

2. RESPONSES TO COMMENTS ON THE REVISED RECIRCULATED DRAFT EIR

2.1 LIST OF COMMENTERS ON THE REVISED RECIRCULATED DRAFT EIR

Table 2-1, below, indicates the numerical designation, author, and date of each comment letter received on the Revised Recirculated Draft EIR (RRDEIR).

Table 2-1 List of Commenters on the Revised Recirculated Draft EIR		
Letter #	Commenter	Date of Comment
Organizations (O)		
O1	Donald B. Mooney, on behalf of Upper Green Valley Homeowners Law Offices of Donald B. Mooney	August 11, 2014
O2	Herb Hughes, Vice President Green Valley Landowners Association	July 16, 2014
O3	Marshall McKay, Tribal Chairman Yocha Dehe Wintun Nation	August 8, 2014
Individuals (I)		
I1	Gregory R. Kamman, Principal Hydrologist Kamman Hydrology & Engineering, Inc.	August 11, 2014

2.2 COMMENTS AND RESPONSES ON THE REVISED RECIRCULATED DRAFT EIR

The comment letters received on the RRDEIR and responses to the individual comments in the letters are provided below. The comment letters are reproduced in their entirety and are followed by the response(s). Where a commenter has provided multiple comments, each comment is indicated by a line bracket and an identifying number in the margin of the comment letter.

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Letter
01

August 11, 2014

VIA ELECTRONIC MAIL
MWalsh@solanocounty.com

Matt Walsh
Planning Services Division
Solano County Department of Resource Management
675 Texas Street, Suite 5500
Fairfield, CA 94533-6341

Re: Comments on Revised Recirculated Draft Environmental Impact Report for Middle Green Valley Specific Plan Project, State Clearinghouse #2209062048

Dear Mr. Walsh:

This letter provides comments with respect to the Revised Re-circulated Draft Environmental Impact Report ("RRDEIR") for the Middle Green Valley Specific Plan ("MGVSP"). The Law Offices of Dana Dean, Donald B. Mooney and Amber L. Kemble represent the commenters Upper Green Valley Homeowners ("UGH"). UGH is comprised of local taxpayers and represent the public interest by protecting the environment, voter initiatives, and by protecting Solano County from urban sprawl.

While the RRDEIR provides a total of at least 3 water options (or more, if one adds the various combination proposals, such as Options C1 and C2), the RRDEIR fails to satisfy the California Environmental Quality Act's ("CEQA") requirements with respect to water supply; Water Code Section 10910 *et seq.*; and the requirements set forth in *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412.

For example, the RRDEIR is missing several relevant and mandatory disclosures necessary to adequately inform the decision-makers and the public as to the sufficiency of the new Options B (groundwater) and C (SID water treated by the City of Fairfield). As stated by the California Supreme Court, the lead agency owes a mandatory, procedural duty to "use its best efforts to find out and disclose all it reasonably can." (CEQA Guidelines, §15144; *Vineyard, supra*, 40 Cal.4th at p. 428.) One of the basic objectives of CEQA is "to inform governmental decision makers and the public about potentially significant environmental effects of proposed activities." (CEQA Guidelines §15002(a)(1).) To this end, the County must fill in the numerous evidentiary gaps that exist in the environmental analysis and disclosures pertaining to the Project's proposed water supply and with regard to how the new Options B and C alter the County's prior analysis with respect to the feasibility of environmentally superior alternatives.

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restricts Options A and C. (Next, this letter turns to the legal inadequacies of Option C and other procedural issues, such as the inadequate notice of the June 26, 2014 RRDEIR.

01-1
cont'd

As previously noted, Option B is already restricted because of the limited the limitation availability groundwater such that its use will not affect the Green Valley Creek and the protected species that depend on it. UGH's comments on the groundwater Option B has been previously submitted by way of a letter, dated October 10, 2014 and sent by email to Mr. Matt Walsh on the same date. The October 10, 2014 letter is incorporated herein by this reference as if it was re-published here.¹

01-2

1. Measure T Requires a County Wide Vote in Order to Rezone Middle Green Valley From Its Current Agricultural Designation.

Section 1.3.6 of the RRDEIR acknowledges that the Project would require "zoning map amendments." Such amendments would require that the project area be rezoned out of agriculture and into other districts. (p. 1-9).² This section, however, and the RRDEIR in general, wholly fail to disclose the relevance and requirements of Measure T. This omission is a fatal flaw in the RRDEIR, because Measure T significantly restricts the local governing body's ability to rezone land out from its Agriculture status. Rather, the county electorate mandated that land that is designated on the 1980 Land Use Diagram must continue to be zoned Agriculture, unless and until the electorate votes otherwise. Measure T is in effect until 2028. A true and correct copy of Measure T has previously been provided in the Administrative Record for the RDEIR as an attachment to the January 13, 2014, letter from Law Office of Amber L. Kemble to the Solano County Board of Supervisors, and is incorporated herein by this reference.

01-3

The Supreme Court has affirmed that the local electorate's right to initiative and referendum is guaranteed by Cal. Const., art. II, § 11, and is generally coextensive with the legislative power of the local governing body. (*DeVita v. County of Napa* (1995) 9 Cal.4th 763.) Measure T is valid and must be enforced by the County.

In 2008, the County residents passed Measure T and the Board of Supervisors adopted it as Ordinance 2008-01. Measure T maintains Solano County's model of city-centered growth and protects the County's agriculture. Section 2.B. of Measure T states:

"...The designation of specific lands ... as "Agriculture," ... on the Solano County Land Use Diagram, adopted by the Solano County Board of Supervisors on December 19, 1980, and as amended subsequently consistent with Proposition

¹ The purpose of this incorporation by reference is to have the County respond to the October 10, 2013 letter as if those comments submitted herewith, rather than resubmit the October 10, 2013 letter, which is 36 pages long, not including its 4 Exhibits.

² All page references are to the RRDEIR (dated June 26, 2014), unless otherwise noted.

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A and the Orderly Growth Initiative, shall remain in effect until December 31, 2028...”

Measure T goes on to list exceptions to this provision in Section 2.B, but none apply to the MGVSP.

The 1980 Land Use Diagram that is referenced in Section 2.B. is shown as Exhibit A to Measure T and *it designates all of the area of the MGVSP as “Agriculture.”* Since Measure T can only be amended by a vote of the County residents, implementation of the MGVSP would require such an amendment by a vote of County residents.

Exhibits B and C to Measure T mention Middle Green Valley as a “Special Purpose Area” and a “special project area,” but Exhibits B or C do nothing to exempt a future Specific Plan from a vote of the people, per Section 2.B.

01-3
cont'd

In addition, Table AG-3 is part of the text of Measure T and it also mentions Green Valley as one of the County’s 10 *Agriculture Regions*. It states the minimum lot size in Middle Green Valley is ag-20 and it provides for agricultural production and that a future Specific Plan will further detail desired ag. uses and lot sizes. (Measure T, p. 4). Like Exhibits B and C, Table AG-3 does nothing to exempt the future MGVSP from the required County-wide vote as described in Section 2.B. of Measure T.

Remarkably, neither RRDEIR (June 26, 2014), RDEIR (August 27, 2013), nor the DEIR (December 21, 2009) mention Measure T.

Notably, the MGVSP Project is significantly appears to be over budget by several times and several hundreds of thousands of dollars over original estimates of costs.³ What was the original budget for the MGVSP? What has the County spent or allocated to date? The cost of the Project is relevant because the County must also disclose and analyze the cost of a Measure T vote.

01-4

2. There are potentially significant impacts related to Measure T with respect to water resources for the MGVSP. CEQA requires that the County disclose and analyze such impacts as they relate to the RRDEIR.

Measure T is designed to prevent urban sprawl. Table 16.6 shows that total current water usage is 300-350 afy, which is comprised of current agricultural water usage of 190-240 afy, using a combination of SID (140 afy) and groundwater (50-100 afy) and current domestic water usage that is estimated at 110 afy, using a combination of SID (20 afy) and groundwater (90 afy).

01-5

³ Even without addressing the Measure T issue, the potentially *reimbursable* Project costs, with this additional proposed allocation, will reach approximately \$1.7 million. Presumably the total costs of the Project, for which the County may never be reimbursed, are even higher.

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The proposed Specific Plan calls for an increase of water to 560 afy, that is comprised of 186 afy potable, 54 afy recycled and 320 afy from SID. The MGVSP, if implemented, will approximately double current water usage. Therefore, enforcing Measure T would help to conserve water usage in the Plan Area by using approximately half of the water.

01-5
cont'd

3. Per the Court's Ruling, the City of Fairfield's Measure L restricts the sale of the City's water to the Project on its face. Similarly, Measure L restricts the newly proposed Option C -- the City of Fairfield's treatment of SID water.

The RRDEIR acknowledges that the City's General Plan directs urban growth to urban areas and that the Urban Limit Line was reaffirmed and readopted by Measure L. The RRDEIR further acknowledges that Measure L is effective until December 2020. The Urban Limit Line can only be amended by the voters of the City of Fairfield. (RRDEIR, p. 16-24). The RRDEIR further states:

Fairfield General Plan Policy LU3.1 stipulates that any urban development requiring basic municipal services shall occur only within the urban limit line established by the City's General Plan. By passing local Measure L, the voters of Fairfield reaffirmed and readopted this policy. The policy may pertain to Specific Plan water supply Option A, connection to the Fairfield municipal water supply, and the existence of the policy reduces the ability of the County to confidently determine that water supply Option A can occur (i.e., it creates uncertainty). Both the City's initiative measures and City's general plan are matters for implementation by the City. City of Fairfield decision-makers will ultimately determine whether water supply Option A is possible for the City.

01-6

The last sentence of this disclosure is not accurate because the ultimate decision-makers regarding whether water supply Option A is possible for the City are the City's electorate, not the "City of Fairfield decision-makers." That is the whole point of the voter initiative, Measure L.

Additionally, the RRDEIR fails to disclose that Measure L also potentially restricts Option C1 and C2 because the City's treatment of water is a municipal service within the meaning of Measure L.

According to the Court, Measure L on its face restricts the sale of the City's water to the Project. In the prior litigation, *Upper Green Valley Homeowners v. County of Solano, et al.*, Solano County Superior Court, Case No. FCS036446, the County unsuccessfully argued that Measure L was "unconstitutional" and/or that it did not apply because the City would essentially sell water to a CSA, which served as a "straw-man," thereby avoiding the application of Measure L. The Court was not persuaded by either of these

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arguments that attempted to thwart the gist of a voter initiative. The County is bound by the law of the case.

01-6
cont'd

4. The County's defense that Measure L is Unconstitutional Must be Presented to the Court of Appeal before the City of Fairfield could Avoid Enforcing It.

In its Motion for Reconsideration, the County argued that to the extent that Measure L prohibited the City from selling water outside of its boundaries (i.e. to the County's Middle Green Valley), such interpretation was unconstitutional. (See County's Memorandum of Points and Authorities in Support of Motion for Reconsideration, pp. 7-9.) The County argued that Article 11, Section 9 of the California Constitution bars prohibiting the City from selling wholesale water supplies to the County.

The County's constitutional argument is misplaced in this setting. For the argument to succeed, if at all, it first requires the County seek declaratory relief from the Court of Appeal in an appropriate setting. (See California Constitution Article 3, Section 3.5.) The County's analysis that Measure L is unconstitutional if it is interpreted to restrict the sale of water service or treatment of water outside of the City's boundaries is further undermined by the City or County failure to seek an opinion from the Court of Appeal. The City and County are *charged with enforcing voter initiatives* until a court of appellate jurisdiction deems it unconstitutional. (*Lockyer v. City and County of San Francisco* (2004) 33 Cal.4th 1055, 1082.)

01-7

Notably Option C is legally similar to Option A in that it proposes to use the City of Fairfield's municipal service to sell or treat water for the Project. Measure L similarly restricts both of these actions because they will promote urban sprawl beyond the urban limit line – precisely what Measure L was meant to prevent. Measure L is constitutional as a legitimate use of police power. (*Dateline Builders, Inc. v. City of Santa Rosa* (1983) 146 Cal.App.3d 520, 528-531; *County of Del Norte v. City of Crescent City* (1999) 71 Cal.App.4th 965, 977.)

5. Government Code section 56113 Prohibits Options A and C.

For the first time in the history of the proposed Project, the RRDEIR disclose that there is "legal uncertainty" for the Project in regards to Government Code §56133.⁴ Please further disclose and discuss the "legal uncertainty" that is referenced in the RRDEIR on page 16-21.

01-8

Additionally, the RRDEIR must clarify whether the County is changing its previous position as articulated in the FEIR Master Response M (AR 976-977), wherein County

⁴ The next recirculation must also acknowledge the significant legal uncertainty of the project pertaining to Measure T – the rezone requires a vote of the people who have already shown their tendency to vote for agriculture and urban-rural buffers.

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Counsel concluded that Government Code section 56133 does not apply to the CSA. Whereas, now the County notes the legal uncertainty pertaining to Government Code section 56113. (RRDEIR at p. 16-21; see *Vineyard Area Citizens, supra*, 40 Cal.4th at p. 439, fn 5 [“Factual inconsistencies and lack of clarity in the FEIR leave the reader-and the decision makers-without substantial evidence for concluding that sufficient water is, in fact, likely to be available for the Sunrise Douglas project at full build-out.”].)

01-8
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In addition, a letter from LAFCO confirms the legal uncertainty of LAFCO’s authorizing the extension of municipal services, as would be required by Options A and C. A true and correct copy of the letter from LAFCO to Department of Resources Management, dated October 8, 2013, is attached hereto as Exhibit O and incorporated herein by this reference. As explained by LAFCO, LAFCO requires that adequate water supplies be available for a project that requires reorganization under Government Code section 56668, such as this Project. Moreover, since none of the prerequisites for approval apply in section 56133, LAFCO does not have authority to approve of water services from the City of Fairfield to the Project – either wholesale treated water or water treatment.

01-9

As noted in the October 8, 2013 letter, Government Code §56133 requires the extension of services by agencies to lands that are within the City’s sphere of influence in anticipation of a later change of organization or an extension of services outside of an agency’s sphere is only allowed to respond to a documented “existing or impending threat to the public health or safety of the residents of the affected territory.” Here, the MGVSF lies outside of City’s sphere of influence and there is no health threat.

01-10

Similarly, LAFCO must approve any expansion of SID’s jurisdiction, but, here, it cannot do so under Government Code section 56133 because the lands outside of SID’s current jurisdiction are outside of the sphere of influence and there is no documented “existing or impending threat to the public health or safety of the residents of the affected territory.”

Legal uncertainty due to Government Code section 56133 creates significant legal uncertainty that the water sources of Option A and C are actually feasible(due to the requirement that City of Fairfield and/or SID extend its service boundaries), thus the Project must provide “requires some discussion of possible replacement sources or alternatives to use of the anticipated water, and of the environmental consequences of those contingencies.” (*Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal.4th at p. 432.) Moreover, the County has failed to and cannot provide adequate evidence that groundwater resources are available in the minimum quantities required by the Project, without causing significant environmental impacts to the Green Valley watershed. Therefore, the RRDEIR fails to show that there is adequate water available for the Project. Moreover, the RRDEIR fails to show a “sincere and reasoned attempt to analyze the water sources the project is likely to use.” (*Id.*)

01-11

6. The WSA for Option C Fails to Show that there is Adequate Water for the Project.

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In 2009 SID reported in its comment letter in response to the Notice of Preparation that the quantity of water was limited because its system was running “at or near capacity.” (AR 6004-05.) In fact, the data of water demand and supply that is provided in the WSA for Option C shows that there is not a sufficient quantity of water for additional allocation for municipal purposes. For example, there are at least 3 years since 1989 where the water demand was greater than SID’s 141,000 afy allocation.

01-12

Moreover, the maximum demand exceeds a minimum supply year by 28,800 afy (172,100 – 143,300 = 28,800 afy). Accordingly, the RRDEIR fails to show that there is sufficient water for the Project from SID. In addition, the RRDEIR drastically and blatantly underestimates the total water usage for the Project, as is described elsewhere in this comment letter (i.e. the RRDEIR drastically underestimates the per unit demand and completely fails to account for conversions from well users to the new potable SID water for existing users). Moreover, with the changed condition of the increasing value of agricultural land in Solano County, as discussed *infra*, an increase in agricultural water demand is foreseeable and must be properly taken into account.

01-13

While the RRDEIR concludes that the SID water deliveries have been reliable, how many times has SID *requested* cutbacks of usage since 2006? See RRDEIR at p. 16-39 stating, “[SID meets] its total water delivery obligations in nearly every year.” What years has SID not met its obligations and who had to cut back first either voluntarily or involuntarily? This information is important to accurately assessing the water demand.

01-14

What are existing policies for SID, for the County with respect to having a buffer of supply of water? Will SID be allocated 100% of its 141,000 afy entitlement? What percentage of the 141,000 is allocated? To whom? The Water Supply Assessment for Option C lists commitments to cities (Fairfield, Vacaville, and Benicia), but it has maximum, average and minimums. (Option C WSA at p. 3.) What are each of the cities’ allocations? What happens to the allocated water that is not actually delivered to the cities? Why are the other water users not included on page 6 of the WSA for Option C (i.e. the Maine Prairie Water District as stated on p. 16-5 of the RRDEIR)? For example, of particular importance in understanding water availability in Berryessa the RRDEIR must disclose how much carry over water is in Lake Berryessa that is already allocated to the participating agencies. How much water is currently in the reservoir? How much water is lost each year while water sits in the reservoir (i.e. to evapotranspiration)?

01-15

Water supply consideration must err on the side of caution, especially considering the changing weather pattern showing hotter and drier summers and winters with less rain. Solano County is also experiencing an increase in wind, which in turn drives water demand up.

01-16

There are significant evidentiary gaps such that the decision makers cannot meaningfully evaluate the actual water supply that is available – physically and on paper.

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Since Option C is the new primary water supply, then the RRDEIR must include potentially significant impacts of using Lake Berryessa water. It appears that there has never been a CEQA/NEPA analysis for the Lake Berryessa reservoir that this Project can tier from. Therefore, there must be additional analysis of the potentially significant environmental impacts of diverting water from Putah Creek and gaming water behind Monticello Dam -- to species. Additionally, the RRDEIR must further disclose and analyze potentially significant impacts from groundwater pumping (i.e. impacts to other well users or to nearby creeks). The WSA and the RRDEIR focus primarily on the Water Code requirements, rather than the mandatory requirements of CEQA. The RRDEIR and WSA improperly assumes that there are no impacts because SID has a 141,000 afy allocation. The RRDEIR disclose and analyze potentially significant impacts of taking the Project's total water demand.

01-17

7. There are Fatal Flaws in the RRDEIR with Respect to the Project's Water Supply and Demand

a. Water Supply

The WSA states, "In projected minimum years, the District has a 44,388 AF surplus, 6,403 AF surplus in the average year, and a 17,100 AF deficit in the worst case year. The WSA indicates the District uses its carryover storage to bridge years where demand may exceed the annual Solano Project entitlement plus groundwater supplies." As noted above the RRDEIR must disclose how carry over works and is allocated after being carried over and how evapotranspiration limits the amount of carryover.

01-18

The 6,403 average must be reduced by 5,000 AF for groundwater because the SID rules state that such groundwater cannot be relied upon.⁵ Therefore, in an average year the WSA states that it will only be left with a margin of 1,403 AF of reserved water, or about 1% of the total allotment of 141,000 AFY. This is not substantial evidence that there is long-term water for the Project.

01-19

Additionally, to any extent the County relies on SID's groundwater it must provide CEQA analysis of using such groundwater – what are the potentially significant impacts of using that groundwater – where are SID's pumps located? Might such pumping deplete streams? Interfere with existing well users?

01-20

⁵ SID rule 3013 in App. B7 states, "The operation of District owned pumps depend on a variety of circumstances. Watertenders under the direction of Operations Supervisors shall determine the most efficient and appropriate times to operate the pumps. Landowners and Irrigators may not rely on or specify delivery of water from those facilities."

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Moreover, SID's "Rules and Regulations that provide for the implementation of an allocation of water to all users, which, in worst case scenarios, could be utilized to ensure a pro-rata share of water was available to all users." Therefore, it is foreseeable and likely that adding new municipal water users -- over 500 houses -- will increase the frequency in which other water users must reduce their use "on a pro-rata basis." Therefore, the County must notify all of SID's customers and seek their comments for the RRDEIR. See the Notification section, following.

01-21

b. Water Demand - Domestic

Table 16.5 underestimates actual water usage because existing well users of 110 afy must be offered SID treated water; homeowners will irrigate with potable water on private land; and a 25-40% reduction over existing use per unit is unreasonable and not based on substantial evidence.

- i. **Potable SID Water must be Offered to Existing Well Users in the Plan Area if it is Offered in the Plan Area. Thus, the existing users (110 afy+) in the Plan Area Must be Added to the Water Demand Estimate.**

The RRDEIR is flawed for Option A and C1 and C2 in that it fails to account for residential conversion to City water, if it became available.⁶ Such a conclusion is not based on substantial evidence. Rather, it is likely that existing well users will convert to accessible and inexpensive SID water. As such., Option A and C must consider SID eventually serving this additional 110 afy (on 215 acres).

