



# The Desert Protective Council, Inc.

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To Whom It May Concern:

We appreciate this opportunity to comment as stakeholders in the desert renewable energy conservation planning process. We wish to specifically comment on the inclusion of Imperial Valley agricultural lands into a category considered to be wholly appropriate for renewable energy production. This letter will explain why the proposed DFAs in Scenarios 1-6, if realized, will destabilize the local economy and permanently alter the environment to a dust bowl.

### 'Highly converted lands'

DRECP uses The Nature Conservancy (TNC) ecoregional disturbed lands category to identify 'highly converted land'. The intent of the TNC was to 1. prioritize conservation goals for targets that are rare or have limited distribution, and 2. prioritize ecosystem representation and integrity by selecting a uniform percentage of all targets.<sup>1</sup> The highly converted lands were those that did not reach these goals. For TNC's purposes lumping together lands altered by disturbance and agricultural uses is appropriate.

DRECP's need to identify Development Focus Areas (DFA) in the scenarios; i.e. land potentially suitable for renewable energy development, is fundamentally different for TNC.

Agricultural lands should have their own category and acreage considered for its productive uses and economic value. Reference the May 8 Dudek memorandum on Methodology for Developing the Scenarios, Appendix A Tables 1 (columns 2-6 below) and 2 (columns 7 and 8 below). The table below combines data from the Appendix to isolate Imperial County. All numbers are in acres.

### Farmland Mapping and Monitoring Program (FMMP) for Imperial County

Table 1: Farmland categories (excluding grazing and other)

DFA = Development Focus Area

Scenario	Local Importance	Statewide Importance	Prime Farmland	Unique Farmland	Total in DFA	Development for all technologies	Development for all technologies San Diego County
1	21,221	292,830	159,211	644	473,926	691,963	-0-
2	26,705	298,304	162,920	799	488,727	796,026	-0-
3	26,706	297,652	162,437	799	487,593	792,576	-0-
4	26,708	298,314	162,927	799	488,747	817,355	-0-
5	26,705	298,307	162,921	799	488,733	880,940	-0-
6	27,965	305,947	171,195	980	506,088	1,166,328	115

<sup>1</sup> TNC, A Framework for Effective Conservation Management of the Sonoran Desert in California. 2000. p46

*The mission of the Desert Protective Council is to safeguard for sustainable use by this and succeeding generations those desert areas of Southern California that are of unique or significant scenic, scientific, historical, spiritual, and recreational value, and to educate both children and adults to a better understanding of the desert.*

The total DFA acreage in all scenarios exceeds Imperial County's total acreage in production as reported by the Imperial County Farm Bureau (see Economic Impact below). The percentage of farmland acres per total acreage for energy development ranges from 68.5% (Scenario 1) to 42.0% (Scenario 6). It is intended that energy from all technologies be sent to San Diego County via the Sunrise Powerlink. San Diego County is contributing 115 acres Solar\_Wind production but many thousands of acres to transmission at great cost to rate payers. San Diego County is rich in rooftops and able to satisfy their energy needs through conservation, roof top solar and distributed generation. <http://www.sdsmartenergy.org/smart.shtml>

At the May 10, IEPR Commission workshop to identify and prioritize geographic areas for renewable development in California, Tim Snelling, President of the California Counties Planning Directors Association, described the farmland categories in the above table as non-preferred sites. He also included Ag lands under Williamson Act. This recommendation should be applied to all farmland, including farmland in Imperial County. [http://www.energy.ca.gov/2012\\_energy/policy/documents/2012-05-10\\_workshop/presentations/Snellings\\_Tim\\_CCPDA\\_05-10-12.pdf](http://www.energy.ca.gov/2012_energy/policy/documents/2012-05-10_workshop/presentations/Snellings_Tim_CCPDA_05-10-12.pdf)

There is unproductive land in the Imperial Valley that can be considered for solar production. Lands with unproductive soils are found in the Mesquite Lake area east of Holly Sugar on either side of Dogwood Road and Highway 111 and west and north of Niland. Energy produced on these lands should be for use within the Imperial Valley rather than being shipped over the Sunrise Powerlink to San Diego.

