

**SOLAR AND THE SAN JOAQUIN VALLEY:
IDENTIFICATION OF LEAST-CONFLICT LANDS
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Farm Bureau is encouraged and pleased to participate in this stakeholder process to discuss potential screens or criteria for the siting of solar PV electrical power facilities in the San Joaquin Valley. For context, just a few short years ago there were over 500 solar PV projects in the planning pipeline in the South San Joaquin Valley that would have converted over 41,000 acres of productive farmland. Solar PV was the new urban node that threatened to sprawl over one of our state's irreplaceable natural resources: our best food producing soils.

That 41,000 acres was just the initial response to the 33 percent RPS by 2020, but we all knew that the long-term goal was much larger and now with pending legislation to achieve 50 percent by 2030, appropriate preparation for the next wave of development is essential.

So why was productive farmland targeted for these early solar PV power plant developments? Clearly, the land's productivity for food production was disregarded in the initial feeding frenzy. The only criterion of importance to solar developers was, and for most companies still is, economics, which typically translated to proximity to an electrical substation to allow ease of interconnection to the grid.

We believe, and thankfully the initiation of this planning exercise indicates that the governor now believes, that there is a better way. Yes, it requires good planning, including the location of new power line corridors, to allow utility-scale solar projects to be built on our least productive farmland and away from important wildlife habitat. When I use the term utility-scale solar projects and the resultant impacts, I am including anything over about 5 MW. Many reference distributed generation as a tool to minimize impacts, however DG is often linked with projects up to 20 MW. Such projects can and do have significant impacts, as up to 160 acres can be affected.

Farmers and ranchers support all forms of renewable power projects, but my members, who represent over 85 percent of production agriculture, believe utility-scale electric power facilities should be located on marginally productive land. Even if that lower quality ground is in the Williamson Act. As a matter of fact, it was Farm Bureau's idea, as many of you know, to allow marginally productive or physically impaired land an easier way out of the Williamson Act under SB 618, the 2012 law that created the solar use easement.

The solar-use easement provisions to the Williamson Act give local authorities greater flexibility to direct utility-scale projects away from their productive farmland. Our hope was to also strengthen the Williamson Act by providing a significant incentive to encourage solar PV developers to locate their energy facilities on the least productive soils. The rescission of Williamson Act contracts for a solar-use easement eliminates the nonrenewal period of nine or 19 years, and there is no need to mitigate for the principles of compatibility if the land is

considered nonprime and meets other eligibility requirements. It also provides a significant reduction in the risk of litigation for violation of Williamson Act cancellation or compatible use provisions, especially in the case of Farmland Security Zone contracts. The cost of a contract rescission under this program is also less than the amount required for a contract cancellation. Last year we added another incentive for counties to adopt the program by allowing the county to keep half of the rescission fee or five percent of the current market value of the land. The cancellation penalty fee flows exclusively to the state.

Our position is based on the following facts:

- The protection of productive farmland and the farming operations on that land is an issue of national, statewide, and local importance.
- Agriculture is a critical component to our economy, quality of life, and food security.
- With the global population expected to reach 9 billion by 2050, we believe that that our food production is just as important as energy production.
- Agriculture is a basic industry: farmers invest thousands of dollars per acre annually in the local economy and the sale of the commodities produced brings in millions of dollars from outside the local region that also multiply and help sustain non-ag related local business. Compare the renewable nature of those economic inputs year after year, to the one-time temporary jobs, often from out of the area and sometimes from out-of-state during the construction phase of a power facility.

As a result of Farm Bureau's policy concerns, we worked closely with the California County Planning Directors Association to develop permit streamlining guidelines and a model ordinance for solar PV facilities. It fast-tracks the permit application process for projects like rooftop solar and directs large-scale projects away from productive farmland and especially productive farmland covered by a Williamson Act contract.

Now, we welcome the opportunity to help identify the appropriate criteria needed to site utility-scale energy facilities on least-conflict lands before we get flooded with another tsunami of solar development. This will allow counties to better plan for this new type of urban development instead of it being developer driven.

Frankly, I think everyone in this room already knows where the targeted ground should be in the South San Joaquin Valley. It is salt impacted, it is drainage impaired, and it is part of a record of decision with the federal government, it is the retired land in the Westlands Water District.

Let's make it happen. Let's expedite the building of the distribution infrastructure necessary to make these least conflict lands available to meet our renewable energy needs.