01-22

If the County provides potable SID water to the Plan area, then it is likely and foreseeable that existing well users will convert from groundwater to SID water. This is because once SID provides potable water in an area, it is foreseeable that its use will be easier and more economical than existing individual wells, treatment, and storage. SID does not make a profit. (App. B7, p. ii) So, presumably, SID is passing on its savings for economical water to customers. Existing users will eventually convert to using SID potable water and the WSA for Option C must include this analysis.

Appendix B also adds that there are another 44 existing agriculture residences in addition to the 110 afy. (Appendix B, p. 38..) How much water do these residences use? Or, are they accounted for within the 110 AF?

Certainly when wells and or pumps inevitably fail for the existing 110 + afy users of

⁶ The RRDEIR states, "... surface water from SID and groundwater would continue to be used to serve existing agriculture and ag-residential uses." (RRDEIR at p. 16-28.) And, Domestic water [of 2afy for 55 residences] is supplied by a combination of SID and local groundwater, as shown in Table 16.6. This is not proposed to change with Specific Plan implementation. (*Id.*, p. 16-26.)

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potable water will seek and be entitled to treated SID water. See SID Rule 5004, that, "Water shall be distributed equitably and fairly to Water Users within the District who have paid all charges and penalties therefrom." (App. B, p. 7.) This Rule requires that SID offer potable water to all parcels within an active service area. Moreover, once a County provides water to some of the inhabitants of an area, then the county *must provide* water all inhabitants of that area.⁷

01-22
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What is the current cost (e.g. in June 2014) to SID for each af of water for M&I customers and for irrigation water?⁸ Does it vary depending on where water is delivered? How will the rates be set for MGVSF area? How much will be paid to SID and how much will be paid (directly or indirectly) to the City of Fairfield for Option C water?

01-23

What portion of the untreated water for the Project is considered as irrigation and how much is considered M&I. How will this be determined? What is the difference in price between the 2 types of water? This information is relevant to determine the feasibility of environmentally superior alternatives.

Is the 43,000 af figure discussed on p. 11 of the Contract (App. B4) affected by the new deliveries to the Project?

01-24

At any rate, the total demand for potable water must be at least 296 afy, not 186 afy.⁹ Moreover, the calculations pertaining to water usage at the school is very low. A school with only 300 or 400 students will have more water usage per student than .02 afy. What data does the RRDEIR rely upon to make the conclusions of water usage in Table 16.5?

01-25

01-26

ii. The RRDEIR Incorrectly Assumes that Homeowners will not Irrigate their Private Yards with Potable Water.

01-27

The DEIR and the RRDEIR indicates that there are over 100 acres of private landscaping.¹⁰ Private residences are able to plant their own preferred landscaping.

⁷ A county water district has a legal duty to carry out its primary purpose of furnishing water to its inhabitants. (*Coachella Valley County Water District v. Stevens* (1929) 206 Cal. 400, 406-407, 410-411; *Moore v. Twentynine Palms, etc., Water Dist.* (1957) 156 Cal.App.2d 109, 111.)

⁸ The cost for irrigation water to SID from the USBR is \$2.65 af in 1999 (see App. B4, Contract between SID and USBR, p. 10). Whereas the cost from SID for M&I water is \$15.00 in 1999

⁹ The total projected domestic water demand, including existing residential and agricultural/residential uses (110 afy) plus the estimated demand for the project (186 afy), is approximately 296 afy. (RRDEIR, p. 16-28.)

¹⁰ "Proposed non-potable water demands associated with the proposed project include 100 acres of landscaping irrigation on portions of the Plan Area such as the rural residential units and other small

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Private residences can even have swimming pools and water guzzling lawns. (RRDEIR, p. 16-28.) The Specific Plan pictures show many pictures with lush and highly landscaped images. Despite the obvious fact that homeowners will landscape their yards with potable water, the RRDEIR unrealistically assumes the elimination (or close to it) of outdoor irrigation on private property.

01-27
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How many acres are available for private landscaping (added together all private acreage)? Will each residence have non-potable and potable water connections? How does the RRDEIR account of irrigation of private yards -- how much (with potable or non-potable water) is estimated in the RRDEIR?

iii. The RRDEIR's Reduction of 25-40 % Over Existing Usage is not Based on Substantial Evidence.

Additionally, the RRDEIR bases a 25-40% reduction on water conservation in toilets and faucets. This reduction is unrealistic and is not based on substantial evidence. Toilets that are commonly available already meet the standards as specified in the Specific Plan. Therefore, the RRDEIR's assumption of a reduction over current usage is controverted by the fact that current usage already uses low flush toilets. For example, many of the toilets on the HomeDepot.com website exceed the purportedly progressive standards as set forth in the Specific Plan.

For example, the Specific Plan urges that the following water conservation measures must be taken with respect to appliances: Lavatory faucets must be less than or equal to 2.0 gpm; Showers must be less than or equal to 2.0 gpm; Toilets must be less than or equal to 1.3 gpf. (Specific Plan, Draft (2009) p. 5-59; AR 375.)

01-28

Moreover, such conservation measures are not enforceable and appliances are replaced by homeowners every 10 to 20 years. For example, when a toilet requires replacing a homeowner is free to obtain any toilet she wants. There is no permit requirement. Toilets have a lifespan of about 10-15 years. Again, an estimate of water savings over existing users is not reasonable because other users have had to replace their toilets every 10 years or so, and thus are likely to have the same efficiency as urged by the Specific Plan. By way of example, Home Depot sells a low flush toilet that exceeds the Specific Plan urged standard for a mere \$98.00.

In addition, Assembly Bill (AB) 325 as amended by AB 1881 (Laird), the Water Conservation in Landscaping Act, directs local governments to require the use of low-flow plumbing fixtures and the installation of drought-tolerant landscaping in all new development. (RRDEIR, p. 16-16.) This bill was passed in 2006. Therefore, assuming a

acres associated with Plan Area community services, and 160 acres of other agricultural land not in active use in the Plan Area (i.e., "Agriculture Preserve")." (RRDEIR, p. 16-28.)

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40% reduction over the status quo is not accurate when the Specific Plan provides no improvements over mandatory improvements that date back as far as 2006.

Interestingly, the RRDEIR reveals that in 2005, Cordelia's average water use was .45 af per unit. What is the more recent data? Additionally, Upper Green Valley's water use is approximately .54 af per unit. (Upper Green Valley uses 481 gpd/unit or 175,565 gpy or (.54 afy)). Further, the RRDEIR admits that "... approximately 55 existing agricultural residences and/or rural farm units in the Plan Area... use of 2 afy per residence for indoor and outdoor uses." (RRDEIR, p. 16-26.) The figures of estimated use for the Specific Plan are too low as compared with the neighbors living in the same area, climate, types of houses and many of whom already have toilets that exceed the urged 1.3 gpf in the Specific Plan.

01-28
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Thus, in contrast to the RRDEIR's conclusion, there is no substantial evidence to support a conclusion that a reduction of 25-40% over the worst-case demand would be achieved by the project.

iv. The RRDEIR Must Disclose the Variation in Estimated Water Usage Based on Parcel Size.

The house sites in the hills have substantial acreage. How many houses are located in the hills on what size parcels? How much water (potable and non potable water) does the RRDEIR estimate that they would use? Is this estimate the same for the smallest parcels? And, ¼ acre lots?

01-29

In sum, Table 16.5 is fatally flawed and lacks necessary supporting data. It is highly unreasonable to calculate a 25% - 40% decrease over existing users. This is especially so when the 55 existing users use an average of 2 afy/unit, but the RRDEIR assumes a dramatic reduction over existing users.

01-30

Therefore, the 186 afy demand for the project is not based on substantial evidence, and it underestimates the use per unit and must be refined based on actual recent numbers for neighboring communities. A more accurate estimate would necessarily be significantly higher. Given the low margins and the inability for SID to meet its deliveries 100% of the time, the WSA and RRDEIR must be more accurate with respect to estimated water demand of the Project.

01-31

c. Water Demand – SID Irrigation

The RRDEIR states that "SID delivers non-potable water to 18 agricultural and 11 residential (M&I) turnouts within the Plan Area through a piped distribution system." (RRDEIR, p. 16-8.) And, that "Monthly records of deliveries to 11 residential (M&I) customers in the Plan Area are available from 2004 to 2011, and those data are totaled to estimate the annual deliveries in Table 16.3." (*Id.*, p. 16-11.)

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However, Table 16.3 shows that the RRDEIR's reliance on current (2009) deliveries skews water usage in the area to less than what it would be without the Specific Plan. This is because water usage was a total of 605 afy used in 2004 -- 574 (ag.) + 31 (M&I) = 605. The year 2006 was a total of 474 afy -- 451 (ag.) + 23 (M&I) for = 474. Only after 2007, once the General Plan meetings envisioned a 400 +/- housing development in Middle Green Valley, did agriculture precipitously drop along with water usage for ag in the Plan area. The evidence shows that the "farmers" discontinued farming their agricultural land in favor working toward the Specific Plan and seeking a residential rezone, which is a potentially more profitable use of land.

It is improper for the RRDEIR to rely on skewed data that shows a precipitous drop in agricultural water usage after the Specific Plan gained momentum after 2007. The average of the water usage from 2004 and 2006 shows expected SID water delivery would be better estimated at 513 afy for ag. and 27 afy for M & I or an average of 540 afy total combined delivery to the Plan area.

Nevertheless, Table 16.6 again drastically underestimates existing irrigation water usage. (RRDERIR, p. 16-28) It shows that total current water usage is only 300-350 afy.¹¹ As shown in Table 16.3, the ag. water usage is falsely depressed due to farmers "throwing in the plow for the pen." A more accurate gauge of likely future water use without the Specific Plan is 513 afy for ag use, not 190-240. Thus using a more accurate water demand for existing users without the Specific Plan the total project area demand must necessarily increase by 273 afy, such that total demand + project is at least 1,183 afy, not 910 afy.

Please provide any and all relevant data supporting the RRDEIR's Conclusion in Table 16.6 that the Total Existing Water Demand as 300-350 afy. Also, please identify the years for the data.

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8. The RRDEIR must Disclose California's Severe Drought

The RRDEIR must disclose and analyze issues pertaining to California's severe drought. See Exhibits A, showing the Solano County Water Agency's ("SCWA") approval of emergency water provision for Napa;¹² and Exhibit B showing that the severity of the California drought has triggered rules and penalties. Exhibit C shows that a healthy

01-33

¹¹ This is based on current agricultural water usage is 190-240 afy using a combination of SID (140 afy) and groundwater (50-100 afy) and current domestic water usage is 110 afy, using a combination of SID (20 afy) and groundwater (90 afy). (p. 16-28)

¹² While this pipeline did not actually go into effect, the article tends to show that the little margin of error of 1% of 4% is insufficient as a reserve amount.

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water supply in Lake Berryessa is necessary to attract business to Solano County and that the drought of 1990 left a capacity of only 25% of Lake Berryessa. If the last bit of SID's allocation of Lake Berryessa is used for housing development, it cannot be used to attract agricultural business, such as Caymus. This is a potentially significant impact to aesthetics and prime agricultural soils.

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9. The Lakes Water System must be Considered for the Project's Water Supply.

The RRDEIR states, "The Specific Plan (page 4-26) also mentions a 'distant third possibility' of obtaining water from the City of Vallejo, but because this possibility is considered to be highly speculative it is not evaluated in this Revised Recirculated DEIR (as per CEQA Guidelines Section 15145, Speculation)."

The Lakes Water System currently serves Upper Green Valley, Cordelia, and elsewhere. Previously the Lakes Water System also served 20,000 +/- Vallejo residents. However, Vallejo no longer serves those customers, but rather they are served by Lake Berryessa. Accordingly, whereas the costs of maintaining the Lakes Water System was previously shared by 21,000 +/- customers, it is now shared by only 800 +/- customers. The County has some obligation to protect the unincorporated residents of Upper Green Valley insofar as a reasonable solution lies in considering the Lakes Water System for the Project.

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Ironically, the WSA for Option C acknowledges that SID seeks to cost share, stating, "having an additional five hundred customers will help spread out our costs thereby helping maintain lower costs to our existing customers. . . Lastly, since the DSWA JPA ends in August of 2014, it is a direct benefit to all of SID's other M&I customers to generate other M&I customers [again, holds cost increases down]."

The County must not turn a blind eye on the existing problem for County residents of having the most expensive water rates in the County and elsewhere. The County must at least consider a potential win-win resolution by considering adding the MGVSP to the Lakes Water System.

10. Inexpensive SID Water May Cause Growth-Inducing Impacts that must be Disclosed and Analyzed under CEQA.

Inexpensive water for urban type development in rural areas (such as SID water for the Project) may have growth inducing impacts. The County must disclose and analyze the growth-inducing impacts related to SID providing water to rural areas. In fact, the WSA acknowledges that adding M&I customers will save existing customers money: "Lastly, since the DSWA JPA ends in August of 2014, it is a direct benefit to all of SID's other M&I customers to generate other M&I customers (again, holds cost increases down)."

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As SID gains more and more traction to sell water to M&I customers – building on the MGVSP arrangement, then SID will be more likely to provide municipal and/or development water. This has potentially significant impacts to prime soils, biological resources, air quality, greenhouse gases, etc.

Additionally, in relation to Option C1 and C2, the RRDEIR must disclose and analyze the new growth inducing impact of running pipes with potable water to the entire plan area because it lays the foundation for the eventual conversion of ag land for the land that is preserved in ag. or in open space.

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11. There are Changes in Project Circumstances Since Dec. 2009 that Require CEQA Analysis

The Notice of Preparation (“NOP”) was published in 2009. Therefore, 2009 serves as the baseline for the Project. “An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective.” (CEQA Guidelines §15125(a).) “This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.” (*Communities for a Better Environment v. South Coast Air Quality Mgmt. Dist.* (2010) 48 Cal.4th 310, 321-322.) There have been significant changes in the Project circumstances since 2009. And, the 2009 baseline must be updated to 2014.

Public Resources Code section 21166 allows that when an EIR has been prepared for a project, then no subsequent or supplemental EIR shall be required, unless: there are substantial changes with respect to the *circumstances* under which the project is being undertaken which will require major revisions in the environmental impact report or *new information*, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

01-36

Here there are at least 3 changed circumstances and/or new information pertaining to the following.

a. The City of Fairfield’s Massive Train Station Project with 6000 New Houses is a New and Changed Circumstance

Since 2009, the City of Fairfield has approved of a 6000 home development known as the Train Station project. This case is similar to *Moss v. County of Humboldt* (2008) 162 Cal.App.4th 1041. In *Moss* the existing conditions in *Moss* became more severe from the time when the EIR was certified to the time when the project was approved. In *Moss* the project consisted of a minor subdivision that proposed to use water from a local creek. The creek also provided water to the town of Trinidad, located downstream. Even though the project was clearly within the scope of a previous EIR, the court determined that

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“new information” showed that water usage of the creek had increased by 73% and that additional water demands would have a much *more severe* impact on the downstream city’s water supply. (*Id.* at p. 1060 [emphasis added].) Therefore, the court required a subsequent EIR if and when the minor subdivision was approved.

Here, this Project triggers the conditions in Guidelines section 15162(a)(3)(A), which requires that, “The project will have one or more significant effects not discussed in the previous EIR or negative declaration.” The previous EIR failed to disclose and analyze the train station project at all. The train station project was approved on July 26, 2011. The WSA for Option A is outdated because the train station project was approved after it was published, and the train station project will use significant quantities of SID water. How much water will the train station project use? Is all of its water coming from Fairfield’s allocation of SID water? Will it also be served by the North Bay Aqueduct?

The Project also triggers conditions set forth in Guidelines §15162(a)(3)(B), which states, “Significant effects previously examined will be substantially more severe than shown in the previous EIR.” The combined use of the train station and the MGVSP creates more severe conditions related to water supply in Lake Berryessa than was shown in the 2009 DEIR.

b. The Substantial Increase in Value of Solano County’s Agricultural Crops is a New and Changed Circumstance.

The more recent crop value for Solano County is at an all time high at \$343 Million in 2013. See Exhibits D, E, F, and G. See also Exhibit I, showing the 2013 crop report at <http://www.solanocounty.com/civicax/filebank/blobdload.aspx?BlobID=18405>

Compare the 2013 crop report to the 2009 Crop Report where the total value was only \$251 Million. <http://www.solanocounty.com/civicax/filebank/blobdload.aspx?blobid=8833> (See Exhibit H showing the 2009 crop report.)

This 30% increase in total agricultural value since the original publication of the NOP is relevant to the EIR’s requirement that it justify its finding that the reduced project alternative preserving more prime farmland is not feasible.

c. Caymus’ and Gallo’s (Major Wineries) Significant Investment in Solano County Agriculture Constitutes a Changed Circumstance and/or New Information.

Caymus, a family owned Napa Winery, has invested on a very large scale in Solano County with a 178 acre winery and bottling facility. The Caymus winery and distillery has the capacity to produce 5 million gallons of wine a year and 500,000 gallons of spirits, making it the largest winery in Solano County “by far.” It has also invested in the

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County's agriculture by growing grapes for its wine in Solano County. See Exhibits J, K, and L showing that Caymus is the largest winery in Solano County by far and is a "game changer" in Solano County. See also Exhibit M, showing Gallo bought Ledgewood Winery in Suisun Valley.

The investment in Solano County by these 2 major wineries underlies the importance in the RRDEIR's accurate disclosures pertaining to the amount of water remaining for availability to business. Lake Berryessa is necessary to attract business, especially agricultural business, to Solano County. See Exhibit C showing how Caymus was attracted to invest here due to the Lake Berryessa water. Obviously, as Lake Berryessa allocates more water to housing development, it will have less water available to foster agricultural or business development of the County. This information is important for the decision-makers to accurately evaluate the trade offs of providing SID water, which has traditionally been used as "irrigation water" to the Project.

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Secondly, the investment of these 2 large wineries bears on the 2009 alternatives analysis and its outdated finding that the environmentally superior alternatives (the 200/200 alternative and the no project alternative) are not feasible. As agriculture, especially grapes, of which there are many in Middle Green Valley, increases in value, then the less evidence supports the County's 2009 finding of infeasibility of the environmentally superior alternatives.

12. The Alternatives Analysis must be Revised and Recirculated Due to the Change in Circumstances and New Information as listed above.

As noted above, the DEIR's determination that the Reduced Development Capacity Alternative or the No Project Alternatives are infeasible is not supported by substantial evidence in the record due to the new information and/or change in circumstances pertaining to water demand from the train station and the increase in the value of agriculture land.

CEQA mandates a lead agency adopt feasible alternatives or feasible mitigation measures that can substantially lessen the project's significant environmental impacts. (Pub. Resources Code § 21002; CEQA Guidelines §§ 15002(a)(3), 15126.6(a); *Sierra Club v. Gilroy City Council*, *supra*, 222 Cal.App.3d at p. 41.)

01-39

CEQA requires that an agency refrain from approving projects with significant environmental impacts when there are "feasible alternatives or mitigation measures" that can substantially lessen or avoid those impacts. (*Mountain Lion Foundation v. Fish & Game Commission* (1997) 16 Cal. 4th 105, 134; Pub. Resources Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2).) "[T]he purpose of the statutory requirements for findings is to ensure that the decision-making agency actually considers alternatives and mitigation measures." (*Resource Defense Fund v. Local Agency Formation Commission of Santa Cruz* (1987) 191 Cal.App.3d 886, 896.) An alternative may be

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found infeasible on the basis of specific economic, social or other considerations. (Pub. Resources Code § 21081(a)(3); CEQA Guidelines § 15091.) CEQA provides that if one or more significant impacts will not be avoided or substantially lessened by adopting mitigation measures, then alternatives described in the EIR that can avoid or reduce the impact, must be found infeasible by specific reasons, if they are not adopted. (Pub. Resources Code § 21081.5; CEQA Guidelines § 15091(c).)

CEQA defines “feasibility” as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” (Pub. Resources Code § 21061.1.) The finding of infeasibility, however, must be supported by substantial evidence in the record. (Pub. Resources Code § 21081.5; *Citizens of Goleta Valley v. Board of Supervisors*, (1988)197 Cal. App.3d 1167; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 737.)

In *Citizens of Goleta Valley*, the Court found that an administrative record that included no analysis of comparative costs, profits, or economic benefits of scaled-down project alternatives was insufficient to support a finding of economic infeasibility. (*Id.* at p. 1180-1181.) The Court stated: “The fact that an alternative may be more expensive *or less profitable* is not sufficient to show that the alternative is financially infeasible. What is required is evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project.” (*Id.* at p. 1181 [emphasis added].)

