ABBOTT & KINDERMANN, LLP
ATTORNEYS AT LAW

July 15, 2014

SENT BY ELECTRONIC & HAND DELIVERY

Chair Robert Fiddaman and Planning Commission Members
Napa County Planning Commission
c/o Melissa Frost, Clerk of the Commission
1195 Third Street, Suite 210
Napa, CA 94559

Re: Raymond Vineyard and Cellar
849 Zinfandel Lane, St. Helena, CA 94574
Use Permit Modification Application No. P11-00156

Dear Chair Fiddaman and Planning Commission Members:

We represent Beckstoffer Vineyards with respect to Raymond's above-referenced use permit modification application. Beckstoffer greatly appreciates the opportunity to present its concerns regarding the Raymond expansion and Staff's efforts to address these concerns. However, Beckstoffer continues to oppose the grant of the use permit modification as proposed by the applicant on the grounds that the environmental review for the project has not been adequately conducted pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code §21000, *et seq.*).

As discussed in more detail below, the proposed mitigated negative declaration (MND) prepared by the County fails to properly state the existing conditions or baseline upon which the proposed expansion is being measured. Additionally, the greenhouse gas emission analysis is incorrect, there is no mention - let alone discussion - of the energy impacts of the winery facility, as expanded, and the County appears to have overlooked the project's existing and future impacts to soils and groundwater. Finally, Beckstoffer remains seriously concerned that the as the cumulative traffic impacts of the proposed project (like many other recently approved winery projects) have not been adequately studied. We address each of these issues below in detail.

EXISTING CONDITIONS, NOT EXISTING PERMIT LIMITS, CONSTITUTE THE PROPER CEQA BASELINE

The Staff Report states that Raymond's current permit allows 400 visitors per day and 493 marketing events. It further states that Raymond's proposal would increase individual daily visitors by 100 persons (appointment only) and while it would decrease the *number* of marketing events to 50, the total number of guests per week would be significantly increased. In particular,

as proposed, the Staff Report notes that the maximum annual visitation at the Raymond Winery would increase by 21 percent to a total of 187,300 tasting and marketing visitors combined. However, this *assumes* the permit maximums are currently being met. But, substantial evidence in the record illustrates this is absolutely not the case – at least with respect to daily visitors. While neither the Staff Report nor MND identify the current number of visitors and/or events at the Winery over recent years, the traffic study outlines daily visitors to the Winery. Current visitation is reported at 80 visitors daily during the weekdays and 180 daily visitors on the weekends, including crush. There is no concrete data on how many events have been held at the winery over the recent years.

While it is imperative that the Commission and public understand what is currently permitted, permit limits do not constitute a baseline by which to study impacts under CEQA unless the permit limits have actually been met. Understanding the true baseline of existing conditions is imperative for a valid CEQA analysis because if the permit limits exceed the actual attendance numbers, then the CEQA analysis *underestimates* the environmental impacts of the proposed expansion, as is the case here.

Furthermore, understanding whether existing permit limits are being met also allows the County to consider whether an increase in visitation number and hours, as well as marketing events, are even necessary. In this case, requesting an increase of 100 visitors on a daily basis is clearly unnecessary given Raymond does not currently reach its 400 permitted visitors by day. Because there is no indication of the number of events held by the winery on an annual basis, it is unclear whether an increase in the number of people per events is a reasonable request.

CEQA requires the County to disclose and analyze the current and existing conditions of visitation and marketing events. Because the MND does not do this, it must be revised and recirculated.

A MITIGATED NEGATIVE DECLARATION CANNOT CONCLUDE A SIGNIFICANT AND UNAVOIDABLE IMPACT

The MND indicates that the County's General Plan EIR certified in June 2008 concluded that Greenhouse Gas Emissions (GHGs) were found to be significant and unavoidable. Requisite mitigation in the General Plan EIR directed the County to prepare a Climate Action Plan. Because no such Climate Action Plan has been adopted by the County to date, there is no means by which to link GHG reduction measures to reductions in impact. The MND documents that the proposed expansion will result in an increase in vehicle trips to the site. The trips may be underrepresented since it is unclear what the current existing traffic trips are. Notwithstanding, even assuming the maximum number of visitors to date as a baseline, there will unquestionably an increase in vehicle trips, which equates to increases in NOx and ROGs emissions that do not appear to have been accounted for. There is no discussion of vehicle emissions in the MND. Furthermore, no clear GHG threshold is stated. At a minimum, the MND needs to more clearly state what thresholds the County is using to measure GHGs and how this particular project's

emissions fall below those thresholds. The County cannot tier an MND off of a programmatic EIR for an impact with significant and unavoidable impacts.

FURTHER STUDY ON SOILS AND GROUNDWATER IMPACTS ARE WARRANTED PRE-EXPANSION

Beckstoffer appreciates that Raymond will attempt to prevent any stormwater runoff from leaving its site. However, as noted in the attached Engeo letter dated July 14, 2014, further soil tests are warranted to confirm that the existing soils can accept the volume of stormwater anticipated in the Stormwater Runoff Management Plan dated August 15, 2013 prepared by Summitt Engineering. Specifically, in-situ infiltration tests should be performed in the area where the infiltration BMPs are proposed to confirm that the existing soils can accept the volume of water anticipated.

Beckstoffer is concerned that the existing wastewater ponds could be discharging raw untreated process water into groundwater. As noted in the July 14, 2014 correspondence from Engeo, a geotechnical, environmental, and water resources engineering firm, the wastewater ponds may be in contact with groundwater. (See attached letter.) If this is the case, discharging process wastewater into the ponds could be a direct discharge into shallow groundwater. Groundwater flows down gradient - south and east – toward the Napa River. At a minimum, the County should require Raymond install a monitoring well down gradient of the ponds to ascertain whether contamination to the groundwater is occurring. Alternatively, Raymond should consider lining its ponds to avoid any illicit discharge into groundwater. Beckstoffer further requests that the pH monitoring data be made available to the public for review.

Beckstoffer appreciates Staff's recommendation that a condition of approval requiring the existing winery wastewater and storm drain facilities be upgraded to current standards in order to reduce the potential for illicit discharges of winery process wastewater such as occurred in October 2013 into the Beckstoffer pond. The illicit wastewater discharge onto the Beckstoffer property was apparently caused by a broken pipe in Raymond's process water system. As a result, Beckstoffer also requests as a condition of approval that Raymond be required to have a certified company test the older process wastewater system to ensure that the existing infrastructure is not in need of upgrades and/or maintenance.

Finally, with respect to water supply, the Groundwater Memorandum dated May 15, 2012, prepared by a County assistant engineer (Exhibit C of the County materials), indicates that the existing use is estimated to be 34.06 acre-feet per year (AFY); the estimated water demand of the project is said to be 53.95 AFY. This would indicate that the proposed project will use almost 20 AFY (or more than 7,000,000 gallons) more of groundwater than the existing usage. However, the MND states that the existing usage is 51.2 AFY and the proposed expansion represents only a 1.18 AFY increase over existing conditions. These numbers are drastically different and it is not clear which numbers are correct. As such, it is difficult to truly ascertain what the project's potential impacts to groundwater are.

