

DEPARTMENT OF TRANSPORTATION

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November 9, 2011

NAP029887
NAP-029-36.7
SCH# 2011102040

Mr. Erik V. Lundquist
City of Calistoga
Planning and Building Department
1232 Washington Street
Calistoga, CA 94515

Dear Mr. Lundquist:

T-VINE CELLARS – MITIGATED NEGATIVE DECLARATION

Thank you for including the California Department of Transportation (Department) in the environmental review process for the T-Vine Cellars project. The following comments are based on the Mitigated Negative Declaration (MND). Specifically, the Department is concerned with the corroboration of PM Peak Hour data with the study sourcing this data, and meeting obligations regarding the analysis of potentially significant impacts to cultural resources with the state right of way (ROW).

As the lead agency, the City of Calistoga (City) 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 ROW, and the Department will not issue a permit until our concerns are adequately addressed, we strongly recommend that the City work with both the applicant and the Department to ensure that our concerns are resolved during the environmental review process, and in any case prior to submittal of a permit application. Further comments will be provided during the encroachment permit process; see the end of this letter for more information regarding encroachment permits.

Traffic Impact Study (TIS)

Initial Study, Section XVI, page 39, sixth paragraph discusses an evaluation based on PM Peak Hour counts for State Route 29 that was obtained in March 2007. Please provide the study that was the basis for this evaluation as well as the sensitivity analysis also mentioned.

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Cultural Resources

The project environmental document must 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 ROW. Current record searches must be no more than five years old. The Department requires the records search, and if warranted, a cultural resource study by a qualified, professional archaeologist, to ensure compliance with California Environmental Quality Act (CEQA), Section 5024.5 of the California Public Resources Code and Volume 2 of the Department's 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 (NEPA) 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.

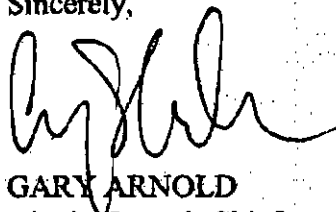
Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the state ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating state ROW must be submitted to: Office of Permits, California DOT, 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 website link below for more information.

<http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Please feel free to call or email Sandra Finegan of my staff at (510) 622-1644 or sandra_finegan@dot.ca.gov with any questions regarding this letter.

Sincerely,



GARY ARNOLD

District Branch Chief

Local Development – Intergovernmental Review

c: State Clearinghouse