

**DRAFT**  
**SOLANO COUNTY**  
**AGRICULTURAL ADVISORY COMMITTEE**  
**MINUTES OF THE REGULAR MEETING OF**  
**July 12, 2006**

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The meeting of the Solano County Agricultural Advisory Committee (AAC) was held in the Department of Agriculture, Downstairs Conference Room, 501 Texas Street, Fairfield, California.

**MEMBERS PRESENT:** Bruce Brazelton, Barbara Comfort, Jeff Dittmer, Donald Johnson, Craig Leathers, Russell Lester, Susan Lippstreu, John Mangels, Albert Medvitz

**MEMBERS ABSENT:** Alan Freese, Craig Gnos, Betty Mason, Mary Helen Seeger

**OTHERS PRESENT:** Birgitta Corsello, Director, Resource Management  
Harry Englebright, Englebright & Associates  
Jim Laughlin, County Counsel  
Carole Paterson, UC Cooperative Extension Office  
Gail Feldman, County Administrator's Office  
Sabine Goerke-Shrode, County Administrator's Office  
Kathy Gibson, County administrator's Office  
M.S. Moratorio, UCCE-Solano  
Kurt Richter, UCD  
Al Sokolow, UCD  
Joy Warren, SCC  
Charles Rogers

- Item 1 **Call to Order/Roll Call:**  
The meeting was called to order at 3:10 p.m.
- Item 2 **Introductions of Members and Guests:**  
Members and guests introduced themselves.
- Item 3 **Changes and Approval of the Agenda:**  
Item 6.a. regarding the Ag. Sustainability Study Update was moved to the beginning of the agenda to allow time for the presentation.
- Item 4 **Review/Approval of Meeting Minutes:**  
The Minutes of the regular meeting of June 14, 2006 were approved as prepared.
- Item 6.a **Ag. Sustainability Study Update – Al Sokolow**  
Mr. Sokolow gave a brief summary of the progress that has been made thus far. He stated that 7 focus group sessions have been conducted to date. He

indicated that they are in the process of collecting completed questionnaires from individual growers, as well as those who participated in the different focus groups. Mr. Sokolow stated that they are currently preparing summaries for each focus group which will ultimately be combined into one final report. He noted that the summaries are a work in progress, but if anyone is interested, the information could be made available for review.

Mr. Sokolow stated that in speaking with local growers, he is learning a lot about different commodity sections and getting a sense of what is up and what is down. He noted that they did not want to get overwhelmed by that knowledge because commodities fluctuate from year to year. He stated that as well as picking up a sense of what is in this year, what's good, what's not so good, they also want to take a look at the long term prospects for those particular commodities. He noted that Phase 1 of the Final Report is the profile on agriculture. He explained that they will have a separate profile for each of the major commodity groups.

Mr. Sokolow noted that in looking at the numbers given from the Ag. Commissioner's Office on the census of agriculture, it is clear that Solano County has been in a declining mode for the past 20 years. In terms of market value, Solano County agriculture is not keeping up with inflation. He noted that the average age of a farmer has increased by about 5 years from 52 to 56.2 years. The inflation adjusted market value from 1982 to 2004 has dropped from 255 million to 188 million, as compared to an increase in adjusted market value for all of California from about 27 billion to 33 billion.

Mr. Sokolow stated that in relation to the rest of agriculture in California, Solano County agriculture has been declining. The numbers show, from growers, that in 2002, 669 farms were reported as having net losses. Only 244 farms were reported as having net gains from all sources of farming including government payments. He stated that back in 1987, the differences were 489 losses and 406 net gains. Yet there are some pockets of very viable sustainable agriculture in this county.

Mr. Sokolow stated that one of the questions that is being pursued in this particular study is why are some commodities making it and others are not. He stated that they are finding in listening to individuals at different focus groups, that there are pessimists and optimists with regard to the future of agriculture in Solano County. He commented that it may be that people who express these contrary views are expressing their own personal situations. What it suggests is that there is a transition from traditional ways of doing farming and some new (still being explored) ways. He stated that they are told by some people that there are a lot of opportunities for Solano County agriculture. It's finding the ideas, transferring them to the farmers, and then carrying them out.

Mr. Sokolow listed a few of the major themes that have come through the focus groups: loss of processing facilities, inability to bring in dairies, intangible love of farming, negative impacts of county regulations, land uses,

importance of diverse commodities for individual operators, aging equipment, labor limitations, and compatibility with urbanization.

