CEQA ENVIRONMENTAL CHECKLIST FORM (REVISED JANUARY 7, 2019)

1.	**Project Title:**	Opson Solar Project County File #LP25-02033
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:**	20-Acre Southern Parcel 5675 Hope Way Byron, CA 94514 Assessor's Parcel Numbers: 002-210-021 10-Acre Northern Parcel 5595 Byron Hot Springs Road Byron, CA 94514 Assessor's Parcel Number: 002-210-020
5.	**Project Sponsors' Names and Address:**	John Milochik P.O. Box 2996 Livermore, CA 94551
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 A-3 Heavy Agricultural (A-3) District, and Solar Energy Generation (-SG) Combining District.

8. **Description of Project:** The applicant is requesting Land Use Permit approval for a proposed commercial solar energy generation facility on a 30-acre project site comprised of two adjoining parcels presently under common ownership. The proposed 6.6-megawatt (MW) capacity commercial solar energy generation facility would include approximately 11,760 solar panel modules arranged in uniformly spaced arrays throughout the project site. The panel arrays would be mounted on support piers and will include single-axis tracking systems to rotate the panel arrays to track the sun's movement through the sky. Due to the single-axis tracking system, the height of the facility would vary throughout the day. The solar panel arrays would have a maximum height of 7'6" shortly after dawn and prior to dusk when the panels are at their maximum angular orientation. When the sun is directly overhead, the panel arrays would be at their minimum angular orientation (i.e. flat) resulting in a panel array height of 4'6". The proposed facility also includes a 10 megawatt-hour (MWh) battery energy storage system capable of storing excess solar energy generated onsite for export into the public utility grid during nighttime hours or when otherwise necessary. The proposed BESS system would be located at the northwestern corner of the project site, near the site's Byron Hot Spring Roads frontage on a proposed 20'x40' concrete pad. The subject property consists of a ±10-acre northerly parcel (APN: 002-210-020) and a ±20-acre

southerly parcel (APN: 002-210-021). The Project will interconnect to Pacific Gas and Electric Company's (PG&E's) pre-existing electrical distribution system located within pubic-rights-of way adjoining the project site.

9. **Surrounding Land Uses and Setting:** The two project sites are located along the eastern side of Byron Hot Springs Road, roughly 0.4 miles south of the intersection of Byron Highway in the Byron area of unincorporated Contra Costa County. The 10-acre northern site (APN: 002-210-020) is presently being utilized by a ready-mix recycling facility which is permitted to process wood, dirt, blocks, stones, CMU blocks, stucco, clay and roof tiles. The entirety of the 10-acre northern site is covered in aggregate base, with the exception of those areas that have been improved with concrete driveways. The northern site property is largely level, and slopes gently (0.4 to 0.6%) from west to east. The southern site (APN: 002-210-021) consists of fallow farmlands having no existing buildings or structural improvements. The southern site is essentially devoid of vegetation due to routine disking of the land occurring three to four times per year.

   Surrounding land uses include similar commercial solar energy generation facilities, as well as agricultural uses (e.g., rangeland, crop farming), rock and material quarries, and rural residential properties. In the greater project vicinity, the Byron Airport is located approximately 0.75 miles southwest of the project, the Clifton Court Forebay is located approximately 1.3 miles east, and the census designated place of Byron is located approximately 1.2 miles to the northwest.

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.

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. On January 15, 2026, County staff sent a Notice of Opportunity to Request Consultation to the Confederated Villages of Lisjan Nation and Wilton Rancheria. The notices provided the tribal groups, both of whom have previously requested County notification for discretionary project undergoing environmental review, with 30 days to request consultation on the proposed project. Within 30 days of the January 15 letter, both Tribal groups replied via email with a request for consultation. Consultation with the Wilton Rancheria concluded on March 26, 2026. Consultation with the Confederated Villages of Lisjan Nation concluded on April 8, 2026. Both groups have provided comments that have been considered in the review of the project, and all Tribal recommendations for mitigation measures have been incorporated into this document within the Tribal Cultural Resources section.

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.		
☒ Aesthetics	☐ Agriculture and Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☒ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☒ Tribal Cultural Resources
☐ Utilities/Services Systems	☐ Wildfire	☒ 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.

10/08/2026

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

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?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐

SUMMARY:

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

Figure COS-12 of the *Conservation, Open Space, and Working Lands Element* of the Contra Costa County 2045 General Plan identifies major scenic ridges and scenic waterways in the County. According to this map, there are no such scenic resources on or near the project site. Thus, the project would not result in a significant impact on a scenic vista.

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)***

Figure COS-12 of the *Conservation, Open Space, and Working Lands Element* of the Contra Costa County 2045 General Plan identifies State-Designated Scenic Highways, State-Eligible Scenic Highways, and County-Designated Scenic Routes within the County. According to this figure, the project site is immediately adjacent to two County Designated Scenic Routes, Byron Hot Springs Road and Byron Highway. The Byron Hot Springs Road right-of-way fronts the project site for approximately 786 feet along the western boundary of the project site, whereas the Byron Highway right-of-way is situated 100 feet east of the site, opposite an existing 100-foot-wide Southern Pacific Railroad easement comprising the entire eastern boundary of the site and which runs along the west side of the Byron Highway right-of-way. The scenic quality includes naturally pleasing elements such as agricultural ranges, orchards, and scattered native vegetation amongst the backdrop of distant panoramic views of Mt Diablo and surrounding foothills.

If the project is approved, it would be visible from Byron Highway and from portions of the Byron Hot Springs Road rights-of-way in the project vicinity. The impact from the proposed commercial solar project would be limited considering the project's proximity to similar existing commercial solar facilities on northern adjacent land, and to other existing light industrial uses in the immediate project vicinity. The project would expectedly result in negligible view impacts from vantage points along Byron Hot Springs Road since the primary viewing corridor along this roadway is westward towards Mount Diablo and surrounding foothills, whereas the project is located east of this roadway and outside of the primary view corridor. Similarly, for motorists travelling on Byron Highway, westward views towards Mount Diablo are considered the primary view corridor. Although the project would result in new improvements on lands adjacent to the County-designated scenic route, this would not expectedly result in significant view impacts due to the low profile of the solar arrays (having a maximum height of 7' 6"). Additionally, since the solar panels are attached to a single-axis tracker which keeps the array oriented towards the sun as it moves across the sky, the array is typically lower than 7'6" in height, as (low as 4'6" tall when the sun reaches its zenith), and only reaching its maximum height during the hours immediately after sunrise and immediately prior to sunset. Further, the arrays would be setback over 100 feet distant from the traveled roadway, which further diminishes the potential for the solar array structures to impair distant mountain views existing west of the site. To the extent that any visual impacts may occur, they would be limited to the portion of the Byron Highway immediately adjacent to the project site, a stretch of roadway where two similar existing facilities are also visible. Thus, considering the minor nature of the anticipated view impacts, and the projects surroundings, the project would not damage scenic resources to any significant degree.

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 of the site from the project improvements could impact views from surrounding properties. This could have an impact on the visual character of the site; however, since the project is immediately adjacent to similar facilities existing in the immediate vicinity, the project would not substantially change existing conditions where commercial-scale solar panel arrays already exist amongst pastoral land uses. The project would increase the cumulative acreage of commercial scale solar facilities adjacent to Byron Highway in a manner consistent with existing development in the immediate vicinity, thus limiting the project's potential to degrade scenic quality. Therefore, the project would have less than significant impacts in this respect.

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 With Mitigation)***

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 specified within the County Solar Ordinance, the facility may not include any type of illuminated signal, lights, or other illumination, except as necessary for the operation of the facility. Should lighting be added to the facility, it could be considered a significant impact. The following mitigation measure would minimize this impact to a less than significant level.

Potential Impact AES-1: *The lighting associated with the facility could cause a significant new source of light which would adversely affect day or nighttime views in the area.*

Mitigation Measure AES-1: *No lights or beacons may be installed, unless lights or beacons are required by a state or federal agency having jurisdiction over the facility, such as the California Public Utilities Commission, Federal Communications Commission, or Federal Aviation Administration, or if lights or beacons are recommended by the County Airport Land Use Commission.*

Due to the projects proximity to the Byron Airport, located approximately 0.75 miles south of the project, CDD staff has forwarded the project to the Contra Costa County Airport Land Use Commission (ALUC) for review and comment. In a memo dated September 30, 2025, ALUC staff advised that the project is of a type and scale that would not result in inconsistencies with Airport Land Use Compatibility Plan. Specifically, ALUC staff states that the project would not expectedly result in substantial glare impacts based on the project site's proximity to APN 002-210-019 (adjacent parcel located immediately north of the proposed project), on which a comparable commercial-scale solar energy generating facility has been previously established. In connection with the establishment of the adjacent facility, Glare Impact Studies consistent with Federal Aviation Administration (FAA) guidelines were prepared by Thomas Cleveland, dated September 20, 2020, to evaluate the potential for a facility in this area to result in potentially significant aesthetic impacts relating to glare. The study evaluated the potential for the neighboring project to result solar glare of any intensity for every minute of the year at many user-defined observation points and/or routes. Based on this review, it was determined that the existing adjacent facility would not produce glare at any of the analyzed observation locations. The report does note, however, that for a few minutes near sunrise or sunset during certain months of the year pilots on final approach to runways 12 or 23 at the nearby Byron Airport may experience some low-intensity ("green") glare, which, according to the report, would not create any hazard. CDD staff is not aware of any glare issues reported for the existing facility during its first several years of operation. Since the presently proposed facility is immediately adjacent to the site of the previous study, involving similar equipment deployed at a comparable scale, and does not lie beneath the flight path for any existing airport runways, the findings of the prior study are considered representative of the potential for glare impact from the currently proposed project. Therefore, less than significant impacts are expected with respect to glare.

Sources of Information

- Contra Costa County 2045 General Plan, *Conservation, Open Space, and Working Lands Element*
- Hubbard Farming & Forestry. *Opson.* (Project Plans). Received 9/3/2025.

- Thomas Cleveland. *Glare Impact Study of Byron Highway Solar Facility.* September 20, 2020.
- Contra Costa County Airport Land Use Commission (ALUC) Agency Comments dated September 30, 2025

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?	☐	☐	☒	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐
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)?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☒	☐

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

As shown on the California Important Farmland Finder (CIFF) mapping published by the California Department of Conservation (CA DOC), the northerly 10-acre parcel (APN 002-210-020) consists of lands classified as "Other Land". Lands immediately north of the project site are also within the "other land" designation and are presently entitled for a commercial-scale solar energy generation facility. The southerly 20-acre parcel (APN 002-210-021) consists of lands having a "Unique Farmland" designation. Adjacent lands to the south of the project also predominantly consist of "Unique Farmland". The CIFF mapping indicates that portions of the southern adjacent parcel also include land designated "Prime Farmland", and that such Prime Farmland may include areas along the southern periphery of the project site.

The farmland designations shown on CIFF mapping are updated biennially through the Farmland Mapping and Monitoring Program (FMMP) managed by the CA DOC. "Unique Farmland" is defined by the CA DOC as "farmland of lesser quality soils used for the production of the state's leading agricultural crops… Land must have been cropped at some time during the four years prior to the mapping date". The southerly parcels' current "Unique Farmland" designation is based on photo interpretive data used during the 2022 FMMP mapping cycle. The current property owner acquired the subject property in 2020. The property was not actively cultivated at the time, with the last known plantings occurring in 2019 or earlier, consistent with the photo interpretive data used during the 2022 FMMP mapping cycle. However, the property has not been cropped at any time since it was purchased and it is not irrigated, which limits the current potential for such use of the property. Thus, CA DOC definition for "Unique Farmland" is not consistent with the recent land use on the property. Further, poor soil quality on site and the lack of irrigation limits the potential for the site to support active cultivation. Lastly, the project would not significantly alter the land in a manner that would preclude future agricultural use on the subject property, either after the facility has been decommissioned/removed, or concurrently through agrovoltaics.

According to United States Department of Agriculture Web Soil Survey data, the vast majority (95%) of the project site consists of Solano Loam (Sh) soils. Solano Loam soils have a Class 6 irrigated land capability, where Class 1 and Class 2 are considered "prime" soils that are best suited for agricultural production. The USDA Web Soil survey indicates that approximately 4% of the project site is comprised of land having prime soils (±1.17 acres of Class 2 Rincon Clay Loam located along southern project boundary). Nevertheless, this small pocket of prime soil mapped on the project site does not materially improve the viability of the soils present throughout the rest of the site. Given, the project would not result in any significant impacts to any substantial acreage of workable farmland on "Prime" designated soil, the project would have less than significant impacts in this respect.

