within 50 feet of the discovery*

shall be redirected and a qualified archaeologist, certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), shall be contacted to evaluate the finds and, if necessary, develop appropriate treatment measures in consultation with the County and other appropriate agencies. If the cultural resource is also a tribal cultural resource (TCR) the representative (or consulting) tribe(s) will also require notification and opportunity to consult on the findings.

If the deposits are not eligible, avoidance is not necessary. If eligible, deposits will need to be avoided by impacts or such impacts must be mitigated. Upon completion of the archaeological assessment, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.

- ii. Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the land owner for treatment and disposition of the ancestor's remains. The land owner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.*

Implementation of these mitigations would ensure a less than significant adverse environmental impact on historical resources.

- b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Environmental Quality Act Guidelines Section 15064.5? (**Less Than Significant Impact With Mitigation**)*

The project site does not host any known archaeological resources. However, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic and prehistoric resources. In keeping with the CEQA guidelines, if archaeological remains are uncovered, work at the place of discovery should be halted immediately until a qualified archaeologist can evaluate the finds. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact. Mitigation Measure *CUL-1* would reduce the potentially significant impact to a less than significant level.

Potential Impact: *Surface construction activities could potentially damage or destroy previously undiscovered archeological resource.*

Mitigation Measure CUL-1: *Implementation of mitigations measure CUL-1 would reduce the impact on previously undiscovered archeological resources to a less than significant level.*

- c) *Would the project disturb any human remains, including those interred outside of formal cemeteries? (Less Than Significant Impact With Mitigation)*

Given the lack of known cultural or historical resources associated with the project site and the minor ground disturbance associated with the proposed project, it is not anticipated that human remains would be encountered during the course of project construction. Nevertheless, there is a possibility that human remains could be present and accidental discovery could occur. If during project construction, subsurface construction activities damaged previously undiscovered human remains, there could be a potentially significant impact. Mitigation Measure *CUL-1* would reduce the potentially significant impact to a less than significant level.

Potential Impact: *Surface construction activities could potentially damage or destroy previously undiscovered human remains.*

Mitigation Measure CUL-1: *Implementation of mitigations measure CUL-1 would reduce the impact on previously undiscovered human remains to a less than significant level.*

Sources of Information

- Contra Costa County General Plan 2005-2020. *Open Space Element.*

6. ENERGY – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a) *Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Less than Significant Impact)*

Environmental effects related to energy include a project’s energy requirements and its energy use efficiencies by amount and fuel type during construction and operation; the effects of the project on local and regional energy supplies; the effects of the project on peak and base period demands for electricity and other forms of energy; the degree to which the project complies with existing energy standards; the effects of the project on energy resources; and the project’s projected transportation energy use requirements and its overall use of efficient transportation

alternatives, if applicable. The following factors demonstrate a project’s significance in relation to these effects: (1) Why certain measures were incorporated in the project and why other measures were dismissed; (2) The potential of siting, orientation, and design to minimize energy consumption, including transportation energy, increase water conservation and reduce solid-waste; (3) The potential for reducing peak energy demand; (4) Alternate fuels (particularly renewable ones) or energy systems; and (5) Energy conservation which could result from recycling efforts.

The solar project has been designed to provide additional renewable energy to the electrical grid. The project would be interconnected to existing PG&E utility lines located on existing utility poles on and adjacent to the project site. Fossil fuel based energy consumption during construction of the facilities are not expected to be significant when considered in the context of the overall clean-energy production resulting from the renewable energy project. Thus, given that the project would provide renewable energy generation for off-site consumption, it is not be considered to be wasteful, inefficient, or have unnecessary consumption of energy resources. Therefore, a less than significant impact is expected.

- b) *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (No Impact)*

The Contra Costa County Climate Action Plan (CAP) includes a number of Green House Gas (GHG) emission reduction strategies. The strategies include measures such as implementing standards for green buildings and energy-efficient buildings, reducing parking requirements, and reducing waste disposal. Furthermore, the CAP specifically calls for the development of additional solar energy production resources in the County.

The project would not conflict with the policies outlined in the CAP. Furthermore, the proposed project would increase the production of renewable energy in Contra Costa County. The proliferation of such projects in the County will allow reduced reliance on energy generated from fossil fuels and thereby reduce GHG production. Thus, the proposed project is in furtherance of the goals of the Climate Action Plan and would have no impact conflicting with its implementation.

Sources of Information

- Contra Costa County, 2015. *Municipal Climate Action Plan*.

7. GEOLOGY AND SOILS – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

a) *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:*

i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (**Less Than Significant Impact**)*

The California Geological Survey (CGS) has delineated Alquist-Priolo (A-P) zones along the known active faults in California. The California Earthquake Hazards Zone Application ("EQ Zapp") is an online map that provides the location of A-P zones to check whether a property is in an earthquake hazard zone. According to the EQ Zapp map, the project sites are not within an earthquake hazard area. As a result, the potential impact from surface fault rupture would be less than significant.

ii) *Strong seismic ground shaking? (**Less Than Significant Impact**)*

Figure 10-4 (Estimated Seismic Ground Response) of the County General Plan Safety Element identifies the site in an area rated "Moderate-Low" damage susceptibility. The risk of structural damage from ground shaking is regulated by the building code and the County Grading Ordinance. The building code requires use of seismic parameters which allow structural engineers to design structures based on soil profile types and proximity of faults

deemed capable of generating strong violent earthquake shaking. Quality construction, conservative design and compliance with building and grading regulations can be expected to keep risks within generally accepted limits. Thus, the environmental impact from seismic ground shaking would be considered to be less than significant.

iii) *Seismic-related ground failure, including liquefaction? (Less Than Significant Impact)*

According to the Figure 10-5 (Estimated Liquefaction Potential) of the County General Plan Safety Element, the site is located in an area of “Moderate to Low” liquefaction potential. The predominant soil type within the Project Area consists Marcuse Clay soil, as mapped by the NRCS (NRCS 2023). The soils on the site are considered to be “moderately expansive.” Quality construction, conservative design and compliance with building and grading regulations can be expected to keep risks within generally accepted limits. Thus, the environmental impact from seismic-related ground failure would be considered to be less than significant.

iv) *Landslides? (Less Than Significant Impact)*

In 1975 the United States Geological Survey (USGS) issued photo-interpretation maps of landslide and other surficial deposits of Contra Costa County. This mapping is presented on page 10-24 of the Safety Element of the County General Plan. According to this USGS map, there are no suspected landslides in proximity of the proposed project. It should be recognized that the USGS landslides are mapped solely on the basis of geologic interpretation of stereo pairs of aerial photographs analyzed by an experienced USGS geologist. The mapping was done without the benefit of a site visit or any subsurface data. Furthermore, landslides mapped by the USGS are not classified on the basis of the (a) activity status (i.e. active or dormant), (b) depth of slide plane (shallow or deep seated), or (c) type of landslide deposit, and they do not show landslides that have formed since 1975. Consequently the USGS map is not a substitute for a detailed site-specific investigation. Nevertheless, the map fulfills its function, which is to flag sites that may be at risk of landslide damage, where detailed geologic and geotechnical investigations are required to evaluate risks and develop measures to reduce risks to a practical minimum. Thus, a less than significant impact can be expected regarding landslide hazards.

b) *Would the project result in substantial soil erosion or the loss of topsoil? (Less Than Significant Impact)*

The project site is largely level and the project would create minimal additional impervious surfaces. The stormwater on the project site would be allowed to percolate on site. It is expected that runoff from the solar arrays will disperse onto the grass-covered space between and underneath the arrays. Based on the insignificant amount of additional impervious surface, no significant soil erosion or loss of topsoil is expected. Thus, a less than significant impact from soil erosion or top soil loss is expected.

