March 21, 2023

To: Calaveras County Planning Director Gabriel Elliott
 891 Mountain Ranch Road, San Andreas, CA 95249

From: Colleen Platt, Secretary
MyValleySprings.com
P.O. Box 1501, Valley Springs, CA 95252

Re: Comments on “Flint Trail Access Road Project” Initial Study/ Mitigated Negative Declaration
*Sent: via email*

Planning Director Elliott,

Please accept these comments from MyValleySprings.com on the “Flint Trail Access Road Project” Initial Study/ Mitigated Negative Declaration (January 2023), submitted before the March 23 deadline for public comment. We feel there are deficiencies and problems in the MND that need to be addressed. We list and explain our concerns below. We have also attached a few documents to help explain issues, and as reference material and evidence for concerns.

Problems we found in the MND generally fall under these categories:

* Incorrect, incomplete, or misleading statements in the MND about the Project
* Failure to disclose: missing and/or withheld important, relevant Project information
* Potentially Significant Environmental Project Impacts not completely studied and addressed

**A. MND 2.0 Project Description and Background Statements**

* **Incorrect, Incomplete and/or Misleading**
* **Failure to Disclose; Missing/Withheld Important, Relevant Project Information & Consequences**

**--2.1 Background**

“*Accordingly, the project applicant* ***has proposed the construction of a revised and improved South Flint Trail Secondary Access Road to the Golf Club at Copper Valley***.” IF this MND Background statement was correct and complete, and the proposed secondary access road would ONLY go to Oak Creek Drive and connect to the existing, developed Golf Club at Copper Valley, we would have no objection to the Flint Trail Access Road MND. Unfortunately, the MND statement is not accurate or complete, and is misleading. **The Site Map for the Flint Trail Access Road shows that the road extends WAY PAST Oak Creek Drive (the southern access for the Golf Club at Copper Valley), and further extends all the way to the property line for Tuscany Hills, a future subdivision development**. See attached map, MND Figure 2 (attached: “Flint Trail Access Road MND Firgure 2 Project Site Map\_Pg. 16.jpg”).

**This MND statement is incomplete and misleading.**

--**2.2 Project Location**
“*The Project site runs from the intersection of Flint Trail and Little John Road* ***to an unnamed access road approximately 1,800 feet southwest of Oak Creek Drive****.”* This brief mention of “an unnamed access road” is vague, incomplete, and deceptive. It withholds relevant important project information. Access road for what? Flint Trail road would connect to the unnamed road for what reason? There is no “access road” identified on the Figure 2 Site Map. The extension of the proposed Flint Trail Access Road **goes** **well past** the golf club secondary access at Oak Creek Drive to this unexplained “unnamed access road” at the southern property line. Why? What is the purpose of this Flint Trail Road long extension? **One answer:** extending the proposed new Flint Trail Access Road all the way to the south property line would create a completely new (and unstudied) potential secondary access road to the Tuscany Hills future subdivision/ golf course development project\* (APN 053020009; 2001-154 Tuscany Hills TSTM) and to the Copper Valley Ranch\*\* (APN 053020014).

The MND Project Description needs to be clear as to Purpose and Need. **What is the Need for the Flint Trail Access Road to go farther south, 1800 feet past Oak Creek Drive, the secondary access to the Copper Valley Golf Club? The MND 2.2 Project Location statement “running to an unnamed access road” is unexplained, incomplete, deceptive, and withholds important Project information.**

 **\*Tuscany Hills** **Development:** 2001-154 Tuscany Hills TSTM; Final Tuscany Hills EIR approved by Calaveras BOS July 2007; Final Map for Tuscany Hills Phase 1 approved by Calaveras BOS March 10, 2020. See attached Board of Supervisors March 10, 2020 submittals, for documentation of the Tuscany Hills TSTM Final Phase 1 Map approval (attached: “2020-03-10 BOS printout Tuscany Hills Ph 1 Final Map\_Snapshot-28826.pdf”and “Tuscany Hills Phase I Final Map Sept 2019\_BOS 03\_10\_20 Attachment-9472.pdf”)

\*\*See attached CV Development Partners, LLC memo (September 14, 2020) with **Copperopolis/Lake Tulloch Basin Map** (pg. 5), showing location of existing and future planned residential developments, including Saddle Creek (since renamed Copper Valley Golf Club), **Tuscany Hills**, and **Copper Valley Ranch**. (attached:” item-7c-cv-holdings-subdivision-2\_09\_14\_20.pdf”)

**--2.4 Project Characteristics, Proposed Development**“***The proposed access road begins and ends on lands within the Specific Plan area****…The proposed Project* ***would serve the previously entitled and largely constructed residential subdivision****; the road is* ***not intended to provide access to new development areas or to otherwise alter traffic patterns in the area****, beyond* ***providing a secondary access for an existing entitled development project***.” These statements are deceiving, misleading, inaccurate, and withhold important Project information.