The project will be entirely contained within the 30-acre subject property, and the area is physically separated from adjoining agricultural areas by existing roadway and railroad improvements located immediately east and west of the site. Thus, adjacent lands south of the project represent the only actively cultivated land that is directly contiguous to the project. Since the project would not require significant topographical modification, large buildings or other urbanized improvements, the project would expectedly have little to no impact on the continued viability of agricultural land use on the adjoining land. Therefore, in cumulative consideration of the poor soil quality that characterizes the project site, the lack of irrigation, and recent use of the property, the project would have less than significant impacts resulting from the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide importance to a non-agricultural use

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 Heavy Agriculture zoning district and the Solar Energy Generation (-SG) Combining District. When combined with the -SG combining district, commercial solar facilities are allowed in agriculturally zoned districts. The subject property is not included in a Williamson Act contract, and there is no reason to believe the project would

conflict with any existing agricultural uses. Furthermore, as required by the County's solar ordinance the site would be required to be restored to its pre-project agricultural state in the event that the solar energy generation land use is decommissioned. Therefore, the project would not conflict with existing agricultural zoning or with a Williamson Act contract and would have less than significant impacts in this regard.

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 district, and the -SG combining district, and the proposed use is an allowed land use within said zoning district. 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." There are no lands used for timber harvesting within Contra Costa 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.

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

The proposed project would add a commercial-scale solar energy generation facility on agriculturally designated parcels. The entirety of the 10-acre northerly parcel has been disturbed by development associated with an existing ready-mix facility, an established non-agricultural land use. Thus, no impacts converting agricultural lands could occur over the northerly 10-acres of the project site. The southerly 20-acre parcel is presently unimproved, fallow farmland. The project would result in the installation of solar panel arrays throughout approximately 20 acres of fallow farmland; however, such improvements are considered compatible with agricultural land uses within the County Solar Energy Generation Combining District and would not preclude the future use of the land for agricultural purposes. Furthermore, as required by the Solar Ordinance, the properties would be required to be returned to their pre-developed agricultural state, following the solar use. Thus, the project would have a less than significant impact resulting in the conversion of farmland to non-agricultural use.

Sources of Information

- Contra Costa County Code, Title 8, Zoning Ordinance.
- Contra Costa County 2045 General Plan. *Land Use Element*.
- California Department of Conservation - Contra Cost County Important Farmland Finder (CIFF) (DLRP Important Farmland Finder)
- California Department of Conservation - Important Farmland Categories https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx
- United States Department of Agriculture Web Soil Survey - Web Soil Survey

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?	☐	☐	☒	☐
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?	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

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 BAAQMD 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. To this end, 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 conducive to this transition, and no air pollution emissions are expected from the operation of the facility. Therefore, considering that the nature of the proposed project is consistent with the Clean Air Plans stated goal to encourage a transition to renewable sources of energy, the project is in furtherance of the implementation of the Clean Air Plan and would have no significant impacts resulting from conflicts with said plan.

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 Mitigation)***

The region is in nonattainment for the federal and state ozone standards, the state PM10 standards, and the federal and state PM2.5 standards. The operation of the facility would not emit any air pollutants whatsoever; however, the construction phase of the project would involve the short-term use of equipment, some of which may emit ozone and/or particulate matter (e.g. PM10 or PM2.5) criteria air pollutants. 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 the face of 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 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 depend 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 BAAQMD recommended mitigation measures (**Mitigation Measure AIR-1**) to reduce construction dust and exhaust impacts. Implementation of these mitigation measures 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-specified Mitigation Measure Air Quality 1 ensures that such impacts are reduced to 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 such issues (e.g. near 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 rural location of the project and that these odors would be temporary; this 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. 2022. *CEQA Guidelines.* *CEQA Thresholds and Guidelines Update*

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?	☐	☒	☐	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
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?	☐	☐	☒	☐

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 With Mitigation)***

For purposes of evaluating potential project-related impacts on biological resources, including candidate, sensitive, or special status species, a Biological Resources Assessment (BRA) titled *Byron OPSON Solar Project*, has been prepared by consulting biologists with First Carbon Solutions, or "FCS" in accordance with the Federal Endangered Species Act (FESA) and the California Environmental Quality Act (CEQA). The FCS BRA included a review of existing environmental documentation for the site, including a February 2, 2026, biological assessment by Condor Country Consulting, Inc., as well as a November 5, 2010, biological assessment by Wood Biological Consulting. Additionally, FCS conducted a general wildlife, habitat, vegetation community, and aquatic resource survey on July 16, 2026. Prior field surveys performed on the

project site by previous consultants (referenced in existing environmental documentation) on February 2, 2026, and October 28, 2010, were also considered by FCS in their evaluation of the project. Further, FCS conducted a review of current United States Geological Survey (USGS) 7.5-minute topographic quadrangle maps, Environmental Protection Agency (EPA) Watershed Assessment, Tracking, and Environmental Results System (WATERS), as well as United States Department of Agriculture (USDA) soil surveys to inform their determinations on potential habitat value provided on the project site.

An FCS Biologist compiled a list of threatened, endangered, and otherwise special status species based on a nine-quadrangle database review for previously recorded occurrences within the project site vicinity. The list was based on FCS's special-status species assessment and subsequent supplemental documentation, search of the CDFW California Natural Diversity Database (CNDDB), and the California Native Plant Society (CNPS) Electronic Inventory of Rare and Endangered Vascular Plants of California (CNPS Inventory) for the USGS *Clifton Court Forebay, California* 7.5-minute Quadrangle Map and the eight surrounding quadrangles.

Special-Status Plant Species

The CNDDP and CNPS list 51 special-status or sensitive plant species that have been recorded within the *Clifton Court Forebay, California* USGS Topographic Quadrangle Map and the eight surrounding quadrangles. Of the 51 species recorded within the project vicinity, FCS has determined that 39 are unlikely to occur on the site due to unsuitable habitat and/or lack of known occurrences in the project vicinity. The basis for excluding each of these 39 species is summarized in the FCS BRA (Appendix B, Table 1). The 12 special-status or sensitive species determined by FCS to have at least a low potential to occur within the site are described in further detail below.

Alkali Milk-vetch (*Astragalus tener var. tener*) - CNPS Rank 1B.2 Plant Species: This annual herb is associated with playas, valley and foothill grasslands, and vernal pool habitats, where it grows primarily in adobe, alkaline, and clay soils. The species occurs from 0 to 170 meters in elevation and typically blooms from March through June. The potential for alkali milk-vetch to occur within the project site is low. The site contains a regularly disced field with alkaline soils. Furthermore, two historical occurrences have been documented within 5 miles of the project site, and no recent occurrences have been recorded within 10 miles. Based on the limited extent of suitable habitat, site disturbance, and presence of nearby records, the likelihood of this species occurring on site is low.

Heartscale (*Atriplex cordulata var. cordulata*) – CNPS Rank 1B.2 Plant Species: This annual herb is associated with chenopod scrub, meadows and seeps, and valley and foothill grassland habitats, where it grows in sometimes alkaline, sometimes saline, sandy soils. The species occurs from 0 to 560 meters in elevation and typically blooms from April through October. The potential for heartscale to occur within the project site is low. The project site contains a regularly disced field and alkaline soils representing potentially suitable habitat conditions for the species. Additionally, one recent occurrence has been documented within 5 miles of the project site, indicating the species is present in the local area. Based on the presence of potentially suitable habitat and a nearby recent occurrence, heartscale has been determined to have a low potential to occur on-site.

Crownscale (*Atriplex coronata var. coronata*) – CNPS Rank 4.2 Plant Species: This annual herb is associated with chenopod scrub, valley and foothill grassland, and vernal pool habitats, where it grows primarily in alkaline, often clay soils. The species occurs from 1 to 590 meters in elevation and typically blooms from March through October. The potential for crownscale to occur within the project site is low. The project site contains a regularly disced field and alkaline soils representing potentially suitable habitat conditions for the species. Additionally, three recent occurrences have been recorded within 5 miles of the project site, indicating that crownscale is present in the local area. Based on the presence of suitable habitat and multiple recent nearby occurrences, crownscale has been determined to have a low potential to occur on-site.

Brittlescale (*Atriplex depressa*) – CNPS Rank 1B.2 Plant Species: This annual herb is associated with chenopod scrub, meadows and seeps, playas, valley and foothill grassland, and vernal pool habitats, where it grows primarily in alkaline, clay soils. The species occurs from 1 to 325 meters in elevation and typically blooms from April through October. The potential for brittlescale to occur within the project site is low. The project site contains a regularly disced field and alkaline soils representing potentially suitable habitat conditions for the species. Additionally, three recent occurrences have been recorded within 5 miles of the project site, indicating that brittlescale is present in the local area. Based on the presence of suitable habitat and multiple recent nearby occurrences, brittlescale has been determined to have a low potential to occur on site.

Congdon's Tarplant (*Centromadia parryi ssp. Congdonii*) – CNPS Rank 1B.1 Plant Species: This annual herb is associated with valley and foothill grassland habitats, where it grows primarily in alkaline soils. The species occurs from 0 to 245 meters in elevation and typically blooms from May through October, with blooming occasionally beginning in April and extending into November. The potential for Congdon's tarplant to occur within the project site is low. The project site contains a regularly disced field and alkaline soils representing potentially suitable habitat conditions for the species. Additionally, one recent occurrence has been documented within 10 miles of the project site, indicating the species is present in the surrounding area. Based on the presence of potentially suitable grassland habitat and a recent nearby occurrence, Congdon's tarplant has been determined to have a low potential to occur on-site.

Recurved larkspur (*Delphinium recurvatum*) – CNPS Rank 1B.2 plant species. This perennial herb is associated with chenopod scrub, cismontane woodland, and valley and foothill grassland habitats, where it grows primarily in alkaline soils. The species occurs from 3 to 790 meters in elevation and typically blooms from March through June. The potential for recurved larkspur to occur within the project site is low. The project site contains a regularly disced field and alkaline soils representing potentially suitable habitat conditions for the species. Additionally, one historical occurrence has been documented within 1 mile of the project site and three additional historical occurrences have been recorded within 5 miles of the project site, indicating the species has been present in the immediate vicinity. Based on the presence of potentially suitable habitat and multiple nearby historical occurrences, recurved larkspur has been determined to have a low potential to occur on-site.

Diamond-Petaled California Poppy (*Eschscholzia rhombipetala*) – CNPS Rank 1B.1 Plant Species: This annual herb is associated with valley and foothill grassland habitats, where it grows primarily in alkaline, clay soils. The species occurs from 0 to 975 meters in elevation and typically

blooms from March through April. The potential for diamond-petaled California poppy to occur within the project site is low. The project site contains a regularly disced field and alkaline soils representing potentially suitable habitat conditions for the species. Additionally, one recent occurrence has been documented within 5 miles of the project site, indicating the species is present in the local area. Based on the presence of potentially suitable habitat and a recent nearby occurrence, diamond-petaled California poppy has been determined to have a low potential to occur on-site.

San Joaquin Spearscale (*Atriplex joaquinana*) – CNPS Rank 1B.2 Plant Species: This annual herb is associated with chenopod scrub, meadows and seeps, playas, and valley and foothill grassland habitats, where it grows primarily in alkaline soils. The species occurs from 0 to 835 meters in elevation and typically blooms from April through October. The potential for San Joaquin spearscale to occur within the project site is moderate. The project site contains a regularly disced field and alkaline soils representing potentially suitable habitat conditions for the species. Additionally, 16 recent occurrences have been documented within 5 miles of the project site, indicating that the species is well represented in the local area. Based on the presence of suitable habitat and numerous recent nearby occurrences, San Joaquin spearscale has been determined to have a moderate potential to occur on-site.

Stinkbells (*Fritillaria agrestis*) CNPS Rank 4.2 Plant Species: This perennial bulbiferous herb is associated with chaparral, cismontane woodland, pinyon and juniper woodland, and valley and foothill grassland habitats, where it grows in heavy alkaline clay soils. The species occurs from 10 to 1,555 meters in elevation and typically blooms from March through June. The potential for stinkbells to occur within the project site is low. The project site contains a regularly disced field and alkaline soils representing potentially suitable habitat conditions for the species. However, much of the project site is located below the documented elevation range for stinkbells, which may reduce habitat suitability. Additionally, two recent occurrences have been documented within 5 miles of the project site, indicating the species is present in the local area. Based on the presence of suitable grassland habitat and nearby recent occurrences, despite the site's elevation, stinkbells have been determined to have a low potential to occur on-site.