#### **Biological value of Imperial Valley farm lands**

The highly converted lands category is unable to account for the following:

1. Over 70% of the state's burrowing owls reside in Imperial County. There are more owls per square mile here than anywhere else in the United States, and possibly the world. (Imperial County Farm bureau)
2. The Salton Sea, the lush farm fields, and the 3,000 miles of IID canals and drains provide habitat for hundreds of thousands of birds every year - 400 species of birds have been documented. It is a critical stopover on the Pacific flyway. (U.S. FWS)

#### **Economic Impact of Agricultural Land in the Imperial Valley** (Source: Imperial County Farm Bureau)

1. There are 478,000 acres under agricultural production in the Valley. Agricultural production includes livestock, vegetable and melons, field crops, fruit and nut crops, and bees (honey and wax and pollination).
2. The gross production in 2010 was \$1.6 billion with an estimated economic impact of \$4.3 billion.
3. The total estimated jobs created overall in 2010 were 43,640 (1 job for every 11 acres).
4. The estimated personal income generated overall was \$957 million.

#### **What are the implications of converting productive agricultural land to solar facilities?**

In 2011 the Imperial Irrigation District (IID) decided to sell approximately 2,000 acres near Calipatria that were previously leased to farmers. The land would be converted to solar facilities with the energy being shipped to San Diego.

Pat Dockstader, owner of Golden Eagle Hay Company in Calipatria details the impact of losing rented land on his business. (IV Press Sept. 29, 2011)

Dockstader has rented 550 acres from IID for the past 20 years. What is being lost?

1. 4,000 tons of hay per year, which supports California's dairy industry
2. \$250,000 to \$500,000 gross income
3. 135 truckloads for trucking company

4. \$300,000 in fertilizer sales
5. 2 employee jobs terminated
6. loss of work for irrigators, farm service providers, seed harvesters, crop dusters, and crew workers
7. loss of worker income to community businesses

One can assume similar figures for the remaining parcels sold in the 2000 acre package.

The majority of agricultural production in the Imperial Valley is conducted by family owned businesses on owned or rented/leased land. There may be as few as two large agri-businesses in the valley. The family businesses often date back to the early 1900s – in other words, they are the original farming families. These farmers and their productive land are the keystone in an agricultural system made up of a network of support businesses that are also family owned and generational. Included in the system are the field workers, their families, and their history in the valley. Converting thousands of acres of productive land to solar facilities threatens a productive network based on generations of relationships. Solar energy production is conceived as a job producer in areas suffering from low employment. This conclusion is highly questionable in Imperial County and deserves serious research.

Solar companies are required to develop soil restoration plans for implementation when their facilities cease production. Considering the magnitude of land conversion it would be prudent and far thinking for the County to develop a concurrent plan to restore farming support businesses. Impact fees can be charged and interest earned until the funds are needed. This fee would be separate from the Public Benefit Fee the developers already negotiate with the County. If the DRECP scenario plays out, failure to plan ahead will leave hundreds of thousands of acres of barren land wide open to wind erosion. The erosion will impact all aspects of life including air quality, health, and the surrounding human, agricultural, and natural environments. All effects should be addressed under cumulative impacts in the DRECP EIR as well as Salton Sea restoration planning efforts.

### **Soil Degradation**

Solar companies are required to develop soil restoration plans. There are several reasons why the restoration of soils to their productivity at the time of conversion is problematic, if not impossible.

1. The concrete ditches on the property and tile drainage system would fail during the project because there would be no water going through them. The cost to replace, in current dollars, is \$3,000-\$4,000 per acre for a 70 acre field with tile spacing on 100' centers.

The water table in the valley is currently at the level of the tile drainage lines (5-7 feet deep). This water is very salty. When the tile drainage system fails, the water table will slowly rise and push salts to the surface poisoning the productive soil. That means when the project is over a new irrigation ditch would have to be installed as well as a new tile system, but instead of 100' centers it would now have to be installed at 50' centers to quickly remove the salts from the soil that accumulated during the 20 year period. Large quantities of water will be required to flush salts from the soils.

2. During construction of the solar facilities, heavy earth movers and water trucks are used to control dust and to compact the soil where the solar pedestals will be installed. Once a soil is compacted its texture is ruined and it can't be brought back to the same level of production that it once had unless it is very sandy soil. Compare this to a marshmallow. Once you squash it, it becomes impossible to return it to its original fluffy state. That's what will happen to the agricultural lands taken out of production if heavy earth moving equipment and water trucks are used during construction.
3. The solar companies are required to control dust on their property during the 20 years of use. It is unknown how this will be done. Companies have questioned if grass could be grown and, of course, anything is possible, but it would be very costly. At this time, solar facilities being built in the vicinity of

Signal Mountain are on ground that was growing a crop of bermudagrass. It will only take a good summer downpour to get a perfect stand of bermudagrass growing again. If the roots reach the water table they can use the salty water and a jungle will develop. The grass will cover the solar collectors. In the end it may require fumigation of the ground to kill all the bermudagrass rhizomes and seed, although seed will still be blown in from adjacent properties.

