

Industry says it will provide "a space for people"

By Marianne Napoles | Posted: Saturday, November 11, 2017 8:00 am

The City of Industry reiterated its commitment to use the 2,450-acre Tres Hermanos Ranch for open space, public use, and preservation purposes, after the Department of Finance announced last week that it would take no action on the sale.

Industry is also stating that it is not proposing a 450-megawatt solar facility.

A plan will be developed in the coming months, according to Industry city manager Paul Philips.

"We will work collaboratively with interested stakeholders and residents to ultimately create a space for people to enjoy," Mr. Philips said in a statement released after the Department of Finance announced its decision on Nov. 2.

Tres Hermanos is located on both sides of Grand Avenue in Chino Hills and Diamond Bar. The oversight board governing the sale of the land voted 4-3 in August to sell the property to the City of Industry for \$41.65 million.

The board is requiring Industry to include a restrictive covenant that would not allow the land to be used for any purpose other than a renewable energy project, open space, public use, and preservation.

Chino Hills councilman Peter Rogers said he was surprised that the Department of Finance validated the purchase.

"We were given the impression they would review this case after our team met with them in Sacramento," he said. "We had a feeling they would understand that something wasn't right about this."

Mr. Rogers said his gut feeling is that the state would rather have the courts render a decision.

"Until this shroud of secrecy is unveiled, the City of Chino Hills will stay vigilant in seeking information that defines this project," he said.

Diamond Bar city manager Dan Fox said that although his city had hoped the Department of Finance would review the sale as it had initially stated, it does provide the opportunity to put the matter in front of the court.

Mr. Fox said the sale of Tres Hermanos must be consistent with the successor agency's long-range property management plan that requires the land be sold in a manner that maximizes its value for the benefit of public agencies.

"The actions taken by the successor agency and oversight board to sell Tres Hermanos to the City of Industry for less than half its value so Industry could have more cash to develop a massive solar generating facility is clearly inconsistent with the plan and Diamond Bar believes a court will agree," Mr. Fox said.

When asked if a 450-megawatt solar factory is being proposed, an Industry spokesperson stated: "The City of Industry has never said they are doing a project of that size. Others have said that but not the city."

The spokesperson added, "Industry has been very public with its commitment regarding Tres Hermanos on preserving open space, recreation space, and exploring public projects."

According to lawsuits filed by Chino Hills and Diamond Bar against Industry, the Industry city council on Oct. 12 ratified a master ground lease with San Gabriel Valley Water and Power, LLC, for a solar project "with an aggregate of 450 megawatts of rated annual output" on Tres Hermanos and the adjacent land parcels, from which Industry would receive significant financial benefit.

The lease's amendments contain language that the lease does not constitute an entitlement to develop any particular project on all or any portion of the total site, and that the landlord (Industry) will not issue any approval or entitlement to proceed with any project until compliance with the California Environmental Quality Act is completed.

Chino Hills city attorney Mark Hensley said the documents he studied provide that the solar facility could be up to 450 megawatts, but there are various numbers in various documents.

He said Industry generally denies that it has plans, but when documents are pointed out, Industry states those documents are incorrect.

He said Industry refuses to publicly disclose what it is doing.

"When you are constantly working to hide the facts from the public and are untruthful when you are caught, it results in a lot of mistrust and confusion. Their documents are all we have to rely on," Mr. Hensley said.