Hogwallow Starfish (*Hesperevax caulescens*) – CNPS Rank 4.2 Plant Species: This annual herb is associated with valley and foothill grassland and shallow vernal pool habitats, where it grows in sometimes alkaline, clay, mesic soils. The species occurs from 0 to 505 meters in elevation and typically blooms from March through June. The potential for hogwallow starfish to occur within the project site is low. The project site contains a regularly disced field and alkaline soils representing potentially suitable habitat conditions for the species. Additionally, two recent occurrences have been documented within 5 miles of the project site, indicating the species is present in the local area. Based on the presence of suitable grassland and vernal pool habitat and nearby recent occurrences, hogwallow starfish has been determined to have a low potential to occur on-site.

California Alkali Grass (*Puccinellia simplex*) – CNPS Rank 1B.2 Plant Species: This annual herb is associated with chenopod scrub, meadows and seeps, valley and foothill grassland, and vernal pool habitats, where it is typically found on flats, lake margins, and sinks in alkaline, vernally mesic soils. The species occurs from 1 to 930 meters in elevation and typically blooms

from March through May. The potential for California alkali grass to occur within the project site is low. The project site contains a regularly disced field and alkaline soils representing potentially suitable habitat conditions for the species. Additionally, three recent occurrences have been documented within 5 miles of the project site, indicating the species is present in the local area. Based on the presence of suitable habitat and multiple recent nearby occurrences, California alkali grass has been determined to have a low potential to occur on-site.

Caper-Fruited Tropidocarpum (*Tropidocarpum capparideum*) – CNPS Rank 1B.1 Plant Species: This annual herb is associated with valley and foothill grassland habitats, where it is typically found on hills and grows in alkaline soils. The species occurs from 0 to 455 meters in elevation and typically blooms from March through April. The potential for caper-fruited tropidocarpum to occur within the project site is low. The project site contains a regularly disced field and alkaline soils representing potentially suitable habitat conditions for the species. Additionally, one recent occurrence has been documented within 10 miles of the project site, and four historical occurrences have been recorded within 5 miles of the project site, indicating the species has been present in the surrounding area. Based on the presence of potentially suitable habitat, a recent regional occurrence, and multiple nearby historical occurrences, caper-fruited tropidocarpum has been determined to have a low potential to occur on-site.

Special-Status Plant Species Impact Analysis:

As determined by the consulting biologist (FCS), the proposed project could permanently impact 4 acres of potentially suitable habitat (within the southern portion of the project site) for the 12 special-status plants identified above. Only one such species (San Joaquin spearscale) has at least a "moderate" potential to occur on site, while all other above-mentioned species are characterized as "low" potential for occurrence. The San Joaquin spearscale is covered under the East Contra Costa County Habitat Conservation Plan & Natural Community Conservation Plan (ECCC HCP/NCCP). If the project is approved, it is the intent of the applicant to seek take coverage for the project under the ECCC HCP/NCCP to mitigate for potential impacts resulting from the project. Mitigation of potential impacts to these species would follow the conditions determined during the ECCC HCP/NCCP permit application process, which at a minimum would require submission of a Planning Survey Report as well as implementation of project specific conditions, as determined by ECCC HCP/NCCP staff to reduce project-related impacts to covered plant species to less than significant levels. In the event that the proposed project is not covered under the ECCC HCP/NCCP, or the Planning Survey Report reveals the presence of species not eligible for take coverage under the ECCC HCP/NCCP, then the proposed project would also implement Mitigation Measure BIO-1 (**MM BIO-1**) to ensure potential project related impacts are reduced to less than significant level.

Potential Impact BIO-1: *Construction activities on the project site could result in potentially significant impacts to occupied habitat supporting special status plant species.*

Mitigation Measure BIO-1: *Impacts to occupied habitat supporting special-status plant species, including alkali milk-vetch, heartscale, crownscale, brittlescale, Congdon's tarplant, recurved larkspur, diamond-petaled California poppy, San Joaquin spearscale, stinkbells, hogwallow starfish, California alkali grass, and caper-fruited tropidocarpum, shall be mitigated through compensatory mitigation at a minimum 1:1 ratio. Approximately 4 acres of potentially occupied*

habitat supporting one or more of these special-status plant species are presumed to be permanently impacted by project implementation. To compensate for the potential impact, the proposed project would preserve restore, enhance, create, or otherwise protect a minimum of 1 acre for every acre of occupied habitat that is impacted.

Prior to ground disturbance, mitigation shall be accomplished through one or a combination of the following measures, subject to approval by California Department of Fish and Wildlife (CDFW) or other applicable regulatory agency:

1. *Creation or enhancement and management of on-site areas to compensate for the affected special-status plant species at a minimum 1:1 acreage ratio, including long-term management, monitoring, and adaptive measures to ensure mitigation success.*

2. *Restoration or enhancement of off-site occupied or suitable habitat for the affected special-status plant species at a minimum 1:1 acreage ratio, including long-term management, monitoring, and adaptive management measures to ensure mitigation success.*

3. *Acquisition and permanent protection of off-site occupied habitat supporting the affected special-status plant species, with transfer to a land trust, public agency, or other qualified conservation organization responsible for long-term management and stewardship.*

4. *Purchase of credits from an approved mitigation or conservation bank that provides equivalent conservation value for the impacted special-status plant species or associated habitat communities.*

Should state or federal resource agencies require alternative mitigation measures or mitigation ratios that provide equal or greater protection for the affected special-status plant species, those requirements shall supersede the measures identified above.

<u>Special Status Wildlife Species</u>:

The CNDDB identifies 44 federal and State-listed threatened and/or endangered wildlife species and State species of special concern (State SCC) that have been recorded within the *Clifton Court Forebay, California* USGS Topographic Quadrangle Map and eight surrounding quadrangles. The FCS BRA includes a Special-status Wildlife Species Evaluation Table (Appendix B, Table 2) that lists each of these 44 species and for each includes species' status, required habitat type/features, and potential for that species to occur within the project site. Most species included on Appendix B Table 2 have been determined to have no potential to occur on-site, primarily based on the absence of suitable habitat and the lack of recorded occurrence in the project vicinity. The table includes justification(s) for the exclusion of such species from further discussion. Several special-status wildlife species, including burrowing owl (*Athene cunicularia*), Swainson's hawk (*Buteo swainsoni*), and California horned lark (*Eremophila alpestris actia*), have at least a low potential to occur within the project site and are therefore discussed in further detail below. Additionally, species such as the prairie falcon (*Falco mexicanus*), white tailed kite (Elanus leucurus), and northern harrier (Circus hudsonius) are unlikely to nest on-site but have the potential to utilize the site for foraging.

Burrowing Owl (*Athene cunicularia*) - On October 10, 2024, the California Fish and Game Commission (Commission) voted to name burrowing owl as a candidate for potential listing as a protected species under CESA. Following this decision, the CDFW will undertake a 1-year review of the species' status before the Commission is expected to make a final decision on listing. As a candidate for potential listing, the species is temporarily afforded the same protections as a State-listed endangered or threatened species under CESA. This species receives additional protection under the MBTA and California Fish and Game Code Section 3503.

This species inhabits open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. It is a subterranean nester and is dependent upon burrowing mammals, most notably, the California ground squirrel. CNDDB records show that here are 53 recent occurrences of this species within 5 miles of the project site, the nearest of which is 0.3 mile southeast of the project site from 2021. The project site contains marginally suitable ground squirrel burrows along its periphery and within adjacent parcels. Numerous nearby occurrences indicate the species is present in the region. The marginal nesting habitat within the project site and the lack of vegetation for cover constrains its potential use of the area. Therefore, this species has a moderate potential to occur within the project site.

Swainson's Hawk (*Buteo swainsoni*): Swainson's hawk is State-listed as threatened and is protected under the MBTA. This species breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, and agricultural or ranch lands containing groves or lines of trees. Swainson's hawks require suitable nesting substrates, typically mature trees, and adjacent foraging habitat such as grasslands, pastureland, or agricultural fields that support rodent populations. The project site does not contain trees, riparian areas, savannahs, or groves of trees that would provide suitable nesting habitat for this species. However, a grove of eucalyptus trees occurs on the adjacent parcel to the north, and the regularly disced field may provide suitable foraging habitat. CNDDB records indicate there are 20 recent occurrences of this species within 5 miles of the project, the nearest of which is 1 mile east of the project site from 2017. Although these nearby occurrences indicate that Swainson's hawk is present in the region, the lack of suitable nesting habitat within the project site substantially limits its potential use of the area. Therefore, Swainson's hawk has a low potential to occur within the project site.

American Badger (*Taxidea taxus*): American badger (*Taxidea taxus*) is designated as a California SSC. This species is most abundant in dry, open shrubland, grassland, and woodland habitats with friable soils that support burrowing rodents, its primary prey. American badgers require open, uncultivated ground suitable for excavation and construct extensive burrow systems for shelter and reproduction. The project site contains a regularly disced field that lacks substantial vegetative cover and may provide limited habitat value for this species. However, adjacent parcels may provide more suitable habitat conditions, including undisturbed areas with friable soils and potential prey resources. CNDDB records indicate only one recent occurrence of this species within 5 miles of the project site, located 3.4 miles south of the site from 2007. There are three historical occurrences prior to the year 2000 present within 5 miles of the site. Dispersing young can travel up to 32 miles from their home range when establishing new territories, indicating that this species may disperse through the site prior to development. Therefore, although there is limited habitat suitable for this species on-site, American badger has a low potential to occur within the project site.

California Horned Lark (Eremophilia alpestris actia): California Horned Lark is not formally designated as protected, threatened or candidate species under CESA, but is federally protected under the MBTA. This species is found in open areas containing low vegetation, such as short-grass prairies, grazed grasslands, fallow agricultural fields, pastures, and recently burned habitats. It prefers sites with sparse vegetation cover, generally 25% or less, and tends to avoid dense grasslands and shrublands. The project site contains suitable habitat to support this species in the form of fallow agricultural fields and pasture. There are several occurrences of this species within 5 miles of the project site, the nearest of which occurred in 1993 3.7 miles south of the project site. Based on the availability of suitable habitat and the documented nearby occurrences, this species has been determined to have a low probability of occurrence on the project site.

Protected Nesting Birds (Including All Special-Status Bird Species): The immediate project vicinity contains several mature trees which could provide suitable nesting habitat for native resident and migratory bird species. Additionally, areas within the project site contain suitable nesting habitat for ground-nesting species, including birds of prey (raptors) protected under federal and State regulations while nesting, as well as special status-status species including the California horned lark.

White-tailed kite, northern harrier, and prairie falcon have been determined unlikely to nest within disturbance distance of the project site either due to the lack of recorded nesting occurrences within a five-mile radius of the site and/or a lack of suitable nesting habitat; however, these species may migrate over the site and potentially utilize the site in a foraging capacity.

Special-Status Wildlife Species Impact Analysis:

American Badger: The American Badger has been determined to have a low potential to occur within the project site. However, the site contains habitat features that may support the species, including disced field and areas of exposed or sparsely vegetated soil suitable for burrowing. As a result, project-related activities could result in impacts to individual badgers if they are present within the site prior to construction. The American badger is not a covered species under the ECCC HCP/NCCP. Therefore, implementation of **Mitigation Measure (MM) BIO-2**, which requires pre-construction surveys to determine the presence of the species, would minimize the potential for adverse impacts. With the implementation of **MM BIO-2**, impacts to the American Badger would be reduced to a less than significant level.

Potential Impact BIO-2: *Construction activities on the project site could result in potentially significant impacts to American badger if they present are on site during construction.*

Mitigation Measure BIO-2 (Avoidance and minimization measures for American Badger)*: Pre-construction surveys conducted for burrowing owls identified within **MM BIO-3** shall also be used to determine presence or absence of badgers within or immediately adjacent to the development footprint. If an active badger den is identified during pre-construction surveys within or immediately adjacent to the construction envelope, a construction free buffer of up to 300 feet (or other distance specified by the California Department of Fish and Wildlife [CDFW]) shall be established around the den. Because badgers are known to use multiple burrows in a breeding burrow complex, a Biological Monitor shall be present on the project site during construction activities to ensure the buffer is adequate to avoid direct impact to individuals or den*

abandonment. The Monitor would be necessary on the project site until it is determined that any badger young are of an independent age and construction activities would not harm individual badgers. Once it has been determined that badgers have vacated the project site, burrows can be collapsed or excavated and ground disturbance can proceed.