THE COUNTY'S HAS NOT ADEQUATELY STUDIED THE PROJECT-SPECIFIC OR CUMULATIVE TRAFFIC IMPACTS OF THE PROPOSED EXPANSION

Raymond Winery and Cellar is located at 849 Zinfandel Road. Zinfandel Road links Highway 29 (St. Helena Highway) with the Silverado Trail – both major arterial roads in and out of the Napa Valley. It is well-documented that the intersections of Zinfandel Road at both Highway 29 and Silverado Trail currently operate at level of service (LOS) F during peak hours.[1] Furthermore, there are no traffic improvement programs in place or proposed to either expand or otherwise remedy the limited capacity on these roadways and at these intersections. Thus, there is no opportunity to pay a fair share fee to reduce a cumulatively significant impact.

The overarching concern is that the County has consistently been approving (and continues to approve) winery projects on 10 acres or more without considering the cumulative impacts of such projects. The County appears to proceed with approving these projects on the base assumption that because the projects will not have individually significant traffic impacts they will not have any traffic impacts at all. In the revised MND, the County rightly acknowledges the cumulative traffic impacts with respect to the Raymond project. Specifically, the MND states:

> Given that Highway 29 is presently operating at unacceptable levels of service which is forecast to worsen in coming years, the proposed project's potential to add trips to Highway 29, although less than 1% increase in volumes to capacity, is considered a potentially considerable contribution to the significant cumulative traffic impact identified in the Napa County General Plan and General Plan EIR.

Beckstoffer appreciates that the County has acknowledged the proposed project will have one or more cumulatively considerable traffic impacts. However, for the reasons discussed herein, the proposed mitigation measures will not adequately mitigate the cumulative traffic impacts. Additionally, it is imperative to note that there are a number of technical flaws in the traffic study which provide a fair argument that the project could potentially have project-specific impacts, as well as cumulatively considerable traffic impacts that cannot be mitigated.

First, as outlined in the Smith letter dated July 15, 2014 (attached hereto) and noted above, the traffic analysis used the incorrect baseline to study impacts. The traffic analysis should consider the impact of increasing Saturday visitor traffic from 180 visitors per day to 500 per day, not from 400 per day to 500 per day. This is because *actual current* visitation reported in the traffic study is 80 visitors on weekdays and 180 visitors on Saturdays (even during crush). In short, this gives the future project scenario a "free pass" on approximately 320 visitors or 246 visitor vehicle trips on weekdays and 220 visitors or 169 visitor vehicle trips on Saturdays. As such, the traffic study used an inappropriate baseline and is invalid under CEQA.

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[1] Raymond Mitigated Negative Declaration posted on website on July 14, 2014, p. 26; Castellucci Winery Mitigated Negative Declaration adopted May 21, 2014. See also, letter from Dan Smith dated July 15, 2014, attached to this correspondence.

Second, Table A-3 of the updated traffic study dated January 22, 2014, entitled "Approved Developments Trip Generation" does not include all of the approved wineries in the project vicinity to date. In particular the list excludes Rutherford Grove, William Harrison Winery, Provence Vineyards, Corison Winery, and Milat Vineyards Winery. Furthermore, while Table A-3 contemplates the number of weekly visitors at the wineries listed, it does not consider the extra marketing events held by each of the wineries throughout the year. As such, the cumulative impacts analysis likely seriously underestimates the project's cumulatively considerable impacts.

Under CEQA, mitigation measures must be feasible, specific, enforceable, and cannot be deferred into the future without clear performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way. Moreover, mitigation measures which could potentially cause additional impacts must be studied. 14 Cal. Code Regs. § 15126.4(a).

The MND lists nine mitigation measures to reduce the project's contribution to significant traffic impacts, including, (1) the installation of a left turn lane on Zinfandel Lane at Wheeler Lane, (2) the implementation of a program to inform employees of the traffic congestion issue at State Route 29 and Zinfandel Lane and education/encourage employees to utilize Zinfandel Lane, (3) implementation of measures like signage, handouts, and education of visitors regarding the usage of Zinfandel Lane, (4) mandatory scheduling of commencement and conclusion of by-appointment visitation to occur outside of peak traffic periods between 4 and 6 p.m., weekdays, and 12 to 2 p.m. on Saturdays, (5) scheduling of employee work shifts to commence and conclude outside of weekday and Saturday peak traffic periods, (6) require carpooling and/or van pool for employees, (7) schedule marketing event set up, arrival and departures to occur outside of weekday and Saturday peak traffic periods, (8) placement of signage at the entrance of the facility that the maximum daily limit of drop-in visitation has been reached, (9) off-site shuttle service must occur for events larger than 150 persons.

While Beckstoffer appreciates the County's effort to reduce the project's impacts, the proposed mitigation measures are neither sufficiently specific nor related to the impacts in question, are not enforceable by the County, and/or are improperly deferred. For instance, the left hand turn lane proposed on Zinfandel Lane at Wheeler Lane addresses traffic and safety concerns along Zinfandel Lane, not the cumulative traffic contribution at Zinfandel Lane and Highway 29. Importantly, this condition and/or mitigation was required of the last use permit modification sought by Raymond, but was never implemented by Raymond or enforced by the County. Furthermore, it is unclear how the mitigation measures requiring the education of employees and visitors regarding the traffic situation and shifting the traffic toward Zinfandel/Silverado intersection during peak hours. In fact, the Zinfandel/Silverado intersection is equally severely impacted by peak hour traffic. To suggest shifting the traffic trips from one intersection (Zinfandel/SR 29) to another equally impacted intersection (Zinfandel/Silverado Trail), is not a valid CEQA solution, and in fact, would require CEQA review. The same thing is true for suggesting that traffic be routed through quiet residential neighborhoods where children and pets are present and vulnerable. Moreover, the measure requiring the winery to force

employees to carpool is neither feasible nor enforceable by the County. Also, while signage indicating no further visitors will be accepted would be required at the entrance to the Winery, this does nothing to alleviate the actual traffic impacts – the number of cars travelling to and from Highway 29 and Silverado Trail along Zinfandel Lane. Finally, proposed mitigation measure 9 alludes to an off-site shuttle for events larger than 150 persons (e.g., 12 events per year). However, this measure is inadequate under CEQA as it does not identify any of the details regarding where cars would park, how many shuttles would run, how long, what routes the shuttles would take, etc. Worse yet, it provides no performance standards by which to measure whether such mitigation would work.

In short, the traffic study, even as revised, is insufficient to support the MND's conclusion that, with mitigation, the project would have no significant traffic impacts. Perhaps more importantly, there is substantial evidence of a fair argument that the Project's traffic could have significant project-specific impacts, as well as, cumulatively considerable traffic impacts that are neither analyzed nor mitigated in the proposed MND. As such, adoption of the proposed MND would violate CEQA.

CONCLUSION

As a result of the foregoing, Beckstoffer opposes the approval of the Raymond expansion permit because the proposed MND is inadequate under CEQA. The issues identified above indicate that there are a number of unresolved factual questions regarding baseline conditions and how they might affect the impact analysis performed under CEQA. The MND improperly concludes there is a significant and unavoidable impact to greenhouse gas emissions. Moreover, the groundwater issues are not sufficiently analyzed. Finally, the traffic study is technically flawed and does not constitute substantial evidence sufficient to support the traffic conclusions.