- c) *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Less Than Significant Impact)*

As discussed in a) iii above, the project site is in an area that has “moderate to low” liquefaction potential. Building and grading regulations can be expected to keep risks within generally acceptable limits. Additionally, the project does not propose and buildings or structures intended for human occupancy. Thus, the environmental impact from an unstable geologic unit or soil would be considered to be less than significant.

- d) *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? (Less Than Significant Impact)*

With regard to its engineering properties, the underlying Marcuse Clay soil is considered moderately expansive. Generally, soils with a clay component are more prone to expansion. The expansion and contraction of soils could cause cracking, tilting, and eventual collapse of structures. However, building and grading regulations can be expected to keep risks within generally accepted limits. Thus, the environmental impact from a moderately expansive soil would be considered to be less than significant.

- e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (No Impact)*

The project does not require a septic or wastewater-disposal system. Since the facilities are unmanned, they would not have any sanitary facilities, therefore, no impact is expected.

- f) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Less Than Significant Impact With Mitigation)*

Similar to archaeological resources, there is a possibility that previously undiscovered buried fossils and other paleontological resources could be present and accidental discovery could occur. If during project construction, subsurface construction activities damaged previously undiscovered historic and prehistoric resources, there could be a potentially significant impact. Mitigation Measure *CUL-1* would reduce the potentially significant impact to a less than significant level. No unique geologic features exist on the site. Thus, a less than significant impact would be expected with the included mitigations.

Potential Impact: *There is a possibility that buried fossils and other paleontological resources could be present and accidental discovery could occur.*

Mitigation Measure CUL-1: *Implementation of mitigations measure CUL- 1 would reduce the impact on previously undiscovered paleontological resources to a less than significant level.*

Sources of Information

- California Department of Conservation. *EQ Zapp: California Earthquake Hazards Zone Application*. Accessed January 17, 2023.
- Contra Costa County General Plan, 2005-2020. *Safety Element*.
- United States Department of Agriculture, Natural Resources Conservation Service. *Web Soil Survey*. Accessed January 17, 2023. <http://websoilsurvey.nrcs.usda.gov>

8. GREENHOUSE GAS EMISSIONS – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Less Than Significant Impact)*

Greenhouse gases are gases that trap heat in the atmosphere and contribute to global climate change. Greenhouse gases include gases such as carbon dioxide, methane, nitrous oxide, and various fluorocarbons commonly found in aerosol sprays. Typically, a single residential or commercial construction project in the County would not generate enough greenhouse gas (GHG) emissions to substantially change the global average temperature; however, the accumulation of GHG emissions from all projects both within the County and outside the County has contributed and will contribute to global climate change.

Senate Bill 97 directed the Governor’s Office of Planning and Research (OPR) to develop CEQA Guidelines for evaluation of GHG emissions impacts and recommend mitigation strategies. In response, OPR released the Technical Advisory: CEQA and Climate Change, and proposed revisions to the State CEQA guidelines (April 14, 2009) for consideration of GHG emissions. The California Natural Resources Agency adopted the proposed State CEQA Guidelines revisions on December 30, 2009 and the revisions were effective beginning March 18, 2010.

The bright-line numeric threshold of 1,100 MT CO₂/yr is a numeric emissions level below which a project’s contribution to global climate change would be less than “cumulatively considerable.” This emissions rate is equivalent to a project size of approximately 60 single-family dwelling units. Future construction activities for the solar energy facility could generate some GHG emissions; however, the operation of the facility is intended to supply energy to the grid that would expectedly replace energy generated from fossil-fuel dependent energy sources, thereby resulting in a reduction of GHG emission in the County during the designed 25-year operational phase of

the project. Considering the temporary nature of the construction phase of the project the project would not expectedly result in a significant adverse environmental impact related to GHG emissions, and would likely be offset by the renewable energy provided by the facility. As the project will not exceed the 1,100 MT CO₂/yr screening criteria, the project would not result in the generation of GHG emissions that exceed the threshold of significance.

- b) *Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (**Less Than Significant Impact**)*

At a regional scale, the BAAQMD adopted the Bay Area 2017 Clean Air Plan that addresses GHG emissions as well as various criteria air pollutants. The BAAQMD Plan included a number of pollutant reduction strategies for the San Francisco Bay air basin. The provision of additional renewable energy can be expected to reduce reliance on other non-renewable sources and, thus, reduce pollutant levels from combustion based sources. Additionally, by providing additional renewable electricity for the grid, the availability of clean electricity for zero-emission vehicles marginally would increase.

Within Contra Costa County, the Contra Costa County Board of Supervisors convened a Climate Change Working Group (CCWG) in May 2005, to identify existing County activities and policies that could reduce GHG emissions. In November 2005, the CCWG presented its Climate Protection Report to the Board of Supervisors, which included a list of existing and potential GHG reduction measures. This led to the quantification of relevant County information on GHGs in the December 2008 Municipal Climate Action Plan.

In April 2012, the Board directed the Department of Conservation and Development to prepare a Climate Action Plan (CAP) to address the reduction of GHG emissions in the unincorporated areas of the County. In December 2015, the Climate Action Plan was adopted by the Board of Supervisors. The Climate Action Plan includes a number of GHG emission reduction strategies. The strategies include measures such as promoting the development of local solar energy production. Thus, the project would be consistent with the local policy.

The project does not conflict with any other policies outlined in the CAP. Furthermore, as other measures identified in the CAP are recommendations and not requirements, the project would not conflict with the CAP and thus would not be considered to have a significant impact.

Sources of Information

- Bay Area Air Quality Management District, 2017. *Bay Area 2017 Clean Air Plan*.
- Bay Area Air Quality Management District, 2017. *Air Quality Guidelines*.
- Contra Costa County Code, *Title 8. Zoning Ordinance*.
- Contra Costa County, 2015. *Climate Action Plan*.

9. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Less Than Significant Impact)*

Subsequent to approval of the Land Use Permit, it is expected that the solar energy facilities would be constructed. There would be associated use of fuels, lubricants, paints, and other construction materials during the construction period. The use and handling of hazardous materials during construction would occur in accordance with applicable federal, state, and local laws, including California Occupational Health and Safety Administration (Cal/OSHA) requirements. With compliance with existing regulations, the project would have a less than significant impact from construction.

Contra Costa County Ordinance Code Chapter 450-2 provides regulations administered by the Contra Costa County Department of Health Services, regarding hazardous material response plans, inventories, and risk management. Contra Costa County Ordinance Code Section 450-2.008(b) requires the establishment of a Hazardous Materials Business Plan (HMBP), if necessary,

that specifies the use, quantities, storage, transportation, disposal and upset conditions for hazardous materials in accordance with state and county regulations. Thus, an HMBP may be required to ensure no significant public exposure from the potential use of hazardous materials at the project site because the solar energy facilities would have battery storage, which may be covered by the ordinance. A Condition of Approval will be added if the project is approved, requiring evidence that it has complied with County Code Chapter 450-2 prior to commencement of business activities. Compliance with County regulations would ensure this impact would be less than significant.

