

FARMLAND WORKING GROUP

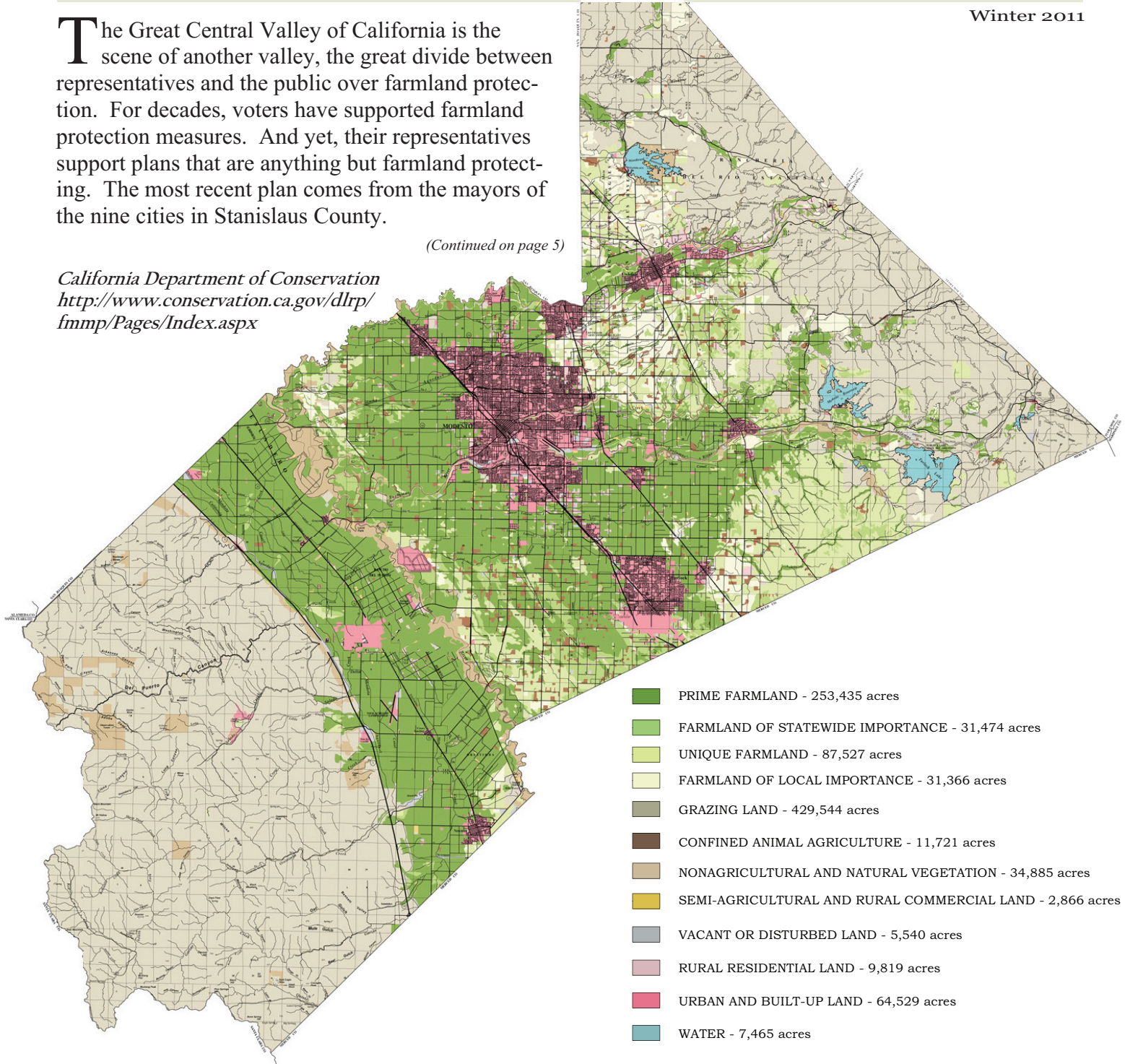
STRIVING TO PROTECT FOOD, FAMILIES AND FARMLAND

Winter 2011

The Great Central Valley of California is the scene of another valley, the great divide between representatives and the public over farmland protection. For decades, voters have supported farmland protection measures. And yet, their representatives support plans that are anything but farmland protecting. The most recent plan comes from the mayors of the nine cities in Stanislaus County.