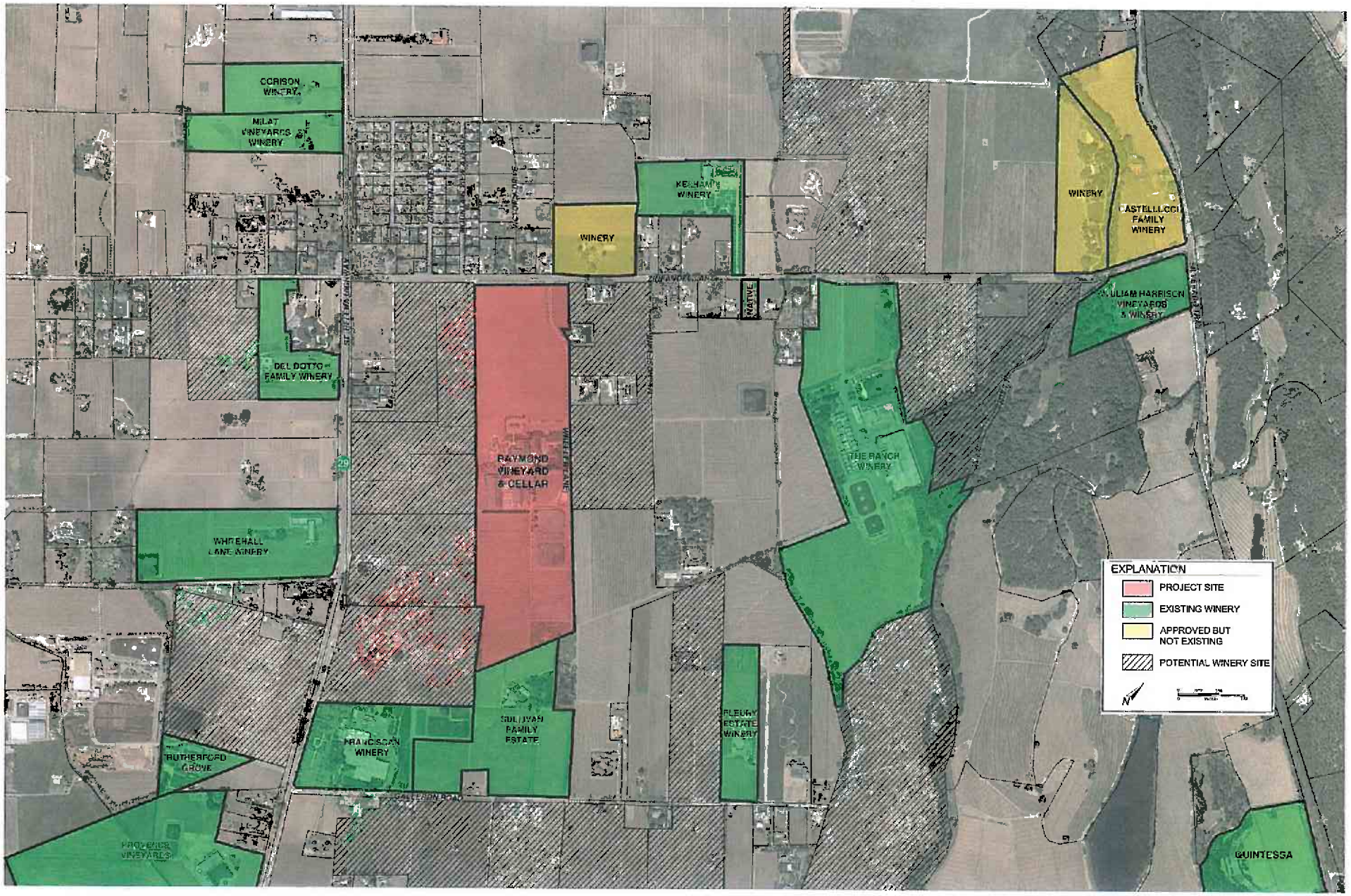
Thank you for your consideration of our comments.

Very truly yours,

Katherine J. Hart

Encls: Aerial Map
Engeo Letter dated July 14, 2014
Smith Letter dated July 15, 2014

cc: David Morrison, Planning Director
John McDowell, Deputy Planning Director
Laura Anderson, Commission Counsel


CORISON WINERY
MILAT VINEYARDS WINERY
KELHAM'S WINERY
WINERY
WINERY
CASTELLUCCI FAMILY WINERY
WILLIAM HARRISON VINEYARDS & WINERY
NAPA
DEL DOTTO FAMILY WINERY
RAYMOND VINEYARD & CELLAR
WHITEHALL LANE WINERY
THE RANCH WINERY
SULLIVAN FAMILY ESTATE
FRANCISCAN WINERY
FLEURY ESTATE WINERY
TRUTHERFORD GROVE
PROSPECT VINEYARDS
QUINTESSA
EXPLANATION
PROJECT SITE
EXISTING WINERY
APPROVED BUT NOT EXISTING
POTENTIAL WINERY SITE

ENGEO
Expect Excellence

GEOTECHNICAL
ENVIRONMENTAL
WATER RESOURCES
CONSTRUCTION SERVICES

Project No.
11303.000.000

July 14, 2014

Ms. Katherine Hart
Abbott & Kindermann, LLP
2100 21st Street
Sacramento, CA 95818

Subject: Beckstoffer Winery Consultation
Raymond Vineyard & Cellar Expansion
St. Helena, California

ENGINEERING CONSULTATION

Dear Ms. Hart:

At your request, we are providing this letter with preliminary comments on the documents associated with the proposed Raymond Vineyard & Cellar Expansion in St. Helena, California. We understand that the Raymond Vineyard intends to modify its use permit with added site development features such as expanded parking areas, an increase in visitors, and wastewater treatment expansion. You have indicated that drainage from the Raymond Vineyard has impacted your client's pond and there is concern over the proposed expansion.

For our review, we received the following documents:

1. Summit Engineering, Inc., Raymond Winery UP-Water/WWFS and UP, January 22, 2014, (Water Availability Analysis).

2. Summit Engineering, Inc., Stormwater Runoff Management Plan (SRMP), Raymond Winery, August 15, 2013.

3. Summit Engineering, Inc., Wastewater Feasibility Study for Raymond Vineyard and Cellar Inc., May 9, 2011, Revised June 13, 2013.

WATER AVAILABILITY ANALYSIS

According to the Napa County Department of Public Works, the 60.21-acre Raymond Vineyard parcel is allotted 1.0 acre-feet per acre per year due to its location on the Valley Floor. The Summit document, Reference 1, indicates that the existing water demand is 51.29 acre-feet and the proposed increase will raise it to 52.47 acre-feet. This is well below the allotted water availability of 60.21 acre-feet and likely represents a fairly conservative value, since it includes vineyard irrigation that will likely be offset by the reclaimed process wastewater.

STORMWATER RUNOFF MANAGEMENT PLAN

The applicant prepared a Stormwater Runoff Management Plan (SRMP), Reference 2, for the proposed parking lot addition to the Vineyard in conformance with State of California Phase II 2013 Small MS4 requirements. The SRMP proposes to treat the new impervious surfaces by installing several biofiltration best management practices, which are intended to capture and infiltrate water such that pre- vs post-project runoff conditions are matched for a 2-year, 24-hour storm event.