Here, the DEIR proposed Reduced Development Capacity Alternative would be implemented with a development program similar to the proposed project but with a primary residential cap of 200 units and a secondary residential cap of 200 units, rather than the 400 new primary and 100 new secondary units. (AR 1601-1602.) This Reduced Development Capacity Alternative also would result in a 30 percent reduction in commercial service and neighborhood commercial uses. (AR 1602.) The EIR identified the Reduced Development Capacity Alternative as the environmentally superior alternative. (AR 1607.) As the Reduced Development Capacity Alternative was included in the EIR as one of the alternatives to the Project it had to have been potentially feasible. (See CEQA Guidelines § 15126.6(a).)

The EIR, however, rejected the alternative proposing a total of 400 residential units (200 primary and 200 secondary) as *infeasible*. (*Id.*) In its Findings, the Board of Supervisors also rejected the alternative as infeasible. (AR 86.) The EIR concluded, without support, that the Reduced Development Capacity 200/200 alternative “would be substantially less effective than the proposed project in attaining the *economic balance* between compatible development and sustained farming and ranching, open space preservation, and natural resource management through viable development rights transfer and conservancy mechanisms, and therefore may not constitute a feasible project.” (AR 1607.) Emphasis added. The EIR also stated that the alternative “would have significant adverse effect on the economic viability of the Specific Plan program.” (AR 1602.) The EIR further stated

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that a reduced capacity would destabilize “the proposed economic plan for continued and increased sustainable agricultural production in the plan area.” (*Id.*) The EIR’s conclusion that the environmentally superior alternative was not economically feasible, but due to the changes bearing on economic feasibility since 2009, the Alternatives Analysis must be re-analyzed and re-circulated.

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Here, specifically the new Options C1 and C2 and Option B provide new options to the Project which bear on the County’s determination of feasibility. The RRDEIR wholly fails to disclose and analyze the costs associated with these Options. Such costs are required to be known so as to allow for the assessment of the feasibility of the environmentally superior alternatives.

01-40

CEQA requires that the County disclose their reasoning as to why it rejected the alternative. The EIR failed to provide the legally required “roadmap” as to how the County reached its decision to reject a smaller project.

In *Kings County Farm Bureau*, the court rejected an EIR that failed to include an alternative that would have used natural gas rather than coal to fire a proposed cogeneration plant when determination as to economic feasibility was not supported by substantial evidence. The court held that there must be evidence showing the additional costs or lost profits would make the project impractical. (221 Cal.App.3d at p. 737.) In *Burger v. County of Mendocino* (1975) 45 Cal.App.3d 322, 327, the court held that an infeasibility finding based on economic factors cannot be made without an estimate of income or expenditures to support a conclusion that the reduction of a motel project or relocation of the project would make the project unprofitable.

01-41

The County’s Findings refer to the Middle Green Valley Specific Plan Financial Model prepared by Economic Planning & Systems (“EPS”) as the basis for rejecting the reduced capacity alternative. See AR 86; AR 6485-6502.¹³ The EPS Preliminary Model addresses the cost of water service to the project, but only as lineal feet of pipe. Here, Option A requires at least 3 municipal pumps, treatment and storage. Options C1 and C2 require pipe (possibly 2 sets of pipes if SID and potable SID water will serve each house). Thus the EPS Model must disclose and analyze how these costs affect the feasibility of a 200/200 Project and the No Project alternative.

How much will the City of Fairfield charge for treatment, distribution in their pipes, administration, etc. (e.g. total cost) for the Project? How will rates be determined? This is especially important when there is no representation for determining the rates of water treatment for non-city residents. (See *South Pasadena v. Pasadena Land and Water Co.* (1908) 152 Cal. 579, 587-588.) Who will own and how will they own the new distribution pipes?

01-42

¹³ Economic Planning & Systems was the consultant team’s economist. (AR 8201, 151.)

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13. The Notice of the Availability of the New RRDEIR was Insufficient because it was Published Far Too Late and Failed to Notify the Relevant People

CEQA requires that the Notice of Availability be published at least 45 days prior. (CEQA Guidelines §15087(a)(1).) Here, the RRDEIR states that the newspaper of general circulation published the notice in the Daily Republic (RRDEIR p. 1-11), but the Daily Republic article did not run an article on the Project until July 18, 2014. The public did not receive the 45 days notice as required by CEQA. (See Exhibit N, showing a true and correct copy of the July 28, 2014 Daily Republic Article.)

Additionally Guidelines section 15087(a)(1) requires, "... If more than one area is affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas." Here, all of the areas affected by SID's dedication to water include all areas where SID water is used. Therefore, the Notice of Availability should also be properly noticed in Vacaville, Benicia, Fairfield, Suisun, to existing SID customers and Maine Prairie.

The baseline for the project is the date of the publication of the Notice of Preparation ("NOP"), which in this case in December 23, 2009. (AR1624.) The County, however, must republish another NOP because the baseline conditions must be updated to reflect the present physical conditions. For example, it is much less relevant to know the water availability in Lake Berryessa in 2009 as it is to know the water availability in June of 2014 – the date of the new Option C proposal.

Additionally, the Law Office of Amber L. Kemble received notice on June 28, 2014, which is 44 days prior to August 11, 2014, not the required 45 days.

Therefore, due to the foregoing issues pertaining to CEQA's strict notice requirements the RRDEIR must be re-circulated with proper notice to all relevant parties.

14. The Project Description is Unstable and the WSA does not track with the RRDEIR.

The RRDEIR states that Option C is the preferred option for SID to provide all of the potable water to the Specific Plan area (186 afy). (RRDEIR, p. 16-21.) However, the WSA for Option C discloses that it is solely based on SID water *in combination* with groundwater or plus City's wholesale water. See page 1 of Appendix C, wherein the SID letter states that the County intends to entitle the project based on a *mix* of groundwater and surface water.

These two contrasting descriptions of Option C make for an unstable project description.

15. Miscellaneous Questions and Comments

01-43

01-44

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Has the City of Fairfield treated SID's water of use outside of the City's boundaries? If so, please provide the details of such arrangement – where, how long has this existed? | 01-45

Has any other city ever treated SID's water for use outside of the city's boundaries? | 01-46

How did the County originally arrive at 400 houses as proposed in the 2007 study sessions, and was stated in the General Plan (2008) – subject to further study, and which became the proposed number of primary houses for approval in the MGVSF? | 01-47

How is the water treated for the domestic supply that SID provides to Mankas Corner in Suisun Valley? (RRDEIR, p. 16-6). | 01-48

How was the multimillion dollar upgrade at the Waterman Treatment Plant paid for? (See RRDEIR, p. 16-14.) Is there money still owed on it? How are the users equitably paying for this improvement? | 01-49

The Waterman Treatment Plant has a capacity of 30 mgd and the North Bay Regional Plant has a 40-mgd capacity, which can purportedly be expanded to 90 mgd (p. 16-15). The RRDEIR must provide data to support how the North Bay Plan can be more than doubled. How much would that cost and how much would the MGVSF users pay for that improvement should it be done in the future? This information is relevant to know the costs of the Project for Option C as it relates to the environmentally superior alternatives. | 01-50

Do the following calculations on page 16-15 take into account the new train station project? | 01-51

The RRDEIR states that the City's 2 water treatment plants have the capacity to treat 56 mgd and that Fairfield uses an average of 21.5 and a maximum of 37.6 mgd. (RRDEIR, p. 16-48-49.) The RRDEIR, however, fails to disclose and analyze the foreseeable increase in use from Benicia and Vacaville. | 01-52

Will any of the existing pipelines (i.e. City of Vallejo, USBR) in the Plan area be used for the Project or will all new pipes be laid? Who will own those pipes? Who will own the easements? Does the answer change for the different proposed options (A-C) of water service providers – City of Fairfield, CSA providing groundwater, SID with water service treatment provided by the City of Fairfield? | 01-53

Will the water for the Plan Area in Option C be comingled with Delta water? If so, the RRDEIR must analyze and disclose the physical impacts of using Delta water.. | 01-54

If there are potable water pipes and non-potable water pipes running the rural residential units, what is the increase in cost for doubling up on the pipes to these residences? Who will bear this cost? What is the total cost for implementation, operation and maintenance? What are the size pipes for potable versus non potable water? How will | 01-55

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they be differentiated to protect public health?

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a. Option A

The RRDEIR states "Under Option A, the proposed water supply infrastructure system would consist of approximately nine miles of onsite pipeline and 500,000 gallons of onsite storage (for fire hydrants and sprinklers) in two water storage tanks at elevation (see Figure 16.1)." (RRDEIR, p. 16-28.)

01-56

How much does 9 miles of pipeline cost in 2014? Was the cost estimate different than in 2009? Where is the data to support this figure? How much is the additional pipeline to the limited number of residences in the hills that are more distant from the City center?

Where will the 2 storage tanks be located? This is a significant aesthetic impact that requires further disclosure and analysis, especially since it will be located at elevation.

01-57

b. Option B

The RRDEIR states "Water treatment is anticipated to consist of mixed media filtration and disinfection unless measured chemical constituents indicate a need for further treatment." How much will this cost? Where will the treatment plant be located? Will the location of the treatment plants solely be near each well as described on p. 16-36? How large will a treatment plant be? Will additional treatment be required from the storage tank to the residence? The cost needs to be disclosed and supported by data. Thereafter the alternatives analysis needs to be refigured. (RRDEIR, p. 16-29.) The RRDEIR states "[Option B would require] approximately 4.5 miles of onsite pipelines, and 500,000 gallons of storage (for fire hydrants and sprinklers) in two water storage tanks preferably located at elevation (see Figure 16.1)." (RRDEIR, p. 16-29.) Why is there only half of the pipeline than was figured for option A?

01-58

For Option B the 54 afy of reuse water requires further CEQA analysis pertaining to the effect of using grey water above where groundwater will be pumped. For example, heavy metals, pharmaceuticals, etc. may affect the quality of groundwater. This is a potentially significant impact.

01-59

Recently, the City of Fairfield extended water service to the Guru Nanak Temple, located on Rockville Road. This was due to the Temple's water well had problems with saline and it was an emergency situation. This saline intrusion provides substantial evidence that the potential wells in MGCV (Option B) are also susceptible to saline intrusion because they are approximately the same distance from the Marsh as is MGCV. How deep was the well at the Temple? What is the difference in the distance from the Marsh/saline waters to the Temple versus to Reservoir Road in MGCV?

01-60

c. Option C

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How much is a "Petition for Change in Place of Use" expected to cost? How much is the "annex the Solano Project Place of Use area into SID's service area" expected to cost? (RRDEIR, p. 16-29.)

01-61

How much will it cost the City of Fairfield to treat 190 afy water for the Project? How much will it cost to use (rent) the pipes up to the 24inch flange at East Ridge? (RRDEIR, p. 16-29.) How much does 9 miles of pipeline cost? Where is the data to support this figure? How much is the additional pipeline to the limited number of residences in the hills? Where will the 2 storage tanks be located? This is a significant aesthetic impact that requires further disclosure and analysis, especially since it will be located at elevation. The cost needs to be disclosed and supported by data. Thereafter the alternatives analysis needs to be refigured.

01-62

For Water Supply Option C1 who and how would the groundwater be treated to Title 22 standards? How much would that cost to build operate and maintain? Where would the treatment plant be located? Where would the well be located? There are potentially significant impacts associated with the building, operation and maintenance of a water treatment plant that must be disclosed and analyzed.

01-63

Option C2 is prohibited by Measure L in 2 ways: selling water and treating water for use beyond the urban limit line.

01-64

Would the CSA be obligated to the "Solano Project Members' Agreement as to Drought Measures and Water Allocation," as described on p. 16-42? If so, how?

01-65

The RRDEIR discusses that in a drought farmers are asked to idle their water requirements so that cities get the water. (RRDEIR, p. 16-43.) This is a potentially significant impact because it affects farmland. MGVSP has a cumulative effect to reducing the amount of farmland in Solano County because the more municipal reliance on SID water will necessarily mean less water for agriculture. This is a potentially significant impact that requires disclosure and analysis under CEQA. Additionally, Appendix B7 states, SID rule 5004, that, "Water shall be distributed equitably and fairly to Water Users within the District who have paid all charges and penalties therefrom." However, mixing ag and municipal users necessarily sets up hierarchy of use because people cannot go without water for medical and health reasons, but farmers can forgo a profit, if necessary.

01-66

Under Mitigation 16-2B who would pay to connect an existing well user to the system? (See RRDEIR, p. 16-46.)

01-67

The RRDEIR states, "SID has raised the specific concern that, if sewage disposal requires the construction of new onsite systems, the design and placement of lines and leach fields would need to be kept clear of SID and USBR easements (Wirth 2009)."

01-68

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(RRDEIR, p. 16-48.) On site sewage disposal is a potentially significant impact. Measure L prevents sending sewage to the City. Therefore, the RRDEIR must further disclose and analyze the potentially significant impacts associated with on site sewage – aesthetics, safety, odors, location away from easements, streams, etc.

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The RRDEIR must further disclose and analyze the likelihood of partial project completion. For example, if a developer wants to start with 4, 25, 50 or 100 houses will SID provide water for that, or will the developer have the option to simply drop a local well? How do pipes get laid when only a few houses are initiated? Does this mean that if the water connection closest to Reservoir Road is used (i.e. Option A or C) that that development will be first, but that if Option B is used, a different location could be first – including the bigger houses in the hills? Furthermore, could a house(s) be built in the hills using groundwater, but later change to a municipal connection? Do the planned stages of development vary depending on which water option is used?

01-69

The only entity that can build 400/100 houses at once is a corporate homebuilder. This is a potentially significant aesthetic impact as corporate houses have a different and more urban feel than the older single developer style houses that exist in Upper Green Valley.

01-70

The WSA for Option C at page 4 states that cities can carry over their water entitlements. Which cities have carry over entitlements and how much are the cities carrying over? What do they typically carry over. Additionally, is SID carrying over water in trust for the cities? How much for whom? Do these carry overs or trusts expire or accumulate?

01-71

TABLE 2 in the WSA, entitled, “Normalized Evapotranspiration of Applied Water (ETAW) For SID Agricultural Acreage 1991-2010” provides a PRELIMINARY understanding of water applied to various crops based on evapotranspiration. This data is in draft form and must be finalized before it can be relied upon in the RRDEIR.¹⁴

01-72

How many total units does SID currently serve directly with domestic water? How much of that does SID sell as potable water? How is the SID water that is not potable treated for domestic use? This information must be disclosed because it is relevant as to whether use of SID water for domestic uses and cities is increasing over agricultural use. There may be a potentially significant impact if SID continues a pattern and practice of increasing service to domestic uses.^{15, 16} This is because the more domestic connections

01-73

¹⁴ Page 4 of the WSA acknowledges, that the “...study period is *under development* by SID to guide development of a future agricultural water allocation policy.” Emphasis added.

¹⁵ Page 8 of the WSA states “A recommendation to create a Solano County 1991 Emergency Water Pool was suggested and the SID Board of Directors agreed to participate assisting SCWA create an emergency water pool to help the urban agencies meet their demands and get through the drought. SID agreed to offer landowners the opportunity to idle their land for a year, i.e. forgo farming so the water saved could be put

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to SID, then agriculture may be impacted by not receiving water in dry years, as has been the practice in the past. This in turn may affect the types of crops grown and ultimately limit agricultural production in Solano County. If farmers cannot rely on water, then Solano County will lose its agricultural base. This is a potentially significant impact that requires further disclosure and analysis under CEQA.

01-73
cont'd

Please provide the any and all data that the County relies upon from David's Engineering referenced in the WSA (for example, see p. 6 FN1).

01-74

Page 10 of the WSA (Option C) states that "SID has proven this ability over the last 50+ years with only one year (1991) when SID implemented a water shortage allocation program to conserve water and provide a supplemental urban water supply to help Solano Project urban water users meet their demands during a water shortage." Has SID ever asked any of its users in the County to not use water other than in the year 1991? If so, who and how much?

01-75

What is Fairfield's contingency plan for the wild fluctuations for the North Bay Aqueduct, as described in Appendix B8 (Okita's Memo)?

01-76

Table 4 on page 10 refers to a "Maximum" which "represents the maximum supply or demand anticipated in the future through 2034." How does the WSA determine the maximum demand? What is the data relied upon? Please provide it.

01-77

The RRDEIR states that the 100 acres of irrigated land in the Plan area will be from non-potable sources. (RRDEIR, p. 16-28.) Does this mean that each residence will have two sets of pipes – one for potable and one for non potable water? How much will that alter the cost of the project? This affects the feasibility and requires further analysis of the alternatives analysis.

01-78

What will residents use when SID doesn't allow irrigation water from March to November? App. B7 states SID Rule 5021 "Surface irrigation water shall not be made available during the months of November through March unless otherwise approved by the Board. Water Users desiring to grow winter crops and utilize District facilities shall submit a request for off-season." There will be an increase in the use of potable water to the extent people will irrigate their private landscaping year round.

01-79

How does the WSAs for Option A and C projected water demand account for the 3,260

I 01-80

into a pool and used to help the urban agencies. This program was implemented and SID was able to provide up to 15,000 acre feet of water for the emergency pool."

¹⁶ Page 9 of the WSA states, "Agreement provides that Solano Irrigation District will begin implementing a voluntary agricultural water marketing program for growers willing to sell their water allocations to cities for municipal and industrial use the following March."

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afy that the Train Station Project will use?

I 01-80
cont'd

Will a future CSA be a participating agency as described on page 24 in paragraph 18 of the Contract between USBR and SID in Appendix B4?

I 01-81

The WSA states, "The County intends to base its environmental review of the project based on a conjunction surface water/groundwater mix to entitle the project. Therefore, from a supply perspective, Staff recommends the Board approve the WSA." What is the County's estimate afy of groundwater does the County propose to use for Option C1? This information is relevant in light of the prior comments from Kamman Hydrology & Engineering, Inc., dated October 10, 2014 and from the Law Office of Amber L. Kemble, also dated October 10, 2014 and will be resubmitted on August 11, 2014. Such comments provide substantial evidence that the use of groundwater availability as analyzed Thomasson for Green Valley necessarily interferes with Green Valley Creek and is not available in the historic quantities for municipal pumping over the life of the Project. Therefore, to any extent Option C1 relies on groundwater, it must disclose the estimated amount that it intends to use.

I 01-82

The Okita Memo in Appendix B8 states that the water from the North Bay Aqueduct ("NBA") fluctuates wildly. Therefore the SID and the City of Fairfield's Option A and C2 cannot rely on the City providing water because the City's supply is limited by the uncertainty as it related to Delta water.

I 01-83

As the Specific Plan as drafted, does it situate trees or houses in the right of ways of SID which conflicts with SID's policy not to locate structures over or trees within 6 feet. See AR 6005, stating, "No permanent structures will be allowed to be constructed over the Districts existing right-of-ways nor shall any trees be planted within feet of the edge of any of our pipelines."

I 01-84

Who are the other water users for Lake Berryessa water (e.g. who uses the balance of the 207,350 after SID uses the 141,000 afy)? See page 7 of SID's WSA App. C.

I 01-85

USBR cannot accept interference with an easement for a Project that violates local and state law. As noted above, the proposed Project Options A and C violate state (Gov't Code section 56113) and local laws (Measures L and T). The policy of the USBR with respect to authorizing Projects that may interfere with their easements as are outlined in the RRDEIR (i.e. Terminal Reservoir and Mason Road). AR5989. Therefore, this additional restriction creates further legal uncertainty for the Project.

I 01-86

16. The Mitigation Measures Do Not Cure the Inadequate Analysis

I 01-87

The RRDEIR's Impacts and Mitigation Measures section must be reevaluated in light of the failings and inadequacies identified in the WSAs for Options A, B, and C. For example, the RRDEIR concludes that under Option A there is adequate water supply to

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meet project domestic demands and that as a result the impact is less than significant. (RRDEIR, pp. 16-33 to 16-35.) This impact analysis fails to adequately address Measure L's restriction on the City providing water for the Project. In fact, the impact analysis ignores the law of the case regarding Measure L.

01-87
cont'd

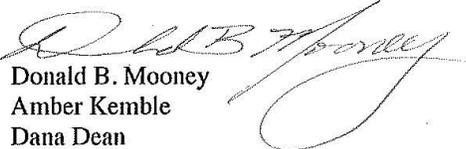
Impact 16-1 applies to the adequacy of water supplies to meet project domestic demands under Option B. The impact analysis relies upon the flawed analysis in Option B to conclude that the implementation of Mitigation Measures 16-1a and 16-1b, the impact would be less-than-significant. (RRDEIR, pp. 16-39 to 16-40.) Neither Mitigation Measure 16-1a or Mitigation Measure 16-1b cure the inadequacies of the WSA for Option B as identified in these comments and the August 11, 2014 comments submitted by Kamman Hydrology & Engineering, Inc.

01-88

The RRDEIR concludes that under Option C there is adequate water supply to meet domestic demands. (RRDEIR, pp. 16-40 to 16-44.) Again, the impact analysis relies upon the inadequate WSA for Option C as discussed in these comments and the comments submitted by Kamman Hydrology & Engineering, Inc.

