



**Solano Local Agency Formation  
Commission**

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*Original via USPS, copy  
via email*

August 30, 2021

Amy Kreimeier, Senior Planner  
Community Development Department  
City of Fairfield  
1000 Webster Street  
Fairfield, CA 94533  
[akreimeier@fairfield.ca.gov](mailto:akreimeier@fairfield.ca.gov)

Subject: Fairfield Forward 2050: City of Fairfield General Plan Update – Program  
Environmental Impact Report

Dear Ms. Kreimeier:

Thank you for the opportunity to comment on the City of Fairfield's (City) Notice of Preparation (NOP) for the Environmental Impact Report (EIR) for the Fairfield General Plan Update (Project). This opportunity is particularly important since, pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines (Article 715096(d)), the Local Agency Formation Commission of Solano County (LAFCO) is a responsible agency. As a responsible agency, LAFCO should review and comment on environmental documents for projects which it would later be asked to approve such as city growth outside existing city boundary contemplated by the General Plan (GP).

The NOP indicates that the Project is a GP Update. Although the Project Setting description identifies the existing Sphere of Influence (SOI), the NOP does not expressly include any consideration of an SOI Update for the City or of anticipated annexations. By excluding these discretionary LAFCO decisions from the scope of the Project, the City may be limiting the usefulness of the GP and EIR to support LAFCO actions necessary for City growth.<sup>1</sup> LAFCO strongly recommends the City expands the scope of the EIR to include the City's SOI Update and future anticipated annexations,

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<sup>1</sup> For example, the City of Vacaville utilized their GPEIR for the SOI Update and have been processing annexation applications that reaffirm their GP EIR.

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especially in the next five years, to save time and expense.

Should the City decide to expand the scope of the EIR to support the City's future SOI Update and anticipated annexations, then the GP and EIR should address LAFCO's SOI and annexation requirements. Those needs and concerns are set forth in the following sixteen comments:

1. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) Government Code Sections 56000 *et seq.* governs LAFCO decision-making. CKH establishes that one of LAFCO's primary missions is to prevent premature conversion of prime agricultural land. CKH has its own definition of "Prime Agricultural Land." This definition is much broader than the standard often used by consultants in analyzing agricultural impacts. If the EIR for the GP Update is to be useful for LAFCO decision-making, then the EIR must provide information about prime agricultural lands and mitigations that are consistent with the LAFCO standard. CKH Government Code Section (GC §) 56064 defines prime agricultural land, and it is attached for your reference.
2. CKH §56377 imposes a duty on LAFCO to discourage annexations that involve conversion of Prime Agricultural Land where there is adequate land for development within the existing city boundaries. In order for LAFCO to make the findings necessary to support annexation of Prime Agricultural Land to the City, LAFCO must have the following information:
  - a. A detailed vacant land inventory within the City boundaries and within the proposed SOI that provides information on the zoning and probable development potential of each vacant parcel per §56425 (e)(1).
  - b. A professional absorption analysis based on historical growth patterns in the City which determines how quickly the vacant land within the City is likely to be developed and how soon additional land will need to be added to the City to meet growth needs per LAFCO Standard No. 8.
3. The City should provide analysis and discussion with respect to the conversion of open-space lands pursuant to GC §56377, "open-space" as defined by GC §56064, §65560. City should provide an analysis of the availability of developable land located within the City limits and the proposed SOI that does not meet prime agricultural land or land devoted to open space uses as defined by LAFCO standards.
4. The City should provide analysis and discussion on the present and probable need for public facilities and services within City limits and the proposed SOI per §56425 (e)(1).
5. The City should provide analysis and discussion on the present capacity of public facilities and adequacy of public services the City provides within City

limits and the proposed SOI per §56425 (e)(3). These services include but are not limited to: sewer, fire, police, water, parks and recreation, storm water, animal control, public waste, etc. The analysis should consider the growth projected in the GP and explain how the City intends to fund and expand services to serve the growth.