WASTEWATER FEASIBILITY STUDY

The Wastewater Feasibility Study, Reference 3, provides background information and calculations for the process wastewater and the sanitary sewer treatment systems. The process wastewater from the wine bottling is screened and pumped to three unlined aerated ponds. The three ponds have a combined capacity of 6 million gallons, which exceeds the annual process wastewater volume. These ponds are reported to be about 12 feet deep. Optional pretreatment pH control is being considered prior to pumping to the ponds, though monitoring of pH is recommended first. Process wastewater from the ponds is pumped through a filter and reused for vineyard irrigation; maximum irrigation application rates during the wet season are not to exceed 0.5 inches per acre per week.

The existing sanitary sewer system is to be expanded from 1,745 to 5,100 gallons per day (gpd). The current system utilizes a septic tank, pump and Evaporation Transpiration and Infiltration (ETI) system to handle the 1,745 gpd. The additional flow is to be handled by the addition of an AdvanTex Treatment System and subsurface drip layout. The subsurface drip system is to be placed within an existing vineyard area; the primary discharge area is 90 by 100 feet in plan with a reserve area 90 by 200 feet in plan. The drip discharge area was explored by excavation of test pits to reveal predominantly sandy clay loam with moderate blocky structure.

COMMENTS

The general approach and supporting information in the documents suggests that the depth to groundwater may need further evaluation. We provide the following comments for consideration:

- The documents indicate that the soil in the drip discharge area had mottling at about a 36-inch depth and one of the test pit logs notes groundwater at 41 inches deep. Mottling of this nature can be indicative of a seasonal high groundwater. If seasonal groundwater can rise as shallow as 3 feet below the ground surface, then the 12-foot-deep ponds would be impacted by groundwater. Discharging process wastewater into the ponds could be a direct discharge into shallow groundwater. Review of well information in the DWR Water Data Library revealed three nearby wells with groundwater level data. These are listed below:

TABLE 1
DWR Groundwater Wells

Distance from Raymond Vineyard Ponds	Station	Well Designation	Type
1,800 feet south	384772N1224337W001	07N05W08A001M	Irrigation
2,500 feet northeast	384878N1224295W001	07N05W04E001M	Residential
4,000 feet north	384926N1224323W001	07N05W08A001M	Irrigation

- The well located approximately 2,500 feet to the northeast shows groundwater levels in the early 2000s in the range of 5 to 15 feet below grade. The web site printouts of historical groundwater data for each of these wells are attached.

- The documents categorize the soil conditions as Hydrologic Soil Group B. Our independent NRCS report revealed the site soil conditions to be categorized as Hydrologic Soil Group C, which could affect the stormwater runoff design and potential infiltration assumptions.

- Since infiltration methods are being proposed to capture and infiltrate the additional site runoff from the proposed parking lot expansion, in-situ infiltration tests should be performed in the area where the infiltration BMPs are proposed to confirm that the existing soils can accept the volume of water anticipated in the SRMP.

- The documents recommend that pH monitoring of the ponds be performed for 1 year to determine the need for pH pretreatment. We recommend that future pH monitoring data be made available as well as data from the last several years.

- The calculations on Page 9 of the Wastewater Feasibility Study used 71 acres instead of the 20 acres per the text description in the paragraph above.

If you have any questions or comments regarding this letter, please call and we will be glad to discuss them with you.

Sincerely,

ENGEO Incorporated

REGISTERED PROFESSIONAL ENGINEER
MARK M. GILBERT
No. 2191
Exp. 3/31/2016
GEOTECHNICAL
STATE OF CALIFORNIA

Mark M. Gilbert, PE, GE

Shawn Munger, CHG

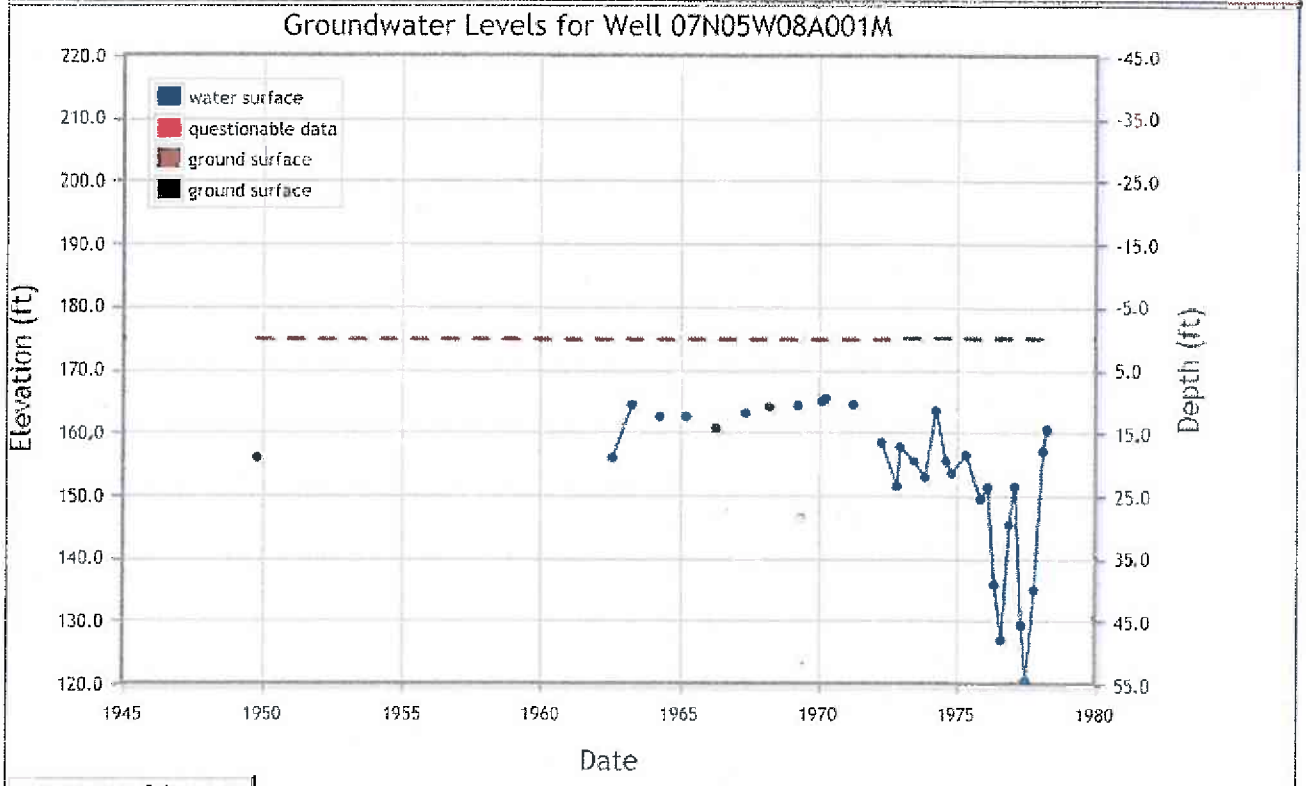
mmg/sm/jf

Attachments: DWR Well data (6 pages)

Groundwater Levels for Station 384772N1224337W001

Data for your selected well is shown in the tabbed interface below. To view data managed in the updated WDL tables, including data collected under the CASGEM program, click the "Recent Groundwater Level Data" tab. To view data stored in the former WDL tables, click the "Historical Groundwater Level Data" tab. To download the data in CSV format, click the "Download CSV File" button on the respective tab. Please note that the vertical datum for "recent" measurements is NAVD88, while the vertical datum for "historical" measurements is NGVD29. To change your well selection criteria, click the "Perform a New Well Search" button.