01-89

Sincerely,


Donald B. Mooney
Amber Kemble
Dana Dean
Attorneys for Upper
Green Valley Homeowners

Attachments

Exhibit A

Exhibit A

Members of the Solano County Water Agency board of directors on Thursday agreed to help. They approved principles for an agreement that would allow the Napa County Flood Control & Water District to buy Berryessa water.

The Napa district would be able to buy up to 10,000 acre feet. By comparison, Fairfield uses about 23,000 acre feet of water from all of its sources annually. The Metropolitan Water District of Southern California says an acre-foot is enough water to serve two typical families for a year.

Napa would buy the Berryessa water for \$600 an acre foot. By comparison, Fairfield pays nothing for Berryessa water because the Solano Project that created Lake Berryessa in the late 1950s has been paid off.

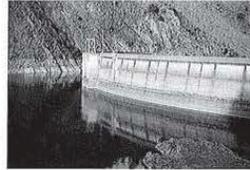
No connection exists to bring Lake Berryessa water to Napa County. The Putah South Canal is a concrete-lined canal that carries Berryessa water and the North Bay Aqueduct is an underground pipe that carries Delta water. The two are separate conveyance systems.

Solano County Water Agency proposes to install a pipe connecting the two systems. This connection would be made in eastern Fairfield in the Cement Hill Road area, near the McCoy basin, agency General Manager David Okita said. The Putah South Canal and North Bay Aqueduct at this point are about 1,700 feet apart, he said.

The pipe would enter the underground North Bay Aqueduct through a manhole. This connection might remain in place only for 2014, then could be disassembled. Okita said the pipe making the connection could be rented.

"I think in theory it would only be used in these very unusual years like this one, that shouldn't happen very often, maybe once in a generation," Okita said.

Berryessa water to help bail out Napa cities



By Barry Eberling

From page A1 | April 11, 2014 | 1 Comment

VACAVILLE — Solano County is moving ahead with its plan to provide emergency Lake Berryessa water to help Napa County weather the drought.

Lake Berryessa reservoir is located in Napa County, but provides water almost exclusively to Solano County and farms. Napa County cities get no Berryessa water. Despite the three-year drought, the reservoir is more than 70 percent full.

Both Solano and Napa counties get water from the state's North Bay Aqueduct, which carries water pumped from the Sacramento-San Joaquin Delta. But the state is giving no Delta water allocations this year, with perhaps only carry-over allocations from previous years available. That could hit the Napa County cities of Napa, American Canyon and Calistoga hard.

The connection would also help Benicia and Vallejo get more water during peak summer demand periods, an agency report said.

Okita wasn't certain how much the temporary pipe connection will cost. The users of the emergency Berryessa water will pay for the connection, he said.

Engineering to make the connection between the Putah South Canal and North Bay Aqueduct is relatively simple, Okita wrote to the board. But the necessary agreements and permits involve 13 different agencies, he said. It involves transferring water from a federal project to a state project.

Before the agreement can go forward, it must be approved by the Napa County Flood Control and Water District.

The Solano County Water Agency board of directors consists of the Solano County Board of Supervisors, the mayors from the county's seven cities, a representative from Reclamation District 2068, the Maine Prairie Water District and Solano Irrigation District.

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Exhibit B

Exhibit B

irrigation restrictions are mandatory. The state Water Resources Control Board could fine water agencies \$10,000 a day for failure to comply, a water board press release said.

The regulations were approved July 15 and became effective Tuesday, after final approval Monday by the Office of Administrative Law.

Solano County is weathering the drought better than many other parts of the state. Fairfield's drought measures kick in when the Lake Berryessa reservoir drops to 50 percent full. The reservoir in Napa County is 61 percent full.

Still, local communities such as Fairfield must respond to the state's actions.

Fairfield Assistant Public Works Director for Utilities Felix Riesenberg said Fairfield has existing fines for water waste. The first offense results in a warning, the second offense in a \$25 fine, the third offense in a \$50 fine and fourth offense in a \$100 fine.

"We don't envision changing the fine amounts," Riesenberg said. "That has worked. We don't have to go up to that \$500 amount."

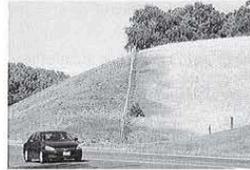
Riesenberg wasn't aware of any cases where the city has issued a fine.

"We may have an instance here or there," he said. "Usually, education is all it takes."

City code enforcement officers handle water-waste issues, he said.

Fairfield always has an outdoor irrigation restriction in place that prohibits watering between noon and 6 p.m., Riesenberg said. That's what Fairfield proposes to use to meet the state's demand for outdoor watering restrictions.

Cities dealing with state drought rules



The contrast between watered and un-watered grass is apparent on Rancho Solano Parkway in Fairfield, Wednesday. New water regulations from the state Water Resources Control Board were put into effect Tuesday. (Robinson Kuntz/Daily Republic)

By Barry Eberling

From page A1 | July 31, 2014 |

FAIRFIELD — Solano County cities are trying to figure out how to respond to new state policies that crack down on water wasters.

The state Water Resources Control Board announced the policies earlier this month to deal with the drought. All Californians are to stop washing down driveways and sidewalks, watering landscaping to the point of runoff, using a hose to wash vehicles unless the hose has a shut-off nozzle and using drinking water in a decorative water feature unless the water is recirculated.

Local agencies can ask courts to fine violators up to \$500 a day. In addition, larger water agencies are required to activate their water shortage contingency plans to a level where outdoor water

But following the state requirement to the letter and activating the city's water shortage contingency plan to the point where outdoor landscaping irrigation restrictions are imposed is problematic. The only additional outdoor watering restriction mentioned in the Fairfield plan, reserved for when Lake Berryessa is 37 percent full, calls for no outdoor irrigation.

Should the noon-to-6 p.m. restriction fail to satisfy the state, Fairfield would seek to create an intermediate step before the no-watering restriction, Riesenberg said.

Fairfield for more than 16 years has contacted residents with high water bills. It offers to have interns come out from the spring through fall to look for water-saving solutions, such as checking for leaks and adjusting the irrigation systems. The program expanded countywide in 2011.

Interns in previous years did about 16 surveys a day, Fairfield Management Analyst Andy Walker said. The number has dropped this year to about eight surveys a day.

"I think part of it is that people have been cutting back," Walker said. "They are much more aware of what they are doing with their water."

Gov. Jerry Brown in January asked all communities to voluntarily reduce water use by 20 percent. Fairfield in February reduced water use by 3 percent over February 2013. It reduced use by 23 percent in March, 20 percent in April, 19 percent in May and 4 percent in June, according to the city.

"You can drive around the town," Riesenberg said. "I was just in south Cordelia this morning. I was amazed at the number of brown lawns, of zeroscape (yards). The community has been conserving. This is where it gets tough, when the state makes a one-size-fits-all."

Suisun City's water policies are governed by the Suisun-Solano

Water Authority, a joint powers authority between the city and the Solano Irrigation District. The authority has yet to adopt any new restrictions in response to the state's new requirements, a city press release said.

Suisun City at times receives complaints from residents that a neighbor is overwatering a lawn. Those complaints get forwarded to the city code enforcement officers. The city might hand out a warning, city Senior Accountant Elizabeth Luna said.

The Suisun-Solano Water Authority could meet and discuss declaring a drought, she said.

Benicia has been harder hit than other Solano County cities by the drought because it usually gets most of its water from the Sacramento-San Joaquin Delta, not Lake Berryessa. It has imposed mandatory outdoor watering restrictions.

Vallejo is planning to limit landscape watering to three days a week. Benicia and Vallejo have started water patrols, with city officials looking for water-wasting activities. Vacaville will start a water-waste hotline, said a press release from the Solano County Water Agency.

Go to www.Solanosaveswater.org for more information, as well as for water conservation tips.

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Exhibit C

Exhibit C

Water supplies might help attract businesses



The Putah Creek South Canal runs through Fairfield near Hillborn Road. The location of nearby Lake Berryessa helps draw business' to the area with a consistent water supply. (Adam Smith/Daily Republic)

By Barry Eberling

From page B7 | April 06, 2014 |

FAIRFIELD — Solano County when wooing prospective businesses can portray itself as a bit of an oasis in a drought-prone state.

"Water is an asset," Fairfield Economic Development Specialist Charles Ching said. "We have a lot of food and beverage manufacturers in town that need a lot of water. There a lot in the Bay Area that are looking for places that have a reliable water supply."

Local cities promote water conservation. But they haven't had to impose mandatory water conservation during the ongoing, three-year drought, in contrast to some communities.

Various cities in the Sacramento area have mandatory, 20 percent water cutbacks in place for its residents and businesses. Folsom Lake, the area's main water supply, has shriveled.

The water agencies that rely on Folsom Lake have a conservation website. Under the economic development section, it notes that some cities may not issue new water connection permits if the situation worsens.

San Joaquin Valley farms that depend on the Central Valley Project face getting no irrigation water whatsoever. Lake Shasta reservoir is 49 percent full.

Gov. Jerry Brown has called on residents statewide to voluntarily cut water use by 20 percent.

Meanwhile, local cities and farms get water from the Bureau of Reclamation's Lake Berryessa reservoir, which exists almost solely to serve Solano County. Many local cities, such as Fairfield and Vacaville, also get water from the Sacramento-San Joaquin Delta through the state's NorthBay Aqueduct.

Lake Berryessa is the county's ace in the hole. It fills with rain runoff in local hills. It sits unconnected to state and federal water projects that depend on snowfall in the Sierra Nevada.

Despite the drought, Lake Berryessa reservoir remains at almost 70 percent full. It is slow to fill, but also slow to empty.

Sandy Person of the Solano Economic Development Corp. said the area's local water supplies are "a huge asset" in the quest to attract businesses. The area is well-positioned to attract food processors that need high-quality water, she said.

On March 11, the Solano County Board of Supervisors heard a report on the county's economy. Supervisor Skip Thomson mentioned Solano County's water supplies.

"I think we can use that to our advantage," Thomson said.

Chuck Wagner, owner of Caymus Vineyards in Napa Valley, mentioned Solano County's water supplies during a talk at the Solano Economic Development Corp. annual lunch. The Wagner Family of Wine plans to open a winery and plant vineyards on Cordelia Road in southernmost Suisun Valley, where it can use Lake Berryessa irrigation water.

"You're very lucky here to have sufficient water," Wagner said.

Fairfield wants its businesses to conserve water voluntarily. But, city Assistant Public Works Manager for Utilities Felix Riesenberg said, this doesn't require a hard sell.

"Most businesses will do that," he said. "You don't have to encourage businesses to be efficient all that often. It tends to be part of their bottom line."

Water conservation can come in such areas as landscaping. Riesenberg said local businesses don't have to worry about their ability to produce their product because of water restrictions.

Anheuser-Busch came to Fairfield in the early 1970s. City officials have said one reason was the quality of Lake Berryessa water.

The brewery has kept water conservation in mind. Improved technology allowed it to cut its water use by 47 percent in recent years without brewing less beer.

Even Solano County isn't drought-proof. In the early 1990s, a six-year drought sapped Lake Berryessa to 25 percent of its capacity. Foundations from the long-submerged town of Monticello re-emerged, as did a long-submerged bridge along a former highway route.

One more extremely dry year would have put the county in dire straights. But 1992-93 ended up being extremely rainy and the drought broke.

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Exhibit D

Exhibit D

Area in 2013 saw business comings and goings

By Barry Eberling

From page C1 | December 29, 2013 |

FAIRFIELD — Wine and cars both made an impact on the local business scene in 2013.

The year saw several major businesses either open or announce they will be coming to central Solano County. The good news was tempered by the closing of some major local stores.

The Wagner Family of Wine announced it will build a winery in southernmost Suisun Valley. The Wagner family owns Caymus Vineyards in the Napa Valley.

The winery will be located on 176 acres at 2658 Cordelia Road and is to be built in phases through 2018. It is to have a capacity of 5 million gallons of wine annually, an amount that would far and away make it the biggest winery in Solano County.

Charles Wagner appeared before the county Planning Commission on Aug. 1 and talked about why the family chose Solano County for its winery.

"It's a great location, centrally located near highways," Wagner said.

Local vintners welcomed the news. They viewed it as another step to putting Suisun Valley on the wine map.

Also in 2013, Encore!Glass announced it is moving from Benicia to Fairfield. The company contracts for wine bottles made in such places as Asia and Mexico and supplies them to about 900

wineries, along with packaging services. It has about 60 employees.

Encore!Glass will be located in a \$16 million, 318,000-square-foot, concrete tilt-up building being built by Sacramento-based developer Buzz Oates on Cordelia Road. Buzz Oates plans to build another, \$24 million, 471,000-square-foot building on the same site.

Groundbreaking took place on May 1. Fairfield officials welcomed the news as a sign of an improving industrial land market.

Fairfield also saw the opening of CarMax on Aug. 28 in its Auto Mall. CarMax took over the site of the old Chrysler and Dodge dealerships that closed during the Great Recession.

Fairfield Mayor Harry Price said CarMax will bring people from all over the region. Once they come to Fairfield, they might visit other auto mall dealerships or attractions such as Jelly Belly, he said.

"From an economic point of view, it's going to be a great draw," Price said on CarMax's opening day.

Vacaville spent much of the year wooing Icon Aircraft. The company could establish a manufacturing plant for the Icon A5, a two-seat, amphibious landing aircraft with fold-up wings, a speed of up to 120 mph and range of 300 miles.

Icon plans to move from Southern California to either Vacaville or a site in Texas or Arizona. Company officials called Vacaville the "top contender" and the company moved to buy 14 acres of county land near Nut Tree Airport for \$2.1 million. But Icon by year's end had yet to announce its choice for a new home.

A long-established Fairfield business left in 2013. Dennis Landis in May closed his The Blue Frog Grog and Grill at 1750 Travis

Blvd. He had opened it 25 years earlier at the first restaurant in Fairfield's Gateway area.

"He was a pioneer. He took a chance before anybody else. He saw Fairfield had a good potential," Fairfield Senior Economic Development Division Project Manager Karl Dumas said.

A few weeks ago, Fuddruckers opened in The Blue Frog building. The hamburger restaurant kept a trace of The Blue Frog alive.

"We were able to keep the brewery intact and keep the brand of Blue Frog going, which has a very large following in the Fairfield area and beyond that," said George Almeida, who owns the local Fuddruckers.

Two Suisun Valley restaurants saw changes in 2013.

Rockville Bar & Grill at Rockville Corner closed for remodeling in September. It reopened as an Italian restaurant called Salvo at the Rock, named after the chef.

And, early in the year, Mankas Steakhouse replaced Mankas Tapas Bar and Steakhouse at Mankas Corner. The new owners and chef came with experience from the Napa Valley culinary world.

The past year also saw the loss of some businesses. Orchard Supply Hardware closed stores in Fairfield and Vacaville. Kmart closed its Fairfield store.

Agriculture is the rural county's biggest business. The county Agricultural Department in June announced that the previous year, 2012, saw county crops reach a total value of \$343 million, an all-time high.

Exhibit E

Report shows Solano grape tonnage dips slightly

By Barry Eberling

From page B7 | February 23, 2014 |

FAIRFIELD — Solano County grape growers in 2013 harvested fewer grapes than in 2012, but got a higher price per ton.

Growers harvested 21,980 tons of grapes and the average price for all varieties was \$842, bringing in about \$18.5 million. That compares to 2012, when growers harvested 23,828 tons at an average price of \$827 per ton, earning about \$19.7 million.

The figures come from the preliminary statistics released by the state Department of Food and Agriculture in its Grape Crush Report.

Roger King of the Suisun Vintners & Growers Association called 2013 a good year.

"We got a record state crush, but Solano didn't have large crops like some other regions did," King said. "We seemed to be pretty much on par to our normal."

His Suisun Valley vineyard produced 50 percent of the previous year, King said. But 2012 was a big year and it's not unexpected that the subsequent year's crop is smaller, he said.

"It's just the way the vines are," he said.

Solano County's numbers are dwarfed by Napa's. Napa County grape growers harvested 172,977 tons of grapes and earned \$638 million. The average price per ton for all varieties was \$3,691.

Exhibit E

Napa is Napa and has its brand, King said. Solano County is not going to be in parity with that county for prices, he said.

He pointed out that Solano County's numbers are not just for Suisun Valley and its wineries. Suisun Valley grapes represent about 50 percent grapes grown in the county. Ryer Island in the Sacramento-San Joaquin Delta may account for about 33 percent, he said.

That skews the price figures, because grapes grown in the Delta bring in less money than grapes grown in the coastal regions, he said.

Also, Suisun Valley growers sell grapes to the East Coast. Probably 250 tons to 400 tons doesn't show up in the state report, which looks only at grapes crushed in California, King said.

He called Cabernet a bellwether grape. Solano County Cabernet Sauvignon fetched prices in the \$1,700-per-ton range, in sync with Lake and Mendocino counties, he said.

Solano County's wine world is seeing changes. The Wagner Family of Wine, which owns Caymus Vineyards in Napa Valley, is to build a winery on Cordelia Road that will dwarf any existing in the county. A wine packager and a wine bottle supplier and packager are coming to warehouses on Cordelia Road.

"It's about the wine economy," King said. "When I say 'wine economy,' it's the entire economic impact of the wine industry in the county. That's going to be growing quite a bit as a result of these moves."

Chuck Wagner, owner of Caymus Vineyards, addressed the Solano Economic Development Corp. luncheon on Jan. 30. He said much of Suisun Valley wine is sold directly to consumers by wineries, similar to the way locally grown fruits and vegetables are sold directly to consumers at Suisun Valley produce stands.

Wagner Family of Wine sells much of its wines through distributors, to restaurants and stores, Wagner said. He expects to see more of this three-tier distribution system used in Solano County, he said.

It's hard to become a world-class wine region through direct sales, Wagner said. The region needs to sell wine in such places as New York, he said.

For now, local grape growers are looking ahead to the 2014 growing season. King said the storms from Feb. 5 to Feb. 11 had a big impact amid a drought.

"Everybody who sits with vineyards in the ground, we just put 9 inches of rain into that soil," King said. "It's been watered. It's ready to go."

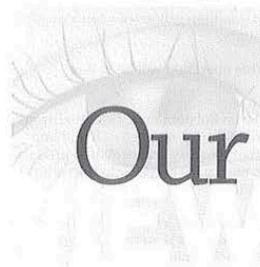
When the vines bud in four to five weeks, they will have a robust water profile around them in the soil, he said.

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Exhibit F

Exhibit F

Nectar of the gods



By Daily Republic

From page A8 | February 02, 2014 |

It's hard not to be impressed by the prospects for Solano County wines based on news from that particular agricultural sector.

Chuck Wagner of Caymus Vineyards in Napa County wooed a Fairfield audience when he spoke Thursday at the Solano County Economic Development Corporation's 31st annual meeting.

His massive Wagner Family of Wine project on Cordelia Road, at the former Hopkins Ranch, will upon completion include a winery along with a bottling and distribution complex, and related activities, according to county-approved permits.

They'll begin planting a vineyard within a few weeks, Wagner

said.

The project is scheduled for completion in phases through 2018. The operating capacity will hit 5 million gallons of wine annually, by far the largest in Solano County.

The new Wagner Family of Wine operation will be in fine company.

Wine grapes rank sixth in value on Solano County's annual crop report for 2012 – the latest available – at nearly \$19.8 million. Indications from last fall are that the 2013 grapes should produce fine wines, perhaps enough to push wine grapes into the county's top five million-dollar commodities.

Meanwhile the Buzz Oates project on Cordelia Road continues apace. Wine bottle supplier Encore Glass is on track to lease a nearly completed 318,000-square-foot building there. Meanwhile Saxco International, which provides packaging for the wine, beer, liquor and food industries, has signed on for a 473,000-square-foot warehouse.

Simply smooth

We have a slew award-winning wines from right here in Suisun Valley, based on the 2014 San Francisco Chronicle Wine Competition. It's billed as the largest competition of American wines in the world, so to win, place or show there is no small feat. Napa Valley wines were certainly well-represented, but so were our Suisun Valley wines.

Vezer Family Vineyard and Wooden Valley Winery cleaned up while a trio of other Suisun Valley wineries made solid showings.

- Vezer's 2012 Verdelho won best of class, its Jakes Cellar Master red blend won gold, and its 2010 Petite Sirah, 2012 Black Muscat and 2010 Zinfandel each won silver.
- Wooden Valley's 2013 Sauvignon Blanc and 2011 Merlot each

won gold, its 2011 Petite Sirah and 2011 Zinfandel won silver, and its 2009 Lanza Cabernet Sauvignon and 2011 Cabernet Sauvignon each won bronze.

- Ledgewood Creek Winery & Vineyards won gold for its 2010 Syrah, silver for its 2010 Rhone blend and bronze for its 2010 Cabernet Sauvignon.
- GrapeHeart Vineyards won silver for its 2010 Cabernet Sauvignon and bronze for its 2010 The Beat red blend.
- Suncé Winery & Vineyard scored bronze with its 2011 Suisun Valley Syrah.