Nesting Birds: The consulting FCS biologist has determined that CESA-protected species having potential to occur on the project site include Burrowing Owl and Swainson's Hawk. Both species are covered under the ECC HCP/NCCP. The applicant intends to apply for take coverage for these species through the ECC HCP/NCCP. Therefore, potential project-related impacts to these special-status species would expectedly be addressed through ECC HCP/NCCP staff review of the Planning Survey Report (PSR) and the implementation of appropriate mitigation measures, as determined by ECC HCP/NCCP staff. At minimum, these measures would include PSR submittal, pre-construction surveys, and/or construction monitoring if suitable habitat, active nests, occupied burrows, or other key resources are identified.

Pre-construction nesting avian surveys shall be conducted prior to vegetation removal or ground disturbance. Mature trees adjacent to the project site may provide suitable nesting habitat for native and migratory birds. Construction activities occurring during the nesting season could result in disturbance, nest abandonment, or loss of active nests protected under the MBTA and California Fish and Game Code.

As assessed by the FCS biologist, the proposed solar farm is not expected to result in significant reduction of foraging habitat for local avian species. Studies have shown that photovoltaic facilities can support greater bird abundance, species richness, and diversity than surrounding agricultural lands. Vegetation areas beneath and between panels can provide habitat for small mammals such as voles, increasing prey availability, while solar infrastructure offers perching and hunting opportunities that improve foraging efficiency for raptors. As a result, solar facilities can function as valuable foraging areas and refuges for birds within intensively managed agricultural landscapes, helping maintain biodiversity and ecosystem stability. Given that the proposed project would not result in a significant impact on foraging habitat for local avian species, no mitigation measures were recommended by the consulting biologists.

The project's compliance with all ECC HCP/NCCP requirements and implementation of the below **MM BIO-3** would reduce potential project-related impacts to burrowing owl, Swainson's hawk, and other protected nesting birds to a less than significant level. Furthermore, if the project does not obtain take coverage under the ECC HCP/NCCP, then **MM BIO-3** would still be applicable to ensure project construction does not result in a significant impact to protected nesting birds, including special-status species such as burrowing owl and Swainson's hawk.

Potential Impact BIO-3: *Construction activities on the project site could result in potentially significant impacts to nesting birds, including burrowing own and Swainson's hawk.*

Mitigation Measure BIO-3 (Impacts to Nesting Birds): *A qualified Biologist shall conduct nesting bird surveys, including surveys for Swainson's hawk and burrowing owl prior to ground disturbance activities as outlined below:*

1. ***Burrowing Owl****: A burrowing owl pre-construction survey shall be conducted no more than 14 days prior to the start of ground-disturbing activities in suitable habitat. A second survey shall be conducted within 48 hours of ground disturbance. If occupied burrows or burrowing owls are detected, a qualified Biologist shall establish and clearly mark an avoidance buffer in accordance with CDFW guidance. No project activities shall occur within the buffer until the Biologist determines the burrow is no longer occupied or consultation with CDFW identifies alternative measures. The Biologist shall monitor occupied burrows as necessary to ensure project activities do not result in disturbance or take of burrowing owls.*

2. ***Nesting Birds****: An avian-focused pre-construction survey shall be conducted no more than 7 days prior to the start of ground or vegetation disturbance to determine whether active nests are present.*

   If an active nest is located during pre-construction surveys, a qualified Biologist shall determine an appropriately sized avoidance buffer based on the species and anticipated disturbance level. The CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed raptors. A no-disturbance buffer of 0.5 mile is recommended for Swainson's hawk. A qualified Biologist will delineate the avoidance buffer using Environmentally Sensitive Area fencing, pin flags, and/or yellow caution tape. The buffer zone shall be maintained around the active nest stie(s) until the young have fledged and are foraging independently. No construction activities or construction foot traffic is allowed to occur within the avoidance buffer(s).

   The qualified Biologist shall monitor the active nest during construction activities and modify the protection zone accordingly to prevent project-related nest disturbance until the young have fledged.

Mitigation Measure BIO-4 (Worker Environmental Awareness Program Training): *Prior to commencing work, all construction personnel shall receive worker environmental awareness training provided by a qualified Biologist. At a minimum, the training will include descriptions of the American badger, burrowing owl, protected nesting birds, and their habitats; the regulatory protections afforded these species; the general measures that are being implemented to conserve them as they relate to the proposed project; and the boundaries within which project activities may be accomplished.*

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

There are no riparian areas on the project site. According to the *Figure COS-4 Priority Conservation Areas* within the Conservation, Open Space, and Working Lands Element of the Contra Costa County 2045 General Plan, the project site and surrounding Byron area are identified as priority conservation areas. Therefore, the project has been evaluated for consistency with relevant County General Plan policies intended to preserve and enhance ecological resources, including Policy #'s COS-P4.1, COS-P4-3, & COS-P4.4 (listed below).

- **COS-P4.1**: Maintain ecologically significant resource areas in their natural state to the greatest extent possible. Limit development in and near these areas to compatible low-intensity uses with adequate provisions to protect sensitive resources, including setbacks around resource areas. Prohibit projects that would lead to fragmentation of ecologically significant resource areas.

  Project Consistency: The proposed project is located on agricultural lands identified within the Contra Costa County Renewable Resource Potential Study, as suitable for the development of commercial-scale ground mounted solar facilities. All agricultural lands within unincorporated Contra Costa County identified as suitable for such development have accordingly been rezoned into the Solar Energy Generation (-SG) Combining District. The site's suitability for inclusion within the -SG combining district is generally based upon the lack of prime soils and relatively low habitat value to special status species of plants/wildlife. The proposed facility does not require mass grading and would not substantially alter the existing site topography. Additionally, no permanent buildings are proposed as part of the project and the solar panel array support structures involve minimal ground disturbance. Thus, the proposed facility is of a low intensity nature consistent with Policy COS-P4-1.

- **COS-P4.3**: Require a biological resources assessment prepared according to State and federal protocols for projects with the potential to impact rare, threatened, endangered, or special-status species or their habitat, and implement appropriate mitigation for identified impacts, preferably near the impact and within the county.

  Project Consistency: The applicant has complied with this policy by submitting a project Biological Resources Assessment (BRA) *Byron Opson Solar Project Biological Resources Assessment,* (FirstCarbon Solutions, September 4, 2026), prepared in accordance with the Federal Endangered Species Act (FESA) and the California Environmental Quality Act (CEQA). The project BRA includes an evaluation of the potential for rare, threatened, endangered, or special status species of plant/animal to occur on the project site and includes recommended mitigation measures for potential project related impacts to all such species. Thus, the project has been evaluated by a licensed consulting biologist as necessitated by Policy COS-4.3. With the incorporation of mitigation measures **BIO-1** through **BIO-4**, all project related impacts to special status species of plants or animals would occur at less than significant levels, if at all.

- **COS-P4.4**: Protect wildlife migration corridors, including natural and channelized creeks providing habitat in urban settings, and support projects that enhance these areas.

  Project Consistency: The project site is not within a designated wildlife corridor based on the Essential Connectivity Areas geospatial data set, which uses habitat modeling to identify areas of land with value as wildlife corridors. Moreover, as noted in Section 4.4 of the FCS BRA, the project site is a designated conservation planning linkage area. However, the project site is bounded on all sides by commercial development and active

roadways that serve as significant barriers to movement of terrestrial species. Additionally, the northern half of the project site is fully developed, and the southern half contains fallowed fields with high levels of anthropogenic disturbances via regular discing. The project site does not provide corridor functions beyond connecting similar agriculturally managed land parcels in the local surrounding areas. Therefore, the project would not conflict with Policy COS-P4.4.

Based on consistency with the above-mentioned General Plan policies, the existing urban/barren land cover, and the lack of nearby riparian habitat or other sensitive natural community located within the project work area, the project would have less than significant impacts on any riparian habitat or sensitive natural community.

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

There are no state or federally protected wetlands or other jurisdictional waters in the designated work areas; 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. An excavated stormwater retention basis was previously present within the southeastern portion of the site. According to the applicant and pursuant to Industrial Stormwater Permit documentation for the property, the basin was excavated in 2023 at the direction of the RWQCB to retain and manage stormwater runoff associated with the existing Material Recovery Facility on the northern parcel of the project site. The feature functioned solely as an isolated artificial stormwater retention basin and did not maintain a downstream hydrologic connection to federally regulated waters or waters of the State. As such, when present, the basin qualified for applicable exemptions from USACE and RWQCB permitting requirements as an artificial upland feature constructed and maintained exclusively for stormwater retention purposes. Therefore, due to the exemptions, this feature did not function as a jurisdictional aquatic feature.

During the 2026 field survey, the stormwater basin was no longer present, having been filled and covered sometime after 2025. Although remnant hydrophytic vegetation, including cattail (Typha spp.) which is commonly associated with wetland and aquatic environments, was observed where the basin once was, no indicators of existing aquatic resources, wetlands, or other jurisdictional features were identified. No aquatic features, standing water, drainage channels, or other potentially jurisdictional waters were observed on-site during the survey.

Because the former stormwater basin was an artificial stormwater management feature constructed in an upland area for runoff retention and is no longer present, no federally regulated waters, waters of the State, or wetlands are present on site, and the proposed project would

therefore not result in impacts to any jurisdictional aquatic features. Additionally, the site does not support aquatic habitat or other sensitive biological resources associated with jurisdictional waters. Therefore, no permits or authorizations from the USACE, RWQCB, or CDFW are anticipated for impacts to aquatic resources associated with the proposed project. As such, the project would result in less than significant impacts to such aquatic features.

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 With Mitigation)***

The project site is not within a designated wildlife corridor based on the Essential Connectivity Areas geospatial data set, which uses habitat modeling to identify areas of land with value as wildlife corridors. Moreover, as noted in Section 4.4 of the FCS BRA, the project site is a designated conservation planning linkage area. However, the project site is bounded on all sides by commercial development and active roadways that serve as significant barriers to movement of terrestrial species. Additionally, the northern half of the project site is fully developed, and the southern half contains fallowed fields with high levels of anthropogenic disturbances via regular discing. The project site does not provide corridor functions beyond connecting similar agriculturally managed land parcels in the local surrounding areas. Therefore, the project site is not likely to function as a wildlife movement corridor.

The project site does not contain native wildlife nursery sites. No significant breeding/nesting colonies were observed during the field survey. However, the potential for individual nesting birds to occur on or near the project are addressed through the implementation of **MM BIO-3**. As such, impacts to nursey sites would be less than significant.

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)***

According to the *Figure COS-4 Priority Conservation Areas* within the Conservation, Open Space, and Working Lands Element of the Contra Costa County 2045 General Plan, the project site and surrounding Byron area are identified as priority conservation areas. As discussed above in response to checklist section 4.b, the project is consistent with relevant General Plan policies intended to preserve and enhance ecological resources, including Policy #'s COS-P4.1, COS-P4-3, & COS-P4.4. The low-intensity development involved with the proposed facility, and the marginal habitat value provided on the property ensure that the project does not 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. The project site is completely devoid of trees, therefore, there is no potential for the project to conflict with the County Tree Protection and Preservation Ordinance.

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. Although commercial solar facilities are not specifically covered activity under the plan and are not required to obtain coverage under the plan, the applicant may elect to seek to obtain Take Coverage through the ECCC HCP/NCCP for project-specific impacts to special status species of plant or wildlife. The project proponent intends to obtain coverage under the plan as a participating special entity. Based on the project proponents intended participation in the ECCC HCP/NCCP, the project is not expected to result in any significant impact from conflicts therewith.

Sources of Information

- FirstCarbon Solutions *Byron Opson Solar Project Biological Resources Assessment,* September 4, 2026
- Contra Costa County 2045 General Plan. *Land Use Element*
- Contra Costa County 2045 General Plan. *Conservation, Open Space, and Working Lands Element*
- East Contra Costa County Habitat Conservancy. http://www.co.contra-costa.ca.us/depart/cd/water/HCP/.
- Hubbard Farming & Forestry. *Opson.* (Project Plans). Received 9/3/2025.

