



PRESERVE ROSS VALLEY

Jocelyn Drake
Marin County Community Development Agency
3501 Civic Center Drive
Suite 308
San Rafael, CA 94903

February 2, 2016

RE: Marin Catholic's Application for Stadium Lighting

Dear Ms. Drake:

Thank you for taking the time to attend the KPAB meeting regarding this project and speaking with me about it. The following are some of my concerns regarding the completeness of this application. In summary, I believe that the CDA should (1) issue an incomplete notice for this application; (2) require MC to pay for rigorous noise testing during the 2016 season as described below; and (3) require MC to address other defects in the application. I have attached a letter from James Reyff, an acoustical engineer from Illingsworth & Rodkin, who was review the application description and noise reports from Grzebik and Rosen.

Noise Study

There are numerous defects with the Noise Study submitted by MC that renders it incomplete for assessing the impacts of the proposed project. In discussing MC's submission, I will also discuss the 2014 report generated by Alan Rosen. Alan Rosen was selected by the CDA to perform compliance tests for the 2014 stadium renovation project. As such, the Alan Rosen results can be viewed as objective tests.

- The Noise Study contains no measurements of noise from MC's band at football games. As neighbors are well aware, the band is a much more substantial source of noise for neighbors of the campus than the PA system. MC's band is not a "voice" source of sound but rather a percussive source of noise, which has a different impact as compared to "voice" sources of noise. MC has known of this issue since it received comments on its 2012 application for stadium lights. This should have been measured during actual games.
- Percussive sound is also different from "voice" sound. The noise from percussive sound is often not dampened by traveling into a building. While closing a window may reduce the sound from voice sources, it does not mitigate sound from percussive sources to the same extent.
- The Noise Study provides no baseline measurements of noise from MC's crowd at football games. As neighbors well know, the crowd is a much more substantial source of noise for neighbors of the campus than the PA system. MC has been well aware of this issue since it received comments on its 2012 application for stadium lights. This should have been analyzed during actual games.
- The Noise Study contains no mention of measurements of game whistles, horns or other sources of noise. This should have been analyzed during actual games.



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- The Noise Study contains no analysis of the combined or cumulative noise that would be emitted with the proposed change of use. Again, rigorous testing of actual games should be required.
- The Noise Study alleges that an “adjustment” in measurement levels could be made for difference in weather. As there are no baseline measurements in the Noise Study for crowd or band noise or combined or cumulative noise, this alleged “adjustment” has no meaning in assessing the primary sources of noise from the proposed project. The Noise Study also provides no scientific basis for the alleged adjustment or error ranges around the alleged adjustment. I understand this type of adjustment relies on various assumptions that may not hold in this area. Given the unique amphitheater aspects of the subject property and its neighbors, a more rigorous empirical analysis is necessary rather than speculative theoretical adjustments. As such, this entire discussion is conjecture and not a reliable basis for assessing whether the project would have significant impacts or not.
- The Noise Study alleges that an “adjustment” in measurement levels could be made for difference in the size of the crowd. As there are no baseline measurements in the Noise Study for crowd, this alleged “adjustment” has no meaning in assessing the primary sources of noise from the proposed project. There is also no systematic data available to establish baseline levels of noise for various sizes of crowd in different weather conditions. Given the unique amphitheater aspects of the subject property and its neighbors, a more rigorous empirical analysis is necessary rather than speculative theoretical adjustments. As such, this entire discussion is guesswork and not a reliable basis for assessing whether the project would have significant impacts or not.
- The Noise Study is vague in terms of the precise location of the various sound measurements made at each property location and therefore is incomplete for this reason. The Noise Study provides a table purportedly comparing noise readings at five locations taken during the 2014 season. The table appears on the bottom half of page 3 of the Noise Study.
 - The table shows results taken by Rosen et al on October 11 and October 18, 2014. I was present for these measurements along with GPOA Board President Jack Valinoti. All of these tests occurred on private property and in each case the homeowner granted access to the property for purposes of the testing. At 172 Vista Grande, the test location was an upstairs deck facing MC only available from the interior of the house. At 130 Corte Balboa, testing occurred at a backyard deck facing MC available only from the home. At 100 Corte Elena, testing occurred on a backyard deck facing MC only available through a backyard gate. At 15 Almenar testing occurred on a front porch.
 - For 100 Corte Elena, 130 Corte Balboa, and 172 Vista Grande, the test locations used by Rosen faced MC as opposed to the front yard or street, where the physical structure would have dampened sound being emitted from MC. This is in contrast to locations along the street at these addresses, where the building structure would dampen the sound, making any measures here of little use.
 - Grzebik compares tests for MC games on September 6, 2014, November 15, 2015, and November 28, 2015. I have confirmed with the homeowners of 172 Vista Grande, 100 Corte Elena, and 130 Corte Balboa that Grzebik did not have access to the same testing locations on their private property. Grzebik does not state from where precisely he made these measurements, whether from the public street or some other location.