4. Wind velocities in the Valley can reach speeds in excess of 35mph. These winds and dust lead to dirty mirrors and pitting. The water required to clean the mirrors should be calculated on the high side since it is uncertain how climate change will affect the frequency and velocity of winds. The water should be mineral free so as not to leave salt residues behind. Is the water currently used for irrigation appropriate for this use?
5. There are a number of ways to catalog soils and one should be selected for the purpose of defining unproductive land suitable for a solar facility. For verification, true productivity requires extensive soil testing on the soil profile from the surface down four feet in numerous places throughout the field. (Consult the NRCS or Soil Scientist, Dr. Kahled Bali, University of California Cooperative Extension, Holtville)

### **Williamson Act**

The California Land Conservation Act, better known as the Williamson Act, has been the state's premier agricultural land protection program since its enactment in 1965.

The California Legislature passed the Williamson Act in 1965 to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. The Act creates an arrangement whereby private landowners contract with counties and cities to voluntarily restrict their land to agricultural and compatible open-space uses. The vehicle for these agreements is a rolling term 10-year contract (i.e., unless either party files a "notice of nonrenewal," the contract is automatically renewed for an additional year.). In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual use, rather than potential market value.

The Williamson Act is estimated to save agricultural landowners from 20 percent to 75 percent in property tax liability each year.

In 2010 the Imperial County Board of Supervisors voted to exit the Williamson Act program and began to issue nonrenewal letters to participating farmers in the Valley. Farmers began to see an immediate rise in their property taxes.

Over the past few years the Williamson Act has been in flux at the state level because of budget constraints. At one point the renewal was in jeopardy and it was during this time that Imperial County opted out of the program. For those farmers who own the approximately 116,000 acres under the Act, the tax increases can be a significant hit. At the same time the value of the land for solar facilities is rising. It is becoming increasingly lucrative not to farm.

Interestingly, the renewed Williamson Act (2011) allows the construction of solar power generating facilities to be a compatible use on Agricultural Preserves. Since the land may be needed in the future for agriculture, solar projects are required to restore the land back to its current condition when the panels are removed. As explained above, this is, for all intents and purposes, impossible.

The loss of the Williamson Act is a hit on the farmers, agricultural lands, and the community that supports their productivity. The DRECP emphasis on wholesale conversion of productive agricultural land to solar facilities in the Valley will further destabilize this important industry.

### In closing

1. The DRECP must reevaluate its definition of 'highly converted lands'.
2. The DRECP must include the new category of agricultural lands and account for their productive value and economic importance locally and at the State level.
3. The DRECP should label the farmland categories in Table 1 above as non-preferred.
4. DRECP must include the intricate community network of business and laborers that support agricultural production when evaluating the economic impact of converting productive agricultural land to solar facilities.
5. The DRECP should select and require a soil testing methodology to determine productivity. Only unproductive soils should be available for energy production, and the energy used locally.
6. The DRECP must evaluate the feasibility of restoring soils to productivity after 20 years of abuse.
7. The DRECP must evaluate loss to the State and the United States if productive farmland in the Imperial Valley is permanently converted to a wasteland.
8. The DRECP should quantify the long term effects of permanently converting productive farmland to sterile solar fields in the face of climate change.
9. The DRECP should include energy production at point of use in their calculations and update the numbers regularly.

In ways similar to the Dust Bowl of the 1930's, governments—local, state and federal —set the stage for another dust bowl by converting agricultural land to barren solar fields, offering economic and regulatory incentives that lure companies to invest and develop, stimulating false demands by failing to consider alternative local production of solar energy, and encouraging unsustainable practices.

The Desert Protect Council supports conservation and energy efficient measures including efficiency upgrades, rooftop solar, and distributed generation in the built environment. DPC does not support remote large scale energy development on our public lands or productive farmland. We support thinking deeply and planning wisely for the future.

We appreciate your openness to stakeholder input in this complicated planning process and thank you for this opportunity to expand my previously delivered comments. If there is any way I can be of further assistance do not hesitate to contact me. Phone: 760-362-4156

Respectfully,



Pat Flanagan, On Behalf of the DPC

Cc Terry Weiner, Imperial Valley Program Coordinator for DPC  
Lindsay Dale, Executive Director, Imperial County Farm Bureau  
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Laura Crane, The Nature Conservancy  
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Kim Delfino, Defenders of Wildlife  
April Sall, The Wildlands conservancy  
Jill Bays, Transition Habitats Conservancy  
Scott Flint, CEC

Attachment: Economic Impact of Imperial Valley's agricultural industry

Total economic impact of Imperial Valley's agriculture industry.