1) “…*proposed access road begins and ends on lands within the Specific Plan area*…” The proposed Flint Trail access road may *technically* begin and end in the Specific Plan, for a few feet, ***but the bulk of the road runs outside of the Specific Plan area; it does not stay within the Specific Plan area****. T*he road *leaves the Specific Plan area almost immediately,* travels through the CCWD public service parcel of 250+ acres for nearly all of its length, then finally returns to the Specific Plan area the last few hundred feet-- at a point where the CV golf club parcel abuts the Tuscany Hills parcel. The majority of the proposed Flint Trail Access Road lies on CCWD property. Saying the road “*begins and ends on lands within the Specific Plan area*” is incomplete and very misleading, and fails to disclose where the bulk of the road is located**. See attached map Flint Trail Access Road location, which shows the proposed Flint Trail Access Road located on CCWD land; also shown are the adjacent parcels of Tuscany, Copper Valley Ranch, and the Saddle Creek/Copper Valley Specific Plan** (attached: “FlintTrail Access Road location\_CCWD-Tuscany Hills Parcels.jpg”).

2) **The *entire southern part* of the Flint Trail Access road, that runs nearly ½ mile past Oak Creek Drive, would *NOT* serve as secondary access to the existing Golf Club at Copper Valley, “the previously entitled and largely constructed residential subdivision”—this part of the road would serve as access to Tuscany Hills and other *future developments* to the south.** See the map referenced above(attached: “FlintTrail Access Road location\_CCWD-Tuscany Hills Parcels.jpg”). **The MND Project Description is incomplete, and withholds this important project information. It fails to disclose the complete potential and scope of the Flint Trail Access Road project, which could serve as a secondary access road for future developments.** The MND fails to address potentially significant and cumulative project impacts of this new road, location, and connection to future projects..

3) “…***The road is not intended to provide access to new development areas***…” is also an inaccurate MND statement about the Project. **The road clearly leads to a future new development parcel, Tuscany Hills, and potentially to Copper Valley Ranch** (see the same Flint Trail Access Road location map, attached). Both MND maps in Figure 1 and Figure 2 (pgs. 9 and 10) show the new “Proposed South Flint Trail Secondary Access Road Centerline” and “Area of Disturbance” connecting Little John Road all the way south to the parcel line of APN 053-020-009, the as-yet undeveloped Tuscany Hills proposed new residential development. The Flint Trail Road also ends very near the Copper Valley Ranch parcel, which is a potential future development. **This obvious potential future road connection to new development area is not acknowledged and addressed in the MND Project Description,** or in the Initial Study traffic & circulation, evaluation or potential significant impacts. The impacts of constructing a new, alternate, or secondary access road for the Tuscany Hills TSTM have not been addressed in this Flint Trail MND, and have not been addressed in any previous environmental reviews or approvals for the Tuscany Hills TSTM. (see Tuscany Hills Final EIR May 2007 and approved TSTM Map).

**More evidence that this Flint Trail Access Road is being planned to connect to the Tuscany Hills parcel can be found in the attached CCWD surplus parcel map, “CCWD Excess Property – Proposed New Property Lines – Tuscany Hills Calaveras County.”** This map is from the CCWD meeting agenda packet of March 10, 2021 (see attached: “Page 51 Map\_CCWD 3-10-2021-Agenda-Package\_surplus parcel-road to Tuscany Hills.pdf”). On this CCWD map, the “Proposed Access Road” clearly runs from Little John Road at the Flint Trail intersection all the way south to, and into, the Tuscany Hills parcel.

The MND’s 2.4 Project Characteristics, Proposed Development statements are inadequate, deceptive, misleading and withhold important Project information.

**--Project Parcel Ownerships, Property Lines, & Parcel Maps not Disclosed; Project Applicant Does Not Own All Road Project Parcels (CCWD Owns 250+ acres)**Calaveras County Water District (CCWD) owns the largest parcel, APN 055- 051-008, a 250+ acre parcel. The vast majority of the proposed Flint Trail Access Road lies on CCWD property, which the Project Applicant does not own; CCWD is not the Project Applicant. Where is evidence in the MND that CCWD, the largest landholder of Flint Trail Access Road Project land, supports the road application project?