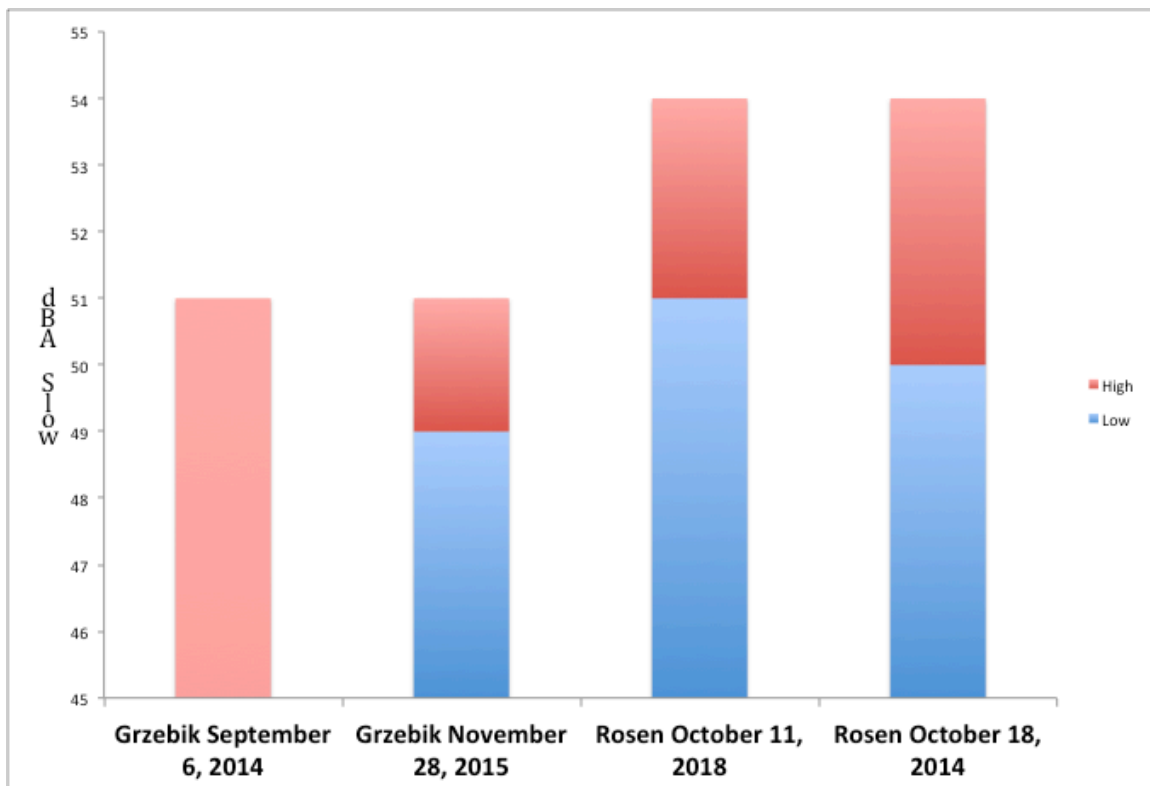


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Without such information, there is no way to assess if this information is comparable or not.

- I have created the following graphs comparing the noise tests of Rosen from the appropriate testing locations at these properties and Grzebik's undisclosed testing locations. The bars show the measurement of sound at each location. Each reports the dBA slow test results, which I understand are a primary metric in the Marin County Sound Element Guidelines for assessing noise from a proposed project. When there was a range, the blue shows the minimum while the red area indicates the range to the maximum. The data clearly show that Rosen systematically measured much higher noise levels than Grzebik.

