



Local Agency Formation Commission of Napa County
Subdivision of the State of California

1754 Second Street, Suite C
Napa, California 94559
Phone: (707) 259-8645
www.napa.lafco.ca.gov

We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

Agenda Item 6d (Action)

TO: Local Agency Formation Commission

PREPARED BY: Brendon Freeman, Executive Officer *BF*

MEETING DATE: August 4, 2025

SUBJECT: Legislative Report

BACKGROUND AND SUMMARY

This is a consent item for information purposes only. Accordingly, if interested, the Commission is invited to pull this item for additional discussion with the concurrence of the Chair. No formal action will be taken as part of this item.

On June 2, 2025, the Commission directed staff to submit letters to the Legislature supporting Assembly Bill (AB) 1156, included as Attachment 1, and opposing Senate Bill (SB) 777, included as Attachment 2. Consistent with local policy, staff is providing the submitted letters as part of today's agenda for information purposes only.

ATTACHMENTS

- 1) AB 1156 Support Letter
- 2) SB 777 Oppose Letter

Beth Painter, Vice Chair
Councilmember, City of Napa

Paul Dohring, Commissioner
Councilmember, City of St. Helena

David Oro, Alternate Commissioner
Councilmember, City of American Canyon

Anne Cottrell, Commissioner
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner
County of Napa Supervisor, 1st District

Kenneth Leary, Chair
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer



Local Agency Formation Commission of Napa County
 Subdivision of the State of California

1754 Second Street, Suite C
 Napa, California 94559
 Phone: (707) 259-8645
www.napa.lafco.ca.gov

We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

June 5, 2025

The Honorable Buffy Wicks
 California State Senate
 1021 O Street, Suite 8140
 Sacramento, CA 95814

RE: *AB 1156 (Wicks): Solar-use easements: suspension of Williamson Act contracts: terms of easement: termination – SUPPORT*

Dear Assemblymember Wicks:

On behalf of the Local Agency Formation Commission (LAFCO) of Napa County, I write to express our support regarding your AB 1156, a measure that which aims to update the Solar-Use Easement law, which was originally designed in 2011, and extended in 2022, to facilitate solar projects on soil-impaired Williamson Act-contracted lands. Few clean energy projects have been developed under this law for varying reasons, including restrictions related to soil degradation (as opposed to other impairments like water constraints) and provisions allowing easement termination during active operation of a solar project, among other elements. Sustainable Groundwater Management Act (SGMA)-related requirements have real-world impacts on Williamson Act-contracted lands and on local farming communities, and taking limitations to water supply into consideration with a solar-use easement is key when determining land eligibility.

AB 1156 would update the Solar-Use Easement law, allowing severely water-constrained lands to transition from a Williamson Act contract to a solar-use easement for the development of renewable energy projects. The bill also modernizes the eligibility criteria and easement terms. This update helps align state clean energy and water sustainability goals while providing farmers a lifeline of economic opportunities on agriculturally constrained lands that are no longer commercially viable.

LAFCOs are subject to a broad body of law known as the Cortese-Knox-Hertzberg Act Local Government Reorganization Act of 2000 or “CKH Act”. In creating this statutory structure, the Legislature delegated the power to regulate the boundaries and services of local government agencies to LAFCOs. LAFCOs are statutorily tasked with discouraging urban sprawl, preserving open space and prime agricultural lands, encouraging the orderly formation and development of local agencies, and ensuring the efficient delivery of government services on the state’s behalf.

Beth Painter, Vice Chair
 Councilmember, City of Napa

Paul Dohring, Commissioner
 Councilmember, City of St. Helena

David Oro, Alternate Commissioner
 Councilmember, City of American Canyon

Anne Cottrell, Commissioner
 County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner
 County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner
 County of Napa Supervisor, 1st District

Kenneth Leary, Chair
 Representative of the General Public

Eve Kahn, Alternate Commissioner
 Representative of the General Public

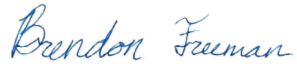
Brendon Freeman
 Executive Officer

Napa LAFCO Support AB 1156
June 5, 2025
Page 2 of 2

AB 1156 would result in outcomes that are aligned with LAFCO's mission and purpose with respect to the preservation of prime agricultural lands and prevention of urban sprawl.