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?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐

c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

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 Mitigation)***

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 lacks existing buildings or structural improvements. Northerly portions of the project site presently utilized for an existing permitted materials recycling facility include trailers, mobile equipment, and materials stockpiles, but no permanent improvements. A Cultural Resources Assessment has been prepared for the project by Basin Research Associates, including archaeological and historical records review and literature search for the project site. The review included assessment of historical resources on the project sites. No resources on the sites 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. Nevertheless, 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. 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. 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 the face of all construction plans:*

i. 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.*

iii. *In the event the Project design changes, and ground disturbance is anticipated beyond the Area of Potential Effect, as it is currently defined by the Cultural Resources Inventory Reports, further surveys shall be conducted in those new areas to assess the presence of cultural resources. Any newly discovered or previously recorded sites within the additional survey areas shall be recorded (or updated) on appropriate Department of Parks and Recreation (DPR) 523-series forms. If avoidance of these cultural resources is not feasible then an evaluation and/or data recovery program shall be drafted and implemented.*

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)***

As stated previously, the project site does not appear to host any historical 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 find. 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 mitigation 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)***

There is a possibility that heretofore unknown human remains could be present and accidental discovery could occur as a result of project activities. 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 mitigation measure CUL-1 would reduce the impact on previously undiscovered human remains to a less than significant level.*

Sources of Information

- Contra Costa County 2045 General Plan 2005-2020. *Conservation, Open Space, and Working Lands Element*
- Basin Research Associates. *Archaeological Due Diligence Records Review and Field Inspection in Support of Archaeological Resources Clearance for Opson Solar Project, 5675 and 5595 Hope Way, Byron Contra Costa County*. February 13 2026.

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?	☐	☐	☒	☐

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

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 export renewable energy generated on site to the electrical grid via existing PG&E electrical distribution infrastructure. The operation of the facility has no potential to result in wasteful inefficient energy consumption, as the facility is intended to generate clean electricity for off-site consumption. The project would be interconnected to existing PG&E infrastructure adjacent to the project site to provide a local clean alternative to fossil fuel energy sources. Construction of the facilities would involve the use of energy resources for construction vehicles and equipment. However, since the project site does not require any mass grading or significant modification of the site to accommodate the project, such impacts would expectedly be both minor and temporary. When considered in the context of the quantities of clean energy that will be generated over the life of the project, the potential for wasteful inefficient or unnecessary energy construction resulting from the construction phase of the project should be considered negligible. Therefore, a less than significant impact is expected in this respect.

b) *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?* ***(Less Than Significant 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. Considering that the project involves the type of renewable energy project specifically encouraged by CAP policies, there is no potential

for the project to conflict with or obstruct local plans for renewable energy or energy efficiency. Therefore, the project would have less than significant impacts in this regard.

Sources of Information

- Contra Costa County, 2024. *Contra Costa County Climate Action and Adaptation Plan 2024 Update*.

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?	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

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 a 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 HS-17 (Earthquake Hazards) of the Health and Safety Element of the Contra Costa County 2045 General Plan depicts earthquake shaking hazard threats throughout unincorporated areas of Contra Costa County as areas of 1) "very strong shaking", 2) "severe shaking" or 3) "violent shaking". Figure HS-17 identifies the subject property and surrounding areas as an area having potential to experience "severe shaking". 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)***

Figure HS-18 (Seismic Hazard Zones) and of the Health and Safety Element of the Contra Costa County 2045 General plan depicts regulatory seismic hazard zones for landslides and liquefaction. According to Figure HS-18, the site is located within a regulatory liquefaction seismic hazard area. Figure HS-18A (Liquefaction Susceptibility) characterizes the liquefaction susceptibility (e.g. "low", "medium", "high", or "very high") of lands located within the regulatory seismic hazard zones identified on Figure HS-18. According to Figure HS-18A, the project site is located in an area of "Low" liquefaction susceptibility. The soils on the subject property predominantly consist of Solano loam soil throughout the vast majority (approximately 94.6%) of the Project Area. Two additional soil types, Linne clay loam and Rincon clay loam (cumulatively comprising approximately 5.4% of the project site), are mapped in the southwestern quadrant of the subject property. The soils on the site are considered to be "moderately expansive." However, with quality construction, conservative design and compliance with building and grading regulations can be expected to keep seismic risks arising from underlying soil composition (if any) 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 Figure HS-18 of the Health and Safety Element of the Contra Costa County 2045 General Plan. According to Figure HS-18, there are no suspected landslides in proximity to 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. Thus, stormwater originating on or traversing the project site would be allowed to percolate on site consistent with present conditions. Runoff from the proposed aggregate-surfaced interior roadway will be dispersed over vegetated areas which will continue to comprise a majority of the site acreage. Based on the insignificant net increase of additional impervious surface, and the fact that the project does not require substantial grading activity, 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 "low" liquefaction potential. Thus, the project's adherence to building and grading regulations can be expected to keep risks within generally acceptable limits. Consequently, the project potential to result in environmental impacts from an unstable geologic unit or soil is 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 Solano loam soil is moderately expansive. Generally, soils with a clay component are more prone to expansion. Since soils onsite having a clay component (Rincon Clay Loam and Linne Clay Loam) collectively comprise only 7% of the project site, potential project impacts relating to expansive soils would be relatively

low. The project has no potential to result in direct or indirect risks to human life due to expansive soils because the proposed facility would be unmanned and does not include any buildings/structures intended for human habitation. 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 such 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 *Cultural Resources 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.* https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/
- Hubbard Farming & Forestry. *Opson.* (Project Plans). Received 9/3/2025.
- Contra Costa County 2045 General Plan. *Health and Safety Element.*
- *United States Department of Agriculture, Natural Resources Conservation Service. 2020. Web Soil Survey.* 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?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

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 Bay Area Air Quality Management District (BAAQMD) publishes CEQA guidelines developed for the purpose of assisting local agencies in evaluating potential air quality and climate impacts from proposed land use projects. The 2022 BAAQMD CEQA Guidelines include project-level screening criteria for criteria air pollutants, however, there are no screening thresholds for climate impacts as this is considered an inherently cumulative problem resulting from a large number of sources. Since no project could generate enough GHG emissions to noticeably affect global climate, the 2022 CEQA guidelines use a "fair share" approach to assess whether a project would contribute its fair share towards meeting statewide GHG reduction targets. The guidelines specify that a land use project may demonstrate its "fair share" contribution by implementing certain design elements into proposed buildings or by demonstrating consistency with a local GHG reduction strategy that is consistent with State CEQA Guidelines section 15183.5(b).

In November 2024, the Contra Costa County Board of Supervisors adopted Climate Action and Adaptation Plan 2024 Update (2024 CAP). This document constitutes the County's local GHG

reduction plan, and includes strategies and targets consistent with statewide GHG reduction goals. The 2024 CAP meets the requirements of State CEQA Guidelines section 15183.5(b) by:

- Quantifying emissions, both existing and projected over a specified period, resulting from activities within a defined geographic area;
- Establishing a level based on substantial evidence, below which the contribution of emissions from activities covered by the plan would not be cumulatively considerable;
- Identifying and analyzing the emissions resulting from specific actions or categories of actions anticipated within the geographic area;
- Specifying strategies or a group of strategies, including performance standards that, if implemented on the project-by-project basis, substantial evidence demonstrates that they would collectively achieve the specified emissions level;
- Establishing a mechanism to monitor the plan's progress toward achieving specific levels and to require amendment if the plan is not achieving those levels;
- Including environmental review of the 2024 CAP. The 2024 CAP is evaluated by the Contra Costa 2045 General Pla Environmental Impact Report.

The proposed project is of a nature that is directly conducive to the County achieving the greenhouse reduction targeted within the 2024 CAP. The operation of the facility produces zero waste and zero emissions, while exporting clean energy directly into the local utility grid which would in turn contribute to reduced the carbon emissions from electricity consumption County-wide. Thus, the project has no potential to result in significant adverse environmental impacts relating to GHG emissions.

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 gird, the availability of clean electricity for zero-emission vehicles would increase.

In November 2024, the Board of Supervisors adopted the Climate Action and Adaptation Plan 2024 Update (2024 CAP) in connection with Envision Contra Costa, the County's comprehensive update to the General Plan, Zoning Code, and Climate Action Plan. The 2024 CAP built on the GHG emission reduction strategies established by the 2015 Climate Action Plan to support the State's GHG reduction targets through the year 2045. The GHG reduction strategies identified within the 2024 CAP include, amongst others, requirements for new building efficiency requirements for new construction projects to be low-carbon or carbon neutral, retrofitting existing buildings and facilities to reduce energy use and covert to low-carbon or carbon-free fuels, and increasing the amount of electricity and energy used and generated from renewable sources in the County. The project does not involve the construction of any buildings or structures

intended for habitation and the generation of solar energy for off-site consumption would not generate GHG emissions. Additionally, the establishment of renewable energy projects such as the proposed facility will be critical to the County contributing its fair share towards statewide GHG reduction targets outlined within the 2024 CAP. The proposed project would not conflict with other GHG reduction goals or strategies pertaining to urban development, such as reducing per capita organic waste, reducing water consumption, and promoting a clean transportation network. Therefore, the project would be consistent with and in furtherance of GHG reduction strategies identified within the 2024 CAP and would have no significant impact resulting from conflicts with local GHG reduction strategies.

Sources of Information

- Bay Area Air Quality Management District, 2017. *Bay Area 2017 Clean Air Plan.*
- Bay Area Air Quality Management District, 2022. *CEQA Guidelines.*
- Contra Costa County Code, *Title 8. Zoning Ordinance*.
- Contra Costa County, 2024 *Climate Action and Adaptation Plan 2024 Update. ContraCostaCo-2024CAAP-AdoptedFinal-November-2024.pdf*

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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
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?	☐	☐	☒	☐
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?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

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 facility would begin its construction phase. During the construction phase of the project, there would be associated use of fuels, lubricants, paints, and other construction materials. 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 the form of lithium-ion battery modules installed on site. 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 will not be required as part of construction, operation, or decommissioning of the proposed project. While lithium-ion batteries can be flammable under some circumstances, the proposed 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 commencement of business activities. 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)***

There are no existing or proposed schools within one-quarter mile of the project site. The nearest schools include Vista Oaks Charter, Excelsior Middle School, and Mt. McKinley School, each of which is located between 2.2-to-2.3 miles north of the proposed project. Given the distance from the proposed facility, and that the project would not be expected to release hazardous materials into the environment, the project would expectedly result in no impact on nearby schools.

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?* ***(Less Than Significant 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. 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. Thus, the project is not expected to result in a significant hazard to the public or the environment.

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)***

As shown on Figure TR-8 within the Transportation Element of the *Contra Costa County 2045 General Plan*, the project site is located with the Byron Airport Influence Area, Compatibility Area 6. Pursuant to the County's *Airport Land Use Compatibility Plan, Byron Airport Policies,* power generation land uses are considered "normally compatible" in terms of noise compatibility and safety compatibility criteria for the Byron Airport. Additionally, the project has been reviewed by County Airport Land Use Commission staff whereupon it was determined that project would not exceed obstruction standards and would not be a hazard to air navigation. Thus, the project would not result in any safety hazards 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 project site is adjacent to Byron Highway and Byron Hot Springs Road (Hope Way). The addition of the solar energy facilities would not result in a population increase in the area. As such, the number of people needing to be evacuated from the area in the event of a future emergency would be unchanged as a result of the project. The proposed project would not impair implementation of or physically interfere with the County's adopted emergency response plan related to Byron Highway or Byron Hot Springs Road or the project site as the project does not

include any alterations to or improvements within an adjoining public right-of-way. With respect to proposed onsite improvements, the Contra Costa Fire Protection District has reviewed the project plans and provided routine comments for the site. If the project is approved, the Fire Protection District would review construction drawings for the project at the time of submitting a building permit application to verify compliance with applicable fire codes, including those pertaining to emergency access. Therefore, in cumulative consideration of the above, the project would result in less than significant impacts that would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

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 project site is not located within a "high" or "very-high" fire hazard severity zone, thus, the risks associated with wildfire on the property are relatively low. The commercial solar facility would largely operate autonomously and would not require personnel onsite regularly. Since the project does not include any proposed buildings or structures intended for human habitation, and the project site is not classified within "high" or "very-high" fire hazard severity zones, 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).2025. *2025Very High Fire Hazard Severity Zones in LRA Map.*
- Contra Costa County, July 2022. *Contra Costa County Airport Land Use Compatibility Plan, Byron Airport Policies.*
- Contra Costa County 2045 General Plan. *Transportation 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?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
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:	☐	☐	☒	☐

i) Result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
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?	☐	☐	☒	☐
iv) Impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

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 approximately 720-square-feet of new impervious surface, a negligible increase for the ±30-acre project site. If approved, the project will be conditioned to adhere to standard NPDES conditions to ensure that storm water management on site utilizes appropriate low impact development strategies. 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 project site is not presently irrigated, and potable water on the project site would only be available via the use of a private well. 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 marginal increase of impermeable area on the property would not substantially reduce the amount of water percolating into ground water aquifers. 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. Based on the proposed grading plan the project will substantially maintain the existing drainage pattern on the site. Accordingly, the proposed project would not result in significant impacts relating to alterations of the drainage pattern of the site or vicinity in a manner resulting in substantial erosion or siltation. Therefore, the project would have less than significant impacts in this respect.

