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PR war for Conaway Ranch

As court date nears, battle begins for hearts and minds of Yolo voters

By Mary Lynne Vellinga -- Bee Staff Writer

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On paper, at least, it doesn't much matter what the public thinks of Yolo County's fight to wrest ownership of the vast Conaway Ranch from its developer owners.

It's up to a Yolo County judge, not voters, to decide whether the county is justified in using eminent domain to buy the 17,300-acre ranch from unwilling sellers. A hearing on the question has been scheduled for Nov. 1.

If the judge lets the county proceed, a jury will decide how much it has to pay.

Technically, Yolo County voters have no direct say in either matter. But the battle over Conaway Ranch - a farm just a few miles from downtown Sacramento that's bigger than the cities of Davis and Woodland combined - has nonetheless turned into a contest for their hearts and minds.

Thus far, opponents of the eminent domain action have made a bigger splash. The Conaway Preservation Group, a bloc of developers who bought the ranch last year for \$60 million, hired a public relations firm led by Gov. Arnold Schwarzenegger's chief fundraiser to lead the charge. One of their strategies: courting county voters with tri-tip dinners.

Signs erected on the Conaway Ranch property admonish motorists along Interstate 5 to "Protect Conaway Ranch: Oppose County Land Grab."

Conaway spokesman Tovey Giezentanner at one point raised the threat of recall elections, although he now says the owners are "still considering options."

The Yolo County supervisors "have been getting beat around the head," said Matt

Rexroad, mayor of Woodland and an opponent of the eminent domain action.

"The folks from the Conaway Preservation Group have done a fabulous PR job on this whole thing," said Rexroad, a political consultant. "They've made it a huge issue. They've done mail. They've done town meetings."

Now, however, the same deep-pocketed Indian tribe that agreed to help the county pay for the ranch is preparing to launch a counter-campaign on the supervisors' behalf.

The Rumsey Band of Wintun Indians, operator of the Cache Creek Casino Resort, joined forces with the county in May, agreeing to help provide financing for purchase of the ranch - an amount that could total well over \$60 million.

Over the past few weeks, an organization funded by the tribe has hired a "grass-roots" coordinator to drum up support for the county. A billboard with the slogan "Stop Sacramento Developers: Save Conaway Ranch" soon will appear on Interstate 5. It depicts farmland below a looming sea of suburban housing.

"The intent is obviously not to influence the legal process," said Doug Elmets, a spokesman for the tribe. "It's primarily to educate the residents of Yolo County on what can happen to Conaway Ranch if it stays in the hands of developers and is not managed for the public good."

He said the tribe will tap other supporters of the eminent domain effort, including environmental groups, to help pay for the public relations campaign. For now, however, the Rumsey band remains the sole funding source. The initial budget is \$50,000.

The Rumsey band recently suffered a defeat at the hands of the group led by Sacramento developer Steve Gidaro. The Conaway owners lobbied against AB 1747, a bill that would have changed state law to allow the Rumsey Band to participate in a joint powers authority with Yolo's four cities and other public entities to manage Conaway ranch if it were purchased by the county.

The Legislature passed the measure, but Schwarzenegger vetoed it earlier this month.

Howard Dickstein, a lawyer for the Rumsey band, said the veto will not deter the tribe from helping the county buy the ranch. Nor will it prevent the tribe from helping manage the property. The same goal, he said, could be met through memorandums of understanding or other inter-governmental agreements.

Schwarzenegger's veto "just drives the tribe and the county closer together,"

Dickstein said.

"If the tribe can be helpful to something that's important to the county, it's going to do it," he added. "The county has taken risks with the tribal relationship and trusted the tribe. They've been in the trenches together, and they're going to stand with each other so far as they have agreement on the underlying policy."

Tribal leaders say they want to help the county protect the ranch because it is part of their ancestral homeland. And Dickstein said the tribe doesn't expect it will actually cost them money to help the county buy the ranch since they would likely loan the county money and be paid back.

Gidaro's group argues that claims by the tribe and the county that Conaway Ranch faces a development threat are nonsense.

The owners insist they, too, want to preserve the ranch, and say they would make their money back, in part, by selling conservation easements that would keep the area open permanently. About a third of the ranch lies within the Yolo County bypass flood protection project and could not be built on anyway.

Giezentanner said county supervisors haven't sufficiently disclosed their plans for the ranch.

"They can't talk about the policy behind this," he said. "It has to be about us, like we're some threat. The only way they justify their effort to take the ranch is to create a threat."

Supporters of the county's eminent domain action say the development threat is real. They note that Gidaro was part of a previous ownership group that in the mid-1990s proposed building houses on part of the ranch.

Controversy over Yolo's effort to acquire the ranch was heightened by a June U.S. Supreme Court decision upholding a Connecticut city's right to condemn homes and replace them with commercial development.

The decision galvanized property rights groups, who have seized on the Conaway Ranch situation as an example of government abuse.

Yolo County "just didn't anticipate the backlash they are experiencing today," said Marko Mlikotin, president of the California Alliance to Protect Private Property Rights, a group formed in response to the Conaway Ranch case.

"At the end of the day, the Yolo County Board of Supervisors may determine the costs involved in seizing this property are not worth it," Mlikotin said. "When I say

costs, it could mean political fallout."

Yolo County leaders say the county needs to take control of the ranch to preserve its rich natural resources, the most valuable of which is the right to 50,000 acre-feet of river water annually, enough to serve at least 100,000 households.

Situated next to the Sacramento River, the ranch also boasts an ample supply of groundwater.

Conaway's water is used by farmers who grow crops on the ranch, as well as for conservation projects that provide habitat for waterfowl.

But in the future, some could be sold to the cities of Davis and Woodland, which currently rely on depleted groundwater basins.

"If we don't make an effort to secure the rights of this water into perpetuity, we may never get a shot at it," said former Yolo County Supervisor Tom Stallard, a lawyer.

"Anyone who has lived in California any length of time knows that the water crunch is going to come eventually."

County Supervisor Mike McGowan, one of the forces behind the eminent domain action, agreed that "water is critically important."

Also key, he said, is the possibility that part of the ranch could be used to expand the Yolo bypass, providing increased flood protection to Sacramento.

Opponents are not convinced by this argument.

"If that's the case, why not use eminent domain for every parcel along the Sacramento River?" asked Rexroad, the Woodland mayor. "Don't stop there, keep going."

Rexroad said he would prefer to see the county negotiate to buy the water and development rights - not the entire property.

Some involved say the battle has transcended a single piece of land and become wrapped up in larger political issues.

While Giezentanner last week held out hope that settlement talks with the county could resume, McGowan said that wasn't likely.

"This is a fight for the heart of Yolo County; it's way bigger than Conaway Ranch," he said. "They've threatened recalls of all the elected officials who have stood up to them. The message they've given is that they'll spend any amount of money necessary to change the politics of Yolo County so they can have their way.

"I think it's unrealistic that we could sit down in good faith with these people."

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