

## VOTE ON LODE PROJECT DELAYED

By ***Dana M. Nichols***

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Record Staff Writer

SAN ANDREAS - The faces of Calaveras County planning commissioners showed visible relief Thursday afternoon as they found a way to delay for three months making any decisions on the 800-home Sawmill Lake development proposed for Copperopolis.

Sawmill Lake is the largest and most significant development fight to come before the commission in at least five years. The project would remove 8,000 oak trees. About 150 acres out of 243-acre site are designated by the county's General Plan as natural resource/agricultural preserve lands.

Converting those oak woodlands to housing is a clear conflict with the General Plan, according to Calaveras County Planning Director Rebecca Willis.

Willis recommended the Planning Commission deny the Sawmill Lake development application, and she gave a long list of reasons, including conflicts with the General Plan, the fact it could open the county to lawsuits and uncertainty over whether there's a water supply for the development.

Castle & Cooke is the firm proposing Sawmill Lake. The company is one of the nation's largest and oldest development firms and already operates the Saddle Creek and Copperopolis Town Square projects in Copperopolis. Sawmill Lake is the long-anticipated housing component to complement the Town Square commercial district next door.

Dave Haley, the Castle & Cooke vice president in charge of the firm's Calaveras County operations, said he's frustrated by years of delays and what he views as excessive demands for repeated environmental reviews of already-resolved issues.

"The county has chosen a path to search for obstructions," Haley said.

Haley and others speaking on behalf of Castle & Cooke said that the company has, in fact, addressed effects on oak woodlands, rare plants, the water supply and other matters.

Castle & Cooke filed its application for Sawmill Lake in 2006. This summer, lawyers representing the firm sent a letter saying that six years of studies and work were enough and threatening to sue the county if planners did not act promptly on the Sawmill Lake application.

The Central Sierra Environmental Resource Center, however, also sent letters warning it believes the Sawmill Lake proposal and environmental studies are deficient, in effect signaling that group's willingness to sue if the project is approved.

Other advocacy groups opposing Sawmill Lake include the Calaveras Planning Coalition and MyValleySprings.com.

Even state and federal game officials have sent letters regarding the project, indicating concerns over everything from oak woodlands to species such as the western pond turtle and Tuolumne button celery.

So Willis scheduled Thursday's hearing before the Planning Commission and recommended the panel deny the application without prejudice, something that would allow Castle & Cooke to start over.

A three-member Planning Commission majority said it rejected Willis' recommendation and wanted to simply grant Castle & Cooke's application. One of those three, commission Chairman Ted Allured, admitted he was at the same time reluctant to approve necessary environmental documents that would then be vulnerable to lawsuits.

"We have this thing hanging over our head called the law," Allured said.

Commissioners Mike Miller and Greg Gustafson joined Allured in saying they wanted to approve the project but did not ask for more work on the environmental documents.

Commissioners Fawn McLaughlin and Michelle Plotnik said they believe the project and its environmental studies need more work and said they would not vote in favor of it.

As it became clear that the commission was divided, Haley asked for a 90-day extension so he could revise the project.

"We have no intentions of starting over," Haley said. "Zero."

The commission then voted unanimously to give Haley and Willis until Dec. 13 to see if they can come up with a revised project that could win approval and withstand legal challenges.

Once the commission reaches some conclusion on Sawmill Lake, its vote will go as a recommendation to the Board of Supervisors. Supervisors get the final say because the project would need a General Plan amendment to allow the conversion of natural resource land and agricultural preserves to housing.

Contact reporter Dana M. Nichols at (209) 607-1361 or [dnichols@recordnet.com](mailto:dnichols@recordnet.com). Visit his blog at [recordnet.com/calaverasblog](http://recordnet.com/calaverasblog).