



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

June 5, 2014

RECEIVED

JUN 09 2014

Napa County Planning, Building
& Environmental Services

Wyntress Balcher
Napa County
1195 Third Street, Room 210
Napa, CA 94558

Subject: LMR Rutherford Estate Winery - Use Permit P13-00167 & Variance P13-00185
SCH#: 2014052013

Dear Wyntress Balcher:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 4, 2014, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2014052013
Project Title LMR Rutherford Estate Winery - Use Permit P13-00167 & Variance P13-00185
Lead Agency Napa County

Type Neg Negative Declaration
Description A use permit application #P13-00167 to establish a new 100,000 gallon/year winery with the construction of a new 19,328 sf wine production facility, 816 sf storage building; and a 1,360 sf administrative office building with conference rooms; use an existing 2,400 sf, open-air pavilion for hospitality/marketing use; relocate existing driveway and construct a new 20' wide driveway; provide 19 on-site parking spaces. A variance request to allow the construction of a new winery building 380 feet from the centerline of State Highway 29; administrative office building 160 feet; and winery equipment storage building 260 feet in lieu of the required minimum 600 ft winery road setback.

Lead Agency Contact

Name Wyntress Balcher
Agency Napa County
Phone 707 299 1355 **Fax**
email
Address 1195 Third Street, Room 210
City Napa **State** CA **Zip** 94558

Project Location

County Napa
City
Region
Lat / Long 38° 27' 55" N / 122° 25' 37" W
Cross Streets SR 29 & SR 128
Parcel No. 030-100-016-000
Township 7N **Range** 5W **Section** 9 **Base** MDB&M

Proximity to:

Highways Hwy 29/128
Airports No
Railways Wine Train (private)
Waterways Napa River, Bale Slough; Conn Creek
Schools No
Land Use Land Use - Agriculture
Z: Agricultural Preserve (AP)
GP: Agricultural Resource (AR)

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Septic System; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 3; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Air Resources Board; Regional Water Quality Control Board, Region 2; Native American Heritage Commission; Public Utilities Commission

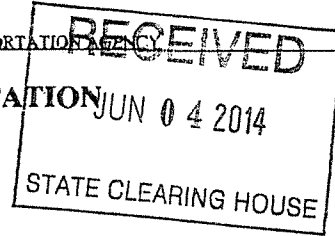
Date Received 05/05/2014 **Start of Review** 05/06/2014 **End of Review** 06/04/2014

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

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OAKLAND, CA 94623-0660
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June 4, 2014

NAP029798
NAP/29/25.137
SCH#2014052013

Ms. Wynress Balcher
Planning, Building & Environmental Services
Napa County
1195 Third Street, Suite 210
Napa, CA 94558

Dear Ms. Balcher:

LMR Rutherford Estate Winery – Negative Declaration

Thank you for including the California Department of Transportation (Caltrans) in the application review process for the project referenced above. We have reviewed the Negative Declaration and have the following comments to offer.

Traffic Safety

Two of the Traffic Safety comments per Caltrans' letter dated November 15, 2007 (attached) were not addressed in the Traffic Impact Report (TIR) dated January 13, 2014. Comment #2 stated, "The existing two-way left turn lane (TWLTL) would provide about 50 feet of storage for southbound (SB) left turn ingress to the proposed driveway. This is insufficient for deceleration. The TWLTL needs to be lengthened to safely accommodate deceleration for the left turn ingress to the project. Please refer to Caltrans' Highway Design Manual, Index 405.2". Comment #3 stated, "An 8-foot shoulder width needs to be provided along the project's frontage." Neither of these comments was reflected in the TIR.

Furthermore, the TIR should include an analysis of a 100-guest event. Additionally, the TIR should provide a schematic figure illustrating the project's traffic volume.

Highway Operations

The TIR uses a range of 2-3% for truck volumes during the harvest season. These percentages underestimate the presence of trucks. According to the 2011 truck volume data, truck volumes are actually in the 6-7% range.

On page 18 of Appendix C, the posted speed limit is 50mph, not 55mph.

Ms. Wytress Balcher, Napa County

June 4, 2014

Page 2

Were any other driveway configurations considered? Specifically, the relative position of the new driveway into LMR, in relation to the existing Grgich Hills access driveway.

How much traffic will be generated by construction of the new site (page 18) and how will this traffic impact SR 29?

Should you have any questions regarding this letter, please call Shawn Hallum of my staff at 510-622-1696 or shawn.hallum@dot.ca.gov.

Sincerely,



ERIK ALM, AICP
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

attachment