

Good-Bad-Ugly Propositions

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Numerous propositions are jostling for notice as elections near. These initiatives often have complex and confusing language, titles, and consequences, and are sometimes purposefully misleading. But here are three that Friends of the Santa Cruz River, along with many other conservation and community groups, have researched extensively and urge you to pay special attention to. To make it easier to remember them in the midst of all the others, we call them “the Good (106), the Bad (105), and the Ugly (207).” Here’s why:

Proposition 106 (“The Good”): “Conserving Arizona’s Future”, as it’s titled, is a reasonable solution to current deficiencies in State Trust Lands management. Of over 9 million acres in the Trust, Prop 106 would put about 700,000 carefully-chosen acres (less than 8%) into conservation. Nearby lands that would be part of this acreage include a major wildlife corridor that runs between the mountains and crosses the Santa Cruz River in the Amado area, and the hillside you look at when you gaze across Patagonia Lake from the State Park boat ramp.

Also “Conserving Arizona” would set up an appointed governing board (instead of the current lone political appointee) to oversee sales and leases for the long-term financial health of the Trust program, as well as a way to include adjacent communities in planning when Trust lands come up for sale.

Prop 105 (the “Bad”) is the Arizona Legislature’s alternative to Prop 106, but it only conserves about 40,000 acres, and doesn’t do anything to reform the sales/lease process. It seems to be mostly a way to keep the status quo, a “spoiler” to Prop 106. If they both pass, the one with the most votes win—so our advice is to vote “no” on 105 and “yes” on 106.

Prop 207 (the “Ugly”)—the “Private Property Rights Protection Act”—is, in our view, the most dangerous initiative. Bankrolled by a Libertarian businessman from New York, it first talks about eminent domain, but its real bite lies in the second part, in its “takings” language: any property owner who says his land’s value is reduced **to any extent** by any new regulatory action could sue for the perceived damages.

This bill would gut community planning. A similar measure passed two years ago in Oregon, spurring billions of dollars (not millions) in lawsuits against local and state governments. In that environment, government bodies just grant every variance or waiver they are asked for, to avoid litigation they can’t afford. New or modified wash or hillside protections, neighborhood preservation, even watershed and water supply protections might be impossible to implement, even if new science or new conditions pointed strongly to a need for such regulations.

It's very telling to see who are major supporters and opponents of these propositions:

Prop 105 has the backing of the AZ Cattlemen's Association, the AZ Farm Bureau, and the Home Builders Association of Central AZ. Against it: the AZ Education Association, AZ League of Conservation Voters, and almost all other conservation groups.

Governor Napolitano and many conservation and education groups including the AZ Education Association, Tucson Audubon Society, the Nature Conservancy, and the AZ League of Conservation Voters support Prop 106, Conserving Arizona's Future. Opposition is mostly from the AZ Farm Bureau and "Arizonans for Responsible Planning", a group with major funding from AZ Rock Products, the AZ Association of Realtors, and the Valley Partnership, a self-described "pro-development" group.

Proposition 207 is supported by the AZ Farm Bureau, AZ Cattlemen's Association, and the "Arizona Home Owners Protection Effort", a group largely funded by east coast businessman Howie Rich. The long and varied list of opponents include just about all conservation groups, the Valley Partnership (see above!), AZ League of Conservation Voters, League of Arizona Cities and Towns, and air force base boosters.

You can certainly learn a lot about the propositions yourself by reading the voting pamphlet all registered voters have received. But if you don't have the time to do so, please consider the above arguments when making your voting decisions. To sum up, in voting order, here's Friends of the Santa Cruz River's advice: NO on 105, YES on 106, NO on 207. And thanks for participating in the lynchpin of our democratic process!

[Sherry Sass was trained as a biologist, and is currently President of Friends of the Santa Cruz River (FOSCR), a volunteer group dedicated to protecting the flow, water quality, and riparian habitat of the river. Visit www.friendsofsantacruzriver.org for more information.]