- b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment? (Less Than Significant Impact)*

The proposed commercial solar energy generation use of the site would involve the storage of energy in a lithium ion battery storage system. The battery energy storage system site is not near any residential uses or critical facilities such as a hospital or fire station. Additionally, large quantities of hazardous materials are not required as part of construction, operation, or decommissioning of the proposed Project. While lithium ion batteries can be flammable, their installation would be required to meet all applicable California Fire Codes. Furthermore, a HMBP may be required to ensure no significant public exposure from the release of hazardous materials at the project site. As described above, a Condition of Approval will be added if the project is approved, requiring evidence that it has complied with Contra Costa County Ordinance Code Chapter 450-2 prior to operation of the facility. Compliance with County regulations would ensure this impact would be less than significant.

- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (No Impact)*

The nearest schools are the Vista Oaks Charter and Excelsior Middle Schools, located approximately 0.6 miles west of the project site. Given the distance from the proposed facility, and that the project would not be expected to release hazardous materials into the environment, no impact on the schools are expected.

- d) *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (No Impact)*

A review of regulatory databases maintained by County, State, and federal agencies found no documentation of hazardous materials violations or discharge on the subject property or within one mile of the project site. The site is not listed on the State of California Hazardous Waste and Substance Sites (Cortese) List. California Government Code section 65962.5 requires the California Environmental Protection Agency to develop at least annually an updated Cortese List. The Cortese List is a planning document with hazardous material contaminated site information, used by the State, local agencies and developers to comply with the California Environmental

Quality Act. Considering that neither the project site nor the surrounding area is identified on the Cortese list, the project would expectedly have no impacts relating to hazardous materials sites.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? (No Impact)*

The project site is located with the Byron Airport Influence Area, Compatibility Area D. According to Byron Airport Policies within the County Airport Land Use Compatibility Plan, there are no restrictions to allowable intensities for residential or nonresidential activities in Zone D. No specific land uses are prohibited in Zone D. The only specific limitations applicable to Zone D include height limitations, with the Airport Land Use Compatibility Plan stating “Generally, there is no concern with any object up to 100 feet tall unless it is a solitary object (e.g. an antenna) more than 35 feet taller than other nearby objects”. The project includes the installation of solar support structures with a maximum height of approximately 16 feet. Thus, the project does not involve any elements approaching the Zone D height limitations. Thus, there would not be any expected hazard related to a public airport or public use airport.

- f) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Less Than Significant Impact)*

The proposed project would not impair implementation of or physically interfere with the County’s adopted emergency response plan related to Byron Highway or Byer Road or the project site. Thus, project impacts on emergency response would be a less than significant.

With respect to proposed onsite improvements, the East Contra Costa Fire Protection District has reviewed the project plans and provided routine comments for the site. Furthermore, construction drawings are subject to Fire District review to ensure compliance with applicable fire codes prior to the issuance of a building permit for the project. The project site is adjacent to Byer Road, $\frac{3}{4}$ east of Byron Highway. The addition of the solar energy facilities would not add any population to the area and is, thus, not expected to have a significant impact on emergency response or emergency evacuation plans.

- g) *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Less Than Significant Impact)*

The commercial solar facilities would largely operate remotely or autonomously and will not require regular personnel visits to the site. Thus, the project is not expected to expose people or structures either directly or indirectly to a significant risk from wildland fires.

Sources of Information

- California Department of Forestry and Fire Protection (CalFire). 2009. *Very High Fire Hazard Severity Zones in LRA Map*.
- Contra Costa County, 2000. *Contra Costa County Airport Land Use Compatibility Plan*.

- Contra Costa County General Plan, 2005-2020. *Transportation and Circulation Element*.

10. HYDROLOGY AND WATER QUALITY – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (Less Than Significant Impact)*

The proposed project would comply with applicable water quality and discharge requirements. Contra Costa County, the Contra Costa County Flood Control and Water Conservation District, and 16 incorporated cities in the county have formed the Contra Costa Clean Water Program. In October 2009, the Regional Water Quality Control Board for the San Francisco Bay Region (RWQCB) adopted the National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit for the Program, which regulates discharges from municipal storm drains. Provision C.3 of the Municipal Regional Permit places requirements on site design to minimize creation of impervious surfaces and control stormwater runoff. The County has the authority to enforce compliance with its Municipal Regional Permit through the County’s adopted C.3

requirements. The C.3 requirements stipulate that projects creating and/or redeveloping at least 10,000 square feet of impervious surface shall treat stormwater runoff with permanent stormwater management facilities, along with measures to control runoff rates and volumes.

The proposed project would add an estimated 4,712 square feet of new impervious surface area associated with a new gravel roadway and equipment pad. This is below the threshold for requiring a stormwater control plan (SWCP), however the applicant is still required to submit a SWCP for small land development with a future building permit application to develop the project. The implementation of all C.3 requirements for small land development ensures that the project will adequately address any additional stormwater runoff resulting from the project.

The exceptions to the collect and convey standards can only be approved with the appropriate findings. Based on the applicant's exception request and proposal, the necessary finding could be made to support the request. Furthermore, the preliminary stormwater control plan has been reviewed by the County's Public Works division and shows that all stormwater will be managed adequately on site. Thus, with implementation of the practicable stormwater controls, the project would be compliant with applicable water quality standards or waste discharge requirements, resulting in a less than significant impact.

- b) *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Less Than Significant Impact)*

The water service on the property is provided by well water. Since the solar facility would operate largely remotely and autonomously, and does not include any irrigated landscaping, water usage at the sites can be expected to be minimal.

The increased impermeable area on the property would likely not reduce the amount of water percolating into ground water aquifers since the water will be directed to percolate elsewhere on the site. Thus, the project would not substantially decrease groundwater supplies or interfere with groundwater recharge.

- c) *Would the project substantially alter the existing drainage pattern of the area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

- i) *Result in substantial erosion or siltation on- or off-site? (Less Than Significant Impact)*

The proposed project would not substantially alter the drainage pattern of the site or area or result in substantial erosion or siltation. The grading pattern of the property would expectedly maintain the existing drainage patterns on site. Accordingly, the proposed project would not result in substantial erosion or siltation.

- ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Less Than Significant Impact)*

As described previously, the proposed project would not substantially alter the existing drainage pattern of the site or area. Thus, there would not be a significant risk due to an increase in the project-related volume of runoff that would result in onsite or off-site flooding.

- iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Less Than Significant Impact)*

The County Public Works Department has reviewed the application submittal and determined that a preliminary stormwater control plan is not required and that proposed onsite surface drainage regimen would be appropriate for the area. Accordingly, the proposed project would not exceed the capacity of any existing stormwater system.

- iv) *Impede or redirect flood flows? (No Impact)*

The improvements on the site are not expected to create any barrier that would impede or redirect flood flows, should flooding occur.