Solano County's Putah Creek Winery, meanwhile, earned five silvers: for its 2011 Syrah, its 2012 Sauvignon Blanc, its 2009 Tannat, its 2012 unoaked Chardonnay and its 2011 Barbera.

For those who are interested, the public tasting is scheduled Feb. 15 at the Festival Pavilion at Fort Mason Center in San Francisco.

Exhibit G

Solano crop value hits all-time high



Members of the Dorough family harvest walnuts, on their ranch in Suisun Valley, in 2013. Walnuts in 2013 had a total value of \$55.4 million, making it the most valuable crop in Solano County. (Robinson Kuntz/Daily Republic file)

By Barry Eberling

From page A3 | June 11, 2014 |

FAIRFIELD — Solano County agriculture had another record-breaking year in 2013 and walnuts once again led the way.

County agriculture production had a value of \$348.2 million, according to the newly released 2013 Solano County Crop and Livestock report. The performance dropped the 2012 total of \$343 million into second place.

The record-breaking year came despite some weather-related setbacks for some crops, county Agricultural Commissioner Jim Allan wrote to the Solano County Board of Supervisors.

"Overall low rainfall totals and late spring rains decreased

Exhibit G

production in grapes, walnuts and field crops," Allan wrote.

The \$348.2 million figure represents the price of the crops when sold by the farms and ranches. It does not reflect processing and other effects that agriculture has on the local economy.

Walnuts in 2013 had a total value of \$55.4 million in Solano County, an increase of \$8.6 million over 2012. There's potential for still more growth. Assistant Agricultural Commissioner Simone Hardy said farmers are planting more walnuts and almonds in the Dixon area.

Cattle and calves came in second at \$38.8 million, but fell almost \$5 million from the 2012 value. A county report attributed this to a return to normal cow-calf operations after speculation in feeder calves.

Rounding out the top five, alfalfa had a value of \$35.4 million, nursery products \$35 million and tomatoes \$29.7 million.

The crop in the top spot has shifted over the years. In 2009, Solano County's No. 1 crop was tomatoes. In 2006, before the housing meltdown, nursery products led the way.

Crops listed in the crop report range from wheat to safflower to grapes to corn to watermelons.

"I like the fact we have so much diversity," Hardy said.

Agriculture is the top business in rural Solano County. Still, the county ranks toward the middle among California's 58 counties in agricultural production. It can't compete with Central Valley counties such as Fresno County, an agricultural powerhouse that has topped \$6 billion in agricultural production.

"We're not in the billion-dollar club," Hardy said.

But Fresno County has about 2,800 square miles in agricultural production, compared to 636 square miles in Solano County.

Fresno County overall is far bigger, covering about 6,000 square miles, compared to Solano County's 909 square miles.

Solano County is a Bay Area agricultural powerhouse, though it trails the Napa County crop value of about \$662 million and Sonoma County value of about \$821 million.

Hardy said Solano County agriculture's strengths include diversity and the number of farms that have been owned by local families for several generations. The county has freeway access, water, good soils and a Board of Supervisors dedicated to keeping agriculture viable, she said.

Reach Barry Eberling at 427-6929 or beberling@dailyrepublic.net. Follow him on Twitter at www.twitter.com/beberlingdr.

Exhibit H

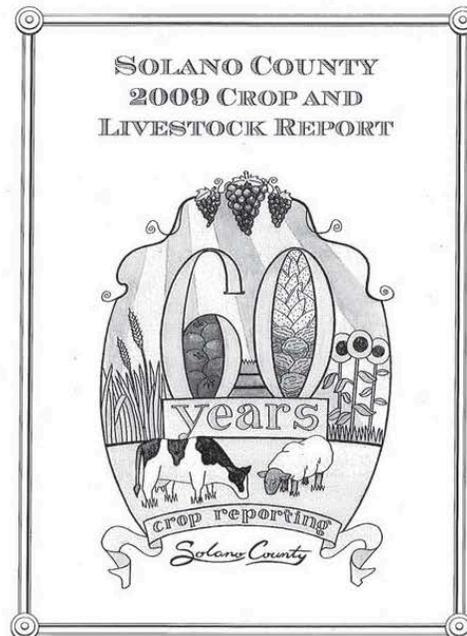
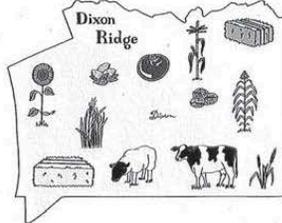


Exhibit H

**FEATURED SOLANO COUNTY
 AGRICULTURAL REGION:
 DIXON RIDGE**

One of the 10 agricultural regional areas designated in Solano County, *Dixon Ridge* is located in the northeastern corner of Solano County. It is bounded by the city of Winters to the northwest, Davis to the east, Midway Road to the south and Interstate 505 on the western edge.

It is roughly rectangular in shape and consists of approximately 71,000 acres, 90% of which is designated as prime farmland, i.e., the "best combination of physical and chemical features able to sustain long-term agricultural production". Only 9% of California's total land acreage holds this distinction, which makes Dixon Ridge highly valuable for production purposes.



Certainly the size and scope of agricultural enterprise in Dixon Ridge reflects this productivity. It is home to Superior Farms and the Campbell Soup Company, well-known processing facilities that support area growers. A scenic drive through the area reveals both organic and traditional cultivation of walnuts (ranked 3rd overall in Solano County crop value) and to the south the land-use pattern changes to the large acreage tracts necessary for economic production of wheat, alfalfa, and processing tomatoes.

Scattered throughout the Dixon Ridge area are farm holdings involved in the burgeoning business of direct marketing Solano Grown. Wine, organic fruits, vegetables, sheep (used for food and fiber production), pastured fowl, grass-fed beef and other agricultural products are all grown and/or produced in Dixon Ridge.

The Dixon Ridge Agricultural Region Strategic Plan, a current project of the Solano County Resource Management and Agriculture Departments, is designed to address the unique agricultural practices in this region. When complete, the Strategic Plan will further define (through planning land use designations, specialized zoning, and agricultural standards) the framework needed to accommodate and facilitate the range of agricultural activities found in the Dixon Ridge Agricultural Region.



- SOLANO COUNTY
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- COUNTY ADMINISTRATIVE
 OFFICER**
 MICHAEL D. JOHNSON
- AGRICULTURE DEPT STAFF**
 Agricultural Commissioner/
 Sealer of Weights & Measures
 JIM ALLAN
 Assistant Agricultural Commissioner/
 Sealer of Weights & Measures
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Jim Allan
 Agricultural Commissioner
 Sealer of Weights and Measures

Simone Hardy
 Assistant Agricultural Commissioner
 Sealer of Weights and Measures

DEPARTMENT OF AGRICULTURE
 Agricultural Commissioner/Weights and Measures
 501 Texas Street Fairfield, CA 94533
 Phone (707) 784-1310 Fax (707) 784-1330

To: A.G. Kawamura, Secretary
 California Department of Food and Agriculture
 and
 The Honorable Board of Supervisors
 County of Solano, California

Pursuant to the provisions of Sections 2279 and 2272 of the California Food and Agricultural Code, I am pleased to present the Solano County Crop and Livestock Report for 2009. Also included is the 2009 Sustainable Agriculture Report.

This report is the 60th annual report issued by the Agricultural Commissioner. During this historical time frame, the economy has repeatedly slumped and rebounded, new technologies have emerged, certain crops have come and gone, but agriculture has remained a mainstay of Solano County.

The gross value of Solano County's agricultural production for 2009 was \$251,922,500, which represents a decrease of \$40,860,400 from 2008 values, a slide of approximately 14%. Processing Tomatoes rose in value by over nine million dollars, buoyed by a stable water supply and local market opportunities. The nursery industry continued to suffer from distress in the real estate market lowering demand for ornamental plants. Walnuts rose in value about a million dollars. Many crops experienced lower farm gate values due mostly to lower price points in the slow economy.

Solano County farmers and ranchers produced over 80 different crops and commodities in 2009. Twenty-one of those crops exceeded \$1,000,000 in value. Processing Tomatoes recaptured the number one position with a value of \$39,432,400, a distinction they have not claimed for the last nine years. Nursery products fell from the number one ranking to 2nd with a value of \$33,499,400, followed by Walnuts at \$21,077,600 and Alfalfa at \$20,443,100. Cattle and Calves, Wine Grapes, Certified Sunflower Seed, Milk, Almonds, Sheep and Lambs and Field Corn rounded out the top ten crops for 2009.

I would like to express my sincere appreciation to all of the farmers, ranchers, boards, commissions, and agencies who contributed vital data without which this report would not be possible. Special recognition is given to Shirley Tavare and Ann McKay of my staff for their dedication to compiling and producing the 2009 Solano County Crop and Livestock Report.

To see this or any of the previous crop reports online or to learn more about the services provided and programs of the Solano County Department of Agriculture and Weights and Measures, visit our website at www.solanocounty.com/ag.

Respectfully submitted,

Jim Allan
 Agricultural Commissioner/Sealer of Weights and Measures

GENERAL INFORMATION

POPULATION

Solano County Population = 427,837 (Jan 1, 2010 Dept of Finance)

Benicia	Dixon	Fairfield	Rio Vista
28,086	17,605	105,955	8,324
Suisun	Vacaville	Vallejo	Unincorporated
28,962	97,305	121,435	20,165

SOLANO COUNTY STATE RANKING

By Gross Value of Agricultural Production = 26th (2008)
 For Leading Commodities - Gross Values of Production 2008:

- 3rd - Hay, Suiam
- 3rd - Sheep & Lambs
- 4th - Grains Hay
- 4th - Staked Greens NEC

AREA

California Total Land Area 2007 (Acres)	99,689,515	Average US Size (Acres 2009)	418
California Agricultural Land 2007 (Acres)	25,400,000	Average California Size (Acres 2009)	312
County (Square Miles Land 2008)	826.66	Average Solano County (Acres 2007)	403
County (Acres Land 2008)	529,660		
County (Acres Urban & Built-up Land 2008)	59,157	Number of Full-time Farms in Solano County (2007)	470
County (Square Miles Water 2008)	83.30		
County (Acres Water 2008)	53,311		

Total Secured Assessed Property Value (2009/10)
 \$41,084,002,798

SOLANO COUNTY FARMING REGIONS

Dixon Ridge	Jopson Prairie	Suisun Valley
Elmira/Main Prairie	Montezuma Hills	Western Hills
Green Valley	Pleasant/Vacall/Lagoon Valleys	Winters
	Ryer Island	

SOLANO COUNTY TRANSPORTATION

Total Road Miles = 586 (Unincorporated Area)
 Paved Road Miles 469
 Gravel Road Miles 117

BRIDGES
 92

MAJOR ROADWAYS
 Interstates 80, 505, 680, 780
 Highways 12, 29, 37, 94, 113, 220

RAILROADS
 Amtrak, Union Pacific
 California Northern

SOLANO COUNTY FACILITIES
 Travis Air Force Base, University of California at Davis,
 Nut Tree Airport, California Maritime Academy

GRAND TOTAL OF ALL AGRICULTURAL PRODUCTS (US DOLLARS)

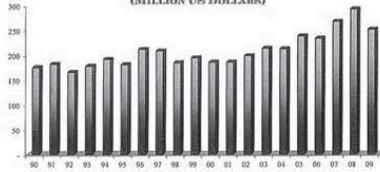
2009	\$251,922,500
2008	\$292,782,900

VALUE SUMMARY

Year	Field Crops	Nursery	Fruit & Nut Crops	Seed Crops	Vegetable Crops	Animal Production	Year Totals
2000	47,493,400	35,044,700	29,801,800	5,075,100	33,893,900	34,265,500	185,574,400
2001	48,209,300	37,668,100	26,634,100	4,897,700	33,079,600	35,181,700	185,670,500
2002	47,901,800	38,781,200	25,974,800	5,739,700	37,155,000	43,933,000	199,485,500
2003	43,945,500	42,373,400	26,518,000	5,326,600	35,663,700	60,295,600	214,122,800
2004	50,423,200	43,645,000	29,285,900	7,114,600	36,903,400	45,207,100	212,579,200
2005	52,812,700	50,018,000	37,918,500	10,533,500	36,505,000	50,901,900	238,689,600
2006	46,945,500	47,856,000	39,964,300	9,987,600	40,899,400	47,852,200	233,505,000
2007	54,811,900	56,610,700	43,430,000	10,820,900	47,762,100	54,819,600	268,255,200
2008	89,365,400	43,056,300	44,036,600	10,827,600	55,623,500	*49,873,200	*292,782,900
2009	50,073,100	33,499,400	48,191,200	15,839,200	64,184,200	40,115,400	251,922,500

*Revised 2008 Figure

AGRICULTURAL PRODUCTION 20-YEAR COMPARISON (MILLION US DOLLARS)



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MILLION DOLLAR CROPS (US DOLLARS)

		RANKING	
		2009	2008
Tomatoes, Processing	39,432,400	1	3
Nursery Products	33,499,400	2	1
Walnuts	21,077,600	3	5
Alfalfa	20,443,100	4	2
Cattle & Calves	19,810,100	5	4
Grapes, Wine	12,181,600	6	7
Sunflower Seed, Certified	10,801,900	7	9
Milk, Market	10,175,100	8	6
Almonds	7,698,300	9	13
Sheep & Lambs	6,387,400	10	11
Corn, Field	5,670,300	11	10
Wheat, Irrigated	4,952,000	12	8
Prunes (Dried Plums)	4,173,900	13	15
Pasture, Rangeland	3,712,800	14	16
Wheat, Dryland	2,967,600	15	17
Sunflower Seed, Non-Certified	2,580,300	16	22
Sudangrass	2,491,000	17	12
Ryegrass	2,213,700	18	14
Pasture, Irrigated	2,110,000	19	18
Pollination	1,521,800	20	-
Beans, Dry Edible	1,514,100	21	19
Hay, Grain	-	-	20
Safflower, Oil	-	-	21

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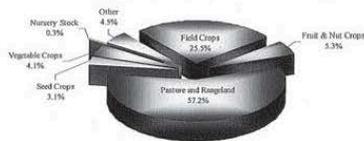
DISTRIBUTION OF FARM ACREAGE

	2009	2008
Field Crops	91,282	102,644
Fruit & Nut Crops ¹	18,999	19,007
Pasture & Rangeland	204,518	202,826
Seed Crops	11,264	9,298
Vegetable Crops	14,559	12,404
Nursery Products	1,223	1,421
Other ²	15,971	12,962
TOTALS	357,816	360,562

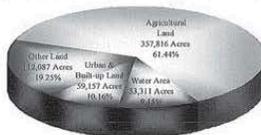
¹Includes non-bearing acreage
²Includes fallow, non-bearing, not harvested, production acreage not reported, etc.

LAND USE CATEGORIES

Percentages by Crop Categories (From above farm acreage)



Dept of Conservation 2006-2008 Land Use Conversion Report



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ACREAGE FRUIT AND NUT CROPS

	Bearing Acreage	Non-Bearing Acreage	Total Acreage
Almonds	3,322	171	3,493
Apples	146	1	147
Apricots	51	13	64
Blackberry	5	0	5
Cherries	76	16	92
Citrus ¹	24	0	24
Figs	2	0	2
Grapes (Table)	10	34	44
Grapes (Wine)	3,731	286	4,017
Kiwi	25	0	25
Nectarines	10	1	11
Olives	115	22	137
Peaches (Freestone)	140	20	160
Pears (Barlett)	379	1	380
Pears (Other)	81	14	95
Persimmons	17	3	20
Pistachios	14	25	39
Plums	14	4	18
Pluots/Plumcots/Apriums	3	1	4
Pomegranate	2	0	2
Prunes (Dried Plums)	1,153	27	1,180
Walnuts (Black)	25	0	25
Walnuts (English)	8,026	989	9,015
TOTALS	17,371	1,628	18,999

¹Includes grapefruit, kumquat, lemon, lime, mandarin, orange, tangerine

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**ACREAGE, PRODUCTION & VALUE
FRUIT AND NUT CROPS**

Crop	Year	Bearing Acres	Per Acre	Total	Unit	Per Unit	Total Value (\$)
Almonds - Meats	2009	1,322	0.78	2,591.20	Ton	2,971	2,698,300
	2008	2,860	0.77	2,202.00	Ton	2,351	5,175,700
Apricots	2009	51	2.65	104.60	Ton	979	102,400
	2008	52	0.35	18.00	Ton	3,182	57,200
Cherries - Fresh Market	2009	76	2.3	174.80	Ton	2,149	377,800
	2008	73	1.9	138.57	Ton	1,913	265,100
Grapes, Wine ¹	Dark Varieties	2009	-	5,481.10	Ton	898	4,922,000
		2008	-	5,275.90	Ton	942	5,390,800
	White Varieties	2009	-	11,766.00	Ton	617	7,259,600
		2008	-	8,411.10	Ton	675	5,673,900
Total Grapes	2009	3,731	4.72	17,607.10	Ton	-	12,181,600
	2008	4,002	3.53	14,137.00	Ton	-	11,064,700
Olives ²	2009	115	0.68	78.20	Ton	2,473	193,400
	2008	89	1.62	144.00	Ton	-	187,500
Peaches ³	2009	140	1.22	170.80	Ton	1,550	264,700
	2008	133	1.80	239.00	Ton	888	212,300
Prunes (Dried Plums)	2009	1,153	2.91	3,355.20	Ton	1,244	4,173,900
	2008	1,191	2.58	3,072.78	Ton	1,391	4,275,000
Strawberries	2009	27	-	-	Flat	17	183,600
	2008	23	-	-	Flat	18	287,800
Walnuts	2009	8,027	1.68	13,483.40	Ton	1,563	21,077,600
	2008	7,961	1.85	14,728.00	Ton	1,354	19,948,100
Misc Fruit & Nuts ⁴	2009	732	-	-	-	-	1,937,900
	2008	621	-	-	-	-	2,564,000
TOTAL FRUIT & NUT CROPS	2009	17,374	-	-	-	-	\$48,191,200
	2008	17,005	-	-	-	-	\$44,036,600

Figures may not add due to rounding.
¹ Production data from California Dept of Food & Agriculture Grape Crush Report. Final 2009 Crush Report
² Value based on oil value
³ Includes acreage not harvested or sold
⁴ Includes almond hulls, apples, blackberries, citrus, figs, kiwi, nectarines, pears, persimmons, pistachios, plums, table grapes, etc.