Station Data | Recent Groundwater Level Data | **Historical Groundwater Level Data**



Download CSV File

Date	RPE	GSE	RPWS	WSE	GS to...	NM Code	QM Code	Agency
10/18/1949	175.5	175	19.5	156	19			5000
07/19/1962	175.5	175	19.5	156	19			5050
04/09/1963	175.5	175	11.1	164.4	10.6			3952
04/06/1964	175.5	175	13	162.5	12.5			3952
03/25/1965	175.5	175	13	162.5	12.5			3952
04/21/1966	175.5	175	14.8	160.7	14.3			3952
05/10/1967	175.5	175	12.4	163.1	11.9			3952
03/25/1968	175.5	175	11.4	164.1	10.9			3952
04/02/1969	175.5	175	11.2	164.3	10.7			3952

02/11/1970	175.5	175	10.5	165	10	3952
03/30/1970	175.5	175	10	165.5	9.5	3952
03/23/1971	175.5	175	11	164.5	10.5	3952
03/27/1972	175.5	175	17	158.5	16.5	3952
10/19/1972	175.5	175	24	151.5	23.5	3952
11/30/1972	175.5	175	17.7	157.8	17.2	5000
05/30/1973	175.5	175	20	155.5	19.5	3983
10/18/1973	175.5	175	22.6	152.9	22.1	3983
03/13/1974	175.5	175	12	163.5	11.5	3983
07/26/1974	175.5	175	20	155.5	19.5	3983
10/11/1974	175.5	175	22	153.5	21.5	3983
04/21/1975	175.5	175	19	156.5	18.5	3983
11/03/1975	175.5	175	26	149.5	25.5	3983
02/04/1976	175.5	175	24.1	151.4	23.6	3983
05/02/1976	175.5	175	39.5	136	39	3983
08/03/1976	175.5	175	48 3	127.2	47.8	3983
11/16/1976	175.5	175	30	145.5	29.5	3983
01/27/1977	175.5	175	24	151.5	23.5	3983
04/20/1977	175.5	175	46	129.5	45.5	3983
06/24/1977	175.5	175	55	120.5	54.5	3983
10/05/1977	175.5	175	40.4	135.1	39.9	3983
02/01/1978	175.5	175	18.3	157.2	17.8	3983
03/22/1978	175.5	175	14.9	160.6	14.4	3983

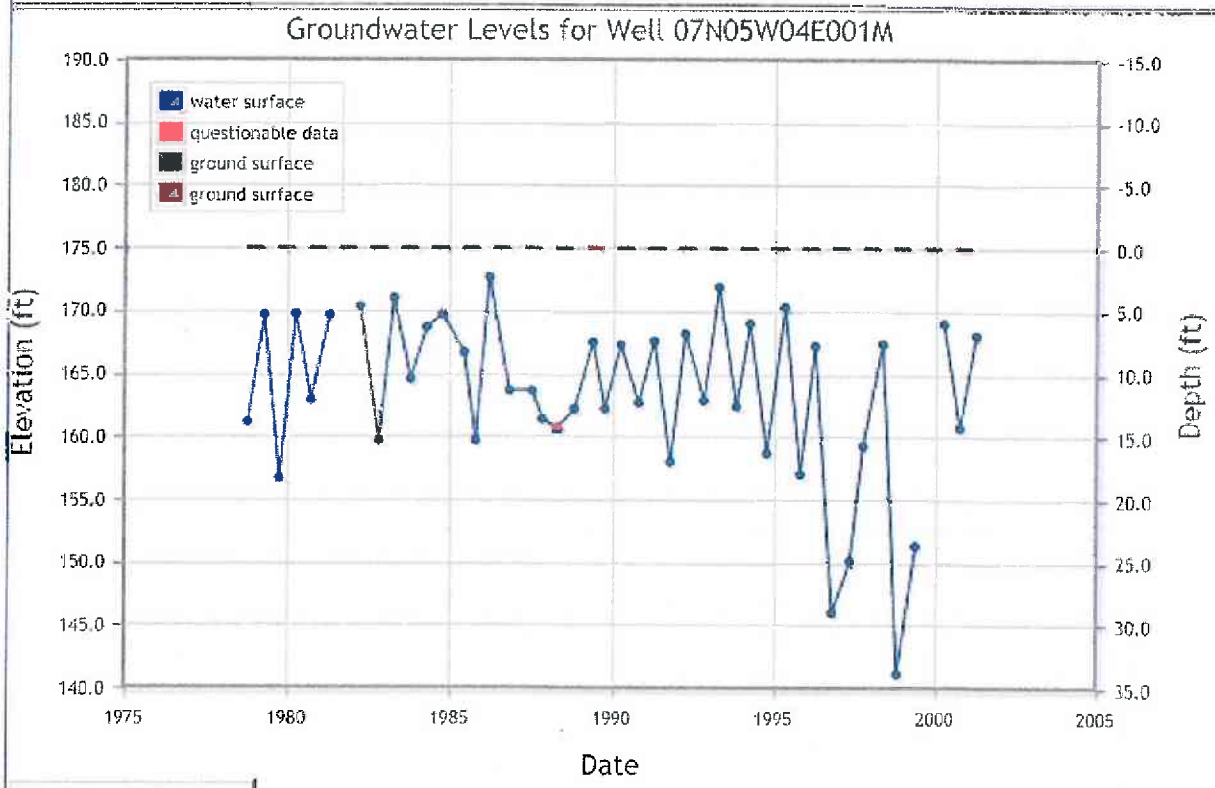
All elevation and depth measurements are in feet. The vertical datum for historical measurements is NGVD29.

Perform a New Well Search

Groundwater Levels for Station 384878N1224295W001

Data for your selected well is shown in the tabbed interface below. To view data managed in the updated WDL tables, including data collected under the CASGEM program, click the "Recent Groundwater Level Data" tab. To view data stored in the former WDL tables, click the "Historical Groundwater Level Data" tab. To download the data in CSV format, click the "Download CSV File" button on the respective tab. Please note that the vertical datum for "recent" measurements is NAVD88, while the vertical datum for "historical" measurements is NGVD29. To change your well selection criteria, click the "Perform a New Well Search" button.