Item 5 NEW BUSINESSES:

a. *Report on Board of Supervisors Meetings – Board Topics Related to the Subject Matter of the AAC – Birgitta Corsello*

Birgitta Corsello spoke to future Board agenda items including the issue of ancient subdivisions, Registrar of Voters presentation regarding the Orderly Growth Initiative, and other routine items relative to the Department of Resource Management. She did note that LAFCO approved the annexation of the Mariani Processing facility from the County of Solano to the City of Vacaville. She commented that this indicates the company will continue to remain operational as a processing facility.

Birgitta Corsello noted that the Solano County Planning Commission has approved taking to the Board of Supervisors, changes to the County Zoning Ordinance. Those changes address housing and secondary living units in the “R-R” zone district, and clarify the ability for the siting of farm labor residential units. Ms. Corsello noted that staff will bring this piece of the ordinance before the Ag Advisory Committee for review. A report on the changes to the Williamson Act Policies and Procedures has also been submitted to the State Department of Conservation for review and comment.

Birgitta Corsello stated that the county Building Official has been meeting on a regular basis with the fire districts to resolve some discrepancies between the districts and the implementation of recent law changes that deal with setbacks and clearances around structures. She stated that before this goes to the Board, she will request that a District representative come and share with the advisory committee what has been worked out in terms of trying to resolve fire code regulations and how they impact structures.

Sue Lippstreu stated that a lot of the farmers have concern on the amount of time it would take a truck from the city to make it out to the valley. Birgitta stated that this is being addressed before LAFCO. LAFCO has taken a position that the agencies need to look at how to consolidate these services to make sure they stay viable. Ms. Corsello referred to the Dixon model where their fire protection district is actually run out of the fire station within the City of Dixon. She said that some of the items under discussion were fire response times, and what are safe requirements based on distances and levels of response.

Birgitta Corsello spoke to her familiarity with fire districts in other counties where they have consolidated and have been placed in such a way that there are still fire stations in key locations in order to be able to handle quick response. She noted that those stations are still familiar with the local residences and farming areas.

Russell Lester spoke with regard to the recent rash of arson grass fires in Dixon. He said that he was thankful that the City of Winters has a mutual response agreement because there were a number of structures that were threatened and Dixon could not respond in time. He said that a mutual agreement is a critical component.

Birgitta Corsello suggested inviting Shaun, Director of LAFCO, to address the advisory committee before the conclusion of the study takes place. Russell Lester stated that part of the process should be to encourage the fire district to work with rural landowners as a resource with regard to water.

Al Medvitz suggested looking in broader terms and including the police and sheriff because of home security and automobile accidents.

Jerry Howard indicated that he will get in touch with Shaun from LAFCO.

*b. Presentation/Discussion/Possible Recommendation Regarding Ancient Parcel Maps – Jim Laughlin*

Jim Laughlin stated that this item will be heard before the Board of Supervisors on August 1<sup>st</sup>. It has been an issue that has been popping up around the state for the past 10 to 15 years, and has come up occasionally in Solano County. He explained that in the past a landowner would approach the county and argue that an old map is worth being recognized, county staff would not agree and tells the landowner that this decision can be appealed to the Board of Supervisors. He noted that no one has taken that step until now.

Mr. Laughlin stated that the issue is are these old maps worth recognizing, and do they have any legal significance today. The basic question is how far back in time does the county need to go in recognizing these maps. He spoke to the laws that are currently in place, as well as those in the early 1900's. Mr. Laughlin noted that a California Supreme Court, back in 2003, came out with a landmark case in this area where they said maps filed before 1893 do not need to be recognized and do not have any meaning as far as the law is concerned. He noted that since there was disagreement amongst all the cities and counties in the state, the Supreme Court declined to resolve the issue of the legitimacy of maps filed between the years 1893 and 1929. He said the issue going before the Board today is does Solano County recognize maps filed prior to 1929.

Mr. Laughlin indicated that the property is currently at 40 acre minimum zoning. The map from 1908 suggests that the property has been subdivided into 25, 10-acre parcels. He said if this map is recognized as a legitimate map then the county would have 25, 10-acre parcels in that area. He noted that the county has hundreds of maps filed prior to 1929, and a lot of them are not going to have any affect on what is done today, but there are a few maps that would have major implications for the county

if the county recognizes the pre 1929 date. Mr. Laughlin noted that beginning in 1972, the filing of maps were required. Up until 1972 maps were an option.

Mr. Laughlin stated that one issue is, was this a proper map based on the laws in effect in 1907. One argument is that this map did not apply with the law so it should not be recognized for that reason alone. He indicated that the bigger issue is assuming this map applies with the law, do maps from this period have any legal significance today. He said that although this request just pertains to one 10-acre unit of land, if the county makes the ruling for recognition, then it becomes a county-wide ruling.

