



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

MEMORANDUM

To: Wyntress Balcher, Project Planner	From: Kim Withrow, Environmental Health Supervisor
Date: April 28, 2014	Re: Use Permit for LMR Rutherford Estate Winery, 1790 St. Helena Highway South Assessor Parcel # 030-100-016 Project #: P13-00167

The application requesting approval to construct a new 100,000 gallon per year winery has been reviewed. This Division has no objection to approval of the application with the following conditions of approval:

1. The water supply and related components must comply with the California Safe Drinking Water Act and Related Laws. This will require plan review and approval prior to approval of building permits. Prior to occupancy, the owner must apply for and obtain an annual operating permit for the water system from this Division. The technical report must be completed by a licensed engineer with experience in designing water systems. The applicant must comply with all required monitoring and reporting.
2. Plans for the proposed alternative sewage treatment systems shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions and appropriate fees. Plans must be approved prior to approval of building permits for any structure that generates wastewater to be disposed of by these systems.
3. Permits to construct the proposed subsurface drip and process wastewater systems must be secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system.
4. Proposed food service will be catered; therefore, all food must be prepared and served by a Napa County permitted caterer. If the caterer selected does not possess a valid Napa County Permit to operate, refer the business to this Division for assistance in obtaining the required permit prior to providing any food service.

5. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit and file an approved Hazardous Materials Business Plan with this Division within 30 days of said activities. If the business does not store hazardous materials above threshold planning quantities, the applicant shall submit the Business Activities Page indicating such.
6. The applicant shall file a Notice of Intent (NOI) and complete a Storm Water Pollution Prevention Plan with the State of California Water Resources Control Board's (SWRCB) Industrial Permitting program, if applicable, within 30 days of receiving a temporary or final certificate of occupancy. Additional information, including a list of regulated SIC codes, may be found at:
http://www.swrcb.ca.gov/water_issues/programs/stormwater/industrial.shtml

Additionally, the applicant shall file for a storm water permit from this Division, if applicable, within 30 days of receiving a temporary or final certificate of occupancy. Certain facilities may be exempt from storm water permitting. A verification inspection will be conducted to determine if exemption applies.

7. The applicant shall maintain regular monitoring of the above ground waste water treatment system as required by this Division which includes submitting quarterly monitoring reports. An annual operating permit is required for the waste water system.
8. An annual alternative sewage treatment system monitoring permit must be obtained for the alternative sewage treatment system/private sewage disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit, must be fully complied with.
9. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
10. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.
11. Adequate area must be provided for collection of recyclables. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal.
12. All diatomaceous earth/bentonite must be disposed of in an approved manner. If the proposed septic system is an alternative sewage treatment system the plan submitted for review and approval must address bentonite disposal.



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David Morrison
Director

MEMORANDUM

To: Wyntress Balcher Planner II Planning Division	From: Patrick C. Ryan Assistant Engineer Engineering Service
Date: May 8, 2014	Re: Permit No. P13-00167 LMR Rutherford Estate Winery Conditions of Approval APN: 030-100-016 1790 St. Helena Hwy, St. Helena

The County of Napa's Planning, Building, and Environmental Services Department (PBES), Engineering Division has received a referral for comments on a Use Permit Modification application, generally requesting the following:

To construct a winery with a production capacity of 100,000 gallons to include crush, fermentation aging bottling, shipping and receiving for a total production area of 19,300sf (11,000sf winery facility, 4,164sf open-air covered tank area, and 4,164sf open-air covered crush pad); a 2,400sf office building; a 2,400sf hospitality pavilion; 6 employees: T&T with 50 guests/day; marketing plan of 24 events/year with 35 guests, 6 events/year with 60 guests, 2 harvest events/year with 100 guests; all events may have catered food.

After careful review of the LMR Rutherford Estate Winery Use Permit application submittal package the Engineering Division has determined that the items provide are adequate to recommend approval of the application provided the applicant includes the following conditions into the scope of the overall development at the building and/or grading permit application phase.