Why are parcel maps, property lines, and ownership of the Project not shown in the MND? Three parcels are referenced, but only *in the text* of the Notice of Intent and MND, “The Project site is comprised of three parcels (APNs 055-051-059, 055- 051-008, and 055-051-068).” **No property lines or parcel maps are included anywhere in the MND. The only Site Map (**Figure 2**), shows the road centerline, but does not show property lines or parcel numbers or ownership**. These Site Map omissions are why we had to create our own map, the Flint Trail Access Road location map (attached: “FlintTrail Access Road location\_CCWD-Tuscany Hills Parcels.jpg”).

The omission of this information in the MND **makes it impossible for the reader or decision-makers to know where the proposed access road is located relevant to the numbered project parcels.** Why aren’t property lines and parcel maps shown? What is being concealed in the MND? The answer seems to be that the majority of the proposed Flint Trail Access Road lies on property the Project Applicant does not own--CCWD owns the property. **But CCWD is not the project Applicant;** “PROJECT APPLICANT: CV Development Partners, LLC”.

CCWD has considered dividing and surplusing a portion of their 250-acre parcel (APN 055- 051-008) in March 10, 2021, and CCWD appears to be in “negotiations”, but to-date, *no lot division, lot line adjustment, or property sale has occurred*. **The desirability of the “surplus” CCWD parcel is evident to a developer—it would contain an access road leading to Tuscany Hills.** See attached Map from the March 2021 CCWD board meeting, “***CCWD Excess Property – Proposed New Property Lines – Tuscany Hills Calaveras County***” (attached: “Page 51 Map\_CCWD 3-10-2021-Agenda-Package\_surplus parcel-road to Tuscany Hills.pdf”)

**CCWD owns most of the property where the proposed Flint Trail Access Road project would be located, but CCWD has not sold this parcel yet. CCWD is not even mentioned in the MND. Why doesn’t the MND acknowledge this important ownership information? Has the CCWD Board of Directors approved this road project application and proposal for a new access road through their property APN 055- 051-008?**

“*This Initial Study is an informational document intended to be used as a decision-making tool for the Lead Agency and responsible agencies in considering and acting on the proposed Project*.” (IS/MND pg.1) **Project area Parcel Maps, property lines, and Project parcel ownerships are relevant, important information that should be disclosed in the Initial Study.**

**B. All Potentially Significant Environmental Impacts of Flint Trail Access Road not addressed**

A road impact study is needed to evaluate both **growth inducement impacts of the Project**, and **cumulatively considerable impacts** of **ALL probable future projects and traffic on Flint Trail Access Road and Little John Road**—not just from the current proposed Copper Valley Golf Club secondary access, but from **probable future traffic** on the road from the Tuscany Hills subdivision TSTM (approved by the County in 2007) and Copper Valley Ranch development that could potentially use this secondary access road. **The MND does not acknowledge the *probability* of traffic from Tuscany Hills using Flint Trail; it dismisses impacts as less than significant. [**From the MND 4.21 Mandatory Findings of Significance, b. Does the project have impacts that are individually limited, but cumulatively considerable? (“**Cumulatively considerable**” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, **and the effects of probable future projects**)? ]

The MND environmental evaluation is insufficient. Because the “Flint Trail Access Road Project” MND Project Description text is incomplete and misleading, and fails to acknowledge that the road would likely be used for secondary access to future Tuscany Hills and Copper Valley Ranch developments, all potentially significant impacts of the road and all future traffic impacts were not studied or mitigated in the MND. **There is a failure to disclose the complete scope or growth-inducing consequences of the new mile-long access road. As a result, the MND is insufficient.**

This proposed South Flint Trail Secondary Access Road Project is not just a secondary access to the existing golf course development, as described in the MND Project Description, but would also continue **past** the Copper Valley Golf Club nearly ½ mile, **to serve as a road extension and** **secondary access for** **future development to the south.** At the end of the proposed Flint Trail road, lies the undeveloped parcel “Tuscany Hills 2001-154 TSTM” (Tax Parcel ID: 053020009), and other development projects, such as Copper Valley Ranch (“**Copper Valley masterplan community development**”; see MND Biological Report).