A motion was made by Al Medvitz and seconded by Russell Lester that the committee take a position against recognizing this 1907 map.

Sue Lippstreu stated that while this does not affect her, if she had a map that was filed in 1928 and was told it was not longer valid, she would be upset. Russell Lester stated that he owns land that has a number of these questionable lots. He stated that by supporting the motion he is losing out financially, but in the sense of knowing how many antiquated lots there are in the area and what it would do to agriculture, in his opinion, in order to continue in a semblance of agricultural potential like the county is currently doing, is why he is supporting the motion.

John Mangels suggested that if land were contiguous to a city, then a map filed between 1893 and 1929 should be considered on a case-by-case basis

The motion passed 5 to 4 with John Mangels, Sue Lippstreu, Craig Leathers and Donald Johnson dissenting.

*c. Presentation/Discussion/Possible Recommendation Regarding Orderly Growth Initiative 2006 – Birgitta Corsello/Harry Englebright*

Birgitta Corsello explained that the Orderly Growth Initiative (OGI) of 2006 has qualified with the requisite number of registered voters for consideration by the Board of Supervisors to either: adopt and take in as a new law to be implemented; put to a vote of the public; or request that an economic and overall analysis of the impacts of the Initiative be performed in 30 days or less, then be brought back before the Board to decide to adopt or place on the ballot.

Birgitta Corsello indicated that the Board decided on June 25<sup>th</sup> to ask for the 30 days for additional analysis and study, along with a list of questions to be answered. They referred the review and analysis to several county departments including: the Ag. Commissioner's Office, UC Cooperative Extension, the Dept. of Resource Management and County Counsel.

Birgitta Corsello noted that the 1st round of information has been posted on the county's website. The analysis looked at Proposition A approved in

1984 thru 1995; the 1994 Orderly Growth Initiative that runs through December 31, 2010; and the 2006 Orderly Growth Initiative which is intended to replace the existing Orderly Growth Initiative by amending the existing language and extending it for 30 years. Several maps were also placed on the website. Al Medvitz noted that in 1996 he prepared a report with regard to Proposition A and offered to provide it for this study.

Sue Lippstreu inquired as to why such a long time period since circumstances can change so rapidly in the future. Birgitta explained that at the February City and County Coordinating Council meeting, Supervisors Kromm and Kondylis voiced their desire that the Orderly Growth Initiative be parallel to the Sales Tax Initiative that was moving forward which was a 30 year measure. The concern expressed was if money is going to be generated for improvements on roads, and roads could potentially lead to further development, they wanted some protection for agricultural. Birgitta noted that the sales tax measure did not pass.

Birgitta Corsello also noted that there was concern expressed about completion of the General Plan update, and potential speculation in that process of the Initiative going away.

Al Medvitz stated that agricultural cycles are very long term and 30 years provides land security. He stated that without this ordinance he would not have been able to double the size of his operation. He noted that the important question in the future of agricultural is there going to be consolidation and economies at scale, and what is the effect of this on agricultural land values for allowing agriculture to expand into the community.

Birgitta Corsello stated that there is no room for modification of the 2006 Initiative. The option is either a yes or no vote. Harry Englebright noted that the Board, at their June meeting, asked staff to prepare a report and provided a list of questions regarding agriculture, housing, economics, servicing, and impacts to special districts. He said that staff is busy gathering that information. He said that because the information is not yet available from the Ag. Sustainability Study, there is not a source at this point to answer a lot of the questions. Supervisor Reagan asked that staff query the Ag. Advisory Committee for their thoughts on the impact of the OGI on various aspects of agriculture.

Harry Englebright briefly reviewed the contents and changes to the 2006 Orderly Growth Initiative. Russell Lester questioned why some areas on the map of parcels eligible for subdivision are white as opposed to black. Harry indicated that some are less than 80 acres and some have newer Williamson Act contracts in which they could not subdivide the property unless a notice of non-renewal was filed, which is a 10 year process. Mr. Englebright noted that a landowner could file a Notice of Non-renewal under a newer contract and at the end of 10 years could then qualify prime land to subdivide. Mr. Lester stated that this is actually misleading because there are more of the indicator dots on the map that would be

black within the time frame of the Initiative. Harry stated that staff would prepare several maps including a timeline to show which properties would be affected in 10 years. Mr. Lester suggested to infill the ones that are under a current 10 year obligation and could be converted after that period. He also suggested using a lighter color.

