

## County re-inks deal with Conaway

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WOODLAND - Under public pressure, Yolo supervisors on Tuesday re-did a deal with Sacramento developer Angelo Tsakopoulos, the new owner of Conaway Ranch.

In a 3-2 vote, the Yolo County Board of Supervisors approved a 17-page agreement with the new owner of the 17,300-acre ranch, which sits between Davis and Woodland. The agreement caps the amount of Sacramento River water Tsakopoulos can sell to outside buyers, gives the county 7.5 percent of any cash made on those water sales and lets Tsakopoulos duck under a two-year ban on any habitat damage projects.

'This is a very important agreement going forward for the county of Yolo,' former Supervisor Helen Thomson told her past colleagues.

The contract was virtually identical to the one she helped approve Dec. 17. However, members of the public, including Supervisor Jim Provenza, questioned the legitimacy of the deal. Provenza said the December meeting failed to meet the benchmark set by the Brown Act, a state law outlining how local governments must conduct business to ensure public scrutiny.

The county failed alert the public 24 hours before the meeting, which is required by law, nor did it spell out that supervisors might vote on the agreement.

Giving 10 days' notice of Tuesday's meeting did not eliminate controversy. About 50 people gathered in the board chambers, including state Sen. Lois Wolk, D-Davis, and Thomson, and 13 people spoke out for and against the deal.

Proponents argued that the deal secured rights the county wouldn't have otherwise. Opponents countered that the county was giving up its only bargaining chip in state-level discussions on water, the Sacramento-San Joaquin Delta and the environment.

'I don't see us getting much' by approving the deal, Provenza said.

The county has been trying to get state legislators and water suppliers to pay attention to its concerns over the Bay Delta Conservation Plan. The statewide strategy aims to create habitat for threatened fish species to offset killing them when water is pumped out of the delta to farms and houses in Central and Southern California.

Flooding the Yolo Bypass more often to create habitat for the delta smelt and chinook salmon is a key part of the plan. Yolo officials, Provenza being one of the most vocal, have said flooding the bypass would threaten the county's rice industry, jeopardize the 16,770-acre Yolo Bypass Wildlife Area and weaken flood protection.

In November, supervisors passed a two-year moratorium on habitat damage projects. The board said the moratorium would act like a speed bump on the plan, and give Yolo County a chance to effect change at the state level.

Now, supervisors are letting Tsakopoulos blow through that speed bump, Provenza said. The agreement allows the developer to sell land easements on 6,000 acres of the property. That includes a 4,000-acre strip on the eastern edge of the property that the state could use as a floodplain in the Bay Delta Conservation Plan.

'We're sitting here blindfolded not knowing what's coming up,' Provenza added. 'We're saying, 'Go ahead. Do what you want. We waive our rights.' '

Even if supervisors nixed Tuesday's deal and kept Tsakopoulos locked under the moratorium, the state could trump any county objections, said Phil Pogledich, senior deputy county counsel. 'What we give up, I believe, in entering this agreement is nothing.'

Others complained the county is shipping off a precious natural resource to Los Angeles.

'Water is the new gold,' said Davis resident Holly Bishop. 'This will change the look of our valley forever.'

'We're taking an important resource and sending it to whomever,' echoed Davis resident Jim Watson.

State law gives counties no ability to regulate private water sales, Pogledich told the board. The state controls those exclusively. If they had gotten the approval of the state water board, Conaway's owners could have sold the ranch's water before Tsakopoulos wielded a controlling share, and he can do so now. The county has little to no footing in water sales.

'Everyone talks as if the county has all these rights and abilities to control what happens out on the ranch,' said Tim Taron, a lawyer representing Tsakopoulos. But it doesn't. 'You're really not giving up anything.

'We didn't need to do this agreement, but we wanted to do this agreement,' Taron continued. 'After decades of very poor relations between the ranch and the county, the new owners wanted to turn that page and start a new relationship that was constructive and positive.'