

## California Department of Transportation

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July 2, 2021

1-LAK-29- 7.31, 7.8 & 8.15  
Bar X Ranch MUP 20-92  
SCH# 2021060050

Eric Porter, Associate Planner  
Community Development  
County of Lake  
255 N. Forbes Street  
Third Floor, Rm 323  
Lakeport, CA 95453

Governor's Office of Planning & Research

**July 06 2021**

**STATE CLEARINGHOUSE**

Dear Mr. Porter:

Thank you for the opportunity to comment on the proposed Bar X Ranch Major Use Permit on Assessor's Parcels 014-250-05, -07, -10, and -14. The site is comprised of four parcels and 1,594.6 acres of land. This project involves a permit for 75.6 acres of outdoor cultivation area and 62.1 acres of cannabis canopy. The estimated total number of employees after phase two (full build-out) is 345 with an estimated 434-vehicle daily trip count. The project is located at 18655 and 20333 S State Highway (SR) 29, approximately 1.8 miles northeast of Middletown and approximately 2.3 miles southwest of the Hidden Valley Lake community. We have the following comments:

The Mitigated Negative Declaration for the proposed project has not identified any potentially significant impacts to transportation. We do not concur with this finding for two primary reasons:

1. The MND uses sight-distance and shoulder width to make the finding that the project will not substantially increase hazards due to a geometric design feature, i.e., lack of left-turn channelization. The examination of safety impacts ignores the fact that approximately 20% of the northbound AM peak period trips will be making left turns into the southern access during Phase 1 of the project, where virtually no left turns occur under existing conditions. According to our estimates, the proposed project meets the American Association of State Highway and Transportation Officials (AASHTO) methodology (Fukutome method) for requiring left-turn channelization. Without an actual analysis of left-turn channelization warrants, we do not support the claim that the project will not substantially increase hazards due to a geometric design feature.

2. The MND states that the total vehicle trips per day on average for the proposed project would be approximately 102 average trips per day per year. The use of averages to report trips made over the entire year is in support of the claim that the project will generate less than 110 trips per day. During the peak period of operation, the project will generate over 240 trips per day, more than double the threshold amount for screening out proposals from having to complete a Vehicle Miles Traveled (VMT) analysis. We do not concur with the rationale because it is not consistent with Statewide goals to reduce VMT. The applicant could reduce VMT (by 15%) by providing vanpools for seasonal agricultural workers during peak periods.

We request that the MND either conduct transportation analyses to support the MND's claims or, if the applicant and the County are in agreement with the estimates provided above, identify mitigation to offset the project's transportation impacts. We offer to meet with the County to confirm the assumptions and conclusions for any mitigation plan.

The MND failed to identify Caltrans as one of the public agencies whose approval may be required as part of project approval. The MND notes that all three existing access points may be used as part of the proposed project. The driveway encroachments onto State Route 29 will need to be upgraded to meet current State standards as a condition of project approval.

There are three deeded points of access to the subject parcels, all on the west side of SR 29. Privately-owned dirt roads within the subject parcels connect the three access points together off the highway. None of the existing access openings feature left turn channelization. The speed limit is 55 mph at all approaches. Caltrans has reviewed the driveways on-site. A description of the three access points is provided below:

- The southerly deeded access point at approximate post mile (PM) 7.31 has a 20-foot wide opening in the access control limits. The 16-foot wide driveway was paved and is serviceable but has deteriorated pavement. There is a paved driveway apron, however, the flares and tapers do not meet minimum requirements. The driveway is 177 feet long within the Caltrans Right of Way (R/W) measured from the fog line to the Deeded Opening/private gate. This approach has a 2% negative slope from the highway to the gate. Existing corner sight distance to the south appears to be approximately 550 feet, to the north it is in excess of 1000 feet.
- The middle deeded access point at PM 7.8 appears to be labeled as a 50-foot opening on the Caltrans right of way map. This driveway was reconstructed and upgraded to meet or exceed minimum specifications for a multi-family/

commercial road approach by Caltrans in the early 2000's. This driveway is paved for the entire length within the Caltrans R/W, measured from the fog line to the private gate to be 232-feet. The entire driveway has a paved width of 19 feet except for the gate opening which narrows to 12 feet. There is no culvert under this driveway; there is a straight, negative grade of about 3-5%, sloping away from the highway. Existing corner sight distance exceeds 1000 feet to the north and to the south it appears to be approximately 600 feet.

