

LODE PROJECT TURNED DOWN

CASTLE & COOKE LOSES BID TO BUILD 580 HOUSES IN COPPEROPOLIS



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March 04, 2013

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March 04, 2013 12:00 AM

SAN ANDREAS - Sometimes, love isn't enough.

That was the case last week when the Calaveras County Board of Supervisors voted unanimously to deny the application of Castle & Cooke to build 580 homes in Copperopolis.

"If I were to listen to my heart, I would give Mr. Haley a hug," Supervisor Darren Spellman said, referring to Castle & Cooke Vice President Dave Haley, the leading proponent of the project.

Spellman, like all the other members of the Board of Supervisors, disclosed that he had met individually with Haley to discuss the project. And like most on the board, he expressed admiration for Saddle Creek and Copperopolis Town Square, other developments that Castle & Cook has built in Copperopolis.

Spellman made his "hug" comment in response to a comment by Tom Infusino of the Calaveras Planning Coalition, who had urged supervisors to listen to their hearts when they cast votes on the proposed Sawmill Lake development.

Infusino's group is concerned about the environmental impact of the Sawmill Lake proposal. Infusino urged the board to deny the current application in hopes Castle & Cooke would start over and craft a new project that complied with environmental laws.

But supervisors appeared to be consulting their heads when they voted, having heard from staff about a long list of environmental and legal problems plaguing the Sawmill Lake project.

Those problems ranged from questions about water and sewer service for the project to proposed habitat buffers along creeks and Sawmill Lake that were only 33 feet wide when federal wildlife officials were saying they needed to be 200 feet wide.

Various permutations of the project have proposed removing 4,000 to 8,000 native oaks.

"That's a lot of oaks," said Calaveras County Planning Director Rebecca Willis. Willis said many unanswered questions remain about proposals to mitigate the loss of the oaks and other habitat.

The single biggest problem with the project, Willis said, is that it proposes to take 187 acres of natural resource land and convert it to a residential neighborhood, a direct violation of the county's General Plan.

Haley, in contrast, said he views Sawmill Lake as an "infill" project that would be in the gap between the existing Copperopolis Town Square and another already-approved development.

Haley said his firm had been working hard to make changes to the Sawmill Lake proposal in order to address the concerns of county staff. He blamed staff for being nonresponsive at times and dragging out the application for seven years.

Willis, however, said the basic problems with the project have been apparent to everyone since at least 2007. And she said the project went into low gear after Castle & Cooke took the unusual step of doing its own environmental impact report for the project, and then turned in documents that county staff said had many flaws and deficiencies.

Frustrated by the lack of progress, Castle & Cooke last summer had its attorneys send letters threatening legal action if county officials did not promptly process the application and bring it to a vote of elected officials.

So Willis complied, bringing it to the Planning Commission. After battling the issue back and forth at several meetings, the commission voted narrowly in December to recommend that the Board of Supervisors deny the project.

With the prospect of outright denial before him, Haley changed strategy, asking that county leaders instead postpone any vote on Sawmill Lake until four months after the county finishes updating its General Plan, which should make it easier to resolve environmental questions about the project.

The General Plan is long overdue, having been in the works seven years. County officials expect to complete it by next year.

Haley said that continuing with the existing Sawmill Lake application will save his company time and allow it to be ready when the economic revival he anticipates creates a housing boom in the next year or so.

He said that starting from scratch could delay the project several years and cause Castle & Cooke to miss "the next business cycle."

Supervisor Debbie Ponte, who represents the Copperopolis area, admitted she was frustrated at the maze of environmental laws that appear to stand in the way of the Sawmill Lake proposal.

"I think Castle & Cooke is an honorable developer," Ponte said. But she also reluctantly concluded that Sawmill Lake is "a project we really can't approve."

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