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)***

County staff with the Engineering Services Division of the Public Works Department have reviewed the project proposal and determined that a stormwater control plan is not necessary for the project given the negligible quantities of new impervious surfaces associated therewith. Presently, stormwater is managed on site as there is no existing public stormwater infrastructure in the project vicinity. Thus, project has no potential to result in stormwater runoff exceeding the capacity of existing public storm drain system. Additionally, the project would not result in additional sources of polluted runoff given that the project would substantially maintain existing drainage patterns. Accordingly, the proposed project would have less than significant impacts related to stormwater runoff.

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) 06001C0225G and, the development area is partially located within a Special Flood Hazard Area. However, the potential for the project to result in the release of pollutants is considered low for the project relative to other agricultural uses as the project does not entail the use of fertilizers, pesticides, or other hazardous substances which could pose environmental risk in the event of inundation by floodwaters. According to General Plan Health and Safety Element Figure HS-4 (*Dam Inundation Areas*) and Figure HS-5 (*Tsunami Hazard Areas)*, the proposed project would not be susceptible to inundation by seiche, tsunami or dam failure. 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 local tsunami hazard map. Therefore, the project would expectedly result in less than significant impacts of this nature.

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*.
- Contra Costa County 2045 General Plan. *Health and Safety Element*

- Public Works Department, Engineering Services Division – Agency Comment Memo dated 09/19/2025

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?	☐	☐	☐	☒
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?	☐	☒	☐	☐

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 and industrial area. The community of Byron is approximately 1.5 miles north 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 with Mitigation)***

General Plan

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

The Contra Costa County 2045 General Plan contains the following relevant policies related to the project.

COS-P4.1: Maintain ecologically significant resource areas in their natural state to the greatest extent possible. Limit development in and near these areas to compatible low-intensity uses with adequate provisions to protect sensitive resources, including setbacks around resource areas. Prohibit projects that would lead to fragmentation of ecologically significant resource areas.

COS-P4.3: Require a biological resources assessment prepared according to State and federal protocols for projects with the potential to impact rare, threatened, endangered, or special-status species or their habitat, and implement appropriate mitigation for identified impacts, preferably near the impact and within the county.

COS-P4.4: Protect wildlife migration corridors, including natural and channelized creeks providing habitat in urban settings, and support projects that enhance these areas.

COS-14.3: Support distributed electricity generation, including development of microgrids, renewable energy sources, storage capacity, and associated technologies. Encourage these throughout urban areas, and in nonurban areas when significant environmental impacts can be avoided or successfully mitigated.

HS-P3.2: Facilitate carbon-neutral development projects and communities that support a circular economy, zero-emission modes of transportation, reliable and renewable energy resources, energy-efficient buildings, zero waste, water efficiency and conservation, green infrastructure, soil conservation, and a system of natural and working lands that support natural carbon sequestration and climate resilience.

Byron Area Policy #9: Ensure that new development does not conflict with potential alignments for the Vasco-Road-Byron Highway Connector and State Route 239 projects, as shown in Figure TR-4, Roadway Classifications, in the Transportation Element. Work with project applicants to avoid placing permanent structures within the potential alignments.

These policies highlight the County's longstanding interest in preserving biological resources and as well as a desire to facilitate the development of renewable energy infrastructure within the County. The provision of solar energy in the County has become a particular priority as utilization of renewable energy will be integral to the County achieving GHG reduction goals adopted as part of the County's Climate Action Plan 2024 Update. To this end, the County has identified a select area of East County for solar development, including the project site, 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. Considering that the potential project impact on biological resources is considered low in the opinion of the consulting biologist, the development of the proposed facility at this location will be consistent with and in furtherance of the above mentioned General Plan policies.

Zoning

Commercial solar energy generation facilities are allowed in the subject A-3 Heavy 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 with the approval of a land use permit. 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 facility would also meet the applicable setbacks for the A-3 designation, including minimum 25-foot side yard, front yard, and rear yard setbacks. 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.

The County's Solar Ordinance also requires that solar facilities that are visible from public roadways must be designed and installed to minimize visual and aesthetic impacts to the greatest extent feasible. The proposed facilities would be located behind a fence and would be setback at least 500 feet from Highway 4, the primary roadway in the area. Thus, the impact would be considered less than significant.

Sources of Information

- Contra Costa County Code, Title 8, Zoning Ordinance.
- Hubbard Farming & Forestry. *Opson.* (Project Plans). Received 9/3/2025.
- Contra Costa County 2045 General Plan. *Land Use Element*, *Conservation Open Space, and Working Lands Element, Stronger Communities Element, Health and Safety 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

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 COS-13 (Mineral Resource Areas) of the *Contra Costa County 2045 General Plan Conservation, Open Space, and Working Lands Element*. The project site is not located within a mineral resource area, 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, Open Space, and Working Lands Element* of the General Plan, and therefore, the project would not impact any mineral resource recovery site.

Sources of Information

- Contra Costa County 2045 General Plan. *Conservation, Open Space, and Working Lands 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?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
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?	☐	☐	☒	☐

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 Table HS-3 of the Contra Costa County 2045 General Plan *Health and Safety Element*. Figure HS-3 indicates 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 future solar facility would be similar to or quieter than noise levels from the existing agricultural and industrial 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 sites. Additionally, the use of

heavy equipment would be temporary and cease once construction is complete. Thus, project noise impacts to the existing 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 site. Furthermore, use of heavy equipment would be temporary and cease once construction is complete. Therefore, project-related impacts resulting in ground-borne vibration 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 2045 General Plan *Health and Safety 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)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

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 proposed project does not involve commercial activities that would expectedly induce population growth, as the commercial solar facility would largely be operated remotely and autonomously. The project would export solar energy generated on-site via existing powerline infrastructure and does not require the extension of roads or other infrastructure. Thus, the project is of a nature and scale that would not induce substantial unplanned population growth, either directly or indirectly.

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

The ±30-acre project site is located within an A-3 Heavy Agriculture zoning district and is predominantly unimproved with permanent buildings or structures. There are no existing dwellings on the subject property which would be displaced by the proposed project. Therefore, the proposed project would have no impact displacing people or housing and would not necessitate the construction of replacement housing elsewhere.

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?	☐	☐	☒	☐
b) Police Protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Parks?	☐	☐	☒	☐
e) Other public facilities?	☐	☐	☒	☐

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 Contra Costa County Fire Protection District (CCCFPD). If approved, the project will be subject to the applicable provisions of the 2025 California Fire Code, the 2025 California Building Code, and applicable Contra Costa County Ordinances that pertain to emergency access, fire suppression systems, and fire detection/warning systems. If approved, construction drawings for

the facility would be subject to CCCFPD review to ensure compliance with applicable code provisions. As a result, potential project-related impacts 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. Given the lack of habitable structures on site and the predominantly autonomous operation of the facility, the project would not create conditions affecting 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 growth, 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.

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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

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

As stated above, the project is not expected to induce population growth in the area. Thus, the impact of this increase in use of the parks and recreational facilities would be less than significant.

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

As stated above, the project is not expected to induce population growth in the area. Thus, the impact of this increase in use of the parks and recreational facilities would be less than significant, and no additional recreation facilities would be related to the construction of the project.

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?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

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 TR-P2.1 of the *Transportation Element* of the Contra Costa County 2045 General Plan requires a project to be evaluated with the County's Transportation Analysis Guidelines and other appropriate policy supplements and transportation plans to identify operational deficiencies in the project vicinity. Based on the County's Transportation Analysis Guidelines, traffic impact analysis is not required for the proposed project as it would not generate 100 or more daily vehicle trips. Since the project does not consist of any habitable structures, and the facility would operate autonomously, the project has no potential to generate over 100 daily vehicle trips and would have no impact which conflicts 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 result in the extension of new homes, businesses, or infrastructure in the area and would, therefore, not induce any population growth or generate substantial numbers of 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 Vehicle Miles Traveled (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 operational phase of the project would not result in employees generating VMT. Consequently, operation of the facility requires little to no vehicle miles traveled. Therefore, 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 sites are on private property and are accessed from driveways off of Highway 4 and Byron Hot Springs Road. The driveways would be constructed or improved to meet the County's design guidelines for 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 near 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 less than significant impacts would occur.

Sources of Information

- Contra Costa County Transportation Analysis Guidelines. June 23, 2020.

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)?	☐	☒	☐	☐
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?	☐	☒	☐	☐

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 Mitigations)***

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)***

No historical resources have been identified on the project site and the subject property does not appear in any local or State historical resources inventories. Encountering tribal resources on the property is considered unlikely since the site is fully disturbed, however 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.

On January 15, 2026, County staff mailed a Notice of Opportunity to Request Consultation to local Native American Tribes who may have an interest in the area. Consultation was requested by the Wilton Rancheria and Confederated Villages of Lisjan Nation in response to this notice. Consultation with the Wilton Rancheria included a tribal survey performed on March 20, 2026, which identified no tribal cultural resources on the subject property, confirming the findings of consulting archaeologists of Basin Research Associates discussed in Section 5 (Cultural Resources) of this initial study. Upon the conclusion of consultation with Wilton Rancheria and Confederated Villages of Lisjan Nation, it was agreed that although there are no known tribal

resources on the site, the expected construction and grading could cause ground disturbance which may impact heretofore undocumented cultural resources. Therefore, Tribes requested that mitigation measures be included with the project to account for this potential. Implementation of the following Mitigation Measures TCR-1 through TCR-3ewould ensure that project impacts to tribal cultural resources occur at less than significant levels, if at all.

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

Mitigation Measure TCR-1: *Prior to ground disturbance, the project proponent shall provide a cultural awareness training, provided by a licensed archaeologist, for all construction personnel involved with any phase of development for the solar energy facility. Prior to the issuance of building/grading permits for the facility, the applicant shall provide County staff written verification documenting when this training occurred, the party administering the training, and identifying the parties in attendance.*

Mitigation Measure TCR-2: ***Inadvertent discovery of Tribal Cultural Resources****: If cultural resources of Native American origin are identified during grading or excavation of the proposed project, all ground disturbing activities within 100 feet shall cease until a representative from the Confederated Villages of Lisjan Nation is consulted by the government agency. If the entity in consultation with the consulting Tribe(s), determines that the resource is a Tribal Cultural Resource and thus significant under CEQA, the entity shall retain a Tribal representative and, if applicable, a qualified archaeologist, at the applicant's expense, to prepare a mitigation plan, which shall be implemented in consultation with the consulting Tribe. The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is not feasible, the plan shall outline appropriate treatment of the resource in coordination with the consulting Tribe. Examples of appropriate mitigation for Tribal Cultural Resources include, but are not limited to, protecting the cultural character and integrity of the resources, protecting traditional use of the resources, protecting the confidentiality of the resources, or heritage recovery.*

Mitigation Measure TCR-3: *Inadvertent discovery of human remains: If human remains are encountered during construction and ground disturbing activities, all work within 100 feet of the remains should be redirected and the County Coroner notified immediately. At the same time, an archeologist shall be contacted to assess the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC will identify a Native American Most Likely Descendent (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and any associated funerary objects. There shall be no pictures taken or testing done on the Native American human remains. All bone, until identified as not human, shall be treated as potential human remains and the appropriate protocols followed. The archaeologist shall record information, as appropriate and in accordance with the recommendations of the MLD and/or Tribal representative. Upon completion of the archeologist's assessment, a report should be prepared documenting methods and results, as well as the MLD's recommendations regarding the treatment of the human remains and any associated funerary objects. The report should be submitted to the lead government agency, the NWIC and the consulting Tribe. Tribal*

representatives will rebury the Native American human remains and associated funerary objects with the appropriate dignity either, in accordance with the recommendations of the MLD if available or in the project vicinity at a location agreed upon between the Tribe and the entity, where the reburial would be accessible to Tribal members in perpetuity and would not be subject to further disturbance. The discovery and reburial are to be kept confidential and secure to prevent any further disturbance.