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California Department of Conservation
<http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx>



State of California
Rural Land Mapping Edition
Stanislaus County Important Farmland 2006

WE ARE WATCHING... Solar Structures on Prime Farmland



By Carol Whiteside

Choosing between two "goods" is never easy. That is the quandary we must confront here in California, especially in the San Joaquin Valley. The Governor and the Legislature have mandated that 33% of the energy produced and sold in the State has to come from renewable sources, and that means more power from the sun, from wind and other renewable sources. Considering the need to reduce our dependence on imported oil, the health concerns around air pollution from burning carbon fuels, and the negative impact of carbon emissions on the earth's atmosphere, this policy direction could not be more important.

At the same time, we still need to be mindful of our important land resources, and ensure that we are not solving one problem while creating another. There are thousands of acres of prime farmland being proposed for solar development in the valley.

As in all public policy debates, especially when there are two desirable outcomes (agriculture and renewable energy), finding a good balance is the goal. While certainty for development has always been important, the ability to evaluate each proposal on its own merit might still be the best way to proceed, rather than creating rigid rules that may not apply in every situation.

When evaluating proposals for the generation of energy resources on farmland, I want to know how many acres are already in energy production in the county. Is the location on prime soils? In the Williamson Act? Is there a plentiful, affordable source of water? Will the energy project interfere with or in same way diminish the uses of adjacent land?

Once a site(s) is selected and the project is ready to be approved, there is one more important concern: the decommissioning process. Utility projects all have finite useful lives. Plans for disassembling the project should be part of the approval process. Just as quarry owners have to return the area to its natural state or better, so too should energy project operators. For those who are concerned about protecting our valuable natural resource lands, ensuring that the land will return to its natural state at the end of the useful life of the solar generators is an important consideration.

While renewable energy projects are a type of development, they are far less destructive than asphalt or concrete. Protecting farmland and generating renewable energy are both desirable goals. Our challenge is to find ways to accomplish them both - two goods for the benefit of our society.

By Steve Alder

In an action aimed at conserving prime farmland and protecting the integrity of California's main farmland-conservation program, the California Farm Bureau Federation filed a lawsuit Monday that charges the Fresno County Board of Supervisors with overstepping its authority when it authorized construction of a utility-scale solar power project on prime farmland.

Earlier in October, county supervisors voted to cancel a Williamson Act farmland-conservation contract on 90 acres of prime Class I soil, to allow the parcel to be developed for a large solar power plant. Farm Bureau said the Williamson Act requires that a proposed contract cancellation meet rigorous findings. For example, to find that a cancellation is in the public interest, the benefits of the proposed project must substantially outweigh the objectives of the farmland-protection program, and there cannot be other, unprotected land available for the same use.

In its lawsuit, Farm Bureau said Fresno County supervisors "have completely and repeatedly ignored the unanimous recommendations and advice" from state agencies, local advisory committees and its own staff, that the request for cancellation did not meet the requirements and that the Williamson Act contract should not be cancelled. The suit, which was filed in Fresno County Superior Court, asks the court to order the board of supervisors to rescind immediately its approval of the cancellation request and to require the county to comply with the act in any further cancellation requests.

Williamson Act contracts include an agreement from landowners to maintain their property in agricultural use for 10 years. In return, landowners receive a property tax assessment based on the agricultural value of the property rather than on its development value.

California Farm Bureau President Paul Wenger (inset) said the organization filed suit to assure that large-scale solar power facilities are located in appropriate places. "Farmers recognize the potential of solar power," Wenger said, "and California farmers lead the nation in the installation of on-farm solar power generators. But pressure to build utility-scale solar plants has touched off a land rush that threatens thousands of acres of prime farmland. There are millions of acres of marginal land in California. That's where these power plants should go, so we can conserve prime farmland to grow the crops that sustain our state and nation."



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Among the agencies urging the board of supervisors to deny the request for cancellation of the Williamson Act contract was the California Department of Conservation, which sent a letter to the supervisors on Oct. 10 pointing out that in this instance "the project proponent has failed to establish that the state's interest in developing renewable resources on the subject property 'substantially outweighs' the variety of interests served by the preservation of the maximum amount of the limited supply of agricultural land."

