



Sierra Club Appeals California Flats Solar Project

April 23, 2015

California Flats Solar, LLC, a subsidiary of First Solar, Inc., has obtained permits to construct and operate a 280-megawatt photovoltaic solar power facility in an area straddling the borders of Monterey and San Luis Obispo counties, approximately seven miles southeast of Parkfield and 25 miles northeast of Paso Robles.

Several conservation organizations, including Sierra Club, filed numerous detailed comments on the legal inadequacy of the Environmental Impact Report (EIR) as approved by Monterey County. The groups noted that the project is poorly sited in an inappropriate area and that as designed would result in the impairment of biological resources and special status species.

“The proper siting of utility-scale renewable energy facilities is an essential feature of the effort to move California toward a future of renewable energy,” said Santa Lucia Chapter Chair Michael Jencks. “The sustainability of this project depends on both the source of the energy and the impacts of the project on the habitat and wildlife. We have been involved in group discussions with First Solar on the project since its permit and EIR were approved by the Monterey County Board of Supervisors in February. The San Luis Obispo portion of the project was approved by the SLO County Planning Commission on April 9. We filed a notice of appeal to the County on April 23.”

As approved, the project would be built and operated on an approximately 3,000-acre portion of the sprawling Jack Ranch, owned by the Hearst Corporation. It would result in significant conversion of undeveloped grazing lands to utility-scale energy production and would directly result in the loss of habitat and displacement of State and Federally listed wildlife species, including the tri-colored blackbird, San Joaquin kit fox, California tiger salamander, fairy shrimp, California red-legged frog, Swainson’s hawk, Golden eagle, and Bald eagle. All are known to occur or have the potential to occur on or directly adjacent to the proposed Project site and surrounding areas. Importantly, the area is historically a foraging habitat for the California condor.

Perhaps the most significant impact of this proposed project is the potential loss of habitat connectivity for California's threatened and endangered species. The site, a verdant and undisturbed grassland, stands between the Carrizo Plain, containing two large solar plants, and the Panoche Valley, where yet another utility-scale solar installation is being planned. The survival of the San Joaquin Valley suite of species depends upon uninterrupted suitable habitat

and connectivity. Their populations are already very small and subject to collapse, and they are only likely to survive at all with the synergy that multiple connected habitats can provide.

Sierra Club California, in reviewing the CPUC approval of the proposed Panoche Valley Solar Project, commented, "As California continues its remarkable development of clean energy, our state regulators must also learn from the mistakes made during the last wave of solar projects, which in some cases have caused significant, if unintended, environmental damage. We must learn from those projects and strive to do better." Clean energy in California can and should be developed in balance with wild lands and ecosystems.

The San Luis Obispo portion of the project, consisting mostly of road improvements, has the potential to spur future environmental impacts by introducing industrial development and disturbance to the area. "As required by the California Environmental Quality Act, the SLO County Planning Commission should have addressed the ways in which the proposed road improvements could foster additional development or population growth," said Chapter Conservation Chair Sue Harvey. "The project has the potential to impact species recovery. The County should have required that those impacts be evaluated and mitigated before certifying the EIR."

"In 2011, local conservation groups appealed the permits of First Solar and Sunpower to build very large solar power projects in sensitive habitat on the Carrizo Plain," said Jencks. "Subsequent negotiations resulted in significantly better projects and better measures to mitigate the impacts of both projects on endangered species." Upon settlement of the Topaz litigation, First Solar issued a signing statement that "The parties negotiated in good faith and recognize that many challenges may be minimized or avoided in the future through earlier, more comprehensive communication between conservation groups and the solar companies with the goal to locate projects outside of important wildlife areas and sensitive natural resources." The Santa Lucia Chapter is concerned that First Solar has forgotten the lessons learned on the Carrizo Plain.

A hearing date for the appeal at the County Board of Supervisors has not yet been set.