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 Mitigations)***

As discussed in Sections 5.a through 5.c, 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 Measures *CUL-1* and *TCR-1-3* would reduce the impact on cultural and/or tribal cultural resources during project related work 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?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

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 infrastructure. Thus, the project would not result in any environmental effects from construction of such facilities. Therefore, 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 does not require the use of a private or public water supply. Additionally, the project does not involve any activities that may adversely affect the availability of groundwater in the area. Since the availability of water supply is not necessary for daily operation, the project has access to sufficient water supplies to serve the project. Future drought conditions will not affect the operation of the facility, nor will the operation of the facility exacerbate future drought conditions. Therefore, the project has less than significant impact in this respect.

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?* ***(Less Than Significant 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?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
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?	☐	☐	☐	☒

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 not 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 depicts the entirety of the project site outside of "high" or "very high" fire hazard severity zones. Nevertheless, the County has reviewed the project's impact on wildfire management.

a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

The project is in the service district of the Contra Costa County 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 Contra Costa Fire Protection District for the provision of fire protection and emergency response services. Given these guidelines, A less than significant impact is expected.

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??*

The Contra Costa Fire Protection District has reviewed the project and no indication is given that the project would require the installation of substantial new infrastructure to meet the current provisions of the Fire Code. 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 interconnect to existing electrical facilities located adjacent to 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?*

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.

<u>Sources of Information</u>

- California Department of Forestry and Fire Protection (CalFire).. *Very High Fire Hazard Severity Zones Mapping.*
- *Agency Comment Letter Opson Solar Facility.* Contra Costa Fire Protection District. October 3, 2020.

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?	☐	☒	☐	☐
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.)	☐	☐	☒	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

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?*

As discussed in individual sections of this Initial Study, the project to establish one commercial solar facility located on two adjoining parcels 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.)*

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

infrastructure on the subject properties. Additionally, the proposed project would be consistent with the existing surrounding commercial and agricultural development.

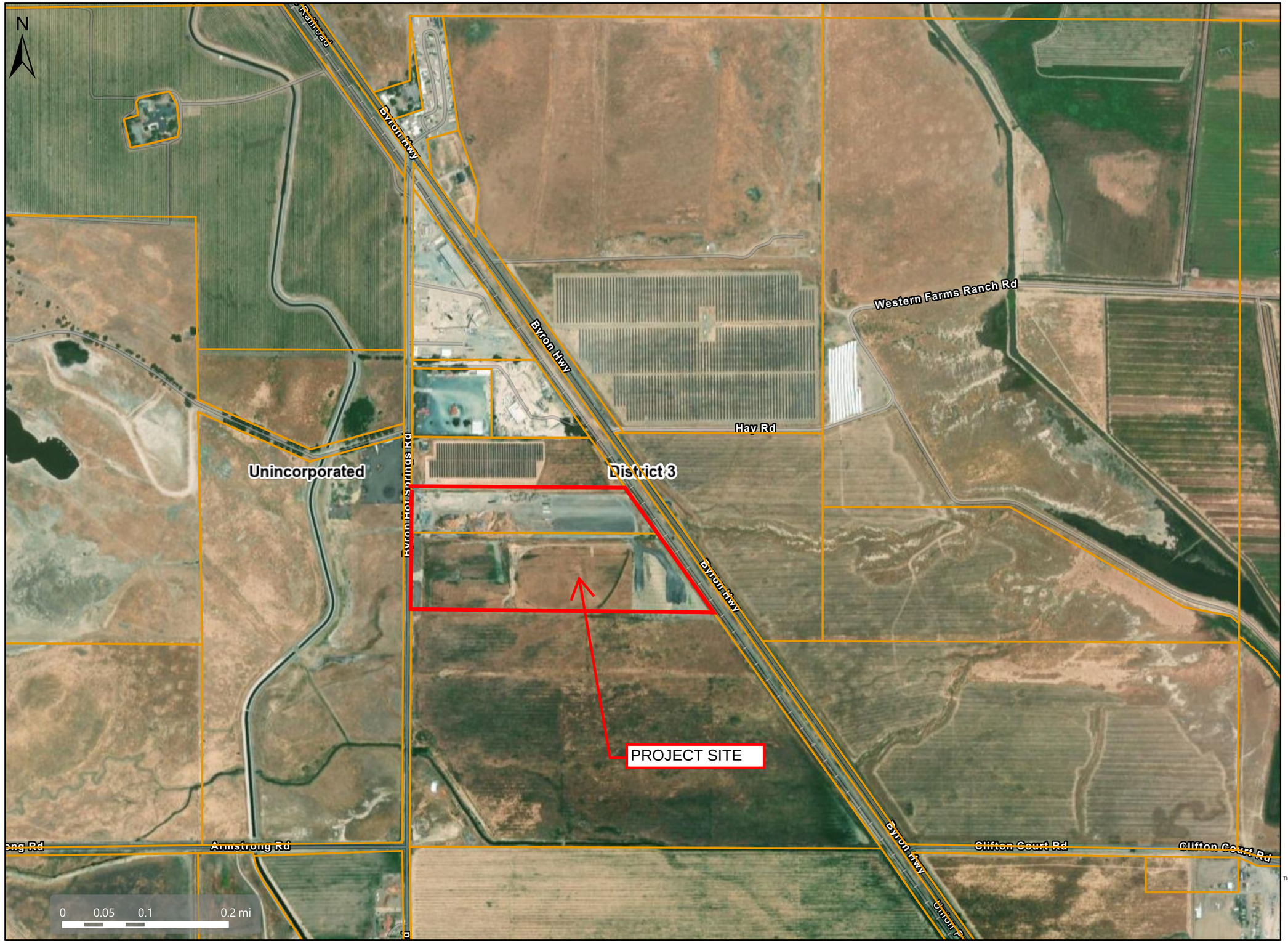
c) *Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?*

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.

ATTACHMENTS

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

CDLP25-02033 Vicinity Map



Map Legend

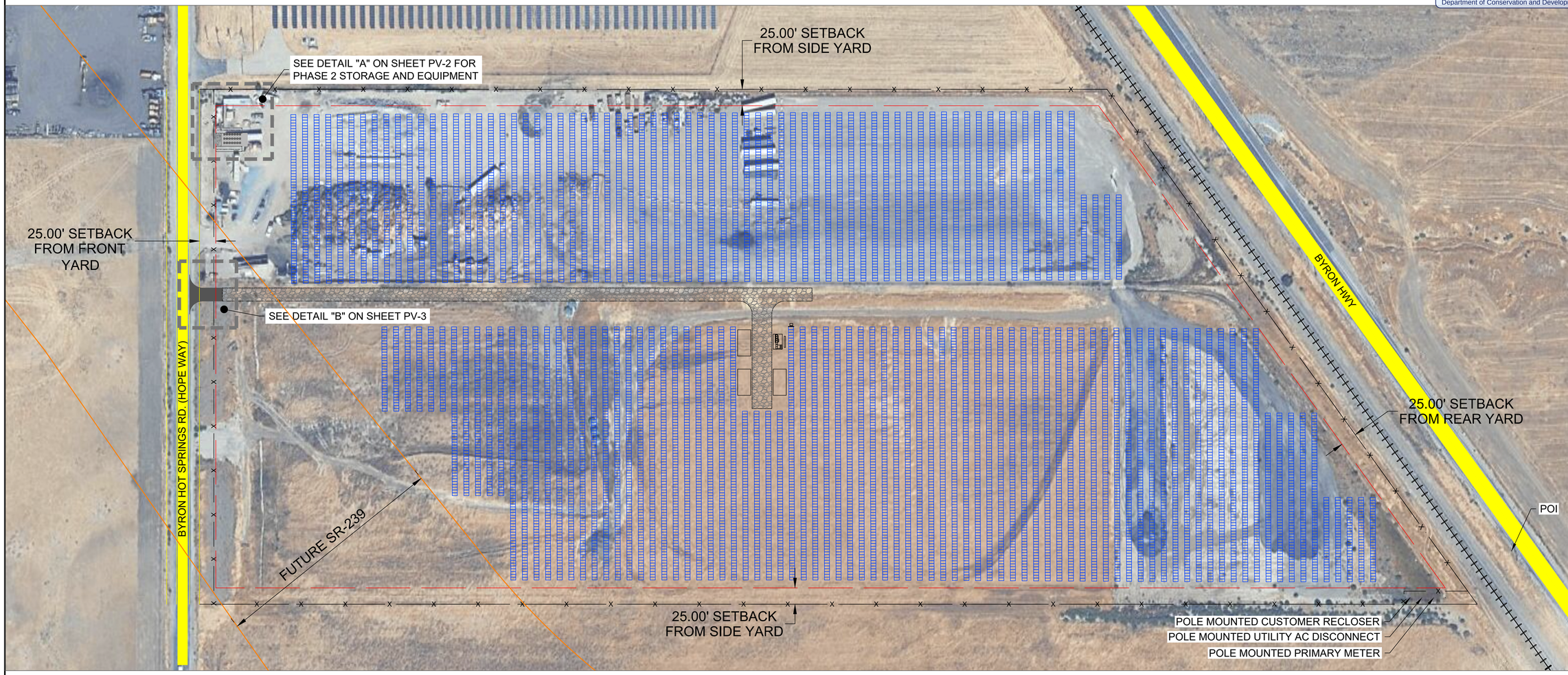
- County Border
- Assessment Parcels
- Unincorporated
- Board of Supervisors' Districts

This map is a user generated, static output from an internet mapping application and is intended for reference use 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.
CCMap is maintained by Contra Costa County Department of Information Technology, County GIS.
Data layers contained within the CCMap application are provided by various Contra Costa County Departments.
Please direct all data inquires to the appropriate department.

Spatial Reference
PCS: WGS 1984 Web Mercator Auxiliary Sphere
Datum: WGS 1984

Credits: Contra Costa County Department of Conservation and Development, Vantor

RECEIVED on 01/15/2026 CDLP25-02033
By Contra Costa County
Department of Conservation and Development



FUTURE SR-239 CORRIDOR NOTE:

AT THE REQUEST OF THE REVIEWING AGENCY, NO PROJECT IMPROVEMENTS ARE PROPOSED WITHIN THE AREA IDENTIFIED FOR THE PROPOSED SR-239 CORRIDOR. THIS ACCOMMODATION SHALL NOT BE CONSTRUED AS A WAIVER OF THE PROPERTY OWNER'S RIGHTS TO SEEK FULL AND FAIR COMPENSATION, INCLUDING CONSIDERATION OF THE HIGHEST AND BEST USE OF THE PROPERTY, IN THE EVENT OF ANY FUTURE ACQUISITION OR TAKING.

