

Supervisors OK land deal with Roblar Road quarry developer

Brett Wilkison, Santa Rosa Press Democrat, 12-8-10

A split Sonoma County Board of Supervisors gave their blessing Tuesday to a controversial land proposal that would use county-protected private ranchland to help a quarry developer replace rare amphibian habitat that will be lost to his Roblar Road project.

Board chairwoman Valerie Brown joined retiring supervisors Mike Kerns and Paul Kelley to endorse the proposal on a 3-2 straw vote over the strong objections of some dairy-belt landowners, land conservation supporters and county taxpayers.

Supervisors Shirlee Zane and Efren Carrillo voted against the plan, saying it represented a policy risk that could undermine taxpayer support for the county's 20-year-old Agricultural Preservation and Open Space District.

The decision came after more than two and a half hours of public hearing in a nearly-packed board chambers. It turned on an opinion by the board's majority that third-party habitat mitigation on a piece of taxpayer-protected farmland is consistent with both the purpose of the open space district and its conservation easement over the farmland in question, a 388-acre parcel near Two Rock Valley west of Cotati.

Kerns, Kelley and Brown said they saw no reason why the owner of that property, the Wilson dairy family, should be prevented from helping neighboring quarry developer John Barella meet requirements to set aside habitat for the endangered California tiger salamander and threatened California red-legged frog.

“In my mind, what better place is there to allow mitigation?” said Kerns. “It is already protected by the district. Ag will continue. And you can even argue that protection will be improved with the mitigation.”

“I have a very hard time believing that protecting ag land and protecting endangered species can't co-exist,” said Brown, the swing vote. “I think that's a utilization that's appropriate.”

Zane and Carrillo had the opposite take.

“The public understands you don't need to mitigate on already protected lands,” said Zane. “I don't see this as a gain. I see it as a loss.”

Carrillo said the proposal could cause “irreparable damage” to public trust in the open space district, which voters reauthorized in 2006 by a 75 percent margin.

Barella declined to comment after the meeting. His 70-acre rock quarry, which was given informal backing by the board in October, is slated for final approval next Tuesday.

“We're pleased. We think the board did the right thing,” said Steve Butler, his attorney.

Critics of the deal, including leaders of local land conservation and environmental groups, expressed shock after the vote. They saw the deal as tampering with a supposedly permanent conservation easement and opening up county-protected lands for the benefit of a private developer.

Because Barella would not have to protect new land or buy more costly “habitat credits,” he could save \$5

million to \$15 million in the deal, according to figures provided by mitigation experts.

“This decision opens the floodgates for such proposals for years,” said David Keller, a board member of Sonoma County Conservation Action. “This is a total betrayal of the public trust.”

Some dairy-belt farmers opposed to the deal were equally disappointed with Tuesday's vote.

Kathy Tresch's family owns a 368-acre parcel immediately adjacent to the proposed mitigation property owned by the Wilson family. Supervisors voted Tuesday to reinterpret the easement that covers both properties to allow for the mitigation deal.

But Tresch and other ag leaders are concerned the change, which will impose new land use restrictions to protect the endangered species, could restrict ag uses on her property without her consent.

She called the move by supervisors “dead wrong.”

“It violates our trust in our contract that we had with the district,” she said.

A half-dozen speakers Tuesday echoed those comments, saying the move would shatter public trust in the district, which has poured millions in taxpayer dollars into protecting 83,000 acres of open space and farmland in the county.

“I feel we made a promise to the people of this county to protect that property, and we may break that promise,” said Liza Prunuske, a member of the district's open space authority who was speaking for herself Tuesday.

Several other speakers, some of them quarry supporters, backed the board's decision.

Supervisors are set to formally approve the deal next Tuesday. The item will be closed to public comment.