EXISTING CONDITIONS:

1. The County of Napa parcel 030-100-016 is located at 1790 St. Helena Highway, St. Helena.
2. The existing parcel is approximately 29.57 acres.
3. The existing parcel is zoned AP; Agricultural Preserve District.

4. Existing property is currently developed with a commercial gardens, orchards, vineyards and poultry farm. The property also includes a single family residence, agricultural pavilion and barn with associated infrastructure.
5. The existing parcel is located within the Napa River Watershed, Bale Slough drainage tributary.
6. The area of proposed development is located within a FEMA NFIP Special Flood Hazard Area (SFHA) – Floodplain Zone A.
 - i. Map/Panel Number: 06055C 0385E

RECOMMENDED CONDITIONS:

FEMA NFIP REQUIREMENTS:

1. All on site improvements proposed within the FEMA NFIP Special Flood Hazard Area (SFHA) – 100-year Floodplain Zone A, shall be required to obtain a Floodplain Management Permit and be subject to all FEMA regulations.
2. The applicant shall provide the County of Napa's PBES Engineering Division a 100-year Base Flood Elevation (BFE) as determined by a registered profession and in conformance with FEMA 265 Manual to estimate a BFE in approximate Zone A Flood Zones.
3. The NFIP regulations require that all new construction and substantial improvements of non-residential structures within Flood Zone A together with attendant utility and sanitary facilities, be designed so that below the base flood elevation (BFE) the structure is watertight with wall substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
4. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with the accepted standards of practice for meeting the applicable provisions of the NFIP Non-Residential Flood-proofing Requirements and Certifications Section 60.3(c)(3)(ii) or (c)(8)(ii), and a record of such certificates which includes the specific elevations (in relation to mean sea level) to which such structures are flood-proofed shall be maintained.

ROAD & STREET STANDARDS:

5. Any proposed or required new/reconstructed access drives shall meet the requirements of a Commercial, Industrial and Non-Residential driveway. The developer shall provide a minimum of 18-foot wide driveway with 2-feet of shoulder from the publicly maintained road to the improved structure and the design criteria outlined in Section 15 of the 2011 Napa County Road and Street Standards (RSS). Pavement structural sections shall be determined by the designed Traffic Index. The minimum structural section shall be 2-inches of hot mix asphalt (HMA) over 5-inches of Class II Aggregate Base (AB) in accordance with Section 27 of the RSS.
6. Any proposed or required new/reconstructed parking shall meet the requirements outlined in the current Napa County RSS, Section 9 and/or Detail D-8, page 82.

SITE IMPROVEMENTS:

7. All on site civil improvements proposed including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking, and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Napa County PBES Department Engineering Division prior to the commencement of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
8. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
9. Grading and drainage improvements shall be constructed according to the current Napa County RSS, Napa County Stormwater Program, and the California Building Code (CBC). Specifically, all cut and fill slopes shall be setback to meet the latest CBC.
10. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Napa County PBES Department Engineering Division evidence that the Owner has entered into agreements with the property owners of the site involved and has obtained the permits, licenses and clearances prior to commencing any off-hauling operations.

CONSTRUCTION SITE RUNOFF CONTROL REQUIREMENTS:

11. Prior to submittal of a building and/or grading permit, applicants must complete the "Construction Site Runoff Control Applicability Checklist" in Appendix A of the County of Napa Construction Site Runoff Control Requirements Manual to determine if their overall development is subject to Construction Site Runoff Control BMP requirements.
12. All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with Napa County Stormwater Ordinance 1240 and the latest adopted state regulations. Best Management Practices (BMPs) shall also be implemented to minimize dust at all times.
13. Any construction activity that equals or exceeds one acre of total disturbed area shall prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the regulations of California Regional Water Quality Control Board (CRWQB) and shall file a Notice of Intent (NOI) prior to commencement of any construction activity. The completed SWPPP shall be submitted to the Napa County PBES Department Engineering Division for review.
14. All hazardous materials stored and used on-site during construction that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, concrete, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified.

