

State allows work to resume on Copperleaf water system

By Carole Cloudwalker, Cody Enterprise

The suspension of water system construction at Copperleaf has been lifted after a review of developers' data by the Department of Environmental Quality.

The state permit for the luxury 131-homesite subdivision on 553 acres of the North Fork was suspended in July by the Wyoming Environmental Quality Council (EQC) following a contested case hearing in Cody.

The hearing was prompted by a court challenge to the permit by North Fork Citizens for Responsible Development. The same group is considering an appeal of the lifted suspension, according to their attorneys, Deb and Tony Wendtland of Sheridan.

Deb Wendtland said this week she is awaiting receipt of the developers' report before advising her clients about a further appeal. "We have 15 days from Oct. 19 to appeal to the EQC," Wendtland said.

North Fork Citizens' initial appeal was based on the argument that the developers had not provided all the information required for issuance of the permit.

The DEQ last week sent a letter stating a permit allowing Copperleaf to construct a domestic water system requires "no modification" and that "it is recommended the suspension of the permit be lifted," developer Bob Kudelski said Tuesday.

The DEQ's Oct. 16 letter of response to the challenge indicates the State Engineer's Office evaluated both original and supplemental information provided by Copperleaf.

Kudelski said developers agree with the report, which stated "the wells are properly permitted, the surface water diversion is properly permitted, and that senior water rights may be obtained during periods of water shortage when the river is regulated."

The DEQ letter also recounts the multiple reports on Copperleaf's water system submitted by developer, the Worthington Group of Wyoming, LLC, and its engineers.

Submissions included a report on testing of groundwater supply wells, a Water Supply and Treatment Supplemental Report, a Groundwater report and additional information addressing an August fuel spill near the Red Barn storage tank facility.

The DEQ response letter "is good news for the Copperleaf community and for the Park County economy," said Kudelski, who is president of the Worthington Group of Wyoming.

"The letter is consistent with what we've been saying about Copperleaf's water system - it taps a more-than-adequate water supply, it will have no measurable impact on anyone else's water or wells, and our total water system is as environmentally sound as any subdivision system in the state."

Kudelski added that developers have provided detailed information about the system "to all government units, enough to probably exceed what any other Park County subdivision - and perhaps any other Wyoming subdivision - has ever provided." Worthington attorney Laurence Stinson said the DEQ "is right on the mark" in its response letter.

"Copperleaf has conducted extensive hydrogeological work for nearly two years, with continual reporting and response to DEQ on all hydrogeological matters," he said.

"Copperleaf has met or exceeded all requirements of state law for reporting on the adequacy of quality, quantity, and dependability of their water source - including geotechnical and hydrological information demonstrating adequacy of wells."