On the following day, the supervisors ignored the recommendations of county staff, its own Agricultural Land Conservation Committee, the Department of Conservation and Farm Bureau by voting to approve the solar project. "The conversion of prime farmland is a bell that is very difficult to un-ring, and for solar projects it is a heedless exercise because the state is carpeted with

sunshine and only a small fraction of that falls on prime farmland," said Chris Scheuring, CFBF managing counsel. "We think the Fresno County board of supervisors needs to go back and think a bit more creatively about harmonizing the public interest in solar development with the public interest in retaining prime farmland," he said. "That can be done through more deliberate siting decisions."

The 90-acre parcel that would be converted for the solar plant is located within the Westlands Water District and has been covered by the Williamson Act since 1969. The land has been continuously farmed in recent years, primarily for the production of honeydew melons, lettuce, spinach, tomatoes, onions and an almond orchard.

*Reprint from
California Farm Bureau Federation*

We're Working for YOU

Please take a moment to support *Our Work* with an End-of-Year Donation — Thank you!

(Continued from page 3)

While the idea and process for regional planning is sorely needed, the plan put forward by the mayors is not farmland protection.

To the contrary. Out-going Modesto Mayor Jim Ridenour has stated, "This plan protects 88,000 acres of farmland." The valley floor in Stanislaus County is about 350,000 acres, planning to leave less than 25% for our number one industry, agriculture, is a bad plan! Sprawl will resume with the next big housing development wave. We can expect existing agricultural processing facilities will need to move to other areas with better access. Sprawl congests access routes. Imagine Ceres bumping up to Turlock and Hughson. Traffic congestion would prevent crops from timely delivery to massive food processing facilities in the Beard Industrial tract. What happens to other food processors, almonds, walnuts, dairy, and the cavalcade of ag support services, when the land that feeds those industries is reduced by more than half?

Some say the Mayors Plan is not intended for protection but rather rejection. The theory is to have a public vote on an urban growth boundary map that is so massive, if it passes it has little

impact. If rejected, it has no impact. Passage would assure sprawl over our most productive soils.

Others say that the plan is intended to counter efforts by Supervisor Jim DeMartini to apply farmland mitigation standards under Local Area Formation Commission (LAFCO) for city annexations. Stanislaus County requires that one acre of farmland be protected for every acre lost to housing development. Despite any effort to substitute urban growth boundaries for farmland mitigation, it may be difficult for LAFCO to rationalize approving housing developments for cities without matching the mitigation requirement simply because the authority changes from county to city. In an era of legal challenges, it is reasonable to project a litany of setbacks for developers and cities intent on housing expansion without farmland mitigation common place in California.

In a world that just announced its 7 billionth human, it is difficult for FWG to understand how planning to urbanize nearly 262,000 acres of the most productive agricultural area the world has ever known could be a good plan. **Let's promote the mayors' process and reject the map.**

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Message from the Chair

Farmland Working Group is a strong voice in land-use issues — including the long term protection of the world's most productive farmland — the agricultural land of our region. Our attendance at public meetings, as well as letters to public agencies and local newspapers, keeps key issues alive and in the public forum.

Your donation keeps our grassroots organization active and vital.

2011 Advocacy—FWG Directors met with, attended, participated...

January

1/18 Modesto City Councilmember Stephanie Burnside
1/4 1/10, 1/27, 1/30 Stanislaus County Supervisor Terry Withrow
1/5 Carol Whiteside
1/19 Merced Ag Tourism
1/24 Bill Zosloski
1/26 Stanislaus Council of Governments (StanCOG)/Hwy 132
1/26 Stanislaus Local Agency Formation Commission mtg.*
1/27 American Farmland Trust —Ag Mitigation Summit*
1/31 Modesto City Councilmember Brad Hawn
1/31 City of Modesto Economic Development Committee*

February

2/1 North County Corridor Technical Advisory Committee
2/7 Ag Preservation Summit—Stanislaus County Ag Center
2/14 Councilmember Burnside
2/16 NCC Joint Powers Authority Committee
2/17 FWG Board meeting
2/17 Valley Futures Forum
2/18 Radio interview — Denny Jackman
2/25 High Speed Rail webinar