6. LAFCO is required under §56668 (g) to consider the annexation proposal's impact and consistency with the Regional Transportation Plan. The GP Update and EIR should address regional transportation impacts of projected growth, including the impact on Interstate Highway 80.
7. The City should provide analysis and discussion with respect to the existence of any social or economic communities of interest and any disadvantaged unincorporated communities (DUC) as defined by GC §56033.5 within the City's proposed SOI.
8. LAFCO is required under §56668 (m) to consider with any annexation proposal: "The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7." To assist LAFCO in complying with this requirement, the GP and EIR should address the GP's impact on regional housing needs.
9. The City should identify any islands of unincorporated territory within the City that meet the criteria set forth by GC §56375.3.
10. The City should identify their proposed "Near and Long-Term Sphere" areas. Solano LAFCO defines Near Term Sphere as areas the City anticipates to annex in the next five years. Long Term Sphere is defined as consisting of unincorporated territory that is more likely to be annexed within 5-20 years.
11. LAFCO's Sphere of Influence Policy discourages inclusion of land in an agency's Long Term SOI if a need for services provided by that agency within a 5-20-year period cannot be demonstrated. To demonstrate that a proposed SOI amendment is timely, the City should indicate the expected absorption and development rates for lands within the proposed SOI.
12. The City should provide analysis and discussion on the purpose of the proposed Area of Concern. The City should provide to LAFCO the specific reason to request special consideration of these areas as required by LAFCO's Sphere of Influence Policy.
13. The City should identify on an exhibit the total number of acres in their proposed Short-Term Sphere, Long-Term Sphere, and Area of Concern and

amount of acreage that meets the CKH definition of "Prime Agricultural Land."<sup>2</sup>

14. The City should identify all lands under a Williamson Act contract within the City's proposed SOI. Lands under a Williamson Act contract should be identified on a list by parcel as well as on a map exhibit. The City should provide information on the status of the individual contracts. Note that pursuant to GC §56426.6, the LAFCO Commission cannot approve a change to the City's SOI of territory that is subject to a Williamson Act contract unless it meets specific criterion.
15. The City should provide analysis and discussion with respect to the City's current and proposed job-housing balance ratio. The City should cite their source for the data used in calculating its projection.
16. The City should provide analysis and discussion on their proposed land-use consistency with the Solano County Airport Land Use Commission's Policies in relation to Travis Air Force Base (TAFB) and the TAFB Sustainability Study.

We appreciate the opportunity to comment on the subject environmental document. We hope you consider our comments of expanding the scope of the EIR to address LAFCO's Sphere of Influence and annexation needs so that the EIR is useful in streamlining future annexation projects. Please contact LAFCO staff should you have any questions.

Sincerely,



Rich Seithel  
Executive Officer  
[Rseithel@solanolafco.com](mailto:Rseithel@solanolafco.com)

Attachment 1: GC §56064

cc: Solano County Administrator  
Resource Management  
Solano Transportation Authority  
Solano Irrigation District  
Solano Airport Land Use Commission  
Solano County Ag Commissioner

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<sup>2</sup> See attached Govt. Code Sec 56064

**GOVERNMENT CODE - GOV**  
**TITLE 5. LOCAL AGENCIES [50001 - 57607]**

*( Title 5 added by Stats. 1949, Ch. 81. )*

**DIVISION 3. CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT**  
**REORGANIZATION ACT OF 2000 [56000 - 57550]**

*( Heading of Division 3 amended by Stats. 2001, Ch. 388, Sec. 1. )*

**PART 1. GENERAL [56000 - 56160]**

*( Part 1 added by Stats. 1985, Ch. 541, Sec. 3. )*

**CHAPTER 2. Definitions [56010 - 56081]**

*( Chapter 2 added by Stats. 1985, Ch. 541, Sec. 3. )*

**56064.**

“Prime agricultural land” means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

- (a) Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.
- (b) Land that qualifies for rating 80 through 100 Storie Index Rating.
- (c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Range and Pasture Handbook, Revision 1, December 2003.
- (d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre.
- (e) Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years.

*(Amended by Stats. 2007, Ch. 244, Sec. 3. Effective January 1, 2008.)*