

Byron Municipal Advisory Council



Linda Thuman, Chair

Office of Supervisor Diane Burgis
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Respectfully submitted by:
District Representative, Stephen Griswold III

*The Byron Municipal Advisory Committee serves as an advisory body to the
Contra Costa County Board of Supervisors and the County Planning Agency.*

Draft Record of Actions

SPECIAL MEETING

6:00 p.m.

March 15, 2024

- **MEMBERS PRESENT:**
Chair Linda Thuman, Vice Chair Nisen, Councilmember Lopez, Councilmember Schmit, and Councilmember Wherity
 - **MEMBERS ABSENT:**
None
 - **APPROVAL OF AGENDA:**
Motion to approve the agenda made by Councilmember Schmit. Second made by Vice Chair Nisen. Motion carried 5-0.
 - **PUBLIC COMMENT:**
 - a. No public comment on items not on the agenda.
 - **ITEMS FOR DISCUSSION AND/OR ACTION:**
 - a. **CONSIDER Agency Comment Request CDLP22-02036:** The Applicant seeks a land use permit for the construction and operation of the Ranch Sereno Clean Power Project, a 2.83-megawatt solar generation facility and a 3.7-megawatt battery storage system. The project would use approximately 6.5 acres of land. The solar farms will be ground mounted single axis tracker system.
 - Staff liaison gave a brief review of the history of this project and informed the Council it will be going before the Zoning Administrator on March 18th. The recusal of Vice Chair Nisen from this item was announced, as he owns property that borders the project property. Nisen remained at the dais but refrained from the Council discussion.
- Public Comment:**
- a. Ken Gardner lives adjacent to the project property and only received notice of this going to the Zoning Administrator on March 11th. The property owner reached out to him about this project three years ago and notes that he has also altered the water drainage on the property.
 - b. Danny Hamby lives on the backside of the project property and feels blindsided. He asks if this is Ag, how is the allowed. Hamby also notes the house has been re-flagged for the barn house conversion and drainage issues, and that this area is residential and not a place for a solar farm.
 - c. Sam Maloney lives across from the project property and is a renter. He doesn't want to see an Alcatraz fence, solar panels, and a storage facility across the street. Feels that traffic will increase on that road.
 - d. Patty Bristow shared her concerns about the battery situation on a solar farm. Says fire departments are not equipped to handle solar battery incidents and there's no immediate hazmat available in the area. This process is unethical and against the law, and this project is not what residents want here. As a LAFCO Commissioner, she plans to bring this up at their next meeting. Byron is not a dumping ground. If they were able to prevent marijuana from coming here, they can protest this too.
 - e. Mike Nisen spoke as a resident and mentioned the zoom meeting the applicant held the night before. He said the residents asked the applicant to move the Zoning Administrator meeting and were told it could not be changed. The applicant said they were under contract with Marin Energy and needed to proceed with this timeline to avoid penalties, to which Nisen said that is not their problem. He referenced studies by the UC Berkely labs which did not include

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public comment or show how nearby properties were affected. He said there would be a devaluation of properties by \$500K on Byer Road.

- f. Sally Hamby also lives near the project property and says they already have solar. Their water comes from wells and is afraid this project would contaminate the soil and therefore the well water. She also is concerned there would not be enough water to put out solar battery fires.

- Motion to not recommend as presented made by Chair Thuman. Second made by Councilmember Lopez. Motion carried 4-0. AYES: Thuman, Lopez, Schmit and Wherity. RECUSED: Nisen

- **CORRESPONDANCE/ANNOUNCEMENTS**

- a. R-02/23/2024 County Planning Commission for February 28, 2024
- b. R-02/26/2024 REVISED County Planning Commission for February 28, 2024
- c. R-03/04/2024 County Planning Commission for March 13, 2024
- d. R-02/27/2024 County Zoning Administrator for March 4, 2024
- e. R-02/28/2024 REVISED County Zoning Administrator for March 4, 2024
- f. R-03/12/2024 County Zoning Administrator for March 18, 2024

- **FUTURE AGENDA ITEMS**

- a. No future agenda items. However, the March 16th is Home for our Troops Landscaping Day for Sgt. Kyle Garcia event was shared.

- **ADJOURNMENT**

There being no further business before the Byron Municipal Advisory Council, Chair Thuman adjourned the meeting at 6:39 p.m. The next regularly scheduled Byron Municipal Advisory Council meeting is March 26th, 2024, at 6:00 p.m. located at St. Anne's Church, 2800 Camino Diablo, Byron, CA 94514.