**ACREAGE, PRODUCTION & VALUE
FIELD CROPS**

Crop	Year	Harvested Acres	Per Acre	Total	Unit	Per Unit	Total Value (\$)	
Beans, Dry	2009	1,642	1.11	1,823	Ton	830.70	1,514,100	
	2008	2,968	0.73	2,166	Ton	1,025.00	2,219,400	
Corn, Field	2009	7,104	5.36	37,366	Ton	151.75	5,670,300	
	2008	7,504	5.45	40,897	Ton	198.00	8,081,600	
Hay	Alfalfa	2009	31,438	6.25	196,493	Ton	104.00	20,443,100
		2008	30,599	6.95	212,663	Ton	202.00	42,889,900
	Grain	2009	2,819	2.83	8,063	Ton	64.52	520,200
		2008	3,995	3.39	13,541	Ton	153.00	2,078,100
Grass	2009	2,659	3.27	8,695	Ton	71.30	619,900	
	2008	2,277	2.47	5,624	Ton	167.00	941,300	
Pasture, Irrigated ¹	2009	24,197	-	-	Ton	87.20	2,110,000	
	2008	25,236	-	-	Ton	107.00	2,700,300	
Pasture, Rangeland ²	2009	180,321	-	-	Ton	20.59	3,712,800	
	2008	177,590	-	-	Ton	19.60	3,374,200	
Ryegrass	2009	9,051	2.98	26,973	Ton	82.07	2,213,700	
	2008	10,183	2.81	28,614	Ton	164.00	4,689,300	
Safflower, Oil	2009	1,680	1.17	1,966	Ton	317.33	623,800	
	2008	3,235	1.28	4,141	Ton	484.00	2,003,900	
Sudangrass	2009	5,024	3.38	16,981	Ton	146.69	2,491,000	
	2008	8,370	3.83	32,057	Ton	168.00	5,377,300	
Triticale ³	Grain	2009	1,655	3.17	5,248	Ton	146.49	768,800
		2008	-	-	-	Ton	-	-
Hay	2009	364	3.06	1,114	Ton	120.00	133,700	
	2008	-	-	-	Ton	-	-	
Wheat	Irrigated	2009	11,575	2.60	30,096	Ton	164.54	4,932,000
		2008	15,549	2.51	39,028	Ton	214.00	8,335,200
	Dryland	2009	13,566	1.42	19,264	Ton	154.05	2,967,600
		2008	10,120	1.43	14,472	Ton	212.00	3,066,100
Misc Field Crops ⁴	2009	2,675	-	-	-	-	1,332,100	
	2008	7,844	-	-	-	-	3,608,800	
TOTAL FIELD CROPS	2009	295,800	-	-	-	-	\$50,073,100	
	2008	305,470	-	-	-	-	\$89,365,400	

Figures may not add due to rounding.
¹ Average data source: 2009 Restricted Material Permit Program
² Calculated using data from CA Dept of Conservation 2006-2008 Land Use Conversion Report
³ 2008 included in Misc to avoid disclosure of individual operations
⁴ Includes barley, silage, rice, sorghum grain, sunflower (oil), wheat straw

**ACREAGE, PRODUCTION & VALUE
VEGETABLE CROPS**

Crop	Year	Harvested Acres	Per Acre	Total	Unit	Per Unit	Total Value (\$)
Tomatoes, Processing	2009	12,000	40.80	489,600	Ton	80.54	39,432,400
	2008	10,000	41.79	417,900	Ton	71.43	29,850,600
Misc. Processed ¹	2009	924	-	-	-	-	3,200,000
	2008	1,159	-	-	-	-	4,999,000
Vegetables	Fresh ²	2009	1,635	-	-	-	21,551,800
		2008	1,245	-	-	-	21,473,900
TOTAL VEGETABLE CROPS	2009	14,559	-	-	-	-	\$64,184,200
	2008	12,494	-	-	-	-	\$55,623,500

Includes cabbage, cucumber (pickling), peppers
¹ Includes beans, beets, broccoli, cabbage, carrots, cucumbers, endives, garlic, herbs, leafy greens, melons, onions, peas, peppers, potatoes, pumpkins, salad greens, squash, sweet corn, tomatoes, tomatoes, etc.
² Includes fresh bean peas

**ACREAGE, PRODUCTION & VALUE
SEED CROPS**

Crop	Year	Harvested Acres	Per Acre	Total	Unit	Per Unit	Total Value (\$)	
Cucumber	2009	221	98	21,658	Lb	12.87	278,700	
	2008	222	414	91,795	Lb	5.82	534,000	
Sunflower	Non-Certified	2009	1,811	0.56	1,014	Ton	2,544.30	2,580,300
		2008	183	0.45	83	Ton	2,140.00	177,800
	Certified	2009	7,628	0.59	4,501	Ton	2,400.15	10,801,900
		2008	7,352	0.52	3,853	Ton	2,140.00	8,244,200
Total Sunflower	2009	9,439	-	-	-	-	13,382,200	
	2008	7,535	-	-	-	-	8,422,000	
Wheat	Certified	2009	142	3.0	426	Ton	180.00	76,700
		2008	560	2.5	1,400	Ton	200.00	280,000
Misc Seed ¹	2009	1,462	-	-	-	-	2,121,600	
	2008	981	-	-	-	-	1,591,900	
TOTAL SEED CROPS	2009	11,264	-	-	-	-	\$15,859,200	
	2008	9,228	-	-	-	-	\$10,827,000	

Some figures may not add due to rounding.
¹ Includes beans, corn, grain seed, melons, onions, pumpkins, sorghum, squash, wild rice, watermelon

**ACREAGE & VALUE
NURSERY PRODUCTS**

Item	Year	Acreage	Total
Nursery Stock ¹	2009	1015	30,928,800
	2008	1223	37,646,200
Propagative Stock ²	2009	208	2,570,600
	2008	198	5,410,100
TOTAL NURSERY STOCK	2009	1223	\$33,499,400
	2008	1421	\$43,056,300

Some figures may not add due to rounding.
¹ Includes bedding plants, Christmas trees, cut flowers, fruit trees, greenhouse transplants, herbaceous perennials, turf, and woody ornamentals
² Includes greenhouse cuttings and rooted

**PRODUCTION & VALUE
LIVESTOCK & POULTRY**

Item	Year	Number of Head	Total Liveweight	Unit	Unit Value	Total Value (\$)
Cattle & Calves ¹	2009	30,870	226,089	Cwt	87.52	19,810,100
	2008	31,431	290,197	Ton	80.36	23,321,100
Sheep & Lambs ²	2009	35,342	66,667	Cwt	95.81	6,387,400
	2008	31,946	63,719	Cwt	106.42	6,781,100
Miscellaneous ³	2009	-	-	-	-	1,387,500
	2008	-	-	-	-	1,859,100
TOTAL LIVESTOCK & POULTRY	2009	-	-	-	-	\$27,585,000
	2008	-	-	-	-	\$31,961,300

¹ Includes beef stecker gain, dairy calves, dairy yearlings, dairy replacement heifers and dairy cull cows
² Includes feeder lamb gain
³ Includes game and poultry (chickens, broilers and eggs)

**PRODUCTS AND VALUE
LIVESTOCK, POULTRY, & APIARY**

Item	Year	Production	Unit	Unit Value	Total Value (\$)	
Bees	Pollination ¹	2009	25,567	Colony	59.52	1,521,800
		2008	17,621	Colony	54.82	966,100
Apiary	Products ²	2009	-	-	-	350,400
		2008	-	-	-	158,600
Milk	Market	2009	851,470	Cwt	11.95	10,175,100
		2008	958,369	Cwt	17.15	16,437,600
Manufactured	2009	7,943	Cwt	12.09	96,000	
	2008	-	-	-	-	
Wool	Market	2009	425,365	Lb	0.91	387,100
		2008	*353,756	Lb	0.99	*350,200
TOTAL LIVESTOCK, POULTRY & APIARY	2009	-	-	-	\$12,330,400	
	2008	-	-	-	*\$17,911,900	

¹ Values based on pollinated acres and number of colonies used for adequate pollination. Pollination fee varies by crop.
² Crops pollinated include almond, apple, cherry, kiwi, grape, sunflower and vine used
³ Apiary products include bee packages, honey, and queens

*REVISED 2008 FIGURE

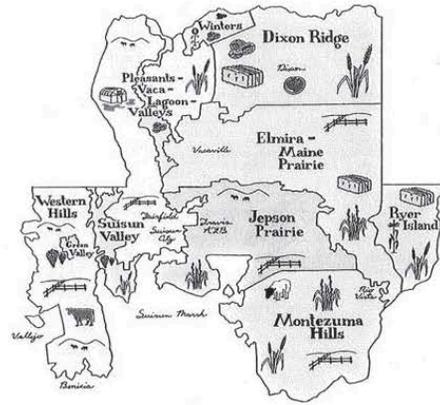
**SOLANO COUNTY
 AGRICULTURAL REGIONS
 TOP CROPS**

Dixon		Elmira / Maine Prairie		Green Valley	
	Acres		Acres		Acres
1 Alfalfa	12747	1 Alfalfa	17472	1 Grape, Wine	250
2 Tomato	11214	2 Pasture	12013	2 Wheat	219
3 Wheat	9662	3 Ryegrass Forage/Fodder	5022		
4 Walnut	7972	4 Sudangrass	3814	Jepson Prairie	
5 Sunflower	6139	5 Corn Forage/Fodder	3468		Acres
6 Almond	3255	6 Sunflower	2629	1 Rangeland	8734
7 Corn Forage/Fodder	2138	7 Wheat	3412	2 Pasture	6464
8 Ryegrass Forage/Fodder	1899	8 Out Forage/Fodder	1061	3 Ryegrass	399
9 Sudangrass	1734	9 Tomato	950	4 Sudangrass	67
10 Forage Hay	1662	10 Forage Hay	482	5 Alfalfa	54
				6 Wheat	30

Montezuma Hills		Pleasant / Vaca / Lagoon Valleys		Ryer Island	
	Acres		Acres		Acres
1 Wheat	8902	1 Pasture	344	1 Wheat	2510
2 Pasture	1835	2 Walnut	248	2 Alfalfa	2731
3 Ryegrass Forage/Fodder	1545	3 Wheat	200	3 Corn Forage / Fodder	1766
4 Out Forage/Fodder	815	4 Prune	150	4 Grape, Wine	1444
5 Barley	577	5 Grape, Wine	128	5 Sunflower	1441
6 Forage Hay	414	6 Peach	47	6 Triticale	1271
7 Alfalfa	156	7 Rangeland	25	7 Tomato	871
8 Triticale	135	8 Nursery	22	8 Pear	312
9 Grape, Wine	61			9 Cucumber	159
10 Rangeland	50			10 Clover	136

Suisun Valley		Western Hills		Winters	
	Acres		Acres		Acres
1 Grape, Wine	2084	1 Rangeland	16514	1 Walnut	4215
2 Pasture	1480	2 Pasture	1372	2 Prune	434
3 Wheat	572	3 Nursery	434	3 Sunflower	223
4 Carbonized Bean	445	4 Forage Hay	253	4 Wheat	183
5 Sud	255	5 Prune	166	5 Bean, Dried	167
6 Walnut	228	6 Ryegrass Forage/Fodder	135	6 Tomato	144
7 Prune	219	7 Grape, Wine	93	7 Alfalfa	141
8 Pear	152	8 Almond	71	8 Almond	99
9 Triticale	136			9 Pasture	88
10 Ryegrass Forage/Fodder	135			10 Out Forage/Fodder	65

**SOLANO COUNTY
 AGRICULTURAL REGIONS**



SUSTAINABLE AGRICULTURE REPORT

**PEST PREVENTION, EXCLUSION AND DETECTION
 (INSPECTION & SURVEY)**

PEST	INSPECTED	NO. OF INSPECTIONS
Glasswinged Sharpshooter (Homalodisca vitripennis, formerly known as H. coagulata)	941 Nursery and Urban Traps	14,770 Trap Inspections 46 Properties Surveyed 1,263 Nursery Shipments
Light Brown Apple Moth (Epiphyas postvittana)	1,375 Nursery, Cropland, and Urban Traps	23,792 Trap Inspections 48 Properties/Fields Inspected
Apple Maggot, Gypsy Moth, Japanese Beetle, Melon Fly, Oriental Fruit Fly, and Mediterranean Fruit Fly	983 Detection Traps	8,056 Trap Inspections
Gypsy Moth (Lymantria dispar)	Outdoor Household Goods	36 Shipments
Sudden Oak Death (Phytophthora ramorum)	Nursery, Greenhouse, Wood Products, Soil, etc.	102
Exotic Pests	Incoming Parcel, Freight Plant Shipments, Seeds, Hay, etc.	1,726
Export (International, Interstate, and Intra-state)	Raw Agricultural (plant) Products	1,062 Federal Phytosanitary Certificates 4 State Quarantine Compliance and Phytosanitary Certificates
Seed for Export	10,807 Acres Seed Crops	738 Phytosanitary Field Inspections

ORGANIC FARMING STATISTICS

FARMS	ACRES	APPROXIMATE VALUE
30	Approximately 1,404	\$7,234,204

(almond, beans, beets, broccoli, cabbage, carrots, clove, citrus, corn, cut flowers, eggplant, eggs, endive, fig, herbs, kiwi, melon, leaf greens, olives, onion, peppers, persimmons, pistachio, potato fruits, squash, stone fruits, strawberries, table grapes, tomatoes, walnuts, wine grapes, etc.)

**2009 SOLANO COUNTY
 INTERNATIONAL TRADING PARTNERS**

COMMODITY CATEGORY & DESCRIPTION

DRIED FRUIT (DF)	Apple, Apricot, Banana, Blueberry, Cherry, Cranberry, Mango, Papaya, Peach, Pear, Pineapple, Prunes, Raisin, Strawberry
HAY (H)	Alfalfa, Rye Grass, Timothy Hay, Sudan Hay
NURSERY STOCK (NS)	Camelia, Grape-Cuttings, Grape-Dormant Plants, Grape-Dormant Rootstock, Grape-Plants (Vines), Grape-Rootstock
NUTS (N)	Almond, Walnut
SEED (S)	Cucumber, Melon, Pepper, Pumpkin, Squash, Tomatillo, Tomato, Watermelon
VEGETABLE (V)	Endive-Red, Endive-White

**DESTINATION COUNTRIES
 AND COMMODITIES
 EXPORTED**

ALGERIA	DF, S	ECUADOR	DF	ITALY	DF	PERU	NS, S
AUSTRALIA	DF, N, S	EGYPT	DF	JAPAN	DF, H, S, V	RUSSIAN FEDERATION	DF, N
BELGIUM	DF	FRANCE	DF, S	JORDAN	S	SAUDI ARABIA	DF
BRAZIL	DF	GERMANY	DF, N	KAZAKHSTAN	N	SINGAPORE	DF
CANADA	NS	GUATEMALA	S	REPUBLIC OF KOREA	DF	SLOVAKIA	DF
CHILE	S	HONDURAS	S	LATVIA	N	SPAIN	DF, N
CHINA	DF, H, S	HONG KONG	N, S	LITHUANIA	N	TAIWAN	DF, V
COLUMBIA	DF	INDIA	DF, N	MEXICO	NS, V	THAILAND	S
COSTA RICA	S	INDONESIA	DF	NETHERLAND	DF	UNITED ARAB EMIRATES	DF, N
DOMINICAN REPUBLIC	DF	ISRAEL	DF, S	NORWAY	DF	UNITED KINGDOM	NS
						VIETNAM	S

Exhibit I

Exhibit I

"What does not benefit the hive does not benefit the bee either."
-Marcus Aurelius, Meditations

Pollinators in Solano County

Colonial honeybees are not native to the New World, but were probably introduced early in European settlement. Once here, honeybees flourished in both captivity and in the wild. Before the introduction of the European honeybee, plants in the Americas were pollinated by a variety of solitary bees, butterflies, hummingbirds and other native species. Shortly after the gold rush, the botanist C.A. Shelton introduced the first 12 honeybee colonies to California.

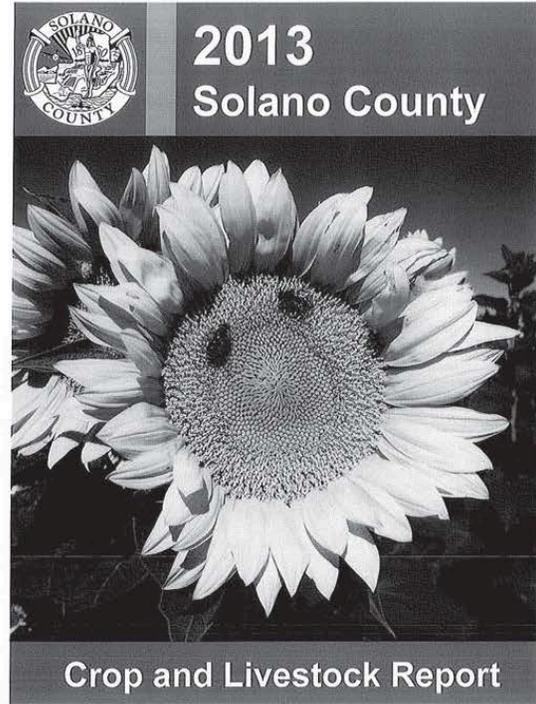
In 1949, honey, beeswax, package bees and queens appeared in Solano County's first crop report totaling \$18,490 in value. Although, growers of fruit and seed crops had been getting value from bees for some time before it was recognized in a crop report. In 1968, pollination services were first added to the annual report, coming in with a value of \$18,800 that paled in comparison to the \$100,900 for honey, wax and bees. By 1978, pollination out valued honey, and by 1996, pollination eclipsed all bee products. Pollination services remain the leading apiculture value producer in the county today. Many of Solano's million dollar crops require bee pollination including almonds, prunes, sunflowers and watermelons.

In 1982, Varroa mite was introduced to California bees. Varroa is a bee parasite that feeds on honeybees and their larvae. As one might imagine, it is very difficult to kill a bug on an insect since the same compounds tend to be hazardous to both. It is generally believed that Colony Collapse Disorder (CCD) is caused by Varroa mite plus one or more other factors such as viruses or fungi. Despite losses from Varroa and CCD, Solano County is a leader in the production of queen and packaged bees. County beekeepers benefit from proximity to the UC Davis Harry H. Laidlaw Jr. Honey Bee Research Facility and the associated Haagen-Dazs Honey Bee Haven.

Lately, local growers have also recognized the value of native pollinators. Increasingly, hedgerows of native plants are maintained alongside farm roads to support native bee populations. Native bees such as leafcutter bees and minor bees are valuable in the pollination of many seed crops such as carrots.

Some interesting bee facts:

- Each wing on a honeybee (there are four) beats 3,000 times per minute so that the bee can fly 15 miles per hour. That is 10 times faster than a mosquito and half as fast as a hummingbird.
- A worker bee makes about one-twelfth of a teaspoon of honey in her lifetime and a hive of bees must fly 55,000 miles to make a pound of honey.
- The scientific name for the European honeybee is *Apis mellifera*.
- The keeping of bees is called Apiculture and a group of beehives is an Apiary.
- The Roman bee goddess was named Mellona.



Jim Allan
Agricultural Commissioner
Sealer of Weights and Measures



Simone Hardy
Assistant Agricultural Commissioner
Sealer of Weights and Measures

DEPARTMENT OF AGRICULTURE
Agricultural Commissioner/Weights and Measures
501 Texas Street Fairfield, CA 94533
Phone (707) 784-1310 Fax (707) 784-1330

To: Karen Ross, Secretary
California Department of Food and Agriculture
and
The Honorable Board of Supervisors
County of Solano, California

Pursuant to the provisions of Sections 2279 and 2272 of the California Food and Agricultural Code, I am pleased to present the Solano County Crop and Livestock Report for 2013.

This report is the 64th annual report issued by the Agricultural Commissioner. While 2013 production represents a new all-time high for Solano County production, many crops were held back from their potential by adverse weather. Overall low rainfall totals and late spring rains decreased production in Grapes, Walnuts and field crops. It is important to remember that this report is of farm gate values only. Processing capacity allows some growers to add or capture value, but this report is not a measure of profitability, nor does it account for the re-spending and support multipliers generated by this production in the local economy.

The gross value of Solano County's agricultural production for 2013 was \$348,215,000—a record high, which represents a rise of \$5,520,000 from 2012 values, an increase of 1.6%. Walnuts retained the top position at \$55,435,000. The next three crops: Cattle and Calves, Almonds and Nursery Products all came in a virtual tie at 35 million plus. Processing Tomatoes rounded out our top five, with reliable access to water making Solano County an ideal place to contract for this important crop.

This year's Crop Report celebrates Pollinators—an industry unto itself and an essential support service for many of our top commodities. Public interest in Honeybees and other Pollinators is running high as those insects are challenged by life in the 21st century. We also have a tribute to former Solano Agricultural Commissioner John Donihue whose untimely passing saddened us all.

For the first time, we are hosting a page to highlight our Weights and Measures programs. These essential activities touch every citizen every day as they participate in a marketplace for goods and services kept equitable by rigorous enforcement of our Weights and Measures laws.

Our crop report editor and lead, Oliver Hardwick has continued his yeoman's role in compiling this report and I am grateful for his efforts.

I would like to express my sincere appreciation to all of the farmers, ranchers, boards, commissions, and agencies who contributed vital data without which this report would not be possible, as well as my staff for their dedication to compiling and producing the 2013 Solano County Crop and Livestock Report.

To see this or any of the previous crop reports online or to learn more about the services provided and programs of the Solano County Department of Agriculture and Weights and Measures, please visit our website at www.solanocounty.com/ag

Respectfully submitted,

Jim Allan
Agricultural Commissioner/Sealer of Weights and Measures

**SOLANO COUNTY
 BOARD OF SUPERVISORS**
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 Birgitte E. Corseello

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 Sealer of Weights & Measures**
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**Assistant Agricultural Commissioner/
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 Mark Daniels, Jr.

