

Article Created: 9/08/2006 09:50 AM

## Conaway Ranch pact struck

### Deal between Yolo County, land owners averts condemnation while restricting development and preserving water resources

By JOSH FERNANDEZ/Democrat Staff Writer  
Daily Democrat

What has been a drawn out battle regarding land and water ownership came to an abrupt end yesterday when The Yolo County Board of Supervisors announced that a settlement agreement was reached with the Conaway Preservation Group.

The 17,300 acres of land in question has rights to a reported 50,000 acre-feet of water per-year, which county officials expressed worry that CPG was going to sell out of Yolo County after they purchased the land in 2004 for \$60 million. Officials also stated their concern that the group would develop on the agriculturally rich land.

At yesterday's press conference, Frank Sieferman Jr., chairman of the Yolo County Board of Supervisors, announced that the "lengthy" but satisfactory settlement was finally agreed upon by the county and CPG.

The agreement "addresses our long-standing objectives to preserve the water, agricultural heritage and natural resources of Conaway Ranch for public benefit," Sieferman said.

Former Woodland Mayor Matt Rexroad yesterday said he read the 15-page settlement agreement document three times and still had questions regarding the language.

"There's nothing on there that talks about development," Rexroad said.

Yolo County Supervisor Helen Thomson said that while the majority of the agreement focuses on water use, a portion entitled "Land and Water Use Regulation" is dedicated to restrictions on development.

"(CPG) would have to abide by all the land use regulation that are in use in Yolo County today," Thomson said. "They have to abide by the general plan, and the general plan is a constitution for Yolo County."

Thomson said the agreement grants CPG 1,500 acres of land to sell, but the rest of the land must comply with all applicable and valid federal, state and local laws, rules and regulations regarding zoning.

Supervisor Mike McGowan said he is pleased with the outcome of the settlement, despite the fact that the county won't have full control of the land. The supervisor said he trusts CPG will act in accordance with the agreement and is confident the group won't develop the land.

"The issue of water was the thing that motivated us in the very first place, so we got what we wanted," McGowan said. Adding that in terms of development, he doesn't foresee any significant changes happening to the land any time soon.

Sieferman added at the press conference that county legal fees that reached \$2.4 million will be reimbursed in full by CPG, and that he's relieved that county staff can now return their focus to other county matters.

Thomson ended the conference with a large 'thank you' list that included Yolo staff, Judge Steven Basha, the Rumsey Band of Indians and State Assemblywoman Lois Wolk.

"And I'd like to thank Mike McGowan, who turned out to be greener than I thought," Thomson said.

\* \* \* \*

### Conaway Ranch settlement details

- **Water shall be used first to satisfy any and all uses on the Conaway Ranch, including agriculture, open space, recreation and habitat.**
- **No water can be sold off the ranch unless it is determined to be surplus above and beyond the current uses on the ranch, including agriculture, recreation and habitat.**
- **In-county surplus water transfer/sales require county notice and input.**
- **Out-of-county long-term surplus water transfers/sales (more than one year): The county will be given the first right to negotiate for the purchase of water and will receive 7.5 percent of long-term water transfers.**
- **Out-of-county short-term surplus water transfers/sales (less than one year); The county will be given the first right to negotiate for the purchase of water, and will receive 2 percent of net proceeds derived from short-term water transfers, or the fee adopted as part of the water ordinance, whichever is larger.**
- **Any groundwater extraction on Conaway Ranch shall be consistent with the groundwater management plan.**
- **The Conaway Preservation Group will consult with the county on public access to specific areas of the Conaway Ranch.**
- **CPG may sell or grant conservation easements on all or part of Conaway Ranch.**
- **The Yolo County Board of Supervisors will have the first right to negotiate with CPG in any future purchase of all or part of the ranch. Small parcels may be sold without prior notification to the county. No more than a total of 1,500 acres of small parcels may be sold. All parcels sold remain subject to county land use policy regulation**
- **CPG shall reimburse the county for its attorneys' fees, costs and expenses in the amount of \$2.4 million.**

\* \* \* \*

### Conaway Q&A

*Q. What provisions are made for the protection of Conaway Ranch with this settlement?*

**A:** First and foremost, the water on Conaway Ranch shall be used to satisfy any and all current uses on the ranch, including agriculture, recreation and habitat. This settlement gives the Board of Supervisors more control

and oversight over water sales than could have been achieved through the normal regulatory process. The provisions related to water in this agreement will be part of a court judgment and will be recorded, providing stronger protection in addition to the normal regulatory process.

*Q. Why did the Yolo County Board of Supervisors enter into this settlement?*

A: This settlement meets the Board of Supervisors' objectives of preserving Conaway Ranch for public benefit and protecting the county interests outlined in the Eminent Domain Resolution of Necessity of July 2004 and the Board of Supervisors' Conaway Ranch principles, adopted in April. This historic agreement, with specific focus on water issues, furthers the county's commitment to preserving the ranch's agricultural heritage, and associated water rights, for the residents of Yolo County.

*Q. What happens to the eminent domain action?*

A: The eminent domain proceedings will be officially dismissed. The Yolo County Board of Supervisors and CPG intend to submit the order confirming the settlement to the court on Monday. After the court signs the order, the action will be dismissed. The judgment and relevant provisions of the settlement that run with the land will be recorded.

*Q. Can the water be sold off the ranch?*

A: No water can be sold off the ranch unless it is determined to be surplus above and beyond the current uses on the ranch, including agriculture, recreation and habitat. In addition, water usage on the ranch and transfers/sales will be subject to the county's groundwater ordinances and must conform to the groundwater management plan adopted by Reclamation District 2035.

*Q. Will there be public access to the ranch?*

A: CPG will continue to provide docent-led public access to defined areas of the ranch and will work with the county to pursue other public access opportunities while preserving the working agriculture on the ranch. This settlement allows the Yolo County Board of Supervisors and CPG to begin fruitful conversations that will enhance public access opportunities.

*Q. Will the County of Yolo and Yolo County taxpayers be reimbursed for costs associated with Conaway Ranch?*

A: Yes. Yolo County Board of Supervisors' legal costs and court fees will be reimbursed by CPG.

*Q. How will the county control growth and development on the ranch?*

A: The owners of Conaway Ranch will continue to be subject to Yolo County land use policy regulations.