- d) *In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation? (Less Than Significant Impact)*

According to Flood Insurance Rate Maps (FIRM) 06013C0510G the development area is located in a Special Flood Hazard Zone (B), indicating that the area has a 0.2% annual chance flood hazard. The proposed project would not be susceptible to inundation by seiche or tsunami. The California Geological Survey (2009) has projected and mapped the tsunami hazard posed by a tidal wave that passes through the Golden Gate and into San Francisco Bay, San Pablo Bay and Carquinez Strait. The project site is not included in the inundation area on any tsunami hazard map.

- e) *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Less Than Significant Impact)*

As stated above, the proposed project would comply with applicable water quality and discharge requirements. Provision C.3 of the Municipal Regional Permit places requirements on site design to minimize creation of impervious surfaces and control stormwater runoff. Thus, the project would not conflict with or obstruct implementation of a water quality control plan.

The Sustainable Groundwater Management Act (SGMA), effective January 1, 2015, established a framework of priorities and requirements to facilitate sustainable groundwater management throughout the State. The intent of SGMA is for groundwater to be managed by local public agencies and newly-formed Groundwater Sustainability Agencies (GSAs) to ensure a groundwater basin is operated within its sustainable yield through the development and implementation of a Groundwater Sustainability Plans (GSP). The project is located near the San

Joaquin Valley – East Contra Costa basin management area, which is Medium Priority groundwater basin based on the Groundwater Basin Prioritization by the State Department of Water Resources (DWR). Given that the project would not rely on groundwater or impact water percolation, a less than significant impact to the basin is expected.

Sources of Information

- California Department of Water Resources. <https://water.ca.gov/Programs/Groundwater-Management>
- Federal Emergency Management Agency (FEMA). *National Flood Insurance Rate Map (FIRM)*. <https://www.fema.gov/national-flood-insurance-program-flood-hazard-mapping>.

11. LAND USE AND PLANNING – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project physically divide an established community? (No Impact)*

Development of the proposed project would not physically divide an established community. The proposed project would occur on an agricultural parcel within a rural commercial agricultural area. The community of Byron is approximately 0.75 miles west of the project and would not be impacted.

- b) *Would the project cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (Less Than Significant Impact)*

General Plan

The proposed project would conform to the applicable General Plan land use designation. The site’s current land use designation is AL, Agricultural Lands. Commercial solar energy facilities are an allowed use within the AL designation following the issuance of a Land Use Permit.

The Contra Costa General Plan contains the following relevant policies related to the project.

3-68. Support the concept of allowing for multiple uses, compatible with the predominantly agricultural watershed and public purposes of the area. Preserve designated agricultural lands for

agricultural use, and also to allow certain other uses in the area, such as wind energy farms, mineral extraction, and reservoirs.

3-69. The Southeast County area is almost exclusively planned for agricultural, watershed, or public purposes. New land uses within this plan area should be limited to those which are compatible to the primary agricultural and watershed purposes of the area (farming, ranching, poultry raising, animal breeding, aviaries, apiaries, horticulture, floriculture and similar agricultural uses and structures) and consistent with the multiple use philosophy enumerated by this plan. Subject to specific project review and the policies listed within this plan, the following uses are generally consistent with the planned agricultural areas:

(a) Public and private outdoor recreational facilities; (b) Dude ranches, riding academies, stables; (c) Wind energy conversion systems; (d) Single family residences on larger lots; (e) Mineral resources quarrying; (f) Oil and gas wells; (g) Pipelines and transmission lines; and (h) Veterinarian offices and kennels. (i) Public purpose uses.

9-31. Within the Southeast County area, applicants for subdivision or land use permits to allow nonresidential uses shall provide information to the County on the nature and extent of the archeological resources that exist in the area. The County Planning Agency shall be responsible for determining the balance between multiple use of the land and protection of resources.

These policies highlight the County's longstanding interest in preserving agricultural lands in east Contra Costa County. They also state that the County should balance the preservation of agricultural use with certain other beneficial uses. The provision of solar energy in the County has become a priority as utilization on renewable energy has become desirable. The County has identified a select area of East County for solar development by applying filters to identify the lands most suitable for commercial solar development. These filters included slope, natural land cover, soil quality and classifications, zoning overlay status, General Plan land use designation, elevation, proximity to transmission lines and substations, and other factors. By including properties with necessary attributes for commercial solar development and excluding major agricultural and sensitive habitat resources, the allowed area, as designated in the solar generation combining district, balances the County's interest in encouraging local renewable energy with its long-term planning considerations in East County. Since the proposed project is located within this area, the facility would not conflict with the County's policies related to preservation of agriculture in East County.

Zoning

Commercial solar energy generation facilities are allowed in the A-3 agricultural zoning district and the Solar Energy Generation Combining District in which the subject property is located. When combined with the -SG combining district, commercial solar facilities are allowed in agriculturally zoned districts. Furthermore, as required by the County's solar ordinance, the sites would be required to be restored to their pre-project agricultural state, following the solar generation use.

The facilities would also meet the applicable setbacks for the underlying zoning districts. Specifically, the A-3 designation of the project site requires 25-foot side yard, front yard, and rear yard setbacks, which are all met by the proposed project. In accordance with the County’s Solar Ordinance, no ground mounted array would exceed 25 feet in height. Additionally, the facility would avoid septic systems and aquatic habitat areas, as required by the ordinance. Thus, the impact would be considered less than significant.

Sources of Information

- Contra Costa County Code, Title 8, Zoning Ordinance.
- Renewable America, LLC. *Ranch Sereno Clean Power*. (Project Plans). Received 10/10/2022.
- Contra Costa County General Plan 2005-2020. *Land Use Element*.

12. MINERAL RESOURCES – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (No Impact)*

Known mineral resource areas in the County are shown on Figure 8-4 (Mineral Resource Areas) of the General Plan Conservation Element. No known mineral resources have been identified in the project vicinity, and therefore the proposed project would not result in the loss of availability of any known mineral resource.

- b) *Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (No Impact)*

The project site is not within an area of known mineral importance according to the Conservation Element of the General Plan, and therefore, the project would not impact any mineral resource recovery site.

Sources of Information

- Contra Costa County General Plan 2005-2020. *Conservation Element*.

13. NOISE – Would the project result in:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?(Less Than Significant Impact)*

Activities at the project site are not expected to expose persons to, or generate, noise levels in excess of the Community Noise Exposure Levels shown on Figure 11-6 of the General Plan Noise Element. Figure 11-6 shows that levels of 75 dB or less are normally acceptable and noise levels between 70 dB to 80 dB are conditionally acceptable in agricultural areas. Types and levels of noise generated from the uses associated with the proposed solar facility would be similar to – if not quieter than - noise levels from the existing agricultural uses in the area.

Operation of construction equipment could result in temporary noise impacts in the immediate vicinity. However, no sensitive uses are located near the project site. The nearest sensitive receptors (Excelsior Middle School and Vista Oaks Charter) are located approximately 0.6 miles west of the project. Furthermore, use of heavy equipment would be temporary and cease once construction is complete. Considering the temporary nature of construction noise impacts and the distance to the nearest sensitive receptors, project noise impacts to surrounding land uses would be less than significant.