Station Data | Recent Groundwater Level Data | **Historical Groundwater Level Data**



Download CSV File

Date	RPE	GSE	RPWS	WSE	GS to...	NM Code	QM Code	Agency
10/10/1978	175.7	175	14.5	161.2	13.8			3983
04/12/1979	175.7	175	6	169.7	5.3			3983
10/01/1979	175.7	175	19	156.7	18.3			3983
03/27/1980	175.7	175	5.9	169.8	5.2			3983
09/16/1980	175.7	175	12.7	163	12			3983
04/13/1981	175.7	175	6	169.7	5.3			3983
10/16/1981	175.7	175				7		3983
03/26/1982	175.7	175	5.4	170.3	4.7			3983
10/20/1982	175.7	175	16	159.7	15.3			3983

04/08/1983	175.7	175	4.7	171	4			3983
10/12/1983	175.7	175	11.1	164.6	10.4			3983
04/10/1984	175.7	175	7	168.7	6.3			3983
10/10/1984	175.7	175	6	169.7	5.3			3983
06/07/1985	175.7	175	9	166.7	8.3			3983
10/16/1985	175.7	175	16	159.7	15.3			3983
03/19/1986	175.7	175	3	172.7	2.3			3983
10/29/1986	175.7	175	12	163.7	11.3			3983
07/09/1987	175.7	175	12	163.7	11.3			3983
11/03/1987	175.7	175	14.3	161.4	13.6			3983
04/18/1988	175.7	175	15	160.7	14.3		1	3983
10/25/1988	175.7	175	13.5	162.2	12.8			3983
05/25/1989	175.7	175	8.2	167.5	7.5			3983
10/05/1989	175.7	175	13.5	162.2	12.8			3983
04/04/1990	175.7	175	8.4	167.3	7.7			3983
10/25/1990	175.7	175	13	162.7	12.3			3983
04/17/1991	175.7	175	8.1	167.6	7.4			3983
10/17/1991	175.7	175	17.7	158	17			3983
04/06/1992	175.7	175	7.5	168.2	6.8			3983
11/04/1992	175.7	175	12.8	162.9	12.1			3983
04/23/1993	175.7	175	3.8	171.9	3.1			3983
11/04/1993	175.7	175	13.3	162.4	12.6			3983
04/07/1994	175.7	175	6.7	169	6			3983
10/14/1994	175.7	175	17	158.7	16.3			3983
05/05/1995	175.7	175	5.4	170.3	4.7			3983
10/24/1995	175.7	175	18.7	157	18			3983
04/11/1996	175.7	175	8.5	167.2	7.8			3983
10/21/1996	175.7	175	29.7	146	29			3983
05/09/1997	175.7	175	25.6	150.1	24.9			3983
10/07/1997	175.7	175	16.4	159.3	15.7			3983
05/14/1998	175.7	175	8.3	167.4	7.6			3983
10/23/1998	175.7	175	34.6	141.1	33.9			3983
05/17/1999	175.7	175	24.4	151.3	23.7			3983
04/04/2000	175.7	175	6.7	169	6			3983
10/05/2000	175.7	175	15	160.7	14.3			3983
04/09/2001	175.7	175	7.6	168.1	6.9			3983
10/12/2001	175.7	175				0		3983

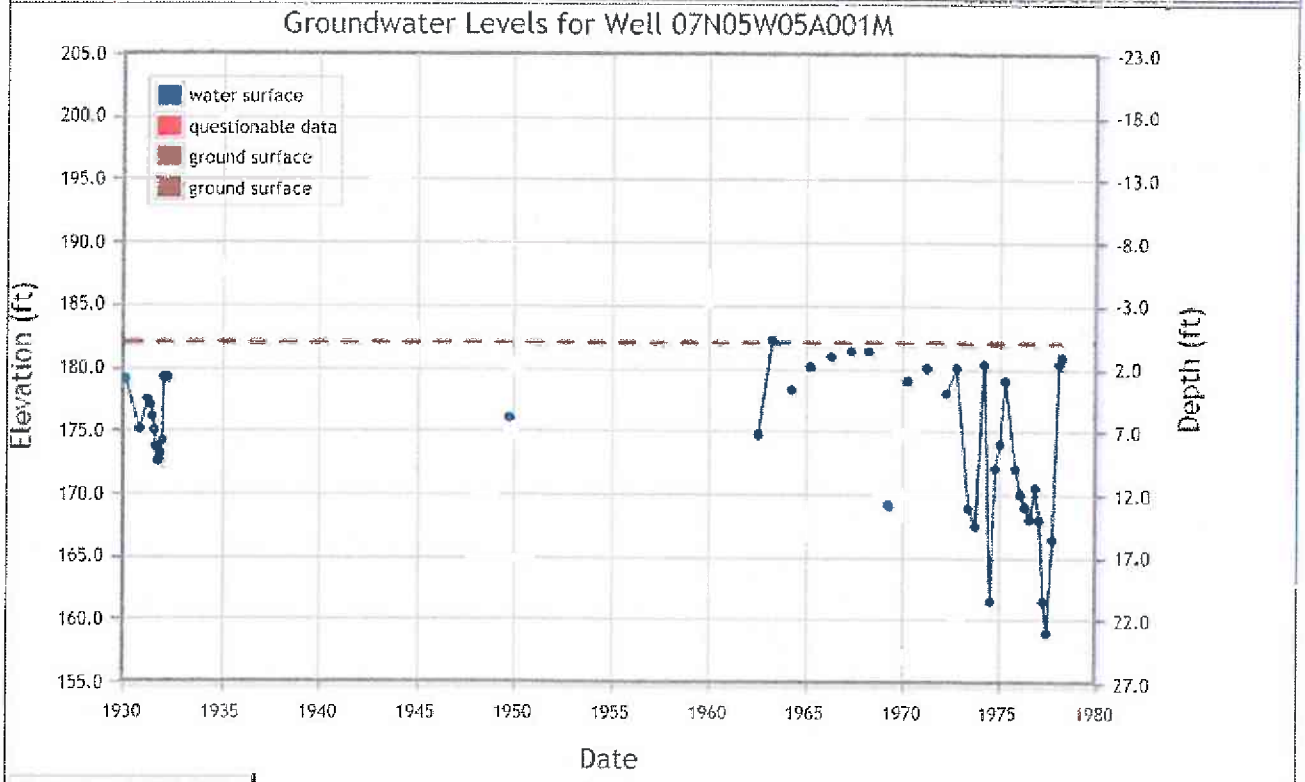
All elevation and depth measurements are in feet. The vertical datum for historical measurements is NGVD29.

Perform a New Well Search

Groundwater Levels for Station 384926N1224323W001

Data for your selected well is shown in the tabbed interface below. To view data managed in the updated WDL tables, including data collected under the CASGEM program, click the "Recent Groundwater Level Data" tab. To view data stored in the former WDL tables, click the "Historical Groundwater Level Data" tab. To download the data in CSV format, click the "Download CSV File" button on the respective tab. Please note that the vertical datum for "recent" measurements is NAVD88, while the vertical datum for "historical" measurements is NGVD29. To change your well selection criteria, click the "Perform a New Well Search" button.