The impacts of constructing a new, alternate or secondary access road for the Tuscany Hills development in this location, through CCWD land, have not been studied or addressed in any previous environmental reviews, EIRs, or approvals for Tuscany Hills (see Tuscany Hills Final EIR May 2007 and approved TSTM Map for 335 lots and a golf course subdivision). **These potentially significant road and traffic impacts are not addressed in this Flint Trail MND**. The Flint Trail Access Road MND does not address traffic impacts to Little John Road from Flint Trail Road continuing 2,000 feet past the golf course, to the southern property line, where it would serve as a secondary connection to the Tuscany Hills TSTM and future development projects.

**Unless all of the potentially significant impacts of the Flint Trail Road were analyzed at the plan level in the CEQA review for Saddle Creek Specific Plan, or Tuscany Hills, or the 2020 Tentative Map for Saddle Creek, then those potentially significant impacts need to be evaluated now at the project level.**

An MND only works as the CEQA review if there is full acknowledgement of each of the potentially significant impacts of the road, and those have been mitigated to the degree feasible, and that mitigation reduces those impacts to a level of insignificance. The Flint Trail Access Road is proposed to go south a mile, well past the existing Saddle Creek/Copper Valley Golf Club, and end near the northwest property line for Tuscany Hills. But the road would likely connect with the Tuscany Hills development, which has the potential for 335 new residential lots, with accompanying traffic. The MND does not acknowledge these potential, significant impacts. **There is also a lack of CEQA analysis for the road’s growth-inducing impacts.**

The Calaveras County-approved Tuscany TSTM Final EIR (2007), Mitigation Measure 4.12.1c regarding traffic, calls for an easement to be created “*From Court 1 off of “J” Road* ***extending to the property line****.*” “Court 1” is located near the northwest corner of the Tuscany Hills parcel, adjacent to Saddle Creek, and is about 400 feet from where the proposed Flint Trail Access Road would end. **The Tuscany Hills EIR calls for an easement for extension of the road at that location, so it is clear the Flint Trail Access Road would be used by future Tuscany Hills development**. See Calaveras County approved Tuscany TSTM Final EIR 2007, the Tuscany Hills TSTM Map, and **MM 4.12.1c from the Tuscany Hills EIR** (below):

**MM 4.12.1c** In order to minimize impacts to traffic along Little John Road and to comply with

§12.02.230A4 of the County Code, the project developers shall reserve and

dedicate to the public easements as follows:

• **From Court 1 off of “J” Road extending to the property line** at a location

acceptable to the Director of Public Works. **This easement shall be wide**

**enough to contain cuts and fills for the extension of “J” Road** (minimum

50-feet wide).

This Tuscany Hills EIR Mitigation Measure is more evidence that a Flint Trail Access Road in that location will facilitate connection to future development. Because the road would eventually extend and connect to Tuscany Hills, the proposed Flint Road Project *would* likely increase road capacity based on anticipated regional travel demands from future development. The Project *would* likely result in an increase in traffic volumes. This is a fair argument based upon substantial evidence that there may be a significant impact of the Flint Trail Access Road. If so, the County is legally required to do an EIR for the road.

**In conclusion, we oppose any approval of the Flint Trail Access Road beyond Oak Creek Drive.** There are no legitimate grounds for extension of a secondary access road further south towards the Tuscany Hills property line without further environmental review and evaluation of impacts. **Please address all of the above comments submitted on the Flint Trail Access Road MND, and revise as needed.**

Please refer to our **six attachments** for further documentation. Thank you for your consideration of our comments on the Flint Trail Access Road Project MND.

Respectfully,

Colleen Platt, Secretary
MyValleySprings.com
cplatt1@comcast.net

 **Attachments:**
1) Flint Trail Access Road MND Firgure 2 Project Site Map\_Pg. 16.jpg
2) 2020-03-10 BOS printout Tuscany Hills Ph 1 Final Map\_Snapshot-28826.pdf
3) Tuscany Hills Phase I Final Map Sept 2019\_BOS 03\_10\_20 Attachment-9472.pdf
4) item-7c-cv-holdings-subdivision-2\_09\_14\_20.pdf
5) FlintTrail Access Road location\_CCWD-Tuscany Hills Parcels.jpg
6) “CCWD Excess Property – Proposed New Property Lines – Tuscany Hills Calaveras County”-- Page 51 Map\_CCWD 3-10-2021-Agenda-Package\_surplus parcel-road to Tuscany Hills.pdf

Cc: Joyce Techel, President, MyValleySprings.com
 Tom Infusino, Facilitator, Calaveras Planning Coalition