15. All trash enclosures must be covered and protected from rain, roof, and surface drainage.
16. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:

17. The proposed development is categorized as a Priority Project due to the approximate 8,658 sq.ft. of new or reconstructed parking lots as defined by the Napa County Post-Construction Runoff Management Requirements Appendix A - Project Applicability Checklist.
 - i. Priority Projects must submit a complete Stormwater Runoff Management Plan (SRMP) to the Engineering Division. The SRMP must be prepared in accordance with the requirements specified in the Napa County Post-Construction Runoff Management Requirements Manual.
18. Project must conform and incorporate all appropriate Site Design, Source Control and Treatment Control Best Management Practices (BMPs) as required by the current Napa County manual for Post-Construction Runoff Management Requirements, at the time of the building and/or grading permit, which is available at the PBES Department office.
 - i. Treatment Control BMPs shall be design as a single or combination of treatment control BMPs designed to infiltrate, filter, and/or treat runoff from the project footprint to one of the "Numeric Sizing Treatment Standards."
19. Post-development runoff volume shall not exceed pre-development runoff volume for the 2-year, 24-hour storm event. Post-development runoff volume shall be determined by the same method used to determine pre-development conditions. If post-development runoff volume exceeds pre-development runoff volume after the site design BMPs are incorporated into the project's overall design, a structural BMP (e.g. infiltration, and/or retention/detention systems) may be used to capture and infiltrate the excess volume.
20. Parking lots and other impervious areas shall be designed to drain through grassy swales, buffer strips, sand filters or other sediment control methods which will be approved by this Department. If any discharge of concentrated surface waters is proposed into any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board prior to the issuance of applicable construction permits.
21. Provide concrete stamping, or equivalent, of all stormwater conveyance system inlets and catch basins within the project area with prohibitive language (e.g., "No Dumping – Drains to Napa River"). Signage shall identify the receiving water the drain discharges to and include a message in Spanish.
22. Trash storage areas shall be paved with an impervious surface, designed not to allow run-on from adjoining areas, and screened or walled to prevent off-site transport of trash. Trash storage areas must contain a roof or awning to minimize direct precipitation or contain attached lids on all trash containers that exclude rain.

23. All roofs, gutters, and/or downspouts made of copper or other unprotected metals shall discharge to landscaping or other pervious surface designed and maintained appropriately to prevent soil erosion.
24. Outdoor material storage areas which contain smaller quantities of materials and waste (e.g. pesticides, fertilizers, etc.) with the potential to contaminate stormwater must be placed in an enclosure such as a cabinet, shed, or similar structure that prevents contact with runoff or spillage to the stormwater conveyance system.
25. Outdoor material storage areas which contain large quantities of materials and/or waste which may be impracticable to cover the area must be designed to preclude stormwater run-on and temporarily covered with tarps during rain events.
26. Storage areas for liquid materials and water must have a permanent cover to keep rainwater out of the storage area and protected by secondary containment structures such as berms, dikes or curbs.
27. Processing areas shall be paved and performed indoors or under cover to preclude rainwater from contacting the processing area. Installation of storm drains in processing areas is prohibited.
28. Interior floor drains shall be plumbed to the sanitary sewer system or closed loop system and shall not be connected to storm drains.
29. Prior to final occupancy the property owner must legally record a "Maintenance Agreement" approved by the PBES Department Engineering Division to ensure all post-construction structures (i.e. Treatment Control BMPs, and Detention/Retention structures) on the property remain functional and operational for the indefinite duration of the developed site.
- 30.
31. Each year the entity responsible for maintenance is required to complete an annual report that includes copies of completed inspection and maintenance checklists to document that maintenance activities were conducted during the previous year. The annual report shall be retained for a period of at least five years and made available upon request by the County.

ANY CHANGES IN USE MAY NECESSITATE ADDITIONAL CONDITIONS FOR APPROVAL.

If you have any questions regarding the above items please contact Patrick Ryan from Napa County PBES Department Engineering Division at (707) 253.4892 or via e-mail at Patrick.Ryan@countyofnapa.org.