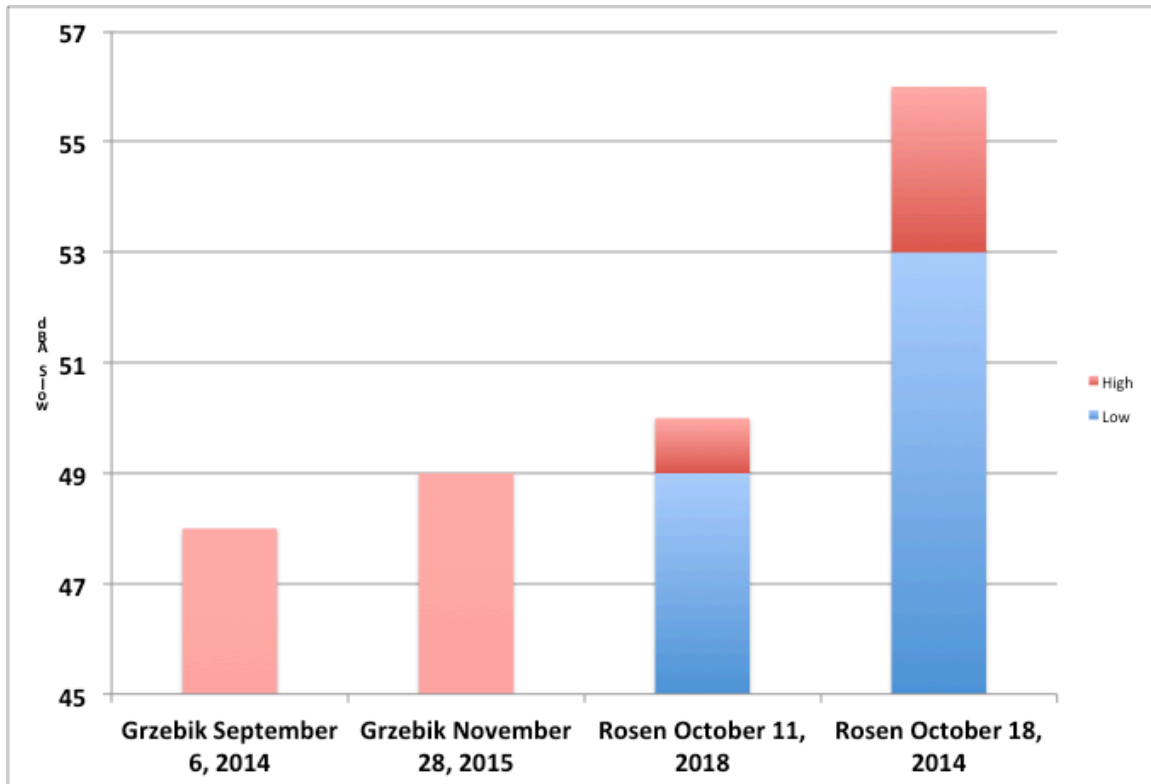
Figure 1: Comparison of 130 Corte Balboa Test Results by Grzebik and Rosen