As a result, Napa LAFCO is pleased to extend our support for AB 1156. Please feel free to reach out with any questions about our position.

Sincerely,



Brendon Freeman
Executive Officer
Napa LAFCO

cc: The Honorable Juan Carrillo, Chair, Assembly Local Government Committee
Jimmy MacDonald, Consultant, Assembly Local Government Committee



Local Agency Formation Commission of Napa County
 Subdivision of the State of California

1754 Second Street, Suite C
 Napa, California 94559
 Phone: (707) 259-8645
www.napa.lafco.ca.gov

We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

June 5, 2025

The Honorable Laura Richardson
 California State Senate
 1021 O Street, Suite 7340
 Sacramento, CA 95814

RE: *SB 777 (Richardson): Abandoned endowment care cemeteries: local agency possession and responsibility*
As amended 3/26/25 – OPPOSE

Dear Senator Richardson:

On behalf of the Local Agency Formation Commission (LAFCO) of Napa County, I write to express our opposition regarding your SB 777, a measure that which would require LAFCOs to direct local agencies to assume responsibility for abandoned privately-operated cemeteries. SB 777 not only would add significant responsibility to LAFCOs but provides no direction to LAFCOs as to how to assess which local agency is best suited to assume such responsibility and will likely burden the local agency with additional fiscal and liability risks.

LAFCOs are subject to a broad body of law known as the Cortese-Knox-Hertzberg Act Local Government Reorganization Act of 2000 or “CKH Act”. In creating this statutory structure, the Legislature delegated the power to regulate the boundaries and services of local government agencies to LAFCOs. LAFCOs are statutorily tasked with discouraging urban sprawl, preserving open space and prime agricultural lands, encouraging the orderly formation and development of local agencies, and ensuring the efficient delivery of government services on the state’s behalf.

While we are deeply sympathetic to situations where private cemeteries have been abandoned and left vulnerable to vandalism and decay, especially for those family members whose loved ones are interred, apart from specialized cemetery districts, local governments do not currently provide cemetery services. For a LAFCO to direct an entity to take responsibility for an abandoned private enterprise – especially one that likely does not have any expertise that would lend itself to operating a cemetery – is inconsistent with LAFCOs’ statutory role and historic practice. LAFCOs do not just force service obligations upon local agencies; instead, we engage in a deliberative process that incorporates publicly noticed hearings, engagement of local agencies, and opportunity for public comment. SB 777 offers no direction as to how a LAFCO is to proceed under this statute; rather, it places the LAFCO in the unenviable position of trying to make an assessment without any guidance as to procedure or priorities from the Legislature.

Beth Painter, Vice Chair
 Councilmember, City of Napa

Paul Dohring, Commissioner
 Councilmember, City of St. Helena

David Oro, Alternate Commissioner
 Councilmember, City of American Canyon

Anne Cottrell, Commissioner
 County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner
 County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner
 County of Napa Supervisor, 1st District

Kenneth Leary, Chair
 Representative of the General Public

Eve Kahn, Alternate Commissioner
 Representative of the General Public

Brendon Freeman
 Executive Officer

Napa LAFCO Oppose SB 777

June 5, 2025

Page 2 of 2

Finally, we are aware of no adequate funding mechanism that would accompany the transfer of responsibility for managing an abandoned cemetery, making the challenge of taking on the task even more difficult and less desirable for a local agency. We are concerned that taxpayers of a local agency will not appreciate taking on a new fiscal and liability responsibility of a private enterprise, especially when that enterprise does not serve the public at large.

As a result, Napa LAFCO is opposed to SB 777. Please feel free to reach out with any questions about our position.

Sincerely,



Brendon Freeman
Executive Officer
Napa LAFCO

cc: The Honorable Anna Caballero, Chair, Senate Appropriations Committee
Members and Consultants, Senate Appropriations Committee