- b) *Would the project result in generation of excessive groundborne vibration or groundborne noise levels? (Less Than Significant Impact)*

Operation of construction equipment could result in perceptible levels of ground-borne vibration in the immediate vicinity. However, no sensitive uses are located near the project sites. Furthermore, use of heavy equipment would be temporary and cease once construction is complete. Therefore, this impact would be less than significant.

- c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Less Than Significant Impact)*

The project does not include a residential component and the operation of the facility would largely be done remotely or autonomously; thus, the project would not expose people residing or working in the project area to excessive noise levels.

Sources of Information

- Contra Costa County General Plan, 2005-2020, *Noise Element*.
- Contra Costa County, 2000. *Contra Costa County Airport Land Use Compatibility Plan*.

14. POPULATION AND HOUSING – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a) *Would the project induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (Less Than Significant Impact)*

The proposed project would result in the development of a commercial solar energy generation facility. The facility would largely be operated remotely and autonomously, thus addition to the population because of the project is not expected.

The electricity produced at the sites would be connected to the existing PG&E electrical grid and is expected to replace other non-renewable sources of electricity. Thus, the facilities would not be an extension of infrastructure in the area.

- b) *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (No Impact)*

The project site is currently an agricultural property, and does not include any dwelling units. Thus, the proposed project would not displace any existing housing and does not affect housing inventory in the County.

15. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- a) *Fire Protection?(Less Than Significant Impact)*

Fire protection and emergency medical response services for the project vicinity are provided by the East Contra Costa Fire Protection District (ECCFPD). As detailed in the comment letter on the proposed project from the Fire Protection District, the project is required to comply with the applicable provisions of the California Fire Code, the California Building Code, and applicable Contra Costa County Ordinances that pertain to emergency access, fire suppression systems, and fire detection/warning systems. Prior to the issuance of building permits, the construction drawings would be reviewed and approved by the ECCFPD. As a result, potential impacts of the proposed project relating to fire protection would be less than significant.

b) *Police Protection? (Less Than Significant Impact)*

Police protection services in the project vicinity are provided by the Contra Costa County Sheriff's Office, which provides patrol service to the Byron area. The addition of the solar facilities in the project area would not significantly affect the provision of police services to the area.

c) *Schools? (Less Than Significant Impact)*

The project is not expected to have an impact on population, thus, there would be a less than significant impact on the provision of schools.

d) *Parks? (Less Than Significant Impact)*

As stated above, the project is not expected to induce population growth in the area; thus a less than significant impact on the provision of parks is expected.

e) *Other public facilities? (Less Than Significant Impact)*

Impacts to other public facilities, such as hospitals and libraries are usually caused by substantial increases in population. Implementation of the proposed project is not anticipated to induce population growth. The project is not anticipated to create substantial additional service demands besides those which have been preliminarily reviewed by various agencies of Contra Costa County, or result in adverse physical impacts associated with the delivery of fire, police, schools, parks, or other public services. Therefore, the impact to hospitals, libraries or other public facilities would be less than significant.

Sources of Information

- Contra Costa County Fire Protection District. June 20, 2022. *Agency Comment Letter*.

16. RECREATION				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (No Impact)*

As stated above, the project is not expected to induce population growth in the area. The construction of a commercial solar facility would expectedly have no impact resulting in an increase in use of the parks and recreational facilities.

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (No Impact)*

As stated above, the project is not expected to induce population growth in the area. The project does not involve the construction or expansion of recreational facilities. Therefore, the project will have no adverse physical effects on the environment in this regard.

17. TRANSPORTATION – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (Less Than Significant Impact)*

Policy 4-c of the Growth Management Element of the General Plan requires a traffic impact analysis of any project that is estimated to generate 100 or more AM or PM peak-hour trips. Since the project would yield less than 100 peak-hour AM or PM trips, the proposed project would not conflict with the circulation system in the Byron area.

- b) *Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)? (Less Than Significant Impact)*

The project would not increase the capacity of the electrical system and would, therefore, not induce any population or generate new vehicle trips. There would be the potential to generate vehicle trips during construction; however, these trips would be temporary and cease after construction is complete.

The CEQA thresholds of significance (“TOS”) impact criteria are provided in the Contra Costa County Transportation Analysis Guidelines (TAG), and require the proposed project’s transportation impact analysis to compare the VMT per person/employee to the VMT per person/employee for the County or Bay Area region. A proposed project should be considered to have a significant impact if the project VMT is greater than: 15% below the Bay Area average commute VMT per employee. Since the facilities would be operated remotely and largely autonomously, the project’s impact in vehicles miles traveled would be less than significant.

- c) *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Less Than Significant Impact)*

The project site is located on private property accessed from Byer Road. The driveway would be constructed or improved to meet the County’s design guidelines ingress and egress and, thus, would not be considered hazardous. Therefore, the project would result in a less than significant impact due to design features or incompatible uses.

- d) *Would the project result in inadequate emergency access? (Less Than Significant Impact)*

Construction activities would occur on the project site but would not restrict access for emergency vehicles traveling to or nearby the project site. During operation of the project, emergency access to the site would be provided by on site roadways. Therefore, operation of the proposed project would not result in inadequate emergency access, and a less than significant impacts would occur.

Sources of Information

- Contra Costa County Transportation Analysis Guidelines.

18. TRIBAL CULTURAL RESOURCES – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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SUMMARY:

*Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: **(Less Than Significant Impact With Mitigation)***

a) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? **(Less Than Significant Impact With Mitigations)***

As discussed in Sections 5.a through 5.c above, no historical resources have been identified on the project site. Further, according to the County’s Archaeological Sensitivities map, Figure 9-2, of the County General Plan, the subject site is located in a “Moderately Sensitive Area,” which may contain significant archeological resources. While unlikely since the site is fully disturbed, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic and prehistoric resources.

Pertaining to the significance of tribal cultural resources, there are no onsite historical resources, pursuant to Public Resources Code section 5020.1(k) that are included in a local register of historic resources.

Nevertheless, the expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources. Implementation of Mitigation Measure *CUL-1* would reduce the impact on cultural resources during project related work to a level that would be considered less than significant.

Potential Impact: *Construction and grading could cause ground disturbance which may impact heretofore undocumented tribal cultural resources.*

Mitigation Measure: *Implementation of mitigations measure CUL-1 would reduce the impact on previously undiscovered tribal cultural resources to a less than significant level.*

b) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? **(Less Than Significant Impact With Mitigation)***

As discussed in Sections 5.a through 5.c above, no historical resources have been identified on the project site. Further, according to the County’s Archaeological Sensitivities map, Figure 9-2, of the County General Plan, the subject site is in a “Moderately Sensitive Area,” which may

contain significant archeological resources. While unlikely since the site is fully disturbed, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic and prehistoric resources.

Nevertheless, the expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources. Implementation of Mitigation Measure CUL-1 would reduce the impact on cultural resources during project related work to a less than significant level.

Potential Impact: *The project could cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. The expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources.*

Mitigation Measure: *Implementation of mitigations measure CUL-1 would reduce the impact on previously undiscovered tribal cultural resources to a less than significant level.*

19. UTILITIES AND SERVICE SYSTEMS – Would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a) *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects? (**Less Than Significant Impact**)*

The project is not proposing to construct any new or expanded water, wastewater treatment, stormwater drainage, or telecommunications facilities. The electricity generated by the facilities would be provided to the PG&E grid from existing onsite infrastructure. Thus, the project would not result in any environmental effects from construction of these facilities. A less than significant impact would occur.