March

3/1 Turlock City Council/Planning Commission Joint Meeting.*
3/8 Stanislaus County Board of Supervisors meeting*
3/12 Partnership for Ag and the Environment Panel*
3/14 Supervisor Withrow
3/16 Modesto City Councilmember Joe Muratore
3/16 NCC JPA
3/18 Riverbank Mayor Virginia Madueno
3/21 Councilmember Muratore
3/21 American Farmland Trust/review of local action
3/22 AFT—Local Ag Tour
3/29 Turlock City Council/Planning Commission Joint Meeting*
3/31 Kirk Ford, Stanislaus County Planning Director

April

4/5 NCC Technical Advisory Committee meeting
4/7 Supervisor Withrow
4/8 Modesto Chamber of Commerce, Leadership Modesto Conference*
4/12 Turlock City Council Meeting*
4/16 City of Modesto —Earth Day at the Park – booth
4/21 FWG Board meeting
4/21 Serena Unger, AFT
4/26 NCC JPA
4/27 Supervisor Withrow
4/30 NCC Make Kiernan Work Group

May

5/3 NCC Technical Advisory Committee meeting
5/17 Todd Aaronson, Modesto City Council candidate
5/18 Supervisor Withrow
5/18 NCC JPA
5/21 Tuolumne River Trust/Green on the Stream/booth

5/23 Supervisor Withrow

5/26 Modesto City Manager Greg Nyhoff

5/27 Turlock City Manager Roy Wasden

June

6/7 NCC Technical Advisory Committee
6/10 Turlock Certified Farmers Market— booth
6/15 NCC JPA
6/16 FWG Board meeting
6/16 NCC Riverbank Public Scoping Meeting
6/21 Councilmember Brad Hawn

July

7/20 NCC JPA
7/27 AFT conference call
7/27 Project Implementation Plan meeting/Hwy 132
7/27 LAFCO meeting*
7/29 TCFM— booth
7/30 Modesto Farmers Market— booth

August

8/2 California State University, Stanislaus/Sustainable Communities Forum*
8/11 Valley Futures Forum
8/23 Hwy 132 meeting
8/23 Ceres Mayor Chris Vierra

September

9/2 California State Senator Cannella staff
9/6 Modesto Institute of Continued Learning presentation*
9/8 AFT/State of the Central Valley—Merced
9/8 Hwy 132 workshop
9/19 FWG Board meeting

October

10/6 Patterson Councilmember Annette Smith
10/6 Turlock City Council/Planning Commission Joint Meeting*
10/10 Stanislaus County Supervisor Jim DeMartini
10/17 FWG Board meeting
10/17 Modesto City Council EDC/Planning Commission meeting*
10/18 Turlock Mayor John Lazar, City Manager and staff
10/19 StanCOG meeting
10/22 Modesto Farmers Market—booth
10/26 Councilmember Hawn
10/26 Hwy 132 PIP meeting
10/26 Meeting with local farmers regarding Hwy 132
10/27 Ed Thompson, AFT
10/30 TCFM — booth

November

11/7 Supervisors DeMartini and Withrow, Audubon Society, Nature Conservancy, Sierra Club, FWG — round table meeting
11/10 AFT/State of Ag Preservation in Stanislaus County
11/14 Modesto EDC/PC Joint Meeting/review of Mayors Plan*
11/16 NCC JPA
11/29 Modesto City Council/new council members “welcome”

* *FWG speaker*

Feds make nearly \$1 Billion grant for Central Valley High Speed Rail

A \$928.6 million grant has been made by the U.S. Transportation Department to help pay for the initial construction of the first portion of the proposed California High-Speed Rail system. Construction is expected to begin next year near Fresno, “creating tens of thousands of jobs in California,” in the words of the department.

“Investing in a green, job creating high-speed rail network is less expensive and more practical than paying for all of the expansions to already congested highways and airports that would be necessary to accommodate the state’s projected population boom,” says U.S. Transportation Secretary Ray LaHood.

The grant, when combined with voter-approved state support and previously-awarded federal dollars, will fund the construction of the first usable segment of the California system in the Central Valley.