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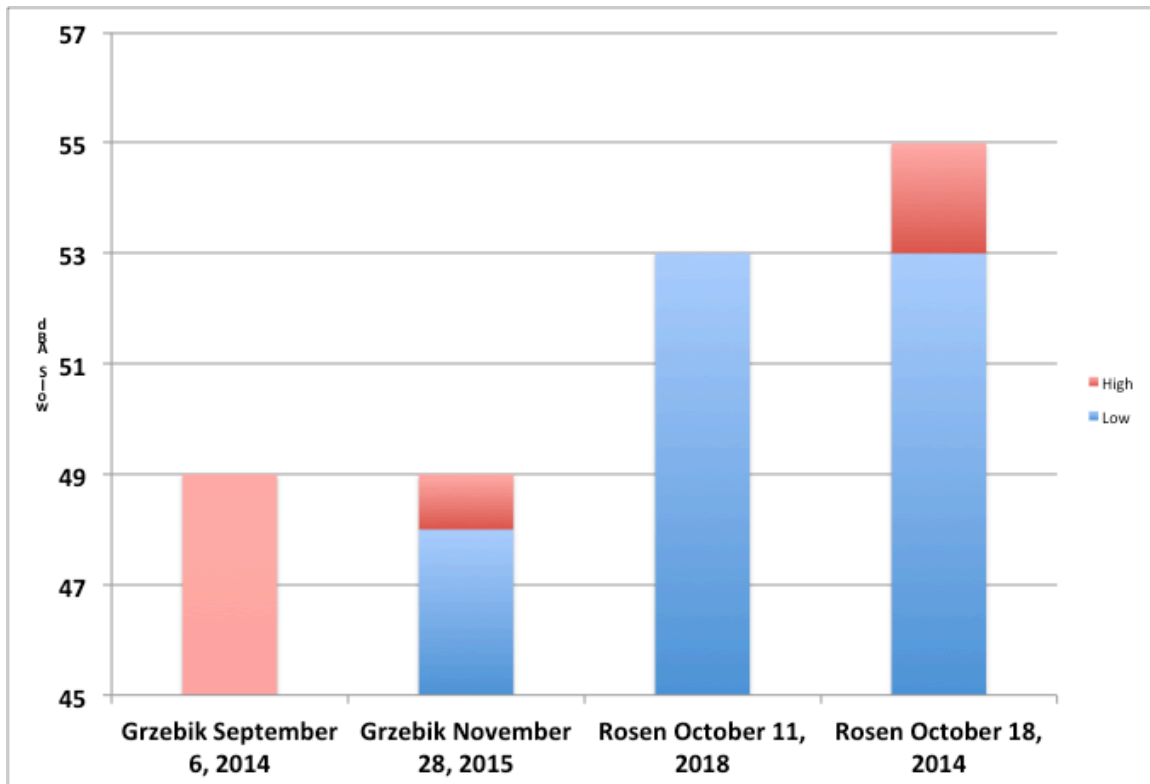
Figure 2: Comparison of 172 Vista Grande Test Results by Grzebik and Rosen





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Figure 3: Comparison of 100 Corte Elena Test Results by Grzebik and Rosen



- Without a clarification regarding the precise locations that Grzebik selected when he took his measurements, the application should be deemed incomplete as this data may be measuring two different locations from an acoustic perspective.
- The Noise Study also claims to test the noise emitted from a “night” setting on the MC sound system tested on November 25, 2015. These tests suffer from the same vagueness issues as the other tests because the precise testing locations at each property are not disclosed.
- There is no systematic information regarding ambient noise levels at any of these locations during proposed night time usage of the proposed project. As such, there is no information to assess if there are significant impacts at the new proposed time of day for use of the proposed project.
- MC’s noise testing does not assess other locations. I understand that there are concerns with noise emitting to other locations. More rigorous sound testing should be done in actual game settings at a more diverse set of locations.
- The noise study does not identify or assess relevant standards for making an assessment of the potential significant impacts of this proposed change of use.
- The application should be deemed incomplete until a complete acoustical report has been submitted. I have attached a letter from acoustical engineer James Reyff of Illingsworth & Rodkin that describes the need for more meaningful analysis before an assessment of the project compliance with the County’s regulations as well as CEQA analysis.



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- MC should be required to pay for sound testing by Alan Rosen for noise to establish meaningful baseline noise levels during actual football games during the 2016 football season. MC should be required to work with the GPOA and other neighborhood groups as well as the Audubon Society and Friends of Corte Madera Creek to establish appropriate testing protocols. This testing, at a minimum, should:
 - Be conducted by a qualified and independent acoustical engineer.
 - Test for all types of noise emitted by the proposed project, including crowd and drum/band noise, whistles, etc., not just PA system noise. There should also be an assessment of cumulative from all sources associated with the project.
 - Include an empirically-based, rather than theoretical, assessment in how noise changes could occur with changes in crowd size and atmospheric conditions.
 - Be geographically comprehensive to test all locations that may be subject to not only significant impacts from noise but also significant cumulative effects of noise, traffic, lights, and increased human activity. This includes not only testing in neighboring residential areas but also testing in neighboring wildlife areas.

Use Permit Issues

The application should be found incomplete because it is vague as to how its use permit from 1949 should be amended. The request to amend its 1949 use permit should call also into question the cumulative changes in the use of the site and its proposed uses going forward.

Since 1949, MC has, through its own choices, substantially decreased the size of its parcel through transactions that created the now Bay Club on Bon Air road as well as the Saint Sebastian church. These decisions by MC have substantially shrunk the available field space for MC.