Station Data | Recent Groundwater Level Data | **Historical Groundwater Level Data**



Download CSV File

Date	RPE	GSE	RPWS	WSE	GS to...	NM Code	QM Code	Agency
02/14/1930	183	182	3.9	179.1	2.9			5000
10/29/1930	183	182	7.9	175.1	6.9			5000
03/25/1931	183	182	5.5	177.5	4.5			5000
05/19/1931	183	182	6	177	5			5000
06/22/1931	183	182	6.9	176.1	5.9			5000
07/23/1931	183	182	8	175	7			5000
08/21/1931	183	182	9.3	173.7	8.3			5000
09/30/1931	183	182	10.5	172.5	9.5			5000
10/20/1931	183	182	10.3	172.7	9.3			5000

SMITH ENGINEERING & MANAGEMENT

July 15, 2014

Kate J. Hart
Abbott & Kindermann LLP
2100 21st Street
Sacramento, CA 95818

Subject: Raymond Winery Project

P14005

Dear Ms. Hart:

At your request, I have reviewed the Initial Study/Mitigated Negative Declaration (hereinafter the "IS/MND") and the traffic reports prepared in support of it for the Raymond Winery Expansion Project (hereinafter the "Project"). My qualifications to perform this review include registration as a Civil and Traffic Engineer in California, 45 years of professional consulting practice in the field of traffic and transportation engineering and both preparation and review of the traffic and transportation components of numerous environmental documents including those on winery projects. My professional resume is attached.

My technical comments are as follows.

The IS/MND Measures Traffic Impacts Relative to an Unclear and Improper Baseline

The IS/MND/s supporting traffic report identifies existing traffic volumes. However, included in those existing volumes are the trips generated by uses and activities at Raymond that are over and above the existing use permit, such as the trips generated by the 65 full-time and 15 part-time current employees – 56 employees above the 24 total allowed in the current use permit. Counting those excess employees trips in the existing baseline in essence gives the Project a free pass on the trips of existing employees who are in violation of the existing use permit.

The IS/MND/s supporting traffic report also identifies a scenario it calls "Existing with Current Use Permit" condition. In this scenario, the traffic study deducts the trips generated by employees in excess of the number of allowed by the use permit, but adds back in phantom trips representing the unused portion of the permitted allowance of up to 400 visitors per day. Actual current visitation reported is 80 and 180 visitors respectively on typical weekdays and Saturdays, with 180 also reported for Saturdays in the crush. This gives the future project scenario a free pass on about 320 visitors or 246 visitor vehicle trips on weekdays and 220 visitors or 169 visitor vehicle trips on Saturdays.

The existing maximum allowance of 400 visitors (by appointment or unannounced) is because Raymond's tasting facilities existed prior to the 1991 *Winery Definition Ordinance*. Raymond has had 23 years to approach that total but evidently, based on data presented in the IS/MND and supporting documents, typically does not exceed 180 visitors even on harvest Saturdays. Arguably, since Raymond has been permitted up to 400 daily visitors for the past 23 years but has not typically exceeded more than 45 percent of that total, the prospect of building to daily visitation totals of up to 500 would be the result of the food pairing presentations, physical facilities and amenities and synergistic effects of the more extensive marketing events that are all specific features of the proposed Project. Hence, the traffic analysis should be considering the impact of changing Saturday visitor traffic from 180 visitors per day to 500 per day, not from 400 per day to 500 per day.

The apparent improper definition of the traffic baseline and lack of clarity in identifying just what the traffic baseline for measuring impacts is both make the IS/MND inadequate under CEQA.

The IS/MND Fails to Consider the Traffic Impacts of the Project at All Locations Where Traffic Impacts Are Likely

The IS/MND and its supporting traffic study assess the project's traffic impacts only at the intersections of Zinfandel Lane with Wheeler Lane and Zinfandel Lane with S.R. 29. Yet the County has knowledge that potentially significant operational and safety impacts may occur at Zinfandel Lane's very narrow historic bridge over the Napa River and significant level of service and queuing impacts may occur at the intersection of Zinfandel Lane with Silverado Trail if the Project causes significant amounts of traffic to pass through those locations[1]. Figure 4 of the supporting traffic impact report to the IS/MND[2] make obvious that

[1] See *Traffic Impact Report, Castellucci Family Winery*, Crane Transportation Group, February 22, 2014 and Letter of Comment on Castellucci Family Winery, Smith Engineering & Management, 6-5-14.
[2] *Updated Traffic Study for the Proposed Raymond Vineyards Winery Use Permit Modification,* Omni Means Associates Ltd., April 5, 2013

the Raymond facility as a whole and the Project will cause a potentially impactful amount of traffic to pass through those problematic locations (although the Project's actual traffic contribution is unclear because of the problems defining what the traffic baseline is and what the Project-caused traffic is as discussed in the section above). However, these locations were not analyzed for potential impacts. Given that level of service is already shown to be deficient at Zinfandel-Silverado in the existing, near term future and long term future conditions, since current aerial photos posted on the internet show queuing on Zinfandel from Silverado extending nearly across the Castellucci driveway already, and since the Napa River Bridge on Zinfandel is seriously deficient in relation to modern roadway geometric standards, there is fair argument that impacts at these locations should have been analyzed and that the IS/MND is critically deficient absent that analysis.

Mitigation Measures the IS/MND Proposes Are Likely To Be Impactful at Other Locations

Proposed Mitigation Measures XVI.2, items A, B and possibly H are aimed at shifting Project traffic away from the Zinfandel-SR 29 intersection by sending it eastward where it would further impact the narrow Napa River Bridge on Zinfandel and the Zinfandel – Silverado intersection. The traffic report also suggests knowledgeable drivers could avoid the Zinfandel – SR 29 intersection by using local residential streets to get to and from SR 29 and suggests this would be a good idea. However, this ignores the fact that this would thrust undesired traffic into those residential neighborhoods.

Purported Mitigation Measures Poorly Defined, Vague and Have Insufficiently Measurable Effect or No Effect

For example, the proposed mitigation of having employees carpool or vanpool would probably simply result in most of them parking off-site on street and walking in rather than pooling. Consequently, there would be no mitigation. Another example is shuttling visitors to events from somewhere off-site; whether this is effective traffic mitigation or not depends on where the off-site parking is. Since the traffic report identifies the off-site shuttle parking as being located at The Ranch Winery, which is located at 105 Zinfandel Lane, this measure would have virtually no effect on mitigating traffic impacts at Zinfandel-SR 29, Zinfandel-Silverado or on the Napa River Bridge. All it would do is compensate for the inadequacies of the on-site parking at Raymond for hosting large scale marketing events. And as mentioned above, all that information campaigns aimed at inducing drivers to avoid the Zinfandel – SR 29 intersection would accomplish, to the extent they diverted any traffic at all, would be to induce more traffic to

sensitive locations such as Zinfandel – Silverado, the narrow Zinfandel bridge over the Napa River or to local residential streets.

Analysis of Marketing Event Traffic Is Unquantified and Speculative

Analysis of marketing event traffic is limited to estimation of vehicle trip totals by event scale and a supposition that event start and completion times would not be coincident with peak traffic hours, leading to the purely speculative conclusion that events would not cause traffic impacts. There is no quantitative analysis of how events of various scales starting or concluding at various hours of the day or evening would affect traffic at key locations like Zinfandel- SR 29 and Zinfandel-Silverado. And since marketing events, as long as they remain within permitted numbers and scale, will not require individualized permits, there is no assurance they will start and end at hours when traffic is light.

Conclusion

Given all of the foregoing, there is insufficient evidence to support the IS/MND's conclusion that, with mitigation, the Project would have no significant traffic impacts Moreover, there is evidence of fair argument that the Project's traffic would have significant traffic impact that are not analyzed or mitigated. Consequently, the IS/MND cannot be approved and Project's traffic component should be subjected to performance of an EIR.