Commodity	Imperial Valley's Gross Production (2009)	Total Acreage (2009)	Imperial Valley's Gross Production (2010)	Total Acreage (2010)	Economic Impact Multiplier (1)	Total (estimated) Economic Impact (2009)	Total (estimated) Economic Impact (2010)	Jobs Multiplier (2)	Total (estimated) Jobs Created Overall (2009)	Acres per Job (2009)	Total (estimated) Jobs Created Overall (2010)	Acres per Job (2010)	Personal Income Multiplier (3)	Total (Estimated) Personal Income Generated Overall (2009)	Total (Estimated) Personal Income Generated Overall (2010)	Note
<b>Total Ag Production</b>	\$1,452,970,000	478,000	\$1,598,534,000	478,000	2.70	\$3,923,019,000	\$4,316,041,800	27.3	39,666	12	43,640	11	0.5984	\$869,457,248	\$956,682,746	4
<b>Livestock</b>	\$343,201,000		\$321,022,000													
Cattle (feedlot)	\$287,001,000		\$287,510,000		2.1698	\$622,734,770	\$580,443,198	16,745	4,806		4,479		0.4121	\$118,273,112	\$110,240,871	5
Sheep (feeders)	\$5,475,000		\$4,421,000		2.1698	\$11,879,655	\$9,592,685.80	16,745	92		74		0.4121	\$2,256,248	\$1,821,894	5
<b>Total Vegetables &amp; Melons</b>	\$890,311,000	114,099	\$808,126,000	115,501	2.1470	\$1,482,097,717	\$1,737,193,522	25,779	17,796	6	20,858	8	0.5614	\$387,540,595	\$454,243,336	6
<b>Field Crops</b>	\$312,544,000	353,128	\$360,139,000	351,816												
Wheat	\$97,862,000	111,638	\$42,424,000	58,562	1.9055	\$166,476,041	\$80,838,932	15,875	1,554	72	673	87	0.3659	\$35,807,706	\$15,522,942	7
Sugar Beets	\$41,764,000	18,022	\$70,099,000	25,188	1.7859	\$74,586,328	\$125,189,804.10	15,053	629	29	1,055	24	0.3491	\$14,579,812	\$24,471,561	8
<b>Total Fruit &amp; Nut Crops</b>	\$47,765,000	6,745	\$51,294,000	7,104	2.2863	\$109,205,120	\$117,273,472.20	31,315	1,496	5	1,606	4	0.6203	\$29,628,630	\$31,817,668	9

Notes:

1. The increase to the total output of the whole California economy for every dollar in direct output from the chosen commodity.
2. The number of jobs added to the California economy for every million dollars in direct output from the chosen commodity.
3. The increase in total earnings of California-employed households for each dollar in direct output from the chosen commodity.
4. The economic impact multiplier for Total Ag Production is based on CDFA estimates. All other multipliers are from California Economic Strategy Panel figures.
5. The cattle and sheep multipliers are based on the calculations for "meat animals." There is no differentiation between the type of animal.
6. The vegetables & melons multipliers are based on the calculations for "Vegetables." There is no differentiation between the type of vegetable.
7. The wheat multipliers are from the "Food Grains" category.
8. The sugar beet multipliers are from the "Sugar Crops" category.
9. The fruit & nut crop multipliers are from the "Fruits" category.

	Estimated Total Jobs Created (2009)	Acres per Job Created (2009)	Estimated Total Jobs Created (2010)	Acres per Job Created (2010)
<b>Total I.V. Ag Industry</b>	39,666	for every 12 acres farmed, a job is created.	43,640	for every 11 acres farmed, a job is created.
<b>Vegetable &amp; Melon Crops</b>	17,796	for every 6 acres farmed, a job is created.	20,858	for every 6 acres farmed, a job is created.
<b>Wheat</b>	1,554	for every 72 acres farmed, a job is created.	673	for every 87 acres farmed, a job is created.
<b>Sugar Beets</b>	629	for every 29 acres farmed, a job is created.	1,055	for every 24 acres farmed, a job is created.
<b>Fruit &amp; Nut Crops</b>	1,496	for every 5 acres farmed, a job is created.	1,606	for every 4 acres farmed, a job is created.