OPTION B ARRAY PLAN

SCALE: 1" = 75'

N
W E
S

SYSTEM SPECIFICATIONS

SYSTEM SIZE DC	7.70 MW COMBINING PHASE 1 (3.5MW) & PHASE 2 (REMAINDER)
SYSTEM SIZE AC	6.60 MW COMBINING PHASE 1 (3MW) & PHASE 2 (REMAINDER)
DC/AC RATIO	1.17
MODULE MANUFACTURER	TRINA SOLAR
MODULE MODEL	TSM-DEG21C.20 655
MODULE RATING	655 W
TOTAL MODULE QTY	11,760
MODULES PER STRING	30
TOTAL NO. OF STRINGS	392
INVERTER MODEL	CPS SCH275KTL-DO/US-800
INVERTER RATING	275 kW
INVERTER QTY	24
STEP-UP TRANSFORMER	3 x 3MVA/800VAC
RACKING	NEXTRACKER NX HORIZON XTR OR EQUAL
INTER-ROW SPACING	10'
PITCH	TRACKER - 50° MAX ANGLE
GCR	0.43
SITE AREA INSIDE FENCE	TBD AT LATER DATE
LINEAR FEET OF GRAVEL ROAD	TBD AT LATER DATE
AC POWER LIMITED BY PLANT CONTROLLER	N/A

LEGEND

- 20' WIDE SITE ACCESS
- PROPOSED HMA
- PUBLIC ROAD
- PROPERTY LINE
- PROJECT SITE SECURITY FENCE
- SETBACK
- RAILWAY TRACK
- PROPOSED SR239
- POWER STATION - (1) MV TRANSFORMER, 1 DAS, (1) WEATHER STATION
- SUNGROW 125 KW STRING INVERTER
- ENERGY STORAGE

GENERAL NOTES

1. REFER TO SINGLE LINE DIAGRAM FOR DETAILS.
2. INSTALLATION TO COMPLY WITH NEC 2014 ARTICLE 690 AND ALL APPLICABLE LOCAL, STATE AND NATIONAL CODES.
3. EQUIPMENT SHALL BE LABELED PER NEC 690 AND UTILITY REGULATIONS.
4. 20' ACCESS ROADS SHALL BE DESIGNED TO ACCOMMODATE ALL CONSTRUCTION, OPERATIONS, MAINTENANCE, EMERGENCY VEHICLES, AND UTILITY TRAFFIC THROUGHOUT THE SITE.
5. DIMENSIONS TO PROPERTY LINES AND EXISTING FEATURES ARE APPROXIMATE PENDING SURVEY.
6. ACCESS ROADS , DRIVEWAY, AND ARRAY LOCATIONS SUBJECT TO CHANGE DUE TO PROPOSED SR239 IMPROVEMENTS.
7. PHASING OF CONSTRUCTION MAY RESULT DUE TO PG&E NEGITIVE CAPACITY, NEGITIVE FLOW AND/OR PLANNED UPGRADES

HUBBARD
FARMING & FORESTRY

PRELIMINARY
NOT FOR
CONSTRUCTION

OPSON

5675 HOPE WAY
BYRON, CA 94514

LAT: 37°50'37"N
LON: 121°37'08"W

REV. NO	DESCRIPTION	DATE

SHEET TITLE: OPTION B LAYOUT

DRAWING NO: PV-1(b)

DRAWN BY: JMV
REVIEWED BY: JRG
DATE: 2026.01.11
SCALE: 1"=75'
PROJECT NUMBER:

Mitigation Monitoring and Reporting Program
County File #CDLP25-02033

5675 Hope Way, 5595 Byron Hot Springs Road
Byron, CA 94514

October, 2026

SECTION 1: AESTHETICS	
Potentially Significant Impacts: ***AES-1***: *The lighting associated with the facility could cause a significant new source of light which would adversely affect day or nighttime views in the area.*	
Mitigation Measures(s):	
Mitigation Measure AES-1: *No lights or beacons may be installed, unless lights or beacons are required by a state or federal agency having jurisdiction over the facility, such as the California Public Utilities Commission, Federal Communications Commission, or Federal Aviation Administration, or if lights or beacons are recommended by the County Airport Land Use Commission.*	
Implementing Action:	COA
Timing of Verification:	Prior to CDD Stamp approval of construction plans
Party Responsible for Verification:	CDD staff
Compliance Verification:	Review of construction plans to evaluate proposed site lighting (if any).

SECTION 3: AIR QUALITY
Potentially Significant Impacts: ***AIR-1***: *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 the face of 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.*

Implementing Action:	COA
Timing of Verification:	Prior to CDD Stamp approval of construction plans
Party Responsible for Verification:	CDD staff
Compliance Verification:	Review of construction plans to verify plan notes alert construction personnel of these requirements.

SECTION 4: BIOLOGICAL RESOURCES

Potentially Significant Impacts:

Potential Impact BIO-1: *Construction activities on the project site could result in potentially significant impacts to occupied habitat supporting special status plant species*

Potential Impact BIO-2: *Construction activities on the project site could result in potentially significant impacts to American badger if they present are on site during construction.*

Potential Impact BIO-3: *Construction activities on the project site could result in potentially significant impacts to nesting birds, including burrowing owl and Swainson's hawk.*

Mitigation Measures(s):

Mitigation Measure BIO-1: *Impacts to occupied habitat supporting special-status plant species, including alkali milk-vetch, heartscale, crownscale, brittlescale, Congdon's tarplant, recurved larkspur, diamond-petaled California poppy, San Joaquin spearscale, stinkbells, hogwallow starfish, California alkali grass, and caper-fruited tropidocarpum, shall be mitigated through compensatory mitigation at a minimum 1:1 ratio. Approximately 4 acres of potentially occupied habitat supporting one or more of these special-status plant species are presumed to be permanently impacted by project implementation. To compensate for the potential impact, the proposed project would preserve restore, enhance, create, or otherwise protect a minimum of 1 acre for every acre of occupied habitat that is impacted.*

Prior to ground disturbance, mitigation shall be accomplished through one or a combination of the following measures, subject to approval by California Department of Fish and Wildlife (CDFW) or other applicable regulatory agency:

1. *Creation or enhancement and management of on-site areas to compensate for the affected special-status plant species at a minimum 1:1 acreage ratio, including long-term management, monitoring, and adaptive measures to ensure mitigation success.*

2. *Restoration or enhancement of off-site occupied or suitable habitat for the affected special-status plant species at a minimum 1:1 acreage ratio, including long-term management, monitoring, and adaptive management measures to ensure mitigation success.*

3. *Acquisition and permanent protection of off-site occupied habitat supporting the affected special-status plant species, with transfer to a land trust, public agency, or other qualified conservation organization responsible for long-term management and stewardship.*

4. *Purchase of credits from an approved mitigation or conservation bank that provides equivalent conservation value for the impacted special-status plant species or associated habitat communities.*

Should state or federal resource agencies require alternative mitigation measures or mitigation ratios that provide equal or greater protection for the affected special-status plant species, those requirements shall supersede the measures identified above.

***Mitigation Measure BIO-2 (Avoidance and minimization measures for American Badger)**: Pre-construction surveys conducted for burrowing owls identified within **MM BIO-3** shall also be used to determine presence or absence of badgers within or immediately adjacent to the development footprint. If an active badger den is identified during pre-construction surveys within or immediately adjacent to the construction envelope, a construction free buffer of up to 300 feet (or other distance specified by the California Department of Fish and Wildlife [CDFW]) shall be established around the den. Because badgers are known to use multiple burrows in a breeding burrow complex, a Biological Monitor shall be present on the project site during construction activities to ensure the buffer is adequate to avoid direct impact to individuals or den abandonment. The Monitor would be necessary on the project site until it is determined that any badger young are of an independent age and construction activities would not harm individual badgers. Once it has been determined that badgers have vacated the project site, burrows can be collapsed or excavated and ground disturbance can proceed.*

Mitigation Measure BIO-3 (Impacts to Nesting Birds): *A qualified Biologist shall conduct nesting bird surveys, including surveys for Swainson's hawk and burrowing owl prior to ground disturbance activities as outlined below:*

1. ***Burrowing Owl****: A burrowing owl pre-construction survey shall be conducted no more than 14 days prior to the start of ground-disturbing activities in suitable habitat. A second survey shall be conducted within 48 hours of ground disturbance. If occupied burrows or burrowing owls are detected, a qualified Biologist shall establish and clearly mark an avoidance buffer in accordance with CDFW guidance. No project activities shall occur within the buffer until the Biologist determines the burrow is no longer occupied or consultation with CDFW identifies alternative measures. The Biologist shall monitor occupied burrows as necessary to ensure project activities do not result in disturbance or take of burrowing owls.*

2. ***Nesting Birds****: An avian-focused pre-construction survey shall be conducted no more than 7 days prior to the start of ground or vegetation disturbance to determine whether active nests are present.*

   If an active nest is located during pre-construction surveys, a qualified Biologist shall determine an appropriately sized avoidance buffer based on the species and anticipated disturbance level. The CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed raptors. A no-disturbance buffer of 0.5 mile is recommended for Swainson's hawk. A qualified Biologist will delineate the avoidance buffer using Environmentally Sensitive Area fencing, pin flags, and/or yellow caution tape. The buffer zone shall be maintained around the active nest stie(s) until the young have fledged and are foraging independently. No construction activities or construction foot traffic is allowed to occur within the avoidance buffer(s).

   The qualified Biologist shall monitor the active nest during construction activities and modify the protection zone accordingly to prevent project-related nest disturbance until the young have fledged.

Mitigation Measure BIO-4 (Worker Environmental Awareness Program Training): *Prior to commencing work, all construction personnel shall receive worker environmental awareness training provided by a qualified Biologist. At a minimum, the training will include descriptions of the American badger, burrowing owl, protected nesting birds, and their habitats; the regulatory protections afforded these species; the general measures that are being implemented to conserve them as they relate to the proposed project; and the boundaries within which project activities may be accomplished.*

Implementing Action:	COA
Timing of Verification:	At most 14 days 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 CUL-1: *Subsurface construction activities could potentially damage or destroy previously undiscovered historic and prehistoric resources.*

Potential Impact CUL-1: *Surface construction activities could potentially damage or destroy previously undiscovered archeological resource.*

Potential Impact CUL-1: *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 the face of 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.

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.*

c. *In the event the Project design changes, and ground disturbance is anticipated beyond the Area of Potential Effect, as it is currently defined by the Cultural Resources Inventory Reports, further surveys shall be conducted in those new areas to assess the presence of cultural resources. Any newly discovered or previously recorded sites within the additional survey areas shall be recorded (or updated) on appropriate Department of Parks and Recreation (DPR) 523-series forms. If avoidance of these cultural resources is not feasible then an evaluation and/or data recovery program shall be drafted and implemented.*

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:

Potential Impact TCR-1: *Construction and grading could cause ground disturbance which may impact heretofore undocumented tribal cultural resources.*

Mitigation Measure TCR-1: *Prior to ground disturbance, the project proponent shall provide a cultural awareness training, provided by a licensed archaeologist, for all construction personnel involved with any phase of development for the solar energy facility. Prior to the issuance of building/grading permits for the facility, the applicant shall provide County staff written verification documenting when this training occurred, the party administering the training, and identifying the parties in attendance.*

Mitigation Measure TCR-2: ***Inadvertent discovery of Tribal Cultural Resources****: If cultural resources of Native American origin are identified during grading or excavation of the proposed project, all ground disturbing activities within 100 feet shall cease until a representative from the Confederated Villages of Lisjan Nation is consulted by the government agency. If the entity in consultation with the consulting Tribe(s), determines that the resource is a Tribal Cultural Resource and thus significant under CEQA, the entity shall retain a Tribal representative and, if applicable, a qualified archaeologist, at the applicant's expense, to prepare a mitigation plan, which shall be implemented in consultation with the consulting Tribe. The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is not feasible, the plan shall outline appropriate treatment of the resource in coordination with the consulting Tribe. Examples of appropriate mitigation for Tribal Cultural Resources include, but are not limited to, protecting the cultural character and integrity of the resources, protecting traditional use of the resources, protecting the confidentiality of the resources, or heritage recovery.*

Mitigation Measure TCR-3: *Inadvertent discovery of human remains: If human remains are encountered during construction and ground disturbing activities, all work within 100 feet of the remains should be redirected and the County Coroner notified immediately. At the same time, an archeologist shall be contacted to assess the situation. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC will identify a Native American Most Likely Descendent (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and any associated funerary objects. There shall be no pictures taken or testing done on the Native American human remains. All bone, until identified as not human, shall be treated as potential human remains and the appropriate*

protocols followed. The archaeologist shall record information, as appropriate and in accordance with the recommendations of the MLD and/or Tribal representative. Upon completion of the archeologist's assessment, a report should be prepared documenting methods and results, as well as the MLD's recommendations regarding the treatment of the human remains and any associated funerary objects. The report should be submitted to the lead government agency, the NWIC and the consulting Tribe. Tribal representatives will rebury the Native American human remains and associated funerary objects with the appropriate dignity either, in accordance with the recommendations of the MLD if available or in the project vicinity at a location agreed upon between the Tribe and the entity, where the reburial would be accessible to Tribal members in perpetuity and would not be subject to further disturbance. The discovery and reburial are to be kept confidential and secure to prevent any further disturbance.	
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 TCR-1 through TCR-3 measures are noted thereon.