Birgitta Corsello commented that there are multiple definitions for prime ag. She said that staff is under the gun to come up with information and has followed the guideline used most often which is by soil type. She said it is clear in the discussion that one of the things that will have to be resolved, should the voters approve this, is what definition will be used for the implementation of this ordinance.

Barbara Comfort indicated that if we are using soil types as a window then the map does not show any prime lands. She felt it to be erroneous and misleading. She said the Initiative is not as good as its father or grandfather. Ms. Comfort stated that unless there is a common definition that is understood by everyone in the county, the initiative needs to go back to the drawing board.

Russell Lester stated that listing it by prime is dangerous. He noted that especially in the Dixon Ridge area, subdividing land into 40 acre parcels would affect the ability for agriculture to continue in its current, or perhaps future status of having some large parcels not contiguous with a lot of rural ranchettes. He stated that he would prefer to have regions that are defined by roads or something similar that would be designated as exclusive ag. zones. There is some value to being able to have a mixture of ag. operations in a specific zone without rural ranchettes in that mixture. He was also concerned about the philosophy that says because it is prime class I soils, therefore 40 acres is an economically viable unit. He noted that for almost every crop grown in the Dixon Ridge area, this is not true. He said it is more economically viable, at the very minimum, of 80 acres or even 100 acres.

Mr. Lester stated that he did not feel a farmer could support a family on less than 80 acres. He said the argument in the past has been 40 acres on prime ag. is economically viable, when its actually reversed, because with poor soils you should have more than 80 acres. He said that we should be considering a resource type base map showing those lands that are the most valuable are the lands that have multiple usages, such as the better soils and the regions to be used exclusively as ag., and those areas that are not viable in a general sense should be used for rural ranchettes. Mr. Lester stated that it did not make sense to subdivide the best land to smaller units. He would argue against the 40 acre conversion altogether, but to have compensation for those who have land in that area and have always been under the zoning and general plan idea of being able to subdivide and have paid inflated prices, to place into effect a county TDR program that as cities are annexing property into their sphere or into their city limits that landowners are compensated for the downgrading of zoning and ability of subdivision. He said it is only fair and equitable and it has

been done all over the United States. He said it is not uncommon to say we are going to change your ability from 40 to 80 acres, but we are going to compensate you for your economic change.

Al Medvitz commented that the Ag. Advisory Committee is not in a position to recommend changes to the Initiative. He also commented that what is striking about the map is that it is a worst case scenario. He suggested that several maps be prepared, including a map of what it was under the current Initiative. He said the definitions in the Initiative are vague, putting it in the same position as with the Constitution which is deliberately left vague so that it could be adaptable over time. He wanted to know how much leeway there is afterwards to define ways to take into account concerns about economic liability not being related to soil quality. The CFCP includes in its definition prime management. He said the county is in a position to look at what the potentials are, and not only economic liability under current condition, but the diversity of crops that can be grown to meet change in demand.

Donald Johnson stated that he strongly objects to the timeline on the 2006 Initiative. He felt the proper planning procedure is with the county General Plan revisions. He felt that this Initiative is being forced upon us as well as the Board of Supervisors, to circumvent the county general plan revisions. He said the timeline for the OGI should stay the same until the general plan revisions are completed, and at that time we will have a better idea of which way the county is headed. Mr. Johnson did not feel those who signed the petition have the agricultural interest at heart. He suggested recommending to the Board that the AAC does not like being forced into this situation and rather wait for the county to finish their Ag. Study in which the committee has input.

Harry Englebright wanted to know how the committee feels the existing OGI has affected the agricultural operator; if it has helped, if it has hindered, and if so how and why. Barbara Comfort commented that she helped write the existing Initiative. She said she attended 62 meetings where well intentioned, dedicated people, among which was a good contingent of active farmers/ranchers is reflected. She said the current Initiative has worked well. It gives a farmer a feeling of comfort. Ms. Comfort noted that she has reservations about the 2006 Initiative because of the loose use of terms. She said there were few, if any, farmers/ranchers involved in the creation of this new initiative and it shows.

Russell Lester suggested recommending to the Board that the AAC collectively feel that the existing OGI should remain in tact, or be extended to meet completion of the General Plan revisions. He stated that the county needs to support the concept of the preservation of agriculture that it has achieved. He was concerned that this new OGI is being thrust upon the county and has been significantly altered without the involvement of the agricultural community.



John Mangels stated that this is a very complex issue, commenting that it will be asking voters to decide on obscure things such as prime land and zoning issues for the next 30 years.