- b) *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? (**Less Than Significant Impact**)*

The project would not induce any growth because the project would not increase capacity over what is provided by the existing electrical grid. Rather, this project is meant to improve existing, aging non-renewable infrastructure. Because operation of the project would not induce population growth, project operation would not increase demand for water supplies. No water is expected to be utilized during operation of the facilities.

- c) *Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (**Less Than Significant Impact**)*

Project operation would not generate wastewater; therefore, operation of the proposed project would not exceed wastewater treatment demand beyond the provider's existing commitments, and no impacts would occur.

- d) *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (**Less Than Significant Impact**)*

Construction waste would be hauled to one of the recycling centers and/or transfer stations located in the area. The recycling center and/or transfer station would sort through the material and pull out recyclable materials. Future construction of the proposed project would incrementally add to the construction waste headed to a landfill; however, the impact of the project-related incremental increase would be considered to be less than significant. Furthermore, construction on the project site would be subject to the CalGreen Construction and Demolition Debris Recovery Program administered by the CDD at the time of application for a building permit. The Debris Recovery Program would reduce the construction debris headed to the landfill by diverting materials that could be recycled to appropriate recycling facilities.

Operation of the project would not generate municipal solid waste. Therefore, operations would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Therefore, no operational impacts would occur.

- e) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (No Impact)*

Operation of the project would not generate municipal solid waste; therefore, operations would not conflict with any federal, state, and local management and reduction statutes and regulations related to solid waste. Therefore, no operational impacts would occur.

20. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

As discussed in section 9.g above, the project site is no located in a fire hazard area designated by the California Department of Forestry and Fire Protection. The Department of Forestry and Fire Protection’s Very High Fire Hazard Severity Zone Map characterizes this area as a Non-Very High Fire Hazard Severity Zone area. Nevertheless, the County has reviewed the project’s impact on wildfire management.

- a) *Substantially impair an adopted emergency response plan or emergency evacuation plan? (Less Than Significant Impact)*

The project is in the service district of the East Contra Costa Fire Protection District. The district has reviewed the project and stated that the project proponent must request that the Project site be annexed into the most current Community Facilities District for fire protection and emergency response services, or the developer will provide an alternative funding mechanism acceptable to the East Contra Costa Fire Protection District for the provision of fire protection and emergency response services. If the project is approved, it is the applicant's responsibility to comply with this guidance. However, considering that the project is not located within a Very High Fire Hazard Severity Zone, the project would not result in significant impacts impairing an adopted emergency response plan or emergency evacuation, and no mitigation is appropriate.

- b) *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? (No Impact)*

The facilities would largely be operated remotely or autonomously; thus, no project occupants could be impacted from a wildfire.

- c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (Less Than Significant Impact)*

The East Contra Costa Fire Protection District has reviewed the project and has not expressed that the project would cause any significant impacts related to the installation of new infrastructure. The new roadways on the properties would meet the minimum requirements set by the Fire District and the County's Public Works Department. Additionally, the solar facility would tie into existing electrical facilities located on the project site, so limited new infrastructure would be required. All infrastructure would meet the applicable regulatory requirements for design. Thus, a less than significant impact is expected.

- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?(No Impact)*

The facility would largely be operated remotely or autonomously; thus, no people would be impacted from flooding, landslides, slope instability, or drainage impacts. The building code requires use of parameters which allow structural engineers to design structures based on site characteristics. Quality construction, conservative design and compliance with building and grading regulations can be expected to keep risks to structures within generally accepted limits.

Sources of Information

- California Department of Forestry and Fire Protection (CalFire). 2009. *Very High Fire Hazard Severity Zones in LRA Map*.
- *Agency Comment Letter Byron Solar Facilities*. East Contra Costa Fire Protection District. June 20, 2022.

21. MANDATORY FINDINGS OF SIGNIFICANCE				
Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? (Less Than Significant With Mitigation)*

As discussed in individual sections of this Initial Study, the project to establish a commercial solar facility may impact the quality of the environment (Aesthetics, Air Quality, Biological Resources, Geology, Cultural Resources, and Tribal Cultural Resources) but the impact would be reduced to a less than significant level with the adoption of the recommended Mitigation Measures that are specified in the respective sections of this Initial Study. The project is not expected to threaten any wildlife population, impact endangered plants or animals, or affect state cultural resources with the already identified Mitigation Measures.

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (Less Than Significant Impact)*

The proposed project would not create substantial cumulative impacts. The project site is located adjacent to existing high-power electrical lines and would be tied into the grid from existing

infrastructure on the subject property and adjoining public right-of-way. Additionally, the proposed project would be consistent with the existing surrounding agricultural development.

- c) *Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (**Less Than Significant With Mitigation**)*

This Initial Study has disclosed impacts that would be less than significant with the implementation of Mitigation Measures. All identified Mitigation Measures would be included in the conditions of approval for the proposed project, and the applicant would be responsible for implementation of the measures. As a result, there would not be any environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

REFERENCES

In the process of preparing the Initial Study Checklist and conduction of the evaluation, the following references (which are available for review at the Contra Costa County Department of Conservation and Development, 30 Muir Rd., Martinez, CA 94553) were consulted:

- Contra Costa County Code, Title 8, Zoning Ordinance.
- Contra Costa County General Plan 2005-2020. *Land Use Element*.
- Contra Costa County General Plan, 2005-2020. *Open Space Element*.
- Contra Costa County General Plan, 2005-2020. *Transportation and Circulation Element*.
- Contra Costa County General Plan, 2005-2020. *Safety Element*
- Contra Costa County General Plan, 2005-2020. *Conservation Element*
- Contra Costa County General Plan, 2005-2020. *Noise Element*
- Contra Costa County Transportation Analysis Guidelines
- Renewable America, LLC. *Ranch Sereno Clean Power*. (Project Plans). Received 10/10/2022.
- California Department of Conservation. Accessed January 19, 2023. *California Important Farmland Finder*. <https://maps.conservation.ca.gov/DLRP/CIFF/>
- Contra Costa County *Renewable Resources Potential Study*
- Contra Costa County Department of Conservation and Development. Accessed January 23, 2023. *2016 Agricultural Preserves Map*.
<http://www.co.contra-costa.ca.us/DocumentCenter/View/882/Map-of-Properties-Under-Contract?bidId=>
- Bay Area Air Quality Management District. 2017. *Bay Area 2017 Clean Air Plan*.
- Bay Area Air Quality Management District. 2017. *Air Quality Guidelines*.
- California Department of Fish and Wildlife. Accessed January 24, 2023. [CDFW Lands Viewer \(ca.gov\)](http://www.cdfw.ca.gov).
- WRA Inc., Biological Resources Assessment. Dated June 2022.
- East Contra Costa County Habitat Conservancy. Accessed January 24, 2023. <http://www.co.contra-costa.ca.us/depart/cd/water/HCP/>.
- Contra Costa County, 2015. *Municipal Climate Action Plan*.
- California Department of Conservation. *EQ Zapp: California Earthquake Hazards Zone Application*. Accessed January 17, 2023.
- *United States Department of Agriculture, Natural Resources Conservation Service. Web Soil Survey*. Accessed January 17, 2023. <http://websoilsurvey.nrcs.usda.gov>
- California Department of Forestry and Fire Protection (CalFire). 2009. *Very High Fire Hazard Severity Zones in LRA Map*.