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Department of Public Works

1195 Third Street, Suite 201
Napa, CA 94559-3092
www.co.napa.ca.us/publicworks


Main: (707) 253-4351
Fax: (707) 253-4627

Steven E. Lederer
Director

GROUNDWATER MEMORANDUM

DATE: May 12, 2014

TO: Conservation Development and Planning Department

FROM: Annamaria Martinez, Assistant Engineer 
Phone: 707-259-8378
Email: annamaria.martinez@countyofnapa.org

SUBJECT: LMR Rutherford Winery, APN#: 030-100-016, UP#:P13-00167 & P13-00185

The applicant requests to construct a winery with a production capacity of 100,000 gallons with visitation and marketing events. The project is located on the St. Helena Highway in Rutherford, CA.

COMMENTS:

1. The parcels are located in the "Valley Floor" region.
2. The existing use for the parcel is estimated to be 20.9 acre-feet per year.

RECOMMENDED CONDITIONS:

1. We have reviewed the phase one, water availability analysis for the proposed project. The 30 acre parcel is located in the valley floor area with an extraction threshold of 1.0 AF/Acre, resulting in a total parcel threshold of 30 AF/Year. The estimated water demand of 22.5 AF/Year is below established threshold for the property.

Based on the information provided, the projected groundwater usage for the project parcel should not have a significant impact on static water levels of neighboring wells.

No further analysis is necessary.



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Department of Public Works

1195 Third Street, Suite 201
Napa, CA 94559-3092
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Main: (707) 253-4351
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Steven Lederer
Director

MEMORANDUM

To:	Wyntress Balcher Planning, Building and Environmental Services Department	From:	Paul Wilkinson, Associate Engineer Public Works
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Date:	May 21, 2014	Re:	P13-00167 – LMR Rutherford Winery
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The traffic engineering review of the LMR Rutherford Winery, Planning Permit number P13-00167. The following items are the Public Works conditions of approval.

1. The project traffic volumes exceed the warrant values that require that the project include the construction of a left turn lane on Highway 29 for traffic entering the project driveway from the southbound direction. The applicant shall submit an application to Caltrans Office of Encroachment Permits to construct a left turn lane at the new project driveway for traffic approaching from the southbound direction. The construction of the left turn lane and any other work inside the Caltrans right of way necessary to complete the driveway approaches shall be complete prior to operation of the winery.

Balcher, Wyntress

From: Munoa, Pete
Sent: Thursday, April 24, 2014 5:05 PM
To: Balcher, Wyntress
Subject: Clarification P13-00167 LMR

So, the previous comment for LMR are still valid.

Pete Muñoa

Battalion Chief

Fire Marshal

NAPA COUNTY FIRE DEPARTMENT

Cooperative Fire Protection with ***CAL FIRE***



NAPA COUNTY FIRE MARSHAL'S OFFICE

HALL of JUSTICE, 2nd Floor

1125 Third Street

Napa, CA 94559

Office - 707.299.1461

Fax - 707.253.4411



A Tradition of Stewardship
A Commitment to Service

Napa County Fire Department
Fire Marshal's Office
1199 Big Tree Road
St. Helena, CA 94574

Office: (707) 967-1419
Fax: (707) 967-1474

Pete Muñoa
Fire Marshal

INTER-OFFICE MEMORANDUM

TO: Mary Doyle
Planning, Building and Environmental Services

FROM: Pete Muñoa
Fire Department

DATE: June 26, 2013

Subject: P13-00167 UP & P13-00185 VAR APN# 030-100-016

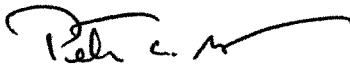
SITE ADDRESS: 1790 St. Helena Hwy. So., Rutherford CA
LMR Rutherford Winery

The Napa County Fire Marshal's Office has reviewed the Use Permit & Variance application for a 100,000 Gallon winery with visitation and marketing. I am requesting that the comments below be incorporated into the project conditions should the Planning Commission approve this project.

1. **All construction and use of the facility shall comply with all applicable standards, codes, regulations, and standards at the time of building permit issuance.**
2. All fire department access roads shall comply with Napa County Public Works Road and Street Standards.
3. The numerical address of the facility shall be posted on the street side of the buildings visible from both directions and shall be a minimum of 4-inches in height on a contrasting background. Numbers shall be reflective and/or illuminated.
4. All buildings over 3,600 square feet shall be equipped with an automatic fire sprinkler system conforming to NFPA 13 2010 edition with water flow monitoring to a Central Receiving Station.
5. The required fire flow for this project is 200 GPM for a 60 minute duration at 20 psi residual pressure. A UL listed fire pump conforming to NFPA 20, 2010 edition may be required to meet or exceed the required fire flow for the project.