- The northerly deeded access point at PM 8.15 has a 20-foot wide opening in access control. This driveway is 123-feet long, measured from the fog line to the private gate. This driveway is not paved, but there is a small, non-standard paved apron. The gravel/dirt driveway is 12- to 14-feet wide at the private gate. There is a failed & plugged 12-inch Corrugated Metal Pipe (CMP) culvert under this driveway. The driveway slopes negatively away from the highway at an approximated 1% grade. The existing corner sight distance appears to exceed 600-feet in each direction.

To accommodate the traffic generated by the project, we require the northerly and southerly approaches be improved to meet current commercial driveway standards, including a paved throat width of 20 feet, enlargement of the flares and tapers, and replacement of the culvert under the northerly approach. Due to the speed and volume of traffic on SR 29 and the number of project-generated vehicle trips turning left in, we require left turn channelization be added to the southern approach (PM 7.31) prior to Phase 1 and at the middle approach (PM 7.8) prior to Phase 2, as conditions of project approval.

The required improvements must include a set of plans prepared by a licensed engineer to be submitted with the encroachment permit application. All driveways that connect to state highway right of way need to comply with Appendix J of the Caltrans Encroachment Permits Manual which can be viewed online: <https://dot.ca.gov/-/media/dot-media/programs/traffic-operations/documents/encroachment-permits/appendix-j-ada.pdf>.

Any work within Caltrans right of way will require an encroachment permit from Caltrans (upgrading existing access non-conforming access and new left turn channelization). Permits to construct, upgrade, own, and operate road approaches to the state highway system are issued to the individual or legal entity with ownership rights of that road approach. Proof of ownership/easement must be submitted with the application for a permit. If there are no ownership/easement rights, then the applicant may, with the property owner's written permission, apply for a permit on behalf of the owner as an authorized agent of the property owner.

Mr. Eric Porter, Associate Planner

7/2/21

Page 4

As part of the encroachment permit application, a deposit of \$1640 will be required as well as a performance bond in an amount to be determined.

To streamline the permit approval process, we require the applicant arrange and participate in a pre-submittal meeting with the Caltrans encroachment permits staff in Ukiah, prior to submitting a permit application. For more information or to request an encroachment permit, please contact the Ukiah permits office at (707) 463-4743, and refer to this website: <<https://dot.ca.gov/programs/traffic-operations/ep>>.

Please note that any design exceptions needed in order to approve the requested access improvements would change the encroachment review to an "oversight" project per our new QMAP process. The QMAP process is an entirely different process than our normal encroachment permit application review in terms of both timeline for approval as well as cost.

This segment of SR 29 is classified as an "access-controlled expressway." This means, for purposes of safety and operations, the state has acquired the access rights to parcels adjacent to the highway. No new road approaches are allowed to be developed outside the existing legally defined openings in the controlled access.

Please contact Jacob Rightnar or me with questions or for further assistance with this letter. Jacob Rightnar can be reached by email at: <[Jacob.rightnar@dot.ca.gov](mailto:Jacob.rightnar@dot.ca.gov)>. You can also contact me by email at: <[jesse.robertson@dot.ca.gov](mailto:jesse.robertson@dot.ca.gov)> or by phone at (707) 684-6879.

Sincerely,

*Jesse Robertson*

Jesse Robertson  
Transportation Planning  
Caltrans District 1

c: State Clearinghouse (e-copy)  
Heidi Quintrell, Chief, Caltrans District 1 Encroachment Permits (e-copy)