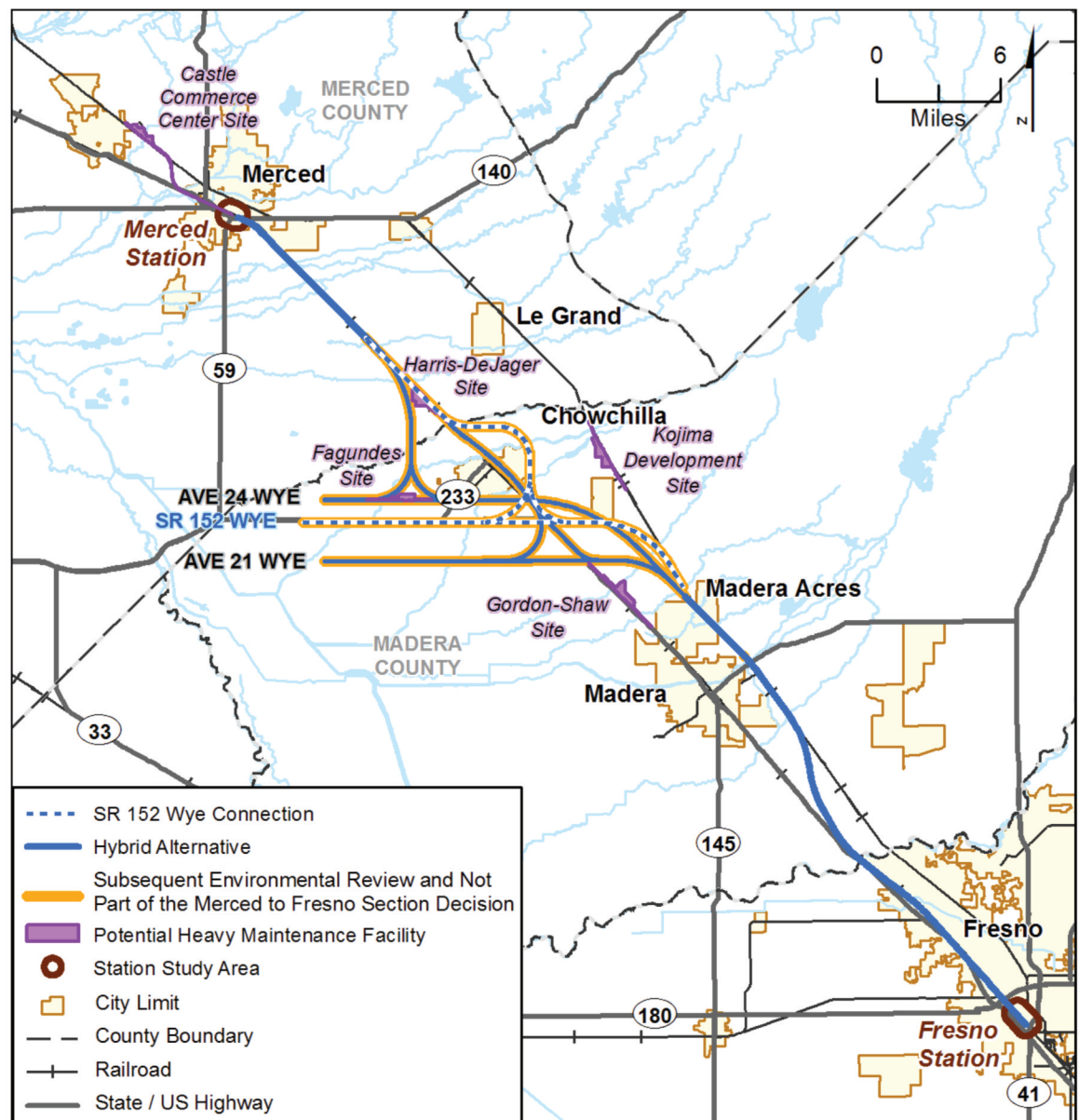
The first construction project will put more than 100,000 people to work during the next five years, the department claims.

“Over the course of the network’s construction, more than one million jobs are expected to be created, and the economic activity spurred by the new system is expected to add up to 450,000 new non-high-speed rail jobs to the California economy by 2040,” it predicts.

If built as planned, California’s 220-mph high-speed rail system will connect the Bay Area with the Los Angeles area. The trains would hurtle through the Central Valley at their highest speeds.

However, Kings County and others are battling the proposed system in court and Republicans in Congress have vowed to block further funding of California’s project.

*Reprint from:
Central Valley
Business Times*





www.farmlandworkinggroup.org

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*We need
your support —*

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Wish For Our Community 2012