Sincerely,

Smith Engineering & Management
A California Corporation

Daniel T. Smith Jr., P.E.
President

SMITH ENGINEERING & MANAGEMENT

DANIEL T. SMITH, Jr.
President

EDUCATION

Bachelor of Science, Engineering and Applied Science, Yale University, 1967
Master of Science, Transportation Planning, University of California, Berkeley, 1968

PROFESSIONAL REGISTRATION

California No. 21913 (Civil)
California No. 938 (Traffic)
Nevada No. 7969 (Civil)
Washington No. 29337 (Civil)
Arizona No. 22131 (Civil)

PROFESSIONAL EXPERIENCE

Smith Engineering & Management, 1993 to present. President.
DKS Associates, 1979 to 1993. Founder, Vice President, Principal Transportation Engineer.
De Leuw, Cather & Company, 1968 to 1979. Senior Transportation Planner.
Personal specialties and project experience include:

Litigation Consulting. Provides consultation, investigations and expert witness testimony in highway design, transit design and traffic engineering matters including condemnations involving transportation access issues; traffic accidents involving highway design or traffic engineering factors; land use and development matters involving access and transportation impacts; parking and other traffic and transportation matters.

Urban Corridor Studies/Alternatives Analysis. Principal-in-charge for State Route (SR) 102 Feasibility Study, a 35-mile freeway alignment study north of Sacramento. Consultant on I-280 Interstate Transfer Concept Program, San Francisco, an AA/EIS for completion of I-280, demolition of Embarcadero freeway, substitute light rail and commuter rail projects. Principal-in-charge, SR 238 corridor freeway/expressway design/environmental study, Hayward (Calif.) Project manager, Sacramento Northeast Area multi-modal transportation corridor study. Transportation planner for I-80N West Terminal Study, and Harbor Drive Traffic Study, Portland, Oregon. Project manager for design of surface segment of Woodward Corridor LRT, Detroit, Michigan. Directed staff on I-80 National Strategic Corridor Study (Sacramento-San Francisco), US 101-Sonoma freeway operations study, SR 92 freeway operations study, I-880 freeway operations study, SR 152 alignment studies, Sacramento RTD light rail systems study, Tasman Corridor LRT AA/EIS, Fremont-Warm Springs BART extension plan/EIR, SRs 70/99 freeway alternatives study, and Richmond Parkway (SR 93) design study.

Area Transportation Plans. Principal-in charge for transportation element of City of Los Angeles General Plan Framework, shaping nations largest city two decades into 21'st century. Project manager for the transportation element of 300-acre Mission Bay development in downtown San Francisco. Mission Bay involves 7 million gsf office/commercial space, 8,500 dwelling units, and community facilities. Transportation features include relocation of commuter rail station; extension of MUNI-Metro LRT; a multi-modal terminal for LRT, commuter rail and local bus; removal of a quarter mile elevated freeway; replacement by new ramps and a boulevard; an internal roadway network overcoming constraints imposed by an internal tidal basin; freeway structures and rail facilities; and concept plans for 20,000 structured parking spaces. Principal-in-charge for circulation plan to accommodate 9 million gsf of office/commercial growth in downtown Bellevue (Wash.). Principal-in-charge for 64 acre, 2 million gsf multi-use complex for FMC adjacent to San Jose International Airport. Project manager for transportation element of Sacramento Capitol Area Plan for the state governmental complex, and for Downtown Sacramento Redevelopment Plan. Project manager for Napa (Calif.) General Plan Circulation Element and Downtown Riverfront Redevelopment Plan, on parking program for downtown Walnut Creek, on downtown transportation plan for San Mateo and redevelopment plan for downtown Mountain View (Calif.), for traffic circulation and safety plans for California cities of Davis, Pleasant Hill and Hayward, and for Salem, Oregon.

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Transportation Centers. Project manager for Daly City Intermodal Study which developed a $7 million surface bus terminal, traffic access, parking and pedestrian circulation improvements at the Daly City BART station plus development of functional plans for a new BART station at Colma. Project manager for design of multi-modal terminal (commuter rail, light rail, bus) at Mission Bay, San Francisco. In Santa Clarita Long Range Transit Development Program, responsible for plan to relocate system's existing timed-transfer hub and development of three satellite transfer hubs. Performed airport ground transportation system evaluations for San Francisco International, Oakland International, Sea-Tac International, Oakland International, Los Angeles International, and San Diego Lindberg.

Campus Transportation. Campus transportation planning assignments for UC Davis, UC Berkeley, UC Santa Cruz and UC San Francisco Medical Center campuses; San Francisco State University; University of San Francisco; and the University of Alaska and others. Also developed master plans for institutional campuses including medical centers, headquarters complexes and research & development facilities.

Special Event Facilities. Evaluations and design studies for football/baseball stadiums, indoor sports arenas, horse and motor racing facilities, theme parks, fairgrounds and convention centers, ski complexes and destination resorts throughout western United States.

Parking. Parking programs and facilities for large area plans and individual sites including downtowns, special event facilities, university and institutional campuses and other large site developments; numerous parking feasibility and operations studies for parking structures and surface facilities; also, resident preferential parking .

Transportation System Management & Traffic Restraint. Project manager on FHWA program to develop techniques and guidelines for neighborhood street traffic limitation. Project manager for Berkeley, (Calif.), Neighborhood Traffic Study, pioneered application of traffic restraint techniques in the U.S. Developed residential traffic plans for Menlo Park, Santa Monica, Santa Cruz, Mill Valley, Oakland, Palo Alto, Piedmont, San Mateo County, Pasadena, Santa Ana and others. Participated in development of photo/radar speed enforcement device and experimented with speed humps. Co-author of Institute of Transportation Engineers reference publication on neighborhood traffic control.

Bicycle Facilities. Project manager to develop an FHWA manual for bicycle facility design and planning, on bikeway plans for Del Mar, (Calif.), the UC Davis and the City of Davis. Consultant to bikeway plans for Eugene, Oregon, Washington, D.C., Buffalo, New York, and Skokie, Illinois. Consultant to U.S. Bureau of Reclamation for development of hydraulically efficient, bicycle safe drainage inlets. Consultant on FHWA research on effective retrofits of undercrossing and overcrossing structures for bicyclists, pedestrians, and handicapped.

MEMBERSHIPS

Institute of Transportation Engineers Transportation Research Board

PUBLICATIONS AND AWARDS

Residential Street Design and Traffic Control, with W. Homburger *et al.* Prentice Hall, 1989.

Co-recipient, Progressive Architecture Citation, *Mission Bay Master Plan*, with I.M. Pei WRT Associated, 1984.

Residential Traffic Management, State of the Art Report, U.S. Department of Transportation, 1979.

Improving The Residential Street Environment, with Donald Appleyard et al., U.S. Department of Transportation, 1979.

Strategic Concepts in Residential Neighborhood Traffic Control, International Symposium on Traffic Control Systems, Berkeley, California, 1979.

Planning and Design of Bicycle Facilities: Pitfalls and New Directions, Transportation Research Board, Research Record 570, 1976.

Co-recipient, Progressive Architecture Award, *Livable Urban Streets, San Francisco Bay Area and London*, with Donald Appleyard, 1979.

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