

Several myths, advocated by Desert Discovery Center Scottsdale, Inc. (DDCSI), are cherry picked content from the Preserve Ordinance. Language taken out of context, or reinterpreted, to try to justify putting the DDC/Desert Edge (DDC/DE) in the Preserve. I helped draft the Preserve Ordinance and was also on the McDowell Sonoran Preserve Commission (MSPC) when it was approved. Therefore I know what the intention was. The purpose was to protect the Preserve from abuses and more importantly to prevent it from being morphed into just another city park. To quote the late Master Steward, Chet Andrews, *it is a Preserve NOT a park*. In the Purpose section of the Preserve Ordinance, states: *The preserve will not contain traditional facilities or improvements associated with a public park, but may contain facilities or improvements that the city determines are necessary or appropriate to support passive recreational activities.* There is no mention of anything like a DDC/DE anywhere in the Ordinance. The DC/DE contains uses that might be appropriate in a park but **not in a preserve**.

The table below lists statements made by DDCSI, in their various communications, and why we believe they are not true, based on the Ordinance, Charter and/or Ballot language, that we believe is very clear.

Myth Buster Truth Table

No	Myth	Truth
1	<i>Voters approved the DDC/DE with the 2004 vote to allow funds to be used for “improvements thereto”.</i>	The public was never informed that the DDC/DE was planned for the Preserve. While the 2004 public vote allowed some FUNDS to be used for improvements thereto, nothing in the ballot language or ballot pamphlet mentioned anything similar to a DDC. Only trails and trail heads to provide access to those trails were referenced. There was NO approval to build anything, much less a DDC, only approval to use some of the money for improvements thereto (trails and trail heads). Voters also expected that any improvement would be limited by the Preserve Ordinance AND City Charter.
2	<i>The DDC/DE has always been envisioned to be in the Preserve.</i>	Early studies and the access area report said there may be an interpretative center, visitor center, ramadas, picnic tables, etc. The DDC was not mentioned in early studies because it was not moved into the Preserve until 1997. The Preserve Ordinance, passed in 2000 <i>after</i> the DDC was moved to the Preserve, clearly prohibited uses desired to be in the DDC, and provided no exclusions for a DDC, visitor center or any other use. Preserve Ordinance authors crafted language to prohibit any use that would morph the Preserve into a park. It therefore negated anything in those earlier studies that mentioned park like amenities.
3	<i>The DDC or Desert Edge is not a commercial use.</i>	The DDC/DE will charge admission, sell food and merchandise, pay employees, be run by an outside organization (not city employees), etc., which defines a commercial operation. Just because the city owns it doesn't mean it isn't a commercial use which is defined by the types of operations and exchange of money.
4	<i>The DDC/DE does not have to abide by the Preserve Ordinance Rules because it is a municipal use.</i>	The Preserve Ordinance, passed in 2000, clearly prohibited uses desired to be in the DDC. The Ordinance does contain a paragraph allowing city employees to violate some of the rules to perform their duties, like firemen, police, etc.. There is no reference or exclusions for a DDC, visitor center or any other municipal USE. Again authors of the Ordinance crafted language to prohibit actions and/or uses that would change the Preserve into a park. It is critical that the Preserve Rules not be violated. Would a soccer field be appropriate in the Preserve because it is a municipal use? Par 21-12(b) states <i>All persons using the preserve shall comply with the following, except as may be specifically authorized by a permit or permits issued as provided in this section, or in sections 21-22 or 21-23 of this chapter.</i> Permits will be discussed later, but note the use of <i>all persons</i> .
5	<i>The DDC/DE will not set a precedent.</i>	Absolutely false in fact the big fear is that it sets the precedent that 4 members of the city council can decide to build whatever they want in the Preserve, see the answer on municipal use. It is known that ASU wants multiple labs in the Preserve. We also know as soon as the DDC/DE is built and starts losing money, it will be expanded.

Myth Buster Truth Table

No	Myth	Truth
6	<i>A permit can be issued to allow any violation of the Preserve Ordinance Rules.</i>	<p>Permitting process was included in the Ordinance only to allow temporary permits to be granted for an event not anticipated when the ordinance was drafted, but one that would still be compatible with the Preserve purpose and management objectives. It was never intended to be a perpetual license to violate the ordinance rules, much less critical rules.</p> <p>The Ordinance states that permits will be issued only if <i>they are not inconsistent with the purpose of the preserve or preserve management objectives, as set forth in this chapter.</i></p> <p>Examples of allowable envisioned permitting would include time bound educational or research activities such as MSC Field Institute surveys and Junior Citizen Science fairs.</p> <p>Violation of the Rules and objectives have always been considered a serious matter not to be bypassed, or breached, by a lifetime permit.</p>
7	<i>Future city council members will be strongly motivated to protect the Preserve.</i>	Ongoing council actions have aimed to circumvent the language of the Ordinance bypassing Preserve protections for ulterior motives. The most egregious recent direct violation allowed by the council was to permit motor vehicles in the Preserve despite MSPC objections. The current council is attempting to set a precedent that will pave the way to transform our Preserve into a park. Currently there is no guarantee in place for future councils to abandon the trend to turn the Preserve into a park.
8	<i>The Desert Edge implements the goals of education, research, and supporting tourism.</i>	Maybe, but <i>the goals of education and research are already met through MSC's educational hikes, science fairs, symposiums, lectures and research, all of which are done without ANY buildings and in full conformance with the Preserve Ordinance.</i> The Preserve is already one of the TOP attractions in Scottsdale to tourists, without a DDC/DE. So the DDC/DE may implement some of these goals but is not required to meet any of them plus it violates the Preserve Ordinance.
9	<i>DDCSI does not intend to use Preserve funds to design and build the DDC</i>	Years ago it was stated they would NOT use any Preserve funds. Then \$500,000 of Preserve funds went to the 2010 study and it is clear that the ONLY viable funding source, mentioned by the DDCSI, is the Preserve fund. Bed tax funds are much needed elsewhere and the city is under water with the General Fund so absolutely NO money will come from it.
10	<i>The DDC/DE impact on the Gateway will be minimal</i>	Absolutely false. Attendance at the Gateway is already decreasing, because it is too crowded. The DDCSI is predicting 300,000 new visitors, while the current number of visitors is 200,000; with many of them repeat hikers or bikers. People go to the Preserve to get away from urban pressures, not be immersed in them.
11	<i>Evening events will have little impact on the Preserve, equivalent to adjacent uses.</i>	<p>First, adjacent uses are all on the opposite side of a major 4 lane road on the Preserve boundary while the DDC/DE is well within the Preserve and in fact integrated into animal habitat on a wash. The reason for no nighttime activities is that animals come out then to forage, mate, and hunt, it is their time. Night time activities will definitely negatively impact the Preserve, even if they bus in participants.</p> <p>Trying to compare evening events to adjacent commercial and residential uses across the major roads is comparing apples and oranges, as the DDC/DE will be built in the Preserve.</p>
12	<i>The Preserve land will NOT need to rezoned to accommodate the DDC.</i>	The fact is, the land is currently zoned residential, and while certain municipal uses may be allowed, a commercial operation definitely is not. The city is trying to rezone all the Preserve land as Open Space, but they want to change the definition of Open Space to allow any municipal use in the preserve to accommodate the DDC.

Goto: ProtectOurPreserve.org for more information or scan the code