Accounting Technician
 Dan Peterson

Office Assistants
 Sandra Culbertson
 Sharon Garnett
 Suki LaForge

SOLANO COUNTY GENERAL INFORMATION

POPULATION¹
 County Population: 424,233

Benicia 27,454	Dixon 19,005	Fairfield 110,018	Rio Vista 7,934
Suisun City 28,549	Vacaville 93,613	Vallejo 116,470	Unincorporated 19,190

AREA

Land Area (Square Miles) ²	626.42	Urban and Built Up Land Area (Acres) ²	59,591
Land Area (Acres) ²	528,911	Land Area in Farms (Acres) ³	407,101
Water Area (Square Miles) ²	83.53	Total Cropland (Acres) ³	169,637
Water Area (Acres) ²	53,462	Irrigated Cropland (Acres) ³	130,909

FARMS

Average US Size (Acres) ³	434	Number of Farms in Solano County ³	860
Average California Size (Acres) ³	328	Full Time	462
Average Solano County Size (Acres) ³	473	Part Time	398

STATE RANKING (2012)⁴
 County Rank by Gross Value of Agricultural Production
 27th

Commodity Rank by Gross Value of Production

5th - Grain Hay	4th - Sheep and Lambs	1st - Wheat, Seed
4th - Safflower	4th - Sudan Hay	3rd - Wool
	3rd - Sunflower, Seed	

FARMING REGIONS

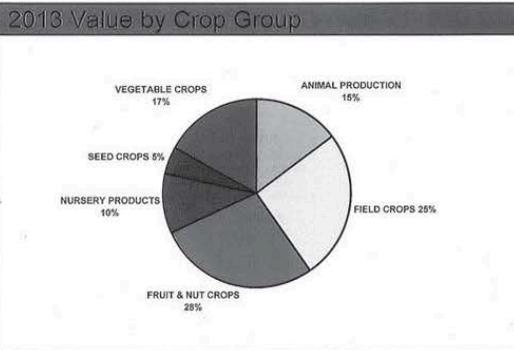
Dixon Ridge	Jeppson Prairie	Suisun Valley
Elmira/Maine Prairie	Montezuma Hills	Western Hills
Green Valley	Pleasant/Vaca/Lagoon Valleys	Winters
	Ryer Island	

LOCAL ASSESSED PROPERTY VALUES (2013)
 \$41,009,570,674

TRANSPORTATION
 Total Maintained County Road Miles
 579

Major Roadways
 Interstates 80, 505, 680, and 780
 State Routes 12, 29, 37, 84, 113, and 220

¹Source: California Department of Finance as of January 1, 2014
²Source: California Department of Conservation 2010 Land Use Classification
³Source: USDA National Agricultural Statistics Service 2013 Census of Agriculture
⁴Source: CDFA California Agricultural Statistics California County Agricultural Commissioners Reports 2012



Value Summary

YEAR	ANIMAL PRODUCTION ¹	FIELD CROPS	FRUIT & NUT CROPS	NURSERY PRODUCTS	SEED CROPS	VEGETABLE CROPS	YEAR TOTALS
2003	59,291,091	46,922,551	122,332,300	170,120,000	67,115,000	97,203,300	243,125,242
2005	60,991,900	52,812,700	37,918,500	50,018,000	10,533,500	36,505,000	\$238,889,600
2006	47,032,000	50,910,000	12,311,000	16,120,000	13,700,000	10,297,000	133,370,000
2007	54,818,000	54,811,000	43,430,000	56,610,700	10,820,300	47,762,100	\$268,255,200
2008	70,825,000	32,819,000	10,910,000	10,210,000	10,170,000	10,075,000	124,949,000
2009	40,115,400	50,073,100	48,191,200	33,499,400	15,859,200	64,194,200	\$261,922,500
2010	49,011,000	47,071,000	34,373,000	21,220,000	13,371,000	20,098,000	175,154,000
2011	62,458,000	83,811,600	63,418,700	23,830,200	14,670,600	53,668,200	\$291,858,300
2012	61,120,000	83,910,000	34,130,000	17,700,000	10,200,000	10,211,000	137,271,000
2013	51,340,000	88,744,000	97,150,000	35,144,000	16,628,000	59,209,000	\$348,215,000

¹Includes livestock and poultry, forest and poultry products, and apiculture products.



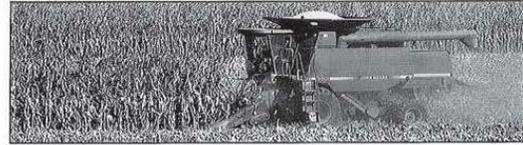
Top Ten Million Dollar Commodities

CROP	2013 CROP VALUE	2013 CROP RANKING	2012 CROP RANKING
Wine	\$141,000,000	1	1
Cattle & Calves	35,795,000	2	2
Alfalfa (Dry)	19,350,000	3	3
Nursery Products	35,144,000	4	4
Corn (Dry-Grain)	20,450,000	5	5
Grapes (Wine)	17,997,000	6	6
Almonds	17,411,000	7	7
Corn (Grain)	13,381,000	8	8
Unimproved Land	13,000,000	9	9
Wheat	9,164,000	10	10



Fruit & Nut Crops									
CROP	YEAR	BEARING ACRES	PRODUCTION		UNIT	VALUE			% CHANGE
			PER ACRE	TOTAL		PER UNIT	TOTAL		
Almonds (Dry)	2013	1,331	0.81	9,001	Ton	8,400.00	12,113,311		14%
	2012	1,327	0.81	10,757	Ton	8,100.00	15,912,233		
Grapes (Wine) ^{1,2}	Dark Varieties	2013	-	8,840	Ton	1,020.00	9,096,000		-3%
		2012	-	8,810	Ton	981.00	8,335,000		
	White Varieties	2013	-	12,300	Ton	723.00	8,991,000		-15%
		2012	-	14,300	Ton	729.00	10,443,000		
	Total Grapes	2013	3,910	5.41	21,200	Ton	-	17,997,000	
	2012	4,040	5.89	23,800	Ton	-	19,778,000		
Olives	2013	124	1.14	143	Ton	4,100.00	3,153,000		-24%
	2012	124	1.51	271	Ton	4,000.00	493,000		
Prunes (Dried)	2013	725	2.39	1,730	Ton	1,420.00	2,467,000		-26%
	2012	1,050	2.73	2,870	Ton	1,170.00	3,353,000		
Walnuts	2013	813	1.87	1,523	Ton	2,590.00	4,955,970		19%
	2012	813	1.83	1,493	Ton	2,720.00	4,275,817		
Miscellaneous ⁴	2013	1,110	-	-	-	-	3,836,000		-10%
	2012	1,110	-	-	-	-	4,272,000		
TOTAL FRUITS & NUT CROPS	2013	18,160	-	-	-	-	\$87,769,000		-1%
	2012	16,814	-	-	-	-	\$97,368,000		

¹Figures may not add due to rounding.
²Includes acreage and harvest of wild.
³Total production and value per acre from the California Department of Food and Agriculture Crops Growth Report Field 2013.
⁴Value per unit based on unit value.
⁵Includes almond hulls, apples, apricots, blackberries, cherries, citrus, figs, grapes (table), kiwi, nectarines, peaches, pears, persimmons, plums, pomegranates, and strawberries.



Field Crops										
CROP	YEAR	HARVESTED ACRES	PRODUCTION		UNIT	VALUE			% CHANGE	
			PER ACRE	TOTAL		PER UNIT	TOTAL			
Beans, Dry	2013	2,120	1.28	2,670	Ton	1,130.00	3,016,000		35%	
	2012	1,590	1.21	1,930	Ton	1,160.00	2,241,000			
Corn (Grain)	2013	12,300	5.81	69,200	Ton	193.00	13,391,000		4%	
	2012	10,700	5.18	55,700	Ton	232.00	12,927,000			
Hay	Alfalfa	2013	28,300	6.48	183,000	Ton	197.00	36,288,000		-2%
		2012	28,300	6.48	183,000	Ton	197.00	36,288,000		
	Grain	2013	3,710	3.81	14,100	Ton	177.00	2,506,000		17%
		2012	3,740	3.52	13,200	Ton	163.00	2,136,000		
	Ryegrass	2013	7,070	3.00	21,200	Ton	151.00	3,197,000		4%
		2012	6,760	3.00	20,300	Ton	152.00	3,079,000		
Sudangrass	2013	10,100	3.59	36,100	Ton	172.00	6,201,000		-2%	
	2012	9,920	3.49	34,700	Ton	206.00	6,315,000			
Other ¹	2013	1,700	3.51	6,190	Ton	139.00	1,160,000			
	2012	1,490	3.98	5,980	Ton	178.00	1,051,000		5%	
Pasture, Irrigated ²	2013	30,700	-	-	Acre	115.00	3,526,000		21%	
	2012	30,300	-	-	Acre	96.70	2,926,000			
Pasture, Rangeland ³	2013	178,000	-	-	Acre	19.89	3,505,000		20%	
	2012	179,000	-	-	Acre	15.83	2,797,000			
Soyflower	2013	3,700	0.92	3,400	Ton	524.00	1,811,000		33%	
	2012	2,800	0.89	2,720	Ton	502.00	1,362,000			
Triticale	2013	9,150	2.45	22,400	Ton	237.00	5,316,000		115%	
	2012	3,820	3.25	11,600	Ton	212.00	2,470,000			
Wheat ⁴	2013	18,300	2.09	38,300	Ton	239.00	9,164,000		-5%	
	2012	20,000	2.28	45,100	Ton	221.00	9,988,000			
Miscellaneous ⁵	2013	1,470	-	-	-	-	636,000		-19%	
	2012	1,670	-	-	-	-	788,000			
TOTAL FIELD CROPS	2013	305,000	-	-	-	-	\$88,744,000		5%	
	2012	301,000	-	-	-	-	\$84,604,000			

¹Figures may not add due to rounding.
²Includes irrigated dry grass hay.
³Value from the 2012 census data.
⁴Value for wheat using data from the California Department of Conservation 2008-2010 Land Use Classification Report.
⁵Includes irrigated and dryland wheat.
⁶Includes barley, corn, sorghum, grain sorghum, and straw.

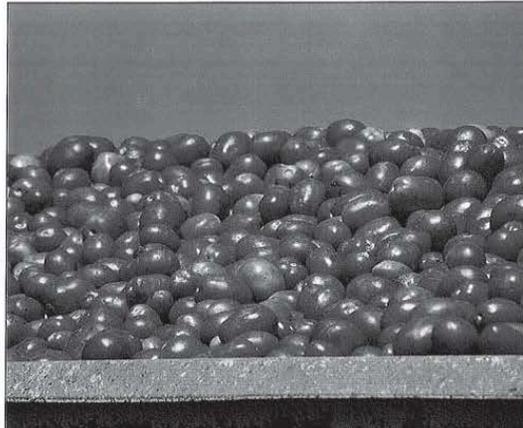


Apiary Production						
ITEM	YEAR	PRODUCTION	UNIT	VALUE		% CHANGE
				PER UNIT	TOTAL	
Apiary Production ¹	2013	-	-	-	110,000	
	2012	-	-	-	750,000	
Pollination ²	2013	22,000	Colony	67.50	1,517,000	
	2012	22,800	Colony	65.30	1,488,000	
TOTAL APIARY PRODUCTION	2013	-	-	-	\$2,027,000	
	2012	-	-	-	\$2,248,000	

¹Figures may not add due to rounding.
²Apiary production includes bees, honey, propolis, packaged bees, and queen bees.
³Value based on average of major reporting bees for pollination and number of colonies required for adequate pollination. Colony fee varies by crop. Crops pollinated include almonds, apples, cherries, citrus, kiwi, peaches, and wine grapes.

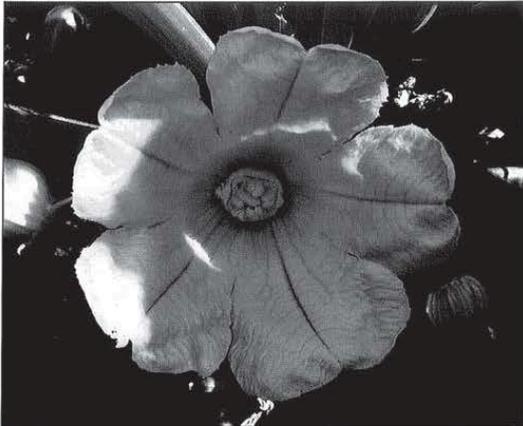
Nursery Products				
ITEM	YEAR	ACREAGE	TOTAL VALUE	% CHANGE
	2012	172	31,221,000	
Propagative Stock ²	2013	183	4,108,000	
	2012	189	4,202,000	
TOTAL NURSERY PRODUCTS	2013	1,850	\$8,108,000	
	2012	1,850	\$32,707,000	

¹Figures may not add due to rounding.
²Includes Christmas trees, cut flowers, cut trees, greenhouse transplants, herbaceous and woody ornamentals, and soil.
³Includes garden propagation, propagation stock, and propagation cuttings.



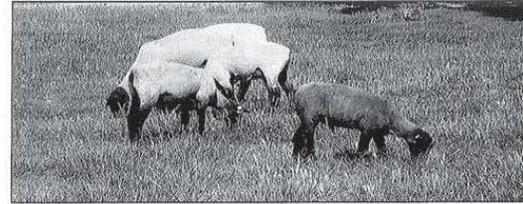
Vegetable Crops										
CROP	YEAR	HARVESTED ACRES	PRODUCTION		UNIT	VALUE			% CHANGE	
			PER ACRE	TOTAL		PER UNIT	TOTAL			
TOTAL VEGETABLE CROPS	2013	12,934	1.77	22,790	Ton	77.40	25,721,000		1%	
	2012	12,934	1.77	22,790	Ton	79.00	25,210,000			
Miscellaneous ¹	Fresh ²	2013	1,160	-	-	-	-	20,003,000		3%
		2012	1,270	-	-	-	-	25,213,000		
	Processing ³	2013	1,640	-	-	-	-	3,461,000		44%
		2012	715	-	-	-	-	2,494,000		
TOTAL VEGETABLE CROPS	2013	14,874	-	-	-	-	\$29,464,000		1%	
	2012	14,754	-	-	-	-	\$27,704,000			

¹Figures may not add due to rounding.
²Includes beans, brussels sprouts, cauliflower, celery, garlic, kale, leafy greens, lettuce, mushrooms, onions, peas, peppers, pumpkins, and vegetables, dried grass, green, spinach, sweet corn, tomatoes, turnips, and watermelon.
³Includes cucumbers, pickling, and peppers.



Seed Crops								
CROP	YEAR	HARVESTED ACRES	PRODUCTION		UNIT	VALUE		
			PER ACRE	TOTAL		PER UNIT	TOTAL	% CHANGE
Sunflower	2013	5,410	1430	13,817,000	Lb	0.97	13,070,000	-8%
	2012	5,640	1274	11,359,000	Lb	1.20	14,164,000	
Watermelon	2013	210	340	71,000	Lb	6.11	438,000	-73%
	2012	803	379	305,000	Lb	5.40	1,645,000	
Wheat	2013	442	2.50	1,200	Ton	230	311,000	-22%
	2012	868	2.50	1,870	Ton	240	491,000	
Miscellaneous ¹	2013	712	-	-	-	-	2,609,000	155%
	2012	288	-	-	-	-	1,106,000	
TOTAL SEED CROPS	2013	10,800					\$16,628,000	
	2012	10,000					\$17,680,000	-8%

¹Figures may not add due to rounding.
 Includes alfalfa, sorghum, black beans, cabbage, corn, dairy, cucumber, melon, onion, pepper, pumpkin, rice, soybean, squash, watermelon, and tomato.



Livestock & Poultry							
ITEM	YEAR	NUMBER OF HEAD	TOTAL LIVELINEWEIGHT	UNIT	VALUE		
					PER UNIT	TOTAL	% CHANGE
Dairy & Dairy ¹	2013	13,450	277,000	Cwt	145.00	40,100,000	-12%
	2012	20,200	377,000	Cwt	187.00	45,310,000	
Sheep & Lambs ²	2013	30,700	43,100	Cwt	128.00	5,755,000	0%
	2012	30,700	43,000	Cwt	131.00	5,754,000	
Meat Poultry ³	2013	-	-	-	-	1,475,000	-12%
	2012	-	-	-	-	2,117,000	
TOTAL LIVESTOCK & POULTRY	2013					\$43,425,000	-11%
	2012					\$48,640,000	

¹Figures may not add due to rounding.
 Includes beef steers, goats, dairy calves, dairy yearlings, dairy replacement heifers, and dairy cull cows.
²Includes feeder and wags.
³Includes goats, hogs, and poultry (broilers, ducks, geese, and turkeys).

Livestock & Poultry Products							
ITEM	YEAR	PRODUCTION	UNIT	VALUE			
				PER UNIT	TOTAL	% CHANGE	
Bacon, Cheddar	2013	257,000	Dzwt	3.80	747,000	45%	
	2012	183,000	Dzwt	4.10	775,000		
Wool	2013	213,000	Lb	1.45	308,000	-13%	
	2012	251,000	Lb	1.40	350,000		
Miscellaneous ¹	2013	-	-	-	-	1,673,000	-60%
	2012	-	-	-	-	1,142,000	
TOTAL LIVESTOCK & POULTRY PRODUCTS	2013					\$5,683,000	-55%
	2012					\$12,641,000	

¹Figures may not add due to rounding.
 Includes eggs, fish, goat milk, and market milk.



In Remembrance:
John Michael Donahue
 Agricultural Commissioner/
 Sealer of Weights and Measures
 of Solano County
 June 13, 1948 - November 14, 2013

John Donahue began his career in Solano County as an Agricultural Biologist in 1973 and moved up the ranks to the position of Solano County Agricultural Commissioner where he served from 1985-1989.

Commissioner Donahue was a life-long resident of Solano County and made his home in Fairfield. John contributed not only to local government but also to state government, holding positions as the Regional Coordinator with the California Department of Food and Agriculture (CDFA), Chief of Worker Health and Safety for the Department of Pesticide Regulation and Director of Inspection Services with CDFA. Commissioner

Donahue also served as the Chairman of the Sacramento Valley Agricultural Commissioners Association, Representative to the Agricultural Chemicals Committee, State Pesticide Worker Health and Safety Advisory Committee and the Pesticide Groundwater Protection Committee. In his service with CDFA he sat on numerous panels conferring licenses on a generation of Agricultural Deputies and Commissioners. As state liaison, he expanded his partnership with the California Agricultural Commissioners and Sealers Association (CACASA) to craft cohesive statewide policy while acknowledging local issues and interests. He retired in 2001, after a 28 year career in civil service.

We remember John Donahue for his influence on agriculture at all levels and his sound common sense in addressing issues. He had a good, logical mind and was well-known for being direct. Although committed to the enforcement of the laws and regulations, he recognized that no law or regulation however well-crafted could ever address all eventualities. John brought practicality to his role in government service, an approach to enforcement that was appreciated by those in the regulated community.

Commissioner Donahue was a pragmatist, which is exemplified in the memo below written to Gary Silveria as Gary took on the job of Assistant Commissioner.

Subject : Working Relationship

"I have been thinking of putting in writing just what type of working relationship I would want with the individual who I was leaving in charge in my absence. Condolences may be in order, but you are that individual. I will attempt to list the issues involved - I may miss some. You can structure them in any way you want, but keep in mind historical procedures do have some value and they seemed to have worked in the past"

Those ideals that he brought to the work he performed, the people he mentored and the organization in which he worked continue to this day. Thank you, John for your contributions to California Agriculture.

WEIGHTS & MEASURES DIVISION

Since 1915 consumers in California have relied upon county Weights & Measures officials, (Sealers) to provide "Equity in the Marketplace" essential to the stability of California's economy. As the recognized local regulatory agency the Solano County Weights & Measures Division protects consumers and businesses engaged in local commerce, by inspecting devices and packaged goods, auditing Weighmaster operations, and enforcing petroleum regulations.



County Sealers enforce the California business and Professions Code, and the California Code of Regulations. Sealers annually inspect a wide variety of commercial devices including: gasoline dispensers, propane and taxi meters, ambulance odometers, and scales from the smallest used for buying gold, to ones used in your grocery store, and all the way up to the largest for weighing vehicles. After inspection and testing the Sealer will affix a Seal, (pictured left) to the device indicating to the consumer that the device can be relied upon for accuracy. Solano County currently has 812 registered establishments with 16972 various commercial devices shown below:

Fabric/Cordage/Wire Meters	40	Computing Devices	836
LPG (Propane) Meters	49	Counter Scales	150
Misc. Measuring Devices	13	Livestock Scales	19
Odometers	89	Crane Scales	3
Retail Motor Fuel Meters	4068	Portable Platform Scales	78
Retail Water Meters	55	Hanging Scales	19
Taxi Meters	78	Hopper/Tank Scales	14
Elec., Vapor, Water Sub-meters	9989	Monorail Meat Beam	3
Vehicle Meters	31	Vehicle & Railway Scales	55
Wholesale Meters	43	Dormant Scales	37

Ensuring equity in the marketplace involves more than inspection of devices, so the Business and Professions Code has a section dedicated to Quantity Control. Sealers enforce regulations of packaged goods by inspecting packages to determine the accuracy of net weight, measure, or count. Package labels are inspected for conformity to regulations.

Weighmaster operations are an essential part of California's commerce. Weighmaster Certificates are recognized as legal documentation of quantities which businesses and individuals rely upon as the basis of payment. Sealers routinely audit Weighmaster operations to verify correctness of certificates, proper weighing procedures, and compliance with the California Business and Professions Code.

Another large part of the duties of county Sealers is the strict enforcement of petroleum advertising and labeling regulations. Sealers routinely visit gas stations to conduct petroleum inspections along with the testing of motor fuel meters for accuracy. Consumer complaints on gas purchases as with all other programs are given high priority and are investigated within 24 hours of receipt.

Exhibit J

Exhibit J

facility is going to get a lot of press, a lot of talk about Suisun Valley. Our biggest issue in Suisun Valley is awareness."

Roger King of the Suisun Valley Vintners and Growers Association expects more Napa Valley wineries to come to the area at some point. Like Caymus, they might seek to have facilities both in the Napa Valley and in Suisun Valley.

"Napa Valley has functionally gotten close to the point to where it can't expand, won't expand and doesn't want to expand," King said.

He noted that the Cordelia Road location will allow Caymus to take advantage of trains and roads for transportation. The Port of Oakland is easy to reach, as is air travel. Suisun Valley's location is an ace-in-the-hole in an industry where everything that must be moved is big, from glass to crates to bottled wine, he said.

The Caymus project would be a huge uptick to the Solano County wine economy, King said.