Harry Englebright stated that the OGI affects certain policies of the General Plan and Land Use and Circulation map. He indicated that some of those policies have been changed, including one that addresses parcel size. He stated that through the Ag. Study new recommendations may be suggested which we would anticipate reflecting in the General Plan. He stated that it would be anticipated that some policy changes would have to go to a vote under the existing initiative and there would also be changes to the map.

Russell Lester commented that if the Ag. Advisory Committee can not come up with a common definition for viable Class 1 type soil safe for agriculture, how the electorate will decide. Mr. Englebright stated if the initiative passes, the county would have to create a definition.

Birgitta Corsello stated that the Ag. Study and the implementation of those changes in the General Plan may need to help define what definitions are going to be used with regard to agriculture.

Russell Lester suggested taking more time to have discussions with regard to this, and could not support putting this Initiative to a vote before the people.

Birgitta Corsello stated that staff can incorporate into the analysis that there is a problem with the lack of a clear definition, and the recommendation from the AAC is that they be included in helping to develop the appropriate definition should this Initiative pass as part of the General Plan update.

Al Medvitz suggested the committee members visit the county's website and provide answers to the agricultural questions that are posted. He stated that already the General Plan process is taking place under the provisions of the existing OGI. He said this Initiative has one change that makes a big difference on the map, but this map is a worst case scenario. He stated that even under the existing Initiative there would still be a number of parcels that could be changed, and others that might not be. He believed that other than this, there are very few differences between the existing ordinance and the 2006 ordinance. He stated that this map really is not an accurate representation of what is going to happen in the future. He stated that given the consequences that if the supervisors do not approve it, it will go to the voting people and there will be a lot of misinterpretations.

Russell Lester stated that he did not believe this to be the worst case scenario. He stated that the dots on the map that are missing could be non-renewals, and in 10 years they could be changed to black.

A motion was made by Donald Johnson and seconded by Russell Lester to reject the ordinance as submitted until the completion of the General Plan revisions and the Sustainable Agricultural studies, and then it go before the electorate. The motion passed with Craig Leathers, Donald Johnson, Sue Lippstreu, Russell Lester, Bruce Brazelton, Jeff Dittmer and John Mangels voting in favor, Al Medvitz dissenting and Barbara Comfort abstaining.

Item 6 CONTINUING BUSINESS

b. General Plan Update – Harry Englebright

Harry noted that after next week's Citizen's Advisory Committee meeting the 1st draft of the Vision Statement will be finalized. Beginning in August staff will start going through background reports. He indicated that they will start with biological resources, geology, health and safety, and economy. He noted that the information will be posted on the county's website at [www.solanocounty.com](http://www.solanocounty.com).

*Due to time constraints, the following two items were continued to the next regular meeting:*

- c. Dixon Downs (Racetrack) Project Status – Mike Yankovich
- d. Wine Services CDBG Grant Proposal Update – Matt Walsh

Item 7 IDENTIFY and CLARIFY FUTURE AGENDA TOPICS and TIMING OF DISCUSSION

- a. Items from Board of Supervisors on Subject Matters of AAC – Ongoing
- b. Dixon Downs (Racetrack) Project Status – On going
- c. Trails – Update on Regional Project Efforts
- d. Resource Conservation Districts, LAFCO Study Update – Sept/Oct
- e. Horse Facilities/Farming Operations Update – October
- f. Agricultural Pesticide Hazardous Material Waste Disposal Day – November
- g. Large Animal Catastrophe/Carcass Disposal Plan – Fall/Winter
  - 1. Overview of county plans
  - 2. CDFA – Animal Health Branch
- h. Agricultural Disaster Notification Network
- i. Agricultural Center
- j. Antiquated Maps – July

Item 8 PUBLIC COMMENTS/ANNOUNCEMENTS/CORRESPONDENCE:

This is the opportunity to address the committee on a matter not listed on the agenda, but within the subject jurisdiction of the Committee.

- a. Public Comments

There were no public comments.

- b. Announcements

Jerry Howard stated that the Regional Water Quality Control Board adopted a 5 year conditional waiver for irrigated lands. The Board was also requiring by September 30<sup>th</sup> that the coalition furnish a list of names and addresses, parcels numbers, parcel size, owner/operator and mailing address of each member. After December 31<sup>st</sup> filing to join a coalition will be closed. Mr. Howard stated that it was a really big blow to the coalitions who have never before had to furnish the names of their participants, and now they have to furnish their full membership list.

Item 9 NEXT MEETING DATE

The next regular meeting is scheduled for September 13, 2006

Item 10 ADJOURN MEETING

The meeting was adjourned at 5:20 p.m.