At the same time, MC wants to expand its athletic programs. The decisions to shrink the parcel and the current desire to increase the intensity of use of the parcel are incompatible decisions. MC's proposed solution to add stadium lights to compensate for its own decisions to reduce field space inflicts significant negative impacts on neighboring wildlife and residents through increased noise, lights, and traffic and usage at inappropriate times of day. This request for a change in its use permit should call into question all aspects of MC's use permit to make its proposed uses of the property better inline with the community. It should also call into question various "existing use" such as emission of sound from "temporary" sources, such as amplified music during sporting events and the use of the sound system at the baseball field. In short, MC's proposal to substantially increase the use of its property should trigger an evaluation of the breadth of its use permit. MC must be required to clarify which permit it seeks to amend.

County Code and Design Review – Height and Setbacks for Pole Structures

The project descriptions and drawings are vague and incomplete as to whether the proposed lighting structures conform to the County's development codes and regulations. The application does not



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describe if, or if so, how the 80-foot poles are consistent with the County's code. The height limits in residential R1 areas are 30 feet for structures and 15 feet for accessory structures per Section 22.10.040. Some exceptions exist in the code but it is unclear how these proposed structures should be categorized under the code.

There is also the question of setbacks for proposed new structures in the application. In reviewing Plans Page C1.0 of the proposed project application, the southern most pole structure on the drawing bordering the Bay Club property appears to have no effective setback from the pole and accompanying structure to support the pole. The combination of the 80-foot size of the pole and the lack of meaningful setback appears to be inconsistent with the Code. It is also unclear what is the effective setback for the western pole on the other side of the home bleachers in the drawing.

The application should be deemed incomplete regarding these issues and the application should be clarified whether variances are required regarding the height of the poles as well as necessary setbacks for the poles.

Lights Study and Photographic Simulations

The submitted study is not adequate to assess visual impacts of increased nighttime use of the fields and parking lot and should be deemed incomplete.

The pictures and calculations only purport to simulate turning on lights for the proposed new 80-foot poles. The project plans contemplate 30 additional light standards used throughout the project. These lights are not necessarily directed downward or using the same technology. The study's calculations and pictures do not include increased use of parking lot lights, increased use of lights for paths and other new light sources included in the project proposal. The analysis is therefore not capturing the total impact of the proposed project.

The submitted simulation pictures are flawed. Examining the photo renderings shows that the "comparison" photos do not reflect the same time of day. This is obvious from looking at the sky portions of each photo, which do not match.

The photos do not represent how the project would look during the majority of its use - after dark with lights from the proposed four poles, accompanying lights and the parking lot lights turned on together.

The pictures are not from all appropriate locations. The addition of poles will impact the public's view from many locations. The County's incomplete notice from the 2012 application indicated that renderings of the visual impact of the poles should be done from Hal Brown Park, for instance. They should also be done from other locations around the proposed stadium lighting. This is not only a Greenbrae hillside issue.

Mt. Tamalpais is a designated visual resource under CEQA. Projects subject CEQA compliance need to be considered for visual impacts of visual resources from public viewpoints. The addition of poles will



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directly impact the view of Mt Tam along Sir Frances Drake. Sir Frances Drake is a major thoroughfare in Marin County. Marin County has a long tradition of respecting views along roadways. Stretches of Coastal Route 1 also enjoy this protection. Marin County does not allow billboards along highways for similar reasons. The proposed stadium lights would significantly impact the public's enjoyment of views.

The Light Study states that “[o]ur primary directive from Marin Catholic High School was to analyze a football field lighting design to determine the light impact with regard to the neighboring residences.” The light study provides no information about the impact of light on wildlife in the neighboring Corte Madera Creek wildlife areas. The creek area is much closer to MC than neighboring residences. Without this information, there is no objective way to assess the project under CEQA and other necessary California and Federal statutes and guidelines. As I described above, the lack of setback for the southern and western poles in the applications heighten the need for a more complete analysis.

The drawings include various color-coding on pages E1.1 to E1.5 but it is not clear what the coding means.

General Plan Description and Drawing Issues

There are some issues that are vague and incomplete regarding the plans generally:

- Sheet E1.1 includes Figure 2 “Enlarged Bleacher Lighting Plan”. What does this mean? Are there plans for the bleachers to be enlarged in the future?
- Sheet C1.1 indicates path areas that are shaded with different colors (at the north end of the field). It is unclear what these colors mean. This needs to be clarified.

Thank you very much for your consideration of these comments.

Sincerely,

John Holzwarth

CC: Katie Rice
KPAB
GPOA

Attachment