- *Agency Comment Letter Byron Solar Facilities*. East Contra Costa Fire Protection District. June 20, 2022.
- Contra Costa County, 2000. *Contra Costa County Airport Land Use Compatibility Plan*.
- California Department of Water Resources. <https://water.ca.gov/Programs/Groundwater-Management>
- Federal Emergency Management Agency (FEMA). *National Flood Insurance Rate Map (FIRM)*. <https://www.fema.gov/national-flood-insurance-program-flood-hazard-mapping>.

ATTACHMENTS

- 1. Vicinity Map**
- 2. Site Plan**
- 3. MMRP**



Legend

- City Boundary
- Unincorporated
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations



1: 36,112



1.1 0 0.57 1.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

PROJECT SITE

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Contra Costa County -DOIT GIS



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MODULE SPECIFICATION	
MANUFACTURER	ASTRO
PV MODULE MODEL	CHSM66M-HC
PV MODULE POWER (P _{max})	645
OPEN CIRCUIT VOLTAGE (V)	45.28
VOLTAGE TEMP. COEFF. (%/°C)	0.25
INVERTER SPECIFICATION	
MANUFACTURER	POWER ELECTRONICS
INVERTER MODEL	FS2195K
MAX OUTPUT POWER (kW)	2000
AC OUTPUT CURRENT (A)	1837
NOM AC VOLTAGE (kV)	0.69
MAX INPUT CURRENT (A)	2295
MIN VOLTAGE START UP (V)	976
MAX INPUT VOLTAGE (V)	1500
PV SYSTEM SPECIFICATION	
DC SYSTEM SIZE (kW _p)	2817
TOTAL NUMBER OF MODULES	4368
AC SYSTEM NAMEPLATE (kW)	2000
TOTAL NUMBER OF INVERTERS	1
LOADING RATIO	1.41
INNER ROW SPACING (ft)	7
TURNING ANGLE RANGE (°)	50
2P X 14 QUANTITY	18
2P X 21 QUANTITY	43
TOTAL QUANTITY	61
BATTERY STORAGE SYSTEM SPECIFICATION	
MANUFACTURER	BYD
BESS MODEL	CP32-B2800-U-R4M02/WVR
MAX DC OUTPUT CURRENT (A)	669
NOM AC VOLTAGE (V-DC)	1094
BATTERY CAPACITY (kWh)	2610
OUTPUT POWER (kW)	625
TOTAL BESS UNIT QUANTITY	2
TOTAL BESS POWER (MW)	1.25
TOTAL BESS CAPACITY (kWh)	5220

NOTE:
 DRAWINGS ARE FOR
 PRELIMINARY USE ONLY.

NO.	REVISION / ISSUE	DATE
0.	Preliminary Layout	6-Oct-22

PROJECT NAME:
 Rancho Sereno Clean Power

ENGINEER STAMPING:

LOCATION: POI GPS COORDINATES:

DRAWING TITLE:
 SITE PLAN

AUTOCAD FILE NAME: 221006-RNA-RASE-2817K.WDC	SHEET: LAYOUT
PLOT FILE NAME: 221006-RNA-RASE-2817K.WDC	PLOT DATE: 6-Oct-22
DRAWN BY: UR	CHECKED BY:
SCALE: 1" = 70'	PLOT TIME: 15:46

**Mitigation Monitoring and Reporting Program
County File #CDLP22-02036**

**0 Byer Rd
Byron, CA 94514**

May, 2023

SECTION 3: AIR QUALITY**Potentially Significant Impacts:**

Potential Impact: Exhaust emissions and particulates produced by construction activities may cause exposure of the public or sensitive receptors to significant amounts of pollutants.

Mitigation Measures(s):

Mitigation Measure AIR-1: The following Bay Area Air Quality Management District, Basic Construction mitigation measures shall be implemented during project construction and shall be included on all construction plans:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
7. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
8. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
9. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
10. Replant vegetation in disturbed areas as quickly as possible.
11. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne

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toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

12. All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified visible emissions evaluator.

13. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations.

Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp approval of plans for the issuance of building/grading permits.
Party Responsible for Verification:	CDD staff
Compliance Verification:	Review of construction plans verifying AIR-1 measures are included in plan notes printed thereon.

SECTION 4: BIOLOGICAL RESOURCES

Potentially Significant Impacts:

Potential Impact (Nesting Birds) BIO-1: *The Proposed Project’s construction activities could result in the destruction or abandonment of nests of special-status or nonspecial-status bird species protected under the MBTA, CFGC, and CEQA.*

Potential Impact (Burrowing Owl) BIO-2: *The proposed project’s construction activities could result in the destruction or abandonment of nests or wintering refugia of burrowing owl.*

Potential Impact (Swainson’s Hawk) BIO-3: *Construction activities may result in disturbance of active Swainson’s hawk nesting.*

Potential Impact BIO-4 (Swainson’s hawk foraging): *The installation of solar infrastructure within the project area would result in removal of suitable Swainson’s hawk foraging habitat.*

Potential Impact BIO-5 (San Joaquin Kit Fox): *The following mitigation measures shall be implemented to prevent potential impacts to San Joaquin kit fox.*

Mitigation Measures(s):

Mitigation Measure BIO-1: *To the extent feasible, Project-related activities should be avoided during the nesting bird season, generally defined as February 1 – August 31. If project work must occur during the nesting bird season, pre-construction nesting bird surveys shall be conducted within 14 days of ground disturbance to avoid disturbance to active nests, eggs, and/or young of nesting birds. These surveys would determine the presence or absence of active nests that may be affected by Project activities. It is also recommended that any trees and shrubs in or adjacent to the Project Area that are proposed for removal and that could be used as avian nesting sites be removed during the non-nesting season (August 16 through January 31)*

In the event that a nest of a protected species is located, a no disturbance buffer shall be established around the nest until all young have fledged or the nest otherwise becomes inactive (e.g., due to predation). Suggested buffer zone distances differ depending on species, location, baseline conditions, and placement of nest and will be determined and implemented in the field by a qualified biologist.

Mitigation Measure BIO-2a: *Prior to construction, an agency approved biologist shall conduct a planning survey to identify potential burrowing owl breeding habitat within and in the immediate vicinity of the Project Area. If any identified habitat exists within the Project Area, preconstruction surveys to determine whether any identified habitats are occupied shall be conducted.*

Mitigation Measure BIO-2b: *Prior to any ground disturbance related to covered activities, an agency approved biologist shall conduct preconstruction (i.e., take avoidance) surveys in areas identified in the planning surveys as having potential burrowing owl habitat. Two site visits will be conducted: one within 14 days of construction start, and one within 48 hours of construction start. The surveys shall establish the presence or absence of western burrowing owl and/or habitat features and evaluate use by owls in accordance with California Department of Fish and Game (CDFG) survey guidelines (CDFG 1993). On the parcel where the activity is proposed, the biologist shall survey the proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint, as accessible, to identify burrows and owls. Adjacent parcels under different land ownership shall not be surveyed,*

but shall be assessed visually from within the Study Area. Surveys should take place near sunrise or sunset in accordance with CDFG guidelines. All burrows or burrowing owls shall be identified and mapped. During the breeding season (February 1– August 31), surveys shall document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1–January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results shall be valid only for the season (breeding or nonbreeding) during which the survey is conducted.

