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# Guest View: Solar project provokes questions

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## Solar farm planned

Grass-fed chickens are tended by Kim Williams at Your Family Farm in the Panoche Valley. Williams expects that her property will be surrounded by solar panels if Solargen's solar farm is built near her family's ranch.

Posted: Thursday, August 29, 2013 3:59 pm | Updated: 4:02 pm, Thu Aug 29, 2013.

Kim Williams | **0** comments

At the end of June, a controversial industrial solar project slated for development in Panoche Valley was cleared to move ahead by the 6th District Court of Appeals. The project and the court decision raise important questions not only for San Benito County but also for California at large.

The 399 MW project, which includes a substation, will be sited on almost 5,000 acres of prime agricultural rangeland adjacent to a thriving community of small-scale sustainable farmers.

In order to reach approval, the County took the unprecedented act of canceling California Land Conservation Act contracts, also known as the Williamson Act, on a total of 7,000 acres (the number of acres cancelled in the entire state average less than 1,000 annually). Williamson Act contracts are agreements that entitle landowners to receive property tax breaks in exchange for keeping their land in agricultural production and free from development.

These contracts have minimum ten-year terms and the law is written so they may only be cancelled under narrow circumstances.

A group of local farmers and national environmental organizations challenged both the County's decision to cancel the contracts and also the Environmental Impact Report (EIR). Opponents say the EIR inadequately mitigated for the loss of prime agricultural land with Class 1 soils and failed to address the serious impacts to recovery for several threatened and endangered species.


The court upheld San Benito County's approval, establishing a dangerous precedent by deferring to local County government to decide what constituted "expert testimony" in determining whether other public interests outweigh the community value of preserving agricultural lands and open spaces. In this case, that expert testimony was provided by consultants hired by the developer, a startup company with no prior experience in solar whose players have a history of following government subsidy money.

California is under an Executive Order issued in 2008 to reach 33% renewable energy by 2020. This mandate, as well as federal subsidies under the American Renewal and Reinvestment Act (ARRA), is driving a rush for more and more renewable energy development, despite the fact that there are already enough projects in the queue waiting for approval to meet the target.


In the Central Valley, desperate landowners are selling off some of the best farmland in the world for pennies on the dollar while nearby the Westland CREZ (30,000 acres of saline-tainted fallow farmland designated by the state as a Competitive Renewable Energy Zone) sits ignored. Even before the renewable energy "gold rush," California was losing viable farmland at a rate of 30,000 to 50,000 acres every year.

Yet there are no mandatory requirements for how local governments should balance meeting these goals with other land uses, and zoning ordinances can often be changed relatively easily. There is also no statewide standard for the minimum mitigation requirements when

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farmland is converted. And California still does not have General Plan guidelines requiring development of local strategies for protecting farmland. San Benito, whose top industry is agriculture, doesn't even have an Agricultural Element in their General Plan.

In economically depressed areas, weak promises of jobs and economic growth are winning the day. The Panoche Valley developers promise 50 long-term jobs and \$24 million over 20 years after their project becomes profitable. They also say they will pay for the permanent protection of about 4,500 acres of mountainous rangeland with poor topsoil to mitigate for the negative impacts of their project on roughly 5,000 acres of fertile valley floor.

The imperative to provide jobs and produce more homegrown energy is understandable, but San Benito County residents should ask what's in it for us. We must evaluate the value of short-term construction jobs at remote energy projects when they displace vital agricultural land and wildlife areas, while places zoned for industrial development around urban areas where jobs are desperately needed remain undeveloped. It's hard to see how this type of poor land planning will contribute to the economic viability of San Benito in the long run.

The Panoche Valley project may move ahead after clearing the remaining federal permitting hurdles, but it certainly won't be the last controversial land use decision the County will face.

Whether viewed as a benefit or a threat, this project points to an opportunity now for our community to develop the policies and procedures necessary to ensure the long term viability of agriculture, recreation and wildlife in the face of continuing demands for development.

Kim Williams, Panoche Valley

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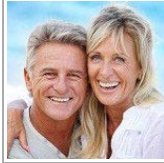
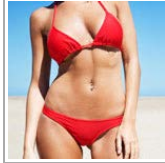
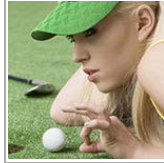


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