

## **Habitat projects are put on hold**

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Yolo supervisors this week locked down large-scale habitat projects for nearly two years, fearing outsiders might rip a hunk out of a half billion-dollar farming industry.

The Board of Supervisors at its Tuesday meeting unanimously approved extending a 45-day moratorium originally imposed last month, to the full two years allowed by state law. Under the moratorium, no 'out-of-county' entities would be able to convert land into habitat to offset damage done by development beyond county borders. Local landowners doing similar projects are exempt.

Supervisors worry that outside developers building elsewhere may turn Yolo County land into habitat to compensate for destroying it elsewhere, a federal and state legal requirement.

Yolo County is 'ground zero for habitat projects,' Agricultural Commissioner John Young said while addressing the board in October.

Supervisors specifically worry about farmland. They're not against these habitat projects per se, said Supervisor Mike McGowan of West Sacramento.

'It's not a matter of religion,' he said, but if the projects take too much land out of agriculture, it could hurt the county's No. 1 industry, which made local farmers \$441 million in 2009, according to county records.

Farming land is profitable for landowners, and that money 'gets plowed right back into our local community,' Young said. It also creates jobs for farm workers. If the same land gets morphed into wetlands, those jobs evaporate.

'The projects really need to strike a balance between our farming interests (and) our environmental concerns,' he continued. 'We need a balanced approach.'

The moratorium approved by the board Tuesday is 'virtually identical' to the one passed in October, said Phil Pogledich, senior deputy county counsel. The only exception is an exemption for habitat projects already in the regulatory pipeline when the original moratorium was approved on Oct. 12.

There are two of them: the Putah Creek Mitigation Bank, an 80-acre project proposed by the Muzzy Ranch Conservation Co. that would create creekside and seasonal wetlands south of Davis, and the Fremont Landing Conservation Bank, a 100-acre project backed by Wildlands to benefit salmon.

As mitigation banks, both companies would create habitat and then sell 'credits' to developers looking to meet their legal environmental responsibilities.

The owners of Conaway Ranch, a 17,300-acre farming operation between Davis in Woodland, said they 'will not be subject to any such moratorium,' citing a 2006 agreement with the county.

According to the letter, 'Conaway Ranch will not be subject to or bound by any moratorium or other related action which you may take as described in the staff recommendation.'

County lawyers disagree, and Pogledich told Supervisor Jim Provenza of Davis on Tuesday that he's preparing 'an appropriate response.'

Some have called Conaway 'the crown jewel of Yolo County,' because its size and location make it a key piece in agriculture, habitat restoration and various water projects, including a \$329 million effort to bring

cleaner drinking water to the cities of Davis and Woodland. About half of the ranch falls in the Yolo Bypass, and 87 percent, or 15,000 acres, is farmable, according to the ranch's website.

'Conaway is going to be a key player in ... whatever habitat projects are coming down the pike as far as delta smelt and salmonids,' Pogledich said in October.

Conaway's future is in flux. One of the region's most powerful developers, Angelo Tsakopoulos, is part of a group buying a controlling share in the property, said Tim Taron, a land-use lawyer with the Sacramento law firm Hefner, Stark and Marois, who represented Tsakopoulos at the board's October meeting.

Tsakopoulos and company are fine with the ordinance, Taron said, but would like to work with the county to come to an agreement on a project that could move forward despite the moratorium. No one representing Tsakopoulos or his partners spoke at the board's meeting Tuesday.

The county should still protect itself, Pogledich said. Whether it's the current owners, Tsakopoulos or someone else, building habitat mitigation projects at the ranch is something 'any buyer's going to be taking a hard look at.'