6. Provide 6,000 gallons of water dedicated for fire protection. **Water storage for fire sprinkler systems shall be in addition to the water storage requirement for your fire flows and domestic use.**
7. Provide fire department access roads to within 150 feet of any exterior portion of the buildings. Fire department access roads shall be a minimum of 20 feet in width with a 14 foot clear vertical clearance.
8. All driveways and roads shall comply with the Napa County Public Works Road and Street Standards.
9. Blue dot reflectors shall be installed 12-inches off centerline in front of all fire hydrants.
10. All fire hydrants shall be painted chrome/safety yellow.
11. Approved steamer fire hydrants shall be installed and accessible within 250 feet of all fire apparatus access roads. Private fire service mains shall be installed, tested and maintained per NFPA 24 2010 edition.
12. Currently serviced and tagged 2A 10BC fire extinguishers shall be mounted 3.5 to 5 feet from the top of all extinguishers to the finished floor and be reachable within 75 feet of travel distance from any portion of every building.
13. All exit doors shall open without the use of a key or any special knowledge or effort.
14. Install illuminated exit signs throughout the buildings per the California Building Code 2010 edition.
15. Install emergency back-up lighting throughout the buildings per the California Building Code 2010 edition.
16. Install laminated 11" x 17" site plans and building drawings in NCFD specified KNOX CABINET. Two Master keys to all exterior doors shall be provided in the KNOX CABINET. A PDF file shall be sent to the Napa County fire Marshal's Office.
17. Beneficial occupancy will not be granted until all fire department issues have been, tested and finalized.
18. Provide 100 feet of defensible space around all structures.
19. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.
20. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus in all weather conditions.
21. Fire lanes shall be painted red with white 4 inch high white letters to read "NO PARKING FIRE LANE-CVC22500.1" stenciled on the tops of the curbs every 30 feet.

22. Barricades shall be provided to protect any natural gas meter, fire hydrants, or other fire department control devices, which may be subject to vehicular damage.
23. Technical assistance in the form of a Fire Protection Engineer or Consultant acceptable, and reporting directly to the Napa County Fire Marshal's Office. The Fire protection Engineer or Consultant shall be provided by the applicant at no charge to the County for the following circumstances:
 - a. Independent peer review of alternate methods proposals.
24. Plans detailing compliance with the fire and life safety conditions of approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and/or as described above.
25. All post indicator valves and any other control valve for fire suppression systems shall be monitored off site by a Central Station or Remote receiving Station in accordance with NFPA 72 2010 edition.
26. A complete set of building drawings and civil drawings shall be submitted to the Napa County Fire Marshal's Office for plan review and approval prior to building permit issuance.



Pete Muñoa
Fire Marshal

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-6053
FAX (510) 286-5559
TTY 711

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SEP - 9 2013

Napa County Planning, Building
& Environmental Services



*Flex your power!
Be energy efficient!*

September 4, 2013

NAP029798

NAP-029-25.137

Ms. Charlene Gallina
Napa County Planning Department
1196 Third Street, Suite 210
Napa, CA 94559

Dear Ms. Gallina:

LMR RUTHERFORD WINERY - APPLICATION

Thank you for including the California Department of Transportation (Caltrans) in the environmental process for this project. The following comments are based on recently provided the Permit Application #P13-00167 and P13-00185. As the lead agency, the County of Napa is responsible for all project mitigation, including any needed improvements to state highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. This information should also be presented in the Mitigation Monitoring and Reporting Plan of the environmental document. Required roadway improvements should be completed prior to issuance of the Certificate of Occupancy. Since an encroachment permit is required for work in the state right of way (ROW), and Caltrans will not issue a permit until our concerns are adequately addressed. We strongly recommend that the County work with both the applicant and the Caltrans to ensure that our concerns are resolved during the environmental process, and in any case prior to submittal of an encroachment permit application. Further comments will be provided during the encroachment permit process; see the end of this letter for more information regarding encroachment permits.

