

## Conaway reaction split

Some are wondering whether the county achieved its goals

By Elisabeth Sherwin/Enterprise staff writer

WOODLAND — Yolo County resolved one of its biggest political and economic problems Thursday when the Board of Supervisors unanimously approved a settlement regarding Conaway Ranch. But the agreement, which puts a halt to the county's eminent domain action, is proving to be controversial.

Two former Woodland mayors — one of whom is running for Frank Siefertman Jr.'s seat on the board — said the settlement did nothing to achieve the county's goals.

The county had been criticized for attempting to buy the 17,300-acre ranch between Davis and Woodland through the process of eminent domain. The court ruled that the county had the right to take the property but the price tag was problematic.

Although the Rumsey Band of Wintun Indians agreed to finance the purchase, the price was unknown (the minimum was estimated to be \$60 million) and would have been determined by a jury in a valuation trial scheduled to begin Oct. 31.

Critics objected to the government trying to take the land from private owners and said the ranch was too expensive for a struggling county, which shouldn't be in the land management business to begin with.

Supporters said the water rights, agriculture, habitat and undeveloped land were far too precious to be allowed to stay in private ownership, especially when the ownership group was made up of Sacramento developers.

On Thursday, the county ended its litigation with the Conaway Preservation Group and declared itself satisfied with a settlement agreement.

“We got protection of the water rights for the use of Yolo County residents, that was our primary fundamental county interest,” Supervisor Mike McGowan said Thursday afternoon.

A spokesman for the owners expressed satisfaction, too.

“We're happy — now we can get busy and preserve the ranch,” Tovey Giezentanner said Thursday, speaking for CPG partners Carl Panattoni, Steve Gidaro and John Reynen.

McGowan and Supervisor Helen Thomson of Davis made up the two-person negotiating team that

worked with Judge Richard Park and CPG lawyers in mandatory settlement conferences this summer.

“I’m pleased with the result, the settlement and pleased it’s come to an end. It has been very challenging and time-consuming,” McGowan added.

At a press conference Thursday morning at the County Administration Building, the tribe, the attorneys and county staff members were thanked for all the work they put in on the Conaway project.

### Critics speak out

But supervisorial candidate Matt Rexroad and Dudley Holman, both former mayors of Woodland, say the county got nothing from the settlement.

“A settlement has been reached but the county did not achieve the objectives it set out,” said Rexroad, who posted critical comments on his blog at [www.rexroad.com](http://www.rexroad.com) “Development is not prevented and the water rights that were on the table six months ago did not materialize.”

McGowan responded: “My position is that, in fact, we’ve achieved much more than what was on the table in the past. The accomplishments are significant. Matt cannot bring himself to congratulate those who have worked hard.”

Rexroad also said the timing of the settlement — coming right after Labor Day, the traditional start of the fall election season — was designed to credit his opponent, incumbent Supervisor Siefertman.

Nonsense, McGowan said.

“We don’t control the timing. It behooves us to settle before the Oct. 31 trial — it has nothing to do with any election,” he said.

Politics aside, Holman didn’t mince words when he described the settlement agreement, which was praised because the Conaway Preservation Group will have to repay the county’s legal fees of \$2.4 million. The owners have been given 10 years to pay the fees.

“It’s extortion,” Holman said. “The county is saying: ‘We’ll drop the suit if you pay our legal fees.’ I call that extortion.

“The county has failed miserably,” he continued. “After two years of totally unnecessary angst, I don’t see how the county has won anything. But the Board of Supervisors has lost stature, respect and the confidence of the people.”

Rexroad also said the county’s oft-stated goal of protecting the land from development has not been

met.

“The settlement agreement sets out policy,” he said this morning. “But that policy is status quo.”

‘The best deal’

However, McGowan and Thomson repeated their assertions that the agreement is a win.

“This is the best deal — it’s the deal we presented to them in my office almost two years ago,” McGowan said.

“We wanted a greater level of assurance primarily that the water rights would be protected,” he added. “We have better protection of these water rights under the settlement than we could achieve under legislation or regulation and that fact alone warrants our settlement.”

“I know water; I sat on the state water committee for six years,” added Thomson, a former Assemblywoman. “The Board of Supervisors has no regularity authority over surface water. It was our goal to have more control and we got that.”

“This calls for the owners to notify us of land or water sales and we have the right to sit down and negotiate before they go out to market,” McGowan said. “At least we’re at the table and in the game.”

Observers said several factors contributed to the county’s desire to settle:

- The lawsuit was complicated when a disputed 1,000 acres was judged not to be part of the eminent domain proceeding;
- Changes in the tribe’s leadership made financial promises less secure;
- The tribe was not going to be allowed a seat if a joint powers authority to run the ranch was formed;
- The value of the water on the ranch was separated from the total value, making it much more expensive; and
- It became apparent following the June election that Siefertman was vulnerable and needed political support, which could be provided by crediting him with Thursday’s settlement.

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Friday, Sept. 8, 2006