Mitigation Measure BIO-3a: *Prior to construction, an agency approved biologist shall conduct a pre-construction survey to identify whether or not Swainson’s hawk nesting is occurring on site or in the immediate vicinity. These surveys are phasic and shall be conducted according to the Swainson’s Hawk Technical Advisory Committee’s methodology (CDFG 2000). If occupied nests are identified, the project proponent shall avoid and minimize impacts to these nests in compliance with the Migratory Bird Treaty Act and the Fish and Game Code (Section 3503). Avoidance and minimization measures shall be incorporated into the project design and other portions of the application package prior to submission for coverage under the Plan. Avoidance measures shall include preserving the nest tree. If project construction occurs during the Swainson’s hawk nesting season (March 15–September 15), a preconstruction survey shall be required (as described in Mitigation Measure BIO-3b).*

Mitigation Measure BIO-3b: *Prior to any ground disturbance related to covered activities that occurs during the Swainson’s hawk nesting season (March 15–September 15), a qualified biologist shall conduct a preconstruction survey no more than 1 month prior to construction to establish whether Swainson’s hawk nests within 1,000 feet of the Study Area are occupied. If potentially occupied nests within 1,000 feet are outside of the Study Area, then their occupancy shall be determined by observation from public roads or by observations of Swainson’s hawk activity (e.g., foraging) near the Study Area. If nests are occupied, minimization measures and construction monitoring are required (see below).*

Mitigation Measure BIO-3c: *During the nesting season (March 15–September 15), covered activities within 1,000 feet of occupied nests or nests under construction shall be prohibited to prevent nest abandonment. If site-specific conditions or the nature of the covered activity (e.g., steep topography, dense vegetation, limited activities) indicate that a smaller buffer could be used, CDFW shall be consulted to determine the appropriate buffer size. If young*

fledge prior to September 15, covered activities can proceed normally. If the active nest site is shielded from view and noise from the Project Area by other development, topography, or other features, the project applicant can apply to the Implementing Entity for a waiver of this avoidance measure. Any waiver must also be approved by the appropriate regulatory agencies. While the nest is occupied, activities outside the buffer can take place.

Equipment shall be refueled offsite to the extent possible. If refueling is needed onsite, it will occur at least 100 feet from a surface water feature, and in a designated refueling area with secondary containment/plastic sheeting and a spill containment kit. Spill prevention and cleanup kits shall be available on the site at all times either in construction trucks or equipment. If contaminated soils or materials are discovered on the project site, they will be excavated and removed from the site and disposed of appropriately.

Mitigation Measure BIO-4: *The project proponent shall mitigate for the loss of Swainson’s hawk foraging habitat. The exact form of mitigation shall be determined in consultation with the East Contra Costa County Habitat Conservation Plan & Natural Community Conservation Plan, from which the project will be seeking take coverage. It is anticipated that the mitigation will be accomplished either through on-site easement entitlement, purchase of mitigation credits in an approved off-site bank, or a similar, approved mechanism.*

Mitigation Measure BIO-5: *A qualified biologist shall perform preconstruction surveys in accordance with the current USFWS-approved protocol for San Joaquin kit fox prior to ground- or vegetation-disturbing activities associated with pre-construction, geotechnical or soils investigations, construction, operations, or maintenance. Any potential or known dens identified during the survey shall require additional monitoring, exclusion zones, and construction site exclusion fencing.*

Implementing Action:	COA
Timing of Verification:	Prior to ground disturbing activities
Party Responsible for Verification:	CDD staff, Consulting Biologist.
Compliance Verification:	Review of Biologist’s report

SECTION 5: CULTURAL RESOURCES**Potentially Significant Impacts:**

Potential Impact: Subsurface construction activities could potentially damage or destroy previously undiscovered historic and prehistoric resources.

Potential Impact: Surface construction activities could potentially damage or destroy previously undiscovered archeological resource.

Potential Impact: Surface construction activities could potentially damage or destroy previously undiscovered human remains

Mitigation Measure(s):

Mitigation Measure CUL-1: The following Mitigation Measures shall be implemented during project related ground disturbance, and shall be included on all construction plans:

- a. All construction personnel, including operators of equipment involved in grading, or trenching activities will be advised of the need to immediately stop work if they observe any indications of the presence of an unanticipated cultural resource discovery (e.g. wood, stone, foundations, and other structural remains; debris-filled wells or privies; deposits of wood, glass, ceramics). If deposits of prehistoric or historical archaeological materials are encountered during ground disturbance activities, all work within 50 feet of the discovery shall be redirected and a qualified archaeologist, certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA), shall be contacted to evaluate the finds and, if necessary, develop appropriate treatment measures in consultation with the County and other appropriate agencies. If the cultural resource is also a tribal cultural resource (TCR) the representative (or consulting) tribe(s) will also require notification and opportunity to consult on the findings.

If the deposits are not eligible, avoidance is not necessary. If eligible, deposits will need to be avoided by impacts or such impacts must be mitigated. Upon completion of the archaeological assessment, a report should be prepared documenting the methods, results, and recommendations. The report should be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.

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<p><i>b. Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the land owner for treatment and disposition of the ancestor's remains. The land owner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.</i></p>	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp approval of plans for the issuance of building/grading permits.
Party Responsible for Verification:	CDD staff
Compliance Verification:	Review of construction plans verifying that CUL-1 measures are included on plan notes printed thereon.
<p>SECTION 7: GEOLOGY & SOILS</p>	
<p>Potentially Significant Impacts:</p> <p><i>Potential Impact: There is a possibility that buried fossils and other paleontological resources could be present and accidental discovery could occur.</i></p>	
<p>Mitigation Measure(s):</p> <p><i>CUL-1: The implementation of the above-described Mitigation Measure CUL-1 would reduce potential impact on previously undiscovered paleontological resources to a less than significant level.</i></p>	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp approval of plans for the issuance of building/grading permits.

Party Responsible for Verification:	CDD staff
Compliance Verification:	Review of construction plans verifying that CUL-1 measures are included on plan notes printed thereon.
SECTION 18: TRIBAL CULTURAL RESOURCES	
Potentially Significant Impacts:	
<p><i>Potential Impact:</i> Construction and grading could cause ground disturbance which may impact heretofore undocumented tribal cultural resources.</p> <p><i>Potential Impact:</i> The project could cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. The expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources.</p>	
<p><i>Mitigation Measure:</i> Implementation of mitigations measure CUL-1 would reduce the impact on previously undiscovered tribal cultural resources to a less than significant level.</p>	
Implementing Action:	COA
Timing of Verification:	Prior to CDD stamp approval of plans for the issuance of building/grading permits.
Party Responsible for Verification:	CDD staff
Compliance Verification:	Review of construction plans verifying that CUL-1 measures are included on plan notes printed thereon.

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