It was not clear if this project is a new project at the same location at the Rutherford Wine and Cheese project or a major revision of the project submitted in 2006. It would be appreciated if you could clarify the project status.

Traffic Impact Study

One of Caltrans' ongoing responsibilities is to collaborate with local agencies to avoid, eliminate, or reduce to insignificant levels potential adverse impacts to the state highway system from local development projects. We recommend using the Caltrans *Guide for the Preparation of Traffic Impact Studies* (TIS Guide) for determining which scenarios and methodologies to use in the analysis. We encourage the County to coordinate preparation of the TIS Guide with our office, and we would appreciate the opportunity to review the scope of work. Please include the information detailed below in the TIS to ensure that project-related impacts to state roadway facilities are thoroughly assessed. The TIS Guide is available at the following website:

http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf

The TIS should include:

1. Vicinity map, regional location map, and a site plan clearly showing project access in relation to nearby state roadways. Ingress and egress for all project components should be clearly identified. The state ROW should be clearly identified.
2. The maps should also include project driveways, local roads and intersections, parking, and transit facilities.
3. Project-related trip generation, distribution, and assignment. The assumptions and methodologies used to develop this information should be detailed in the study, and should be supported with appropriate documentation.
4. Average Daily Traffic, AM and PM peak hour volumes and levels of service (LOS) on all significantly affected roadways, including crossroads and controlled intersections for existing, existing plus project, cumulative and cumulative plus project scenarios. Calculation of cumulative traffic volumes should consider all traffic-generating developments, both existing and future, that would affect study area roadways and intersections. The analysis should clearly identify the project's contribution to area traffic and degradation to existing and cumulative LOS. Lastly, the Caltrans LOS threshold, which is the transition between LOS C and D, and is explained in detail in the *Guide for the Preparation of Traffic Impact Studies*, should be applied to all state facilities. Please note, Caltrans considers LOS by itself as an inadequate measure of effectiveness (MOE) for describing traffic operational conditions since it may actually mask a deficient condition on one or more approaches. As for intersection analysis the accepted MOEs used by Caltrans include flow (output), average control delay, queue (length or number of vehicles), and Volume/Capacity (V/C) ratio. For freeway and ramp operations, flow (output), speed, and travel time/delay are the accepted MOEs in addition to LOS.
5. Schematic illustration of traffic conditions including the project site and study area roadways, trip distribution percentages and volumes as well as intersection geometrics, i.e., lane configurations, for the scenarios described above.

If the proposed project will not generate the amount of trips needed to meet the Department's trip generation thresholds, an explanation of how this conclusion was reached must be provided.

Cultural Resources

Caltrans requires that a project environmental document include documentation of a current archaeological record search from the Northwest Information Center of the California Historical Resources Information System if construction activities are proposed within state right of way. Current record searches must be no more than five years old. Caltrans requires the records search, and if warranted, a cultural resource study by a qualified, professional archaeologist, and evidence of Native American consultation to ensure compliance with California Environmental Quality Act, Section 5024.5 and 5097 of the California Public Resources Code, and Volume 2 of Caltrans' Standard Environmental Reference (<http://ser.dot.ca.gov>). These requirements,


including applicable mitigation, must be fulfilled before an encroachment permit can be issued for project-related work in state ROW; these requirements also apply to National Environmental Policy Act documents when there is a federal action on a project. Work subject to these requirements includes, but is not limited to: lane widening, channelization, auxiliary lanes, and/or modification of existing features such as slopes, drainage features, curbs, sidewalks and driveways within or adjacent to state ROW.

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the state ROW requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating the state ROW must be submitted to: Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process. See the following website link for more information. <http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Please forward at least one hard copy and one CD of the environmental document, along with the TIS, including Technical Appendices as soon as they are available. Please feel free to call or email Sandra Finegan at (510) 622-1644 or sandra_finegan@dot.ca.gov with any questions regarding this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Erik Alm', written in a cursive style.

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