Victoria Erickson and her husband Ray run the Erickson Ranch produce stand on Cordelia Road. Their business is close to the Caymus property.

She expressed hope that, if the Caymus plans comes to fruition, people who visit the winery will also stop by Erickson Ranch.

"It will be great for our side of the freeway," Erickson said. "It will be nice to have a winery over here, another attraction."

Caymus proposes to build its winery in three phases, according to application papers filed with the county. The first phase to be built in 2014 includes a 132,000-square-foot building housing bottling facilities, bottling tanks, cased good storage and barrel storage.

A second phase to be built in 2015 and 2016 includes a 120,000-square-foot addition to the 132,000-square-foot building. The

Caymus proposes large Cordelia Road winery

By Barry Eberling

From page A1 | June 27, 2013 |

FAIRFIELD — Napa Valley's Caymus Vineyards has targeted a 178-acre site along Cordelia Road south of Fairfield for what would be Suisun Valley's biggest winery.

The proposed winery and distillery is to have the capacity to produce 5 million gallons of wine a year and 500,000 gallons of spirits. It is to offer tours, retail sales and tasting and have space for promotional events.

This would be the only Suisun Valley winery on the southern side of Interstate 80. The location at 2658 Cordelia Road is flush against the Suisun Valley appellation southern boundary, just inside of it.

Solano County is taking comments on the environmental documents through July 26. The Planning Commission is to consider the proposed winery Aug. 1.

Officials with Caymus Vineyards did not return phone calls Wednesday.

Ron Lanza and his family run Wooden Valley Winery several miles to the west in Suisun Valley. He and other grape growers for years have been trying to promote Suisun Valley as a wine-tasting destination.

Lanza said Caymus has a big name and a great reputation.

"It will be good," Lanza said. "It's going to get press. This type of

final phase to be built by 2018 includes a hospitality building and events courtyard.

The project will allow Caymus to expand production capacity, centralize packaging and wine storage and take advantage of truck and rail transportation. It will provide access to grapes grown in Solano County and other California counties, the application papers said.

Bulk juice and wine are to be transported along Cordelia and Chadborne roads in 5,000-gallon tank trucks. Tours, tasting and retail sales are to be daily from 10 a.m. to 6 p.m., with the number of visitors reaching 250 a day at a peak, the papers said.

The ability to produce 5 million gallons of wine annually more than qualifies the proposed Caymus project as a "large winery" under Solano County's definition. The threshold is 100,000 gallons annually.

King has heard that Caymus also plans to plant vines at the Cordelia Road site.

"Where they're at right now is arguably the pinot country in the valley," King said. "It's down in the coolest part of the valley. I'm sure they will be looking at pinot. You can grow a lot of whites down there."

Caymus Vineyards in Napa Valley is located on 73 acres in Rutherford. It has been owned since the 1940s by the Wagner family, who also founded it.

Please go to the Solano County website at www.co.solano.ca.us/depts/rm/documents/eir/default.asp to view the Caymus environmental documents.

The Caymus project, if it goes forward, would be the second large project to come to this area of Cordelia Road over the past year. Sacramento-based developer Buzz Oates bought adjacent land in

2012 within Fairfield city limits and is building two warehouses.

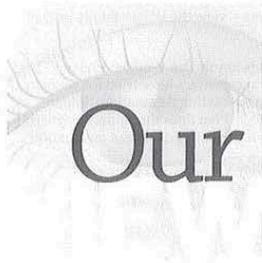
Grading is already underway for the Buzz Oates project.

Reach Barry Eberling at 427-6929 or
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www.twitter.com/beberlingdr.

Exhibit K

Exhibit K

Good news in Suisun Valley



By Daily Republic

From page A10 | August 04, 2013 |

We are heartened by the Solano County Planning Commission's unequivocal support Thursday for a massive new winery project in Suisun Valley.

Once it's built, the Wagner family of Napa County – who operate Caymus Vineyards – will lay claim to the largest winery in Solano County. It will sit on 178 acres along Cordelia Road in rural Fairfield.

This is a huge step in a quest to increase Suisun Valley's profile as a wine hotbed. There are already several family owned wineries in the area, but the Wagner plan, which would have the capacity to produce 5 million gallons of wine and 500,000

gallons of spirits annually, is in a different league.

Those who are entrenched in the Suisun Valley wine industry – those family owned operations – view the Wager family project as a boon for the region.

Ron Lanza, who along with his family run Wooden Valley Winery, said he and other grape growers have tried for years to promote Suisun Valley as a wine-tasting destination. Solano County's Suisun Valley Strategic Plan does the same, designating a number of Suisun Valley hotspots as agritourism destinations.

Roger King of the Suisun Valley Vintners and Growers Association said he expects more Napa Valley wineries to come here in the future as they push for a two-county footprint.

We expect that he's correct.

Suisun Valley already enjoys a good reputation both for the grapes that are grown here and shipped to outside wineries, and for the wine that's produced here. The Wagner family project, once its three phases are completed sometime around 2018 – market forces notwithstanding – will serve as an anchor to the Suisun Valley wine industry just as a major retailer serves to anchor a mall.

Others will follow.

The first phase of construction is scheduled start in 2014. With no further approvals from a county elected body planned, it looks like it's full speed ahead. That's good news.

Exhibit L

Exhibit L

Wagner used Thursday's Solano Economic Development Corp. 31st annual meeting to introduce himself to the community. More than 300 civic and business leaders attended the lunchtime event at the Hilton Garden Inn.

His great-grandfather homesteaded in Solano County's Elmira area in 1861. But his great-grandfather then moved to the Napa Valley and the Wagner family became established on a farm near the small town of Rutherford.

Wagner described his youth in Rutherford as going hunting and fishing with his dog. Then, as a high school freshman, he got called into the office. His father, Charlie Wagner, had been shot by a disgruntled former employee, but not fatally.

"Even as a freshman in high school, I felt a need to help," Wagner said.

Six years later, his father and mother asked him if he would help them launch a winery. If not, they said, they would sell the Napa farm and move to Australia. He said he would.

Caymus Vineyards was born. The family planted 55 acres of grapes, with Wagner, his father and another man doing the pruning. In 1987, his father appeared on the cover of Wine Spectator with the blurb, "Best Damn Cabernet in California."

"With this, the phone began to ring," Wagner said. "We began to produce more wine."

Wagner worked with his father at Caymus Vineyards for 30 years, until his father died. Today, the Wagner family grows grapes in four counties and is about to add Solano County.

Climate is all-important to growing wine grapes, Wagner said. He called Solano County's climate "amazing."

"I don't know if I've seen a place you can get on the highway and the temperature can change one degree a mile," Wagner said.

Wagner talks about Solano County winery



Chuck Wagner of Caymus Vineyards speaks at Thursday's Solano Economic Development Corp. luncheon at the Hilton Garden Hill in Fairfield. (Barry Eberling/Daily Republic)

By Barry Eberling

From page A3 | January 31, 2014 |

FAIRFIELD — Chuck Wagner of Caymus Vineyards in Napa Valley found that he really liked the grapes being produced by growers near the Solano County border.

"It makes one wonder, 'What's in a county line?' Not much," Wagner said.

Wagner Family of Wine is expanding its winemaking endeavors to include Solano County. Last year, the county approved permits so the family can build a winery, bottling and distribution complex on the 178-acre Hopkins Ranch along rural Cordelia Road. The winery is to be by far the largest in Solano County.

California has five viticulture regions based on heat. Wagner said the regions in Solano County "smear" together, as opposed to having distinct boundaries.

Another plus for Solano County is its water supply, Wagner said.

Cities and farms in the county are just about the sole recipients of water from the U.S. Bureau of Reclamation's massive Lake Berryessa in Napa County. Napa County opted out of the project before Monticello Dam was built in the late 1950s and gets none of the water.

"We can't get it from the other side, but we can get it over here," Wagner said to laughter.

Solano County also has rich soils, perhaps richer than they should be for quality wine, Wagner said. Vines in rich soils produce berries in greater quantities, but of lower quality, he said. Struggling vines produce smaller but higher quality berries.

Napa Valley shares the problem, Wagner said. He didn't see it as serious.

Wagner Family of Wine will begin planting a vineyard on the Hopkins Ranch within a few weeks, Wagner said. This will be root stock. There's another year to decide what variety of grape will be grafted on, which means determining what variety is best for this site.

"I'm not sure," Wagner said.

He praised the friendly people he's found in Solano County.

"I love Napa, but there is sometimes a little pretentious quality to our valley," Wagner said.

Wagner didn't profess to come to Solano County knowing everything about the wine business.

"There is no such thing as perfection in our business," Wagner said. "It is very difficult."

Reach Barry Eberling at 427-6929 or
beberling@dailyrepublic.net. Follow him on Twitter at
www.twitter.com/beberlingdr.

Exhibit M

Exhibit M

Gallo buys LedgeWood Creek Winery



Workers harvest chardonnay grapes during the early, pre-dawn hours at a LedgeWood Creek vineyard in 2012. The Modesto wine giant E. & J. Gallo has purchased the Suisun Valley winery. (Robinson Kuntz/Daily Republic file)

By Barry Eberling

From page A1 | April 26, 2014 |

SUISUN VALLEY — Wine giant E&J Gallo has purchased LedgeWood Creek Winery in Suisun Valley.

Gallo bills itself as the largest family owned winery in the world. It has its headquarters in Modesto.

LedgeWood Creek Winery General Manager Rick Wehman confirmed the sale by the Frisbie family on Friday. He said the tasting room is closed, at least for now.

Wehman couldn't say if the LedgeWood Creek name will remain or if the tasting room will reopen.

"It's up to Gallo to decide," Wehman said.

E&J Gallo representatives couldn't be reached Friday for comment.

Roger King of the Suisun Valley Vintners & Growers Association said the Gallo deal is a vineyard deal. He doesn't expect Gallo to operate a winery on the property, adding that would go against its usual practice.

"They're buying vineyard land with guaranteed water," King said. "The reality is Solano County is on a closed-loop system with (Lake) Berryessa."

Lake Berryessa reservoir in Napa County has proven to be a reliable water source, even amid droughts such as the current three-year drought in California.

This is another step in the county's wine economy being built up, King said. By "wine economy," he refers not only to wineries, but vineyards, cork distributors, glass distributors and various wine-related companies.

"The negative is you lose a local brand people had become loyal to and had an affinity to," King said. "I'm sure there will be a lot of people who say, 'That's my favorite winery, I'm devastated I can't go there anymore.'"

Dean and Florence "Bunny" Frisbie founded LedgeWood Creek Winery at 4589 Abernathy Road in the heart of the valley. They bought a pear orchard in 1985, planted grapes on the 400 acres, released the first LedgeWood Creek wine in 2001 and opened a tasting room in 2003.

Florence Frisbie died March 27.

Suisun Valley over the past three decades or so has built its reputation as a wine region. It's scattering of wineries until recently had all been family owned and on the smaller side.

Last year, the Wagner Family of Wine announced it would build

Suisun Valley's largest winery on Cordelia Road. The Wagner family owns Caymus Vineyards in Napa County.

Now comes the Gallo purchase. Both Wagner and Gallo are family owned operations on a larger scale than Suisun Valley had previously seen.

King called this attention a maturing for Suisun Valley. The Suisun Valley Vintners & Growers Association has elevated the Suisun Valley brand over the past decade within the industry, he said.

Gallo has bought Suisun Valley grapes for 20 or 30 years, King said.

"They're no stranger to this valley as a grape buyer," King said. "Now they're going to be a grape grower."

Reach Barry Eberling at 427-6929 or beberling@dailyrepublic.net. Follow him on Twitter at www.twitter.com/beberlingdr.

Exhibit N

Exhibit N

Sunday, July 27, 2014
FAIRFIELD-SUISUN, CALIFORNIA

99 CENTS

Green Valley water options up for review

By Barry Eberling

From page A4 | July 18, 2014 |

FAIRFIELD — Solano County is accepting comments through Aug. 11 on its latest plans to bring water to a proposed Middle Green Valley development and surmount a legal hurdle facing the project.

The Solano County Board of Supervisors in July 2010 approved a plan for a 1,930-acre rural area along Green Valley Road, apparently ending a growth war that lasted several decades. Four hundred new homes would be allowed, 1,490 acres of open space would be preserved and an agricultural conservancy would be created to promote farming.

But a lawsuit claimed the project environmental impact report did a faulty job analyzing possible water sources for the homes. Solano County Superior Court Judge Paul Beeman agreed in 2011 that more work needed to be done. The county in response rescinded its approvals for the project.

Solano County circulated a revised water section for the environmental impact report in 2013. The Board of Supervisors decided in January to go even further and analyze a new proposal to have the Solano Irrigation District provide water.

The latest proposed version of the environmental impact report says the Solano Irrigation District could provide 186 acre-feet of

water annually for domestic uses, enough to meet projected demand. Because the district has no water treatment plant, it would use Fairfield's water treatment plants.

However, the Solano Irrigation District service area doesn't cover the entire 1,930 acres, the draft report said. The district would have to win approval from the Solano County Local Agency Formation Commission to change its service area boundaries to cover 97 of the proposed homes.

Another option included in the draft report is having Fairfield supply water to middle Green Valley. But the report said a "legal uncertainty" exists because of Fairfield's voter-approved Measure L that created city growth boundaries.

Measure L states that "any urban development requiring basic municipal services shall occur only within the incorporated city and within the urban limit line established by the General Plan."

Still another option is using groundwater. The draft report says enough water would be available to serve the homes even during multiple dry years. However, it said, groundwater use would be a potentially significant impact without implementation of established county and state groundwater well and public water system regulations and reviews.

After the comment period closes, the county must provide responses to the comments received. These comments will be packaged into the draft, revised final environmental impact report that will go to the county Board of Supervisors for consideration. A best-case scenario has this happening in September, county Principal Planner Matt Walsh said.

For the project to go forward, the Board of Supervisors must once again do what it did in 2010 — approve the environmental impact report, the specific plan and the master developer agreement. The county must also submit the revised environmental impact report to Beeman to see if the changes

erase the legal issues brought up in his ruling.

Go to www.co.solano.ca.us/depts/rm/planning/default.asp to see the latest version of the draft Middle Green Valley environmental impact report. The report can also be reviewed at the Fairfield Cordelia Library, 5050 Business Center Drive; the Fairfield Civic Center Library, 1150 Kentucky St.; and the Resource Management Department at the Solano County Government Center, 675 Texas St. in Fairfield.

Reach Barry Eberling at 427-6929 or heberling@dailyrepublic.net. Follow him on Twitter at www.twitter.com/heberlingdr.

Exhibit O

Exhibit O



October 8, 2013

Mr. Matt Walsh
Solano County Department of Resource Management
Planning Services Division
675 Texas St. Suite 5009
Fairfield, CA 94533

RE: Recirculated Draft Environmental Impact Report for the Proposed Middle Green Valley Specific Plan Project

Dear Mr. Walsh:

Thank you for providing Solano LAFCO with the opportunity to comment on the recirculated DEIR for the Middle Green Valley Specific Plan Project. As you know, LAFCO is termed the "watchdog of the legislature" for effective and efficient provision of municipal services. Our charge includes discouraging urban sprawl and the preservation of prime agricultural land and open space. We would also be the agency that forms the county service area (CSA) that would be providing water and other municipal services to the Middle Green Valley Specific Plan area. We are a responsible agency under CSDA for the development that is placed under the Specific Plan and will be relying on the DEIR in making our decision. As such, it is important that the DEIR accurately address and evaluate issues that LAFCO will face.

As the recirculated section relates only to the provision of water services our comments will be limited to that section. Since our next Commission hearing is October 21, which is after the close of the comment period, our comments have not been reviewed by the commission and represent staff's analysis of the DEIR. Upon review by the commission there may be some changes that will be transmitted to you.

LAFCO is required to consider a number of factors in approving any change of organization under Section 56688 including "(c) Timely availability of water supplies adequate for projected needs as specified in Section 6532.5." Therefore an adequate analysis of the availability of water to serve the specific plan area is necessary for LAFCO's decision making.

The document analyzes impacts for two options for provision of water to the plan area. Option A identifies the City of Fairfield as the provider of potable water to the project. Option B assumes that water will be provided by groundwater wells installed and operated by the CSA.

Typically the EIR section includes a section on the policy and regulatory framework. That section would identify relevant policies or legislation that would apply to the project and the impacts that are being considered. While several laws and regulations are cited in the DEIR section, one potentially important section is omitted, namely Government Code Section 56133.

Section 56133 is a provision of the Cortese Knox Hertzberg Act adopted in 2000 which requires LAFCO approval for agencies to provide services outside their agency boundaries. A copy of the statute is attached.

Commissioners

John Sanderson, Chair • Harry Price, Vice-Chair
Jack Butcher • Jim Sperting • John Vasquez

Alternate Commissioners

Pete Sanchez • Nancy Shoppay • Skip Thomson

Staff

Elliot Mulberg, Interim Executive Officer • Michelle McIntyre, Analyst • P. Scott Browne, Legal Counsel

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OCT 08 2013

COUNTY OF SOLANO
RESOURCE MANAGEMENT

Since the project is outside Fairfield's jurisdictional boundaries, municipal service outlined in Option A may be subject to the requirements of this section.

Section 56133 authorizes LAFCO to approve agreements for extension of services by agencies to lands that are within the agency's sphere of influence "in anticipation of a later change of organization". Extension of services outside of an agency's sphere is only allowed in response to a documented "existing or impending threat to the public health or safety of the residents of the affected territory". The Project Plan area lies outside the City of Fairfield's sphere of influence and there is no documented existing or impending threat to health and safety. Consequently, the proposal to have the City of Fairfield provide treated water to the Plan area under option A may not comply with current law and LAFCO may not have legal authority to approve the extension of services.

LAFCO staff would need the precise terms of the proposed agreement between the City of Fairfield and the CSA in order to make a final determination whether it is an agreement subject to LAFCO approval under 56133. However, the DEIR should consider as a significant risk, the possibility that such extension of services may not be legally permissible.

We have reviewed the Option B analysis of groundwater that shows sufficient water supply for the project with the three wells and two storage tanks. We understand that the analysis of the Water Supply Assessment (WSA) looks at average annual supply and demand for normal, dry, and multiple dry years. As part of LAFCO's analysis to determine a sufficient water supply we would also look at reliability, average peak daily demand, and peak one hour demand. By reliability we are concerned about the scenario that if one of the three pumps failed whether the other two pumps and storage facilities produce enough water to satisfy average daily demand. Including that information as well as the peak demand information in the DEIR would be useful for our analysis of the formation of the CSA. In consideration of those issues we appreciate that the WSA identifies "at least three deep wells" as the groundwater source, which implies there may be additional wells drilled if required.

Our other comments have to do with cumulative impacts. The document states "no other reasonably foreseeable projects are located in the project area that would rely on groundwater for domestic use." That statement is misleading in that it neglects to consider the Woodcreek 66 project which is approximately one mile east of the Middle Green Valley project. The water source for that project is yet to be determined, but groundwater is certainly an option.

We hope you will consider these comments when evaluating the recirculated DEIR.

Sincerely,

Elliot Mulberg
Interim Executive Officer

ATTACHMENT GOVERNMENT CODE SECTION 56133

56133. (a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county.

(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization.

(c) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundaries and outside its sphere of influence to respond to an existing or impending threat to the public health or safety of the residents of the affected territory if both of the following requirements are met: (1) The entity applying for the contract approval has provided the commission with documentation of a threat to the health and safety of the public or the affected residents.

(2) The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, or sewer system corporation as defined in Section 230.6 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission.

(d) The executive officer, within 30 days of receipt of a request for approval by a city or district of a contract to extend services outside its jurisdictional boundary, shall determine whether the request is complete and acceptable for filing or whether the request is incomplete. If a request is determined not to be complete, the executive officer shall immediately transmit that determination to the requester, specifying those parts of the request that are incomplete and the manner in which they can be made complete. When the request is deemed complete, the executive officer shall place the request on the agenda of the next commission meeting for which adequate notice can be given but not more than 90 days from the date that the request is deemed complete, unless the commission has delegated approval of those requests to the executive officer. The commission or executive officer shall approve, disapprove, or approve with conditions the contract for extended services. If the contract is disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration.

(e) This section does not apply to contracts or agreements solely involving two or more public agencies where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider. This section does not apply to contracts for the transfer of nonpotable or nonretreated water. This section does not apply to contracts or agreements solely involving the provision of surplus water to agricultural lands and facilities, including, but not limited to, incidental residential structures, for projects that serve conservation purposes or that directly support agricultural industries. However, prior to extending surplus water service to any project that will support or induce development, the city or district shall first request and receive written approval from the commission in the affected county. This section does not apply to an extended service that a city or district was providing on or before January 1, 2001. This section does not apply to a local publicly owned electric utility, as defined by Section 9604 of the Public Utilities Code, providing electric services that do not involve the acquisition, construction, or installation of electric distribution facilities by the local publicly owned electric utility, outside of the utility's jurisdictional boundaries.